

Maidencreek Township Board of Supervisor Meeting  
April 12, 2007 7:00 PM

Present: Roy Timpe, Robert Kopfer, Claude Beaver, Gene Orlando & Stephanie Dake – Roland & Schlegel, Tom Unger– Systems Design Engineering, Inc., Keith Shuman – Public Works Director, Diane Hollenbach - Secretary, Johanna Lella – Recording Secretary

Guests: Mark Yoder, Chris Kline, Stanley Deeds, Daniel L. Miller, Daniel L. Miller Jr., Paul Martin, Cena L. Knowles, Cindy Stump, Vicki Kline, Rick Kline, David A. Tranquillo, Richard Wick, Domenick Colangelo, Joe Rudderow III, Barrie Higo Jr., Mary Dymeck, Randi Peters, Larry Glass, Scott Miller, Fay Isamoyer, Marty Buck, Rebecca Vandermuellen, Mark Rider, Baron Gerhart.

Roy Timpe called the April 12, 2007 meeting of the Maidencreek Township Board of Supervisors to order at 7:00 PM in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

**POLICE REPORT**

The Northern Berks Regional police officer was unable to attend the meeting.

**APPROVAL OF THE MINUTES**

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the March 8, 2007 regular meeting minutes of the Maidencreek Township Board of Supervisors. All members voted, “Aye”. Motion carried.

**RESOLUTIONS**

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Chairperson to sign Resolution 11-2007 regarding financing of a new fire truck for the Blandon Fire Company. All members voted “Aye”. Motion carried.

**ENGINEER’S REPORT**

**Subdivision Status Checklist** – All plans are current.

**Subdivision Improvements Agreements and Letter of Credit Reductions** - None

**Subdivisions/Zoning –**

Maidencreek Crossing (Corrado) Subdivision Final Plans - No action required at this time from Board.

Village at Summit Crest Phase III Planning Module Exemption Form – SDE has received a letter from MTA stating that there is sewer and water capacity.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to authorize the Chairman to sign the Planning Module Exemption Form for Village at Summit Crest Phase III. All members voted “Aye”. Motion carried.

**Projects**

**Hoch Road Culvert Replacement** – No action required at this time from Board.

Maidencreek Township Board of Supervisor Meeting  
April 12, 2007 7:00 PM

**Comprehensive Plan Revision Draft Final Plan** - No action required at this time from Board.

**Municipal Building Connection** – No action required at this time from Board.

**Zoning Ordinance and SALDO** – No action required at this time from Board.

**Act 537 Plan** – No action required at this time from Board.

**Lehigh Cement Noise Study** – No action required at this time from Board.

**Limestone Acres/Allen Davis Farm Stormwater** – No action required at this time from Board.

**Rt 222 Drainage** - No action required at this time from Board.

**339/343 Cassidy Stormwater** – No action required at this time from Board.

**Traffic Calming** – Tabled by Board

**Bingo Hall Inspection** – The Bingo Hall has been inspected and the work is in process.

**Golden Manor III Installation of the Street Trees** - The installation of the trees is being funded by the money that had been drawn down from the developer's letter of credit.

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the engineer to put out for bid 56 trees for the improvement of Golden Manor III to be received by May 2, 2007 at 2:00 PM. All members voted “Aye”. Motion carried.

**385 West Walnut Tree Drive** - Mrs. Hollenbach informed the Board that a permit has been issued to repair the home's foundation.

#### OPERATION’S REPORTS

##### **Approval for Rental of Broom Sweeper**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the rental of a ride on broom sweeper with the cost not to exceed \$525.00. All members voted “Aye”. Motion carried.

Mr. Beaver asked when the roads will be swept. Mr. Shuman stated that it will be on April 24 – 26. Mr. Beaver asked if there is any road work for this year. Mr. Shuman answered yes, and that he needs to review the road work with the engineer.

#### SOLICITOR’S REPORT

##### **Improvements Agreements** –

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Secretary to send letters to David Small and Dollar General regarding their intentions in recording their final plans. All members voted “Aye”. Motion carried.

Maidencreek Township Board of Supervisor Meeting  
April 12, 2007 7:00 PM

**Mandatory Water Connection** - The Supervisors agreed to hold a joint meeting with the Authority at 6:30 PM on May 10, 2007 and authorized the Secretary to inform the MTA of the date and time.

**Manager Ordinance**—

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Solicitor to advertise a Manager Ordinance Hearing at 6:45 PM on May 10, 2007. All members voted “Aye”. Motion carried.

**Traffic Ordinance**

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Solicitor to advertise the Amendment to the Traffic Ordinance Hearing at 6:45 PM on May 10, 2007. All members voted “Aye”. Motion carried.

Mr. Tranquillo brought to the Supervisors' attention a telephone pole that has damage due to vehicles hitting it on Buena Vista Road. Mr. Beaver advised Mr. Shuman to check out the damage.

**Noise Ordinance** – No action is required at this time.

**Ingot Drive Deed of Dedication** – No action is required at this time.

**Sludge Ordinance** – A Public Hearing was held at 6:45 PM on this day, April 12, 2007. Mr. Timpe asked if there was any public comment regarding the ordinance. Mr. Rudderow asked how much this has cost the Township to-date. Mrs. Hollenbach stated that she would like to check her records, but estimates the costs so far to be \$20,000.00. Mr. Tranquillo asked why the Township is rushing. Mr. Timpe replied that the Township has been working on this Ordinance for approximately two years. Mark Rider of Synagro had two issues: 1.) Would the Township consider grandfathering the sites, since the registration has been done prior to this ordinance being enacted? 2.) The only objection he has to this Ordinance is the 30 day waiting period on the Class A Biosolids. Currently, there is a 24 hour notification period on Class A Biosolids and a 30 day notification period for Class B. If it is the intent of the Township, simply to have them register their sites prior to operating, they should have this information in hand. Mr. Rider stated that DEP and EPA has requirements for both the spreading of the biosolids and when farmers may begin use of the land.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt the Biosolids Ordinance #207 as it stands. All members voted “Aye”. Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to defer the enforcement of the new Ordinance #207 for 45 days to give anyone that is currently applying Biosolids time to comply. All members voted “Aye”. Motion carried.

**Alton Boyer Stock Demutualization-**

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Township Secretary to sign an appropriate stock power and any other documents

Maidencreek Township Board of Supervisor Meeting  
April 12, 2007 7:00 PM

required to cause the sale of the stock that was the subject of the agreement between the Police Commission and the Township to be sold in accordance with the policies of the Police Commissions Manifest. All members voted "Aye". Motion carried.

**Crown Castle Cell Tower Lease** – To be discussed in executive session.

TREASURER'S REPORT

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the April 2007 Treasurer's Report and bill list. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the payment of mileage for the 1<sup>st</sup> Quarter while performing work related duties in personal vehicles to – Rita Agnetti - \$85.85 and Diane Hollenbach - \$51.41. All members voted "Aye". Motion carried.

RECYCLING

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the purchase of 500 recycling bins and lids on state contract for \$5,425.00. All members voted "Aye". Motion carried.

UPDATE ON FEMA TRAVEL TRAILERS – Mrs. Hollenbach informed the Supervisors that FEMA offered the opportunity to the Township to purchase the travel trailer for the amount of \$4,500.00 and a decision needs to be made by Friday, April 13, 2007. After a lengthy discussion as to how the trailer could be used, the township will contact neighboring Municipalities to see if they would be interested in a joint venture in purchasing the trailer and use of the trailer.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Secretary to contact all neighboring Municipalities to see if they would be interested in a joint governmental acquisition of the travel trailer from FEMA. All members voted "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Secretary to contact Chief Eaken, Chief Miller, Todd Bubbenmoyer and neighboring fire departments to ask them if they could come up with a preliminary list of items needed to outfit the trailer if and when we receive any feed back from the other Municipalities. All members voted "Aye". Motion carried.

PUBLIC COMMENT

Cena Knowles – 419 Colonial Court- Mrs. Knowles presented to the Supervisors pictures of the standing water in her yard due to the swale on her property.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the engineer to view the swale at 419 Colonial Court. All members voted "Aye". Motion carried.

Maidencreek Township Board of Supervisor Meeting  
April 12, 2007 7:00 PM

Mrs. Knowles asked the Supervisors about pool water discharge. Mr. Unger stated that the discharge of pool water into the storm water system is a DEP violation and a code violation. Mr. Unger advised Mrs. Knowles that she should contact DEP or Berks County regarding the violation. Mrs. Knolls also asked about the location of the pool on her neighbor's property. The Supervisors stated that homeowner did get a permit for the pool. The Supervisors advised that if Mrs. Knowles sees the pool water being discharged onto her property, she should contact the Township. Mr. Rudderow made a suggestion that maybe a reminder should be in the newsletter about pool water discharge since pool season is coming soon. Mr. Beaver also stated to add to the newsletter a reminder that school is out and to keep in mind the speed limit.

Stanley Deeds – W. Walnut Tree Drive. Mr. Deeds asked about the right of way behind his property. Since the right of way has been paved there have been many vehicles driving all hours of the day and night. Mr. Deeds wants to know what he can do to slow down the traffic and have them stop driving onto his property. Because the right of way is not on Mr. Deeds property, he can not touch the right of way. However, he can do something on his property to have them not drive on it. Mrs. Hollenbach stated that a NO OUTLET sign is going to be put on 222 at the Burgert Lane, hopefully this will help stop some of the traffic flow.

Larry Glass – 7 Chestnut Street. Mr. Glass wants to know what the Township is going to do about 8 Chestnut Street. Mr. Beaver stated that they will discuss this matter in executive session.

David Tranquillo - Mr. Tranquillo wanted to know if the Supervisors had discussed the issue of reimbursing him for the costs he incurred regarding the testing of his property due to Lehigh Cement. Mr. Timpe stated that they will discuss this matter in executive session.

PARK & RECREATION – No action.

EMERGENCY MANAGEMENT – Tabled.

#### BUSINESS

Planning Commission Appointment with term expiring 12/31/2010. – Tabled.

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the approval for the Secretary to attend the following seminars: June 5, 2007 from 8:00 AM to 4:00 PM at a cost of \$50.00 and May 15, 2007 from 8:30 AM to 12:00 PM at no cost. The June 5<sup>th</sup> seminar covers checklists to keep the municipality code compliant and the May 15<sup>th</sup> seminar covers DCNR Grants. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the approval of the purchase of 342 feet of 500 MCM copper cable to supply 800 AMP service at the Fire Company Ball Field from Colonial Electrical at a cost of \$3,372.12. All members voted "Aye". Motion carried.

Maidencreek Township Board of Supervisor Meeting  
April 12, 2007 7:00 PM

Employment Census – Tabled.

**Executive Session was held from 9:00 p.m. to 9:35 to discuss litigation and personnel issues.**

A motion was made by Claude Beaver, seconded by Robert Kopfer, directing the Solicitor to contact Lehigh Cement with respect to the money owed to the Township. All members voted, “Aye”. Motion carried.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to direct the Code Enforcement Officer and Solicitor to promptly pursue all proceedings necessary to place the Township in the position of requiring the repair or removal of any unsafe structures on the Chestnut Street property and assessing the owner for all costs. All members voted “Aye”. Motion carried.

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the Solicitor to contact the Cell Tower Company in response to their email to negotiate a lease. All members voted “Aye”. Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Code Enforcement Officer and Solicitor to contact the owner of 145 Buena Vista Road property regarding the repair of the burned home. All members voted “Aye”. Motion carried.

Since there was no further business, a motion was made by Robert Kopfer, seconded by Claude Beaver, to adjourn the April 12, 2007 meeting of the Maidencreek Township Board of Supervisors. All members voted, “Aye.” Motion carried. Meeting adjourned at 9:40 P.M.

---

Transcribing Secretary

Cc: Board of Supervisors  
Eugene Orlando, Roland & Schlegel, Solicitor  
Thomas Unger, Systems Design Engineering, Inc., Township Engineer  
Ed Kopicki, Systems Design Engineering, Inc., Planning Commission Engineer  
Planning Commission  
Park & Recreation Board  
Zoning Hearing Board and Alternates  
Paul Herbein, Zoning Hearing Board Solicitor  
Maidencreek Township Authority  
Patrick Donovan, Maidencreek Township Authority General Manager  
JoAnn Schaeffer, Maidencreek Township Authority Secretary  
Robert Hobough, Jr. Esq., Stevens & Lee, Authority Solicitor  
Greg Unger, Systems Design Engineering, Inc., Authority Engineer  
Barbara Hassler, Tax Collector  
Daniel Miller, Blandon Fire Company Chief  
Chief Scott W. Eaken, Northern Berks Regional Police