

Maidencreek Township Board of Supervisor Meeting  
November 13, 2008 7:03 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: Mark Halteman, Carl Weston, Susan Myers, Chuck Myers, David A. Tranquillo, Fay Isamoyer, L.P. Swanson.

Claude Beaver called the November 13, 2008 meeting of the Maidencreek Township Board of Supervisors to order at 7:03 pm in the Maidencreek Township Municipal Building.

**POLICE REPORT –**

Officer Dillman reported that Northern Berks Regional Police responded to 342 assignments in Maidencreek Township in the month of October. This resulted in 45 citations. The traffic fines for Maidencreek for the month of October were \$2,175.91, and non-traffic fines were \$1,077.63, totaling \$3,253.54. The total number of patrol hours was 785.52 for the month.

Mr. Timpe stated that it is his perception that there have been an increase in DUIs. Officer Dillman responded that yes, there has been an increase and most are well above the minimum.

**APPROVAL OF THE MINUTES**

A motion was made by Joe Rudderow, seconded by Roy Timpe, to approve the October 9, 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 October 22, 2008 Regular Meeting Minutes. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

**ENGINEER’S REPORT**

**Projects**

**339/343 Cassidy Court Storm Water** – Mr. Unger informed the Board the project is complete and that the contractor did a nice job. Mr. Unger stated that they went back to the original design using pipe from the end-wall across the driveway to inlet and eliminated landscape retaining wall. The only thing left is some driveway restoration.

**Wyatt Drive Tot Lot** - Mr. Unger advised that there are still items that need to be completed from the punch list and there are items that need to be replaced by the contractor. Mr. Unger believes that this project is going in a bad direction.

**Executive session was held from 7:14 pm to 7:35 pm to discuss possible litigation.**

**2008 Annual Road Maintenance** – Mr. Unger advised that work is complete and has been inspected by Penn Dot.

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A motion was made by Joe Rudderow, seconded by Roy Timpe, authorizing payment Application #1 in the amount of \$235,051.20 to EJB Paving. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Kopfer Paper Drop Trailer** – The Township Engineer investigated the location of the paper trailer. It does not meet the Penn DOT line of site regulations. Three driveways across the street also do not meet the regulations. Two options are possible to bring the trailer into compliance: Move the trailer thirty feet toward the crest of the hill or reduce the speed of this section of East Wesner Road from 35 M.P.H. To 30 M.P.H. The Board instructed the Manager to add the reduction of speed to the traffic ordinance list. When enough items are on the list, the Board will advertise an amendment to the Traffic Ordinance.

**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 \$1,358.80. Hearing no questions on the motion, all members voted "Aye." Motion carried.

**Subdivision/Zoning** –

**Senior Housing Presentation** - Attorney Matt H. Doll is representing Hollenbach Construction. The developer would like to build an Assisted Living Center at Hoch Road and East Park Road on a five acre lot, which is zoned C1. Mr. Chris Henderson, Executive Director of Villa @ Morlatton, explained what they would like to build a complex containing one and two bedroom apartments to house senior citizens. Assisted living facilities nor apartments are listed as uses in the C1 Zoning section of the Township's Ordinance. Gene Orlando pointed out that the developer might want to look at Ordinance 164, which allows age restricted housing by conditional use and sets forth special regulations for this use. The Board advised the developer to go before the Planning Commission with their request.

OPERATIONS REPORTS – Ms. Hollenbach reviewed the Public Works Department Operations Report and the Monthly Equipment report with the Board.

**Authorize Repair of Steering on Truck #1 at Berman Freightliner at a cost of \$1,900.00 –**

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the repair of the steering on Truck #1 at Berman Freightliner, not to exceed the cost of \$1,900.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Authorize Purchase of 4 Rear Tires for Truck #7 at a cost of \$450.00 –**

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the purchase of 4 Rear Tires for Truck #7 at a cost of \$450.00. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

**Disposal of Truck #3** – Ms. Hollenbach advised the Board that the cost to rebuild the transmission on the old Truck #3 is approximately \$4,000.00. The Board advised Ms. Hollenbach to find out scrap pricing for the truck.

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A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Township Manager to put out for sealed bid to sell old Truck #3 as is with or with out the plow. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**John Deere JD5510** – Ms. Hollenbach advised the Board that the John Deere JD5510 is in need of repair.

A motion was made by Roy Timpe, seconded by Joe Rudderow, to repair the John Deere JD5510 not to exceed to \$4,000.00 and to find out what caused the glazing. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Truck Parking next the Top Star Gas Station** – Mr. Rudderow advised the Board that he noticed a truck parked in the lot next to Top Star Gas Station this evening. Ms. Hollenbach advised that since the barriers have been put in there have been no complaints. Ms. Hollenbach will ask Chief Eaken if the barriers are adequate or if "No Parking" signs are needed.

#### SOLICITOR'S REPORT

**Recycling Contract 1 Year renewal** - The Board authorized the Manager to send the recycling contract renewal to Waste Management for signature.

**Discussion regarding Codification** – Ms. Hollenbach advised that the Editorial Analysis of the Codification of the Township's Ordinances has been received. Comments are due by January 17, 2009. The Solicitor is working on review of this document.

#### PUBLIC COMMENT

Mr. David Tranquillo of Buena Vista Road, Fleetwood, asked who is responsible for the poor polling places and the rules regarding election signs. The Board advised that the County Election Services is responsible.

#### 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 October 2008 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted "Aye". Motion carried.

#### OLD BUSINESS –

**2009 Budget** – The Board reviewed at length various items in the 2009 Budget. The Board also reviewed the Police portion of the Budget and made various recommendations. The Board is recommending to the Northern Berks Regional Police Department begin looking for a new location for the future due to the increase proposed for 2009 in rent.

A motion was made by Roy Timpe, seconded by Joe Rudderow, authorizing the Township Manager to send a second letter to Ontelaunee Township and the Police Commission stating that the Township would prefer that the rent charged to the Northern Berks Regional Police Department remain the same for 2009. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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**Executive session was held from 9:00 pm to 10:09 pm to discuss personnel issues relating to the 2009 Budget.**

A motion was made by Roy Timpe, seconded by Joe Rudderow, approving the 2009 Police Budget contingent upon the following changes: no new car to be purchased, rent to remain the same as in 2008, and the 2008 MMO will be picked up by the police. Hearing no questions on the motion, all member "Aye". Motion carried.

The Solicitor and the Engineer have agreed to increase their rates by only 3%, and the Solicitor agreed to hold the increase until April 1, 2009. Ms. Hollenbach suggested reducing the summer help to two from four people.

A motion was made by Joe Rudderow, seconded by Roy Timpe, to have the Solicitor send a letter to PA Department of Revenue & IRS asking their opinion regarding the Board requesting waiving of wages and if there would be any tax liability on the Township (Employer) and the Board (Employee). Hearing no questions on the motion, all members voted "Aye". Motion carried.

Mr. Timpe suggested the Township spread the Minimum Municipal Obligation for the pension over the next 12 months and make double payments for the first six months.

Joe Rudderow asked Ms. Hollenbach to check how much a BJ's membership is versus Sam's Club.

A motion was made by Roy Timpe, seconded by Claude Beaver, authorizing Joe Rudderow to purchase an 18 Volt DeWalt Drill Combo package from Bell Hardware contingent upon the Solicitor's approval and not to exceed \$250.00. The Board advised Ms. Hollenbach to get the part number from Mr. Rudderow and get three quotes. Hearing no further questions on the motion, the Board voted as follows: Roy Timpe and Claude Beaver "Aye". Joe Rudderow "Abstained". Motion carried.

Since there was no further business, a motion was made by Joe Rudderow, seconded by Roy Timpe, to adjourn the November 13, 2008 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 10:59 P.M.

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Recording Township Secretary, December 11, 2008

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Township Secretary, December 11, 2008

Cc: Board of Supervisors  
Eugene Orlando, Roland & Schlegel, Solicitor  
Thomas Unger, Systems Design Engineering, Inc., Township Engineer  
Planning Commission  
Park & Recreation Board

JoAnn Schaeffer, MTA Secretary  
Robert Hobough, Jr. Esq., Stevens & Lee,  
Greg Unger, Systems Design Engineering, Inc  
Barbara Hassler, Tax Collector  
Daniel Miller, Blandon Fire Company Chief

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Zoning Hearing Board and Alternates  
Paul Herbein, Zoning Hearing Board Solicitor  
Maidencreek Township Authority  
Patrick Donovan, Maidencreek Township Authority General Manager

Chief Scott W. Eaken, Northern Berks Regional Police