

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
DECEMBER 4, 2023**

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

Also in attendance was Township Solicitor Kristin Camp, Esq.

Vice-Chairman Shiring moved to approve the November 6, 2023 minutes as written. Supervisor Hill seconded the motion and the minutes were unanimously approved.

Supervisor Hill moved to approve the bills submitted for payment from November 7th. Chairman Boorse seconded the motion and the bills were unanimously approved. General Fund bills totaled \$102,274.28.

HISTORICAL COMMISSION ORDINANCE HEARING

A hearing was duly advertised in the Daily Local News on October 20th and 27th that the Supervisors would be considering an ordinance amending Chapter 122 of the Township Code, “Zoning”, Section 122-6 to delete definitions of Class I; Class II; Class III Historic Resources and Historical Significance; to amend the definition of Historic Resource and Inventory of Historic Resources; to add a definition of Site; and to amend Article VIIIA titled “Historic Preservation”. The hearing was held at the November 6th Township meeting and continued until tonight’s meeting in order for the Board to consider the comments made at the meeting.

Chairman Boorse stated that anyone not in attendance at the November 6th meeting could make a comment on the proposed ordinance.

Kas Kennedy, Independence Drive, said that in Section 122-36.1.B it states that the entire Township has been designated as a National Historic Landmark by the Commonwealth of Pennsylvania and the United States of America. She said that this is not a true statement. It was true in 1965 but a further analysis was done with many changes to the National Historic Landmark and the entire Township was not included.

Solicitor Camp said that this is the same language from the original ordinance and not part of the proposed change. She was concerned that deleting it might require a re-review from the Chester County Planning Commission. She suggested keeping it in the ordinance proposal.

Richard Schwartzman, Chadds Ford Live, asked for the difference in the existing ordinance and the proposal. Chairman Boorse said the new ordinance streamlines the historical commission review process.

Michael Forbes, Historical Commission Chairman, asked if the latest proposal incorporates the feedback from the Chester County Planning Commission. Chairman Boorse said that no changes were made to the ordinance proposal from the November 6th hearing. Solicitor Camp added that many changes, but not all, were made to the original ordinance proposal from the comments from the Chester County Planning Commission.

Vice-Chairman Shiring moved to adopt Ordinance 2023-02 to incorporate revisions to the historical commission requirements in Chapter 122, "Zoning". Supervisor Hill seconded the motion and the ordinance was unanimously approved.

ADOPTION OF FINAL BUDGET FOR 2024/RESOLUTION FOR MILLAGE RATE

It was duly advertised in the Daily Local News on November 9th that the 2024 preliminary budget was available for public inspection with the final budget to be adopted at tonight's meeting. The Supervisors were provided with changes made from the preliminary budget for adoption of the final budget. Proposed revenues for 2024 total \$2,813,74. which includes a carry forward of \$1,048,939. Proposed expenditures for 2024 total \$2,421,832. The millage rate remains constant at 1.6 mills. The Supervisors have not increased the millage rate since 2010. There were no requests from the public for the 2024 budget. Chairman Boorse moved to adopt Resolution 2023-1204A to adopt the millage rate of 1.6 mills and to adopt the 2024 budget as amended. Supervisor Hill seconded the motion which was unanimously approved.

ORDINANCE HEARING ON PENSION PLANS

It was duly advertised in the Daily Local News on November 20th that the Supervisors would be considering ordinances to amend the police and non-uniform pension plans as administered by the Pennsylvania Municipal Retirement System (PMRS). Agreements amending the plan need to be entered into with PMRS. The ordinance change amends the requirements for breaks in service in order for members to be able to participate in the pension plans. Vice-Chairman Shiring moved to adopt Ordinance 2023-03 to amend the non-uniform pension plan and Ordinance 2023-04 to amend the uniform pension plan. Supervisor Hill seconded the motions which were unanimously approved.

AUTHORIZE ADVERTISING ON 2024 ROAD PROGRAM

Chairman Boorse authorized advertising on the 2024 Road Program with bid opening for the February 5, 2024 meeting. Supervisor Hill seconded the motion which was unanimously approved.

ACTION ON AGREEMENT AND RESOLUTION FOR FIRE SERVICES FROM THE BOROUGH OF WEST CHESTER

The Borough of West Chester has provided a five-year agreement for fire services. The projected cost for 2024 for Birmingham Township is \$34,765. which is a reduced cost from 2023. Chief Nelling explained that the reduced cost was due to equipment purchases not being made in this five-year span. Solicitor Camp explained that West Goshen Township has requested the ability for the townships to opt out of the five-year agreement by June 30th of each year which was added under Paragraph 2.C. Chairman Boorse stated that the Borough of West Chester covers Rt. 926 and north for the Township. Chairman Boorse moved to adopt Resolution 2023-1204B to enter into an intermunicipal fire services agreement with the Borough

of West Chester; East Bradford Township; Thornbury Township (Chesco); West Goshen Township and Westtown Township for the provision of fire protection. Vice-Chairman Shiring seconded the motion which was unanimously approved.

**ENGAGEMENT AGREEMENT WITH COHEN LAW GROUP FOR VERIZON
FRANCHISE RENEWAL**

The Verizon cable franchise agreement is expiring. The Township has used the services of Cohen Law Group in the past for cable franchise renewal services. A proposal for services was sent to the Chester County Consortium. The cost will be \$6,400. - \$8,000. depending on the number participating. Vice-Chairman Shiring moved to enter into an engagement agreement with Cohen Law Group to assist in a franchise fee audit and cable franchise agreement renewal negotiations with Verizon. Supervisor Hill seconded the motion which was unanimously approved.

RESOLUTION ON PAID TIME OFF POLICY

The Supervisors have prepared a policy for paid time off, including, vacation, sick time and holiday pay for both the non-uniform and uniform employees which establishes unused vacation and vacation pay off guidelines. Vice-Chairman Shiring moved to adopt Resolution #2023-1204C for paid time off policies. Supervisor Hill seconded the motion which was unanimously approved.

Vice-Chairman Shiring thanked Chairman Boorse; Solicitor Camp; and staff for their time spent to generate this policy.

PUBLIC COMMENT

There was no public comment. The meeting was adjourned at 7:25 PM. (SCB;MTS)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer

Check Register**BIRMINGHAM TOWNSHIP**

08-Jan-24

From: 07-Nov-23 To: 04-Dec-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
Bank Account: 11 TRUMARK GENERAL FUND					
22343	11/13/2023	11	21ST CENTURY MEDIA - PHI	\$583.90	O
22344	11/13/2023	884	ARAMARK	\$54.97	O
22345	11/13/2023	696	BAINBRIDGE HOMES, INC.	\$536.69	O
22346	11/13/2023	366	BUCKLEY,BRION,MCGUIRE	\$1,546.50	O
22347	11/13/2023	775	CONVENIENT CAR CARE C	\$319.60	O
22348	11/13/2023	1002606	CRYSTAL SPRINGS	\$15.68	O
22349	11/13/2023	46	GALLS, LLC	\$136.64	O
22350	11/13/2023	422	HARRY TILLMAN AUTOMOTI	\$334.98	O
22351	11/13/2023	1002879	JULIAN GIBELLINO	\$1,227.87	O
22352	11/13/2023	1002868	LA BUILDING CONTRACTOR	\$21,103.90	O
22353	11/13/2023	1002869	LENNI ELECTRIC CORP.	\$2,747.08	O
22354	11/13/2023	1002864	MILESTONE PLANNING AND	\$1,050.00	O
22355	11/13/2023	1002573	NMS LABS	\$283.00	O
22356	11/13/2023	171	REILLY & SONS INC.	\$954.84	O
22357	11/13/2023	1002878	REYNOLDS BUSINESS SYS	\$4,525.00	O
22358	11/13/2023	1001833	STAPLES BUSINESS ADVAN	\$200.37	O
22359	11/13/2023	1001924	ULINE	\$454.31	O
22360	12/4/2023	11	21ST CENTURY MEDIA - PHI	\$401.16	O
22361	12/4/2023	1002659	ARRO CONSULTING, INC	\$14,998.06	O
22362	12/4/2023	79	BRANDYWINE VALLEY SPC	\$5,600.00	O
22363	12/4/2023	1002885	BRETT & ALICIA STOUTLAN	\$2,624.25	O
22364	12/4/2023	1002883	BRIAN & ELIZABETH PIPER	\$2,909.00	O
22365	12/4/2023	600	CHESCO HISTORIC PRESE	\$100.00	O
22366	12/4/2023	1002121	CLEVENS K-9 SCOOP	\$228.00	O
22367	12/4/2023	775	CONVENIENT CAR CARE C	\$519.35	O
22368	12/4/2023	1002884	DAVID & ALLISON HISSEY	\$973.89	O
22369	12/4/2023	1002791	DEERFIELD MOWING	\$1,400.00	O
22370	12/4/2023	289	GENERAL CODE PUBLISHE	\$1,195.00	O
22371	12/4/2023	21	H A THOMSON	\$5,516.00	O
22372	12/4/2023	422	HARRY TILLMAN AUTOMOTI	\$35.00	O
22373	12/4/2023	1002881	KEITH & LINDY JACKSON	\$2,693.25	O
22374	12/4/2023	1002882	KEVIN & ERIKA CLAUSS	\$1,995.25	O
22375	12/4/2023	780	LAND ART	\$260.00	O
22376	12/4/2023	1002869	LENNI ELECTRIC CORP.	\$187.35	O
22377	12/4/2023	1002864	MILESTONE PLANNING AND	\$1,000.00	O
22378	12/4/2023	314	NATIONAL BUSINESS FURN	\$426.46	O
22379	12/4/2023	798	PA ONE CALL SYSTEM,INC.	\$17.76	O
22380	12/4/2023	3	PA TWP HEALTH INS COOP	\$6,952.38	O

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From: 07-Nov-23 To: 04-Dec-23

Check No	Check Date	VendorNo	Vendor	Check Amount	Status
22381	12/4/2023	205	PARKWAY DRY CLEANERS,	\$74.55	O
22382	12/4/2023	7	QUINA NELLING	\$20.96	O
22383	12/4/2023	171	REILLY & SONS INC.	\$1,136.19	O
22384	12/4/2023	811	S&S CLEANING SERVICE	\$388.00	O
22385	12/4/2023	1001833	STAPLES BUSINESS ADVAN	\$74.49	O
22386	12/4/2023	1001881	YCG, INC.	\$60.50	O
Bank Total:				\$87,862.18	
Bank Account: 22 GF - Electronic Payments					
100185	11/13/2023	80	AQUA PENNSYLVANIA	\$2,679.67	O
100186	11/13/2023	1001902	COMCAST BUSINESS	\$174.89	O
100187	11/13/2023	1002798	TRUMARK FINANCIAL CRED	\$1,977.38	O
100188	12/4/2023	1001926	AJ BLOSENSKI, INC.	\$170.80	O
100189	12/4/2023	80	AQUA PENNSYLVANIA	\$80.48	O
100190	12/4/2023	1001902	COMCAST BUSINESS	\$174.89	O
100191	12/4/2023	1002011	FP FINANCE PROGRAM	\$65.00	O
100192	12/4/2023	517	INDEPENDENCE BLUE CRO	\$7,997.23	O
100193	12/4/2023	29	PECO ENERGY	\$549.27	O
100194	12/4/2023	30	PECO ENERGY (TRAFFIC LI	\$13.86	O
100195	12/4/2023	61	VERIZON 753-804-167-0001-	\$367.85	O
100196	12/4/2023	1001913	VERIZON WIRELESS 722423	\$160.78	O
Bank Total:				\$14,412.10	
Total Of Checks:				\$102,274.28	