MAIDENCREEK TOWNSHIP AUTHORITY
May 13, 2009
MEETING MINUTES

Attending Board Members: Robert Shinn, Earl Rothermel, Patricia Hecker, Donald Keim and Kenny Schnader

Also attending: Robert Hobaugh, Stevens & Lee, Greg Unger, SDE, Patrick Donovan, General Manager, and Tammy Deysher, Assistant Office Administrator.

Mr. Shinn called the May 13, 2009 meeting of the Maidencreek Township Authority to order at 6:03 PM at the Maidencreek Township municipal building.

PLAN REVIEW STATUS

Praise Christian Fellowship – Mr. Unger advised the Board of plans to do some small remodeling at the Church. This is an existing building which the Church will gut the middle for some pews to be installed, add some bathrooms and also install a small kitchenette. There is one EDU for both sewer & water, but if usage increases we can have the Church pay more tapping fees.

A motion was made by Earl Rothermel, seconded by Ken Schnader to send a review letter to the Praise Christian Fellowship. All members present voted "Aye." Motion carried.

DEVELOPMENT CLOSE OUT STATUS

Crossing at Maidencreek – Mr. Donovan advised the Board Mr. Corrado has not paid his past professional fees. The amounts to be paid SDE- $2,767.13 & S&L- $983.18. Mr. Corrado advised Pat to take the monies from his cash escrow to pay the outstanding bills.

A motion was made by Ken Schnader, seconded by Earl Rothermel to pull monies from escrow and pay the professional fees. All members present voted "Aye." Motion carried

Park Road Extension - Mr. Donovan advised the Board Mr. Corrado has not paid his past professional fees. The amounts to be paid SDE- $535.98 & S&L- $338.75. Mr. Corrado advised Pat to take the monies from his cash escrow to pay the outstanding bills.

A motion was made by Ken Schnader, seconded by Earl Rothermel to pull monies from escrow and pay the professional fees. All members present voted "Aye." Motion carried.

2009 Development Close Out List – Mr. Donovan discussed in detail the 2009 Development Close Out List with the Board. Pat also provided a complete list of all Development Review Fees & Escrow Accounts to the Board. Pat would like to start cleaning up the list and getting projects closed. CVS & Mid Atlantic requested to have their escrows closed.

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A motion was made by Ken Schnader, seconded by Earl Rothermel to release the escrows to CVS & Mid Atlantic. All members present voted "Aye." Motion carried.

APPROVAL OF MINUTES

A motion was made by Earl Rothermel, seconded by Patricia Hecker, to approve the April 8, 2009 regular minutes of the Maidencreek Township Authority meeting as presented. Hearing no public comment, all members present voted "Aye." Motion carried.

NEW BUSINESS

Berks County Cooperative Purchasing Council – Mr. Donovan advised the Board what the BCCPC does. They shop the best price for bulk electricity, which in return could result in a lower price for electricity for the Authority. There is a fee of $100.00 to join and a non binding commitment letter must be signed.

A motion was made by Earl Rothermel, seconded by Ken Schnader to approve joining BCCPC & to pay the $100.00 fee. All members present voted "Aye." Motion carried.

UNFINISHED BUSINESS

320 Main Street – Mr. Hobaugh advised the Board he has three agreements & a lien ready for Mr. Shuman. However, Bob talked to the Church who still had five issues they brought up to him.

1- The Church's lawyer has not seen a deed for the property and does not know if they have a clean title.

2- The easement is to only provide water service to Mr. Shuman's residence.

3- The Church does not want the easement to be exclusive to the property.

4- The Church would like the easement to revert back to them in case the Shuman's sell their house or walk away from it.

5- The Church wants to continue to use the land as long as it does not interfere with the Authorities plans.

Mr. Hobaugh's recommendations for the Church's concerns are as follows:

1- To only allow Shuman's to use the property as a residence.
2- That the Church should get a reverter.
3- The Church will find out what the title consists of.
4- To allow the Church to use the easement area.

Mr. Hobaugh advised a lien claim, service agreement and connection agreement will be issued to Mr. Shuman. He also questioned who should cover the legal fees, which are not included in the lien amount.

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A motion was made by Ken Schnader, seconded by Patricia Hecker to pass all legal fees and court costs to Mr. Shuman in the lien. All members present voted "Aye." Motion carried.

A motion was made by Donald Keim, seconded by Ken Schnader to let Mr. Hobaugh follow his recommendations for the Church. All members present voted "Aye." Motion carried.

Scada - Mr. Unger and Mr. Donovan still have a few more issues to work on.

Computer Upgrades – Going smoothly, nothing to report.

Service Agreements – Mr. Donovan advised the Board only 21 of 39 service agreements came back.

A motion was made by Earl Rothermel, seconded by Donald Keim to do a phone call first, then go to the property and lastly to amend the current resolution for sewer & water agreements. All members present voted "Aye." Motion carried.

Professional Fee Payment Policy – Mr. Donovan discussed with the Board direction on paying professional fees. The Board advised to draw down on escrow to pay professional fees.

A motion was made by Ken Schnader, seconded by Earl Rothermel to adopt an inhouse policy for 60 days. All members present voted "Aye." Motion carried.

Esbenshades – Mr. Donovan advised the Board he notified the Township the Authority is still interested in resolving this issue.

A motion was made by Donald Keim, seconded by Patricia Hecker to make a lien for excess tapping fees. All members present voted "Aye." Motion carried.

LEAK REDUCTION

441 Riviera Drive
312 West Walnut Tree Drive
348 Cactus Road
139 S. View Road

Patrick advised that these are legitimate leaks.

A motion was made by Ken Schnader, seconded by Donald Keim to approve all leak reductions as one motion. All members present voted, "Aye." Motion carried.

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SOLICITOR'S REPORT

Mr. Hobaugh submitted a written report.

ENGINEER'S REPORT

Mr. Unger submitted a written report.

MANAGER'S REPORT

Mr. Donovan submitted a written report.

PAYMENT OF BILLS

A motion was made by Earl Rothermel, seconded by Ken Schnader to pay all the bills at once. All members present voted "Aye."

A motion was made by Earl Rothermel, seconded by Ken Schnader to approve inter-account transfers, the payment of the May 2009 after meeting checks and the May 2009 Bill List in the amount of $86,894.67, the additional May 2009 Bill List submitted at the May 13, 2009 meeting in the amount of $25,085.15, to approve the payment of the following from the Review Fee Accounts or billed directly to the Developer: the engineer's reimbursable expenses of $10,756.12, the solicitor's reimbursable expenses of $473.60. All members present voted, "Aye." Motion carried.

EXECUTIVE SESSION

An executive session was called at 7:48pm to discuss Personnel .

RECONVENE

The Board reconvened the regular meeting at 8:08 PM, and took the following action:

The Board directed the General Manager to allow Mr. Funk to go out on Workman's Compensation (Board no longer will provide light duty work for Mr. Funk) and to allow Cody Rhodes to work 40 hours per week on a temporary basis.

ADJOURNMENT

At 8:09 PM, A motion was made by Earl Rothermel, seconded by Ken Schnader to adjourn the meeting and it passed unanimously

Minutes are subject to change prior to the approval of the Maidencreek Township Authority.

Tammy L Deysher, Assistant Office Administrator – May 13, 2009

CC: Authority Board Board of Supervisors