

Maidencreek Township Board of Supervisor Meeting
September 13, 2012 7:03 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

Joseph Rudderow III called the September 13, 2012 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:03 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 August 9, 2012 regular meeting. 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 August, 2012 Treasurer’s Report and Bill List. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

REPORTS

ENGINEER’S REPORT

Subdivision/Zoning –

Esbenshade’s Greenhouse Land Development Plan 90 Day Time Extension

A motion was made by Claude Beaver, seconded by David Franke, to accept the developer’s request for a time extension to the review period for Esbenshade Greenhouse Land Development Plan until December 28, 2012. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Meadowbrook Phase I & II – Closeout 18-month maintenance period – Mr. Unger reviewed with the Board SDE findings regarding Meadowbrook Phase I & II.

A motion was made by Claude Beaver, seconded by David Franke, to authorize the Township Solicitor and Township Engineer to work with the Developer to amend the existing agreements to cover unfinished items in phases I & II. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

The Crossings at Maidencreek Phasing Issues - Mr. Unger reviewed with the Board possible issues that may occur with the detention pond since the development plan is a recorded plan. Mr. Orlando advised the Board that his office did a title search on the lots and each lot can be sold as a stand- alone lot. Mr. Orlando also believes that this development will at some point, be built. The Board authorized Mr. Orlando to reach out to the bank holding the Letter of Credit for the project and ask them to work with the Township on development issues.

Meadowbrook Phase III & IV – Street dedication of remaining roads - Mr. Unger reviewed the Forino Development request to dedicate streets to the Township. The Board would like an

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agreement that would require an extension to the maintenance period should there be undeveloped lots after eighteen months prior to accepting dedication of the streets. Ms. Hollenbach advised the Board that lot #37 does not belong to the developer and it will most likely not be built upon anytime soon. Mr. Unger and Ms. Hollenbach advised that the developer has dedicated all water and sewer lines to the Maidencreek Township Authority.

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Township Engineer and Township Manager to discuss a possible modification of the Developers Improvements Agreement with the Developer. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Projects

Tree Tops Storm Water Basin - Mr. Unger reported that he is waiting for a heavy rain to determine if the basin is functioning.

Bridjit Curb Ramps – After a lengthy discussion, the Board asked the Manager to send a letter inviting the homeowner to the October Township Meeting.

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 \$108.91. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Permit Application for Dry-Lot Farming Kopfer Farm – Mr. Unger reviewed with the Board what is Dry-Lot Farming and what is intensified farming. Mr. Unger advised that Mr. Kopfer would need to get a Storm Water Permit from the Township.

MUNICIPAL SOLICITOR

Addendum to Recycling Contract – Mr. Orlando reviewed the Addendum to the Recycling Contract with the Board.

A motion was made by Claude Beaver, seconded by David Franke, to sign the Addendum to the Recycling Contract. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Corrado Bankruptcy – Potential litigation. Executive session will be needed.

Treetops Detention Basin – The basin has transferred to the Trust.

Melrose Place extension of Improvement Agreement - No action is required by the Board at this time.

Melrose Place Detention Basin – Mr. Orlando reviewed with the Board the open issues with regard to the Melrose Place Detention Basin.

A motion was made by David Franke, seconded by Claude Beaver, authorizing the Township Manager to communicate with the Developer that the Township is determined to bring the Improvements Agreement extension and the detention basin retrofit to a resolution one way

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or the other by the October meeting. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Esbensshade LDP - Mr. Orlando advised the Board that his office is trying to coordinate a meeting with the Attorney General's Office.

County Radio Project – Mr. Orlando advised that his office did receive the following Promissory Notes:

1. Holder Blandon Fire Company #1 for \$5,966.9
2. Holder Blandon Community Ambulance for \$3,433.42
3. Holder Blandon Community Ambulance for \$12,242.68
4. Holder Blandon Fire Company for \$51,646.45

Mr. Orlando also advised the Board on the DCED Act. Mr. Orlando advised that the promissory notes should be reviewed prior to the ordinances being written.

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Township Solicitor to retain Bond Counsel on an hourly basis. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Mr. Orlando discussed with the Board the letter from Whitney Rahman dated September 10, 2012, regarding the County Radio Project. The Board discussed in length the County Radio Project and how it is affecting the township and the county as a whole.

Certificate of Completion of Ty Holdings and Metropolitan Management – Mr. Orlando advised that Conestoga Title Company required a certificate of completion of the Golden Manor III Development for a loan refinancing for Metropolitan Management.

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Chairman to execute the Certificate of Completion. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

PUBLIC COMMENT - None

MANAGERS REPORT

Authority Manager and Township Managers Report – Ms. Hollenbach reviewed the Managers Report with the Board. Mr. Donovan advised that Authority is going to inspect for illegally connected sump pumps in the Treetops development due to increased flow of clear water in the sanitary sewer line.

Emergency Management Radios – Ms. Hollenbach advised that the Township needs to purchase two radios for the Emergency Management Department at a cost of \$10,770.16.

A motion was made by Claude Beaver, seconded by David Franke, to purchase two Emergency Management Radios at a cost of \$10,770.16. Hearing no questions on the motion the members voted as follows: Joseph Rudderow III and David Franke "Aye" and Claude Beaver "Aye" under protest. Motion carries

The Fire Chief advised the Board that the fire department has six narrow band radios that the Township may have for their trucks. This will save the Township money.

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A motion was made by Claude Beaver, seconded by David Franke, to send a letter of thank you to the Blandon Fire Department for the use of the six narrow band radios. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Community Park – Ms. Hollenbach advised the Board that the Community Park Concession was broken into and vandalized. Residents have called to complain about suspicious activity occurring in the parking lots. The Park and Recreation Board would like to purchase a dusk to dawn light for the park. The Board is also considering purchasing video cameras for community parks. The Board advised Ms. Hollenbach to talk with Park & Recreation about moving the lights in the Pavilion area higher.

A motion was made by David Franke, seconded by Claude Beaver, to purchase a light for bottom area of the Community Park. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

RESOLUTIONS & ORDINANCES

Resolution #26- 2012 Minimum Municipal Obligation

A motion was made by Claude Beaver, seconded by David Franke, to adopt Resolution #26 – 2012 Pension Minimum Municipal Obligation for 2013. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

OLD BUSINESS

Recycling Contract and Bins – As requested by the Board at last month's meeting Ms. Hollenbach provided a sample of the TM Fitzgerald container. The Board reviewed the options provided by the Township Manager regarding the recycle bins.

A motion was made by Claude Beaver, seconded by David Franke, to purchase 336 containers @ \$10.25 each with no lid. Hearing no questions on the motion, all members voted, "Aye". Motion carried. The Township has an adequate supply of lids on hand.

NEW BUSINESS

Accept Letter of Resignation Zoning Hearing Board Alternative, Barry Bentz

A motion was made by Claude Beaver, seconded by David Franke, to accept the letter of resignation from Barry Bentz and to send a letter of thank you to him for his service. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Appoint Park & Recreation Member with term expiration of 12/31/2016

A motion was made by Claude Beaver, seconded by David Franke, to appoint Rebecca Miller to the Park & Recreation Board with a term expiration of 12/31/16. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Set Dates for Budget meeting and Trick or Treat Night

A motion was made by Claude Beaver, seconded by David Franke, for Trick or Treat Night to be held on October 31, 2012 from 5:00 pm – 9:00 pm. Hearing no questions on the motion, all members voted "Aye". Motion carried.

The Board authorized the Budget to be advertised for October 25, 2012 at 7:00 pm

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Executive Session to be held to discuss possible litigation at 9:26 p.m. to 9:43 p.m.

Since there was no further business, a motion was made by Claude Beaver, seconded by David Franke, to adjourn the September 13, 2012 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:45 p.m.

Recording Township Secretary, September 13, 2012

Township Secretary, September 13, 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 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