

**BIRMINGHAM TOWNSHIP  
BOARD OF SUPERVISORS MINUTES  
JULY 8, 2019**

The regular meeting of the Board of Supervisors was called to order at 7:30 PM in the Township Building by Chairman Boorse with the pledge of allegiance. A quorum of Supervisors was declared.

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

Chairman Boorse moved to approve the June 3, 2019 minutes as written. Supervisor Hill seconded the motion which was approved. Vice-Chairman Shiring abstained from voting as he was not in attendance.

Vice-Chairman Shiring moved to approve the bills submitted for payment since the June 3, 2019 meeting. General Fund bills totaled \$64,283.44. Sewer Fund bills totaled \$52,730.68. Chairman Boorse seconded the motion and the bills were unanimously approved.

**SEWER PIPE REPAIRS**

Sewer Administrator, William Kirkpatrick, was present to discuss replacement of the 306 feet of corroded ductile iron sewer pipe behind the Holiday Inn Express on Rt. 202. The pipe that needs to be replaced starts at a manhole near the northwest corner of the Acura dealer parking lot and runs north behind the Holiday Inn Express, ending at a manhole adjacent to the southwestern corner of the Q Fitness Building behind Starbucks. A video pipe was placed up the pipe which could not maneuver the sewer line as it was navigating on rocks and the sewer is flowing along the underlying rock. It appears the low PH is attacking the metal pipe.

Mr. Kirkpatrick stated that the ductile iron pipe must be removed and replaced immediately. This section of pipe is very difficult to access and steeply sloped. The remainder of the pipe in the system is PVC and not corroded.

Mr. Kirkpatrick said that AECOM, the Township Sewer Engineer, wants to clean the pipe and move past the obstruction with a high torque impact cutter which they can use to bore through problematic obstacles while also sweeping and cleaning the entire length of pipe, which is heavily corroded and built up with grease. The pipe would then be lined with a textile liner impregnated with an epoxy resin which will not corrode and will provide reinforcement. Excavation work will be necessary adjacent to the parking lot behind the Q Fitness in order to access the sewer pipe as the pipe cannot be accessed through the existing northern manhole. Assuming this work is successful, then the 306 feet of pipe can be lined. The cost for this project is \$63,252.00, excluding engineering billing from AECOM.

Mr. Kirkpatrick informed the Board that if this process does not work and the entire pipe would have to be replaced, the cost would exceed \$100,000.00. The easement for the sewer line would have to be expanded closer to the homes on Faucett Drive. Additional significant excavation

would also be necessary as a large amount of fill was placed on the property of the Holiday Inn Express, when originally built as the Comfort Inn, to level out the building pad and parking area. A retaining wall was added at the southern end of the property which would have to be removed and replaced in order to replace the pipe.

There was discussion by the Board on the necessity to bid the work. The Township Solicitor had opined, after discussion with the Township Sewer Engineer, that the initial work to clear the obstruction was clearly emergency repair work. Lining the pipe after clearing the obstruction was not discussed. Vice-Chairman Shiring will confer with the Township Solicitor as to whether the lining portion of the work needs to go through the bidding process or can be considered as part of the emergency repair project.

Vice-Chairman Shiring moved to authorize Reybold Construction to do emergency repair work on the sewer to mechanically remove the obstruction in the sewer line between MH6 and MH7 as explained by Sewer Administrator William Kirkpatrick and the June 28, 2019 memo from the Township Sewer Engineer, with the cost of the project not to exceed \$64,000.00 plus AECOM engineering fees for the project, with the understanding that Vice-Chairman Shiring will confirm with the Township Solicitor on whether the lining is part of the emergency repair or needs to go through the bidding process. Chairman Boorse seconded the motion which was unanimously approved.

### **POLICE REPORT**

Chief Nelling reported for the month of June 2019. There were 792 incidents, including six criminal arrests. There were 7,202 patrol miles logged on the vehicles for the month. Chairman Boorse noted that vacation house checks were low for the month. Chief Nelling stated that the number of vacation house checks is higher during the winter months than the summer months.

### **CERTIFIED LOCAL GOVERNMENT(CLG) CERTIFICATION RENEWAL**

The Township is in receipt of correspondence dated June 13, 2019 from the Pennsylvania State Historic Preservation Office asking all communities that participate in the CLG Program to renew their interest in participating by signing a new Certification Agreement. A sample resolution was provided to authorize the Chairman to execute the agreement on behalf of the Township. The CLG Program oversees the Historical Architectural Review Board (HARB) requirements and implementation for the Township.

Vice-Chairman Shiring moved to adopt Resolution #19-0708A to have Chairman Boorse execute all necessary agreements between the Township and the Pennsylvania State Historic Preservation Office for participation in the CLG Program. Supervisor Hill seconded the motion which was unanimously approved.

### **RESOLUTION FOR BBD, LLP FOR 2019 AUDIT**

At its June 3<sup>rd</sup> meeting, the Board of Supervisors authorized advertising to consider the appointment of BBD, LLP to perform the audit of the Township books for 2019.

Chairman Boorse moved to adopt Resolution #19-0708B to appoint the accounting firm of BBD, LLP to prepare the audit of the Township books for 2019 for a fee of \$5,000.00. Supervisor Hill seconded the motion which was unanimously approved.

### **PUBLIC COMMENT**

Pratap Kesarkar, 1370 Old Wilmington Pike, has appealed the subdivision approval of 1360 Old Wilmington Pike to the Court of Common Pleas. He asked that the minutes reflect the reason for his appeal. 1) The Township didn't follow the ordinances and deprived the residents of due process; 2) Requesting rescission of the subdivision and require the applicant to go through the process per ordinance.

He said that he sent a letter to the Township Engineer on June 13<sup>th</sup> relating to safety concerns regarding the 1360 Old Wilmington Pike development to which he has had no response. His concern is with the proposed common driveway for the development complying with township ordinances, specifically sight distance and sight triangle requirements.

Bill Hopping, 1053 General Sullivan Drive, said that he was not a party to the appeal, but he went through his own appeal with the Township on solar panel installation. He understood that the appeal couldn't be discussed publicly, but he encouraged a dialogue between the affected parties as tension is growing on this issue and settlement discussions are permitted.

Vice-Chairman Shiring responded that the Township has instructed legal counsel to begin these dialogues. He added that the owner of 1360 Old Wilmington Pike is also involved in this matter.

Vice-Chairman Shiring stated that the Supervisors were hoping to resolve this matter at the April 23<sup>rd</sup> Historical Commission meeting and the May 6<sup>th</sup> Township meeting when the landscape screening between 1370 and 1360 Old Wilmington Pike was reviewed in conjunction with a Historic Resource Impact Study.

Mr. Kesarkar said that he appreciated the Township's effort but not the outcome. He expressed his continued frustration with not getting resolution to not being notified by regular mail of the 1360 Old Wilmington Pike Subdivision being on the agendas. He said that more than 50% of the residents did not receive notification. He was under a thirty day time line for an appeal so he couldn't wait for the Township to act and resolve the issue. He said he just wanted the process followed the right way.

Mr. Kesarkar was advised by Vice-Chairman Shiring that the issues presented were substance of the appeal so the Board had to refrain from discussing the matter with him.

Jakob Speksnuder, 1363 Brinton Run, said he attended the Historical Commission meeting when the demolition of the house at 1360 Old Wilmington Pike was discussed, but he did not receive

official notice until after the meeting had occurred. He said he did not think it was a good idea to demolish historical resources.

Chairman Boorse responded that a professional consultant was hired to do a report on the condition of the house at 1360 Old Wilmington Pike. Based on the information presented, the Board approved the demolition of the house.

Pratap Kesarkar asked about the demolition plans for the barn on the Dilworth Farm property. Vice-Chairman Shiring responded that there is no application before the Township for its demolition. The Township is not the owner of the property, but was simply a conduit for grant funding for the sale of the property.

The meeting was adjourned at 8:28 PM. (MTS;JDH)

Respectfully submitted,

Quina Nelling  
Secretary/Treasurer

**Check Register****BIRMINGHAM TOWNSHIP**

17-Jun-19

Check No	Check Date	Vendor No	Vendor Name	Check Amount
<b>TRUMARK SEWER FUND</b>				
9835	6/17/2019	149	AECOM	\$3,467.87
9836	6/17/2019	366	BUCKLEY,BRION,MCGUIRE ATTY	\$874.00
9837	6/17/2019	661	COMMONWEALTH OF PENNSYL	\$500.00
9838	6/17/2019	1001859	COYNE CHEMICAL	\$2,413.25
9839	6/17/2019	585	EMERGENCY SYSTEMS SERVIC	\$1,431.00
9840	6/17/2019	29	PECO ENERGY	\$2,519.48
9841	6/17/2019	586	VERIZON 450-748-892-0001-25	\$63.59
9842	6/17/2019	1002401	WALTON WATER SERVICES	\$5,678.29
9843	6/17/2019	1001834	WM P MCGOVERN INC	\$3,534.50
<b>Bank Totals:</b>				<b>\$20,481.98</b>
<b>Total Of Checks:</b>				<b>\$20,481.98</b>

## Check Register

## BIRMINGHAM TOWNSHIP

17-Jun-19

Check No	Check Date	Vendor No	Vendor Name	Check Amount
<b>TRUMARK GENERAL FUND</b>				
19908	6/17/2019	11	21ST CENTURY MEDIA - PHILLY	\$104.75
19909	6/17/2019	43	A & D ELECTRIC INC.	\$1,212.00
19910	6/17/2019	1002533	ALEXANDER FOOTE	\$39.85
19911	6/17/2019	80	AQUA PENNSYLVANIA	\$2,362.89
19912	6/17/2019	366	BUCKLEY,BRION,MCGUIRE ATTY	\$2,371.25
19913	6/17/2019	1002121	CLEVENS K-9 SCOOP LLC	\$224.98
19914	6/17/2019	775	CONVENIENT CAR CARE CORPO	\$269.75
19915	6/17/2019	560	DRUGSCAN, INC.	\$168.00
19916	6/17/2019	585	EMERGENCY SYSTEMS SERVIC	\$739.50
19917	6/17/2019	114	FRONEFIELD CRAWFORD. JR. LL	\$500.00
19918	6/17/2019	46	GALLS, LLC	\$320.29
19919	6/17/2019	422	HARRY TILLMAN AUTOMOTIVE L	\$154.99
19920	6/17/2019	517	INDEPENDENCE BLUE CROSS	\$5,321.51
19921	6/17/2019	904	MATTHEW BENDER & CO.,INC	\$53.44
19922	6/17/2019	205	PARKWAY DRY CLEANERS, INC.	\$166.56
19923	6/17/2019	29	PECO ENERGY	\$340.57
19924	6/17/2019	30	PECO ENERGY (TRAFFIC LIGHT)	\$72.70
19925	6/17/2019	171	REILLY & SONS INC.	\$605.21
19926	6/17/2019	507	ROTHWELL DOCUMENT SOLUTI	\$178.88
19927	6/17/2019	811	S & S CLEANING SERVICE	\$388.00
19928	6/17/2019	278	UNRUH, TURNER, BURKE & FRE	\$4,138.59
19929	6/17/2019	23	VANDEMARK & LYNCH, INC.	\$5,562.18
19930	6/17/2019	1002154	VERIZON 250-441-074-0001-11	\$55.33
<b>Bank Totals:</b>				<b>\$25,351.22</b>
<b>Total Of Checks:</b>				<b>\$25,351.22</b>

# Check Register

BIRMINGHAM TOWNSHIP

01-Jul-19

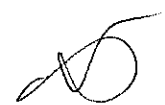
Check No	Check Date	Vendor No	Vendor Name	Check Amount
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## TRUMARK GENERAL FUND

19931	7/1/2019	1001913	VERIZON WIRELESS 722423083	\$189.15
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<b>Bank Totals:</b>	<b>\$189.15</b>
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<b>Total Of Checks:</b>	<b>\$189.15</b>
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**Check Register**

BIRMINGHAM TOWNSHIP

03-Jul-19

From: 17-Jun-19 To: 17-Jun-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
<b>Bank Account: 11 TRUMARK GENERAL FUND</b>					
19908	6/17/2019	11	21ST CENTURY MEDIA - PHI	\$104.75	O
19909	6/17/2019	43	A & D ELECTRIC INC.	\$1,212.00	O
19910	6/17/2019	1002533	ALEXANDER FOOTE	\$39.85	O
19911	6/17/2019	80	AQUA PENNSYLVANIA	\$2,362.89	O
19912	6/17/2019	366	BUCKLEY,BRION,MCGUIRE	\$2,371.25	O
19913	6/17/2019	1002121	CLEVENS K-9 SCOOP LLC	\$224.98	O
19914	6/17/2019	775	CONVENIENT CAR CARE C	\$269.75	O
19915	6/17/2019	560	DRUGSCAN, INC.	\$168.00	O
19916	6/17/2019	585	EMERGENCY SYSTEMS SE	\$739.50	O
19917	6/17/2019	114	FRONEFIELD CRAWFORD. J	\$500.00	O
19918	6/17/2019	46	GALLS, LLC	\$320.29	O
19919	6/17/2019	422	HARRY TILLMAN AUTOMOTI	\$154.99	O
19920	6/17/2019	517	INDEPENDENCE BLUE CRO	\$5,321.51	O
19921	6/17/2019	904	MATTHEW BENDER & CO.,I	\$53.44	O
19922	6/17/2019	205	PARKWAY DRY CLEANERS,	\$166.56	O
19923	6/17/2019	29	PECO ENERGY	\$340.57	O
19924	6/17/2019	30	PECO ENERGY (TRAFFIC LI	\$72.70	O
19925	6/17/2019	171	REILLY & SONS INC.	\$605.21	O
19926	6/17/2019	507	ROTHWELL DOCUMENT SO	\$178.88	O
19927	6/17/2019	811	S & S CLEANING SERVICE	\$388.00	O
19928	6/17/2019	278	UNRUH, TURNER, BURKE &	\$4,138.59	O
19929	6/17/2019	23	VANDEMARK & LYNCH, INC.	\$5,562.18	O
19930	6/17/2019	1002154	VERIZON 250-441-074-0001-	\$55.33	O
<b>Bank Total:</b>				<b>\$25,351.22</b>	
<b>Bank Account: 81 TRUMARK SEWER FUND</b>					
9835	6/17/2019	149	AECOM	\$3,467.87	O
9836	6/17/2019	366	BUCKLEY,BRION,MCGUIRE	\$874.00	O
9837	6/17/2019	661	COMMONWEALTH OF PENN	\$500.00	O
9838	6/17/2019	1001859	COYNE CHEMICAL	\$2,413.25	O
9839	6/17/2019	585	EMERGENCY SYSTEMS SE	\$1,431.00	O
9840	6/17/2019	29	PECO ENERGY	\$2,519.48	O
9841	6/17/2019	586	VERIZON 450-748-892-0001-	\$63.59	O
9842	6/17/2019	1002401	WALTON WATER SERVICES	\$5,678.29	O
9843	6/17/2019	1001834	WM P MCGOVERN INC	\$3,534.50	O
<b>Bank Total:</b>				<b>\$20,481.98</b>	
<b>Total Of Checks:</b>				<b>\$45,833.20</b>	



# Check Register

BIRMINGHAM TOWNSHIP

03-Jul-19

From: 01-Jul-19 To: 01-Jul-19

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
<b>Bank Account: 11 TRUMARK GENERAL FUND</b>					
19931	7/1/2019	1001913	VERIZON WIRELESS 722423	\$189.15	O
<b>Bank Total:</b>				<b>\$189.15</b>	
<b>Total Of Checks:</b>				<b>\$189.15</b>	

**Check Register****BIRMINGHAM TOWNSHIP**

08-Jul-19

Check No	Check Date	Vendor No	Vendor Name	Check Amount
<b>TRUMARK SEWER FUND</b>				
9844	7/8/2019	149	AECOM	\$11,292.28
9845	7/8/2019	1002509	AQUA PA WW	\$1,278.32
9846	7/8/2019	80	AQUA PENNSYLVANIA	\$1,455.53
9847	7/8/2019	767	COMMONWEALTH OF PENNSYL	\$100.00
9848	7/8/2019	1001859	COYNE CHEMICAL	\$1,898.00
9849	7/8/2019	2	FREEDOM SYSTEMS	\$804.50
9850	7/8/2019	780	GUMBALL MEDIA,LLC\LAND ART	\$3,010.00
9851	7/8/2019	1001755	MAJIC LANDSCAPES	\$468.00
9852	7/8/2019	29	PECO ENERGY	\$2,482.40
9853	7/8/2019	1002527	REYBOLD CONSTRUCT TECH, LL	\$2,250.00
9854	7/8/2019	1002493	VERIZON 350-442-985-0001-57	\$38.86
9855	7/8/2019	1002401	WALTON WATER SERVICES	\$6,255.92
9856	7/8/2019	574	WASTE MANAGEMENT OF SOUT	\$77.89
9857	7/8/2019	1001834	WM P MCGOVERN INC	\$837.00
<b>Bank Totals:</b>				<b>\$32,248.70</b>
<b>Total Of Checks:</b>				<b>\$32,248.70</b>

## Check Register

## BIRMINGHAM TOWNSHIP

08-Jul-19

Check No	Check Date	Vendor No	Vendor Name	Check Amount
<b>TRUMARK GENERAL FUND</b>				
19932	7/8/2019	1001926	AJ BLOENSKI, INC.	\$161.00
19933	7/8/2019	557	ALL SEASONS LANDSCAPING C	\$892.31
19934	7/8/2019	80	AQUA PENNSYLVANIA	\$2,516.99
19935	7/8/2019	1002400	AXON ENTERPRISE, INC.	\$222.00
19936	7/8/2019	366	BUCKLEY, BRION, MCGUIRE ATTY	\$2,564.00
19937	7/8/2019	873	CARDMEMBER SERVICE	\$1,140.35
19938	7/8/2019	51	CHESTER COUNTY TREASURER	\$749.52
19939	7/8/2019	617	CHESTER WATER AUTHORITY	\$435.60
19940	7/8/2019	1002390	CJS TIRE & AUTOMOTIVE	\$741.83
19941	7/8/2019	1002121	CLEVENS K-9 SCOOP LLC	\$308.98
19942	7/8/2019	1001902	COMCAST CABLE	\$106.85
19943	7/8/2019	70	CONCORD AUTO BODY, INC.	\$1,773.32
19944	7/8/2019	2	FREEDOM SYSTEMS	\$1,206.75
19945	7/8/2019	114	FRONFIELD CRAWFORD, JR. LL	\$740.00
19946	7/8/2019	46	GALLS, LLC	\$218.72
19947	7/8/2019	780	GUMBALL MEDIA, LLC LAND ART	\$5,970.00
19948	7/8/2019	422	HARRY TILLMAN AUTOMOTIVE L	\$119.99
19949	7/8/2019	6	INNOVATIVE CONSTRUCTION SE	\$8,254.50
19950	7/8/2019	711	JUDY JENSEN	\$1,095.00
19951	7/8/2019	1001755	MAJIC LANDSCAPES	\$1,659.00
19952	7/8/2019	1002526	MCDONALD UNIFORM CO., INC	\$4,392.92
19953	7/8/2019	205	PARKWAY DRY CLEANERS, INC.	\$371.70
19954	7/8/2019	29	PECO ENERGY	\$267.61
19955	7/8/2019	30	PECO ENERGY (TRAFFIC LIGHT)	\$12.83
19956	7/8/2019	171	REILLY & SONS INC.	\$1,527.16
19957	7/8/2019	811	S & S CLEANING SERVICE	\$388.00
19958	7/8/2019	1001833	STAPLES BUSINESS ADVANTAG	\$225.81
19959	7/8/2019	426	THE WATER GUY	\$26.72
19960	7/8/2019	424	UNITED STATES POSTAL SERVI	\$300.00
19961	7/8/2019	61	VERIZON 753-804-167-0001-77	\$353.61
<b>Bank Totals:</b>				<b>\$38,743.07</b>
<b>Total Of Checks:</b>				<b>\$38,743.07</b>