

Maidencreek Township Board of Supervisor Meeting
October 10, 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: Dale Wilcox, Mary & George Archer, Debra & John Privatora.

PUBLIC HEARING -

Joseph Rudderow III called the October 10, 2013 Public Hearing over to Solicitor Orlando at 7:00 pm.

Mr. Orlando advised the Board that this is a time that has been advertised for a Public Hearing to consider adoption of Ordinance #2013-232 an Ordinance of the Township of Maidencreek Berks County, PA amending the Code of Ordinances (Ordinance 223) by amending Chapter 178, entitled “Solid Waste Article II Recycling” by adding a new definition and requirements for recycling at Community Events. Mr. Orlando advised the Board of the following Board Exhibits:

1. Proof of Publication of Notice of this Public Hearing, which was advertised in the Reading Eagle on September 27, 2013.
2. Copy of the Full Text of the Ordinance, which also contains the stamp of the Berks County Law Library dated September 27, 2013, evidencing the fact that an attested copy of this Ordinance was filed with the Berks County Law Library.
3. Transmittal Letter from Mr. Orlando’s office to the Reading Eagle Company dated September 26, 2013 evidencing the fact that the full text of this Ordinance was forwarded to the Reading Eagle.
4. Letter from Mr. Orlando dated September 28, 2013, evidencing the fact that attested copy of the Ordinance was forward to the Berks County Law Library.

Mr. Orlando reviewed with the Board the final ordinance.

Mr. Orlando asked if there is any additional comment from the Public or the Board on the ordinance. There was no Public or Board comment made.

Mr. Orlando advised that the Board has advertised that immediately following this Public Hearing the Regular Monthly Meeting of the Board of Supervisors will be convened at which time the Board intends to adopt this same Ordinance.

The Chairman closed this Public Hearing at 7:05 pm.

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Joseph Rudderow III called the October 10, 2013 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:05 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 minutes of the September 25, 2013 Regular Meeting. 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 Dave Franke, to approve the September 2013 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by Dave Franke, to authorize payment of Pension MMO for 2013 in the amount of \$33,940.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

PUBLIC COMMENT

Mr. Dale Wilcox – 212 Faith Drive – Came to the Board to discuss painting of a sign on the side of a neighbor's home. The Board asked if the neighbors have talked to the individual. The neighbors have not spoken to the individual. The question at hand is the neighbors believe that it is a sign; however, the individual may view it as artwork. The Board asked the residents to reach out to the homeowner.

A motion was made by David Franke, seconded by Claude Beaver, authorizing the Township Solicitor and Engineer to further investigate this concern with regard to the Chew Male Pouch Tobacco on the side of the home. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Mary & George Archer – Faith Drive – Same issue as Mr. Wilcox.

Debra & John Privatara – Faith Drive – Same issue as Mr. Wilcox.

REPORTS

ENGINEER'S REPORT

Subdivision/Zoning

Giorgio Foods Inc.-Freezer Addition Preliminary Plan - Mr. Kevin Miller of Giorgio Foods and Mr. Steven Bensinger of Stackhouse & Bensinger reviewed with the Board the freezer addition. The Maidencreek Township Planning Commission recommended granting preliminary plan approval conditional upon the items outlined in the September 23, 2013 Systems Design Engineering Inc. review letter.

A motion was made by David Franke, seconded by Claude Beaver, to approve the Giorgio Freezer Preliminary Plan as it presented conditional upon completing the items outlined

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in the Systems Design Engineering review letter dated October 10, 2013, which is incorporated by reference. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Village @ Summit Crest III Time Extension– Mr. Unger advised the Board that the Berks County Conservation District sent the application back to Village @ Summit Crest for their NPDES permit.

A motion was made by David Franke, seconded by Joseph Rudderow III, to accept the developer's request for a time extension for the Village @ Summit Crest until 1/15/2014. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Projects

2013 Street Projects Final Invoice – Mr. Unger advised that the street project is complete. The final amount was slightly more than the bid amount due to some widening on Pleasant Hill Road and increased some base repair on Schaeffer Road.

A motion was made by Claude Beaver, seconded by David Franke, to approve payment in the amount of \$134,475.32 to EJB Paving. Hearing no further questions on the motion, all members voted, "Aye". Motion carried.

Norfolk Southern – Mr. Unger advised that there has been no response from Norfolk Southern.

A motion was made by Claude Beaver, seconded by David Franke, to send a letter to PUC contact regarding Norfolk Southern issues. Hearing no question on the motion, all members voted, "Aye". Motion carried.

Subdivision Improvement Agreement LOC/Escrow Release Letters

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Chairman to sign Subdivision Improvements Agreement LOC/Escrow Release letters in the amount of \$162,855.62. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

MUNICIPAL SOLICITOR REPORT

Recycling Ordinance #2013-232

A motion was made by David Franke, seconded by Claude Beaver, to accept Ordinance #2013-232 as per the hearing held before the meeting. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Melrose Place Detention Basin – Mr. Orlando advised that the Notice of Revision to Plan of Record has been signed by Mr. Folino. This will be recorded at the Recorder of Deeds.

Siana, Bellwoar & Mc Andrew LLP. Letter dated October 1, 2013

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Chairman to sign the letter dated October 1, 2013 in regards to the Templin case. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Counsel Opinion for truck lease Resolution 20-2013 Reaffirmation

A motion was made by Claude Beaver, seconded by David Franke, to approve Resolution 20-2013 entering into a Lease Agreement with Susquehanna Bank for the purchase of a Ford truck. Hearing no question on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Chairman to sign the amended truck lease. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

The Board excused the Township Solicitor and Engineer at 8:10 pm.

MANAGERS REPORT - Ms. Hollenbach reviewed her report with the Board.

ROAD MASTER REPORT – Mr. Beaver reviewed the report with the Board. Mr. Beaver advised the Board that Truck #6 is in the shop for repairs.

Thank you letter

A motion was made by Claude Beaver, seconded by David Frank to send a thank you letter to Giorgio Foods for donating 29 full-grown trees to the Township. Hearing no questions on motion, all members voted, "Aye". Motion carried.

TAX COLLECTION COMMITTEE – No activity to report.

POLICE COMMISSIONER - Mr. Rudderow had nothing to report because the Police Commission meeting is next week. The Board would like Mr. Rudderow to revisit the police study at the police commission meeting. The Board is concerned about the regional police concept and discussed at length on how to make positive changes for the good of the Commission. Ms. Hollenbach advised that she would need 2014 Budget numbers from the police chief.

OLD BUSINESS – No action required.

NEW BUSINESS

Renew Animal Rescue League Contract 2014

A motion was made by David Franke, seconded by Claude Beaver, to sign the Animal Rescue League Contract for 2014. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by David Franke, seconded by Claude Beaver, to make a donation of \$1,000.00 to the Animal Rescue League for 2014. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Ms. Hollenbach advised the Board that Lehigh Cement is looking into donating material for repairs to Evansville Road

The Board went into executive session from 9:05-9:15 to discuss a possible acquisition.

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A motion was made by David Franke, seconded by Claude Beaver, authorizing the Township Manager to write a bid for the amount discussed in executive session. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by David Franke, seconded by Claude Beaver, to adjourn the October 10, 2013 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Meeting adjourned at 9:18 pm.

Recording Township Secretary, October 10, 2013

Township Secretary, October 10, 2013

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
Daniel Becker, Kozloff Stout, 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