

Maidencreek Township Board of Supervisor Meeting  
April 14, 2016

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

Guests: Gene Bossler, Mary Lou Bossler, Mario Bossler, Chris Kline, James Schoellkopf Jr., David Zwicky, Karen Chandler, Bruce Rader, Elizabeth Magovern, Margaret Mennig, Gerald Davis, Jason Bailey, Brian Horner, Mr. and Mrs. Richard Miller, Mr. and Mrs. David Hannahoe, Ed Kopicki

Joseph Rudderow III called the March 10, 2016 regular meeting of the Maidencreek Township Board of Supervisors to order at 8:03 pm in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

MINUTES & FINANCES

**Approval of the Meeting Minutes**

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the March 10, 2016 regular meeting. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Treasurer's Report and Bill List**

A motion was made by David Franke to approve the April 2016 Treasurer's Report and Bill List. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Jerry Davis of Sunset Avenue, Blandon asked the Board to install two stop signs on Sunset Avenue to help control the speed of vehicles on the street. A police car was parked on the street on Wednesday; however, he was in a location that was easily seen by cars and everyone slowed down. The Board and Township Engineer discussed a traffic study and the Penn DOT warrants that needed to be met in order to install an enforceable stop sign. Mr. Unger, township engineer, estimated the cost of a traffic study at \$1,000 and noted that Penn DOT regulation specifically state stop signs are not to be used for speed control. Margaret Minnich also of Sunset Avenue stated there are at least ten children on the street and the bus stops on the street twice. Mr. Davis stated the Board should do what they want to do but the first time a child is killed; he will be at the Township meeting. After some discussion, the Board asked the Manager to request a traffic count of Sunset Avenue from Northern Berks Regional Police.

Jason Bailey, 117 Hill Road, Blandon asked if there was any update on the Crossing at Maidencreek residue property. The stub street that ends in the undeveloped parcel is being used by people to park cars, dumpsters and wrecked vehicles. The situation continues to get worse. Mr. Orlando reported that he met with attorney Fred Riegel and Lon Seitz regarding this development. There is someone interested in buying the property and building the development.

MS4 PRESENTATION

REPORTS

ENGINEER'S REPORT

**2016 – 2017 Paving Projects – 2016 Budget \$266,000**

Mr. Unger reviewed costs associated with repairs to storm water on W Walnut Tree Drive and presented a plan that moved the storm water pipe from the rear yards to the street at a cost of about \$78,000. The pipe, which currently runs along the rear lot lines of the interior lots was not on the land development plan but was a change made in the field because the surveyor miscalculated the elevations. Without the pipe, this error would have resulted in a twelve-foot deep swale. Sinkholes are now developing along this pipe and repair of the pipe is made difficult because of trees and structures in the resident's backyards. Mr. Rudderow asked if the pipe removes water from the back yards. Mr. Unger stated that the pipe conveys the water from the street from one end of the development to the other. Next Mr. Unger reviewed four scenarios to improve the storm water situation at Ina Avenue and Main Street and Adele Avenue and Main Street. This \$150,000 project would be looked at for the 2017 budget and the manager stated she would look into grants.

Kemmerer Road repair was estimated at \$55,000 with oil and chip then scheduled for a subsequent year. Lee Spring Road was estimated at \$75,000 for base repair and overlay. If the Board only repaired Evansville Road from Route 222 to the first turn, the cost would be about \$100,000. To do the entire two plus miles of Evansville Road, the cost could be as high as \$380,000. Core samples were taken and there is enough asphalt to do asphalt recycling. There is some storm water work that needs to be done between the S turns. Mrs. Hollenbach reminded the Board that the Route 222 roundabout work was scheduled for next year and Evansville Road would in all likelihood be used heavily during that time. The Board agreed the Township Engineer could prepare a bid spec, meet with Charlie Paris and advertise road work for the following: W Walnut Tree Drive storm water repair, Lee Spring Road paving and Evansville Road paving from Route 222 to the first turn. The road crew will patch the worst spots behind the Lake. Mr. Rudderow suggested that there is still conversation to be had with Penn DOT regarding repair of those roads damaged from the Ontelaunee Bridge detour.

MUNICIPAL SOLICITOR REPORT

**Verizon Cell Tower Agreement** – Verizon has put this project on hold.

**Crossings at Maidencreek** – Mr. Orlando stated that there is renewed interest in the project. This is one of the few developments that required no waivers. If a new developer wished to rerecord the plan, he would have to apply for a new NPDES permit.

**Schwab Land Development Plan**

A motion was made by David Franke to approve the signing of the improvements agreement and authorize the release of the Schwab Land Development Plan upon the receipt of the letter of credit. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGERS REPORT

**Comcast Cable Franchise Agreement** – Comcast returned the Cable Franchise Agreement stating it is their policy to sign after the municipality signs the agreement. The Board's policy is

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to sign agreements after the other party. Mr. Orlando suggested a letter be sent with the signed agreements stating that the signatures are conditional upon Comcast signing the agreement within a date certain.

A motion was made by David Franke to authorize the execution of the Comcast Cable Franchise agreement accompanied by a letter that the signing is conditional upon Comcast signing the agreement and returning it by a date certain. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**State Liquid Fuel Bank Account** – Diane Hollenbach explained that with the Metro Bank change to First National, they are now charging fees. First Priority has offered a no fee checking account with a higher interest rate. Correspondence has been received from BBT regarding changes to the National Penn Accounts and how FDIC insurance is calculated. Mrs. Hollenbach will provide further information in the future.

A motion was made by David Franke to transfer the State Liquid Fuel Checking Account from First National Bank to First Priority Bank. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Wolfson Group** – The engineer, manager and chairman met with representatives from the Wolfson Group regarding their proposed commercial development on Route 222 near Schaeffer Road. The developer is working on a sketch plan and may ask for a residential overlay for 56 acres of the site. This is in response to the proposed installation of roundabouts on Route 222. The developer has said that the retailers he works with have no confidence in the roundabouts and will require more rooftops that have direct access to the site.

#### ROAD CREW REPORT

A report of the month's activities was presented to the Board. A request has been received from Barb Robertson, 616 Main Street, for street sweeping cinders. Joseph Rudderow suggested that the cinders be dumped at the municipal building and anyone who wanted them could pick them up.

A motion was made by David Franke to have the street sweeping cinders dumped in the alley at 616 Main Street. Claude Beaver seconded the motion and hearing no questions on the motion, David Franke and Claude Beaver voted, "Aye." Joseph Rudderow voted, "Nay." Motion carried.

**Diesel Mower Purchase** – The Board requested leasing information on a 72-inch diesel mower and a three-year warrantee. The purchase was tabled.

#### Stream Repair

A motion was made by Claude Beaver to authorize the expenditure of up to \$6,000 on equipment rental and stone to repair the Community Park stream relocation. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously. This work will be performed as a repair under the provisions of the existing permit.

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**PARK & RECREATION**

**Community Day**

The annual Community Day will be held Saturday May 28<sup>th</sup> at the Community Park. The contract for the rides from Metz Amusement was presented to the Board for approval.

A motion was made by Claude Beaver to approve the Metz Amusement quote in the amount of \$1,880.00 for Community Day rides. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

**Shed** – The Park and Rec Board asked to purchase a wood shed for equipment storage. The Board agreed that wood was not sturdy enough and asked the Park and Rec Board to look at block or metal sheds, PODS or sea boxes. David Franke stated that State Surplus might have utility storage buildings.

**ZONING AND CODES**

Diane Hollenbach reported that 115 Grove Road is in the Berks County blighted property program. 313 White Birch Lane has been condemned. 116 Lindbergh Avenue has unaddressed property maintenance issues and the Code Enforcement Officer would like to know if the Board of Supervisors wishes to proceed to the citation level.

A motion was made by David Franke to authorize the Code Enforcement Officer to proceed to the citation level for property maintenance issues at 116 Lindbergh Avenue, Blandon. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Zoning Ordinance Revision**

A motion was made by David Franke to authorize the manager, engineer and solicitor to coordinate, publish notice, post properties and perform any other required actions in order to establish a public hearing on July 14, 2016 for the adoption of the revised zoning ordinance and map. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**EMERGENCY MANAGEMENT**

**Winter Storm Jonas**

A motion was made by David Franke to adopt Resolution 14-2016 designating the Township Manager as agent for Maidencreek Township who is authorized to sign for the purpose of obtaining financial assistance for Winter Storm Jonas. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to submit PEMA DAP Public Disaster Assistance application. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

**NEW BUSINESS**

**2015 Audit**

A motion was made by Claude Beaver to accept the 2015 audit. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

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**Resolution Honoring Meghan N. Sadler**

A motion was made by David Franke to adopt Resolution 15-2016 Honoring Meghan N. Sadler for receiving the Girl Scout Gold Award. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Park and Recreation Resignation**

A motion was made by David Franke to accept the resignation of Keith Shuman from the Park and Recreation Board. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously. Park and Recreation has requested to increase to a seven-member board. The Supervisors took this under advisement but will keep the Board at five members for now.

**Removal of No Parking Sign Request in Meadowbrook Subdivision** - The Board discussed the width of the street. Mr. Unger stated that the streets were not designed for parking on both sides. The Board felt that this could become a public safety issue. If parking were allowed on both sides of the street, fire trucks and snowplows may have difficulty getting through the streets. The Board denied the request to remove the no parking signs in Meadowbrook.

**Fleetwood Library**

Diane Hollenbach announced that the Fleetwood Area Public Library would be holding a blood drive on May 20<sup>th</sup> from 9 am to 1 pm. Their goal is to collect 17 units of blood. The Library is also requesting the Board of Supervisors approve the appointment of Akiko Strum to the Board of Trustees.

A motion was made by Claude Beaver to approve the appointment of Aiko Strum to the Fleetwood Area Public Library Board of Trustees. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

The library also sent a letter updating the Board on their progress finding a new facility. They are currently looking at the purchase of the Fleetwood Grange should the Grange decide to sell their building.

**Melrose Place Letter from Residents** – The Board authorized the Manager to inform the residents who are requesting a reduction in their taxes of all the services they currently receive. The Township does not receive state liquid fuel money for the roads in Melrose Place development because the roads are not dedicated.

**OLD BUSINESS**

**Fiscal Policy**

A motion was made by Claude Beaver to adopt Resolution 16-2016 Fiscal Policy to provide assurance that the fiscal objectives of the Township are achieved and that proper controls are in place for public funds. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

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**Streetlights**

Mrs. Hollenbach informed the Board that the current supplier of sodium vapor cobra head streetlights could no longer get the Hubble brand used throughout the Township. The Board would like to convert the streetlights to LED and suggested the manager look for grants.

**Speed Signs**

A motion was made by David Franke to purchase a battery powered electronic speed sign for use by Northern Berks Regional Police with the cost not to exceed \$3,500. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Combat Tourniquet**

A motion was made by David Franke to purchase combat tourniquets for the Northern Berks Regional Police Department. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

FOR THE GOOD OF THE ORDER

**EXECUTIVE SESSION**

An executive session was held for litigation and personnel issues from 10:17 p.m. to 10:30 p.m. Mr. Beaver left the regular meeting prior to the adjournment of the executive session.

A motion was made by David Franke to authorize the Beaver settlement agreement be signed between meetings and the funds released when the agreement is in a format satisfactory to the Township Solicitor. Joseph Rudderow seconded the motion and hearing no questions on the motion, Mr. Franke and Mr. Rudderow III voted, "Aye." Motion carried.

A motion was made by Joseph Rudderow, seconded by David Franke, to adjourn the April 14, 2016 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members present voted "Aye". Motion carried. Meeting adjourned at 10:32 p.m.

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**Township Secretary,**

Cc: Board of Supervisors  
Eugene Orlando, Solicitor  
Thomas Unger, Township Engineer  
Planning Commission  
Park & Recreation Board  
Zoning Hearing Board and Alternates  
Joan London, Zoning Hearing Board Solicitor  
Maidencreek Township Authority  
Patrick Donovan, Maidencreek Township Authority General Manager  
JoAnn Schaeffer, Maidencreek Township Authority Secretary  
Daniel Becker, Authority Solicitor  
Greg Unger, Authority Engineer  
Barbara Hassler, Tax Collector  
Daniel Miller, Blandon Fire Company Chief  
Chief Scott W. Eaken, Northern Berks Regional Police