

Maidencreek Township Board of Supervisor Meeting
June 12, 2014 7:00 pm

Present: Claude Beaver, David Franke, Joseph Rudderow III, Tom Unger – Systems Design Engineering, Inc., Eugene Orlando, Jr. – Orlando Law Offices, Diane Hollenbach – Township Manager, Johanna Mattera – Recording Secretary.

Guests: George Sowers, Craig Momose, Tracy Bretz

David Franke called the June 12, 2014 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:03 pm in the Maidencreek Township Municipal Building.

MINUTES & FINANCES

Approval of the Regular Meeting Minutes

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to waive the reading of the minutes and approve the minutes May 8, 2014 Regular Meeting Minutes with the above correction. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Treasurer's Report and Bill List

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to approve the May 2014 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

PUBLIC COMMENT

Tracy Bretz, 218 Hope Drive, Blandon - Mrs. Bretz came to the Board to file a complaint regarding the neighbor's compost pile.

George Sowers, Chief of Blandon Ambulance Association - Came to the Board to introduce himself and invited the Board to come visit the Blandon Ambulance Building anytime.

REPORTS

ENGINEER'S REPORT

Subdivision Review Status Checklist

Esbenshades expires 6/28/14; Time extension granted by applicant to 9/28/14 -

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to grant the Esbenshade time extension until 9/28/14. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Subdivision/Zoning

Bradley Annexation Plan - Mr. Craig Momose of Stackhouse Bensinger reviewed with the Board the annexation plan. Ruscombmanor Township has approved the annexation. Mr. Orlando had reviewed the termination of easement agreements.

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to approve the Bradley Annexation Plan contingent upon the Systems Design Engineering letter dated May 23, 2014, which is incorporated by reference, extinguishment of easements and recording of combination deeds for the boundary to be recorded simultaneously with the plan. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

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2014 Road Paving Project - Township received bids on June 5, 2014.

Bids received from:

EJB	\$138,991.00
Landis C Deck	\$165,470.50

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to authorize the Engineer to proceed with the Notice of Intent to Award the 2014 Road Bid for paving of Schaeffer Road and Hoch Road to EJB Paving & Materials, Inc in the amount of \$138,991.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to authorize the use of the rest of the budgeted monies for paving not to exceed \$150,000.00 if necessary. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivision Improvement Agreement LOC/Escrow Release Letters -

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Chairman to sign Subdivision Improvements Agreement LOC/Escrow Release letters in the amount of \$86.13. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Weed and Grass Violations - Mr. Unger and Ms. Hollenbach brought to the Boards' attention that there are several properties in the Township that have not responded to notices of violation regarding high grass and weeds. The Board is very sensitive to having Township employees go on private property to mitigate the situation.

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to cite 113 S. View Road and 358 W. Walnut Tree Drive for high grass and weed violations. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

305 Faith Dr homeowner is asking if Township could mow along the wetland to the rear of 309 Faith Drive. The Board has an agreement with Fish & Boat not to mow the wetland and has received grant money to plant a riparian buffer.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to send a letter to the owners at 305 Faith Drive to explain why the Township is not cutting the grass along the stream and to advise the homeowner that they should not be cutting the grass either. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to have the Township maintain the property for weed and grass for a one time cutting of 113 S. View Road and 358 W. Walnut Tree Drive. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Claude Beaver seconded by Joseph Rudderow III, to pursue the collection of the cost of maintenance of 113 S View Road and 358 W Walnut Tree Drive including enforcement by lien. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

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Notice of Condemnation - Mr. Unger advised that 115 Grove Road, 164 S. View Road, and 59 W. Bertolet Place have all received Notices of Condemnation and the properties are not suitable for human occupancy. SDE is working with the homeowner of 59 W. Bertolet Place to correct the issues at this property. SDE has been in contact with the homeowner of 115 Grove Road; however, there are circumstances that make the owner incapable of performing the work needed. The property at 164 S View Road is not bank owned but the owners claim that they have been foreclosed upon. Mr. Orlando advised the Township to attempt to communicate with homeowner and mortgage company about the health risk at 164 S. View Road. Ms. Hollenbach did contact the homeowner of adjoining property.

A motion was made by Joseph Rudderow III to authorize the Township Manager to investigate a Social Service agency or other organizations and other options that may be able to help the owner of 115 Grove Road. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Solicitor, Engineer and Township Manager to work on sending a letter to the Bank and landowner and any other stakeholder of the property for immediate solution. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

The Board dismissed the Engineer.

MUNICIPAL SOLICITOR REPORT-

Cargill Settlement Offer- No action is required by the Board at this time.

12 Chestnut Street Easement - The owner of 8 Chestnut Street may attend the meeting. He would like the sinkhole to the rear of his property (also a rental) filled. - Mr. Orlando advised that the title search found that the alleys are privately owned and the source of the streams are naturally flowing water.

James Hardie Land Development Improvement Agreement requesting Certificate of Completion

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the chairman to sign the Certificate of Completion for the James Hardie Building Products Storm Water Plan. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Resigning Park & Recreation member - Mr. Orlando spoke with the attorney of the resigning Park & Recreation board member.

MANAGERS REPORT - Ms. Hollenbach stated the Township received a letter from the Wilson Group regarding the development of a shopping center on 84 acres along Rt 222. Due to the proposed roundabouts, the developer may request change to residential zoning for a portion of the property.

A motion was made by Claude Beaver, seconded by David Franke, to have Mr. Rudderow bring a copy of the letter to the RATS meeting. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

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Joint bid opening with Ontelanuee Township – The Dries Road Bid opening will occur on July 10, 2014 at 6:00 pm. In the Maidencreek Township Building.

Follow up on complaint about rats coming from the Top Star - The Department of Agriculture inspection of property found no rodents.

Community Days - Ms. Hollenbach said that the day went well. The Board was very thankful to all who helped with the Community Days.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to send letters out to everyone who helped with Community Days. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ROAD MASTER REPORT – Mr. Beaver reviewed the report with the Board.

Summer Kitchen and Cold Cellar and the Walnut Tree on the Authority property on Main Street

A motion was made by Joseph Rudderow III, seconded by David Franke, authorizing the Road Master to secure the area around Summer Kitchen, the Walnut Tree and Cold Cellar not to exceed \$500.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Advertise Traffic Ordinance Public Hearing - No action required by the Board at this time.

Township Open Space- Mr. Beaver advised the Board that damns had been built on Spirit Court on Township property. The Road Crew removed the material and is watching the situation. In addition, pictures of junk being stored on Township property and a fireplace and wood were shown to the Board.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Engineer, Solicitor and Manager to notify landowner that they are in violation of ordinances and to clean up area by July 10, 2014, that the Township will take further action by notification. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Engineer to verify land boundaries. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Calcium Road - Mr. Beaver would like to place no parking signs on the road.

A motion was made by Joseph Rudderow III, seconded by David Franke, authorizing the Road Master to put R77A signs on Calcium Road at his discretion. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

OLD BUSINESS

Appointment to Maidencreek Township Authority

A motion was made by Claude Beaver, seconded by David Franke, appointing Jim Nothwehr to the Maidencreek Township Authority with the term expiring December 31, 2015. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

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Appointment to Planning Commission - Tabled.

Appointment to Park & Recreation

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, appointing Keith Shuman to the Park & Recreation Board with the term expiring December 31, 2014. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

NEW BUSINESS

Discussion regarding five member Board of Supervisor - The Board discussed at length going from a 3 to 5 person Board. At this time, the Board has concluded that a three person Board is still sufficient.

Discussion and authorization to prepare recycling service bid specifications - The Board advised to bid out for recycling only.

Request to negotiate received from Labor Union - to be discussed in executive session.

The Board went into executive session to be discuss labor union negotiation and possible litigation from 10:12 pm – 11:10pm.

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, to adjourn the June 12, 2014 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Meeting adjourned at 11:10 pm.

Recording Township Secretary, June 12, 2014

Township Secretary, June 12, 2014

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