

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
JUNE 21, 2010**

The regular meeting of the Board of Supervisors was called to order at 7:30 PM in the Township Building by Chairman Conklin with the pledge of allegiance and a 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
Richard Jensen	-	Building Inspector & Zoning Officer
Quina Nelling	-	Secretary/Treasurer

Chairman Conklin moved to approve the June 7, 2010 minutes as written. Mr. Kirkpatrick seconded the motion and it was carried.

Mr. Kirkpatrick moved to approve the bills submitted for payment. General Fund bills totaled \$62,660.69. Sewer Fund bills totaled \$4,825.06. State Fund Ck. #144 to Guidemark, Inc. for \$2,480.00 and Ck. #145 to Charlestown Paving & Excavating, Inc. for \$161,579.47. Chairman Conklin seconded the motion and it was carried.

PUBLIC COMMENT

The Commonwealth of PA Sunshine Law Act 93(as amended in 1998) requires public comment to be held before official action is taken

WESTMINSTER PRESBYTERIAN CHURCH

The Township received a letter dated June 21, 2010 from Ed McFalls, Planning Board Member with the Westminster Presbyterian Church, 1385 Birmingham Road. The Church has entered into an agreement of sale with BR Partners, LLC or Assigns, operator of Montessori Schools. It is the School's intent to utilize the pre-school classrooms for the same purpose as was used by the Dilworthtown pre-school. The sanctuary and basement will be used for assemblies, gatherings, and indoor use for the pre-school recess and lunch during inclement weather. Present at the meeting were Diane Stanko, Realtor; Tom Snyder, Church Administrator, and Iftekahr Hussein with BR Partners. There is a 90 day due diligence period for the sale of the property. BR Partners has met with Rich Jensen. For occupancy purposes, the School needs approval for a state "E" use. After reviewing the ordinance, Mr. Jensen feels that the use also needs approval from the Zoning Hearing Board.

After fielding questions from the Board, the following information was provided by Mr. Snyder and Mr. Hussein:

1. There are no religious overtones to the Montessori schools.
2. Enrollment expectation is 100 students, with 75-80% capacity at one time.

3. The Dilworthtown pre-school had 130 enrollees but there were never more than 65 -70 in attendance at one given time.
4. Hours of operation will be 7 AM – 7 PM.
5. Age group of enrollees will be 2 ½ years to 6 years (primary – kindergarten)
6. If the community supports the concept, the school enrollment will be opened to the elementary program which is 1st through 6th grades.
7. The Montessori School will act as a school day care with education.
8. The house on the property will continued to be rented.
9. There will be no building additions.
10. The Montessori School has already met with Rich Jensen on code requirements and they will bring the buildings up to code, as needed.
11. BR Partners would like to open the Montessori School for fall 2010 enrollment.

Chairman Conklin said that the Township will confer with the Township Solicitor and Zoning Officer to determine the appropriate course of action for the Montessori School to be able to proceed with its proposed use.

BOOR SUBDIVISION PLAN

The Township is in receipt of a letter dated June 4, 2010 from James Fritsch, Engineer with Regester Associates, requesting an extension in the time limit until July 31, 2010 for the Barbara Boor Final Minor Subdivision Plan. An extension had already been granted until June 30, 2010. An additional extension was necessary because legal counsel for Barbara Boor, Art Sagnor, had been unable to attend the June Planning Commission meeting. Chairman Conklin moved to approve the extension request for the Barbara Boor Subdivision until July 31, 2010. Mr. Kirkpatrick seconded the motion and it was carried.

HARB REPORT

ARDEN FORGE

HARB met on June 15, 2010 to consider an application from 301 Brinton LLC for renovations of the Arden Forge property at 301 Brinton's Bridge Road. HARB recommended that a Certificate of Appropriateness be issued with the following color choices:

1. Siding - Khaki Brown on all buildings with the first floor window trim of the forge being a Country Lane Red. The siding will be James Hardie cement board.
2. Shingles - CertainTeed, Presidential Shake – Chaparral Cedar for the forge and Slate Gray on the farm house. The rake and fascia on the buildings will be Arctic White.
3. Windows - Pella ProLine with insulated glass.

Gary Whelan, partner, was present. Mr. Bush questioned why only the trim on the first floor windows was going to be painted red? Mr. Whelan, said that the HARB Architect, Tony Webb, wanted it that way and the applicant was fine with it. Mr. Webb wanted the building to remain as similar in color to what it is now. Mr. Whelan pointed to a painting of the Forge on the wall of the conference room. All the windows are white. There just won't be trim around the other windows. Mr. Whelan was fine with only the first floor windows being trimmed in red.

Chairman Conklin moved to approve the Certificate of Appropriateness for the Arden Forge as recommended by HARB. Mr. Kirkpatrick seconded the motion and it was carried.

As there have been problems with 301 Brinton LLC appearing at scheduled meetings, Mr. Whelan was asked to have one person appointed as the contact for the application. Mr. Whelan said it would be his partner, Anthony Diver. Mr. Whelan was advised that the applicant is responsible for keeping track of his own time clock and approval requirements with the different committees.

OTHER BUSINESS

Chairman Conklin acknowledged the Recreation, Park and Open Space Committee for their efforts on the clean up day scheduled at Sandy Hollow. There was a poor turn-out in spite of contacts to the HOA's for help. Chairman Conklin acknowledged the work of Michael Langer and his daughter, Meredith, and Dan Hill for their efforts in spreading the wood chips on the Birmingham Hill trail and of Greg Kurey on his regular schedule of picking up dog poop at Sandy Hollow Park.

Chairman Conklin stated that there has been a failure in the Township's heating and air conditioning units which may require replacement. A quote has been obtained from Brewer Heating and Air Conditioning. As the cost appears to be over \$4,000.00, Mrs. Nelling was authorized to proceed with phone quotes for the replacement.

Mr. Jensen reported that work has started on the foundation drainage problem at the Township Building. There is significant corrosion on the split box which needs to be addressed by an electrician. Parking lot light lines, electric lines, and water lines were all disturbed as they weren't where they were expected to be, but all the issues are being addressed as encountered.

The meeting was adjourned at 8:05 PM. (JLC)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer