

Maidencreek Township Board of Supervisor Meeting
July 11, 2013 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: Al Anderson, Bob McDonough, Carl Weston, Teresa F. Franke, Jason Bailey

Joseph Rudderow III called the July 11, 2013 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 pm in the Maidencreek Township Municipal Building.

MINUTES & FINANCES

Approval of the Regular Meeting Minutes

A motion was made by Claude Beaver, seconded by Dave Franke, to waive the reading of the minutes and approve the minutes of the June 13, 2013 Regular Meeting. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

A motion was made by Dave Franke, seconded by Claude Beaver, to waive the reading of the minutes and approve the minutes of the June 21, 2013 Special Meeting. Hearing no questions on the motion, all members voted as follows: Dave Franke and Claude Beaver “Aye”, Joseph Rudderow III “Abstained”. Motion carried.

Treasurer’s Report and Bill List

A motion was made by Claude Beaver, seconded by Dave Franke, to approve the June 2013 Treasurer’s Report and Bill List. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

PUBLIC COMMENT

Al Anderson and Bob McDonough, Spirit Court, Blandon – Both men came to the Board to discuss their concerns regarding the Willow Creek behind their home.

A motion was made by Claude Beaver, seconded by Dave Franke, authorizing the Township Engineer to contact DEP and meet out at the site if possible. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Carl Weston – President of the Rt.222 Task Force (citizens group) came to invite the Board to the task force meeting which is held on the 3rd Thursday of the month.

REPORTS

ENGINEER’S REPORT

Overview of Zoning Update – Mr. Bruce Heilman of Systems Design Engineering presented to the Board the overview of the zoning updates. Mr. Unger advised the Board that the zoning map will be presented to the Board for approval.

Subdivision Review Status Checklist – All plans are current.

Projects:

2013 Street Projects Contracts – Mr. Unger reviewed with the Board the 2013 Road Bids and indicated that EJB Paving was low bidder at \$129,487.60. The contract had been awarded at the June 21, 2013 Special Meeting.

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A motion was made by Dave Franke, seconded by Claude Beaver, authorizing the Chairman to sign contract with EJB Paving for the 2013 Street Project. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Dave Franke, seconded by Claude Beaver give EJB Paving Notice to Proceed. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Norfolk Southern – No action required by the Board at this time. Norfolk Southern has not responded to phone calls or emails about the bridge.

Subdivision Improvement Agreement LOC/Escrow Release Letters – The Solicitor asked to have the motion deferred until it is discussed under his report.

MUNICIPAL SOLICITOR REPORT

Crossing at Maidencreek Revised Plan- sidewalks, street trees and streetlights –

Mr. Orlando advised the Board that the FDIC is looking to wrap up all of the NOVA Bank issues. The Board and Mr. Orlando discussed at length the issue of sidewalks, street trees and streetlights. The Board would like to see sidewalks along Hill Road.

A motion was made by Claude Beaver, seconded by Dave Franke, requiring sidewalks on Hill Road and sidewalks on the un-named stub-street be installed whenever the rest of the property is developed. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Dave Franke, not requiring Streetlights on Hill Road for Lots 1 through 10 of the Crossing at Maidencreek. The motion was amended by Mr. Beaver to also eliminate street trees. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Melrose Place Extension of Improvement Agreement - Mr. Orlando advised that the he has read the addendum to the Improvement Agreement and recommends that the Board sign the agreement.

A motion was made by Dave Franke, seconded by Claude Beaver, authorizing the signing of the addendum to the Maidencreek Township Developers Improvement Agreement with Rudolfo Folino with regard to the Melrose Place Subdivision that would reinstate and extend the Developers Improvement Agreement time frame. Subject to having the Township Manager and Township Engineer verify the correct book and page numbers before the documents are returned to Developer's attorney. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Dave Franke, seconded by Claude Beaver, to sign the New Storm Water Maintenance agreement subject to the Township Engineer final review before it is released back to developer for court reporting. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Mr. Orlando advised that since the developer's improvement agreement has been extended and reinstated it is now appropriate for the Board to entertain the escrow reduction from Folino.

A motion was made by Dave Franke, seconded by Claude Beaver authorizing the Chairman to sign Subdivision Improvements Agreement LOC/Escrow Release letter in the

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amount of \$353,597.40 as soon as the documents are verified from the previous motion. Hearing no further questions on the motion all members voted, "Aye". Motion carried.

Melrose Place Detention Basin - Mr. Unger advised the Board that the Melrose Place is moving ahead with the conversion to meet the new NPDES permit requirements.

A motion was made by Claude Beaver, seconded by Dave Franke to have the Township Solicitor, Engineer and Manager to come up with language to reflect the change to Melrose Place Basin. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Mr. Orlando advised the Board that he would not be available for the August meeting.

WATER AUTHORITY – A report was submitted for the Board's review.

MANAGER'S REPORT

Health Insurance - Ms. Hollenbach advised the Board that the health insurance increased this year by 13.86%.

Request for four Way stop at Hoch Road – The Board took no action on the request.

Right to Know request to Penn DOT – Penn DOT asked for a 30-day extension, which was yesterday. Ms. Hollenbach advised that she would appeal if nothing received by tomorrow.

Pig Roast for Volunteers - To be held sometime in September.

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

Dries Road - Mr. Beaver advised the Board that the Dries Road needs to be repaired. However, a joint project needs to be done between Ontelaunee and Maidencreek. Ms. Hollenbach will attend Ontelaunee's Township Meeting.

A motion was made by Dave Franke, seconded by Claude Beaver to have the Board send a letter to Ontelaunee Township and a copy of Ordinance #1999-6 and request that it be placed on Ontelaunee's agenda. Hearing no questions on the motion, all members voted "Aye". Motion carried.

TAX COLLECTION COMMITTEE – No activity to report.

POLICE COMMISSIONER and MEETINGS UPDATES

Mr. Rudderow reviewed with the Board the meeting held with Senator Argall and Deputy Secretary of Transportation, Scott Christy, regarding the proposed round a bouts on Rt. 222 and the Townships concerns. The Township is working with the agencies to help with this issue.

Mr. Rudderow reviewed the Police Commission Meeting. Mr. Rudderow advised the Board that the Borough of Leesport would like their hours reduced which would involve opening of the Charter to reflect that. Maidencreek Township does pay for 24hr coverage and Maidencreek pays approximately 47% of Northern Berks Police costs. In addition, the study that was brought up in May's meeting has still not been agreed upon.

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Mr. Franke read aloud the following:

Leesport Borough may only generate 14.5 percent of the calls for Northern Berks Regional Police, but by belonging to a regional system, Leesport is reaping the most benefit of all three municipalities by having 24/7 coverage and access to specialized services while Maidencreek and Ontelaunee Township pay the majority of the cost. An argument might be made that the other two municipalities are already subsidizing the Borough's police service by participating in a regional system. I would challenge the Borough to show me a plan where they have 24 hour a day coverage with a detective, trained truck unit and 13 officers that excel at their jobs on a yearly budget of \$379,407.95. Right now Leesport gets an equal vote on all matters before the Police Commission. I am sure that Maidencreek Township will consider all proposals from the Borough if they are willing to consider weighting the Commission's voting to be based on the percentage of costs paid. This then would give Maidencreek Township 54% of the vote, Ontelaunee Township 31.5% and Leesport Borough 14.5%. In this cooperative effort, the benefits and costs of working together cannot be measured just by calls generated. Leesport Borough officials need to look at the other benefits and services they are receiving around the clock including an equal vote on the Commission to determine if they are getting value for their dollar.

A motion was made by Dave Franke, seconded by Claude Beaver, to send a letter to the Borough of Leesport that the Township is not interested in opening up the agreement we have with them now, just to make it reasonable to them unless they are willing to open up the whole charter to make an adjustment that is going to better suit the Commission, Police Department, the Municipalities served by all three and that we do it with modernization of the whole agreement. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Joseph Rudderow advised that there is not going to be Police Commissioner meeting in August.

The Board went into executive session from 10:10 – 10:14pm to discuss personnel issues.

A motion was made by Dave Franke, seconded by Joseph Rudderow III, to take action on employee upon advice of labor attorney. Hearing no questions on the motion, Joseph Rudderow III and David Franke voted "Aye". Claude Beaver abstained. Motion carried.

Since there was no further business, a motion was made by David Franke, seconded by Claude Beaver, to adjourn the July 11, 2013 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Meeting adjourned at 10:15 pm.

Recording Township Secretary, July 11, 2013

Township Secretary, July 11, 2013

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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
Dan Becker, Kozloff Stoudt Attorneys, 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