

Maidencreek Township Board of Supervisor Meeting
May 14, 2009 7:00 pm

Present: Claude Beaver, Roy Timpe, Joseph E Rudderow III, Eugene Orlando– Orlando Law Offices, Tom Unger– Systems Design Engineering, Inc., Diane Hollenbach – Manager.

Guests: Scott Miller, Chris Bradley, Tina Stewart, Jim Hollenbach, David Meherl, Jason Nix, Mark Halteman, Carl Weston.

Claude Beaver called the May 14, 2009 meeting of the Maidencreek Township Board of Supervisors to order at 7:00 pm in the Maidencreek Township Municipal Building.

POLICE REPORT –

The Northern Berks Regional Police responded to 341 assignments in Maidencreek Township in the month of April. This resulted in 100 citations. The traffic fines for Maidencreek for the month of April were \$2,873.56. In addition, non-traffic fines were \$903.50, totaling \$3,777.06. The total number of patrol hours was 892.61 for the month.

APPROVAL OF THE MINUTES

A motion was made by Joe Rudderow III, seconded by Roy Timpe, to approve the April 9, 2009 Regular Meeting Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joe Rudderow III, seconded by Roy Timpe, to approve the April 14, 2009 Special Meeting Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joe Rudderow III, seconded by Roy Timpe, to approve the April 29, 2009 Special Meetings Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ENGINEER'S REPORT

Subdivision Review Status Checklist

Corrado Commercial Preliminary Plan

A motion was made by Roy Timpe, seconded by Joe Rudderow III, to grant the developer's request for a 90-day time extension to the review period for the Corrado Commercial Preliminary Plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivisions/Zoning –

Village @ Summit Crest Final Plan - Mr. Scott Miller of Stackhouse Bensinger Inc. and Mr. Bradley of the Village @ Summit Crest attended the meeting to get the Board's option on reducing the number of over flow parking spaces in Phase II. The Planning Commission had raised some concerns regarding the plan at the

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variance/special exception hearing that was scheduled for May, 21, 2009 and asked the Supervisors to send the Township Engineer to the hearing to communicate their concerns.

A motion was made by Roy Timpe, seconded by Joe Rudderow III, recommending the Zoning Board approve what they approved in the previous Village @ Summit Crest special exception and variance requests that is analogous to this plan; and authorizing the Township Engineer and Township Manager to attend the Zoning Board hearing; and authorizing the Solicitor to do what he thinks is prudent to make the Engineer's testimony part of the record. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Melrose Commercial Lots C4 & C5

A motion was made by Roy Timpe, seconded by Joe Rudderow III, approving the Melrose Place Commercial Lots C4 & C5 Revision to a Plan of Record contingent upon completion of the items outlined in the Planning Commission letter dated May 7, 2009 and SDE letter dated May 6, 2009, which are incorporated by reference, receipt of Berks County Conservation District approval, and combination of the deeds for Lot 29 and Lot C5 which shall be recorded with the recording of the final plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Projects

Act 537 Plan – No action required by the Board at this time. Mr. Unger will have something for the Board to review for the June meeting.

Annual Street Work – The Board authorized the Engineer to get an estimate on repairing the whole of Kemmerer Road, along with just repairing the damaged areas of the road. The Board also advised Mr. Unger to see if the Road Crew could repair the damaged area of Kemmerer Road.

Traffic Studies – The traffic study for right turn only from Dries Road onto Rt. 222 (w/o manual counts) was completed. The Board asked if Ontelaunee Township has responded to the letter regarding the Right Turn Only sign to be placed at Dries Road onto Rt. 222 North. The Township Manager stated that there has been no response at this time.

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Solicitor to investigate if Maidencreek Township may put a Right Turn Only sign at Dries Road onto Rt. 222 North even if Ontelanuee Township does not adopt the same ordinance, since both Townships share the road. If yes, this item shall be added to the Traffic Ordinance. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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The traffic study to place No Parking Signs along Rt. 222 South from Tom's to Maidencreek Appliance was completed.

A motion was made by Joe Rudderow III, seconded by Roy Timpe, to add to the Traffic Ordinance that No Parking Signs be put up on Rt. 222 South from Rt. 73 to Snyder Road. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivision Improvement Agreement LOC

A motion was made by Roy Timpe, seconded by Joe Rudderow III, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters in the amount of \$7,548.33. Hearing no questions on the motion, all members voted "Aye." Motion carried.

OPERATIONS REPORTS – Ms. Hollenbach reviewed the Public Works Department Operations Report and the Monthly Equipment report with the Supervisors. The Township Manager requested to purchase four tires for the John Deere tractor.

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Township Manager to purchase four tires for the John Deere Tractor at a price not to exceed \$750.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

SOLICITOR'S REPORT

Cable Franchise Renewal –

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Township Solicitor to advertise the Revised Cable Franchise Ordinance for public hearing on June 11, 2009 at 6:45 p.m. and to work with the Township Manager and if appropriate, the Township Engineer to address and perhaps adjust language in the draft ordinance to take into account comments from the Comcast Representative. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Ordinances

Zoning & Saldo Ordinance – Tabled.

Well Head Protection Ordinance – Tabled.

Noise Ordinance-

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Township Manager to send the Draft Noise Ordinance to Chief Eaken for comment without the redline comments. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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Congregate Care Ordinance – Will be addressed later in the meeting.

Amendment to the Subdivision Ordinance for changes to plans – Mr. Orlando advised that the amendment is on track for a public hearing on June 11, 2009 at 6:45 pm.

COMMUNICATIONS & QUESTIONS -
From the Board – None

From the Manager & Professionals – None

Public Comment –

Tina Stewart of 134 S. View Road, Fleetwood – Mrs. Stewart advised the Board that she called the police several times regarding loud noises coming from an enclosed garage. Mrs. Stewart began calling at 11:30 pm and no officer came until 2:30pm. Mrs. Stewart followed up by calling Chief Eaken with this information. The Manager was instructed to follow up with the Chief of Police regarding his response to Mrs. Stewart.

TREASURER'S REPORT/MANAGER'S REPORT

Treasurer's Report and Bill List –

A motion was made by Joe Rudderow III, seconded by Roy Timpe, to approve the April 2009 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted "Aye". Motion carried.

PARK AND RECREATION –
Community Park Entrance

A motion was made by Joe Rudderow III, seconded by Roy Timpe, authorizing the hiring of a contractor to pave Community Park entrance after prepped by the Road Crew with a cost not to exceed \$2,700.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Cornerstone Drive Tot Lot Renovation - The Township Manager advised the Board that the Park and Recreation Board would like to make some renovations to Cornerstone Drive Tot Lot due to vandalism and heavy use of the equipment.

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Township Engineer to mark the trees to be taken down in Cornerstone Drive Tot Lot. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Park & Recreation Board to work with the Township Engineer to

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plan renovation of Cornerstone Drive Tot Lot. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ORDINANCES

Revision to Zoning Ordinance to allow Assisted Living and Congregate Care Facilities – Mr. Hollenbach of Hollenbach Construction and Matt Doll of Boyd and Karver presented a revised draft amendment to the Township Zoning Ordinance. After a lengthy discussion between all parties, the Board, Engineer and Solicitor gave Mr. Hollenbach and Mr. Doll the following recommendations:

- Add Personal Care to the Ordinance,
- 1-1 parking space per dwelling unit ratio with a build of 80% and the remaining 20% to built when needed,
- 100% parking for the highest employee shift,
- off street loading area that will not interfere with vehicular and pedestrian follow,

Once these changes have are made, the Board recommends that Mr. Hollenbach present the revised Draft to the Planning Commission for their review. Mr. Hollenbach is still concerned about the density issue regarding the property. The Board was still considering this issue.

Lighting Ordinance –

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Township Engineer and Solicitor to recommend changes to the Lighting Ordinance. Hearing no questions on the motion, all members voted "Aye". Motion carried. The Supervisors would like to include in any future lighting ordinance the authority and process to extinguish unnecessary streetlights.

RESOLUTIONS

Berks County Association of Township Supervisors

A motion was made by Joe Rudderow III, seconded by Roy Timpe, authorizing the Township Manager to send Resolution 9-2009 Supervisor Compensation Resolution to Berks County Association of Township Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried.

OLD BUSINESS

Melrose Place Street Light Petition - Tabled.

NEW BUSINESS

Shadow Ridge Block Party- The Board is ok with the Shadow Ridge Block Party on June 6 from 4 to 10 p.m. The Police will be notified that the street will be closed but emergency vehicles will have access.

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Cub Scout Pack 183 Cub Mobile Derby – The Supervisors agreed the Cub Scouts could hold their Derby on Quarry Road on May 31 from 12-2 pm. Redners has been notified. Fire Police will direct traffic and a certificate of insurance is being issued to the Township by the Boy Scout Council.

Approval of closure of West Shore Drive June 1 & 2 – The Supervisors agreed that West Shore Drive could be closed for the filming of the movie, The Last Air Bender. It was agreed that the Bandon Fire Police could help with traffic control and use personnel from other companies as needed.

2009 Residential Recycling Drop Off Center

A motion was made by Roy Timpe, seconded Joe Rudderow III, approving the 2009 contract for Residential Recycling Drop Off Center processing by WD Zwicky in the amount of \$3,480.00 per clean up with Maidencreek Township receiving a reduced rate as a host municipality. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Opticom Preemption System

Telco has provided a quote of \$12,169 to install an Opticom Preemption System at Rt. 222 and Rt. 73 and \$13,419 for the intersection of Park Road and Rt. 73 (includes replacement of a damaged signal). The Board did not wish to pursue the installation of these systems at this time.

Road Review Update – Joe Rudderow III, Township Road Master, reported that he is in the process of reviewing the maintenance needs of the roads in the Township.

Co-Operative Purchase of Electricity – The Township Manager advised the Board of the meeting that was held regarding the pre-purchase of electricity because the costs will increase dramatically on January 2011. This pre-purchase would be for the generation and transmission of the electric and not the distribution, which is a fixed cost. The Township would receive two bills for each account. The Co-Op will provide a resolution for the Board's review.

Since there was no further business, a motion was made by Roy Timpe, seconded by Joe Rudderow III, to adjourn the May 14, 2009 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 11:00 P.M.

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Township Secretary, May 14, 2009

Cc: Board of Supervisors
Eugene Orlando, Orlando Law Office, Township 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