

Maidencreek Township Board of Supervisor Meeting
July 10, 2008 7:02 pm

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

Guests: Felix Pena, Jon Malsnee, Ron Reybitz, Nick Paluch, Richard & Elizabeth Olsen, W. David Zwicky, David A. Tranquillo, Henry Koch, Harold Burgert, Carl Yerger, Chris Liptak, Chris Bradley, Peter F. Giorgi, Robert Hanna, Matt Davenport, Jim Schoellkopf, Chris Kline, Dan Miller

Claude Beaver called the July 10, 2008 meeting of the Maidencreek Township Board of Supervisors to order at 7:02 pm in the Maidencreek Township Municipal Building.

POLICE REPORT –

Officer Torro reported that Northern Berks Regional Police responded to 333 assignments in Maidencreek Township in the month of June. This resulted in 65 citations. The traffic fines for Maidencreek for the month of June were \$1,932.84, and non-traffic fines were \$894.68, totaling \$2,827.52. The total number of patrol hours was 775.04 for the month.

APPROVAL OF THE MINUTES

A motion was made by Joe Rudderow, seconded by Roy Timpe, to approve the June 12, 2008 Regular Meeting Minutes. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

ENGINEER’S REPORT

Subdivision Improvement Agreement LOC

James Hardie Land Development Plan Review Period Time Extension - Mr.Unger reviewed with the Board the history of the project. Mr. Koch, the solicitor for Can Corporation of America, reviewed the letter that had been submitted to the Township regarding the flooding issue that has occurred on their property due to the land development that James Hardie has done, without final approval from the Board. Mr. Koch asked if the Board would take a position regarding this issue.

Executive Session was held from 7:15 p.m. to 8:07 p.m. to discuss potential litigation.

Mr. Beaver asked if there was a motion to accept the Time Extension to the review period for the James Hardie Land Development Plan. No motion was proposed.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to hold a Special Meeting at 8:30 pm on July 28, 2008 to consider taking action on all matters regarding the James Hardie Plan and to have the Township Manager inform James Hardie of the meeting. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Corrado Commercial Plan Review Period Time Extension

A motion was made by Roy Timpe, seconded by Joe Rudderow, to accept the time extension for the review of the Corrado Commercial Plan until November 5, 2008. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Subdivision Improvement Agreement LOC -

Notice from Bank that Meadowbrook Phase I/II LOC will not be renewed and expires 10/16/08 – No action is required by the Board at this time. The engineer will contact the developer.

Subdivisions/Zoning -

Village @ Summit Crest Final Plan – Mr. Bradley, developer of the Villages @ Summit Crest, asked the Board for guidance on how to submit revised plans; as Preliminary or Final. The only change to the Preliminary Plan is that the water source will be a Private Water System not connected to the Maidencreek Township Authority system. Mr. Bradley stated that he is doing a Water Resource Study, as required by the Ordinance. After a lengthy discussion between all parties, it was recommended that Mr. Bradley should withdraw the Final Plan and simultaneously submit a revised Preliminary Plan along with the Final Plan to the Planning Commission.

Custom Milling & Consulting – Mr. Unger reviewed the SDE letter dated July 10, 2008 and the Maidencreek Township Planning Commission Action letter dated June 9, 2008 with the Board.

A motion was made by Joe Rudderow, seconded by Roy Timpe, to grant a waiver to Section 504.A.5, Driveways required to be 25 feet wide. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to grant final plan approval for Custom Milling & Consulting contingent upon SDE’s letter dated July 10, 2008. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Projects

Hoch Road Culvert Replacement/E. Wesner Road Culvert Removal – The Board advised Mr. Unger to begin putting signs up regarding the street closing as soon as possible.

Cassidy Court Storm Water – Mr. Liptak of 351 Cassidy Court has not signed the release regarding the project he requested to correct the storm water issue on his property. Ms. Hollenbach informed the Board that Mr. Sharman had contracted Schlouch to do the swale re-grading. Mr. Unger and Mr. Orlando explained to Mr. Liptak that once all the neighbors sign the release, the work will begin and not any sooner. Mr. Liptak discussed some language in the release with the solicitor and stated that he would sign the release when everyone else had signed.

Wyatt Drive Tot Lot – Mr. Unger advised the Board that the contractor has not begun the project. A certified letter has been sent to the contractor informing him that the project is to be completed by July 19, 2008. To date there has been no response from the contractor. The Board advised the Township Manager to contact the contractor.

2008 Annual Road Maintenance – No action is required at this time from the Board.

Maidencreek Township Board of Supervisor Meeting
July 10, 2008 7:02 pm

Storm Water Investigation/Problems – Mr. Unger reviewed a preliminary layout regarding Adele/Lindberg Avenue.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to authorize the Township Manager to contact the property owners to ask about granting an easement to the Township for storm water. Hearing no questions on motion, all members voted “Aye”. Motion carried.

Municipal Building Site – No action is required by the Board at this time.

Limestone Acres/Davis Farm – No action is required by the Board at this time.

Subdivision Improvement Agreement LOC

A motion was made by Roy Timpe, seconded by Joe Rudderow, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters in the amount of \$2,076.30. Hearing no questions on the motion, all members voted "Aye." Motion carried.

OPERATIONS REPORTS – Mr. Shuman stated that the Operations report is in the Supervisors books for their review. Mr. Beaver said that the Road Crew did a nice job at the bridge on Hill Road.

SOLICITOR’S REPORT

Authorize Solicitor to collect outstanding Biundo Land Development Review Fees, take action per letter - No action required by the Board at this time.

Executive Session was held from 9:27 p.m. to 9:48 p.m. to discuss potential litigation and personnel issues.

Corrado Open Space Purchase – petition Court of Common Pleas – Mr. Orlando advised the Board that the Court Hearing is scheduled for July 16, 2008, at 1:30 pm. Mr. Orlando and the Township Manager will attend.

Esbenshade letter – Mr. Orlando updated the Board on the letter that was sent to Esbenshade Garden Center. Mr. Orlando stated that SDE sent a draft enforcement letter for his review.

Maidencreek Township Authority Resolution as suggested by Solicitor R. Hobough Jr. Mr. Orlando advised the Board that a copy of the Draft Resolution is in their packet for their review. Mr. Orlando suggested to the Board that this be a part of the Special Meeting to be held on July 28, 2008.

ORDINANCES

Revision to the Zoning Ordinance – Prior to the Township meeting there was a public hearing regarding the amendment.

Maidencreek Township Board of Supervisor Meeting
July 10, 2008 7:02 pm

A motion was made by Roy Timpe, seconded by Joe Rudderow, to adopt Ordinance 215 – Amendment to the Maidencreek Zoning & Saldo Ordinance. Mr. Rudderow commented that the proposed Ordinance addresses a lot of things that needed to be addressed. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

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 June 2008 Treasurer’s Report and Bill List. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Joe Rudderow, seconded by Roy Timpe, approving the payment of 2nd Quarter Mileage payment to Diane Hollenbach and Rita Agnetti. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Approve increase in mileage rate to \$.585 per mile per the IRS–

A motion was made by Joe Rudderow, seconded by Roy Timpe, approving the increase in mileage rate to \$.585 per mile per the IRS. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Salt Bid – Mrs. Hollenbach advised the Board that the price per ton for Salt will be \$62.23

Leesport Fire Police – The Leesport Fire Police would like to be added onto our frequency. The Board stated as long as our Fire Company and Police do not mind, they are okay with it.

July 28, 2008 - Program at the Agricultural Center to discuss Taxes - Mrs. Hollenbach advised the Board that she would post this meeting on the Township website.

AED Unit - Mrs. Hollenbach advised the Board that the purchase of a unit would be looked at during the 2009 Budget Workshops. The Board directed Mrs. Hollenbach to contact the Township Insurance agent regarding this issue.

FYI –

Mr. Folino submitted a variance application. He is looking to open a restaurant on his property adjacent to CVS.

Vacant Lot Update regarding truck parking – The Board asked that a second letter be sent to the property owner.

PUBLIC COMMENTS – No Public Comment

RESOLUTIONS

Status of the Maidencreek Township Authority -Resolution 13-2008

A motion was made by Joe Rudderow, seconded by Roy Timpe, to adopt Resolution 13-2008 adding Scott Caffrey and deleting Scott Steffy to the Sewage Enforcement Officer list. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Route 222 study request to Penn Dot – Tabled.

NEW BUSINESS

Authorize Board to sign the Jantz Subdivision Improvements Agreements –

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Board to sign the Jantz Subdivision Improvements Agreements. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Letter of Appreciation to J. Richard Thren –

A motion was made by Roy Timpe, seconded by Joe Rudderow, to send a letter from the Board, thanking Richard Thren for his years of service on the Planning Commission. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

School Zone Flashing Light Quote Telco (1 unit installed) and Signal Service (2units not installed) –

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing the purchase of 2 -14” Pedestal Pole Complete with Pole Cap, 2 – Type II School Signal Complete with side of Pole mounting brackets and indicator lamp fixture, 2 – solid state flasher cabinet with eltec time clock and shipping and handling not to exceed \$4,268.00 from Signal Service. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing County Plumbing & Electric to install the flashing school lights with the cost not to exceed \$1,522.58. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

Permission to hold a Pig Roast in the Community Park

A motion was made by Roy Timpe, seconded by Joe Rudderow, giving Mr. Van Etten permission to use the Maidencreek Community park beginning at 12:00 am August 10, 2008 for the purpose of roasting a pig for an event to be held during regular park hours. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Solicitor to draft a boilerplate release for this type of activity going forward. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to have Mr. Van Etten sign the release form and to provide proof of insurance from the licensed food vendor. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Walnuttown Storm Water School Addition – Mr. Unger reviewed the storm water plans and advised the Board that the storm water from the new elementary school had no effect on Maidencreek Township land.

Comments from the Supervisors

Mr. Rudderow wanted to see as if the Board would be interested in sending a letter to our State Representative inquiring about available grant moneys to help fund purchases of Township equipment.

Maidencreek Township Board of Supervisor Meeting
July 10, 2008 7:02 pm

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing the Township Manager to send a letter to Senator Rhoades's office inquiring about available grant money that can be used for the purchase of Township equipment. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

Since there was no further business, a motion was made by Joe Rudderow, seconded by Roy Timpe, to adjourn the July 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 10:33 P.M.

Recording Township Secretary, August 14, 2008

Township Secretary, August 14, 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 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