

Maidencreek Township Board of Supervisor Meeting  
June 14, 2012 7:00 pm

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

Guests: Carol Anne Donohoe, Randi Peters, Dan Miller, Chris Kline

Joseph Rudderow III called the June 14, 2012 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 Regular Meeting Minutes**

A motion was made by Claude Beaver, seconded by David Franke, to waive the reading of the minutes and approve minutes of the May 10, 2012 regular meeting as presented. 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 David Franke to approve the May 2012 Treasurer’s Report and Bill List. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

REPORTS

ENGINEER’S REPORT

**Subdivision Review Status Checklist –**

**Corrado Commercial Preliminary Land Development Plan** – Mr. Unger advised that time extension has not been granted by the applicant. The Township Manager has tried to get in contact with Mr. Corrado regarding this issue.

A motion was made by Claude Beaver, seconded by David Franke, rejecting the Corrado Commercial Preliminary Land Development Plan for the failure to submit a plan that complies with Township ordinances, specifically the requirements listed in the January 7, 2009 SDE letter, which is incorporated by reference. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

**Esbensshade Preliminary Land Development Plan**– tabled

**Projects**

**2012 Paving Project** – Mr. Unger advised that the bids were reviewed and the contracts have been put together.

A motion was made by Claude Beaver, seconded by David Franke, upon the recommendation of the Township engineer to award Road Work Contract A to EJB Paving and Materials Co., for \$134,303.25.

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The Chairman asked if there were any questions on the motion. Ms. Hollenbach commented that when the 2012 Budget includes funds for only contract B, but because of the light winter, the road salt money would be enough to cover Contract A. Hearing no further questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, awarding Contract B to EJ Breneman LP for \$54,961.65. Hearing no questions 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 contracts and issue the Notice to Proceed. Hearing no further questions on the motion, all members voted, "Aye". Motion carried.

**Golden Drive Traffic Study for stop signs at Liberty and Coronet Drive**

Mr. Unger reviewed with the Board the outcome of the study in relation to meeting the traffic warrants to place an additional stop sign at each intersection. Mr. Unger advised that the intersection does not meet the warrants but there is other signage that can be put up for the curve. Mr. Beaver asked if the stop signs could be switched from Liberty Drive to Golden Drive similar to how they were on Walnut Tree Drive. The Board advised Mr. Unger to review the suggestions for the next meeting.

**Schaffer Road Bridge** – Mr. Unger reviewed with the Board the meeting that took place with Penn DOT, Penn DOT Consultant and the County, with regard to the construction to be done on the Schaffer Road Bridge. The Board suggested that the grade be such approaching the bridge so the ladder fire truck does not bottom out. Mr. Rudderow was also present at the meeting and advised Penn DOT that the Township residents would not like to see round-abouts on Route 222.

MUNICIPAL SOLICITOR

**Treetops Detention Basin** - Mr. Orlando advised that the letters were mailed to the residents of Treetops Subdivision regarding amending the Trust Agreement. Mr. Orlando reviewed with Mr. Franke the Treetops issue since he is new to the Board. Ms. Hollenbach advised the Board that several residents have called the office regarding this issue. In addition, Ms. Hollenbach read a letter from Wayne Badinger, see attachment. The underlying theme in most phone calls has been, why doesn't the Township simply take the basin over and mow it. Mr. Miller of Hill Road suggested that the Township maintain the basin and charge the residents for the maintenance in their taxes.

**Esbenshade LDP**

A motion was made by David Franke, seconded by Claude Beaver, upon the request of the developer, granting an extension of time for the plan review period until September 28, 2012. Hearing no further questions on the motion, all members voted "Aye". Motion carried.

A motion was made by David Franke, seconded by Claude Beaver, authorizing the Solicitor to contact the Attorney General's office requesting a decision on the Esbenshade

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

MANAGERS REPORT

**Managers Report** – Ms. Hollenbach reviewed the Managers Report with the Board.

CCR Report – Shippensburg University would like permission to submit the Citizen's Centric Report prepared by a Berks County Student about Maidencreek Township, to the Association of Government Accountants for posting on their website and have it reviewed for an award. The student who did this report, Matt Miller, was very appreciative of the Township's help in doing this report.

A motion was made by Claude Beaver, seconded by David Franke, gave permission to submit the CCR to the Association of Government Accountant. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Traffic Fine Letter

A motion was made by Claude Beaver, seconded by David Franke, to have the Township Manager send a letter to the Governor regarding the traffic fine issue. Hearing no questions on the motion, all members voted, "Aye". Motion carried. A Resolution for the PSATS Convention will be considered later in the meeting on this issue.

A motion was made by David Franke, seconded by Claude Beaver, to have the Township Manager send a letter regarding the same to PSATS. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Communication Task Force

A motion was made by Claude Beaver, seconded by Joseph Rudderow III, congratulating David Franke for his appointment to the Communication Task Force. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Community Days - All went well with only one complaint. The Park and Recreation Board formulated a response to the complaint and the Township Manager read the letter to the Board for their approval and input.

A motion was made by David Franke, seconded by Claude Beaver to send the response to Tina Stewart of Limestone Village and thank you letters to the Park & Recreation Board and Fire Department for their work on Community Days. Hearing no questions on the motion, all members voted, "Aye". Motion carried. The Board also thanked Ms. Hollenbach for all her efforts.

Sewer Line at Blandon Fire Company Playground– Mrs. Hollenbach reported that the sewer line at the Fire Company Restrooms needs replacement. The Park and Recreation Board is hesitant to put more money into a facility that they do not own. All parties will to get together to discuss options for the ball field- playground.

RESOLUTIONS & ORDINANCES

**Ordinance #230 – Floodplain Management**

A motion was made by David Franke, seconded by Claude Beaver, only because it is mandated by Federal and State governments, to adopt Ordinance #230 Floodplain Management. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

**Resolution 22-2012 County Convention (Request for Municipal Traffic Fine Review)**

A motion was made by David Franke, seconded by Claude Beaver, to adopt Resolution #22-2012 Request for Municipal Traffic Fine Review. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

**PUBLIC COMMENT**

Randi Peters of Berks Road, Shoemakersville was concerned about changes to the Zoning Ordinance which will allow Special Intensive Agricultural uses in the Agricultural Zoning District. Board advised that meetings are advertised in the Reading Eagle and Township website and the Planning Commission has not yet recommended the Zoning Ordinance to the Board of Supervisors for adoption.

Representative for Carol Anne Donohoe expressed concerns about Act 13. Many townships and boroughs are signing a resolution protesting the taking of local government control of gas and oil drilling and pipelines. A sample resolution was given to the Board for their consideration and more information is available at the Delaware River Keepers website. The Township Manager will gather the information for the Board’s July meeting.

**OLD BUSINESS**

County Contract for Radio Financing – Tabled

**NEW BUSINESS**

**Weed Violations**

A motion was made by Claude Beaver, seconded by David Franke, to have the Road Crew cut the grass at 447 E. Wesner Road to give the neighbors relief. Motion was amended to have bill sent to Bank and homeowner.. Hearing no questions on the motion, all members voted, as follows: Claude Beaver and David Franke “Aye”, Joseph Rudderow III “Nay”. Motion carried.

**Berks Conservation District Memorandum of Understanding**

A motion was made by Claude Beaver, seconded by David Franke, to have the Township Engineer and Solicitor review the Berks Conservation District Memorandum of Understanding. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Executive Session for Personnel to be held after the meeting.

Since there was no further business, a motion was made by Claude Beaver, seconded by David Franke, to adjourn the June 14, 2012 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted “Aye”. Motion carried. Meeting adjourned at 9:30 pm.

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Recording Township Secretary, June 14, 2012

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Township Secretary, June 14, 2012

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

Township Supervisors:

June 14, 2012

I am writing in regards to the issues regarding the lot in the Tree Tops Subdivision. I spoke to someone on Monday June 11 at your office at which time I shared my ideas/opinions. I am not interested at all in a Home Owner's Association/Meetings and everything else that would involve a proposed Association. I would like to recommend/suggest that the Township take ownership of the Lot and then bill us in our taxes for the Lot. I have spoken to several other Homeowners and they are also in agreement on this.

Thank you for your time.

Sincerely,

Wayne Badinger

401 Acer Drive