

Maidencreek Township Board of Supervisor Meeting
September 14, 2006, 7:09 PM

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

Guests: Vicki Kline, Rick Kline, Harold Burgert, Krista Timpe, Scott Unger, Donna Fuerst, Lois Ondik, Julian Senat, Barry Moyer, Kim Rosetti, Ron and Gloria Kemmerer, Mary Dymeck, Kristopher Kipp, Joann and Tony DeAngelis, Helen Midouhas, Hether Quillman, Vicki Kipp, Mary Ann Wechezak, Paul Martin, Angela Keller, Carrie Wentz, Jim Keller, Frank Quillman, Randi Brandt, Dave Crissman, Kristin DuMore, Deborah Freeman, Frank Tedesco, Randy Wolfe, Crystal Drumheller, Barrie Higo, Milton & Maryann Pyles, Pete Vogel, Leslie Long, Clair Long, Tim Heffner, Tina Poole, Gloria Kline, Joe Rudderow III, Steven Allen, Donald Griest, Curt Rhine, Terry Manmiller, Jim Schoellkopf, Barbara Hassler

Roy Timpe called the September 14, 2006 meeting of the Maidencreek Township Board of Supervisors to order at 7:09 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 317 assignments in Maidencreek Township in the month of August. This resulted in 75 citations. The department drove 6322.58 miles and collected \$2,418.57 in fines. Mary Dymeck of Longleaf Drive, Blandon thanked the police department for responding to the dangerous situation with the truckers parking on Route 222. The officer was dismissed to return to his duties.

COMMENTS FROM THE CHAIRMAN

Roy Timpe gave a brief synopsis of the August 17, 2006 budget workshop. Mr. Timpe explained that a goal of reducing taxes by ¼ mill was made based on assumptions such as the Township will be receiving an increase in tax revenue and the recycling service costing only 20 percent more than it did in 2006. Mr. Timpe stated that a flyer that was going around the Township stating that recreation programs will cease because of the proposed tax cut is not true. The programs exist because people volunteer and pay to play. These items are not in the budget but do rely on the people in the community to volunteer. If anyone talks about a non existent Tball cut during public comment, Mr. Timpe stated he would give them the gavel.

RECYCLING BIDS

The recycling bids were opened at 7:15 p.m. The bids were handed to the engineer for review during the meeting.

	Biweekly	Monthly
Waste Management	\$108,657	\$94,875
J.P. Mascaro	\$133,488	No Bid

PUBLIC COMMENT

Mary Ann Wechezak stated that she lives on Penrose Avenue in Meadowbrook and is having trouble getting vehicles into her driveway. The handicap service bus that transports her severely handicapped daughter was damaged trying to get in her driveway. Forino Builders placed 2 by

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4's from the road into her driveway. This helps but is a temporary fix. Now that the road has its finished top coat, the problem has not been solved. Bad weather makes it difficult to have her daughter picked up at the curb. Ms. Wechezak asked the Board to look at the height of the road and her driveway entrance.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the engineer to review the driveway apron and driveway grade as it approaches Penrose Avenue. All members voted, "Aye." Motion carried.

Kim Rosetti, Park and Recreation Board Member, stated that a lot of cities embrace parks and recreation. Increased residents need services and studies have shown that parks and recreation are necessary. Ms. Rosetti stated that the proposed tax cut is pennies on the dollar and that Mr. Timpe's postcard he mailed out is deceiving. The 20 percent tax cut it cites is \$25 for each \$100,000 of property assessment. Park and Recreation does not have a surplus. Mrs. Rosetti stated that she also does not like the fact that the Board would take money from the savings account or pay on a line of credit. Mr. Timpe stated that the most expensive emergency the Township has had is a \$60,000 event and questioned how much is prudent for a Township to save. The Board must balance risk with the amount of money saved. Mrs. Rosetti stated that while the events were not impacted by the tax cut, the events committee was and they may lose volunteers as the Township is perceived not to support recreation. Mr. Timpe stated that Park and Recreation needs to be more creative and accused them of planning to purchase a building lot in Meadowbrook. Mrs. Rosetti stated that she had been on the board a few months and this was never discussed but the Board is looking at providing recreation for Ontelaunee Heights. Mr. Timpe stated that the tax cut will only slow improvements. Mrs. Rosetti pointed out that the longer you wait, the more expensive improvements become. Mr. Timpe stated that the purchase of \$700 picnic tables gives the appearance that the fund is flush with cash. Mrs. Rosetti stated that the picnic tables cost \$325 and are composite and will require no maintenance. Mr. Timpe suggested that the road crew make picnic tables. Mrs. Rosetti invited the Board to a Park and Recreation meeting.

Ron Kemmerer of East Wesner Road, stated that his name was used at the August 17, 2006 meeting in a reference supporting this tax cut. He does not remember asking the question referenced in the minutes when the tax was first implemented and does not want his name used to justify this Board's tax cut. If they want to do it, then do it but don't try to use his alleged comments to justify it. Mr. Kemmerer asked for his name to be removed from the August 17, 2006 minutes and stated that he is not in favor of the tax cut. There are a far greater number of children now than there were when the tax was put in place.

Gloria Kemmerer of East Wesner Road, read the following statement:

For the record, my name is Gloria E. Kemmerer, 323 East Wesner Road, Blandon

I want to address two issues, the first one very briefly. I would like to make just two comments on Personnel Rules and Regulations, Section 108B, in regard to political activity. I applaud Supervisor Beaver for trying to amend the Rules to end the unfair practice of not allowing Township employees and appointed Board members to retain their positions while running for

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elected political office. I fervently believe that the way the Rules are currently written is a violation of their civil rights.

Secondly I would like to address the issue of the Newsletter article written by Supervisor Timpe in the August 2006 issue. But before I give comment, I would like to ask both Bob Kopfer and Claude Beaver individually if the article, written by the Chairman of their Board, represents their own personal views on how taxes are collected in Maidencreek Township. I would ask that the Recording Secretary please include the responses of both men as part of the public record of tonight's meeting.

“Bob, do you share Chairman Timpe's views in regard to the collection of taxes?”

“Claude, same question-do you share Chairman Timpe's views in regard to the collection of taxes?”

Bob and Claude, tonight I have chosen to ask you to speak for yourselves. I would like to remind you that each Supervisor has equal power on the Board. The Chairman, by virtue of his position, does not have the power or right or privilege to act on his own without the permission and/or authorization of the majority of the Board. Therefore, in the future I will assume that any articles written by Roy Timpe as Chairman of the Board of Supervisors are representative of the views of the whole Board.

My husband, Ron Kemmerer, and I thought the article as a whole was an insult to the intelligence of the people of Maidencreek Township. We felt that the remarks in regard to the collection of taxes were, in the least, highly inflammatory. Perhaps when Chairman Timpe wrote the article he thought he was engaging in some sort of witty satire. Unfortunately, we found his remarks to be neither witty nor in the least bit amusing, but instead, very offensive. I, personally, found extremely objectionable the statement that begins, “Now that we have just learned that our township “Gets The Money At Gunpoint”....”

Supervisor Timpe displays a very distorted view of how our government really operates. This article is an embarrassment and has done a great disservice to the public image of Maidencreek Township as well as to the office of Township Supervisor. Our tax dollars were squandered for what we perceive to be a gross misuse of the Township Newsletter, devoting one full page to print and disseminate the irrational ramblings of an obviously misguided government official.

It was exactly one year ago that I stood before this Board with a similar complaint due to Chairman Timpe taking advantage of his position to use the Township Newsletter as a public forum for his own political gain. At that time I presented a prepared statement of complaint to this same Board of Supervisors. That statement is part of the public record (Reference: Maidencreek Township Board of Supervisors Meeting Minutes of September 8, 2005.). As then, I would like tonight's statement to be included as part of the public record as well.

Thank you for your time and for allowing me to address the Board.

Roy Timpe stated that he was shocked that she felt that way and if you do not pay, force will be used to collect your taxes. Barbara Hassler stated that Mr. Timpe was misinformed and Tax Claim will work with the property owner. She stated that she wished Mr. Timpe would have called her for information on how taxes are collected. Mr. Timpe stated that the article was not

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intended as a tutorial on how to collect taxes but a message on using taxes for the right things. He found Gloria Kemmerer's comments amusing last year when the purpose of that article was to encourage people to volunteer.

Harold Burgert of East Wesner Road, stated that he totally disagreed with Gloria Kemmerer. **Mary Dymeck of Longleaf Drive**, asked the Board if they disagreed with how the Northern Berks Regional Police costs and voting are appropriated between the three municipalities, what they are doing to correct this system. Mrs. Dymeck asked the Board what items they thought were worth getting the taxes at gunpoint and how the postcard was distributed that was mailed. Was this done by Mr. Timpe the supervisor or the resident and where did he get the names and addresses for the postcard?

Mr. Timpe answered that the police document is flawed because each municipality is given one vote and Maidencreek Township pays almost ½ the costs. The original Board did not foresee today's problem and there is not enough political will to change the document. As Ontelaunee Township grows, there may be changes to the document at that time. Mr. Timpe stated that he does not want to throw extra money at the police and the postcard was from him as a resident. Mrs. Dymeck stated that she felt discriminated against because she did not receive one.

Kristopher Kipp of Faith Drive, asked the Board for help on his storm water problem. Mr. Kipp pointed out that a similar problem was corrected in 1997 a few lots up the street from him by the Township. Mr. Timpe asked if the Township has an obligation to be consistent with that precedent. Mr. Orlando stated that the Township does not.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the engineer to investigate why a swale repair was done in 1997 on Faith Drive. All members voted, "Aye." Motion carried.

Lois Ondik asked the Board if there was any response from the owner of the detention basin that she complained about at the last meeting. Tom Unger, Township engineer, answered that he was meeting a representative on Tuesday morning to review the pond. Ms. Ondik stated that she hoped that the trees they were planting around the basin were not to hide the view of the weeds and that they would take care of the problems.

Carrie Wentz of Cornerstone Drive, stated that she supports the Park and Recreation Board and a tax cut is not good for the community. It is irresponsible to cut taxes now because they will need to be increased later. Mrs. Wentz felt that the Board was not supporting Park and Recreation and gave the example of them waiving the fee in lieu of open space money for the Village of Summit Crest 3. Fleetwood and Maidencreek should be working together. Maidencreek Township residents use a lot of their amenities without paying for them while we have the bigger population.

Angela Keller of Cornerstone Drive, stated that she is a registered voter who has lived in her house for two years. She sent Mr. Timpe an email with her name and address on it and received a postcard addressed to the previous property owner. Mrs. Keller also stated that she does not understand why Maidencreek can not have what Fleetwood has. Kids need something to do. Mr. Timpe's newsletter article, which called her child a thief was rude.

Terry Manmiller representing Giorgio Foods, stated that he would wait for the engineer's report on the agenda.

Barbara Hassler, Maidencreek Township Tax Collector asked the Board if they knew how much tax revenue was billed and how many homes still need to be built. They did not. Mrs. Hassler stated that tax revenue was \$522,333 per year and 168 homes still need to be built. This meant more children, the need for more police, more roads. Mrs. Hassler pointed out to the audience that she is paid per bill and does not receive commission based on the amount of the bills, so she is not losing any salary from the tax cut. The tax cut, Mrs. Hassler felt, was detrimental to the Township, its growth and its children. Mrs. Hassler added that when she wished to put a paragraph in the newsletter introducing herself, she was not allowed because it was political. Mrs. Hassler asserted that Mr. Timpe's article looked political to her. Mrs. Hassler asked why Randy Wolfe was not reappointed to the Planning Commission. He was a good volunteer. Mrs. Hassler felt that the Township should grow a rainy day fund and pointed out that the school district had 3 to 4 million dollars in reserve but still raised the taxes.

Randy Wolfe of West Walnut Tree Drive, questioned why the Township has not filed a lien against the property at 385 West Walnut Tree Drive which has gone to Sheriff Sale. Mr. Wolfe also commented that he was disappointed that the August 17, 2006 minutes reflected that the Supervisors disagreed with revising section 108B of the Personnel Rules and Regulations, Political Activity. Mr. Wolfe pointed out that he was asked to resign from the Planning Commission because he was running for Tax Collector in 2005 and was disappointed that he had not been reinstated to the Planning Commission. Roy Timpe is running for Committee Man, and Mr. Wolfe asked if he had received a letter asking for his resignation. Mr. Timpe stated that his name was not on the ballot this November as party positions are only voted on in the primary.

Pete Vogel of Cornerstone Drive, asked what the Board's position was on economic and residential growth of the Township. Bob Kopfer stated that he wants to halt development and slow down. Roy Timpe stated the Board is updating the zoning and subdivision and land development ordinances to change when commercial and industrial uses need land development. Pete Vogel stated that growth is a huge consumer of cash. Tax cuts are inappropriate at this time while the Township is still growing and the costs of electric, fuel, labor and insurance is rising. Mr. Vogel suggested that the Board work on attracting business and cut taxes down the road. Mr. Vogel stated that the Township does not have a plan in place for economic growth. A tax cut serves no purpose unless it is a personal purpose. The tax cut will not make much of a difference in the budget of the people here tonight. The Township needs to develop a marketing plan and "sell the Township" to attract the right businesses. You then need something to attract them such as a tax break, grant, labor base, revenue generator. Mr. Timpe stated that he does not want to see the Township accumulating money. Pete Vogel suggested the funds be diverted into the community. Mr. Timpe stated that he does not feel government has the inherent right to usurp the citizen's control over their money. Mr. Vogel suggested placing a referendum on the ballot.

Tina Poole of Lee Spring Road stated that her elderly aunt would be happy for the \$40 tax cut to help pay her prescriptions and groceries. Bob Kopfer commented that those that pay more taxes will get more of a cut.

Dave Crissman of Longleaf Drive, stated that he has two young children and understands the Board has differing views, but wants to hear that the Board is committing to the recreation programs like Tball. Roy Timpe stated that the events are self funding and require volunteers. Mr. Timpe stated that he could not promise that the events would continue. They may expire if there are no volunteers. Mr. Crissman stated that he was surprised that Ontelaunee Heights did not have a playground. Mr. Timpe alluded to the fact that people could get together, raise the money and build their own playground.

Leslie Long of Jones Lane stated that there is another part of the Township and what is Park and Recreation doing for the people behind the lake. Hether Quillman answered that the Park and Rec Board had to work with the land that was donated to them and there was none behind the lake. Leslie Long suggested that Maidencreek get some of the Lake Ontelaunee Watershed like Ontelaunee Township did.

APPROVAL OF THE MINUTES

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the August 10, 2006 meeting minutes of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the August 17, 2006 meeting minutes of the Maidencreek Township Board of Supervisors with the following correction: Replace Ron Kemmerer's name with "someone" and insert Mary Dymeck stated that she wanted a community center and library." All members voted, "Aye." Motion carried.

Mr. Timpe stated that the newsletter article discussed under public comment should be included in the minutes.

Does It Pass the G.T.M.A.G. Funding Test?

By Roy Timpe, Board of Supervisors Chairman

Often people come to township meetings, or approach the supervisors individually asking for a program, or even a favor. It may be a township funded sports program, entertainment, or even the use of township equipment to maintain private property.

The supervisors are going to want to know how the request stands up to the G.T.M.A.G. funding test. Before getting into this funding test, let me remind you that your township has no money of its own. That's right, your township has no money of its own. The township does not produce a product, and it does not grow any crops.

The township does absolutely nothing to "make money" in the sense that we Americans use that term. All the money the township has it gets from the residents at gun point. Let me explain. The township gets its money through taxation. Although the township makes efforts to get grants and

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other aid whenever available, most of those grants from the state are taxes you pay to the state. Truly, for most things grants are not available. The lion's share of township money comes through the property tax. Let's take the property tax as an example. If your mortgage company does not escrow your taxes, you receive a bill from Barbara Hassler. It looks like most other bills, but it is different. Just as an experiment, (and please do not actually try this at home) suppose you decide not to pay your property tax, and just continue to live your life. You go to work, the grocery store, etc. For some time your life will go on as it normally does. You will receive additional communication about your overdue property tax, but for the sake of this thought experiment, let's suppose you also ignore the further communication concerning your tax bill.

Eventually you will be confronted by a man with a badge and a gun. He will inform you that your house was sold at sheriff's sale, and you can no longer live there. There you have it. The unpleasant truth about these tax bills is that they are backed up by force. I mean real force. If you go door to door in this community, you'll find that we have everyone from young families raising children, to widows living on a fixed income. Now that we have just learned that our township Gets The Money At Gunpoint (G.T.M.A.G.) we can ask ourselves the question, "What things are worth getting the money from the widow at gun point?" The township contributes toward the volunteer fire and ambulance departments and provides police, roads, parks, water, sewer, building inspections, sports, and events. I would submit to you that the things that best pass the G.T.M.A.G. funding test are things that benefit the residents as a whole. Police, ambulance, fire protection and roads clearly fall into this category. Parks are less clear. Certainly there are some residents who may not use the parks, but a substantial majority use the parks and open space in some form. The water and sewer only benefit those who live near the service, but they are self funding. Only those who actually use the water and sewer pay for the service. Building inspections are also self funding, they are covered by the inspection fees. Most sports in the township are self funding, and actually are run by the residents. In the sports category, there are some small exceptions, like a summer YMCA program. This leaves events, like community days, the car show, and fireworks. These events are sponsored by the township, but the supervisors have insisted that the entry fees for the car show, and the booth rental for community days cover the cost of the event. This year the supervisors insisted that the fireworks be as self funding as possible by soliciting donations from local businesses.

For programs and events that do not benefit a vast majority of the residents, self funding is preferred. It altogether avoids the G.T.M.A.G. issue. The funny thing is, if I wanted my kid to play sports, and I went to my neighbors and forced them to pay a portion of it, that would be called theft. If I go to my township and get the supervisors to vote to force my neighbors to pay for my kids sports, that's called compassionate government.

The bottom line is, when you come to a supervisors meeting asking for the board to implement a program, or take action on an issue, ask yourself this question, "Does it pass the G.T.M.A.G. funding test?" You should ask this question, because that is the question this board is going to be asking itself.

ENGINEER'S REPORT
Subdivision Status Checklist

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A motion was made by Claude Beaver, seconded by Robert Kopfer, to reject the Village at Summit Crest Annexation Plan for the reasons set forth in the January 2, 2006 Systems Design Engineering, Inc. review letter unless a request for an extension of time is received. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to release the Penn Biomedical improvements escrow in the amount of \$3,110.00. All members voted, "Aye." Motion carried.

Plan Review
Lehigh Cement

A motion was made by Robert Kopfer, seconded by Claude Beaver, to grant waivers to the Maidencreek Township Subdivision and Land Development Ordinance for: section 304.a.8 requiring monument location and elevation, section 304.a.9 requiring depiction of all easements on the plan, and section 304.a.10 requiring depiction of location, size, invert elevations of all sanitary and storm sewer manholes, inlets and culverts. All members voted, "Aye." Motion carried.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to grant final plan approval to the Lehigh Cement Land Development Plan conditional upon erosion and sedimentation plan approval and the plan being signed and notarized. All members voted, "Aye." Motion carried.

Projects

Community Park Tot Lot – The structure is complete and the contractor did a very nice job.

Parking Lot Bids – Mr. Unger asked if the Board was comfortable with bidding the paving of the new parking area and the old parking area along East Wesner Road and adding an alternative for additional trails. The section of trails added would be along the roadway, so that pedestrians are not on the road leading into the park and moving the section by the lower ballfield that keeps washing out. The Board agreed to proceed with the bid with these additions.

Township Building Roof Bids – shop drawings and samples were approved. The project should be started in October.

2006 Road Bids – A change order needs to be approved for smaller, denser material, which makes the road work for 2006 come in \$1,861.26 below the original contract price.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve change order #1 in the amount of \$2,187.50. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve payment application #1 for \$127,393.74 to EJB Paving, Inc. for the 2006 Road Work, with \$110,000 being paid from the State Liquid Fuels Account. All members voted, "Aye." Motion carried.

Allen Davis Detention Basin – Mr. Unger reported that there is room on the lot adjacent to the Allen Davis farm to install a detention basin. The Township would need to acquire a 100' x 100'

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triangle of property and place #4 riprap into a berm. This would allow the water to percolate through the stone. Claude Beaver asked how this type of detention basin would hold up over time with collecting sediment. Mr. Unger felt that there would be very little sediment coming from the other side of South View Road. The Board tabled action until after an executive session.

Bob Kopfer asked who had the traffic counter on Hoch Road. Mr. Kopfer saw a Berks Products truck put it on the road.

Traffic Ordinance – The Board agreed that the following items should be placed in a traffic ordinance for the October meeting:

- ⑩ No parking on June Avenue and Excelsior Drive. A traffic study was completed by the engineer and there is insufficient shoulder to park, a horizontal curve in the road and a driveway intersection, which all support making these roads no parking.
- ⑩ A stop, right turn keep moving sign on June Avenue at the intersection of June Avenue and Excelsior drive,

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the immediate installation of the stop, right turn keep moving sign on June Avenue at Excelsior Drive for safety reasons. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the immediate installation of the no stopping or standing signs on June Avenue and Excelsior Drive for safety reasons. All members voted, "Aye." Motion carried.

- ⑩ A stop sign on East Wesner Road leaving the Community Park,
- ⑩ A stop, right turn keep moving sign on Hoch Road at the intersection of East Wesner Road,
- ⑩ Park Entrance Ahead sign should replace the Road Permanently Closed,
- ⑩ No parking signs along East Wesner Road in the Park (Park & Rec should review),
- ⑩ 10 m.p.h. speed limit sign on roads in the Park (Park & Rec should review),
- ⑩ A stop sign on North View Road at Grandview Road,
- ⑩ No parking on the inside curve of Colonial Court at the Georgetown Village townhouses, and
- ⑩ all the stop signs and speed limit signs and no parking along newly dedicated roads in Meadowbrook, Shadow Ridge and TreeTops.

Benino Complaint – Mr. Unger reported that Mrs. Benino's complaint against the Melrose Place Subdivision had been resolved.

Golden Manor III Detention Pond – A meeting is scheduled between the engineer and Brian Kobularchik of Met Management to discuss the maintenance of the detention pond.

Sludge Ordinance – A letter has been received regarding the sludge ordinance from Giorgio Foods in Blandon.

Subdivision Improvements Agreements and Letter of Credit Reductions

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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 \$99,810.52. All members voted, "Aye." Motion carried.

OPERATIONS REPORT

106 Koller Road

A motion was made by Claude Beaver, seconded by Robert Kopfer, authorizing the code enforcement officer and township secretary to review the situation for any possible solution. All members voted, "Aye." Motion carried.

2006 Shoulder Work – the Board tabled this issue until executive session.

Repaint School Markings

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the school road marking to be repainted at a cost of \$885 by Berks Traffic and Line Painting. All members voted, "Aye." Motion carried.

SOLICITOR'S REPORT

Park & Recreation Ordinance – the Board agreed to the following changes to the ordinance:

- ⓐ add a definition of firearm,
- ⓑ change page 3 letter c to allow allow parks to remain open until "event" lighting is extinguished,
- ⓒ change page 3 letter j1 to allow "duly appointed law enforcement as part of their official duties" to carry a firearm.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Ordinance 206 Park and Recreation Ordinance as amended. All members voted, "Aye." Motion carried.

Village at Maidencreek

A motion was made by Claude Beaver, seconded by Robert Kopfer, to accept a cash escrow, return the letter of credit once the check has cleared, and amend the Village at Maidencreek Improvements Agreement in accordance with the agreement. All members voted, "Aye." Motion carried.

Deeds of Dedication Meadowbrook

The developer of Meadowbrook has signed an agreement to maintain Gallagher Drive after it is dedicated to the Township and to discourage construction activity on all other roads the Township is accepting for dedication.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to accept the Meadowbrook Maintenance Agreement. All members voted, "Aye." Motion carried.

Resolution 24-2006 Millennium Drive

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 24-2006 accepting dedication of Millennium Drive. All members voted, "Aye." Motion carried.

Resolution 25-2006 Gallagher Drive

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A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 25-2006 accepting dedication of Gallagher Drive. All members voted, "Aye." Motion carried.

Resolution 26-2006 Kensington Boulevard

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 26-2006 accepting dedication of Kensington Boulevard. All members voted, "Aye." Motion carried.

Resolution 27-2006 Fleming Street

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 27-2006 accepting dedication of Fleming Street. All members voted, "Aye." Motion carried.

Resolution 28-2006 Prescott Road

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 28-2006 accepting dedication of Prescott Road. All members voted, "Aye." Motion carried.

Resolution 29-2006 Cedrick Avenue

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt Resolution 29-2006 accepting dedication of Cedrick Avenue. All members voted, "Aye." Motion carried.

Shadow Ridge III and TreeTops III – Mr. Orlando gave the secretary the resolutions for dedication of roads in Shadow Ridge III and TreeTops III and asked that she obtain the developers signature on the deeds of dedication. The Board will take action on these roads in October if the signatures are obtained.

Legal Description of Ingot Drive – A deed of correction to the deed of dedication for Ingot Drive has been prepared.

Riedel Rezoning – The rezoning hearing for the Riedel property is scheduled for October 12, 2006 at 6:30 p.m. Diane Hollenbach asked the solicitor if he had received a request from the Riedel's lawyer requesting a postponement to the hearing. Mr. Orlando stated that he did not and advised the Board that the hearing should take place instead of allowing the matter to linger. The Board instructed the secretary to contact the Riedels and ask them to either attend the hearing or formally withdraw their rezoning request.

TREASURER'S REPORT

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

EMERGENCY MANAGEMENT

NIMS Certification – Diane Hollenbach reported that the Authority personnel passed the IS 100 test and all departments are on the way to full compliance.

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A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the chairman to sign the NIMS certification and forward the document to PEMA. All members voted, "Aye." Motion carried.

Hazard Mitigation Project – The Board asked that the engineer, secretary and public works director prepare a list of possible hazard mitigation projects to the Board.

NEW AND OLD BUSINESS

Resolution 30-2006 Minimum Municipal Obligation

A motion was made by Robert Kopfer, seconded by Claude Beaver, adopting Resolution 30-2006 the Maidencreek Township Nonuniform Pension Plan Minimum Municipal Obligation for 2007 in the amount of \$37,225.00. All members voted, "Aye." Motion carried.

Resolution 31-2006

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt resolution 31-2006 accepting street light dedication in Phase 1 of Meadowbrook. All members voted, "Aye." Motion carried.

Resolution 32-2006

A motion was made by Claude Beaver, seconded by Robert Kopfer, to adopt resolution 32-2006 accepting street light dedication in Phase 2 of Meadowbrook. All members voted, "Aye." Motion carried.

Cable Franchise for Comcast Cable

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the solicitor to review the Comcast Cable Franchise renewal. All members voted, "Aye." Motion carried.

PARK AND RECREATION

Hether Quillman asked the Board before they institute a tax cut to consider that the money Park and Recreation is saving is not a surplus but is in fact ear marked for future projects much like a family would save. She also corrected Mr. Timpe's website in that she never said that she wanted a Body Zone type of Community Center. She envisions classrooms, indoor walking areas and a senior center area. Mrs. Quillman pointed out that Fleetwood is paying for Maidencreek's recreation, since they house the community center, library and pool. Fleetwood Borough's millage is 2.75 mills and they have 4,018 residents. Maidencreek's millage is 1.25 mills and has 6653 residents. 30 percent of Maidencreek Township's population is under the age of 18. Ms. Quillman also asked the Board to reconsider their stance on not increasing the road maintenance budget and paving less roads.

Mr. Timpe stated that Park & Recreation could do more with less money if they did not buy expensive items like the recycled plastic picnic tables. Mrs. Quillman stated that the Township needs to buy commercial grade materials so that they last longer and there are no liability issues. Mrs. Quillman invited the Board to any Park & Recreation meeting.

State Liquid Fuel Budget – Diane Hollenbach presented the following proposed budget numbers for the State Liquid Fuel Accounts:

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Estimated 2006 Remaining Fund Balances

The winter of 2005-2006 was light on snow and ice saving the Township money on salt and antiskid costs. A new crack seal machine was purchased and some patch and repair work done on a few roadways bordering Ontelaunee and Perry Townships. The chart below shows the estimated fund balance on 12/31/2006.

<i>Description</i>	<i>Money Mkt. Balance</i>	<i>Equipment Fund Balance</i>
Balance 8/31/06		
Estimated Operational Expenses to 12/31/06		
Estimated Deposits		
Est. Remaining Balance 12/31/2006		

Interest on Accounts

State Liquid Fuel accounts are held at Leesport Bank. Currently accounts earn about 1% interest. Interest fluctuates as balances rise and fall. The majority of deposits to the account occur in April while most bills are incurred in January, February and September.

State Shared Revenue

The Township will possibly dedicate roadways in Meadowbrook, TreeTops Phase 3 and Shadow Ridge Phase 3 in September or October of 2006. If this occurs, the Liquid Fuel money received from the state will increase based on the total number of miles dedicated.

The Governor just passed Act 70 of 2006, which increases the annual maintenance payment for turnback roads from \$2,500 to \$4,000 per mile. The Township has 3.04 miles of turnback road, increasing our turnback payment from \$7,600 to \$12,160.

Highways, Roads and Streets

The funds received from the State Liquid Fuel Program will be used for snow removal supplies and road work. 20% will be deposited into the equipment fund for future equipment purchases.

The Township participates in the Commonwealth of Pennsylvania Department of General Services Cooperative Purchasing Program and Berks County Cooperative Program for salt purchases. The 2006-2007 cost for a ton of salt is \$43.86, which is up \$3.94 per ton from last year. The salt company in the past has added a fuel surcharge onto the cost per ton, which is undetermined until delivery. The Township experienced a mild winter in 2006 and did not use all the budgeted funds. The 2007 budget reflects an increased salt budget as early predictions indicate a cold, snow filled winter and the increased cost of the salt and delivery.

Salt Use over the last six years:

<i>Year</i>	<i>Tons Used</i>	<i>Cost per Ton</i>	<i>Cost</i>
2001	392.55		\$16,215.71
2002	73.5		\$3,368.51
2003	275		\$9,353.00
2004	336.24	\$32.63	\$11,116.98

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<i>Year</i>	<i>Tons Used</i>	<i>Cost per Ton</i>	<i>Cost</i>
2005	290.88	\$37.02	\$10,830.73
2006	118.72	\$39.92	\$3,066.25

At their August 17, 2006 budget meeting, the Supervisors indicated that their 2007 policy toward road work will be to keep the budgeted amount the same and to only do as much roadwork as the budget allows, since the state has not increased the state liquid fuel tax that the Township receives. Asphalt prices have risen approximately 60% from January 2006 (\$258 per ton) to September 2006 (\$408 per ton). No roads have been identified for maintenance in 2007, although the Public Works Director has expressed concern about the condition of Evansville Road and West Shore Drive. The road maintenance budget has been increased by \$11,000 due to the increase in the road turn back payment and unused funds that were budgeted for salt in 2006.

Budget Worksheet is attached to the end of the minutes.

Recycling Bid

A motion was made by Claude Beaver, seconded by Roy Timpe, to award recycling bid Alternative #1 bi-weekly collection to Waste Management with a contract award amount of \$217,350.00. All members voted, "Aye." Motion carried.

Trick or Treat Night

A motion was made by Claude Beaver, seconded by Robert Kopfer to designate October 31, 2006 from 5 p.m. to 9 p.m. as Maidencreek Township Trick or Treat Night. All members voted, "Aye." Motion carried.

Speeding on Faith Drive

Claude Beaver made a motion to make Faith Drive a one way street from Schaeffer Road to Hope Drive. Vicki Kipp stated that she does not want to make anyone mad and Donna Fuerst added that she does not mind the cut through traffic to the traffic light but does want the speeding to stop. Gene Orlando asked the Board if they would table this item and go into executive session because he would not be able to stay as long as this discussion was going to take and there was already an hour and 45 minutes of public comment. Donna Fuerst stated that this is her forum and she waited until the end of the meeting instead of during public comment to discuss this issue. Claude Beaver withdrew his motion.

Request to Review/Revise the Noise Ordinance – Several complaints have been received in regard to noise from Shady Glen. Roy Timpe did not believe that the Board would want to modify the noise ordinance. The Board tabled this issue and asked for copies of the noise ordinance pertaining to concerts.

Personnel Rules and Regulations 108.B Political Activity

Claude Beaver suggested allowing Township Personnel to run for any offices outside of the Township like school board.

Planning Commission Resignation

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A motion was made by Claude Beaver, seconded by Robert Kopfer, to accept Don Glass's resignation from the Planning Commission and send him a letter of thanks for many years of service and wishing him well. All members voted, "Aye." Motion carried.

Recording Secretary Resignation

A motion was made by Robert Kopfer, seconded by Roy Timpe, to accept Diane Hollenbach's resignation as recording secretary for the Board of Supervisors. Roy Timpe and Robert Kopfer voted, "Aye." Claude Beaver abstained. Motion carried. The Board authorized Mrs. Hollenbach to attend the meetings and use flex time on Thursday before or the Friday after, so that there is no overtime accumulated.

A motion was made by Claude Beaver, seconded by Roy Timpe, to authorize the Secretary to write herself a letter of thanks. All members voted, "Aye." Motion carried

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the secretary to solicit proposals for temporary help for the October meeting. All members voted, "Aye." Motion carried.

Executive Session – 10:40 P.M. to 11:19 P.M. for litigation

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the solicitor to take action discussed in executive session in regards to Regina Sanders. All members voted, "Aye." Motion carried.

Executive Session – 11:21 P.M. to 11:25P.M. for litigation and real estate issues

A motion was made by Robert Kopfer, seconded by Claude Beaver, to authorize the solicitor to conclude the Tighe Holdings litigation. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the solicitor to look into the acquisition of real estate as discussed in executive session. All members voted, "Aye." Motion carried. The Board dismissed the solicitor.

Speeding Faith Drive - Donna Fuerst stated that all she needed was five minutes. Vicki Kipp added that she had to be up at 5:30 a.m. to get her kids off to school and it was very rude and inconsiderate of the solicitor to ask that their matter be tabled. Mr. Timpe asked if they were going to spend their five minutes complaining about that or discussing the speeding on Faith Drive.

Claude Beaver stated that there were only one or two options – installing sidewalks or making a portion of Faith Drive one way. Mr. Beaver suggested putting speed bumps every 100 yards down Faith Drive. Donna Fuerst stated that a one way on Faith Drive would shunt traffic to Cornerstone Drive and suggested that the Board look at traffic calming measures. Tom Unger stated that a one way street might not be possible due to circulation patterns.

A motion was made by Claude Beaver, seconded by Roy Timpe to authorize the engineer to look at speed calming devices and cost. Roy Timpe and Claude Beaver voted, "Aye." Robert Kopfer abstained. Motion carried.

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A motion was made by Claude Beaver, seconded by Roy Timpe, to ask the police to provide more enforcement on Faith Drive. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Roy Timpe, to have the Planning Commission investigate the feasibility of installing sidewalks along Faith Drive for the safety of the children. All members voted, "Aye." Motion carried.

Route 222

Tom Unger stated that Penn DOT wanted to set up a planning consultation on what the Township can do along Route 222. The Board stated that the engineer should attend and invite any member of the Planning Commission that was available.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the installation of a school bus ahead sign on Route 222 near the intersection of Route 73. All members voted, "Aye." Motion carried.

Since there was no further business, a motion was made by Robert Kopfer to adjourn the September 14, 2006 meeting of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried. Meeting adjourned at 11:55 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 Hobough, 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