

Maidencreek Township Board of Supervisor Meeting
August 14, 2008 7:21 pm

Present: Claude Beaver, Roy Timpe, Joseph E. Rudderow III, Eugene Orlando, Jr. – Roland & Schlegel, John Loeper – Systems Design Engineering, Inc., Diane Hollenbach – Manager.

Guests: David A. Tranquillo, Robert E. Kopfer, Kaye Endres, Cindy Stump, Carl Weston.

Claude Beaver called the August 14, 2008 meeting of the Maidencreek Township Board of Supervisors to order at 7:21 pm in the Maidencreek Township Municipal Building. Mr. Beaver informed the audience that an Executive Session was held prior to the beginning of this evening's meeting to discuss personnel issues.

POLICE REPORT –

Officer Drazanovich reported that Northern Berks Regional Police responded to 359 assignments in Maidencreek Township in the month of July. This resulted in 69 citations. The traffic fines for Maidencreek for the month of July were \$1,788.69. In addition, non-traffic fines were 688.60, totaling \$2,477.29. The total number of patrol hours was 874.66 for the month.

APPROVAL OF THE MINUTES

A motion was made by Joe Rudderow, seconded by Roy Timpe, to approve the July 10, 2008 Regular Meeting Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joe Rudderow, seconded by Roy Timpe, to approve the July 28, 2008 Special Meeting Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

OPEN SEALED BIDS @ 7:30 PM – SALE OF TOWNSHIP OPEN SPACE –

The sealed bids were opened at 7:37p.m. Only one bid was received, which was from Angelo and Pamela Corrado for \$1,500.00 for Parcel #61-5411-20-90-5325. The matter was tabled for discussion in executive session.

ENGINEER'S REPORT

Subdivisions/Zoning -

Sarah Care Senior Day Care – The Planning Commission has recommended that the Board of Supervisors allow a Preliminary/Final Plan submittal.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to allow Sarah Care Senior Day Care to submit the plan as a Preliminary/Final Plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to authorize the Chairman to sign the Planning Module Exemption for Melrose Lot #3. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Folino Variance on Parking Space Requirements– Planning Commission has recommended the variance NOT be granted - The Board discussed at length the request from Rudy Folino asking for a variance to the Zoning Ordinance parking space requirements for an eating establishment.

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A motion was made by Roy Timpe, seconded by Joe Rudderow, to send a letter to the Zoning Hearing Board that the Board does not support the variance requested to reduce the number of required parking spaces for an eating establishment at the strip mall along Allentown Pike. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Projects

Hoch Road Culvert Replacement – Mr. Loeper updated the Board on the progress of the project.

A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing payment of application #1 to DESSCO Construction to pay for the Hoch Road Culvert work through 7/31/08 for \$61,002.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Wyatt Drive Tot Lot – Mr. Loeper updated the Board on the progress of the project. The contractor is currently in violation regarding the period for completion.

2008 Annual Road Maintenance – Mr. Loeper advised the Board that EJB Paving, the project low bidder, is requesting a time extension to the contract until September 12, 2008.

A motion was made by Roy Timpe, seconded by Joe Rudderow, in response to EJB's letter dated August 12, 2008 requesting a time extension, authorized the Engineer to prepare a change order granting a time extension until September 12, 2008 and to have the Engineer attach the EJB Paving letter to the change order. Hearing no questions on the motion, all members voted "Aye". Motion carried.

The Board requested that the roads that are heavily traveled by school buses be done first.

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 \$1,581.96. 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 Reports is in the Supervisor Books for their review.

OPERATIONS REPORTS –

A motion was made by Roy Timpe, seconded by Joe Rudderow, to table the Operations Report. Hearing no questions on the motion, all members voted "Aye". Motion carried.

SOLICITOR'S REPORT

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

Act 537 Plan - Diane Hollenbach brought to the Board’s attention that the Township’s Act 537 Plan, Phase II has not been completed. The Board had a lengthy discussion regarding the 3-year cyclical mandatory on lot sewage system pumping requirement made by the DEP. The Solicitor advised the Board that the Township would not be likely to win a challenge of this requirement. The Board decided to table any action on the Act 537 Plan, Phase II until the PA DEP sends written notice that the Act 537 plan must be adopted with an ordinance that requires the mandatory pumping of on lot sewage systems.

Appeal of Zoning Hearing Board Decision, Praise Christian Fellowship – Litigation to be discussed in executive session.

Ordinances

The Board is currently working on the following ordinances: Zoning & Saldo Ordinance, Well Head Protection Ordinance, Noise Ordinance, and an Open Records Resolution. No action was taken by the Board on any ordinances at this time.

TREASURER’S REPORT/MANAGER’S REPORT

Treasurer’s Report and Bill List –

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

Crossings at Maidencreek – Ms. Hollenbach informed the Board that Mr. Corrado has not been able to obtain an easement from Jackie Moyer for his sewer extension. Mr. Corrado will be bringing in revised preliminary and revised final plans to the Planning Commission. Mr. Corrado has already attended MTA’s meeting regarding the change.

Esbenshade - Ms. Hollenbach informed the Board that Mr. Esbenshade has received the letter sent by the Solicitor and had stopped by the Township Office. Mr. Orlando stated that Mr. Esbenshade had called his office in response to the letter.

Zwicky Power Station - Ms. Hollenbach informed the Board that PP&L had called the office and they will be bringing in a Conditional Use Application.

Emergency Management Coordinator – Ms. Hollenbach informed the Board that Chris Kline had received his Basic Certification in Emergency Management.

Truck Parking issue next to Top Star - Ms. Hollenbach stated that the situation has not changed. A meeting has been set up with the Township Engineer, Chief of Police, Jon Simon

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and herself to resolve this issue. Ms. Hollenbach also informed the Board that the office has received a complaint regarding truck parking next to Power Styling.

Voting Districts - Ms. Hollenbach informed the Board that there would be an additional voting district added this year. She is of the understanding that the Maidencreek Church (Red Brick) will be an additional voting place.

Andrew Maier School Zone Lights – Ms. Hollenbach informed the Board that the lights have been installed.

PARK & RECREATION

Replace Wood Decking on Community Park Upper Bridge

A motion was made by Roy Timpe, seconded by Joe Rudderow, to approve the purchase of materials to replace wood decking on the Community Park upper bridge with composite board with the cost not to exceed \$1,000.00. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Purchase of Certificate of Deposit for the Community Park Restroom Project.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Township Manager to get information on 6 month and 12-month CD rates on \$100,000.00. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

PUBLIC COMMENTS – No Public Comment

RESOLUTIONS

Resolution 16-2008 to appoint Orlando Law Offices PC until the 2009 Reorganization Meeting

Mr. Orlando advised the Board that he has left Roland & Schlegel and started his own firm, Orlando Law Offices PC.

A motion was made by Roy Timpe to adopt Resolution 16-2008 appointing Orlando Law Offices PC as the Township Solicitor until the 2009 Reorganization Meeting. Mr. Rudderow asked if Roland & Schlegel is ok with the Board selecting Mr. Orlando’s firm. Mr. Orlando advised that this is an appointment. The Board can change Solicitor, Engineer or Accounting Firm anytime during the year through Resolution. Mr. Rudderow seconded the motion. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Chairman to sign the letter allowing the Township’s files to be removed from the Roland and Schlegel office and transferred to the Orlando Law Office. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

NEW BUSINESS

Community Map – The Board approved copy to be printed in the Community Map.

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Personnel Committee Meeting – Ms. Hollenbach was authorized to get dates together for a Personnel Committee Meeting for the end of August and beginning of September.

Executive session from 9:20pm to 10:15pm to discuss personnel issues and litigation.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to accept the bid to purchase Purpart 2 of the Spirit Court Open Space for \$1,500.00 subject to full compliance with all the bid specification requirements. All members voted, "Aye." Motion carried.

Joe Rudderow questioned if we have been reimbursed for painting the Schaeffer Road Bridge. The Board instructed the Township Manager to send a bill to the County for time and material.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to approve line painting for all Township Roads that receive white and yellow striping through the Berks County Cooperative Purchasing Council Bid with the cost not to exceed \$13,000. All members voted, "Aye." Motion carried.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to approve painting of School Zones and crosswalks per the quote from Berks Traffic with the cost not to exceed \$1000. All members voted, "Aye." Motion carried.

Comments from the Supervisors – None.

Since there was no further business, a motion was made by Joe Rudderow, seconded by Roy Timpe, to adjourn the August 14, 2008 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 10:23 P.M.

Recording Township Secretary, September 11, 2008

Township Secretary, September 11, 2008

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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