

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

APRIL 11, 2002

7:00 PM

PRESENT: Roy Timpe - Supervisor, Robert Kopfer – Supervisor, Gloria Kemmerer – Supervisor, Chad Lubas - Solicitor, Tom Unger - Engineer, Terry Manmiller - Operations Director, and Ruth Manmiller - Recording Secretary.

GUESTS: David Brown, Ronald Rapp, J.D. Crafter, Peter Giorgi, Rebecca Clouser, Cindy Stump, Mike Thibou, Robert Hanna, John Weller, Howard Young, Gary Rollman, Gloria Kline, David Anspach, Tina Poole, Joe Rudderow, Dennis Wanner, Roger Gotterill, Denton Schucker, Tracey Geer, Walter Connor, Harold Burgert, Jeffery Weitzel, Dean Focht, Fay Isamoyer, Donna Mountain, Susan Wagner, Steve Schappell, Chris Krewson, Allison Krewson, Nancy Werner, Keith Weidner, Randy Wolfe, Stanley McCarro, Jr., Richard Thren, Bill Wiedmann, Larry Kunkel, Heather Quillman, Ronald Kemmerer.

Roy Timpe called the Board of Supervisors April meeting to order at 7:00 PM and asked everyone to rise for the pledge to the flag.

PUBLIC COMMENT

Linda Tatanus, 1319 Pleasant Hill Road, Fleetwood, PA submitted her extension letter for review of the Tatanus Subdivision.

Gary Rollman, representing the Berks County Bike Club thanked the Board for their cooperation and suggestions for future bike time trials. In appreciation he presented the Board with a donation of \$25.00 for future Township recreation projects.

Ronald Rapp, 305 Faith Drive, Blandon, PA asked the Board how soon they would change a portion of Faith Drive to a one-way street. He advised the Board that vehicles are speeding on Faith Drive when using it as a short cut and/or easy access to the Allentown Pike. He reminded the Board that this is not the first time that speeding on Faith Drive has been an issue. He is concerned that some one will get killed before the Board decides to do something.

Roy Timpe is aware of the problem and has discussed the Faith Drive speeding issue with the Chief of Police. Rumble strips were suggested; however, there still is a liability issue and a street maintenance issue for the Township. Changing the flow of traffic by making a portion of Faith Drive one-way would become a safety issue for the residents in the Maiden creek Estates development. Enforcement by the Police Department seems to be the best alternative.

Harold Burgert, 331 East Wesner Road, Blandon, PA stated this is a condition that originated from building the development. The Board should leave the roadway alone because there are other sections in the township that have similar speeding problems.

The Board agreed to have the Police conduct additional enforcement because other alternatives of changing the roadway could make matters worse.

Joseph Rudderow, 283 Longleaf Drive, Blandon, PA suggested the Board consider installing an informative sign near Faith Drive listing speeding fines. A similar sign is installed near the Muhlenburg Elementary School in Muhlenberg Township and it seems to help reduce speeding in that area.

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Officer Hobart explained parameters an officer must abide by when issuing a speeding citation. An officer must keep the vehicle in sight at all times, consider a safe location to monitor the traffic, and consider a safe exiting procedure to catch the speeding vehicle. Faith Drive is a difficult section of roadway to monitor speed with the equipment the police department currently uses. Monitoring speed on Faith Drive or other development roadways could be achieved with the use of a radar gun. Current legislation does not allow local police departments to use radar guns.

7:30 PM – LOT 366 GOLDEN MANOR – OPEN BID

Chad Lubas, Township Solicitor opened the bid submitted for Lot #366 Golden Manor Tot Lot.

1. Dean Focht, 393 Eagle Drive, Blandon, PA \$3,520.00

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to accept the \$3,520.00 bid submitted by Dean Focht, 393 Eagle Drive, Blandon, PA for the purchase of Lot 366 Golden Manor and instructed the Secretary/Treasure to deposit the funds into the Park and Recreation Account. All Board Members voted, “Aye”.

Questions and concerns posed by Frank Wheeler and Larry Kunkel at previous Supervisors meetings prompted the Operations Director to ask a representative of the Lehigh Portland Cement Company to attend the April meeting. Four Lehigh Portland Cement Company representatives attended the meeting. Dennis Wanner, one of the representatives, answered the following questions:

1. What is the turn around time for the stockpile of tires?

April through January approximately 40 ton of tires are used per day. The tires are stored in two different cells to maintain constant rotation of material and during regular operations, rotation time is six or seven days. At no time is the inventory more than 250-tons.

2. Would the Lehigh Portland Cement Company accept tires from residents?

There are regulations for the size and type of tire that can be used. For safety reasons Mr. Wanner suggested that the Township conduct a Spring and Fall tire drop off at the Municipal Building. The Road Crew would deliver the tires to the Lehigh Portland Cement Company.

Terry Manmiller thanked the representatives of the Lehigh Portland Cement Company for taking the time to attend the Supervisors meeting. If the Board decides to conduct a Spring and Fall tire drop off at the Municipal Building, they will advertise the dates in the Township newsletter.

MARCH 14, 2002 MINUTES

Robert Kopfer made a motion, seconded by Gloria Kemmerer, to accept the March 14, 2002 Board of Supervisors Meeting minutes, and the April 4, 2002 Special Meeting minutes with the following corrections:

March 14, 2002 Supervisors – Page #1 Gloria Kemmerer – Supervisor was **not included in the PRESENT list.**

Page #9 Lot 98 in Blandon Meadows owned by Diane and Kevin Hollenbach contains **one storm water easement that was approved to be abandoned. There is another stormwater easement located on the adjoining property.**

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March 14, 2002 Supervisors - **Addition** -Gloria Kemmerer made a motion to amend the March 14, 2002 motion concerning the 2002 Blandon Ambulance contribution, **to release the 2002 Blandon Ambulance contribution after September 2002.** Robert Kopfer seconded the motion. All Board Members voted, "Aye."

April 4, 2002 Special Meeting - Page #1 The Solicitor provided DRAFT copies of the two (2) Letters of Credit **to be approved 4/5/02.**

All Board Members voted, "Aye."

POLICE REPORT

Officer Charles Hobart read the March 2002 Activity Report for the Northern Berks Regional Police Department.

	MAIDENCREEK	ONTELAUNEE	LEESPORT	ADMIN. CALLS
TOTAL ASSIGNMENTS:	251	214	116	46
TRAFFIC CITATIONS:	34	58	27	
FINES COLLECTED:	\$1,482.87	\$3,037.47	\$1,023.62	

Officer Hobart informed the guests that:

1. They should keep their vehicles locked. Several Township residents have lost money and personal items because they left their vehicles unlocked.
2. The department is investigating leads on the recent egg-tossing incidents.
3. On March 14, 2002 Maiden creek Township Board of Supervisors rescinded their notification letter to withdraw from the Northern Berks Regional Police Commission. Leesport Borough is expected to rescind their notification letter to withdraw from the Northern Berks Regional Police Commission later this month.

ROAD REPORT

Robert Kopfer read the Operations Director's March 2002 report.

Equipment Report

1. Fisher Chevrolet inspected Unit # 5.
2. Mowing equipment has been serviced and mowing has started.
3. The John Deere mower used to mow the meadow and roadside is at Stevenson Equipment for minor adjustments.
4. The Wheel Horse tractor/mower used at the Blandon Ball Field was serviced.
5. The new truck has been ordered.

Projects

1. Crack sealing was completed in necessary locations. The Road Crew will resume crack sealing in the fall.
2. Rural Township roads have been swept. Roads with curbing will be swept April 12th and 13th.
3. Water was turned on at the Blandon Fire Company Playground and rest rooms will opened April 20, 2002.

Future Projects

1. Rear wall of the Municipal Building will be repainted.
2. Blandon Fire Company rest rooms will be repainted.
3. The underside of the pavilion roof will be painted before the carnival.
4. Stop bars at the intersection of SR 73 and Park Road will be repainted.
5. West Shore Drive is in need of repair. A meeting with EJ Breneman is arranged to suggest the manner of repairs. Remaining State Liquid Fuel funds will be utilized for the repairs.

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CALCIUM ROAD – GUIDE RAILS

A quote was submitted by Morgan Rail, Inc. to replace six cable guide rail line posts, and one end post and to reuse the existing anchor for a total of \$2,301.50.

GOLDEN MANOR III

Steve Schappell, 668 Walnut Tree Drive, Blandon, PA representing the Park Place Homeowners Association, asked the Board when the trees would be planted in their development as defined on the recorded plan. The Homeowners Association would like to be involved with the selection of trees and tree locations.

DRAINAGE ISSUES

Robert and Marcia Delp, 128 Hill Road, Blandon PA, had contacted the Operations Director relative to their drainage problem caused by an adjoining property owner. The Board instructed The Operations Director to send a letter to the Delp's informing them that their drainage problem is a civil issue and to make every attempt to be good neighbors. Gloria Kemmerer agreed to follow up with a phone call to the Delp's.

Robert and Sharon Kleinert, 245 Spirit Court, Blandon, PA would like to enlarge their garden. The Township drainage pipe interferes with their enlargement plans. They have requested that the pipe be extended and covered with ground so their garden may be enlarged.

Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing the Operations Director and the Township Engineer to review the Golden Manor III recorded plan to determine the number of trees and the location to be installed. All Board Members, voted, "Aye." Terry Manmiller provided the Homeowners Association with a list of suggested trees for planting. The Operations Director will pursue quotes for selected trees.

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Operations Director to notify Morgan Rail, Inc. to replace the wooden guide rails near Calcium Road and Rt. 73 for the quoted amount of \$2,301.00. All Board Members voted, "Aye."

The Engineer will inspect the drainage pipe behind the home of Robert and Sharon Kline and provide a recommendation to the Board at the May 2002 meeting.

Roy Timpe made a motion, seconded by Robert Kopfer, authorizing the Operations Director to order a sign that would list speeding fines and to install the sign on Township property near Faith Drive, and to paint crosswalks at the Faith Dr. basketball play lot and the vegetation island near the entrance to Maiden creek Estates. All Board Members voted, "Aye."

The Board instructed the Operations Director to install a new catch basin to replace the broken catch basin on East Wesner Road near Golden Manor I.

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TREASURER’S REPORT

Ruth Manmiller read the March 2002 Treasurer’s report and requested approval of payments listed:

March 2002

General Fund Checking	\$134,860.00
General Fund Money Market	\$193,608.83
Payroll	\$ 23,608.83
Recreation Tax Checking	\$ 19,884.08
Martin Retirement Village	\$ 380.00
Recreation Tax Checking Holding II	\$ 12,453.41
Recreation Tax Holding	\$ 10.08

Robert Kopfer made a motion, seconded by Gloria Kemmerer, to accept the Treasurer’s report for March 2002 as presented and approve all listed payments. Motion carried.

2001 AUDIT REPORT

Becky Clauser of Reinsel & Co.LLP presented the 2001 Auditors Report that was prepared on a cash basis year ending December 31, 2001. All receipts and disbursements are in accordance with Second Class Township, Section 547. The annual audit and financial report is available for public inspection at the Municipal Building during regular business hours. Robert Kopfer made a motion, seconded by Gloria Kemmerer, to accept the 2001 Audit Report completed by Reinsel and Co., LLP. All Board Members voted, “Aye.”

SOLICITOR’S REPORT

BEDROCK STONE AND STUFF

Chad Lubas, Township Solicitor, informed the Board that a letter had been sent to the developer of Bedrock Stone and Stuff informing him that the Memorandum of Understanding expired when his land development plan was rejected. The developer was instructed to cease operations on the western portion of the property off of Bertolet Place in Blandon.

Howard Young, developer and owner of Bedrock Stone and Stuff explained the extensive DEP review process he has gone through to obtain a permit for his operation since August 2001 and the delay he encountered due to the contaminated water issue. He stated that he should have the approved permit sometime after May 31, 2002. He asked the Board to reconsider their cease work order and extend the Memorandum of Understanding.

Gloria Kemmerer explained to Howard Young that the Board has given him several opportunities to present a plan for review, with no results. The Board notified him to present an extension for the review process that would have kept his Memorandum of Understanding in effect, with no results. The Board has heard numerous complaints from residents pertaining to his operation, with no improvements. She concluded that with all these thoughts in mind she would not be in favor of granting an extension of the Memorandum of Understanding.

Stanley McCarro, 315 West Wesner Road, Reading, PA repeated his concerns about the dirt/dust, noise, and truck traffic caused by Bedrock Stone and Stuff.

Ed Ulrich, 59 West Bertolet Place, Reading, PA stated that he is concerned about the truck traffic, and possible decreased property value due to the Bedrock operation.

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Roy Timpe explained that zoning in this area allows Howard Young of Bedrock Stone and Stuff to conduct his operations. However, it is imperative that the Planning Commission reviews Bedrock Stone and Stuff Land Development plans as soon as possible. An approved plan and Mr. Young adhering to development regulations could make his operation acceptable to surrounding residents.

The Board did not extend the Memorandum of Understanding for Bedrock Stone and Stuff.

ENGINEER'S REPORT

MEADOWBROOK SUBDIVISION – Preliminary Plan

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to extend the review of Meadowbrook Preliminary Plan for (30) thirty-days. All Board Members voted, "Aye."

TATANUS SUBDIVISION – Final Plan

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to extend the review of the Tatanus Subdivision Final Plan to July 11, 2002. All Board Members voted, "Aye."

SHADOW RIDGE, PHASE III – Final Plan

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to extend the review of the Shadow Ridge, Phase III Final Plan to July 30, 2002. All Board Members voted, "Aye."

MEADOWBROOK – Preliminary Plan

The developers asked the Board if they would consider accepting the open space and detention pond located in the Meadowbrook Subdivision.

The Board still is concerned about the berm height of the detention pond, Township liability should someone fall into the pond or the berm open resulting in a flood, and additional costs to maintain the property.

Randy Wolfe, 342 West Walnut Tree Drive, Blandon, PA suggested the Board wait for Phase I of the development to be completed so they could see the completed detention ponds.

Thomas Unger, Township Engineer stated that the detention ponds or the open space would not be dedicated to the Township until the development was completed.

The developer provided a diagram illustrating the berm height at a person's eye level viewing the Meadowbrook detention ponds. Gloria Kemmerer made a motion, seconded by Roy Timpe, to grant the waiver of the berm height requirement for the Meadowbrook detention ponds. Gloria Kemmerer voted, "Aye." Roy Timpe voted, "Aye." Robert Kopfer voted, "No."

Joseph Rudderow, 283 Longleaf Drive, Blandon, PA asked the Board if there is a Comprehensive Plan for Park and Recreation in Maiden Creek Township. Review of a plan would assist the Board in making decisions to consider additional open space.

Gloria Kemmerer stated there is a Comprehensive Park and Recreation Plan on record however it is outdated.

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to refuse the Meadowbrook Subdivision detention ponds and the open space as presented. All Board Members voted, "Aye."

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Gloria Kemmerer posed the following questions and/or suggestions to the developer and his engineer:

1. Should the entrance/exit to the Meadowbrook Subdivision have additional lanes similar to the entrance/exit in Willow Gardens at Spirit Court and Main Street/Rt. 73?
2. Has another traffic study been conducted since February 27, 2002?
3. Should the designation of a water and sewer easement near the adjoining property allow for a stub street (on paper) or be eliminated?

The developer and engineer for Meadowbrook Subdivision answered Gloria Kemmerer’s questions and/or suggestions in the following manner:

1. The developer’s engineer stated there would be alternative measures to address traffic control at the entrance/exit of the Meadowbrook Development and Schaeffer Road. A marked entrance/exit at the Meadowbrook Development would not be necessary.
2. Another traffic study has not been completed. The developer’s engineer and the Township engineer have discussed and resolved the outstanding traffic issues. Any corrections will appear in the form of an addendum.
3. Upon clarification by both engineers, the Board Members agreed that they would not want a stub street on paper. Provisions for a future roadway in the Commercial area will be designated on the plan.

RESOLUTION 10-2002 – MEADOWBROOK SUBDIVISION - PLANNING MODULES

Gloria Kemmerer made a motion, seconded by Roy Timpe, authorizing the Secretary to sign the Meadowbrook Subdivision Planning Modules to be forwarded to DEP for review and compliance with revised Act 537. Gloria Kemmerer voted, “Aye.” Roy Timpe voted, “Aye.” Robert Kopfer voted, “No.”

Gloria Kemmerer made a motion, seconded by Roy Timpe, to approve the Meadowbrook Subdivision Preliminary Plan contingent upon the March 14, 2002 Township Engineer’s review letter. Gloria Kemmerer voted, “Aye.” Roy Timpe voted, “Aye.” Robert Kopfer voted, “No.”

SHADOW RIDGE, PHASE III

RESOLUTION 11-2002 - SHADOW RIDGE, PHASE III - PLANNING MODULES

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Secretary to sign the Shadow Ridge Phase III Planning Modules to be forwarded to DEP for review and compliance with revised Act 537. All Board Members voted, “Aye.”

HEFFNER TRACT (GRETH)

RESOLUTION 12-2002 - HEFFNER TRACT (GRETH) - PLANNING MODULES

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Secretary to sign the Heffner Tract (Greth) Planning Modules to be forwarded to DEP for review and compliance with revised Act 537. All Board Members voted, “Aye.”

TREE TOPS RECREATION AREA

The Township Engineer opened the following sealed bids:

Riverview Tree & Landscape, Inc.	\$72,078.00
Buzz Burger, Inc.	\$62,048.50
Spotts Brothers, Inc.	\$64,539.78
Wanner Corp.	\$67,448.33
Bertolet Construction	\$77,535.00
Grace Industries, Inc.	\$69,845.60
Smith & Smith General Contractor, Inc.	\$55,739.00

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Robert Kopfer made a motion, seconded by Gloria Kemmerer, to accept the bids as presented and to forward bid information to the Park and Recreation Board for review and recommendation. All Board Members voted, "Aye."

MAIDENCREEK COMMUNITY PARK

Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing ground reappropriation in the Maiden Creek Community Park upon approval of the E & SC Plan from Berks County Conservation District. All Board Members voted, "Aye."

SUBDIVISION IMPROVEMENTS AGREEMENTS LOC/ESCROW RELEASE LETTERS

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Chairman to sign the Subdivision Improvement Letters of Credit in the amount of \$140.20. Motion carried.

SEO REPORTS AND CONSTRUCTION STATUS REPORTS: The Engineer distributed SEO reports and development/construction status reports to the Board.

MARTIN RETIREMENT VILLAGE

The Township Engineer and Solicitor reported:

1. The Letters of Credit are in the process of being corrected.
2. A new Construction Schedule has been received and is currently being reviewed.
3. Maiden Creek Township Authority agreed to include the Construction Schedule with the Letter of Credit.
4. According to the most recent Construction Schedule, construction could commence as early as April 30, 2002 if all requirements are in order.
5. The issue of the citation and funds for the continued pumping is still outstanding.
A hearing is scheduled for April 17, 2002.

Tina Poole, 19 Lee Spring Road, Blandon, PA asked the Board if the Martin Retirement Village, Phase II plan could be re-opened. She would like the distance between the modular homes and the street width to be reconsidered. She stated that these items were not properly addressed by the previous administration.

The Martin Retirement Village, Phase II plan received final approval August 9, 2001 with contingencies and requires re-approval to allow the project to move forward. If all contingencies are not met within the following 90 days, re-opening the review process might be considered. Gloria Kemmerer made a motion, seconded by Robert Kopfer, to re-approve the Martin Retirement Village, Phase II Expansion-Final Plan. All Board Members voted, "Aye."

NEW BUSINESS

Joseph Stoltzfus, 212 North View Road, Fleetwood, PA contacted the Board to requesting action to force Skyline Nursery to install the required screening near his rear property line.

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to notify the owners of Skyline Nursery in writing they must install the required screening along their rear property line by April 30, 2002, and if the screening is not completed, the Board authorized the Township Solicitor to draw down on their Letter of Credit. A carbon copy of the letter should be sent to Mr. Stoltzfus. All Board Members voted, "Aye."

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Gloria Kemmerer mentioned to the other Board Members that she received a public health and safety complaint about Buy Rite Liquidators. She will contact the proper agency to conduct an inspection of the business due to these allegations.

SECRETARY'S QUESTIONS

Will the Board consider Walter Greth's suggestion to install Stop Signs at the intersection of Dries Road and Park Road in Maidencreek Township? The Board instructed the Township Secretary to contact Walter Greth informing him that the installation of Stop Signs at the intersection of Dries Road and Park Road in Maidencreek Township would not be considered.

May the Secretary/Treasurer transfer \$20,000.00 for Fee-In-Lieu of Open Space from the Golden Manor III Escrow Account to the Parks and Recreation Holding II Account? Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing the Secretary/Treasurer to transfer \$20,000.00 for Fee-In-Lieu of Open Space from the Golden Manor III Escrow Account to the Parks and Recreation Holding II Account. All Board Members voted, "Aye."

Will the Board appoint someone to fill the Planning Commission vacancy? Robert Kopfer made a motion to appoint Joseph Pendleton to fill the Planning Commission vacancy. Gloria Kemmerer voted, "No." Roy Timpe voted, "No." Gloria Kemmerer made a motion, seconded by Roy Timpe appointing Randy Wolfe to complete Gloria Kemmerer's term on the Planning Commission. Gloria Kemmerer voted, "Yes." Roy Timpe voted, "Yes." Robert Kopfer voted, "No." The Board thanked the other candidates that had submitted resumes or expressed interest in the position.

Will the Board authorize the Operations Director to purchase 30 tons of Diamond Gold infield mix at \$32.00/ton for the Ontelaunee Height Ball Field? Park and Recreation Board felt the road crew could complete the removal of the in-field grass and install the diamond-tex. Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Operations Director to purchase 30 tons of Diamond Gold infield mix at \$32.00/ton for the Ontelaunee Heights Ball Field. The Road Crew will remove the in-field grass and install the diamond-tex at the Ontelaunee Heights Ball Field.

Roy Timpe announced that State Representative David Argal, Penn DOT representatives, and the Board of Supervisors will conduct a Community Workshop April 12, 2002 at 10:30 AM in the Municipal Building. The subject will be the Rt. 222/Allentown Pike traffic issues. Public is invited to attend.

The meeting was adjourned at 11:30 PM.

Respectfully submitted,

Ruth M. Manmiller
Recording Secretary

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CC: Board of Supervisors
Terry Manmiller, Operations Director
Richard Orwig, Solicitor
Thomas Unger-Systems Design Engineering, Inc., Township Engineer
Ed Kopicki-Systems Design Engineering, Inc., Township Planning Commission Engineer
Park and Recreation Board
Zoning Hearing Board and Alternates
Paul Herbein, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Robert Hobough, Esq., Maidencreek Township Authority Solicitor
Barbara Hassler, Tax Collector
Daniel Miller, Fire Chief
Northern Berks Regional Police