

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
JANUARY 2, 2018**

The regular meeting of the Board of Supervisors followed the organizational meeting for the annual appointments. A quorum of Supervisors was declared.

Scott Boorse	-	Chairman, Board of Supervisors
Michael Shiring	-	Vice-Chairman, Board of Supervisors
J. Daniel Hill	-	Member, Board of Supervisors

Vice-Chairman Shiring moved to approve the December 4, 2017 minutes as written. Chairman Boorse seconded the motion. Supervisor Hill abstained from voting as his term of office started with the January 2, 2018 meeting. The minutes were approved with two in favor and one abstention.

Vice-Chairman Shiring moved to approve the bills submitted for payment since the December meeting. General Fund bills totaled \$81,464.70. Sewer Fund bills totaled \$16,032.39. Chairman Boorse seconded the motion. Supervisor Hill abstained from voting as his term of office started with the January 2, 2018 meeting. The bills were approved with two in favor and one abstention.

ZONING HEARING BOARD APPLICATIONS

The Zoning Hearing Board (ZHB) will be meeting on Wednesday, January 17th @ 7 PM to consider two applications.

1009 SABER ROAD/LEE (SOLAR CITY) SOLAR ROOF ARRAY

Solar City, DBA Tesla, representing Denny Lee, 1009 Saber Road, is requesting a special exception pursuant to Section 122-105.8(B)(1) of the Zoning Chapter of the Township Code to erect a roof top mounted solar array on the single family home.

Charisa Power was present from Solar City. She stated that there would be 51 panels erected on the rear of the house. The number of panels was determined by estimating the annual use of power, but it will not replace 100% of the existing power source. The panels are an interlocking pop system on rafters which will appear as one large unit. A structural analysis was not required for this application.

Chairman Boorse asked about provisions for the wiring? Ms. Power responded that the wiring will be placed in conduits which can be painted to blend in with the house color so they are not as visible. There are no back-up batteries as there is no storage availability.

Supervisor Hill asked about the weight of each panel? Ms. Power said that they are 45 lbs. and 3 x 5 in size.

Ms. Power showed an aerial photograph of the house. The panels would be hidden from view by a tree line. She noted that the adjacent neighbor to the left of 1009 Saber Road also had solar panels installed on the rear roof line.

Vice-Chairman Shiring moved to take a non-position on the application and to defer to the expertise of the ZHB. Chairman Boorse seconded the motion which was unanimously approved.

1302 WILMINGTON PIKE/DIMARCO-FREDDY'S (URBAN NEON SIGNS)/SIGNAGE

At its meeting on December 4, 2017, the Board of Supervisors moved to oppose the ZHB application of Urban Neon Electric Sign Co. and Freddy's Steakburgers c/o Stephen DiMarco for a variance from the single freestanding sign limitation in Section 122-90.B(1)(a) of the Zoning Chapter of the Township Code and for a variance from the maximum of 50 square feet total display area on a freestanding sign requirement of Section 122-90.B(1)(d) of the Code in order to add a 13.5 square foot message board on an existing compliant freestanding/ground sign.

The Supervisors unanimously opposed the application as they had a lot of questions and there was no representation by the applicant. They were also not in favor of supporting sign variances or additional signage on the Rt. 202 Corridor.

The applicant requested that the ZHB hearing be continued in order to answer the Board's questions.

John DiMarco of Freddy's and James Malin from Urban Neon Electric Sign Co. were present. Mr. DiMarco's preference would be to have a digital sign board where the message could be changed from his office. They are using this signage at the Broomall location. He was willing to comply with any timing requirements for changing the sign. The letters on the pylon copy board have to be changed manually at the sign. He indicated that the signage helps the business with the promotion of discount days for seniors and military personnel and he was willing to use the sign to promote local news such as for an "Amber alert" and fundraisers.

Mr. Malin stated that 13 ½ feet will be added to the size of the sign. A lot of area is lost at the top of the sign but the design can't be changed as it has to comply with corporate requirements. The changeable board will be a white plexi-face with red trim. The lettering will be six inches tall with suction cups.

Vice-Chairman Shiring asked why this signage wasn't requested during the original application? Mr. DiMarco indicated that they wanted to stay within the parameters of the ordinance in order to expedite the project.

Chairman Boorse stated that digital signs are not allowed in the Code. Signage is a very touchy subject in the Township. Any changes would become precedent setting and would open the door for all the other businesses to request the same. He would not be in favor of a 28% increase in the size of the sign as it would be precedent setting.

Vice-Chairman Shiring concurred and stated that there would have to be a unique reason or hardship for granting the variance.

Mr. DiMarco said that a Freddy's Steakburgers is going to be built in Lionville and the sign on Wilmington Pike can be moved to that location. A smaller sign with the changeable letter board can be made for the Wilmington Pike location that would be 50 sq. ft. and comply with the ordinance. A variance would not be required, just a permit. The applicant discussed the possibility of withdrawing the application.

Vice-Chairman Shiring moved to oppose the application as currently presented if it goes forward as presented and is not withdrawn as the Board is not in favor of additional signage and supporting variance requests for signage on Rt. 202 as it is precedent setting. Chairman Boorse seconded the motion which was unanimously approved.

BRANDYWINE CONSERVANCY LETTER RE: O'DELL PROPERTY/MEETINGHOUSE RD.

The Brandywine Conservancy sent the Board a letter dated December 15, 2017 requesting support for an application to the Chester County Department of Open Space Preservation under Round 30 of its Preservation Partnership Program for funds to help finance the purchase of the 13.6 acre parcel at 1050 Meetinghouse Road owned by the Estate of Roberta O'Dell.

The Township had previously supported the preservation of 500 contiguous acres to the property along the Meetinghouse Road Corridor where some of the heaviest fighting occurred during the Battle of Brandywine. The Birmingham Hill trail is located along the Meetinghouse Road Corridor.

Chairman Boorse moved to send a letter to the Brandywine Conservancy supportive of the grant application to the Chester County Department of Open Space Preservation for the 1050 Meetinghouse Road property. Supervisor Hill seconded the motion which was unanimously approved.

Chairman Boorse noted that the Brandywine Conservancy had first right of refusal to the property under the preservation agreement for the surrounding property.

PSATS RESOLUTION #2018-0102D

The Township is in receipt of correspondence from PSATS requesting that the Board adopt a resolution (sample provided by PSATS) opposing HB 1620 which would amend the Wireless Broadband Collocation Act to provide a statewide preemption of local zoning for wireless facilities; strip municipalities of their legal authority to regulate wireless facilities within and outside the public rights-of-way; and limit a municipality's ability to negotiate and collect reasonable fees for co-location on municipal infrastructure.

Chairman Boorse moved to adopt Resolution #2018-0102D in opposition of House Bill 1620, entitled the "Wireless Infrastructure Deployment Bill" as recommended by PSATS. Vice-Chairman Shiring seconded the motion which was unanimously approved.

PUBLIC COMMENT

There was no public comment.

The meeting was adjourned at 8:37 PM. (MTS;JDH)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

02-Jan-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19032	1/2/2018	11	21ST CENTURY MEDIA - PHILLY	\$286.05
19033	1/2/2018	1001926	AJ BLOSENSKI, INC.	\$147.74
19034	1/2/2018	80	AQUA PENNSYLVANIA	\$46.00
19035	1/2/2018	5	BOROUGH OF WEST CHESTER,	\$18,252.50
19036	1/2/2018	79	BRANDYWINE VALLEY SPCA	\$1,591.35
19037	1/2/2018	873	CARDMEMBER SERVICE	\$586.72
19038	1/2/2018	1002343	CHES.CO.TREASURER OFFICE P	\$50.00
19039	1/2/2018	1001918	CHESTER CO LODGE #11	\$223.00
19040	1/2/2018	51	CHESTER COUNTY TREASURER	\$532.38
19041	1/2/2018	415	COLLEEN M. PIMER	\$130.00
19042	1/2/2018	1001902	COMCAST CABLE	\$104.85
19043	1/2/2018	1002258	EASTERN SALT COMPANY INC	\$8,583.19
19044	1/2/2018	933	GARNET AUTOMOTIVE GROUP	\$32.58
19045	1/2/2018	780	GUMBALL MEDIA,LLC\LAND ART	\$705.00
19046	1/2/2018	422	HARRY TILLMAN AUTOMOTIVE L	\$545.96
19047	1/2/2018	517	INDEPENDENCE BLUE CROSS	\$6,666.00
19048	1/2/2018	1002337	JENNIFER MATWIEJEWICZ	\$368.00
19049	1/2/2018	91	PSATS	\$1,192.00
19050	1/2/2018	171	REILLY & SONS INC.	\$753.32
19051	1/2/2018	26	SIGNAL SERVICE INC.	\$100.00
19052	1/2/2018	23	VANDEMARK & LYNCH, INC.	\$1,714.96
19053	1/2/2018	1001913	VERIZON WIRELESS	\$411.69
19054	1/2/2018	1002181	VIRTUAL TOWN HALL HOLDINGS	\$2,000.00
Bank Totals:				\$45,023.29
Total Of Checks:				\$45,023.29

Check Register**BIRMINGHAM TOWNSHIP**

02-Jan-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK SEWER FUND				
9540	1/2/2018	80	AQUA PENNSYLVANIA	\$1,236.80
9541	1/2/2018	1001859	COYNE CHEMICAL	\$1,086.92
9542	1/2/2018	780	GUMBALL MEDIA,LLC\LAND ART	\$400.00
9543	1/2/2018	906	PA DEP	\$100.00
9544	1/2/2018	586	VERIZON 610-399-6923 315	\$37.01
9545	1/2/2018	574	WASTE MANAGEMENT OF SOUT	\$67.07
Bank Totals:				\$2,927.80
Total Of Checks:				\$2,927.80

Check Register

BIRMINGHAM TOWNSHIP

18-Dec-17

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19031	12/18/2017	600	CHESCO HISTORIC PRESERV NE	\$85.00
Bank Totals:				\$85.00
Total Of Checks:				\$85.00

Check Register

BIRMINGHAM TOWNSHIP

18-Dec-17

	Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND					
	19006	12/18/2017	79	BRANDYWINE VALLEY SPCA	\$41.20
	19007	12/18/2017	366	BUCKLEY,BRION,MCGUIRE ATTY	\$4,352.37
VOID	19008	12/18/2017	600	CHESCO HISTORIC PRESERV NE	\$170.00
	19009	12/18/2017	775	CONVENIENT CAR CARE CORPO	\$299.40
	19010	12/18/2017	1002369	CROWN TROPHY	\$7.00
	19011	12/18/2017	707	DAVID S RATHBUN	\$41.20
	19012	12/18/2017	560	DRUGSCAN,INC.	\$504.00
	19013	12/18/2017	46	GALLS, LLC	\$623.69
	19014	12/18/2017	780	GUMBALL MEDIA,LLC\LAND ART	\$3,179.00
	19015	12/18/2017	422	HARRY TILLMAN AUTOMOTIVE L	\$612.46
	19016	12/18/2017	1002052	JENNIFER A BOORSE	\$400.00
	19017	12/18/2017	178	PAGE EXCAVATING COMPANY,I	\$16,557.50
	19018	12/18/2017	205	PARKWAY DRY CLEANERS, INC.	\$163.70
	19019	12/18/2017	30	PECO ENERGY (TRAFFIC LIGHT)	\$53.12
	19020	12/18/2017	171	REILLY & SONS INC.	\$1,249.14
	19021	12/18/2017	507	ROTHWELL DOCUMENT SOLUTI	\$457.60
	19022	12/18/2017	1002371	RUGGERI CADILLAC OF WEST C	\$841.87
	19023	12/18/2017	811	S & S CLEANING SERVICE	\$388.00
	19024	12/18/2017	226	SIRCHIE FINGER PRINT LABORA	\$105.86
	19025	12/18/2017	1002370	THE BRITISH BRIGADE	\$750.00
	19026	12/18/2017	426	THE WATER GUY	\$5.68
	19027	12/18/2017	115	THOMAS R. NELLING	\$220.00
	19028	12/18/2017	746	V.E. RALPH & SON,INC.	\$2,759.00
	19029	12/18/2017	1002154	VERIZON 610-4291316 676	\$57.92
	19030	12/18/2017	61	VERIZON 610-793-2600-794	\$324.45
Bank Totals:					\$34,164.16
Total Of Checks:					\$34,164.16

Revised (33,994.16)

Check Register

BIRMINGHAM TOWNSHIP

18-Dec-17

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK SEWER FUND				
9532	12/18/2017	1002318	BIG FISH ENVIRONMENTAL SER	\$7,276.20
9533	12/18/2017	366	BUCKLEY,BRION,MCGUIRE ATTY	\$250.50
9534	12/18/2017	780	GUMBALL MEDIA,LLC\LAND ART	\$850.00
9535	12/18/2017	1002364	KBX GOLDEN LLC	\$340.00
9536	12/18/2017	798	PA ONE CALL SYSTEM,INC.	\$22.14
9537	12/18/2017	29	PECO ENERGY	\$3,160.70
9538	12/18/2017	586	VERIZON 610-399-6923 315	\$60.05
9539	12/18/2017	1001834	WM P MCGOVERN INC	\$1,145.00
Bank Totals:				\$13,104.59
Total Of Checks:				\$13,104.59

Check Register

BIRMINGHAM TOWNSHIP

12-Dec-17

Check No	Check Date	Vendor No	Vendor Name	Check Amount
MARK GENERAL FUND				
19004	12/12/2017	80	AQUA PENNSYLVANIA	\$2,348.25
19005	12/12/2017	30	PECO ENERGY (TRAFFIC LIGHT)	\$14.00
Bank Totals:				\$2,362.25
Total Of Checks:				\$2,362.25