

Maidencreek Township Board of Supervisor Meeting
August 16, 2007 7:00 PM

Present: Roy Timpe, Robert Kopfer, Claude Beaver, Gene Orlando & Stephanie Dake – Roland & Schlegel, John Loeper – Systems Design Engineering, Inc., Keith Shuman – Public Works Director, Diane Hollenbach – Manager and Recording Secretary

Guests: Carl Weston, Irvin Snyder, Jason Shaner, Felix Pena, Dick Thren

Roy Timpe called the August 16, 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 -

Officer Drazenovich reported that Northern Berks Regional Police responded to 321 assignments in Maidencreek Township in the month of July. This resulted in 151 citations. The traffic fines for Maidencreek for the month of July were \$3,498.25 and non-traffic fines were \$589.80, totaling \$4,088.05. The total number of patrol hours was 846.76 for the month. Officer Drazenovich informed the audience that a traffic study would be performed on Colonial Court as soon as new trax mite strips were obtained. Also, a youth size wheelchair was found at the Community Park that no one has reported missing.

APPROVAL OF THE MINUTES

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the July 26, 2007 regular meeting minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ENGINEER'S REPORT

Subdivision Status Checklist –

Maidencreek Crossing Subdivision and Land Development Plan

A motion was made by Claude Beaver, seconded by Roy Timpe, to accept the time extension for the Maidencreek Crossing Subdivision and Land Development Plan. Hearing no questions on the motion, Roy Timpe and Claude Beaver voted "Aye". Robert Kopfer voted, "Nay." Motion carried.

Melrose Place Commercial Preliminary Plan

A motion was made by Claude Beaver, seconded by Robert Kopfer, to grant a waiver to Section 303.J. of the Subdivision and Land Development Ordinance – water resource study. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Chairman to sign the Melrose Place Planning Module Exemption. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to grant preliminary plan approval to the Melrose Place Commercial Plan conditional upon the plan complying with the items outlined in the July 30, 2007 and August 10, 2007 Systems Design Engineering, Inc. review letter which was incorporated by reference. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Jantz Subdivision Waivers - Tabled

Walnuttown Elementary School

A motion was made by Claude Beaver, seconded by Robert Kopfer, to waive the formal review of the Walnuttown Elementary School Land Development Plan in lieu of Maidencreek Township's review and approval of the stormwater management plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to bill the Fleetwood Area School District only for the time the Township Engineer spends reviewing the Stormwater Management Plan for the Walnuttown Elementary School Land Development Plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Projects

Hoch Road Culvert Replacement – John Loeper of SDE presented a plan for the replacement of the Hoch Road Culvert. Tom Unger will review the final plan before bidding. Diane Hollenbach asked that the bid document be completed but held until Spring and the work done after the close of the 2007-2008 school session. Hoch Road will need to be closed for two to four weeks. This road is used heavily by buses and parents during the school year.

Golden Manor Street Trees – Bids will be received on September 7, 2007. This is the second time the project has been bid. If none are received, the Township will get quotes for the work.

Buena Vista Road No Trucks – John Loeper reported that a traffic study was completed and was being reviewed.

Subdivision Improvement Agreement LOC/Escrow Release Letters –

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters in the amount of \$29,613.93 for the month of July 2007. Hearing no questions on the motion, all members voted "Aye." Motion carried.

Condemned Properties – The Board asked for an update on the condemned properties in the Township. Diane Hollenbach reported that 8 Chestnut Street had been sold and the new owner was in the process of getting appraisals to see if the house was more than 75 percent destroyed. If it is not, he will fix the structure. If it is more than 75 percent destroyed, the house will be demolished and a variance will need to be obtained to rebuild it, since it is a nonconforming structure on a nonconforming lot.

145 Buena Vista is in the process of being sold and the person purchasing it has said he will tear the house down upon completion of the sale.

385 W Walnut Tree Drive has been repaired and inspected. Code Enforcement will require a final inspection prior to anyone occupying the home again.

OPERATION'S REPORTS

Truck Purchase – Mr. Shuman, Public Works Director asked to replace two Township trucks. The Board tentatively agreed that they would like to purchase a 2008 GMC 5500 to replace the

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1995 GMC 3500 HD. They asked Keith Shuman to get more information and pricing and agreed to discuss the purchase at a special meeting on August 21, 2007.

SOLICITOR'S REPORT

Ingot Drive –The Solicitor reported that getting the grantors of Ingot Drive to sign the deed of dedication is going to be more difficult than anticipated as one is deceased and one lives in Belize.

Meadowbrook Street Dedications – Mr. Orlando presented the resolutions and deeds of dedication for the developer to sign. The Board will consider acceptance of the roads at their August 21, 2007 special meeting.

SIA Zoning Ordinance Amendment – Mr. Orlando stated that he is reviewing Limerick Township's ordinance and is making revisions to the draft. Tom Unger is looking at performance standards.

Exemptions Mandatory Water Connection – Stephanie Dake called the PA DEP regarding well head protection. Gene Orlando will suggest a definition of agriculture to the Board next month.

Noise Ordinance – Gene Orlando stated that they are doing research on enforcement and measurement of noise.

TREASURER'S REPORT/MANAGER'S REPORT

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the July 2007 Treasurer's Report and bill list. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Diane Hollenbach reported that Telco checked the timing on the light at Rt 73 and Park Road and confirmed that the light was timed per the Penn DOT permit. Different traffic lights are timed according to Penn DOT's plans for efficient traffic movement. Claude Beaver asked if Telco would certify the timing of the light in writing.

Roy Timpe stated that the Chief of Police wants to attend the meeting between Penn DOT, David Argall and the Supervisors regarding turning arrows at Rt 222 and Rt 73. Diane Hollenbach promised to include the Chief should Penn DOT ever schedule the meeting.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve the repair of Truck #2 by replacing kingpins for a cost of \$1500. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

PARK & RECREATION

The Park and Recreation Board recommends fee in lieu of Open Space in the amount of \$750 per lot for the Jantz Subdivision.

PUBLIC COMMENT

Carl Weston of South View Road asked the Board the following questions:

- ⑩ Would you broadcast the meeting on BCTV or the internet so those that can not make it to the meeting, can still see what happened? The Board has not thought about this.
- ⑩ Are you planning on having a budget workshop? The Board is planning on having one but is waiting until they are further into the union negotiations.
- ⑩ Would the Board consider mirroring Tilden Township's proposed sludge ordinance? The Board will allow Tilden Township to pioneer that litigation.

Warren Delcamp of Buena Vista Road informed the Board that his well is shallow, about 30 feet deep, and he is worried that the Zwicky Power Plant will run his well dry. Diane Hollenbach informed Mr. Delcamp that he should be receiving a letter soon from PPL asking residents to let PPL monitor their wells when a 48 hour draw down test is conducted. Mrs. Hollenbach urged Mr. Delcamp to take part in the monitoring, so that PPL will have accurate data on their effect on the neighborhood water supply.

Dick Thren of Longleaf Drive stated that Shady Glen is a public nuisance, and the Supervisors should shut it down. The residents pay taxes to support the police and this place is putting them in danger. Mr. Thren suggested that the Supervisors go to Shady Glen. The entrance is dark and it is an explosive situation. Mr. Thren stated that he can hear the noise at his house which is about a mile away. The Board will discuss the matter in Executive Session as potential litigation.

RESOLUTIONS

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 17-2007 supporting Crime Alert Berks County. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 18-2007 declaring an emergency on July 7, 2007 at Withers Trailer Park. Hearing no questions on the motion, all members voted "Aye". Motion carried.

BUSINESS

Undedicated portion of June Avenue owned by American Bank – Tabled.

Health Insurance

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the manager to sign the Highmark Blue Shield Health Insurance renewal and enroll in the Eplatform program which will save the Township, Authority and Police two percent of the premium increase. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Gypsy Moth Coordinator

A motion was made by Claude Beaver, seconded by Robert Kopfer, to appoint Diane Hollenbach as Gypsy Moth Coordinator. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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Penn DOT 12 Year Plan

The Board agreed that the following items should be sent to Penn DOT for inclusion in the 12 Year Plan: four turning arrows at the intersection of Route 73 and Route 222, rerouting of West Shore Drive, Hill Road Railroad upgrade, East Wesner Road Railroad upgrade, and the Rt 222 North corridor. Claude Beaver asked that the manager look at the possibility of moving West Shore Drive to eliminate the bridge that has been closed.

Meeting Date – The Board agreed to hold a special meeting on August 21, 2007 for the purpose of accepting street dedications, making a decision about the purchase of a truck and hold an executive session for contract negotiations.

Pension Act 205 Form

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Chairman to sign the Act 205 form for the Maidencreek Township Non-uniform Pension Plan. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Service Contract for Heating and Cooling System

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the manager to enter into a service contract for service to the heating and air conditioning units. Hearing no questions on the motion, all members voted “Aye”. Motion carried. Roy Timpe also suggested that the Township Building be tested for radon.

Participation in the LUCA Program

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the staff to participate in the 2010 census LUCA program to confirm addresses. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Recycling Update

Diane Hollenbach informed the Board that she had just received notification that the Township must adopt an ordinance requiring all residents to have a trash hauler. If the Township does not comply, the recycling grant money will be held until compliance is achieved.

Executive Session was held from 9:24 p.m. to 10:50 p.m. to discuss litigation and personnel issues.

Shady Glen

A motion was made by Robert Kopfer, seconded by Claude Beaver, to send a letter to the owner of the Shady Glen property notifying him of the complaints the Township and Police Department have received. Hearing no questions on the motion, 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 August 16, 2007 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted “Aye”. Motion carried. Meeting adjourned at 10:54 P.M.

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Township Secretary, August 22, 2007

Cc: Board of Supervisors
Eugene Orlando, Roland & Schlegel, Solicitor
Thomas Unger, Systems Design Engineering, Inc., Township 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 Hobaugh, 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