

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
JULY 9, 2018**

The regular meeting of the Board of Supervisors was called to order by Chairman Boorse with the customary pledge of allegiance. A quorum of Supervisors was declared.

Scott Boorse	-	Chairman
Michael Shiring	-	Vice-Chairman
J. Daniel Hill	-	Supervisor

Vice-Chairman Shiring moved to approve the June 4, 2018 minutes as written. Supervisor Hill seconded the motion and the minutes were unanimously approved.

Vice-Chairman Shiring moved to approve the bills submitted for payment since the June 4th meeting. Chairman Boorse seconded the motion and the bills were unanimously approved. General Fund bills totaled \$60,838.17. Sewer Fund bills totaled \$28,658.99. State Fund Ck#187 was approved for payment to Innovative Construction Services, Inc. for Invoice #13592 for \$16,741.51 for the 2018 Road Program.

APPOINTMENT OF HISTORICAL COMMISSION MEMBER

Vice-Chairman Shiring moved to appoint Jeff Janofsky, Thornbury Road resident, to the Historical Commission to fill the vacant term ending in 2019 contingent upon being interviewed and approved by all the members to the committee. Besides interviewing with the Supervisors prior to tonight's meeting, Mr. Janofsky has only talked with the Historical Commission Chairman Mike Forbes about interest in the vacant position. Supervisor Hill seconded the motion and the appointment was unanimously approved.

HARB REPORT

BIXLER/964 WES MOORE DRIVE/STUCCO REMEDIATION

HARB recommended that a Certificate of Appropriateness be issued to Ronald and Joan Bixler, 964 Wes Moore Drive, to complete the following projects:

1. Remove the existing stucco and replace it with James Hardie siding, color Cobble Stone.
2. Replace the roof with Timberline GAF shingles, color to be Mission Brown.

Chairman Boorse moved to approve the Certificate of Appropriateness as recommended by HARB. Vice-Chairman Shiring seconded the motion which was unanimously approved.

KOZELKA/1010 REVOLUTIONARY DRIVE/STUCCO REMEDIATION

HARB recommended that a Certificate of Appropriateness be issued to T.J. and Trish Kozelka, 1010 Revolutionary Drive, to complete the following projects:

1. Remove all the stucco that was installed over the existing cedar siding and replace any damaged cedar siding after the stucco is removed.
2. Paint all cedar siding, color to be Benjamin Moore Dove Wing.

Chairman Boorse moved to approve the Certificate of Appropriateness as recommended by HARB. Vice-Chairman Boorse seconded the motion which was unanimously approved.

ZONING HEARING BOARD APPLICATION/1032 GENERAL LAFAYETTE BLVD. – FARRELL(MEGILL HOMES, INC.)

The Zoning Hearing Board will be meeting on July 26th @ 7 PM to consider the application of Megill Homes, Inc. on behalf of property owners Nicholas and Linda Farrell for variances to construct a detached garage and pool and to remove existing hardscaping improvements on their property at 1032 General Lafayette Blvd. The requested variances are:

1. From the 10% lot coverage requirement in Section 122-24.C of the Zoning Chapter of the Township Code in order to increase the existing non-conforming 18% lot coverage to 20.8%;
2. From the minimum 90% green space requirement of Section 122-24.1 of the Code in order to reduce existing non-conforming green space from 82% to 79.2%; and
3. From the requirement of Section 122-108.A of the Code which permits the enlargement of a non-conforming structure as long as the enlargement would not increase the non-conformity with respect to lot coverage.

Scott Megill with Megill Homes said that the plan is to turn the existing garage into a family room; to add a new detached garage and pool and to do some patio work. Some asphalt and the sidewalk will be removed.

Chairman Boorse commented that the lot is already non-conforming and the increase in the non-conforming lot coverage would be 2%. He noted that typically the Supervisors leave the decision up to the Zoning Hearing Board to render an appropriate decision after it has heard all the testimony.

Vice-Chairman Shiring moved to take a non-position on the Megill Homes, Inc. Zoning Hearing Board application on behalf of the Farrells at 1032 General Lafayette Blvd. and to let the Zoning Hearing Board render a decision after all the evidence is presented. Chairman Boorse seconded the motion which was unanimously approved.

VISION PARTNERHSIP GRANT FOR THE BRANDYWINE CONSERVANCY

Sheila Fleming from the Brandywine Conservancy was present to discuss funding for a National Historic Landmark Connectivity Plan. The proposal has been presented to the Township's Recreation, Park & Open Space Committee as well as the Historical Commission. Both groups are recommending Township support.

Ms. Fleming stated that the Brandywine Conservancy is in the process of purchasing the remaining 13 acre O'Dell property along Meetinghouse Road where Mrs. O'Dell lived prior to her death. The Brandywine Conservancy previously purchased 100 acres from Mrs. O'Dell which is the first preserve to be owned by the Brandywine Conservancy. A master plan is being developed for future use of the property.

Ms. Fleming said that the Conservancy is proposing that a consultant be hired to develop a multi-municipal plan for the interpretive connectivity of key historic resources of the Brandywine

Battlefield National Historic Landmark. The five municipalities which are suggested for participation in the planning effort are Birmingham Township, which would be the lead municipality; East Bradford Township; Westtown Township; Thornbury Township and Pennsbury Township. This plan would be prepared and coordinated simultaneously with the master plan for the O'Dell property.

Ms. Fleming is proposing that the National Historic Landmark Plan be funded through a vision partnership grant through the Chester County Planning Commission. The estimated cost for the project is \$43,000. The grant would be for \$30,000.; Birmingham Township would contribute \$5,000. and the other participating municipalities would contribute \$2,000. each. Birmingham Township would have to front the funding; pay the bills and submit the reimbursement requests to the County for the grant reimbursement.

Ms. Fleming said that a steering committee would be formed for the development of the National Historic Landmark Connectivity Plan. The committee would consist of a Supervisor and a Planning Commission member from each participating municipality along with a paid historic planning consultant whose services would be bid. Non-profit and private landowners would be invited to participate on the steering committee.

The key properties for the project are:

- Strodes Mill (East Bradford)
- Osborne Hill (Westtown and Birmingham)
- Crebilly Farm (Westtown)
- Birmingham Hill (Birmingham)
- Sandy Hollow (Birmingham)
- Dilworth Farm (Birmingham)
- Spackman Farm (Thornbury)
- Battlefield Park (Chadds Ford)
- Barnes-Brinton House (Pennsbury)

The main objective is to have a plan for stewardship and preservation of these properties which includes a combined vision for these historic places to provide a link for visitor analysis so the story of the battlefield resources is told in a consistent manner.

Ms. Fleming has talked to staff at the participating municipalities and support has been indicated by all for the project. East Bradford Township has authorized financial commitment of \$2,000. The grant proposal is due by mid-August 2018 with an estimated eighteen month time frame for the project with an end date of the fall of 2020.

There were a lot of questions posed by the Board and answered by Ms. Fleming.

- Who makes the decisions in the process, the steering committee, Birmingham Supervisors or all of the participating townships? “to be decided”
- Is the funding just for the hired consultant? “yes”
- Who signs off on the plan? “Birmingham accepts the plan; all participating townships sign off on what goes into the plan; and Birmingham adopts a resolution accepting the plan for all participants.”

- Will the master plan for the O'Dell property be part of the National Historic Connectivity Plan? "No, it will be a separate plan with both projects running simultaneously."
- Will there be public participation on the O'Dell plan? "No, it will be private with limited public input."
- What is the deliverable? "A recommendation on interpreting the battlefield sites so the stories are told in a consistent manner as well as how the stories are told and what interpretive facilities are best for each site; with compatibility for all sites."
- If Birmingham is issuing the request for proposal and paying all the bills what is the involvement of the other participating townships? "Representatives from all townships will be providing comments and feedback for inclusion in the plan with the draft plan going before each township for approval. Birmingham is the lead because 80% of the study area is along Meetinghouse Road while the other townships have only one or two sites."
- What is the deadline? "The grant proposal is due to the County by August 15th. A new round of grant money is available every six months."
- How concrete is the \$43,000. estimated cost? "The estimated cost was provided by a consultant and Chester County Planning Commission staff. The budget for the project could be provided prior to the consultant embarking on the plan."

The Board and the township committees were not aware of the township's requirements and involvement other than the \$5,000. contribution.

Randell Spackman, owner of Thornbury Farm, and member of several historical groups, was in favor of the plan as it is hard to get a cohesive, consistent message on the various battlefield properties. It would also be helpful from a technology point of view for GPS mapping.

Mr. Janofsky thought the signage at the township's historic sites was sufficient and he wondered what would be accomplished with the connectivity plan.

Mr. Kershaw, Dilworth Farm, said that the Civil War Trust had preserved 1370 Birmingham Road and he asked about coordination with that group? Ms. Fleming explained that they would be represented on the steering committee as a stakeholder landowner.

There were several residents in attendance that had concerns about the development of the O'Dell property.

Doug Marshall, Meetinghouse Road, expressed concern on traffic, parking, and congestion for the O'Dell property as well as entry to the property since Meetinghouse Road is a narrow road.

Debbie Hineman, Meetinghouse Road, said that Birmingham Township has control over its historic resources which she didn't think needed more investigating. She did not think the Township should be thrown into being responsible for the project and connectivity for all the resources in the participating townships. She noted how difficult it is to get volunteers and that this is another project asking for volunteer time from the residents.

Jack Simpson, Meetinghouse Road, said he didn't want Meetinghouse Road widened and he expressed concern on the potential traffic nightmare that might be created with increased traffic to the O'Dell property.

Kelly Fleming, Historical Commission Member and Meetinghouse Road resident, expressed confusion over "connectivity" as the locations were not physically being connected. Ms. Fleming explained that visitors would drive between the sites collecting information with the purpose being to deliver cohesiveness between the various sites.

Mrs. Fleming expressed concern over the possibility of increased traffic on Meetinghouse Road. She also stated that the Birmingham Hill trail that exists now is not working. The trail crosses the road at her house and pedestrians often end up lost in her yard. She would be supportive of standardized signage that might be a by-product of the proposed plan.

Chuck Feld, RPOS member, stated that the Birmingham Hill trail will be moved to one side of Meetinghouse Road and it wouldn't cross the road as it does presently.

Chairman Boorse commented that if the O'Dell property is opened to the public that compliance with township ordinances would be required.

Supervisor Hill asked what the plan is for the O'Dell property? Mrs. Fleming responded that since it is such a historically significant property that an in depth study will be done to determine what is there and what needs to be protected.

Mrs. Hineman noted that the Brandywine Battlefield National Park in Chadds Ford Township doesn't work well and there is little public visitation.

Regarding the National Historic Landmark Connectivity Plan, Chairman Boorse said he was struggling with the purpose of the plan and the \$5,000. commitment. He felt that Birmingham Township had done a good job in identifying its own resources.

Vice-Chairman Shiring requested more specifics on the township's obligations in letter format from the Brandywine Conservancy as well as a commitment from the Brandywine Conservancy to do the grant writing on behalf of the Township at no cost. He thought it was a great idea in concept but it wasn't clear to him who was making the decisions and he wanted to make sure that Birmingham's interests were protected. He wanted confirmation that Chester County was only interested in Birmingham Township taking the lead on the project and contributing \$5,000. towards it.

Chairman Boorse said he did not expect the Township to make the August 15th deadline. He wanted more conversation with the Township committees on the deliverable and the benefit for the Township.

POLICE REPORT

Chief Nelling reported for the month of June. There were 1,235 incidents for the month, including eight criminal arrests. There were 6,838 patrol miles logged on the vehicles during the

month. Chief Nelling noted that there is an unsolved burglary which occurred at a house in Radley Run while the property owners were on vacation.

At the recommendation of Chief Nelling, Chairman Boorse moved to increase the wage rate for Peter Gardner to \$21.00/hr. effective July 2, 2018 as he has completed his training and is working on his own. Vice-Chairman Shiring seconded the motion which was unanimously approved.

PUBLIC COMMENT

Mr. Marshall suggested that the Supervisors work with the Brandywine Conservancy on the O'Dell property project.

The meeting was adjourned at 8:38 PM. (JDH;MTS)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register

BIRMINGHAM TOWNSHIP

13-Jun-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19303	6/13/2018	29	PECO ENERGY	\$273.19
19304	6/13/2018	30	PECO ENERGY (TRAFFIC LIGHT)	\$12.07
			Bank Totals:	\$285.26
			Total Of Checks:	\$285.26

Check Register

BIRMINGHAM TOWNSHIP

13-Jun-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK SEWER FUND				
9629	6/13/2018	29	PECO ENERGY	\$173.06
			Bank Totals:	\$173.06
			Total Of Checks:	\$173.06

Check Register

BIRMINGHAM TOWNSHIP

18-Jun-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19305	6/18/2018	80	AQUA PENNSYLVANIA	\$2,348.25
19306	6/18/2018	1002400	AXON ENTERPRISE, INC.	\$288.00
19307	6/18/2018	1001986	BECKER LOCKSMITH SERVICES	\$131.00
19308	6/18/2018	366	BUCKLEY,BRION,MCGUIRE ATTY	\$1,600.90
19309	6/18/2018	1002390	CJS TIRE & AUTOMOTIVE	\$512.00
19310	6/18/2018	1001994	CLARK HILL PLC	\$3,732.48
19311	6/18/2018	560	DRUGSCAN,INC.	\$336.00
19312	6/18/2018	114	FRONEFIELD CRAWFORD. JR. LL	\$200.00
19313	6/18/2018	46	GALLS, LLC	\$233.74
19314	6/18/2018	780	GUMBALL MEDIA,LLC\LAND ART	\$4,052.00
19315	6/18/2018	422	HARRY TILLMAN AUTOMOTIVE L	\$561.97
19316	6/18/2018	517	INDEPENDENCE BLUE CROSS	\$6,666.00
19317	6/18/2018	1002423	L-TRON CORPORATION	\$2,994.88
19318	6/18/2018	205	PARKWAY DRY CLEANERS, INC.	\$167.39
19319	6/18/2018	30	PECO ENERGY (TRAFFIC LIGHT)	\$48.17
19320	6/18/2018	1001951	R R DONNELLEY	\$209.70
19321	6/18/2018	171	REILLY & SONS INC.	\$576.60
19322	6/18/2018	811	S & S CLEANING SERVICE	\$388.00
19323	6/18/2018	424	UNITED STATES POSTAL SERVI	\$500.00
19324	6/18/2018	23	VANDEMARK & LYNCH, INC.	\$12,045.92
19325	6/18/2018	1002154	VERIZON 610-4291316 676	\$47.23
19326	6/18/2018	61	VERIZON 610-793-2600-794	\$333.45
19327	6/18/2018	311	WILLIAMSON LAW BOOK CO	\$119.37
Bank Totals:				\$38,093.05
Total Of Checks:				\$38,093.05

Check Register**BIRMINGHAM TOWNSHIP**

18-Jun-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK SEWER FUND				
9630	6/18/2018	366	BUCKLEY,BRION,MCGUIRE ATTY	\$40.00
9631	6/18/2018	1001859	COYNE CHEMICAL	\$1,440.25
9632	6/18/2018	2	FREEDOM SYSTEMS	\$235.00
9633	6/18/2018	780	GUMBALL MEDIA,LLC\LAND ART	\$2,260.00
9634	6/18/2018	1002424	M & S SERVICE COMPANY INC	\$1,120.00
9635	6/18/2018	798	PA ONE CALL SYSTEM,INC.	\$31.20
9636	6/18/2018	29	PECO ENERGY	\$2,160.04
9637	6/18/2018	23	VANDEMARK & LYNCH, INC.	\$149.38
9638	6/18/2018	586	VERIZON 610-399-6923 315	\$57.25
9639	6/18/2018	1001834	WM P MCGOVERN INC	\$1,553.50
			Bank Totals:	\$9,046.62
			Total Of Checks:	\$9,046.62

Check Register

BIRMINGHAM TOWNSHIP

28-Jun-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19328	6/28/2018	1001913	VERIZON WIRELESS	\$189.02
			Bank Totals:	\$189.02
			Total Of Checks:	\$189.02

Check Register**BIRMINGHAM TOWNSHIP**

09-Jul-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK SEWER FUND				
9640	7/9/2018	149	AECOM	\$2,980.58
9641	7/9/2018	80	AQUA PENNSYLVANIA	\$1,430.26
9642	7/9/2018	1001859	COYNE CHEMICAL	\$2,903.50
9643	7/9/2018	780	GUMBALL MEDIA,LLC\LAND ART	\$2,370.00
9644	7/9/2018	1001755	MAJIC LANDSCAPES	\$468.00
9645	7/9/2018	29	PECO ENERGY	\$2,157.66
9646	7/9/2018	586	VERIZON 610-399-6923 315	\$40.77
9647	7/9/2018	1002401	WALTON WATER SERVICES	\$6,340.12
9648	7/9/2018	574	WASTE MANAGEMENT OF SOUT	\$68.42
9649	7/9/2018	1001834	WM P MCGOVERN INC	\$680.00
			Bank Totals:	\$19,439.31
			Total Of Checks:	\$19,439.31

Check Register

BIRMINGHAM TOWNSHIP

09-Jul-18

Check No	Check Date	Vendor No	Vendor Name	Check Amount
TRUMARK GENERAL FUND				
19329	7/9/2018	8	10-8 EMERGENCY VEHICLE SER	\$3,108.40
19330	7/9/2018	557	ALL SEASONS LANDSCAPING C	\$874.81
19331	7/9/2018	80	AQUA PENNSYLVANIA	\$2,412.75
19332	7/9/2018	366	BUCKLEY, BRION, MCGUIRE ATTY	\$302.00
19333	7/9/2018	873	CARDMEMBER SERVICE	\$319.97
19334	7/9/2018	617	CHESTER WATER AUTHORITY	\$653.40
19335	7/9/2018	1002121	CLEVENS K-9 SCOOP LLC	\$84.00
19336	7/9/2018	1001902	COMCAST CABLE	\$104.85
19337	7/9/2018	775	CONVENIENT CAR CARE CORPO	\$149.70
19338	7/9/2018	882	DCED	\$202.50
19339	7/9/2018	780	GUMBALL MEDIA, LLC/LAND ART	\$2,045.00
19340	7/9/2018	422	HARRY TILLMAN AUTOMOTIVE L	\$166.99
19341	7/9/2018	711	JUDY JENSEN	\$700.00
19342	7/9/2018	1001755	MAJIC LANDSCAPES	\$2,014.00
19343	7/9/2018	1001867	PAMA	\$225.00
19344	7/9/2018	205	PARKWAY DRY CLEANERS, INC.	\$158.49
19345	7/9/2018	30	PECO ENERGY (TRAFFIC LIGHT)	\$12.30
19346	7/9/2018	171	REILLY & SONS INC.	\$1,521.33
19347	7/9/2018	811	S & S CLEANING SERVICE	\$632.07
19348	7/9/2018	1002436	SALSBURY INDUSTRIES	\$1,172.70
19349	7/9/2018	1001833	STAPLES BUSINESS ADVANTAG	\$373.78
19350	7/9/2018	1002435	TREETOP PRODUCTS CONSOLI	\$1,519.49
19351	7/9/2018	278	UNRUH, TURNER, BURKE & FRE	\$3,246.90
VOIDED - 19352	7/9/2018	23	VANDEMARK & LYNCH, INC.	\$9,416.04
19353	7/9/2018	917	WITMER PUBLIC SAFETY GROU	\$270.41

Bank Totals: 22,270.84 ~~\$31,686.88~~
 Total Of Checks: 22,270.84 ~~\$31,686.88~~