

Maidencreek Township Board of Supervisor Meeting
November 8, 2007 at 7:00 PM

Present: Roy Timpe, Robert Kopfer, Claude Beaver, Eugene Orlando 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: Krista Timpe, Janet Schaffer, Martha Harrigan, Carolyn Lysy, Harry Lysy, Joseph E. Rudderow III, Stanley Deeds, David A. Tranquillo, Tina Stewart, Hank Koch, Carl Weston, Fay Isamoyer

Roy Timpe called the November 8, 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 329 assignments in Maidencreek Township in the month of October. This resulted in 83 citations. The traffic fines for Maidencreek for the month of October were \$1779.77 and non-traffic fines were \$309.61, totaling \$2089.38. The total number of patrol hours was 752.5 for the month.

Approval of Resolution 27-2007 for Officer Sean Showalter - Mr. Timpe read the resolution for Officer Sean Showalter from the Township for his outstanding service to the community.

A motion was made by Robert Kopfer, seconded by Claude Beaver, adopting Resolution 27-2007 for Officer Sean Showalter. Hearing no questions of the motion, all members voted “Aye”. Motion carried.

APPROVAL OF THE MINUTES

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the October 11, 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 October 25, 2007 special meeting minutes. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

ADOPTION OF AGRICULTURAL SECURITY AREA RESOLUTION

Several residents from the Tree Tops development were in attendance for the Agricultural Security hearing that was held prior to the Township meeting. Ms. Hollenbach gave a brief explanation of Agricultural Security Area for the residents that were unfamiliar with the process. The residents asked if the Developer could change the plans from a single family home to something different. The Supervisors stated that as long as the Developer stayed within the guidelines of R2 they could change the current plan if new plans were submitted and approved. It is unlikely that the Developer would change the plans that have conditional final approved.

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A motion was made by Robert Kopfer, seconded by Claude Beaver, to adopt Resolution # 28-2007 modifying the Agricultural Security Area. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ENGINEER'S REPORT

Subdivision Status Checklist

Village at Summit Crest expires December 3, 2007

A motion was made by Robert Kopfer, seconded by Claude Beaver, to accept the time extension for the Village at Summit Crest Plan to February 14, 2008. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Hinkle Annexation expires December 4, 2007

A motion was made by Claude Beaver, seconded by Robert Kopfer, to accept the time extension for the Hinkle Annexation Plan to February 6, 2008. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivision Improvement Agreement LOC – None for the month.

Projects

339/343 Cassidy Court Storm water – Mr. Loeper of SDE updated the Supervisors on the steps that need to be taken to correct the storm water situation at 339/343 Cassidy Court properties. The estimated cost for the materials is \$2,770. Mr. John Sharman and the Township Road Crew will perform the work. It was determined that the project will not be done until spring of 2008.

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the purchase of the materials for the 339/343 Cassidy Court Storm water project not to exceed \$4,000. Mr. Timpe asked if there were any questions. Mr. Deeds asked if the Township was going to pay for the corrections. Mr. Timpe stated that the Township will be paying for the storm water repairs, but Mr. Sharman will be providing labor at no cost to the Township. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

Golden Manor III Street Trees

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Notice to Proceed to be sent to J. Margerison for the Golden Manor III Street Trees project not to exceed \$12,600.00 as bid. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Park Road/ Excelsior Drive Traffic Light – Mr. Hank Koch attorney for Can Corporation, asked the Township to act as the applicant for the signalization at Park Road/Excelsior Drive. Can Corporation will incur all construction costs, for the signalization. Mr. Orlando asked that a written Indemnification Agreement be submitted to the Supervisors prior to signing the application. Mr. Unger reviewed the plans with the Supervisors. Ms. Hollenbach asked if the plans meet the warrants. Mr. Unger stated that they met 3 of the warrants and only 1 is required.

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A motion was made by Robert Kopfer, seconded by Claude Beaver, adopting Resolution No. 29-2007 contingent upon the receipt of the Indemnification Agreement from Can Corporation. The Chairman asked if there were any questions regarding the motion. A member of the audience asked why the light was being requested. Mr. Unger stated that there were two main issues: volume of traffic and interruption of traffic from the trucks pulling out. Mr. Timpe added that the businesses requesting this signal are paying for installation, and the tax payers will not need to participate. Hearing no further questions on the motion all members voted "Aye". Motion carried.

OPERATION'S REPORTS

Transmission Truck #3– Truck #3 is stuck in second gear. The Supervisors suggested some methods to fix the transmission. If the mechanic has any problems, he should give Mr. Beaver or Mr. Kopfer a call.

Crack Seal Purchase

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Public Works Director to purchase two skids of crack seal with the cost not to exceed \$3,999.99. Hearing no questions on the motion, all members voted "Aye". Motion carried.

SOLICITOR'S REPORT

Ingot Drive Deed of Correction – Mr. Orlando stated that the issue is not resolved. Mr. Orlando is asking the Supervisors to file a Quiet Title. This is to be discussed in executive session.

Improvements Agreement Melrose Place Commercial – The solicitor gave the agreements to the manager for the developer's signature.

TREASURER'S REPORT/MANAGER'S REPORT

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

Purchase of Certificate of Deposit

A motion was made by Robert Kopfer, seconded by Claude Beaver, approving the purchase of a certificate of deposit from Leesport Bank for the Operating Reserve Fund in the amount of the current Operating Reserve Fund of \$171,979.96 and an additional \$50,000.00 at an interest rate of 4.5% for 12 months. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Pension Act 205 Actuarial Report

A motion was made by Robert Kopfer, seconded by Claude Beaver, authorizing the Chairman to sign the Pension Act 205 Actuarial Report. Hearing no questions on the motion, all members voted "Aye". Motion carried.

PARK & RECREATION

Purchase of Benches

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the purchase of 10 benches on the state contract with the cost not to exceed \$7,200.00 for the Wyatt Tot Lot and replacement of wooden benches at the Fire Co. and Cornerstone Park. The Chairman asked if there were any question. A member of the audience asked of what material the benches were constructed. Ms. Hollenbach replied that the benches are made out plastic coated steel. These are the same benches that are in the Community Park. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

PUBLIC COMMENT

Mr. Deeds of W. Walnut Tree Drive, Blandon, stated that the maple tree on Park Road blocks the line of sight for the intersection of Guldin and Park Road. The Chairman stated that they will advise the Public Works Director.

Mr. Tranquillo of Buena Vista Road, Fleetwood, thanked the Township for putting up the "No Truck" sign. However, the trucks are still using the road. Mr. Tranquillo informed the Police Department of the situation.

Bill Miller of Hill Road, Blandon, asked if a center line could be painted on Guldin Road. The Chairman stated that they will advise the Public Works Director.

Martha Harrigan of Acer Drive, Blandon, asked if the taxes and the sewer bills will increase because of the new developments. The Chairman stated that he can not answer for the School Board or for the Water/Sewer Authority. Ms. Harrigan also asked if a stop sign could be placed on Hill Road at Guldin Road. The Chairman stated that would require a traffic study.

BUSINESS

Schedule Emergency Management Meeting – Tabled.

Codification Contract

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Chairman to sign the Codification Contract in the amount of \$14,327.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Budget –

A motion was made by Claude Beaver, seconded by Robert Kopfer, to advertise the Budget for adoption at the December 13, 2007 meeting. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Housing Permit for Rental Properties Ordinance – Tabled.

Executive Session was held from 8:27 p.m. to 9:03 p.m. to discuss litigation, real estate and personnel issues.

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Corrado Real Estate Request

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing a filing of a petition for the review with regard to the consideration of whether or not open space could be eligible for sale subject to the agreement of the neighboring land owner to post an escrow not to exceed the amount of \$5,000.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Planning Commission

A motion was made by Claude Beaver, seconded by Robert Kopfer, to send a letter to Planning Commission commending them on their hard work on the Draft Zoning Ordinances. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Union Contract

A motion was made by Claude Beaver, seconded by Robert Kopfer, to accept the Union Contract and have all three Supervisors sign. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Modification of Work Hours

A motion was made by Claude Beaver, seconded by Robert Kopfer, to modify Rita Agnetti's hours to 8:15 am to 4:45 pm. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Ingot Drive Quiet Title

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the Solicitor to initiate litigation for a Quiet Title. 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 November 8, 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.

Township Secretary, November 19, 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