

**BIRMINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
DECEMBER 6, 2021**

A special meeting to review provisions of the Historical Commission (HC) Ordinance of the Township Code, specifically Article VIIIA Historic Preservation, Section 122-36, was duly advertised in the Daily Local News on November 16<sup>th</sup>. The meeting was called to order at 3:06 PM by Chairman Boorse. A quorum of Supervisors was declared.

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

Also in attendance were Township Solicitor Kristin Camp; HC Chairman Michael Forbes, and HC Member Pat Kelly.

Chairman Boorse explained that the ordinance discussion and review has been on-going since 2017 in an effort to streamline and identify inconsistencies with the ordinance. It was postponed due to a law suit and because of meeting restrictions due to Covid-19.

Solicitor Camp added that the HC had requested that the list of historic structures be updated. Before doing so the Board wanted to look at Article VIIIA and determine what it is doing and what the Township wants it to do.

The ordinance was initially pushed for adoption by former Supervisor Al Bush in order to define and regulate historic resources as identified in the Comprehensive Plan. There has been confusion on implementation of the ordinance with HARB, which is governed by Act 167. There is also confusion with implementation on properties not in HARB or the HC district but within 500' of an historic structure.

Solicitor Camp said that Board needs to decide the purpose of the ordinance; what the Board wants to protect; and the process to accomplish this.

Chairman Boorse said he wanted to figure out how to streamline the ordinance process without making it confusing.

HC Chairman Forbes said that there were three reasons that this review was started.

- 1) Align the criteria of the HC resources with the National Standard.
- 2) Improve the process
- 3) Evaluate the HC resource list with the new criteria.

Vice-Chairman Shiring added that no staff person was handling the review process which led to confusion.

The Board reviewed and discussed each section of the ordinance with input from HC Chair Mike Forbes and Solicitor Camp. Vice-Chairman Shiring suggested that the sections of the ordinance that were working shouldn't be changed. Some suggestions during the review included:

1. Supervisors reviewing a building permit application and sending it to the HC only if their input was deemed necessary.
2. Historic sites such as the Lafayette monument; canons, and the Dilworth Farm property being included.
3. Historic resource impact studies just being required for demolitions.
4. Elimination of landscape review.
5. Change Colonial Period to American Revolutionary War

HC Chairman Forbes felt that the HC should review landscaping. He said that the ordinances are to protect historic resources. The discussion is defining away issues for the HC to review. He felt that input should come from the HC.

The special meeting was adjourned at 5:06 PM. (SCB;JDH) Review of Article VIIIA will continue as the last agenda item on January 3<sup>rd</sup>.

Respectfully submitted,

Quina Nelling  
Secretary/Treasurer

**BIRMINGHAM TOWNSHIP  
BOARD OF SUPERVISORS MINUTES  
DECEMBER 6, 2021**

The regular meeting of the Board of Supervisors was called to order at 7:31 PM 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

Also in attendance was Solicitor Kristin Camp.

Vice-Chairman Shiring moved to approve the November 1, 2021 minutes as written. Chairman Boorse seconded the motion and the minutes were unanimously approved.

Vice-Chairman Shiring moved to approve the bills submitted for payment since the November 1<sup>st</sup> meeting. General Fund bills totaled \$82,298.70. Sewer Fund bills totaled \$2,460.58. State Fund check #195 for \$20,250.00 was approved for final payment to Innovative Construction Services, Inc. for Invoice #13725 for the 2021 Road Program. Supervisor Hill seconded the motion and the bills were unanimously approved.

**HARB REPORT**

**ROBERTSON/1362 BRINTON RUN/ROOF**

At its meeting on November 16<sup>th</sup>, HARB recommended that a Certificate of Appropriateness be issued to Carla Robertson, 1362 Brinton Run Drive, for the replacement of the existing roof. The shingles will be Certainteed Landmark, color Pewterwood.

Vice-Chairman Shiring moved to approve the Certificate of Appropriateness for the replacement of the existing roof at 1362 Brinton Run Drive as recommended by HARB. Chairman Boorse seconded the motion which was unanimously approved.

**ZONING HEARING BOARD**

**AIKEN/1225 BIRMINGHAM ROAD/MUSEUM & EDUCATION CENTER**

Jonathan Long, Esq., representing Linden Farm on Brandywine Battlefield, was present with Mary Sue Boyle, Applicant on behalf of Linden Farm. Property owner, Brenda Aiken, is terminally ill and unable to execute the application. However, a letter of intent for the use of the property has been provided as an exhibit to the application. A hearing is scheduled for January 19, 2022.

Mr. Long explained that Linden Farm on Brandywine Battlefield is a non-profit organization established to preserve the farm property. The intent is to create a museum and education center on the site for the role of the Revolutionary War Brandywine Battlefield. There is an existing conservation easement on the property. There are no plans for additional buildings. By ordinance, a museum/educational facility is permitted by special exception (Section 122-33.A.1). Parking plans will be presented as part of the proposal.

Chairman Boorse moved to take a non-position on the Zoning Hearing Board application of the Linden Farm on Brandywine Battlefield/Brenda A. Aiken for a special exception from Section 122-33.A.1 for the purpose of preserving Linden Farm and establishing a museum and education center on the property and to defer to the expertise of the Zoning Hearing Board to render an appropriate decision after reviewing the testimony received at the hearing. Vice-Chairman Shiring seconded the motion which was unanimously approved.

### **HISTORICAL COMMISSION (HC) REPORT**

#### **RADLEY RUN COUNTRY CLUB (RRCC) LANDSCAPE PLAN/1100 COUNTRY CLUB ROAD-HR#4, HR#5 AND HR#6.**

At its meeting on November 23<sup>rd</sup>, the HC recommended that the RRCC landscape plan for the new club house be approved with the condition that four to six additional trees be added to the northeast corner of the new club house to better screen the view from the existing historic resources, being the Mansion House and the Doll House.

In response to Chairman Boorse, Kurt Hutter, Board of Governors and RRCC member, said that the trees would be smaller native type trees, similar to the trees already shown on the plan.

Chairman Boorse moved to approve the landscape plan for the RRCC as recommended by the HC, with the condition that four to six additional trees be added to the northeast corner of the plan to screen the view of the new clubhouse from the existing historic resources. Supervisor Hill seconded the motion. Vice-Chairman Shiring abstained from voting due to a conflict with representation. The motion was carried with two in favor and one abstention.

### **RADLEY RUN COUNTRY CLUB LAND DEVELOPMENT PLAN**

Supervisor Hill moved to grant approval of the preliminary/final land development plan for the Radley Run County Club and to execute a motion for approval as prepared by Solicitor Camp. Arro Consulting has provided an updated review letter dated December 6, 2021 which states that most outstanding issues have been addressed. The addition of four – six trees as recommended by the Historical Commission will be added. An additional 50 paved parking spaces will be installed for a total of 235 parking spaces. The installation of an additional 59 reserve parking spaces will be reviewed after occupancy. Chairman Boorse seconded the motion. Vice-Chairman Shiring abstained from voting due to a conflict with representation. The motion was carried with two in favor and one abstention.

### **AWARD BID FOR 2012 CHEVY TAHOE**

It was duly advertised in the Daily Local News on November 17<sup>th</sup> that the 2012 Chevy Tahoe would be offered for sale on line through municibid. The bidding opened on November 17<sup>th</sup> and closed on December 3<sup>rd</sup> @ 12 PM. The high bid received was from Eric Ruggeri of West Chester for \$22,300.00. Vice-Chairman Shiring moved to award the bid for the Chevy Tahoe to Eric Ruggeri. Supervisor Hill seconded the motion which was unanimously approved.

### **AUTHORIZE ADVERTISING FOR 2022 ROAD PROGRAM**

Chairman Boorse moved to authorize advertising on the 2022 Road Program for January 4<sup>th</sup> and 11, 2022. Bids will be received until 4 PM on February 1<sup>st</sup> with the bid award anticipated for the February 7<sup>th</sup> meeting. Estimated cost of the road program is \$431,798.40. Vice-Chairman Shiring seconded the motion which was unanimously approved.

### **ADOPTION OF 2022 BUDGET**

#### **RESOLUTION FOR 2022 REAL ESTATE TAX RATE**

A meeting was held on October 13<sup>th</sup> to prepare the 2022 budget. The preliminary budget was duly advertised for public inspection in the Daily Local News on November 4<sup>th</sup>. No public comment was received. The budget proposes a millage rate of 1.6 mills.

Sect./Treas. Nelling highlighted the 2022 budget.

Revenues - \$3,155,220. (Includes a carry forward of \$1,117,667; \$247,000. transfer of sewer funds; \$219,753. in ARPA funds in 2021 and again in 2022; \$440, 000. transfer of capital reserve funds for the 2022 road program and the building expansion).

Expenditures - \$2,273,000. Police Department - \$716,244.

Liquid Fuels Revenues - \$182,000. for the 2022 road program with \$250,000. of general funds allocated for the road program.

Chairman Boorse moved to adopt Resolution #2021-1206 to impose an annual tax for general township purposes upon all real property within the Township made taxable for township purposes in the amount of 1.6 mills or \$0.0016 on each \$100. of assessed valuation of taxable property and to adopt the 2022 Budget. Supervisor Hill seconded the motion and the resolution and 2022 budget were unanimously adopted.

### **PUBLIC COMMENT**

Michael Forbes, HC Chairman, said that the Review of the Battlefield Interpretation Plan will be held at 7 PM on December 16<sup>th</sup> via Zoom. He highly recommended participation by one of the Supervisors as it is the last opportunity for public comment. Vice-Chairman Shiring will attend.

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

Respectfully submitted,

Quina Nelling  
Secretary/Treasurer

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

04-Jan-22

From: 02-Nov-21 To: 06-Dec-21

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
<b>Bank Account: 11 TRUMARK GENERAL FUND</b>					
21248	11/15/2021	11	21ST CENTURY MEDIA - PHI	\$617.28	O
21249	11/15/2021	80	AQUA PENNSYLVANIA	\$2,430.84	O
21250	11/15/2021	366	BUCKLEY,BRION,MCGUIRE	\$4,105.12	O
21251	11/15/2021	1002121	CLEVENS K-9 SCOOP	\$228.00	O
21252	11/15/2021	775	CONVENIENT CAR CARE C	\$179.70	O
21253	11/15/2021	1002606	CRYSTAL SPRINGS	\$58.99	O
21254	11/15/2021	114	FRONEFIELD CRAWFORD. J	\$102.50	O
21255	11/15/2021	1002779	G. FEDALE GENERAL CONT	\$105.00	O
21256	11/15/2021	46	GALLS, LLC	\$69.07	O
21257	11/15/2021	1001768	GRAFIX SHOPPE	\$176.95	O
21258	11/15/2021	21	H. A. THOMSON	\$1,975.00	O
21259	11/15/2021	422	HARRY TILLMAN AUTOMOTI	\$188.94	O
21260	11/15/2021	1002573	NMS LABS	\$275.00	O
21261	11/15/2021	798	PA ONE CALL SYSTEM,INC.	\$27.74	O
21262	11/15/2021	178	PAGE EXCAVATING COMPA	\$2,295.00	O
21263	11/15/2021	205	PARKWAY DRY CLEANERS,	\$240.75	O
21264	11/15/2021	1002756	PATRIOT WORKWEAR	\$502.50	O
21265	11/15/2021	29	PECO ENERGY	\$60.89	O
21266	11/15/2021	171	REILLY & SONS INC.	\$982.83	O
21267	11/15/2021	811	S & S CLEANING SERVICE	\$388.00	O
21268	11/15/2021	26	SIGNAL SERVICE INC.	\$461.00	O
21269	11/15/2021	1001833	STAPLES BUSINESS ADVAN	\$132.98	O
21270	11/15/2021	746	V.E. RALPH & SON,INC.	\$336.00	V
21271	11/15/2021	917	WITMER PUBLIC SAFETY G	\$129.79	O
21272	11/15/2021	1001834	WM P MCGOVERN INC	\$2,500.00	O
21273	11/15/2021	873	CARDMEMBER SERVICE	\$441.00	O
21274	12/6/2021	11	21ST CENTURY MEDIA - PHI	\$601.74	O
21275	12/6/2021	1001926	AJ BLOSENSKI, INC.	\$170.80	O
21276	12/6/2021	80	AQUA PENNSYLVANIA	\$150.51	O
21277	12/6/2021	1002659	ARRO CONSULTING, INC	\$20,799.62	O
21278	12/6/2021	1002659	ARRO CONSULTING, INC	\$4,366.81	O
21279	12/6/2021	372	BRANDYWINE CONSERVAN	\$2,700.00	O
21280	12/6/2021	79	BRANDYWINE VALLEY SPC	\$115.93	O
21281	12/6/2021	366	BUCKLEY,BRION,MCGUIRE	\$1,254.00	O
21282	12/6/2021	873	CARDMEMBER SERVICE	\$1,483.79	O
21283	12/6/2021	1001943	CHES CO PARKS & RECREA	\$538.87	V
21284	12/6/2021	1002781	CHRISTOPHER D. BENFER	\$477.44	O
21285	12/6/2021	1002390	CJS TIRE & AUTOMOTIVE	\$558.28	O

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From: 02-Nov-21 To: 06-Dec-21

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
21286	12/6/2021	1002121	CLEVENS K-9 SCOOP	\$285.00	O
21287	12/6/2021	1001902	COMCAST BUSINESS	\$138.39	O
21288	12/6/2021	775	CONVENIENT CAR CARE C	\$329.45	O
21289	12/6/2021	1002011	FRANCOTYP-POSTALIA INC.	\$237.00	O
21290	12/6/2021	46	GALLS, LLC	\$107.38	O
21291	12/6/2021	289	GENERAL CODE PUBLISHE	\$6,795.00	O
21292	12/6/2021	1001768	GRAFIX SHOPPE	\$232.11	O
21293	12/6/2021	1001827	GREGORY KUREY	\$25.00	O
21294	12/6/2021	780	GUMBALL MEDIA/LAND ART	\$4,975.00	O
21295	12/6/2021	422	HARRY TILLMAN AUTOMOTI	\$134.98	O
21296	12/6/2021	1002052	JENNIFER A BOORSE	\$500.00	O
21297	12/6/2021	1001737	JENNIFER M GUY	\$190.00	O
21298	12/6/2021	711	JUDY JENSEN	\$1,250.00	O
21299	12/6/2021	1001755	MAJIC LANDSCAPES	\$1,300.00	O
21300	12/6/2021	1002721	MELISSA URBANY	\$200.00	O
21301	12/6/2021	1002053	MICHAEL J HOCHHAUS	\$250.00	O
21302	12/6/2021	3	PA TWP HEALTH INS COOP	\$5,661.06	O
21303	12/6/2021	178	PAGE EXCAVATING COMPA	\$750.00	O
21304	12/6/2021	205	PARKWAY DRY CLEANERS,	\$237.25	O
21305	12/6/2021	1002756	PATRIOT WORKWEAR	\$219.00	O
21306	12/6/2021	29	PECO ENERGY	\$643.80	O
21307	12/6/2021	30	PECO ENERGY (TRAFFIC LI	\$79.94	O
21308	12/6/2021	7	QUINA NELLING	\$8.96	O
21309	12/6/2021	171	REILLY & SONS INC.	\$1,786.18	O
21310	12/6/2021	1001900	ROBERT CLARKE	\$599.00	O
21311	12/6/2021	811	S & S CLEANING SERVICE	\$388.00	O
21312	12/6/2021	1001833	STAPLES BUSINESS ADVAN	\$539.94	O
21313	12/6/2021	115	THOMAS R. NELLING	\$220.00	O
21314	12/6/2021	278	UNRUH, TURNER, BURKE &	\$1,005.00	O
21315	12/6/2021	23	VANDEMARK & LYNCH, INC.	\$751.75	O
21316	12/6/2021	1001913	VERIZON WIRELESS 722423	\$187.70	O
21317	12/6/2021	1002102	WIGGINS SHREDDING INC	\$70.00	O
21318	12/6/2021	917	WITMER PUBLIC SAFETY G	\$309.15	O
21319	12/6/2021	51	TREASURER CHESTER CO	\$538.87	O
<b>Bank Total:</b>				<b>\$83,173.57</b>	
<b>Bank Account: 81 TRUMARK SEWER FUND</b>					
10307	11/15/2021	366	BUCKLEY,BRION,MCGUIRE	\$1,214.12	O
10308	11/15/2021	366	BUCKLEY,BRION,MCGUIRE	\$82.00	O
10309	12/6/2021	1002659	ARRO CONSULTING, INC	\$1,143.96	O

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04-Jan-22

From: 02-Nov-21 To: 06-Dec-21

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
10310	12/6/2021	366	BUCKLEY,BRION,MCGUIRE	\$20.50	O
Bank Total:				\$2,460.58	
Total Of Checks:				\$85,634.15	