

Maidencreek Township Board of Supervisor Meeting
May 13, 2010 7:00 pm

Present: Claude Beaver, Roy Timpe, Joseph E. Rudderow III, Eugene Orlando, Jr.– Orlando Law Office, Tom Unger– Systems Design Engineering, Inc., Diane Hollenbach – Manager.

Guests: Mary Dymeck, Steve Dymeck, Jason Schaner, Matt Doll, Jason Nix, Jim Hollenbach, David Tranquillo, Fire Chief Dan Miller

Claude Beaver called the May 13, 2010 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 p.m. in the Maidencreek Township Municipal Building.

POLICE REPORT

The Northern Berks Regional Police Department responded to 336 assignments in Maidencreek Township in the month of April. This resulted in 53 citations. The traffic fines for Maidencreek for the month of April were \$1,256.95 and non-traffic fines were \$571.27, totaling \$1,828.22. The total number of patrol hours was 853.57 for the month.

The officer asked if there were any questions from the audience. Mr. and Mrs. Steve Dymeck had concerns regarding the accidents on Route 222. Mrs. Dymeck asked if reducing the speed would help. The officer stated that speed is not necessarily the issue, but congestion is. Drivers are not aware of the upcoming congestion. Mr. Dymeck also stated that drivers are using the center turning lane as a passing lane and would like to know what could be done about that. The department will be doing more speed checks on problem roads. Chief Eaken was at a meeting recently and suggested that extra lanes be added to Route 222 and median barriers put in place.

APPROVAL OF THE MINUTES

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to approve the April 8, 2010 regular meeting minutes. Hearing no questions on the motion all members voted, “Aye”. Motion carried.

ENGINEER’S REPORT

Subdivision Review Status Checklist

Corrado Commercial Preliminary Plan – No action was required by the Board at this time.

Maidencreek Alternative Fuel Preliminary Plan

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to accept the developer’s letter granting a time extension for the review of the Maidencreek Alternative Fuel Manufacturing Preliminary Plan until September 1, 2010. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

The Board would like to see if the time expiration dates could occur the week after the Supervisor meetings.

Subdivisions/Zoning

Villa @ Maidencreek Final Plan

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to grant conditional final plan approval to the Villa @ Maidencreek Final Plan conditional upon:

- completion of the items in the May 5, 2010 Systems Design Engineering, Inc. review

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letter, which is incorporated by reference,

- receipt of a letter of withdraw of the previous approved final plan,
- approval of the Sewage Planning Module by the PA DEP,
- entering into an Improvements Agreement in form and substance satisfactory to the Township,
- posting of financial security in a form acceptable to the Township, and
- Developer's agreement to install road improvements on Park Road at the Hoch Road intersection. The improvements include but are not limited to installation of a right turn and left turn lane with the total financial responsibility of the developer for the cost of these improvements to be capped at \$105,000 with the Township reimbursing the Developer for any additional sums in the manner and method determined according to law and satisfactory to the Township solicitor and the Developer's counsel.

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

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Solicitor and the Developer's Counsel to investigate options for completing the Road Improvements in accordance with the statutory requirements. Hearing no questions on the motion, all members voted "Aye". Motion carried.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Township Manager to sign the PA DEP Planning Module Exemptions for the Villa @ Maidencreek. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Alternative Fuel Manufacturing Facility Preliminary Plan Zoning Use Determination – The Township Zoning Officer determined the use of the Alternative Fuel Manufacturing Facility proposed for Maidencreek Road is not a permitted use and must go to the Zoning Hearing Board for a special exception.

Projects

Act 537 Plan – The Plan has been approved by the PA DEP.

2010 Annual Street Project –

A motion was made by Roy Timpe, seconded by Joe Rudderow III, authorizing the Engineer to prepare bids for the 2010 roadwork to include W. Wesner Road trench drain repair, Orchard Lane railroad crossing repair and West Shore Drive repair. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Orchard Road Roadway Sufficiency Analysis – Mr. Unger reported that the analysis had been completed on Orchard Road and it has been determined that a weight/truck restriction can be placed.

Route 73 - The Board advised the Manager to install another Reduce Speed 35 M.P.H. Ahead sign up.

Subdivision Improvement Agreement LOC - None.

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PUBLICS WORKS

Ms. Hollenbach stated that the Operations Report is in the Supervisor Books for their review.

Summer Help

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to hire Brett Von Bergen for summer help with the condition that if it is raining, not to call the summer help in to work. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

SOLICITOR'S REPORT

Ingot Drive/June Avenue – The Solicitor's office is processing the paperwork.

Parade and Procession Ordinance – The Board agreed to advertise a parade and procession ordinance for public hearing at the June 10, 2010 meeting.

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, authorizing the Solicitor to advertise an ordinance to consider amendments to the Code of Ordinances for standards for Parades and Procession. Hearing no questions on the motion, all members voted "Aye". Motion carried.

COMMUNICATIONS & QUESTIONS

From the Board

Joseph Rudderow advised the Board about the Northern Berks Regional Police meeting.

Public Comment

Mr. Tranquillo – Buena Vista Road – informed the Board about a recent Richmond Township Meeting regarding Lehigh Cement. He told the Board that if this ever happened here, the Board would have a screaming Mimi. That is not a threat, that is a promise.

Fire Chief Dan Miller - Advised the Board that in 2013, Berks County 911 system has to be upgraded. Chief Miller stated the cost the fire company will be \$142,000 to purchase new radios for the trucks and portables. Township, police and ambulance costs are not included in that number. Mr. Beaver stated that he talked with Mr. Leinbach about this issue. The County Commissioner is looking for ways to subsidize this. Mr. Tranquillo stated that if we do not turn the country around in November, we would not have to worry about that. We will have unionized police and fire.

Steve Dymeck – Longleaf Drive – Mr. Dymeck asked the Supervisors to reconsider reducing the speed limit on Route 222 and to lower it to 35 mph or move the speed limit sign to the north side of light. The sign is currently at the CVS. The Board discussed placing congested area signs similar to what was at the end of the bypass. Mr. Dymeck also asked if the police could determine how fast the cars are going when accidents occur on Route 222.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the Manager to ask Penn DOT to approve installation of Congested Area signs from Pleasant Hill Road to Tamarack Road. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

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TREASURER'S REPORT/MANAGER'S REPORT

Treasurer's Report and Bill List

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

State Liquid Fuel Account –

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, approving the movement of the State Liquid Fuel Account to Metro Bank. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

NEW BUSINESS

Kirbyville Cemetery –The Board did not take any action on the matter of a request for a parking area at the Kirbyville Cemetery.

Berks Tax Collection Committee Invoice and Budget - Ms. Hollenbach advised the Board that the Township received a bill from the Berks County Tax Collection Committee in the amount of \$610.31 for the Township's proportional contribution. Also received was a copy of the 2009-10 TCC Budget.

A motion was made by Joseph Rudderow, seconded by Roy Timpe, to authorize the Township Solicitor to review Act 32 and the power granted to the Tax Collection Committee. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Act 129 of 2008 Energy Efficiency – No action is required by the Board at this time.

Human Resource Review and Personnel Committee Meeting –

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, authorizing the Township Manager to send out the revised Personnel Rules and Regulations for the Supervisors' review. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

The Board went into Executive Session from 8:45 pm to 9:45 pm to discuss personnel and litigation issues.

Since there was no further business, a motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adjourn the May 13, 2010 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Meeting adjourned at 9:45 P.M.

Recording Township Secretary, May 13, 2010

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Cc: Board of Supervisors
Eugene Orlando, Orlando Law Offices, 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