

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

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

Guests: Dan Andrews, Jeffrey Steiner, Julie Lewis, Henry M. Koch Esq., Robert Hanna, Paul Nchay, Richard Wick

Joseph Rudderow III called the March 11, 2010 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:03 pm in the Maidencreek Township Municipal Building.

POLICE REPORT – None

APPROVAL OF THE MINUTES

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to approve the February 11, 2010 regular meeting minutes with an amendment made to page 5 correcting the motion for James Hardie Developers Improvement Agreement, which was made by Claude Beaver not Roy Timpe. Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

ENGINEER’S REPORT

Subdivision Review Status Checklist

Village @ Summit Crest Final (Public Water) Plan

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to accept the developer’s letter requesting a time extension until June 10, 2010 for the Village @ Summit Crest Final Plan (Public Water). Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Village @ Summit Crest Preliminary Plan (Community Water)

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to accept the developer’s letter requesting a time extension until June 10, 2010 for the Village @ Summit Crest Preliminary Plan (Community Water). The Chairman asked if there were any questions regarding the motion.

Mr. Wick of East Wesner Road, Blandon asked why the Supervisors were approving all of these extensions, and asked if the developer did not have enough time already to come through with plans. Roy Timpe responded that the developer is asking for the extension. The only other alternatives are to take no action and it is deemed approved and it is not finished, or to reject it, and just make this a more unfriendly place to do business than Pennsylvania already is.

Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

Esbensshade Preliminary Land Development Plan

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, confirming the acceptance of the Esbensshade Preliminary Land Development Plan time extension until 7/28/2010. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

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Subdivisions/Zoning

Can Corporation Warehouse Expansion “As-Built” Plan – Attorney Koch advised the Board that the As-Built Plan has been submitted to Maidencreek Township Water Authority (MTA) and that the signature block will be added for the MTA. The easements on the plan match the easements on James Hardie’s Plan. Paving of the lot is scheduled to be done on 3/23/10. Grading of the land has been taken care of, but seeding and raking will be scheduled once there is no frost. Mr. Koch advised the Board that the MTA and Can Corporation would be meeting to discuss and resolve outstanding issues between both parties.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to grant final plan approval to the Can Corporation Warehouse Expansion “As-Built” Plan subject to the following conditions: completing paving around the building as shown on the plan, completing the seeding in the front of the building and completing the outstanding items on the Systems Design Engineering, Inc. review letter dated February 3, 2010, which is incorporated by reference. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Projects

Community Park Sewer & Water Line Extension – Mr. Unger advised the Board that the bids, which were received at the February 2010 meeting, have been reviewed.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, upon the recommendation of the Township Engineer, authorizing the Engineer to mail the Notice of Intent to Award Letter and Notice of Award Letter and Notice to Proceed to B&R Construction Services, Inc. for the Community Park Sewer and Water Line Extension project with a cost of \$33,273.95. Hearing no question on the motion, all members voted “Aye”. Motion carried.

2010 Annual Street Project – No action required by the Board at this time.

Perry Township Land Use Assumption Report– Mr. Unger advised the Board that Perry Township is holding a meeting on March 16, 2010 at 7:00 pm to discuss potential and current land use assumptions that could affect Traffic Impact Fees. The area that Perry Township is looking at is not going to affect Maidencreek Township. Mr. Orlando gave a brief review of what Traffic Impact Fees are.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Engineer to give the Board a budgetary estimate of time and cost of creating a Traffic Impact Ordinance. The Chairman asked if there are any questions regarding the motion.

The reporter from the Reading Eagle asked how much the Township would be paying the Township Engineer to do the cost estimate. Mr. Timpe stated the Township would pay the hourly rate that the Township Engineer charges.

Hearing no further questions on the motion, all members voted “Aye”. Motion carried.

Subdivision Improvement Agreement LOC -

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Vice Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters in the amount of \$2,859.91. Hearing no questions on the motion, all members voted "Aye." Motion carried.

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A motion was made by Roy Timpe, seconded by Joseph Rudderow III amending the motion to have the Chairman sign the Subdivision Improvements Agreements LOC/Escrow release letters since his name appears on the letters. 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.

Purchase of Two Radios for the Loader and Backhoe– Tabled.

Purchasing of Crack Seal

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the purchase of three skids of crack seal with the cost not to exceed \$3,800.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

SOLICITOR'S REPORT

Ordinance # 223 Codification of Ordinances

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Ordinance #223 Codification of Township Ordinances. The Chairman asked if there are any questions from the floor.

Mr. Timpe asked if in the future, we modify an existing ordinance, would we put another paragraph in the Code Book. Mr. Orlando explained that we would amend the Code by chapter and section. Mr. Timpe asked if we would have to re-adopt the whole ordinance every time we make a change to an existing ordinance. Mr. Orlando said the Township would not have to re-adopt the whole Code, just amend it. Mr. Rudderow asked if there is a maintenance fee. Ms. Hollenbach said yes. A man from the audience wanted to make sure that the Township is not changing the rules, just rearranging on how they are presented and how they are maintained going forward. The Board stated that General Code went back as far as the Township had records and placed everything in topic order. If any Ordinance was obsolete, it was removed from the Codification. The Draft of the Codification of Ordinances is on the web. The hardbound Code Book can be purchased through General Code for about \$150.00. Any new ordinances will be posted online by number and than every six months, the Code will be updated by topic. Another man asked how much was the maintenance fee would be. Ms. Hollenbach stated it would be about \$960 per year.

Hearing no further questions on the motion, all members voted "Aye". Motion carried.

Police Mutual Aid Agreement – No action is required by the Board at this time. A public hearing will be held in April for this Ordinance draft.

COMMUNICATIONS & QUESTIONS

From the Board

Mrs. Hollenbach stated that Mr. Beaver wanted to know if the Board would be interested in passing a Memorializing Farming Resolution next month. The other Board members were agreeable to this.

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From the Manager & Professionals

Agricultural Security 7 Year Review

A motion was by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Solicitor and Township Manager to start the Agricultural Security Area 7 year review process. Hearing no questions on the motion, all members vote "Aye". Motion carried.

West Walnut Tree Bridge – The Berks County Conservation District informed the Township Manager that one of the pipes under the West Walnut Tree Bridge is nearly closed. Ms. Hollenbach will get a price to clean it out.

Crown Castle Cell Tower Agreement – Crown Castle would like the Board to either consider an extension of their land lease or allow them to purchase a permanent easement. The lease does not expire until 2023. The Board agreed to review any offer Crown Castle makes.

Berks County Transportation Planners believe there may be a potential job creation bill (funded by stimulus money) to be used for shovel ready road projects on federal aid road. The projects need to be ready to go in about 6 months.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing SDE to look at Schaffer Road for work that could be funded by Highway Improvement Funding. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Ms. Hollenbach informed the Board that Mr. Zwicky is no longer making playground mulch and the office obtained several quotes from other vendors.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to purchase playground mulch from General Recreations through State Contract pricing with the cost not to exceed \$1,550. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Public Comment – None

TREASURER'S REPORT/MANAGER'S REPORT

Treasurer's Report and Bill List

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

Ms. Hollenbach informed the Board that the first EIT payment is \$7,000 less than last year's first quarter payment.

PARK AND RECREATION – None.

RESOLUTION

Revised Fee Resolution

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Resolution #10-2010 Revised Fee Resolution. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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Appoint Fire Company to Serve Maidencreek Township in 2010

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Resolution #11-2010 appointing the Blandon Volunteer Fire Company to serve as the provider of fire protection service to Maidencreek Township in 2010. Hearing no questions on the motion, all members voted "Aye". Motion carried.

OLD BUSINESS

Maidencreek Church request to advertise anniversary plates and clocks in Township Newsletter – Mrs. Hollenbach reported that the Church does not currently have anyone to maintain a website.

NEW BUSINESS

Request to post Orchard Road "No Trucks" or with a weight limit –

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Engineer to look at Orchard Road regarding restricting truck traffic. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Calcium Road Bridge and West Shore Drive Bridge Inspection - Penn Dot has inspected both bridges and gave a report to the Township Manager.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Engineer to look at West Shore Drive Bridge inspection and provide the Township with a cost estimate of the repairs needed and what permits will be needed from the DEP. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Boards Policy for Distribution of minutes – Currently, the Township distributes draft minutes to all Township Boards and residents who request them. Mrs. Hollenbach stated that there has been some concern about this policy lately and asked if the Board wishes only to distribute approved minutes. Mr. Orlando advised the Board that only approved minutes are public records under the Open Records Act. The Board agreed with Mr. Orlando and instructed the staff to only distribute approved minutes.

Tax Collection Committee – Mr. Rudderow updated the Board regarding the Tax Collection Committee meeting.

Tax Upset Sale of Tree Tops Detention Basin – Ms. Hollenbach advised the Board that the Tree Tops Detention Basin is up for tax sale.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Manager and Solicitor to review the actions taken by previous Supervisors when they drew down on the TreeTops Phase II Letter of Credit. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Disbanding of Blandon Civic Association

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, accepting the Blandon Civic Association funds of \$660 to be held as a Park and Recreation account for the Tri-Centennial Celebration. Hearing no questions on the motion, all members voted "Aye". Motion carried.

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St Matthews Greek Orthodox Church Land Development Plan

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Manager to communicate with St. Matthews Greek Orthodox Church regarding their intentions for developing the Allentown Pike property, to communicate to the Supervisors a time frame in which they will have the improvements completed and have them request an extension of the Developers Improvement Agreement. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Census – The Census will be mailing forms and asking that they be mailed back by April 15. They have sent a media kit and suggested advertising activities they are asking the Township to do. Ms. Hollenbach asked for direction from the Board as to how to proceed in this matter. The Board advised that the office staff does not need to do anything.

Permission to participate in the May 10, 2010 auction hosted by Exeter Township

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, approving Township participation in the May 10, 2010 auction hosted by Exeter Township and a list of items prepared by the staff to be sold excluding the batwing mower. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Newsletter proposal from hometown press – Ms. Hollenbach reviewed with the Board a proposal to use Hometown Press to do the Township's Newsletter. Mrs. Hollenbach stated that her cost analysis showed the Township saving about \$3,000 per year by using this company and allowing the publication to be paid for by advertising. The Board was willing to try this service.

Workers Comp Insurance Renewal - Ms. Hollenbach advised the Board that the insurance agent recommended that the Township create a safety committee. The Board asked Ms. Hollenbach to look into doing some training in-house for the employees instead.

NIMS Training - Mr. Rudderow advised that Board that he, Ms. Hollenbach and Chris Kline attended the NIMS ICS300 course. In addition, Chris Kline is working on the Emergency Management Plan for the Township and is looking for direction from the Board as to what is a considered an emergency. Mr. Kline will provide a list of templates for emergencies that the Township could possibly face for the Board's review.

Fire Company Run Cards - Fire Chief Dan Miller advised the Board that Berks County has changed how their Run Cards are completed. It is now the Municipalities responsibility since the Township provides fire service. It was determined that the fire department will begin giving the Township copies of the completed run cards, safety classes taken, etc..

Since there was no further business, a motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adjourn the March 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 9:27 P.M.

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Recording Township Secretary, March 11, 2010

Township Secretary, March 11, 2009

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