

Maidencreek Township Board of Supervisor Meeting
July 12, 2012 7:01 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: Randi Peters, Kate Stoltzfus, Jane Myers, Dan Miller, Chris Kline

Joseph Rudderow III called the July 12, 2012 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:01 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 June 14, 2012 regular meeting with the following correction to be added; SDE to review possible stop signage to be added on Golden Drive changed from Liberty Drive. 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 June 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 the Board that the preliminary plan has been removed from the checklist and if Corrado Commercial wishes to do anything in the future they will need to resubmit.

Esbenshade Preliminary Land Development Plan– tabled

Projects

MS4/NPDES Storm Water Permit – Mr. Unger advised the Board that the new permit application is due 9/14/2012.

A motion was made by Claude Beaver, seconded by David Franke, authorizing SDE to prepare the MS4/NPDES Storm Water Permit at a cost not to exceed \$3,500. The Chairman asked if there are any questions or comments. Mr. Rudderow asked if we have a choice in this case. Do we, as far as once again this has been mandated down, walk me through the history. Mr. Unger stated that this a Federal mandate, this has started approximately 7 years ago permitting storm water discharges. Prior to that they went after Sewage Treatment Plants, industrial waste, things like that. Slowly they have been working their way to the more non-priority discharges and the Township was caught up in the storm water part of it. Therefore, it is a non-funded mandate from the Federal Government. If you did not do it, you would probably

Maidencreek Township Board of Supervisor Meeting
July 12, 2012 7:01 pm

lose your ability to get certain grants and things like that from the Government. Mr. Rudderow asked does the State get involved, does it go from the Federal to State to us, or is it really from the Fed to the Municipality? Mr. Unger said no it goes through the State. Hearing no further questions on the motion, all members voted, "Aye". Motion carried.

Berks County MS4 Steering Committee – Mr. Unger reviewed with the Board the Berks County Conservation District education requirements and advised the Board that if the Township joined the Steering Committee, the committee would be responsible for educating the public, if not the Township would be responsible. Ms. Hollenbach advised that the cost to join is \$3,000 for the 5 year Permit, \$1,000 for the first year and \$500 for each of the 4 years thereafter.

Golden Drive Traffic Study – Mr. Unger reviewed with the Board the results of the study and recommended that signage and road painting would be the best resolution to the situation.

A motion was made by Claude Beaver, seconded by David Franke, to have the SDE provide a diagram for the Road Crew to use. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Resident requesting permission to place a curb ramp – Tabled for next months meeting.

Parking Across from the Fire Department – Fire Department will look into the parking issue.

Subdivision Improvement Agreement LOC/Escrow Release Letters

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Chairman to sign the LOC/Escrow Release letter in the amount \$18,989.87 conditional upon the Berks County Conservation District has signed off on the NPDES Permit. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Ms. Hollenbach advised that the Township received a LOC cancellation notice from the bank for Meadowbrook Phases I & II, October 16, 2012 is the expiration date. SDE will inspect and get back to the Board at the next meeting if all the improvements are complete in Phase I and II.

MUNICIPAL SOLICITOR

Treetops Solicitations – Mr. Orlando advised the Board that there was a very low response to the letter that was sent out to the residents. Ms. Hollenbach also, advised the Board, that only three homeowners asked for a copy of the Trust. Mr. Orlando advised that Ms. Hollenbach reached out to the owners of the basin and they are willing to transfer the property back to the Trust. Mr. Orlando made several recommendations regarding to what extent the Township could assist the Trustee.

Mrs. Joan Myers of TreeTops voiced her concerns regarding the letter sent out to amend the Trust. The Board advised that the Trust is on the deeds of the homeowners in Treetops. The Township stated that they would help where they can, but will not take responsibility for the basin. This is the responsibility of the Trustee and at some point possibly the Home Owners Association. The Board suggested to Mrs. Myers to talk with her neighbors regarding this issue

Maidencreek Township Board of Supervisor Meeting
July 12, 2012 7:01 pm

to get them involved. If enough residents are interested and request a meeting, the Board will schedule something.

A motion was made by Claude Beaver, seconded by David Franke, authorizing SDE to look at the basin, to check everything out, and to provide a report to the Township and the Trustee. 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 Township Manager and the Trustee to notify the residents of the results of our earlier solicitation, advise the residents that the property is being transferred to the existing Trust and that the Trustee will be in touch with them further. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Esbenshade LDP – No action required by the Board at this time.

Melrose Place Detention Basin – No action required by the Board at this time.

MANAGERS REPORT

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

Pennsylvania Fish and Boat Commission presented the Township with a Certificate of Appreciation for their assistance with the Willow Creek project.

132 Hill Road - Ms. Hollenbach advised that the property has been condemned.

The Agricultural Security Area will be opened for enrollment in August.

Phone System outage – The Board wanted to thank the Water Authority for working with the Township and cooperating in sharing a phone system.

Yard Sale – Some residents asked if they could use the parking lot for a yard sale. The Board advised Ms. Hollenbach to contact the insurance company to see if the Township is covered for this type of activity.

FEMA – Ms. Hollenbach advised that a letter from FEMA was received stating that our Flood Plain Ordinance is in compliance.

Rodale Tour – Rodale is offering a tour of their facility to the Township Supervisors, at a time that will suit the Supervisors.

Speeding on Hill Road – The Board asked that the Manager contact Northern Berks Regional Police to put strips down to determine frequency and speed of motorists.

Tax Collection Committee (EIT) – Ms. Hollenbach advised that the March 2011 EIT advance was never taken back from all the taxing authorities. Our advance was \$84,000. Over the next 4

Maidencreek Township Board of Supervisor Meeting
July 12, 2012 7:01 pm

quarters, beginning in September, December, March and June, the Tax Collection Committee will be removing \$21,000. Ms. Hollenbach advised that this was not taken into consideration when we did the 2012 budget because this error was not discovered until the Berks EIT audit and after discovery was not communicated to the municipalities until this month. This will affect our 2013 budget and our ability to meet this year's budget. Ms. Hollenbach is going to send a letter out regarding this issue.

Letter to Governor Corbett – Board is ok with the letter. Advised to also copy the Senate Majority Leader and House Majority Leader, Ontelaunee Township and Leesport Borough.

Short recess – 8:30 pm – 8:34 pm

RESOLUTIONS & ORDINANCES

Resolution 23-2012 in Support of Act 13 Challenge

A motion was made by Claude Beaver, seconded by David Franke, to adopt Resolution #23-2012 in Support of Act 13 Challenge. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to sign the letter to Chairman Brian Coppola regarding our support of the Act 13 Challenge. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Resolution 24-2012 MS4 Cooperative Education Program Intergovernmental Cooperative Agreement & Ordinance

A motion was made by Claude Beaver, seconded by David Franke, to pass Resolution 24-2012 which indicates the Township's intent to join the MS4 Cooperative Education Program and Steering Committee, sign the Intergovernmental Cooperative Agreement & adopt an Ordinance. The Chairman asked if there any questions or comments on the motion. Mr. Rudderow commented that this is something that as we discussed is federally mandated and passed down through the state and we really as a municipality do not have many options. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to authorize the Solicitor to put the sample ordinance in codified format and advertise a Public Hearing on August 9, 2012 at 7:00 pm with the regularly scheduled meeting to immediately follow. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

NEW BUSINESS

Insurance Company Audit – Ms. Hollenbach reviewed the Workers Compensation Insurance audit with the Board and what is being required.

Recycling Contract – does the Board wish to rebid or extend? Ms. Hollenbach reviewed with the Board the options that can be included in the Recycling Contract. Ms. Hollenbach advised the Board that since switching to Mascaro, the Township is receiving approximately four

Maidencreek Township Board of Supervisor Meeting
July 12, 2012 7:01 pm

complaint calls a week. The Board advised the Township Manager and Solicitor to review the current contract and to prepare the paper work needed for re-bidding. Mr. Rudderow asked for the cost to extend the current contract for one additional year.

Ms. Hollenbach advised the Board that the Township will need to buy more bins for recycling and the cost has doubled since they were purchased in 2007.

Maidencreek Baseball Club

A motion was made by Claude Beaver, seconded by David Franke, to send a letter of appreciation to all the Coaches, Assistant Coaches, Volunteers and Park and Recreation Board. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to send a letter of appreciation to Giorgio Foods thanking them for the sponsorship of the Maidencreek Baseball Club. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Executive Session for Personnel.

Promotion of David Saint

A motion was made by Claude Beaver, seconded by David Franke, to promote David Saint to the position of Heavy Equipment Operator with the standard probationary period and the understanding that tardiness will have repercussions. If Mr. Saint keeps up what he has been doing, the Board will be very pleased and thanks him for taking over in the Foreman's absence and doing a good job. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Since there was no further business, a motion was made by Claude Beaver, seconded by David Franke, to adjourn the July 12, 2012 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 10:45 pm.

Recording Township Secretary, July 12, 2012

Township Secretary, July 12, 2012

Maidencreek Township Board of Supervisor Meeting
July 12, 2012 7:01 pm

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 Hobough, 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