

**BIRMINGHAM TOWNSHIP
BOARD OF SUPERVISORS MINUTES
NOVEMBER 2, 2009**

SPRINT NEXTEL CONDITIONAL USE HEARING

A hearing to consider the conditional use application of Sprint Nextel was held at 6:30 PM. Sprint Nextel proposes to install two microwave dishes and three panel antennas on an existing cellular communications tower owned by American Tower Company located at 1335 Wilmington Pike. The hearing was transcribed by Court Reporter Colleen Pimer. The hearing was continued unto Monday, December 7, 2009 @ 7 PM.

CINGULAR WIRELESS CONDITIONAL USE HEARING

A hearing to consider the conditional use application of New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility Cingular was held at 7 PM. Cingular proposes to install twelve panel style telecommunications antennas at a height of 125 feet on an existing cellular communications tower owned by T-Mobile located at 1335 Wilmington Pike. The hearing was transcribed by Court Reporter Colleen Pimer. The hearing was concluded with verbal approval from the Board of Supervisors contingent upon the Township being provided with a signed copy of the Site License Agreement, Exhibit A-3.

Solicitor Kristin Camp was present for the conditional use hearings but did not attend the regular meeting.

REGULAR MEETING

The regular meeting of the Board of Supervisors was called to order at 7:43 PM in the Township Building by Chairman Conklin with the pledge of allegiance and a moment of silence. The following Township Officials were in attendance for the regular meeting and the conditional use hearings except for the Nellings.

John Conklin	-	Chairman, Board of Supervisors
William Kirkpatrick	-	Vice-Chairman, Board of Supervisors
Al Bush	-	Member, Board of Supervisors
Thomas Nelling	-	Chief of Police
Lloyd Roach	-	EMC and Historic Commission Chairman
Ed Zaloga	-	Historic Commission Member
Jacque Roach	-	Planning Commission Secretary
Quina Nelling	-	Secretary/Treasurer

On the third page, first line of the October 19, 2009 minutes, Chairman Conklin added "pending approval by the Supervisors in the Spring of 2010, after, "Budget proposes the purchase of a marked Expedition." Chairman Conklin moved to approve the minutes as amended. (Approved all in favor.)

Mr. Bush moved to approve the bills submitted for payment. General Fund bills totaled \$23,182.65. Sewer Fund bills totaled \$4,660.69. (Approved all in favor.)

MERCEDES CONDITIONAL USE HEARING

Chairman Conklin moved to authorize advertising for a conditional use hearing for Monday, December 21, 2009 @ 6:30 PM to consider a modification of the January 15, 2001 decision and order for West Chester Mercedes Benz to modify the front façade and to change the canopy front yard setback from 53 feet 3 inches to 49 feet 8 inches. (Approved all in favor.)

BUILDING INSPECTOR/ZONING OFFICER

Mr. Bush moved to hire Richard Jensen as the Township Building Inspector and Zoning Officer at the rate of 70% of building permits and 60% of zoning and trade permits, including electrical, plumbing, and HVAC, and at the rate of \$40.00/hr. for the position of zoning officer. (Approved all in favor.) Yerkes Associates, current provider of these services, will handle any outstanding applications and Mr. Jensen will handle all new submissions.

Chairman Conklin said that the current fee schedule has to be fair and cover costs of the inspections but that has not been happening with the current provider of these services so a change needed to be made. Richard Jensen has held this position for Chadds Ford Township for 23 years and he is able to take on this job for Birmingham Township as well. Chairman Conklin advised George Thorpe, Supervisor of Chadds Ford Township, of Birmingham's intentions.

PUBLIC COMMENT

There was no public comment.

The meeting was adjourned at 7:50 PM. (JLC)

Respectfully submitted,

Quina Nelling
Secretary/Treasurer