

Maidencreek Township Board of Supervisor Meeting
October 11, 2007 7:00 PM

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

Guests: Barbara Ann DelCamp, Warren DelCamp, Robert S Reid, Glenn Heffner, Fay Isamoyer, Richard Wick, Stanley Deeds, Gregory Jantz, Felix Pena, Joe Rudderow III, David A. Tranquillo

Roy Timpe called the October 11, 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 Torro reported that Northern Berks Regional Police responded to 333 assignments in Maidencreek Township in the month of September. This resulted in 111 citations. The traffic and nontraffic fines for Maidencreek for the month of September were \$2,846.04. Mr. Timpe informed everyone that there were a high number of DUIs in the month of September. Officer Torro also, stated there were 18 reportable crashes, many of which were caused by DUIs. Fay Isamoyer of Evansville Road and Rt. 222 informed the Officer that there is a large amount of traffic that is using the center turning lane on Rt. 222 South as a passing lane.

APPROVAL OF THE MINUTES

A motion was made by Claude Beaver, seconded by Robert Kopfer, to have the minutes from the Public Hearing held this evening transcribed. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the September 13, 2007 regular meeting minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the September 18, 2007 special meeting minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ENGINEER'S REPORT

Subdivision Status Checklist – All plans are current.

Subdivision Improvement Agreement LOC – Freight Terminal

A motion was made by Claude Beaver, seconded by Robert Kopfer, upon the recommendation of the engineer, to return the Improvement Agreement Letter of Credit issued to Maidencreek Plaza LLC for the Freight Terminal Project and waive the 18 month maintenance period, since there are no public improvements. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivisions/Zoning

Village @ Summit Crest Final Plan – No action required at this time.

Maidencreek Township Board of Supervisor Meeting
October 11, 2007 7:00 PM

Jantz Subdivision Final Plan – Mr. Unger reviewed the Planning Commission action letter dated September 6, 2007 for the Jantz Subdivision Final Plan.

WAIVERS:

A motion was made by Claude Beaver, seconded by Robert Kopfer, waiving Section 503.B.1.a. of the Maidencreek Township Subdivision and Land Development Ordinance - minimum lane width local roads. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, waiving Section 508.A.3. of the Maidencreek Township Subdivision and Land Development Ordinance - lot width to depth ratios. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, waiving Section 507 of the Maidencreek Township Subdivision and Land Development Ordinance - monuments and markers because a monument would be located in the center of a common driveway. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

FINAL PLAN:

A motion was made by Claude Beaver, seconded by Robert Kopfer, approving the Jantz Subdivision Final Plan contingent upon the SDE review letter dated October 11, 2007. Mr. Beaver amended the motion to include posting financial security. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Projects

Golden Manor III Street Trees –

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Chairperson to sign the contract with J. Margerison when received. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Traffic Study Buena Vista Road – Mr. Unger informed the Board of the results from the traffic study that had been completed on Buena Vista Road.

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 \$801.70 for the month of September, 2007. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

OPERATION’S REPORTS

Truck Bid – Mr. Shuman informed the Supervisors that only 2 bids had been received for the truck. One from Penske GMC which meet all the specification and one from a Ford Dealership which did not meet all of the specifications.

A motion was made by Robert Kopfer, seconded by Claude Beaver, awarding the bid for a truck body to Penske GMC in the amount of \$37,000. Mr. Timpe asked if the there were any questions. Mr. Wick of East Wesner Road asked how did the Operation’s Director come up with the specifications. Mr. Shuman stated that he got the information from several different sources. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

Maidencreek Township Board of Supervisor Meeting
October 11, 2007 7:00 PM

SOLICITOR'S REPORT

Noise Ordinance – Ms. Dake updated the Board on the progress of the ordinance. Police Chief Eaken sent his recommendation regarding the Noise Ordinance.

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing Systems Design Engineering to contact a noise expert to obtain objective sound measuring standards. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Golden Manor Homeowners Association (Park Place) – Mr. Orlando updated the Board on the progress of the litigation of the Golden Manor Homeowners Association. The Township's only interest in this litigation was to see to it that the original intention of the plan regarding the common elements of the functioning of a homeowners association would be implemented. Mr. Orlando thanked Ms. Hollenbach and the Golden Manor Homeowners Association for their efforts in this matter.

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the Chairman to sign the Release of Indemnification Agreement regarding Golden Manor Homeowners Association. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Draft of SIA & Industrial Zoning – Mr. Orlando asked if a working draft of the ordinance could be released to interested parties for their input.

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the release of a working draft of the SIA & Industrial Zoning when finished to interested parties. Hearing no questions on the motion, all members voted "Aye". Motion carried.

TREASURER'S REPORT/MANAGER'S REPORT

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

A motion was made by Robert Kopfer, seconded by Claude Beaver, approving the mileage payment of \$87.34 for Rita Agnetti. Hearing no questions on the motion, all members voted "Aye". Motion carried.

PARK & RECREATION

Wyatt Drive Tot Lot –

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the acceptance of the Wyatt Drive Tot Lot Plan with the revisions dated 10/01/07 and send the project out to bid. Hearing no questions on the motion, all members voted "Aye". Motion carried.

PUBLIC COMMENT

Mr. Deeds, W. Walnut Tree Drive – Asked if the tax assessment value of 385 W. Walnut Tree Drive has changed.

Mr. Tranquillo, Buena Vista Road – Commented about Mr. Zwicky's project and Lehigh Cement.

Maidencreek Township Board of Supervisor Meeting
October 11, 2007 7:00 PM

ORDINANCES

Snow Emergency Route Ordinance No. 211 –

A motion was made by Robert Kopfer, seconded by Claude Beaver, adopting Ordinance No. 211 amendments to the Snow Emergency Ordinance. Hearing no further questions on the motion, all members voted “Aye”. Motion carried

Traffic Ordinance No. 212 -

A motion was made by Robert Kopfer, seconded by Claude Beaver adopting Ordinance No. 212 amendments to the Traffic Ordinance. Hearing no further questions on the motion, all members voted “Aye”. Motion carried

Municipal Solid Waste Ordinance – Ms. Hollenbach informed the Board that the Township received a letter from DEP regarding Recycling Performance Grant for Maidencreek Township. The letter states that prior to processing the calendar year 2006 application, the Township will be asked to provide documentation showing success in meeting the requirements of Act 140 and how this year’s Performance Grant award was used to achieve compliance. Ms. Hollenbach suggested that an amendment be made to Ordinance No. 162 to meet the requirements of Act 140.

A motion was made Claude Beaver, seconded by Robert Kopfer, authorizing the Solicitor to integrate some of the latest requirements of Act 140 into our Ordinance No 162. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

RESOLUTIONS

Resolution 25-2007 Accept Dedication of 6 street lights in Meadowbrook.

A motion was made by Claude Beaver, seconded by Robert Kopfer, adopting Resolution 25-2007 accepting dedication of six street lights in Meadowbrook. Hearing no further questions regarding the motion, all members voted “Aye”. Motion called.

Resolution 26-2007 Met-Ed Street Light Upgrade on Rt. 222

A motion was made by Claude Beaver, seconded by Robert Kopfer, adopting Resolution 26-2007 upgrading a street light on Route 222 from mercury vapor light to sodium vapor light. Hearing no further questions regarding the motion, all members voted “Aye”. Motion carried.

BUSINESS

Intersection of Pleasant Hill and Maidencreek Road – The Township will forward a resident's letter of complaint to Penn Dot and discuss the situation when they meet with Penn DOT officials.

Union Agreement – No action required at this time from the Board.

Schedule Agricultural Security Area Hearing –

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the advertising of the Agricultural Security Area Hearing for 6:45 pm on November 8, 2007. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Schedule Budget Meeting - Mr. Timpe thanked Ms. Hollenbach for all her hard work done on the Township Budget.

Maidencreek Township Board of Supervisor Meeting
October 11, 2007 7:00 PM

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the advertising of a Budget Workshop Meeting on October 25, 2007 at 8:00pm. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Corrado Real Estate request – No action required at this time from the Board.

Undedicated portion of June Avenue owned by American Bank – No action required at this time from the Board.

Penn Dot Meeting –

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the advertising of a Workshop Meeting with Penn Dot to be held on October 24, 2007 at 12:00 pm. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Township Building to connect to Public Sewer - Ms. Hollenbach informed the Board that after repeated attempts made to Redner's requesting an easement to run the sewer pipe through their property, they have not responded. Ms. Hollenbach suggested that the Township hook-up to the existing lateral at 61 Lake Shore Drive. Ms. Hollenbach stated that the MTA has offered to donate a pump and pipe to the Township. She also, stated that Mr. Donovan (MTA GM) and Tom Unger of SDE will design the project. The Township would be asked to provide the labor, purchase the stone and hardware and pay for the plumber to hook up the pump. The Supervisors thanked the Maidencreek Township Authority for their generous donation and agreed that the project should go forward in this manner.

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Township to proceed with the project, and purchase of the stone and pipe from the lowest of three quotes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Route 222 Taskforce Meeting - Ms. Hollenbach updated the Supervisor regarding the Rt. 222 Taskforce meeting that Ms. Agnetti attended.

Executive Session was held from 9:20 p.m. to 9:40 p.m. to discuss litigation and personnel issues.

Crossing Guard Replacement –

A motion was made by Claude Beaver, seconded by Robert Kopfer, appointing William Becker and Mark Seidt as temporary Crossing Guards. 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 October 11, 2007 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:43 P.M.

Recording Secretary, October 11, 2007

Maidencreek Township Board of Supervisor Meeting
October 11, 2007 7:00 PM

Township Secretary, October 11, 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 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