

## **BOARD OF SUPERVISORS MINUTES SEPTEMBER 5, 2023**

The regular meeting of the Board of Supervisors was called to order at 7:00 PM in the Township Building by Chairman Boorse with the 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

Chairman Boorse moved to approve the August 8, 2023 minutes as written. Supervisor Hill seconded the motion. Vice-Chairman Shiring abstained from voting as he was not in attendance for the meeting. The minutes were approved with two in favor and one abstention,

Vice-Chairman Shiring moved to approve the bills submitted for payment from August 8, 2023 – September 5, 2023. General Fund bills totaled \$156,368.06. General Fund Electronic Payments totaled \$10,496.02. Capital Reserve Fund Checks #105 and #106 were approved for \$91,434.24 for the garage addition.

### **Swear-In Police Officer Brandon McMillen**

Chairman Boorse performed the swearing-in of Part-Time Police Officer Brandon McMillen. Officer McMillen's mother held the bible where Officer McMillen placed his hand while taking the oath of office.

### **Appointment of EMC Coordinator – Michael Pisano**

EMC Coordinator Michael Hochhaus has resigned the position of EMC Coordinator due to travel requirements of a new job. The Supervisors met with Michael Pisano of West Chester prior to tonight's meeting to fill the vacancy. The EMC position is filled by the Governor. Chairman Boorse moved to recommend the appointment of Michael Pisano as EMC for Birmingham Township. There will be no change to the rate of compensation. Vice-Chairman Shiring seconded the motion and it was approved.

### **HARB Report**

#### **Piccini/934 Stoney Run Drive/Changes to In-ground Pool**

HARB recommended that a Certificate of Appropriateness be issued to Mary Kate & Jay Piccini, 934 Stoney Run Drive, to add a flume slide with a boulder waterfall and grotto to their pool. The colors will resemble natural PA fieldstone: tans/grays. The pool has already been approved, but the Building Inspector felt that this major change to the design should be reviewed by HARB.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness for the waterfall and grotto additions to the Piccini in-ground swimming pool at 934 Stoney Run Drive as recommended by HARB. Supervisor Hill seconded the motion which was unanimously approved.

**Zoning Hearing Board (ZHB) Application/1165 Wylie Road/Offield/Rear Yard Setback Variance Request for Addition**

Robert Tucker, Esq. was present on behalf of Phillip Offield, owner of 1165 Wylie Road, to get the Board's position on a rear yard setback variance request to the Zoning Hearing Board for an addition planned to the property. The hearing is scheduled for September 20<sup>th</sup> @ 7 PM. Mr. Tucker requested a neutral position from the Board. He stated that the house is an existing non-conformity being 43 feet from the rear yard. The addition will increase the non-conformity by seven feet, making the new non-conformity 36 feet from the rear yard. He noted that the layout was unique with a long driveway and the house at the rear of the property.

Vice-Chairman Shiring noted the area in front of the house to Wylie Road is floodplain.

Mr. Tucker confirmed for Mr. Shiring the addition would be located on the east side towards the driveway.

Chairman Boorse asked if Mr. Offield had contacted his neighbors about the variance request. Mr. Tucker responded that the required notices of the hearing had been sent out. Mr. Offield is moving from Texas to this property so he has not had a chance to talk to his neighbors.

Vice-Chairman Shiring moved to take a non-position on the ZHB application of Mr. Offield for a variance from the rear-yard setback for an addition to his house at 1165 Wylie Road. Supervisor Hill seconded the motion which was unanimously approved.

**West Chester Public Library Annual Presentation**

Victoria Dow, Director of the West Chester Public Library, was present to request a \$.25/resident increase in the donation provided by Birmingham Township for the West Chester Public Library. Currently the Township donates \$.75/resident.

The Library has returned to its pre-pandemic levels of use. Thanks to increased allocations for 2023, additional programming has been added.

Carol Metzker, 1109 Forsyth Drive, said she and her family moved to the area twenty years ago and the first things she did was to get West Chester Public Library cards for her family and join the Rotary. She talked about the opportunities that the Library has provided to her. She is an author of books on human trafficking. Local authors are promoted at the Library as well as it being a wonderful place to enter the work force and to volunteer. She is a proud user of and donor to the Library but so much more can be done with Township donations.

Victoria Dow repeated her request for \$1.00/resident contribution. She noted that East Bradford Township contributes \$2.00/resident. She volunteered to provide usage statistics at the end of the year, which Chairman Boorse said he would appreciate.

**Concordville Fire Department Budget Request**

Lee Weersing, President, Dave Montville, Treasurer, and Vito Jacono, Chief Engineer and Birmingham Road resident, were present to request additional funding from the Township for fire service. Concordville Fire Department is the first responder for properties in the Township

located south of Rt. 926. The Concordville Fire Department also services Concord Township; Chadds Ford Township and Thornbury Township, Delaware County. The current annual contribution by Birmingham Township is \$37,278.00. An additional \$26,340.00 (or 70% increase) is being requested. Thornbury Township has already agreed to budget for its requested increase.

Mr. Weersing explained that the main reason for the request is the need to augment volunteer staffing with paid staffing. An increase in population and buildings to be covered is also a contributing factor to the request as call volume has increased. Concordville currently has 35 paid employees. Salaries; insurance and fuel costs have increased substantially over the past couple of years. An ambulance purchased two years ago at a cost of \$220,000.00 now costs \$309,000.00. An \$800,000.00 fire truck purchased three years ago now costs \$1,400,000.00. The fire department has no debt and all the equipment is paid in full. Concordville depends on contributions from municipalities and donations from residents. In 2021 Concordville was planning on approaching the townships they cover for contribution increases when the Covid Pandemic hit. A lot of volunteers were lost during Covid that didn't come back.

Mr. Montville said that Concordville is projecting its first deficit in 2023 of \$682,000.00. If this trend continues they will need to cash in investments. Concordville has two annual fund raising drives. They also collect \$1,600,000.00 from ambulance bills. It is not anticipated that revenues will increase from these two sources which is why municipalities are being asked for contribution increases.

Chairman Boorse asked why the 2021 surplus of \$173,000. went to a deficit in 2023? Mr. Montville indicated that workers' compensation insurance and payroll expenses were the main reasons. Two new employees were hired in 2021. Payroll has increased from \$600,000.00 to \$1,500,000.00 and workers' compensation insurance has doubled. Fire equipment is not in the budget figures as most of that equipment is paid with Relief Association funds.

Chairman Boorse said that it is hard to look at a 70% increase in the contribution, and a proposal for gradual increases over a specified time period would be preferred. He added that the Township is served by two fire companies so it is a balancing act trying to keep both companies happy. As a general comment he said that this issue with paid employees versus volunteers has been discussed on a State level and funding sources may be available.

Mr. Weersing said that Concordville wants to work with the townships. This budget increase request is not a demand or threat. Concordville is an open book and they want to meet with the townships at any time and answer any questions. The only State funding sources that he is aware of is \$100.00 compensation to volunteers which isn't worth the paperwork as well as a bill which would increase Medicaid compensation on ambulance calls. Mr. Montville added that the volunteer to paid employees came faster than anticipated for financial planning purposes.

Discussion ensued on getting volunteers. The training is intense with hazmat operations and airborne blood pathogens training requirements now. Also, a person can't do full firefighting until the age of 18. The younger volunteers have limited activities for participation. Once they turn 18 they are off to college and often out of the area and they lose interest.

The Board will take the request under consideration at the budget meeting.

#### **Update on Historical Commission (HC) Ordinance**

Vice-Chairman Shiring said that the Supervisors have taken into account comments from the CCPC and the Township's HC as well as from the public meetings. The Board is close to a final draft. The Solicitor still needs the clarified historical resource list from the HC to attach to the draft ordinance. It is hopeful that the ordinance proposal will be finalized this week for posting on the web site and sending to the CCPC and Township PC for comments with the intention to authorize advertising at the October meeting for an ordinance hearing on November 6<sup>th</sup>.

#### **Authorize Advertising on Snow Removal Bids for the 2023/2024 Season**

Chairman Boorse moved to authorize advertising for snow removal bids for the 2023/2024 snow removal season to be opened at the October 2, 2023 meeting. Vice-Chairman Shiring seconded the motion which was unanimously approved.

#### **Authorize Advertising for BBD, LLP to Perform 2023 Audit**

Chairman Boorse moved to authorize advertising to consider a resolution at the November 6<sup>th</sup> meeting for BBD, LLP, a registered accounting firm in the Commonwealth of Pennsylvania, to make an examination of all Township accounts for the fiscal year 2023 for a cost of \$5,800.00. Vice-Chairman Shiring seconded the motion which was unanimously approved.

#### **Minimum Municipal Obligation (MMO) for Pension Plans**

Act 205 of 1984, as amended, governs the funding requirements for all pension plans. The law requires the Chief Administrative Officer of each municipal pension plan to inform the governing body of the municipality of the plans expected financial obligations for the coming year. This must be done by the last day in September.

The calculation of the 2024 MMO required an estimate of the 2023 W-2 wages of the employees covered by the plan.

The MMO is the municipality's 2024 bill for the pension plans and must be paid by December 31, 2024. The obligation must be met with General Fund monies or any General State Aid to Municipal Pensions to which the Township may be entitled under Act 205.

The MMO for both the uniform and non-uniform plans is \$0.00 as the actuarial present value of future benefits is less than the actuarial value of assets, so the MMO for the plans is automatically set at \$0.00.

#### **Public Comment**

There was no public comment.

The meeting was adjourned at 7:59 PM. (SCB;JDH)

Respectfully submitted,

Quina Nelling  
Secretary/Treasurer

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

03-Oct-23

From: 08-Aug-23 To: 05-Sep-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
<b>Bank Account: 11 TRUMARK GENERAL FUND</b>					
22211	8/21/2023	366	BUCKLEY,BRION,MCGUIRE	\$1,861.50	O
22212	8/21/2023	1002782	CELS LANDSCAPE & TREC	\$1,945.00	O
22214	8/21/2023	775	CONVENIENT CAR CARE C	\$419.75	O
22215	8/21/2023	1002606	CRYSTAL SPRINGS	\$23.52	O
22216	8/21/2023	2	FREEDOM SYSTEMS	\$1,375.00	O
22217	8/21/2023	422	HARRY TILLMAN AUTOMOTI	\$118.99	O
22218	8/21/2023	1002871	JENNIFER FULTON	\$897.25	O
22219	8/21/2023	1002864	MILESTONE PLANNING AND	\$1,575.00	O
22220	8/21/2023	3	PA TWP HEALTH INS COOP	\$122.10	O
22221	8/21/2023	1002204	PA STATE UNIVERSITY	\$549.00	O
22222	8/21/2023	171	REILLY & SONS INC.	\$1,114.73	O
22223	9/5/2023	1002659	ARRO CONSULTING, INC	\$12,745.75	O
22224	9/5/2023	1002659	ARRO CONSULTING, INC	\$795.00	O
22225	9/5/2023	1002121	CLEVENS K-9 SCOOP	\$228.00	O
22226	9/5/2023	422	HARRY TILLMAN AUTOMOTI	\$420.72	O
22227	9/5/2023	1002868	LA BUILDING CONTRACTOR	\$71,049.84	O
22228	9/5/2023	780	LAND ART	\$1,419.00	O
22231	9/5/2023	1002526	MCDONALD UNIFORM CO., I	\$261.48	O
22232	9/5/2023	1002864	MILESTONE PLANNING AND	\$1,125.00	O
22233	9/5/2023	798	PA ONE CALL SYSTEM,INC.	\$38.48	O
22234	9/5/2023	205	PARKWAY DRY CLEANERS,	\$117.60	O
22235	9/5/2023	213	PIRMA	\$34,173.00	O
22236	9/5/2023	171	REILLY & SONS INC.	\$1,028.05	O
22237	9/5/2023	811	S&S CLEANING SERVICE	\$388.00	O
22238	9/5/2023	1002872	SALSBURY INDUSTRIES	\$12,715.10	O
22239	9/5/2023	1001833	STAPLES BUSINESS ADVAN	\$121.90	O
22240	9/5/2023	1002869	LENNI ELECTRIC CORP.	\$6,874.30	O
22241	9/5/2023	1001755	MAJIC LANDSCAPES	\$2,865.00	O
<b>Bank Total:</b>				<b>\$156,368.06</b>	
<b>Bank Account: 22 GF - Electronic Payments</b>					
100153	8/21/2023	1002798	TRUMARK FINANCIAL CRED	\$1,279.41	O
100154	9/5/2023	1001926	AJ BLOENSKI, INC.	\$170.80	O
100155	9/5/2023	80	AQUA PENNSYLVANIA	\$96.57	O
100156	9/5/2023	1001902	COMCAST BUSINESS	\$174.89	O
100157	9/5/2023	1002011	FP FINANCE PROGRAM	\$65.00	O
100158	9/5/2023	517	INDEPENDENCE BLUE CRO	\$7,812.56	O
100159	9/5/2023	29	PECO ENERGY	\$307.10	O
100160	9/5/2023	30	PECO ENERGY (TRAFFIC LI	\$67.34	O

# Check Register

BIRMINGHAM TOWNSHIP

03-Oct-23

From: 08-Aug-23 To: 05-Sep-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
100161	9/5/2023	61	VERIZON 753-804-167-0001-	\$362.41	O
100162	9/5/2023	1001913	VERIZON WIRELESS 722423	\$159.94	O
Bank Total:				\$10,496.02	
Bank Account: 30 Capital Reserve Fund					
105	9/5/2023	483	BIRMINGHAM TWP TRUMAR	\$78,719.14	O
106	9/5/2023	483	BIRMINGHAM TWP TRUMAR	\$12,715.10	O
Bank Total:				\$91,434.24	
Total Of Checks:				\$258,298.32	