

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
APRIL 3, 2023**

The regular meeting of the Board of Supervisors was called to order at 7:01 PM in the Township Building by Chairman Boorse with the customary pledge of allegiance. 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 March 6, 2023 minutes as written. Supervisor Hill seconded the motion and the minutes were unanimously approved.

Andrew Holden, General Sterling Drive, wanted the Board to know that the public doesn't have copies of the minutes for comment. It was explained to Mr. Holden that he can make comments after the minutes are publicized or comment on a matter he wanted assurance were reflected in the minutes, but the minutes aren't public until approved by the Supervisors.

Supervisor Hill moved to approve the bills submitted for payment from March 7th through April 3rd. General Fund bills totaled \$112,119.27. S&T Bank check #100 for \$3,140.25 was issued to the General Fund for an Arro Engineering invoice for the Building addition.

ANNOUNCEMENTS

The Board of Supervisors is reviewing Chapter 122, Article VIII-A Historic Preservation for review at the June 5th meeting. It was clarified that the version being reviewed was not the current version in the Township Code but the updated version that was reviewed by the CCPC and the Township's Historical Commission.

HISTORICAL COMMISSION (HC) REPORT

The HC met on March 28th to consider an application from Raife Cebeci, Partner with BR Partners LLC, for an open air pergola less than 250 sq. ft. in size which is located in front of the Montessori School building but closer than the 200 ft. minimum from the School, HR #33. The structure was constructed without zoning approval. Dimensional variances were granted from the Zoning Hearing Board on January 3, 2023 subject to conditions, including not painting the structure and vegetation for the structure.

Vice-Chairman Shiring moved to approve a Certificate of Approval for the pergola as recommended by the HC. Supervisor Hill seconded the motion which was unanimously approved.

HARB REPORT

HARB met on March 21st and considered three applications.

1385 BIRMINGHAM ROAD/BR PARTNERS, LLC/PERGOLA

HARB considered the application from Raife Cebecci, Partner with BR Partners, LLC, for an open air, four posted, pergola less than 250 sq. ft. in size. HARB recommended approval of a Certificate of Appropriateness subject to the materials/color of the pergola being natural wood.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness for a pergola at 1385 Birmingham Road as recommended by HARB. Supervisor Hill seconded the motion which was unanimously approved.

1120 ALEXANDER LANE/ZUCCHERO/SCREENED IN PORCH

HARB considered an application from Joe Zuccherro, 1120 Alexander Lane, for a 14x14 screened in porch over an existing deck. HARB recommended that a Certificate of Appropriateness be approved for the porch subject to the shingles and siding for the porch matching the house and the trim being White Azek. Vice-Chairman Shiring moved to approve the Certificate of Appropriateness for the screened in porch for 1120 Alexander Lane as recommended by HARB. Supervisor Hill seconded the motion which was unanimously approved.

934 STONEY RUN DRIVE/PICCINI/POOL

HARB considered an application from Mary Kate and Jay Piccini, 934 Stoney Run Drive, for the construction of an in-ground swimming pool. HARB recommended that a Certificate of Appropriateness be issued for the swimming pool subject to the following materials and colors being used:

- 1) Concrete surround by paved coping and decking
- 2) Retaining wall, river rock stone and boulders
- 3) Color scheme: brown, tan, gray/greige to resemble natural PA fieldstone
- 4) 5' black aluminum fencing

The application was submitted for zoning and land disturbance review on January 11, 2023. Zoning approval was held up through no fault of the Piccinis. Sect./Treas. Nelling suggested that the Board add a condition that a valid zoning permit be received.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness for the swimming pool for 934 Stoney Run Drive as recommended by HARB conditioned upon receiving a valid zoning permit. Supervisor Hill seconded the motion which was unanimously approved.

RECREATION, PARK AND OPEN SPACE (RPOS) REPORT

BIDS FOR MOWING

Three bids were received for mowing the Birmingham Hill trail; Sandy Hollow Trail; and the Township Building embankment. Majic Landscaping submitted the low bid of \$17,805.00. Other two bids received were from Sunny Gardens - \$17,967.50; and Deerfield Mowing - \$18,315.00. Both Majic and Sunny Gardens have satisfactorily done this work for the Township in the past. Chairman Boorse moved to accept the 2023 mowing bid from Majic Landscaping for \$17,805.00. Supervisor Hill seconded the motion which was unanimously approved.

APPOINT NEW MEMBER TO RPOS

RPOS has interviewed and recommended the appointment of Stanley Benarick from Birmingham Hunt to RPOS. The Supervisors met with Mr. Benarick prior to tonight's meeting. Supervisor Hill moved to appoint Stanley Benarick to RPOS for a term ending in 2023. Vice-Chairman Shiring seconded the motion which was unanimously approved.

APPOINT ZONING HEARING BOARD (ZHB) ALTERNATE

There is an opening on the ZHB for an alternate. Former Supervisor William Kirkpatrick has volunteered to help in this capacity. Vice-Chairman Shiring moved to appoint William Kirkpatrick as the ZHB alternate for a term ending in 2025. Chairman Boorse seconded the motion which was unanimously approved.

HOLIDAY INN EXPRESS/1310 WILMINGTON PIKE/BUILDING PERMIT FEE

Vimal Patel, owner of the Holiday Inn Express, was present to contest the building permit fee of \$23,048.26 charged by the Building Inspector for the renovation of the hotel at 1310 Wilmington Pike. The fee charged was based on 1 ½% of the contract proposal cost submitted. Mr. Patel explained that the contractor included the cost of furnishings and wallpaper. Mr. Patel has provided an updated proposal excluding these items. Chairman Boorse suggested that the new proposal be sent back to the Building Inspector to make a determination on what should and shouldn't be included in the fee calculation and to recalculate the building permit fee.

DULIK/1345 FAUCETT DRIVE/ZHB DECISION COMPLIANCE

Mark Dulik, 1345 Faucett Drive, requested to be on the agenda to discuss the noncompliance by the car dealerships with the January 20, 1986 ZHB Decision. His complaints include screening; fencing; lighting and test driving. Solicitor Camp said that the properties have changed ownership and the most recent land development plans would need to be reviewed for compliance.

Mr. Dulik's property backs up to the Mazda and Acura car dealerships. When the dealerships were constructed, the main issues for the neighbors were screening out noise and light. About three or four months ago the fencing was replaced. The six-foot fence was replaced with a six-foot fence but the eight-foot fence was replaced with a six-foot fence so there is now a 2-foot gap under the fence. The six-foot fence and a two-foot berm made up the eight-foot fence but the fence was moved back which created the gap which he doesn't want. Initially, there was also a row of eight foot pines planted on the car dealership side. About half of the white pines have died and deciduous scrub trees have grown in their place. Mr. Dulik would like the white pines replaced that have died in order to screen out noise and lights. Mr. Dulik would also like the car dealerships reminded not to test drive on Faucett Drive; not to unload vehicles on Sundays or to do personal work on Sundays. His newest concern is all the horn tooting from employees using key fobs to find vehicles in the parking lot.

Solicitor Camp's firm represents the Piazza Management, the owner of the car dealerships. She will have Joe Brion, Esq. talk to Piazza about the concerns raised by Mr. Dulik.

BID FOR TOWNSHIP BUILDING

Bids for the Township Building addition were duly advertised on PennBid and in the Daily Local on March 7th and March 14th. Three bids were received for the building addition. LA Building Contractors, Inc. submitted the low bid of \$147,700.00. Two other bids received were from L.J. Paolella Construction, Inc. for \$253,400.00 and Peaceable Construction for \$517,391.00. One electrical bid was received from Lenni Electric Corporation for \$17,058.41. There were no mechanical or plumbing bids received.

Vice-Chairman Shiring moved to award the bid for the Township Building addition to LA Building Contractors, Inc. for \$147,700.00 with the condition of the verification of positive references and that the bid for the electrical work on the addition be awarded to Lenni Electric for \$17,058.41. Chief Nelling has prior knowledge and experience with Lenni Electric. Chairman Boorse seconded the motion which was unanimously approved.

Vice-Chairman Shiring moved to re-authorize advertising on the mechanical and plumbing portions of the bid to be opened on May 1, 2023. Chairman Boorse seconded the motion which was unanimously approved.

PUBLIC COMMENT

Andrew Holden said he is looking for the 2004 Act 537 Plan update to review. Mrs. Nelling told him that he explained to Mrs. Holden this morning in the Township Office that she was trying to find an electronic copy, which is what was requested. The Township Engineer informed her last Thursday that Arro Consulting did not have an electronic copy. Mrs. Nelling requested a right-to-know request from Mr. Holden.

The meeting was adjourned at 7:58 PM. (SCB; MTS)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

02-May-23

From: 07-Mar-23 To: 03-Apr-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 11 TRUMARK GENERAL FUND					
22001	3/20/2023	1002848	ALFRED MICHAEL DOYLE	\$662.26	O
22002	3/20/2023	366	BUCKLEY,BRION,MCGUIRE	\$172.00	O
22003	3/20/2023	66	CCATO	\$250.00	O
22004	3/20/2023	46	GALLS, LLC	\$125.11	O
22005	3/20/2023	422	HARRY TILLMAN AUTOMOTI	\$182.49	O
22006	3/20/2023	1002052	JENNIFER A BOORSE	\$400.00	O
22007	3/20/2023	711	JUDY JENSEN	\$127.07	O
22008	3/20/2023	1002852	MB HOME BUILDERS, LLC	\$100.00	O
22009	3/20/2023	1002573	NMS LABS	\$283.00	O
22010	3/20/2023	936	PA DUI ASSOCIATION	\$170.00	O
22011	3/20/2023	171	REILLY & SONS INC.	\$927.12	O
22012	3/20/2023	26	SIGNAL SERVICE INC.	\$433.75	O
22013	3/20/2023	1001833	STAPLES BUSINESS ADVAN	\$209.23	O
22014	3/20/2023	128	TRAFFIC PLANNING & DESI	\$1,485.00	O
22015	3/20/2023	542	TRITECH SOFTWARE SYST	\$2,340.00	O
22016	4/3/2023	8	10-8 EMERGENCY VEHICLE	\$210.00	O
22017	4/3/2023	11	21ST CENTURY MEDIA - PHI	\$753.40	O
22018	4/3/2023	1002659	ARRO CONSULTING, INC	\$13,272.29	O
22019	4/3/2023	1002659	ARRO CONSULTING, INC	\$16,820.57	O
22020	4/3/2023	366	BUCKLEY,BRION,MCGUIRE	\$2,524.00	O
22021	4/3/2023	775	CONVENIENT CAR CARE C	\$199.70	O
22022	4/3/2023	2	FREEDOM SYSTEMS	\$1,475.00	O
22023	4/3/2023	1002853	GOVERNMENT FORMS AND	\$99.45	O
22024	4/3/2023	21	H A THOMSON	\$7,821.50	O
22025	4/3/2023	27	H. A. WEIGAND INC.	\$449.00	O
22026	4/3/2023	91	PSATS	\$110.00	O
22027	4/3/2023	171	REILLY & SONS INC.	\$986.08	O
22028	4/3/2023	507	ROTHWELL DOCUMENT SO	\$295.25	O
22029	4/3/2023	26	SIGNAL SERVICE INC.	\$43,514.77	O
22030	4/3/2023	1001833	STAPLES BUSINESS ADVAN	\$99.99	O
22031	4/3/2023	811	AGM LLC	\$388.00	O
22032	4/3/2023	2	FREEDOM SYSTEMS	\$2,442.38	O
22033	4/3/2023	422	HARRY TILLMAN AUTOMOTI	\$762.85	O
22034	4/3/2023	115	THOMAS R. NELLING	\$75.00	O
Bank Total:				\$100,166.26	
Bank Account: 22 GF - Electronic Payments					
100096	3/20/2023	1001926	AJ BLOENSKI, INC.	\$170.80	O
100097	3/20/2023	80	AQUA PENNSYLVANIA	\$2,679.67	O

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02-May-23

From: 07-Mar-23 To: 03-Apr-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
100098	3/20/2023	1002798	TRUMARK FINANCIAL CRED	\$295.48	O
100099	4/3/2023	80	AQUA PENNSYLVANIA	\$49.84	O
100100	4/3/2023	517	INDEPENDENCE BLUE CRO	\$7,812.56	O
100101	4/3/2023	30	PECO ENERGY (TRAFFIC LI	\$58.22	O
100102	4/3/2023	1001913	VERIZON WIRELESS 722423	\$160.31	O
100103	4/3/2023	1001926	AJ BLOSENSKI, INC.	\$170.80	O
100104	4/3/2023	1001902	COMCAST BUSINESS	\$174.89	O
100105	4/3/2023	30	PECO ENERGY (TRAFFIC LI	\$14.76	O
100106	4/3/2023	61	VERIZON 753-804-167-0001-	\$365.68	O
Bank Total:				\$11,953.01	
Bank Account: 30 Capital Reserve Fund					
100	4/3/2023	483	BIRMINGHAM TOWNSHIP T	\$3,140.25	O
Bank Total:				\$3,140.25	
Total Of Checks:				\$115,259.52	