

Maidencreek Township Board of Supervisor Meeting  
July 13, 2006, 7:30 PM

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

Guests: Vicki Kline, Rick Kline, Christine Brown, David Brown, Nancy Track, Ryan Glauser, Krista Timpe, Bruce Moyer, Leann Moyer, Fay Isamoyer, Carl Weston, Donna Fuerst, Yvonne Scalse, Lori Hershberger, Tony Folino, Margo Folino, Paul Martin, Harold Burgert, Stanley Deeds, Tina Stewart, Matt Polis, Cindy Stump, Kristopher Kipp, Vicki Kipp, Joe Rudderow

Roy Timpe called the July 13, 2006 meeting of the Maidencreek Township Board of Supervisors to order at 7:30 PM in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

**POLICE REPORT** – tabled. Roy Timpe stated that there is an unusual amount of complaints about fireworks this year. Also, Mr. Timpe asked the other Board members if David Argall could use the Northern Berks Regional Police name in an example during a seminar that he will be running on fraud. Mr. Timpe explained that he is not comfortable with this as the police department tries not to be affiliated with any political party. The other supervisors weren't 100 percent comfortable with it either.

**PUBLIC COMMENT**

**Stanley Deeds** of West Walnut Tree Drive, Blandon wanted to know if rumors that he was hearing were true about the Township purchasing the condemned house on West Walnut Tree Drive for a tot lot. Mr. Deeds complained that he was required by the developer to build an 1800 square foot home and felt a tot lot would not meet the requirements. The Board did not have any information to give Mr. Deeds on the status of the condemned property.

**Tina Stewart** of South View Road, Fleetwood, asked the Board if they would consider an article for the newsletter on prohibiting children from playing in the street. The secretary provided the Board with a draft of an article about the danger of children playing in the street.

**Kristopher Kipp** of Faith Drive, Blandon requested the Township's help in fixing a drainage problem on his property. The water from the Stutzman farm drains under Faith Drive and onto the Kipp's property. Ed Kopicki of Systems Design Engineering stated that the Kipps, with the proper permits, could extend the drainage pipe to the back of their lot instead of having it end halfway through the lot. Gene Orlando requested a copy of the Kipp's deed and title insurance policy to determine if the Township had any responsibility in the matter. Roy Timpe commented that the topography of the neighbors' landscaping may be diverting the water and instructed the secretary to give copies of the recorded plan to the Kipps. The Supervisors did not feel that tax payer money should be spent to fix private property, but would wait to make a decision until after the solicitor reviewed the requested documents.

**POLICE REPORT**

Officer Shinkus reported that Northern Berks Regional Police had a total of 780 hours covering 5796 miles on 369 assignments which resulted in 72 citations and \$2,728.10 in fines for the month of June. Mrs. Fuerst asked when the last vehicle was cited for speeding on Faith Drive and requested more patrol for speeding. Mrs. Fuerst also volunteered to research speed bumps for the Township.

Maidencreek Township Board of Supervisor Meeting  
July 13, 2006, 7:30 PM

PUBLIC COMMENT (continued)

**Yvonne Scalse and Lori Hershberger** of Spirit Court, Blandon requested the Township clean the culvert on Cornerstone Drive. Keith Shuman advised the Board that the culvert does need to be cleaned and that Mark Kitzmiller of Systems Design designed a wedge that should help to move the debris through the culvert.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Public Works Director to solicit quotes for the emergency cleaning of the Cornerstone Drive culvert and proceed with the work at the lowest price, not to exceed \$6,000. All members voted, "Aye." Motion carried.

Krista Timpe of Blandon Meadows Pkwy, Blandon commented that the road crew should check the other bridges. Joe Rudderow of Longleaf Drive, Blandon questioned if the Township checked if Federal aid was available. Lori Hershberger reminded the Board that the pipe is different than any other in the Township and is not adequate.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to investigate the permitting and cost of installing Mark Kitzmiller's triangle "thing" and if it will be effective. All members voted, "Aye." Motion carried.

**Tony Folino**, representing the Coliseum strip malls, asked the Board to give him permission to clean the drainage pipe under Route 222 from the detention basin at the dry cleaners to Riedel's Garden Patch. The blocked pipe causes sink holes to form in the detention basin. Mr. Shuman stated that meetings have been held with Penn DOT and Penn DOT has agreed to open the pipe if the Township can figure out where the storm water will go.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the engineer to review options for dealing with storm water if the cross pipe on Route 222 is cleared and contact any landowners requesting any necessary easements. All members voted, "Aye." Motion carried.

Mr. Folino stated that the catch basin at the second mini mall is blocked with riprap, which is restricting the flow of water.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize Keith to look into the ownership of the pipe and send notice if needed. All members voted, "Aye." Motion carried.

**Cindy Stump** of Evansville Road, Fleetwood had concerns about the storm water pipe at St. Matthew's Greek Orthodox Church. During the heavy rain, water ran into the yards and it appeared to be from St. Matthew's construction site. Tom Unger and Mark Kitzmiller of Systems Design Engineering are looking at the detention basin at St. Matthews Greek Orthodox Church.

**Fay Isamoyer** of Allentown Pike, Fleetwood stated that the water from Route 222 is not making it to the culvert and ends up in her yard. The Board advised her to call Penn DOT. Joe Rudderow asked if the Board has contacted Penn DOT on these issues. The Board advised that they have had several meetings "in the field". Mr. DeAngelis of Eagle Drive, Blandon asked if the Board attends Penn DOT's meeting. Mr.

Maidencreek Township Board of Supervisor Meeting  
July 13, 2006, 7:30 PM

Timpe stated that Penn DOT doesn't have meetings like the Supervisors have. Mr. DeAngelis stated that the Board should be attending the County Commissioners' meetings and soliciting help elsewhere.

**Carl Weston** of South View Road, Fleetwood stated that the Board had three months to reflect on placing a referendum on the ballot to increase the number of supervisors from 3 to 5. 500 signatures were collected on a petition. Mr. Weston stated that the people are saying they want a proactive government.

A motion was made by Claude Beaver to add a referendum to the ballot to ask the voters if they would like to increase the number of supervisors from 3 to 5. The motion died for lack of a second. Mr. Weston submitted the signatures for the record. Mr. Kipp asked why Mr. Kopfer and Mr. Timpe would not second the motion. Mr. Timpe and Mr. Kopfer had no comment. Mrs. Fuerst called the Board narrow minded.

#### APPROVAL OF THE MINUTES

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the June 8, 2006 meeting minutes of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried.

#### ENGINEER'S REPORT

##### Subdivision Status Checklist

A motion was made by Claude Beaver, seconded by Robert Kopfer, to reject the Village at Maidencreek Resubdivision Plan for failure to comply with the items in the November 16, 2005 Systems Design Engineering, Inc. review letter, if a time extension is not received. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to reject the Crossings at Maidencreek Plan for failure to comply with the items in the June 7, 2006 Systems Design Engineering, Inc. review letter, if a time extension is not received. All members voted, "Aye." Motion carried.

##### Plan Review

**Village at Maidencreek Resubdivision** –Mr. Kopicki asked if the plan needs to comply with the current storm water ordinance. The Board determined that the developer will need to do the storm water calculations as established in the new storm water ordinance even though the detention pond is installed.

Bob Kopfer noted that he did not believe the detention pond at the former Schaeffer farm is working correctly because water was pouring out of it.

##### Projects

**Hoch Road Culvert** – Nothing to report.

**Act 537 Plan, Phase 2** – Systems Design will set up a meeting with Paul Curry of the DEP and the Township.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the secretary to send a letter to David Argall asking what the intent of the Act 537 legislation is. All members voted, "Aye." Motion carried.

Maidencreek Township Board of Supervisor Meeting  
July 13, 2006, 7:30 PM

Joe Rudderow asked if this is a passed law. Mr. Orlando answered that the sample ordinance is an interpretation of the regulation.

**Community Park Tot Lot Bids** – The notice to proceed has been issued.

**Community Park Pavilion Concrete** –

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize payment for work on the Community Park Pavilion, per the engineer's recommendation, to Diversified Construction Inc. in the amount of \$4,235.00. All members voted, "Aye." Motion carried.

**2006 Road Bids** - The notice to proceed has been issued.

**Subdivision Improvements Agreements and Letter of Credit Reductions**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Chairman to sign the Subdivision Improvements Agreements and Letter of Credit reduction letters in the amount of \$249,680.34. All members voted, "Aye." Motion carried.

OPERATIONS REPORT

**1995 Top Kick**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the repair of the 1995 Top Kick by replacing the rear end with the cost not to exceed \$3,500.00. All members voted, "Aye." Motion carried.

**Crack Seal Machine**

A motion was made by Robert Kopfer, seconded by Claude Beaver, to allow the road crew to repurpose the old crack seal machine as a trailer to haul small equipment. All members voted, "Aye." Motion carried.

SOLICITOR'S REPORT

**Dollar General Improvements Agreement** – No information was received.

**Tax Exemption for Willow Gardens Open Space from Lots 133A and B** – Mr. Orlando requested copies of the deeds.

**Mandatory Water Hook Up Ordinance** – Mr. Orlando asked for direction from the Board on what types of activities they wanted to exempt from mandatory hook up to the public water system. After discussion, the Board agreed that agriculture and horticulture in any zoning district should be exempt from mandatory hook up to the public water system.

**Codification** – The Board will table this until the Zoning Ordinance is revised.

**Recycling Bid** – Mr. Orlando is working on the bid documents.

Maidencreek Township Board of Supervisor Meeting  
July 13, 2006, 7:30 PM

OPERATION REPORT (reopened)

**No Parking on Golden Drive** – Mr. Kopfer asked the road crew to install another No Parking Sign on Golden Drive.

TREASURER'S REPORT

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve the June 2006 Treasurer's Report and approve the May 2006 Prepaid Bill List. All members voted, "Aye." Motion carried.

Joe Rudderow questioned the payment to the appointed Township Auditor and suggested that something be added to the resolution in 2007, which would allow the Township to withhold a portion of payment if the auditor is late with the audit. Roy Timpe stated that this may drive the cost of the audit up. Mr. Rudderow stated that the elected auditors may have been able to keep the process moving if they had been allowed to meet with the elected auditor. Mr. Beaver stated that there had been a misunderstanding with the elected auditors' request to meet with the appointed auditor.

NEW AND OLD BUSINESS

**Codification** – Tabled until the end of the year 2006

**Resolution 18-2006**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 18-2006 dedicating two street lights to the Township in TreeTops Phase 3. All members voted, "Aye." Motion carried.

**Resolution 19-2006**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 19-2006 adopting the National Incident Management System as the basis for all incident management in the Township effective September 1, 2006. All members voted, "Aye." Motion carried.

**Resolution 20-2006**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 20-2006 expressing support for improving the Route 222 North corridor. All members voted, "Aye." Motion carried.

**Sound System** – The Board instructed the secretary to change the arrangement of the table and chairs to run the length of the room, bringing the public closer to the Board table rather than spending the money on a sound system.

**Gun Regulation** – A letter was received requesting the Township to pass an ordinance prohibiting weapons from being fired in the Township unless at an approved gun club or while hunting. Roy Timpe asked if he could respond to the letter. The Board did not consider creating this type of ordinance.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the solicitor to look at restricting paintball guns, bb guns and pellet guns in public parks under the existing Park and Recreation Ordinance. All members voted, "Aye." Motion carried.

Maidencreek Township Board of Supervisor Meeting  
July 13, 2006, 7:30 PM

Stanley Deeds asked for information regarding the fire at the Community Park. The Board informed him that no arrests have been made.

**Personnel Committee Meeting** – The secretary should float some dates via email for a meeting to review the Personnel Rules and Regulations.

**Executive Session – 10 P.M. to 10:55 P.M. for personnel issues**

**June Avenue**

A motion was made by Robert Kopfer, seconded by Claude Beaver, to authorize the engineer to look at the parking issues on June Avenue in regards to James Hardie blocking thru traffic by parking tractor trailers on either side of June Avenue. All members voted, "Aye." Motion carried.

**Ingot Drive**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the solicitor to research the deed of dedication for Ingot Drive and prepare a deed of correction if needed. 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 July 13, 2006 meeting of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried. Meeting adjourned at 11:04 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 Hobaugh, Jr. Esq., Stevens & Lee, Maidencreek Township Authority Solicitor  
Greg Unger, Systems Design Engineering, Inc., Maidencreek Twp Authority Engineer Barbara Hassler, Tax Collector  
Daniel Miller, Blandon Fire Company Chief  
Chief Scott W. Eaken, Northern Berks Regional Police