

Maidencreek Township Board of Supervisor Meeting  
February 11, 2010 7:00 pm

Present: Claude Beaver, Joseph E. Rudderow III, Eugene Orlando– Orlando Law Office, Tom Unger– Systems Design Engineering, Inc., Diane Hollenbach – Manager. Johanna Mattera –Recording Secretary

Guests: Dan Miller, Chris Kline, Jim Schoellkopf, Henry Koch, Michael Hartman, Jason Nix

Claude Beaver called the February 11, 2010 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 p.m. in the Maidencreek Township Municipal Building.

RECOGNITION OF BLANDON VOLUNTEER FIRE COMPANY

The Board presented a plaque to the Bandon Volunteer Fire Company recognizing their 100<sup>th</sup> Anniversary and thanked the Fire Department personnel for the support they offer the community.

POLICE REPORT – None

APPROVAL OF THE MINUTES

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to approve the January 4, 2010 Reorganization Meeting Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to approve the January 4, 2010 Regular Meeting Minutes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

OPENING OF BIDS FOR SANITARY SEWER AND WATER SERVICE TO SERVE THE PROPOSED COMMUNITY PARK RESTROOM/STORAGE BUILDING

Mr. Unger opened all sealed bids. Bids were as follows:

Bidders		Total Bid (Bid Items #1 thru #9)	ALT. BID ITEM #1.A. (If req'd & authorized)
1	Bertolet Construction, Inc. 100 South Church Road Wernersville, PA 19565	\$134,722.00	\$960.00
2	M&A Excavating, LLC 1523 Memorial Highway Oley, PA 19547	\$39,116.00	\$2,000.00

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3	Barrasso Excavation, Inc. 140 Sandhill Road Fleetwood, PA 19522	\$52,297.00	\$2,000.00
4	Landis C. Deck & Sons Div. of Reading Materials Inc. P.O. Box 13877 Reading, PA 19612-3877	\$69,872.30	\$1,500.00
5	B&R Construction Services Inc 7045 Blue Ridge Avenue Harrisburg, PA 17112-3691	\$33,273.95	\$600.00
6	TCR Total Construction Resources LLC 3025 Pricetown Road Temple, PA 19560	\$50,842.57	\$790.00
7	Wexcon, Inc. 379 Tilden Road Mohrsville, PA 19541	\$70,600.00	\$800.00
8	Kempton Excavating, Inc. 871 Stony Run Valley Road Kempton, PA 19529	\$36,320.00	\$485.00
9	Rissell Excavating & Paving, Inc. 5957 Upper Ridge Road Pennsburg, PA 18073	\$55,218.65	\$800.00
10	Affordable Water Sewer Hookup Excavating 61 Hartman Hollow Road Benton, PA 17814	\$47,545.00	\$2,500.00

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to accept the bids for review. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**ENGINEER'S REPORT**

Subdivision Review Status Checklist

**Corrado Commercial Preliminary Plan**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to accept the time extension to 5/13/2010 for the Corrado Commercial Preliminary Plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Esbenshades Preliminary Land Development Plan**

Mr. Unger advised the Board that a time extension had not been received to date. The Planning Commission has recommended that the Board to reject the

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plan due to the failure to satisfy the conditions of the July 1, 2009 SDE, Inc. review letter.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver to reject the Esbenshades Preliminary Land Development Plan for failure to comply with the items outlined in the July 1, 2009 Systems Design Engineering, Inc. review letter, which was incorporated by reference, unless a letter is received extending the review period. Hearing no questions on the motion, all members voted "Aye". Motion carried.

The motion was amended by Joseph Rudderow III to include the Time Extension be received by 2/26/10. It was seconded by Claude Beaver. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Mr. Orlando advised the Board that the Attorney General is actively reviewing this situation.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver to have the Township Manager notify Esbenshades in writing that the Township has been contacted by the Attorney General and we expect action after the expiration of their current plan but before the end of March. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Villa at Maidencreek Final Plan**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, acknowledging the receipt of the letter dated 2/3/10 from McCarthy Engineering withdrawing the Final Plan of the Villa at Maidencreek from review by the Township. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivisions/Zoning

**Villa at Maidencreek Preliminary Plan** - Mr. Michael Hartman of McCarthy Engineering requested a waiver to Section 503.M.3 of the Maidencreek Township Subdivision and Land Development Ordinance and Section 305.C of the Storm Water Management Ordinance.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver to grant a wavier to Section 503.M.3 of the Maidencreek Township Subdivision and Land Development Ordinance which requires installation of curb and sidewalk along Park Road with the standard note added to the plan requiring the owner of the property install sidewalks along Park Road if required by the Board of Supervisors in the future. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to grant a wavier to Section 305.C of the Maidencreek Township Storm

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Water Management Ordinance, which requires storm water infiltration. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver to grant Preliminary Plan Approval of the Villa at Maidencreek Land Development Plan conditional upon the developer satisfying the conditions set forth in the 2/3/10 SDE review letter, which was incorporated by reference. Hearing no questions, on the motion all members voted "Aye". Motion carried.

**Can Corporation Warehouse Expansion "As-Built" Plan** – The Board informed Mr. Koch, attorney for Can Corporation of America that they would not take action on the plan until the Authority had an opportunity to look at the plan.

**Projects**

**No Parking White Birch Lane** – Mr. Unger advised the Board that after investigating the traffic activity on White Birch Lane, he recommends that "No Parking" signs be added on both sides of White Birch Lane. The Board advised Mr. Unger to determine how many signs will be need and add this signage to the next Traffic Ordinance.

**Subdivision Improvement Agreement LOC**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters in the amount of \$1,963.87. Hearing no questions on the motion, all members voted "Aye." Motion carried.

**PUBLICS WORKS –**

Ms. Hollenbach stated that the Operations Report is in the Supervisor Books for their review and requested that the Board review and take action on four expenditures.

**Authorization to Purchase Signs from EJ Breneman**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the purchase of signs from EJ Breneman at cost not to exceed \$1,050.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Purchase tires for mower**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the purchase of four tires for the JD 5510 at cost not to exceed \$1,200.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Authorize the Purchase of a Tiger Cheetah Rotary Head Mower for the JD 5510 through State Contract from Stephenson Equipment**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the purchase of a Tiger Cheetah Rotary Head Mower for the JD 5510 through State Contract at cost not to exceed \$8,624.16. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Street Sweeping for 2010 Proposals**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to accept the quote from Reilly Sweeping Inc. out of Fairless Hills, PA for the 2010 street sweeping at a price not to exceed \$3,000.00 Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Snow Plowing** - Ms. Hollenbach advised the Board that with the dedication of additional roads once Meadowbrook, Melrose Place and The Crossing at Maidencreek are completed within the next few years, the Township will need two additional plows and operators to continue at the current level of service being provided for snow removal.

SOLICITOR'S REPORT

**James Hardie Developers Improvements Agreement**

A motion was made Roy Timpe, seconded by Joe Rudderow III, authorizing the Chairman to sign the James Hardie Developers Improvements Agreement once they are finally approved by the Township Solicitor, Engineer and Manager. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Act 44 of 2009 – Municipal Pensions**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, asking the Township Manager to see whether we can obtain the summary plan description or a copy of the actual plan itself from the Police Department. Hearing no questions on the motion, all members voted "Aye". Motion carried.

ORDINANCES:

**Police Mutual Aid Agreement** - Mr. Orlando advised the Board that on Thursday February 4<sup>th</sup> he meet with Attorney McGovern, Solicitor for Ontelaunee and Muhlenberg Townships. Mr. Orlando went over the changes that were made to the Police Mutual Aid Agreement with the Board.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, subject to confirmation that the other Municipalities accept the language changes made here, to authorize the Township Solicitor to prepare the Police Mutual Aid Agreement Ordinance and advertise it a public hearing for its consideration for adoption by the Board of Supervisors at the March 11,

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2010 at 6:45 meeting. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Codification of Ordinances** – Ms. Hollenbach advised the Board that the Codification System is very easy to use and it is on line for the public to access.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Solicitor to advertise a public hearing on March 11, 2010 at 6:45 pm for the consideration of the Codification Township Ordinances for adoption by the Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried.

COMMUNICATIONS & QUESTIONS -  
**From the Board** – None.

**From the Manager & Professionals** – Items brought to the Boards attention by Ms. Hollenbach:

Boundary Changes

A motion was by Joseph Rudderow III, seconded by Claude Beaver to have the Chairman sign the 2010 Census Boundary Change letter stating that there have been no boundary changes but there are address range corrections. Hearing no questions on the motion, all members vote "Aye". Motion carried.

AG 385 State Aid to Pension Plan

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Chairman to sign the Form AG 385 for State Aid to the Municipal Pension. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Maidencreek Church 150<sup>th</sup> Anniversary

Mrs. Hollenbach asked the Board if they would allow the Maidencreek Church to advertise collectibles for their 150<sup>th</sup> Anniversary in the Township Newsletter. Mr. Rudderow and Mr. Beaver authorized the manager to put a link on the Township website to the Maidencreek Church website, if there was one and tabled further action until the next meeting when Mr. Timpe would be present for discussion.

**Public Comment** – None

TREASURER'S REPORT/MANAGER'S REPORT

**Treasurer's Report and Bill List**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to approve the January 2010 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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**Approve 2010 mileage rate at \$0.50/mile**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, approving the 2010 mileage rate at \$0.50/mile as per the Internal Revenue Service. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Pension MMO**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to have the Pension MMO paid on a monthly basis from February to July of 2010. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**PARK AND RECREATION**

**Board Appointment**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to appoint Brian Felker to the Park and Recreation Board. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**YMCA Summer Program Contract**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Chairman to sign the 2010 Tri Valley YMCA Summer Program Contract not to exceed \$6,000.00, payable in two installments. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Fireworks Contract for Community Days on June 5, 2010**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Manager to sign the Fireworks Production, Inc. Contract with the cost not to exceed \$3,000.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Tractor Maintenance Items**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the purchase of tractor maintenance items with the cost not to exceed \$1,200.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**RESOLUTION**

**Joint Planning Commission Appointments Resolution #9-2010-**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adopt Resolution #9-2010 appointing Jim Schoellkopf Jr., Dick Thren and Claude Beaver to the Fleetwood Maidencreek Richmond Joint Planning Commission. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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OLD BUSINESS

**Emergency Management** – Ms. Hollenbach reviewed the draft resolution appointing a fire company to service Maidencreek Township. Mrs. Hollenbach asked the Board if they wanted to address the issues brought to them by Michelle Painter. The Board asked that fuel consumption be logged by the Township, Fire Company and Ambulance. The Board advised Ms. Hollenbach to forward the resolution to the Chief for review. It will be considered in March.

NEW BUSINESS

**Route 222 North Presentation scheduled for March 4 and 18** – Ms. Hollenbach reminded the Board about the Route 222 North Presentation at the Reading Area Transportation Study meeting.

**The Elected Auditors request permission to meet with the Auditing Firm (Kosmerl & Company)** - The Board advised Ms. Hollenbach to send the same response as before and that the Treasurer's Report is available every month.

**Revision of Building Permit Fees** – Mr. Unger advised the Board that their rates have not been increased in the past 6 years and there has been an increase in the items that need to be inspected for building permits. The Manager will have a resolution to revise the permit fees for the March meeting.

**PSATS Conference Attendance and Voting Delegate Appointment** – Mrs. Hollenbach reminded the Board about the PSATS Conference.

**Wesner Road Railroad Crossing**

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing SDE, Inc. to attend the Wesner Road Railroad Crossing Meeting on the Township's behalf. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Since there was no further business, a motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adjourn the February 11, 2010 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:31 P.M.

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Recording Township Secretary, February 11, 2010

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Township Secretary, February 11, 2010



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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  
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