

Maidencreek Township Board of Supervisor Meeting
January 17, 2008 7:32 PM

Present: Claude Beaver, Roy Timpe, Joseph E. Rudderow III, Eugene Orlando, Jr. and Stephanie Dake – Roland & Schlegel, Thomas Unger and John Loeper – Systems Design Engineering, Inc., Keith Shuman – Public Works Director, Diane Hollenbach – Manager,

Guests: Felix Pena – Reading Eagle Reporter, Fay Isamoyer, Carl Weston, Paul Martin, Robert Kopfer, Dave Zwicky, David A. Tranquillo, Krista Timpe, Cindy Stump.

Claude Beaver called the January 16, 2008 meeting of the Maidencreek Township Board of Supervisors to order at 7:32 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 278 assignments in Maidencreek Township in the month of December. This resulted in 59 citations. The traffic fines for Maidencreek for the month of December were \$1,130.15, and non-traffic fines were \$317.51, totaling \$1,447.66. The total number of patrol hours was 808.73 for the month.

APPROVAL OF THE MINUTES

A motion was made by Roy Timpe, seconded by Claude Beaver, to approve the December 13, 2007 Regular Meeting Minutes. Hearing no questions on the motion, all members voted as follows: Claude Beaver and Roy Timpe, “Aye” and Joe Rudderow, “Abstain”. Motion carried.

A motion was made by Roy Timpe, seconded by Claude Beaver, to approve the December 19, 2007 Special Meeting Minutes. Hearing no questions on the motion, all members voted as follows: Claude Beaver and Roy Timpe, “Aye” and Joe Rudderow, “Abstain”. Motion carried.

A motion was made by Roy Timpe, seconded by Claude Beaver, to approve the December 21, 2007 Special Meeting Minutes. Hearing no questions on the motion, all members voted as follows: Claude Beaver and Roy Timpe, “Aye” and Joe Rudderow, “Abstain”. Motion carried.

A motion was made by Joe Rudderow, seconded by Claude Beaver, to approve the January 7, 2008 Reorganization Meeting Minutes. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

ENGINEER’S REPORT

Subdivision Status Checklist

Hinkle Annexation

A motion was made by Roy Timpe, seconded by Joe Rudderow, to accept the time extension for the review of the Hinkle Annexation Plan until May 8, 2008. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Village @ Summit Crest Final Plan

A motion was made by Roy Timpe, seconded by Joe Rudderow, to reject the Village @ Summit Crest Final Plan for failure to meet the requirements stated in the SDE review letter dated 5/4/07, unless a written letter for extension of the review period is received by the Township no later than February 12, 2008. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Subdivision Improvement Agreement LOC

Shadow Ridge III Subdivision Improvement

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the return of the Improvement Agreement Letter of Credit for the Shadow Ridge III Subdivision. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Projects

Hoch Road Culvert Replacement – Will be bid in the spring for completion after school ends.

Golden Manor III Street Trees – Mr. Unger stated that J. Margerison is looking for final payment. Mr. Unger stated that there is an 18 month maintenance period as part of the contract. Mr. Timpe asked if we are obligated to give payment now as part of the contract? Mr. Unger stated that he will check the contract and give the Board an answer for the next meeting.

Wyatt Drive Tot-Lot – Bids for the tot lot will be opened at the February Township meeting.

OPERATION'S REPORTS - Mr. Shuman reviewed his report with the Supervisors.

SOLICITOR'S REPORT

Zoning & Saldo Ordinance – A 1st draft of a working document, the SIA Draft Ordinance, was given to the Supervisors for their review. Mr. Orlando stated his office will forward the 1st draft to Mr. John Malsnee's office. The Supervisors directed the Township Manager to give a copy of the 1st draft of the ordinance to the following persons: David Tranquillo, Giorgio Foods, Ruth Malenda, David Zwicky.

Exemptions Mandatory Water Connection – The Manager will provide copies of the research material for Joe Rudderow.

Noise Ordinance – A 1st draft of the Noise Ordinance was given to the Supervisors for their review. Mr. Rudderow asked that the ordinance use "Resident" throughout, versus switching back and forth from "Citizen" to "Resident". Mr. Rudderow had a few comments regarding the ordinance. Can the use of a generator be added as an exemption? Mr. Rudderow did not like the requirement for a resident to apply for a noise permit if 50 or more people are in attendance at their home and using an amplified system outside a building. Should the time on page 8 be changed to 8:00 am on the weekends versus 6:00 am when using an amplified system? How long is the permit for, what is the

cost and does the permit need to be displayed? Ms. Hollenbach and Mr. Beaver stated that the ordinance needs to be applied consistently between both residential and commercial owners. Ms. Hollenbach also stated that the parks, some of the groves and the fire department, all who use outside amplified sound equipment at times, are zoned residential. Ms. Hollenbach said that the permit is for a single event; the cost will be approximately \$50.00, and the permit must be displayed.

Ms. Hollenbach had comments regarding the Ordinance. The ordinance does not include loading and unloading and power model vehicles. Industrial is defined as Industrial and SIA in the definition section. On page 7 #9, industrial operations are exempted. Exempting zoning districts is the problem in the current ordinance. The Supervisors agreed to address the comments made with the Solicitor and the Engineer for the next draft.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to have the Township Manager contact the Police Chief to receive statistics on the number of noise complaints that have been made by residential versus commercial properties. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Municipal Solid Waste Ordinance – A 1st draft of the Municipal Solid Waste Ordinance was given to the Supervisors for their review. Mr. Rudderow asked why are we revising the ordinance. Ms. Hollenbach stated that it is a mandate from the state. Mr. Rudderow stated he did not like the provision requiring trash to be in closed containers and the provision that requires residents to have weekly pick up. Mr. Rudderow suggested making Agriculture exempt.

TREASURER'S REPORT/MANAGER'S REPORT

Treasurer's Report and Bill List

A motion was made by Roy Timpe, seconded by Claude Beaver, to approve the December 2007 Treasurer's Report and bill list. Hearing no questions on the motion, members voted as follows: Claude Beaver and Roy Timpe voted, "Aye" and Joe Rudderow, "Abstain". Motion carried.

Exonerate real estate taxes on 10 Mt. View Drive and 1098A Pleasant Hill Road

A motion was made by Joe Rudderow, seconded by Roy Timpe, to exonerate real estates taxes for 10 Mt. View Drive for the Years 2003, 2004, 2005 in the amount of \$68.78 and 1098A Pleasant Hill Road for the years 2001, 2002 in the amount of \$55.58. Both trailers were removed from the lots. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Work related mileage

A motion was made by Roy Timpe, seconded by Joe Rudderow, to pay \$97.94 to Rita Agnetti for 2007 4th quarter work related mileage. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Increase milage rate for Township employees

A motion was made by Joe Rudderow, seconded by Roy Timpe to increase the mileage rate for Township employees that use their personal vehicle when conducting Township business to 50.5 cents per mile effective January 1, 2008 per the Internal Revenue Service Standard Business Mileage Rate. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

PARK & RECREATION

YMCA Playground Contract –

A motion was made by Joe Rudderow, seconded by Claude Beaver, to authorize the Chairman to sign the YMCA Playground Contract for the summer of 2008. Hearing no questions on the motion the members voted as follows: Joe Rudderow and Claude Beaver voted, "Aye" and Roy Timpe voted, "Nay". Motion carried.

Purchase of light pole and installation at the ball field at Blandon Fire Company

Nathan Ohlinger is replacing the wooden pole and the light at the ball field at the Blandon Fire Company. Mr. Beaver directed the Operations Manager to have the poles at the Blandon Fire Company Ball Field checked and have the results given to the Park and Recreation Committee.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to approve the purchase of a light pole and installation in the amount of \$2,350.00 per the quote provided by Nathan Ohlinger. Hearing no questions on the motion all members voted, "Aye". Motion carried.

Discussion – does the Board wish to investigate charging commercial, industrial and institutional new development a fee for recreation ?

Mr. Rudderow discussed with the Board the option of investigating charging commercial, industrial and institutional new development a fee for recreation. Mr. Timpe and Mr. Beaver stated that from what they have learned from PSATS, this is not something they wish to pursue.

A motion was made by Joe Rudderow, to investigate charging commercial industrial and institutional new development a fee for recreation. Motion died for lack of a second.

PUBLIC COMMENT

Dave Zwicky – Asked for a copy of the draft ordinances that were distributed this evening. The Board advised the Township Manager to give him a copy.

David Tranquillo – Asked for a copy of the draft ordinances that were distributed this evening. The Board advised the Township Manager to give him a copy.

RESOLUTIONS

Emergency Management Plan – A draft of Resolution 10-2008 regarding the Emergency Management Plan was given to the Supervisors for their review. Ms. Hollenbach informed the Supervisors that this is a mandate from the state and that a decision needs to be made before February 29, 2008.

BUSINESS

February Meeting

A motion was made by Roy Timpe, seconded by Joe Rudderow, approving the regular meeting to be held on February 12, 2008. Hearing no questions on the motion, all members voted "Aye". Motion carried.

State Convention

The Supervisors will advise Ms. Hollenbach if they are interested in going to the State Association Conference on May 11-14, 2008.

State Liquid Fuels Report

A motion was made by Roy Timpe, seconded by Claude Beaver, authorizing the Board to sign the 2007 State Liquid Fuels Report. Hearing no questions on the motion the members voted as follows: Mr. Beaver and Mr. Timpe voted, "Aye", Mr. Rudderow, "Abstain". Motion carried.

Township Website

Joseph Rudderow would like his email address on the Township website in order for residents to contact him personally. Roy Timpe and Claude Beaver did not agree. All email goes to the Township office where it is distributed to the Board. That way questions that can be easily answered and do not require a Supervisor's attention may be processed. Mr. Rudderow asked that the item be tabled.

Meeting Format

Supervisor Rudderow has suggested changing the meeting format to hold executive sessions prior to the meeting and dismiss the professionals after their reports. Claude Beaver and Roy Timpe felt the meeting format should be kept the same.

Newsletter

The Supervisors directed the Township Manager to place an article in the newsletter asking for election poll workers.

330 Cornerstone Drive

Bradford Miller of 330 Cornerstone Drive has called several times to complain that the willow tree in the Township Open Space is dropping leaves and branches in his yard and pool. He called again on January 8, 2008 stating that his yard is filled with twigs. The township has trimmed the tree this summer. Diane Hollenbach asked if the Board wants the staff to take any further action.

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing SDE to check out the willow tree in the Township Open Space on Cornerstone Drive, the location of the property line and the setbacks of the pool at 330 Cornerstone Drive. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

No Parking Request Along Main Street

A resident of the 400 block of Main Street is having trouble seeing to get out of her driveway because patrons of the Third Rail are parking along the street and blocking her view of oncoming traffic. She is concerned for the safety of her teenage drivers and is

Maidencreek Township Board of Supervisor Meeting
January 17, 2008 7:32 PM

asking for a No Parking Area on both sides of her driveway. Would the Board authorize the engineer to investigate the situation and make a recommendation to the Board in February? The Supervisors discussed the situation.

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing SDE to investigate the parking situation at the 400 block of Main Street and provide a recommendation for the February meeting. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Building Renovation

Ms. Hollenbach reviewed the plans with the Supervisors. Mr. Beaver asked if this was part of the budget, Ms. Hollenbach stated that it was in the budget.

A motion was made by Roy Timpe, seconded by Claude Beaver, authorizing the Township staff to make the changes to the interior of the building in order to create more filing space and additional offices not to exceed \$2,500.00. Hearing no questions on the motion the members voted as follows: Mr. Timpe and Mr. Beaver voted "Aye", Mr. Rudderow voted "Nay". Motion carried.

Thank you letter to Mr. Kopfer

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Township Manager to draft a letter of thanks to be signed by the all the Supervisors to Mr. Kopfer for his years of service to the Township and that his term included the elimination of the per-capita tax and a reduction of the property tax. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Meeting With Township Staff

Mr. Rudderow asked the Board if it was possible for him to meet with Mr. Shuman, since he has been appointed as Road Master. The Supervisors said that would be fine as long as Mr. Rudderow did not take up to much of Mr. Shuman's time during his learning curve for the position.

Since there was no further business, a motion was made by Roy Timpe, seconded by Claude Beaver, to adjourn the January 16, 2008 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:54 p.m.

Johanna Lella, Recording Secretary

Diane Hollenbach, Township Secretary

Maidencreek Township Board of Supervisor Meeting
January 17, 2008 7:32 PM

Cc: Board of Supervisors
Eugene Orlando, Roland & Schlegel, Solicitor
Thomas Unger, Systems Design Engineering, Inc., Township Engineer
Planning Commission
Park & Recreation Board
Zoning Hearing Board and Alternates
Paul Herbein, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Patrick Donovan, Maidencreek Township Authority General Manager
JoAnn Schaeffer, Maidencreek Township Authority Secretary
Robert Hobough, Jr. Esq., Stevens & Lee, Authority Solicitor
Greg Unger, Systems Design Engineering, Inc., Authority Engineer
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Scott W. Eaken, Northern Berks Regional Police