

Maidencreek Township Board of Supervisor Meeting  
April 10, 2008 7:01 pm

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

Guests: L.P. Swanson, Mr & Mrs. Jeffrey Walters, Richard Wick, Keith Smoker, Randi Peters, Cindy Stump, David A. Tranquillo and Rick Kline.

Claude Beaver called the April 10, 2008 meeting of the Maidencreek Township Board of Supervisors to order at 7:01 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 290 assignments in Maidencreek Township in the month of March. This resulted in 68 citations. The traffic fines for Maidencreek for the month of March were \$2,222.88 and non-traffic fines were \$693.90, totaling \$2,916.78. The total number of patrol hours was 846.91 for the month.

Officer Drazeovich informed the Board and audience that there has been an increase in graffiti vandalism. The Police Department is asking the residents for assistance regarding this situation.

#### APPROVAL OF THE MINUTES

A motion was made by Joe Rudderow, seconded by Roy Timpe, to approve the March 13, 2008 Regular Meeting Minutes. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

#### COMMUNICATIONS

**PSATS Convention** - No action required at this time.

**DEP Response to Township Comments on Lehigh Cement DBS Burning** – No action required at this time.

**MTA letter to DEP Regarding Lehigh Cement Permit Application to Increase Water Withdraw/Discharge** – No action required at this time.

**Rt. 222 Task Force Meeting** – Mrs. Hollenbach informed the Board that Mrs. Agnetti represented the Township at the Rt. 222 Task Force Meeting, which was held today. Michael Baker Jr. is the consultant for the project. Senator Bob Casey Jr. was in the area and delayed on Rt. 222 for 1 ½ hours. Senator Casey sent a representative to the meeting. Randy Swan stated that everyone's interest needs to remain strong on the issue.

A motion was made by Joe Rudderow, seconded by Roy Timpe, to have the Township Manager send a letter to Senator Bob Casey Jr.'s office asking for some guidance and assistance on some resolution to the Rt 222 corridor through Maidencreek Township. The motion was amended to have the letter thank Senator Casey for sending a representative to the Rt. 222 Task Force Meeting, for taking an interest in the issue, and to ask him to continue with the assistance and pressure on the State and Federal levels. Senator Spector should be copied on the letter. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Shady Glen** – Mrs. Hollenbach advised the Board that permits were requested today to hold a rodeo at Shady Glen on April 20, 2008.

ENGINEER'S REPORT

**Subdivision Status Checklist**

**Village @ Summit Crest Time Extension requested to 9/11/08**

A motion was made by Roy Timpe, seconded by Joe Rudderow, to grant the time extension for Village @ Summit Crest to September 11, 2008. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Hardie Land Development Plan Time Extension requested to 8/1/08** – Mr. Unger reviewed the March 20, 2008 letter. Mr. Orlando and Mr. Unger advised the Board that their offices received a letter from Koch & Koch Attorney at Law via fax at the end of the day.

A motion was made by Roy Timpe, to grant a time extension on the Hardie Land Development Plan to August 1, 2008. Mr. Timpe amended the motion as follows: to grant the extension without prodigious to the Township to make any determination with regard to the Hardie Land Development Plan including its status as either a preliminary or a final plan at some future time. Mr. Rudderow seconded the motion. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

**Custom Milling & Consulting Time Extension requested to 8/1/08**

A motion was made by Roy Timpe, seconded by Joe Rudderow, to grant the time extension for Custom Milling & Consulting to August 1, 2008. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Subdivision Improvement Agreement LOC**

**Tree Tops Phase III Subdivision Construction Improvements LOC**

A motion was made by Roy Timpe, seconded by Joe Rudderow, upon the recommendation of the engineer, to release the Letter of Credit for Tree Tops Phase III contingent on payment of all associated bills. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Subdivisions/Zoning** – There were no reviews presented.

**Projects**

**Hoch Road Culvert Replacement** – Bids for the project were opened at the meeting. Below are listed the Bidders and the amounts.

Bidder	Total Bid Amount
DESSCO 1 Willow St. Fleetwood, PA 19522	\$108,638.00
N. Abbonizio Contractors, Inc. 1250 Conshohocken Rd. Conshohocken, PA 19428	\$137,392.00

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Landis C Deck & Sons 316 New Schaefferstown Rd Bernville, PA 19506	\$148,704.82
LSR Enterprises, Inc. 5765 Pottsville Pike Leesport, PA 19533	\$110,161.00
Professional Construction Contractors, Inc. 4220 Myriah Court Bethlehem, PA 18020	\$139,843.00
Eastern Highway Specialists, Inc. 920 N. Church St. Wilmington, DE 19801	\$217,400.00
Bertolet Construction Corp. 100 S. Church Rd. Wernersville, PA 19565	\$112,110.00
Nimaris Construction, LP P.O. Box 86 6866 Chrisphalt Dr. Bath, PA 18104	\$113,887.00
Kinsley Construction, Inc. PO Box 2886 York, PA 17504	\$120,417.00
Wexcon, Inc. 379 Tilden Road Mohrsville, PA 19541	\$141,005.00

The Engineer and Solicitor will review the bids to ensure that they meet the requirements and will advise the Board at the May, 2008 meeting.

**Act 167 Model Stormwater Ordinance** – Mr. Orlando and Mr. Unger reviewed parts of the ordinance with the Board.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Solicitor to advertise Act 167 Model Stormwater Ordinance for public hearing before the June 12, 2008 meeting at 6:45 pm. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to refer the Act 167 Model Stormwater Ordinance to the Maidencreek Township Planning Commission and Berks County Planning Commission for comment and recommendation. Hearing no questions on the motion, all members “Aye”. Motion carried.

**Wyatt Drive Tot-Lot**

A motion was made by Roy Timpe, seconded by Joe Rudderow, to award the bid for the Wyatt Drive Tot-Lot to Progressive Products & Materials in the amount of \$87,386.00 Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joe Rudderow, seconded Roy Timpe, authorizing the Chairman to sign the contracts with Progressive Products & Materials for the Wyatt Drive Tot Lot Project. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to send out Notice of Award and Notice to Proceed for the Wyatt Drive Tot Lot Project. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**2008 Annual Street Projects** - Mr. Unger and Mr. Shuman reviewed with the Board the streets that are being recommended for repair this year.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Engineer to prepare plans and specification for the 2008 Annual Street Projects and to advertised bids to be received for the following roads: West Wesner Road, White Star Road intersection, Lindbergh Avenue and Chestnut Street, East Wesner Road from Park Road to Guldin Road, Cassidy Court, and Lee Spring Road. The Chairman asked if there were any questions from the audience. Mr. Wick asked if SDE will prepare 2 plans and specifications for E.Wesner Road. Mr. Unger stated that specifications would be created for both options. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

The Board authorized the Township Manager to advise the residents of Cassidy Court two weeks before road work begins that the shoulder of the road will be paved in addition to the existing road surface.

**330 Cornerstone Drive-** Mr. Unger advised the Board that SDE did go out and investigate the willow tree in question. The tree is on the Township open space.

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing the Township Manager to send a letter to the resident at 330 Cornerstone Drive stating the findings of the Township Engineer. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Excelsior Drive/Park Road Traffic Light** - Mr. Unger reviewed the following letters with the Board: Penn Dot Review Letter dated March 27, 2008 and Traffic Planning and Design, Inc. letter dated April 7, 2008. The Board asked if the light will be a demand light? Mr. Manmiller stated that the plans have not gotten that far yet. Also, Penn Dot makes the decision as to what type of light is placed there. The Board advised Mr. Unger to write a letter to Penn Dot regarding the Township's request for a demand light be place at this location.

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing the Chairman to sign the Traffic Signal Permit Plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Subdivision Improvement Agreement LOC/Escrow Release Letters**

A motion was made by Roy Timpe, seconded by Joe Rudderow, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letter in the

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amount of \$220.58 for Melrose Place. Hearing no questions on the motion, all members voted "Aye." Motion carried.

**Sewage Enforcement Officer Activity Report** - Mr. Unger stated that the SEO Report is in the Supervisor Books for their review.

**Code Enforcement Officer Activity Report** - Mr. Unger stated that the Code Enforcement Officer Activity Report is in the Supervisor Books for their review.

**Ingot Drive** – Mr. Unger advised the Board that he has reviewed Ingot Drive and sent descriptions to the Solicitor’s office.

**OPERATION’S REPORTS** - Mr. Shuman stated that the Operations report is in the Supervisors books for their review.

**Lawn Mower** – Mr. Shuman presented the following price comparisons:

	Dealers		
Type	Passmore*	Kunkels	Whitehall Turf**
Gas	\$9,797.19	\$10,680.00	\$9,764.00
Diesel	\$11,106.19	\$11,137.00	\$11,073.00

\* Includes Delivery

\*\* Includes Delivery, set of blades, engine, filter and hyd. Filter

Park & Rec recommends the gas mower from Passmore since they service the current mowers.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to go with the Park & Rec recommendation and purchase a gas Exmark 0 Turn Mower from Passmore at a cost of \$9,797.19. The Chairman asked if there were any questions or comments. Mr. Wick asked where Passmore was located. Mr. Shuman said they are located on Rt. 100. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

**2002 Ford F350 Repair** – Mrs. Hollenbach informed the Board that the office did receive a check from the insurance company in the amount of \$2,698.60. Ms. Hollenbach also informed the Board that the check is based on the \$1000.00 deductible and that this is not the final payment. The Board asked if all three Body Shops are approved by the Insurance Company. Mrs. Hollenbach said yes. Following are the estimates received to repair the 2002 Ford F350:

	Estimate	Insurance Check	Balance
Manderbach	\$4,201.03	\$2,698.60	\$1,502.43
Station Auto Body	\$4,964.03	\$2,698.60	\$2,265.43
Ernst Henry	\$5,537.33	\$2,698.60	\$2,838.73

A motion was made by Roy Timpe, seconded by Joe Rudderow, to go with Manderbach to repair the 2002 Ford F350 with an estimated cost of \$4,201.03. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

**Pine Tree on Genesis Drive** - Mr. Shuman informed the Board that Mr. Adam would like the Township to take down the pine tree that was hit by lightning last year. The Board advised Mr. Shuman to get estimates for the next Board meeting.

#### SOLICITOR'S REPORT

**Noise Ordinance** – Ms. Dake reviewed a Revised Draft Noise Ordinance with the Board.

**Municipal Solid Waste Ordinance 162**– The Board agreed to include wording that allowed residents to use either a trash can or garbage bags with the stipulation that whatever was used would not allow trash to blow around and litter the neighborhood.

**Excelsior Drive/James Hardie**– Mr. Orlando asked the Board for permission to search the records at the court house to locate a recorded plan of the Excelsior Drive Industrial Park. He also asked the Manager search the Township records for pertinent information as it pertains to the Industrial Park, James Hardie and stormwater.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to authorize the Solicitor to search the Berks County records for the Excelsior Drive Industrial Park recorded plan. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

**Hoch Road Culvert** – Mr. Unger and Mrs. Hollenbach will approach Mr. Kopfer regarding the temporary construction easement needed for this project.

#### TREASURER'S REPORT/MANAGER'S REPORT

##### **Treasurer's Report and Bill List**

A motion was made by Roy Timpe, seconded by Joe Rudderow, to approve the March 2008 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

##### **Work related mileage**

A motion was made by Joe Rudderow, seconded by Roy Timpe, to pay \$90.90 to Rita Agnetti and to pay Diane Hollenbach \$87.11 for 2008 1st quarter work related mileage. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

#### PARK & RECREATION

**Fire Pavilion Replacement** – Mrs. Hollenbach advised the Board that the damaged pavilion has been taken down. Mrs. Hollenbach stated that they received 2 estimates for materials to build a pavilion. One estimate was a kit through the PA State Contract and the other estimate was provided by the Public Works Director designing the pavilion and purchasing the materials locally.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Road Crew to replace the Bandon Fire Company Pavilion at a cost not to exceed \$3,500.00. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

##### **Donation for Carnival Fireworks**

A motion was made by Roy Timpe, authorizing the Township to give a donation to the Fireworks Company in amount of \$4,000.00 for the Bandon Fire Company's Carnival. Mr.

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Timpe amended the motion to have the donation payable to the Blandon Fire Company. Joe Rudderow seconded the motion. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Community Park Restrooms** – Mrs. Hollenbach and Mr. Shuman reviewed the project plans for the Community Park Restrooms with the Board. Mrs. Hollenbach stated that the project is on hold until DCNR reviews the Township's grant application for the project. Mr. Beaver asked the engineer to look into some sort of flow or pressure valve that would shut off the water if it were left running. The Board would like Park & Rec to come up with a plan regarding the opening/closing and cleaning of the restrooms.

**RECYCLING** – Mrs. Hollenbach advised the Board that the recycling contract is up at the end of the year. The Board advised Mrs. Hollenbach to contact the current recycling company.

**EMERGENCY MANAGEMENT** – Mrs. Hollenbach reviewed with the Board outstanding classes that need to be taken.

**PUBLIC COMMENT**

Larry Swanson – 1010 Maidencreek Road Mr. Swanson requested a copy of the Draft Noise Ordinance. Mr. Swanson will forward to the Board some information regarding the burning of sewage sludge in the state of Connecticut.

Mrs. Hollenbach informed the Board that Richmond Township discussed the letter that was sent to Lehigh Cement at their meeting. Lehigh Cement notified the Township of a second test burn of dried biosolids. The Board advised Mrs. Hollenbach to send a copy of the letter to Maidencreek Township Authority.

Mr. Tranquillo – Reported two more dustings from Lehigh Cement. The Board asked Mr. Kline to call DEP regarding this issue. Mr. Tranquillo would like to go to a person at the Township. The Board advised that he can call the office at anytime but he should be calling the Reading Office of the DEP when the dusting incidents are happening.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to send a letter to Lehigh Cement asking if there had been any dusting on April 5<sup>th</sup> or 9<sup>th</sup> regarding a resident complaint to our office. Hearing no further questions on the motion, all members voted "Aye". Motion carried

**RESOLUTIONS**

12-2008 Accepting Terms and Conditions of DCNR C2P2 Grant for the Community Park Restrooms

A motion was made by Roy Timpe, seconded by Joe Rudderow, adopting Resolution 12-2008 Terms and Conditions of DCNR C2P2 Grant for the Community Park Restrooms. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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BUSINESS

Blandon Meadows IV Street Light Pole Replacement

A motion was made by Roy Timpe, seconded by Joe Rudderow, to replace the Street Light pole in Blandon Meadows IV with an aluminum pole not to exceed \$1,300.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Authorize Chairman to Sign Electronic Filing Paperwork for State Forms

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing the Chairman to sign Electronic Filing Paperwork for State Forms. Hearing no questions on the motion, all members vote "Aye". Motion carried.

Donation to Fleetwood Area School District for 2 poles and used bleachers

A motion was made by Roy Timpe, seconded by Joe Rudderow, to donate \$750.00 to Fleetwood Area School District for 2 poles and used bleachers to come from Park and Recreation budget. Hearing no questions on the motion, all members voted "Aye". Motion carried.

New Planning Commissioners – Mr. Rudderow asked if the new Planning Commissioner members are taking any classes. Mrs. Hollenbach stated that everyone received the information on the Community Planning Class; however, the first class is on the same night as the Planning Commission meeting.

Since there was no further business, a motion was made by Joe Rudderow, seconded by Roy Timpe, to adjourn the April 10, 2008 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 10:18 P.M.

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Recording Secretary, May 8, 2008

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Township Secretary, May 8, 2008

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 Hobaugh, 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