

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
FEBRUARY 17, 2009**

METRO PCS CONDITIONAL USE HEARING

A hearing to consider the conditional use application of Metro PCS LLC to extend an existing cellular communications tower located at 1335 Wilmington Pike (Stoltzfus Property) by ten feet and to install six panel style commercial communications antenna on the tower at a height of 183 feet was held at 6:30 PM. The hearing was transcribed by Court Reporter Pat Post. Oral approval was granted by the Board at the end of the hearing which will be followed by a written decision to be prepared by the Township Solicitor, Joseph Brion.

REGULAR MEETING

The regular meeting of the Board of Supervisors was called to order at 7:32 PM in the Township Building by Chairman Conklin with the pledge of allegiance and the customary moment of silence. A quorum of Supervisors was declared. The following Township Officials were in attendance:

John Conklin	-	Chairman, Board of Supervisors
William Kirkpatrick	-	Vice-Chairman, Board of Supervisors
Al Bush	-	Member, Board of Supervisors
Thomas Nelling	-	Chief of Police
Quina Nelling	-	Secretary/Treasurer

Mr. Bush moved to approve the February 2, 2009 minutes as written. Chairman Conklin seconded the motion and it was carried. Mr. Kirkpatrick abstained from voting as he did not attend the February 2nd meeting.

Mr. Kirkpatrick moved to approve the bills submitted for payment. General Fund bills totaled \$39,526.29. Sewer Fund bills totaled \$9,349.62. (Approved all in favor.)

POLICE REPORT

Chief Nelling reported for the month of January 2009. There were 1,220 incidents during the month which included 32 criminal arrests. Chief Nelling noted that there were no thefts from vehicles during the month. There was one burglary during the month and an arrest was made. Mr. Bush commented on the on-going number of towed vehicles during the month. Chief Nelling said that traffic stops result in unlicensed drivers and suspended registrations which require the vehicles to be towed. Concord Towing does the towing for the Township per a resolution adopted in 1996.

TREASURER'S REPORT

Mrs. Nelling reported that the books have been closed for 2008 and the financials have been given to the Board members as well as to the outside auditor. Mrs. Nelling highlighted some of the revenues and expenditures for 2008.

General Fund 12/31/2008 Balance - \$538,499.
 Sewer Fund 12/31/2008 Balance - \$446,971.
 State Fund 12/31/2008 Balance - \$ 56,226.

	<u>BUDGET</u>	<u>ACTUAL</u>
General Fund Revenues	\$1,828,710.	\$1,802,014.
General Fund Expenditures	\$1,429,166.	\$1,263,470.
Real Estate Transfer Taxes	\$ 200,000.	\$ 129,175.
Vehicle Code Violations	\$ 60,000.	\$ 85,286.

Real estate property taxes were collected at 98%. The \$50,000. grant as well as some of the expenditures for the Birmingham Hill trail will not be realized until 2009. Revenues for building and zoning were \$37,279. but expenditures were \$46,449. Contractor registration fees will not be collectible by townships after July 1st. Mrs. Nelling is reviewing the fees with Russ Yerkes of Yerkes Assoc. and will be making a proposal for changes to cover the expenditures.

General Government Expenditures	\$ 262,990.	\$ 258,478.
Police Department	\$ 574,600.	\$ 547,076.
Building, Planning, Fire & Zoning	\$ 157,609.	\$ 171,210.
Highways	\$ 174,400.	\$ 131,421.
RPOS & Birmingham Hill	\$ 114,900.	\$ 44,628.
Debt, Insurance, Benefits	\$ 144,667.	\$ 106,077.
Snow Removal	\$ 80,000.	\$ 35,602.
Legal Services	\$ 10,000.	\$ 31,646.
Engineering Services	\$ 39,500.	\$ 83,927.

It was noted that engineering for FEMA and the Pavement Management Services had not been budgeted in 2008. Also, NPDES compliance requirements exceeded the budget by \$15,000.

	<u>BUDGET</u>	<u>ACTUAL</u>
Sewer Fund Revenues	\$ 795,219.	\$ 806,555.
Sewer Fund Expenditures	\$ 441,554.	\$ 361,326.

Chairman Conklin noted that most of the accounts were managed close to budget. Snow removal expenditure continues to be a cushion for revenue short falls and the Supervisors changed the medical benefits for employees in 2008 which resulted in the expenditure being less than budget.

AUTHORIZE ADVERTISING FOR ROOF REPLACEMENT

The 2009 budget includes funds for replacing the roof on the Township Building. Cedar shingles are currently on the building. Continuing with cedar shingles versus architectural asphalt shingles is a consideration. Prevailing wage could be a factor. Mrs.

Nelling has discussed preparing the bid package with both shingle types with Russ Yerkes who will be overseeing the project.

Harry Miller, Bottom Lane, recently replaced the roof on his house and he has researched roofing extensively. He offered the following suggestions to the Board.

- He would recommend architectural asphalt shingles, however if cedar shakes are chosen they should be pressure treated.
- There is only a 12 – 13% increase in cost by going with a 50 year versus 30 year shingle.
- The nailing pattern can change the wind rating.
- Either shingle should be installed with ½” OSB. There is only lathe on the Township Building. The OSB makes the shingles much sturdier.
- Use 30 lb. paper, not 15 lb. as there is more integrity with the 30 lb.
- Install aluminum drip rail all the way around so there is no wet rot of the fascia boards.
- Color will be the key with asphalt architectural shingles to be aesthetically pleasing.
- If architectural asphalt shingles are chosen a roll vent with shingle caps should be used for a passive illumination of heat.
- The front porch should have a water/ice shield on the entire porch since the roof is so flat and it will prevent from the water from vibrating back in under the shingles.

Mr. Kirkpatrick moved to authorize advertising for bids for a roof replacement on the Township Building with bids to be opened at the March 16th meeting. (Approved all in favor.) Mr. Kirkpatrick will discuss the bid specifications with Russ Yerkes.

SEWER PLANT OPERATIONS AGREEMENT

Mr. Kirkpatrick reported that the Township has been in negotiations with Applied Water Management, Inc. for the operation of the sewer plant. The existing contract expired on December 31, 2008. Applied Water Management has been operating on a temporary contract. After much discussion the Township was able to reduce the annual operations and labor cost increase by 21% from 4.6% – 3.5%. Since this cost reduction was able to be accomplished the contract was written for a six year period.

Mr. Kirkpatrick moved to enter into a six year operations contract with Applied Water Management, Inc. as reviewed and approved by the Township Solicitor. (Approved all in favor.)

CHAPTER 94 REPORT

Applied Water Management, Inc. has submitted a proposal for \$2,500. to prepare the 2008 Chapter 94 Wasteload Management Report for the Township on the immediate and long-term needs at the sewer plant. This is a \$250. increase from last year, however, to have URS prepare the mandatory PADEP report would cost about \$5,000. because of start-up costs. Mr. Kirkpatrick moved to accept the proposal of \$2,500. from Applied

Water Management, Inc. for the preparation of the Chapter 94 Wasteload Management Report. (Approved all in favor.)

PUBLIC COMMENT

There was no public comment.

The meeting was adjourned at 8:06 PM. (JLC)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer