

Maidencreek Township Board of Supervisor Meeting  
February 14, 2013 7:00 pm

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

Guests: George Trudeau, Vivian Smith – Blandon BLS, George Sowers – Blandon BLS

Joseph Rudderow III called the February 14, 2013 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 pm in the Maidencreek Township Municipal Building.

Mr. Rudderow reported that two executive sessions were held on January 17<sup>th</sup> & 30<sup>th</sup> for the purpose of employment interviews.

**MINUTES & FINANCES**

**Approval of the Reorganization and Regular Meeting Minutes**

A motion was made by Claude Beaver, seconded by David Franke, to waive the reading of the minutes and approve the minutes of the January 7, 2013 Reorganization Meeting as presented. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to waive the reading of the minutes and approve the minutes of the January 7, 2013 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 January 2013 Treasurer’s Report and Bill List. 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 AG385 (Pension State Aid). Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

**REPORTS**

**POLICE REPORT**

Officer Cardona reported that the Northern Berks Regional Police responded to 212 assignments in Maidencreek Township in the month of January. This resulted in 17 citations. The traffic fines for Maidencreek for the month of January were \$1,527.83. The total number of patrol hours was 758.94 for the month.

**BLANDON AMBULANCE ASSOCIATION**

A presentation was made by the Blandon Ambulance Association updating the Board on all the services that are provided to the residents of Maidencreek Township. The Blandon Ambulance Association also updated the Board on the new membership program that will be going out to the residents. The Board advised the Township Manager to put a statement in the next Township Newsletter.

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ENGINEER'S REPORT

**Subdivision Review Status Checklist**

**Custom Milling Warehouse expires 3/6/13; Time Extension received to 6/15/13**

A motion was made by Claude Beaver, seconded by David Franke, to accept the developer's request for a time extension to the Custom Milling Warehouse Land Development Plan until June 15, 2013. Mr. Beaver amended the motion to have the developer correct the date on the time extension from 2012 to 2013. Mr. Franke seconded the amended motion. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Dollar General Land Development Letter rec'd to withdrawal Approved Final Plan**

A motion was made by Claude Beaver, seconded by David Franke, to accept the letter of withdrawal from the developer of the Dollar General Land Development Plan. Mr. Beaver amended the motion to include date of letter - February 28, 2013. Mr. Franke seconded the amended motion. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Subdivision Improvement Agreement LOC/Escrow Release Letters**

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Chairman to sign the Subdivision Improvements Agreement LOC/Escrow Release letters in the amount of \$42,530.49. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

MUNICIPAL SOLICITOR REPORT

**Esbenshade LDP** - Mr. Orlando is going to contact the Attorney General's office.

**Angelo Corrado Bankruptcy Notice** – Mr. Orlando reported that he sent a letter to the FDIC on behalf of the Township. Mr. Orlando has contacted all parties involved, from the Maidencreek Township Authority Solicitor, the owner of the 10 lots with in the plan, the Solicitors for the Bank and Mr. Corrado and Systems Design Engineering Inc., so that the Township is proactive.

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Solicitor to execute and record a Notice of Default on Subdivision Obligation. 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 Engineer to obtain and prepare revisions to a Plan of Record for the Crossing at Maidencreek consistent with the modification of a plan to remove unconstructed improvements, road ways and other public improvements and to preserve lots already sold consistent with the Notice of Default just authorized. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to have the Solicitor enter an appearance at the Corrado Bankruptcy hearing on behalf of the Township. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Sample Ordinance (PSATS) Fire Co. Billing** – The Board asked the Solicitor to review the ordinance and make any changes necessary for their review next month.

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PUBLIC COMMENT - None.

MANAGERS REPORT - Ms. Hollenbach reviewed the report with the Board.

**Supplemental Retirement Plan** – Ms. Hollenbach advised that this is a supplemental retirement plan offered through PSATS. The Township does not have to contribute to the plan, only pay a yearly administrative fee. The Board requested further information.

**Ordinance Request** - Cliff Panneton of Maidencreek Estates requested through an email that the Board consider an ordinance prohibiting people from parking cars on their lawn. Mr. Orlando advised that there are ordinances in place regarding recreational vehicles, unlicensed vehicles, etc. which addresses parking on the street and that any further regulation would be beyond the scope of a Township's authority.

**Truck Repairs** - Truck #1 is repaired and back in service and the cost exceeded the approved amount by \$22.47 - Mr. Beaver asked for an itemized copy of the bill.

A motion was made by Claude Beaver, seconded by David Franke, to pay the \$22.47 overage on the bill. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Penn DOT Resolution Verifying the Liquid Fuels Map**

A motion was made by Claude Beaver, seconded by David Franke, authorizing the Township Manager to certify the Liquid Fuels Map was correct to the best of her knowledge. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Chestnut Street Storm Water Pipe** - Ms. Hollenbach updated the Board with regard to the Chestnut Street Storm Water pipe that was filled with debris. The Water Authority and Fire Company assisted with the clean up. The pipe is on private property.

A motion was made by Claude Beaver, seconded by David Franke, to rent the vacuum pump not to exceed \$1,375 for the whole day. Mr. Beaver amended the motion to include obtaining a construction easement from the property owners to clean out the pipe. Mr. Beaver withdrew his motion.

A motion was made by Claude Beaver, seconded by David Franke, to obtain construction easements from the property owners that will be affected, to go in and vacuum out the pipe where it is clogged, and a send letter to the property owners to let them know what is being done and that the Township is not necessarily accepting responsibility for the pipe, for replacing it, or fixing it in the future, that all the Township is doing cleaning it out. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to actually vacuum out the pipe where it is clogged at a cost not to exceed \$1,375.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to hire someone to run a camera in the line at cost not to exceed \$2,000.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

RESOLUTIONS & ORDINANCES

**Resolution 15-2013 Tax Collector Rate of Pay**

A motion was made by Claude Beaver, seconded by David Franke, to approve Resolution 15-2013 Schedule Increasing the rate paid to the Tax Collector for the collection of Real Estate Taxes, Delinquent Real Estate Taxes and Interim Real Estate Taxes and authorizing the Tax Collector for properties in the township of Maidencreek Township to collect a \$25.00 fee for all tax certifications. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

NEW BUSINESS

**Accept Planning Commission and Park and Recreation Annual Reports**

A motion was made by Claude Beaver, seconded by David Franke, to accept the Planning Commission Annual Report as presented. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to accept the Park and Recreation Annual Report as presented. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Street Sweeping Quotes** – The Township received two quotes for service: Reilly Sweeping Inc and Industrial Grounds Maintenance. Both bids were for the same dollar amount.

A motion was made by David Franke, seconded by Claude Beaver, to accept the bid from Industrial Grounds Maintenance for the sweeping of 21 road miles based on proximity to the Township and good service provided in the past in the amount of \$3,400.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Guide Rail Replacement Ridge Road** – The Board asked the Engineer to look at the area to see if signage is needed.

A motion was made by Claude Beaver, seconded by David Franke, to approve the quote from Morgan Rail, Inc. at a cost not to exceed \$2,565.00 to replace 50 linear feet of damaged guide rail on Ridge Road. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Animal Rescue League Agreement**

A motion was made by Claude Beaver, seconded by David Franke, to pay \$1,000.00 to the Animal Rescue League in exchange for service. 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 Animal Rescue League Agreement. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Park & Recreation**

June 1, 2013 Car Show/Community Day

A motion was made by Claude Beaver, seconded by David Franke, to approve the June 1, 2013 Car Show/Community Day, approve the fireworks not to exceed \$3,500.00, entertainment

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budget not to exceed \$1,300 and magician at \$150. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

June 21, 2013 Midsummer Night Movie Under the Stars

A motion was made by Claude Beaver, seconded by David Franke, to approve the June 21, 2013 Midsummer Night Movie Under the Stars at a cost not to exceed \$1,300.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

July 5, 2013 Concert and Cones

A motion was made by Claude Beaver, seconded by David Franke, to approve the July 5, 2013 Concert and Cones at a cost not to exceed \$1,000.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Softball and Baseball Fields - Ms. Hollenbach advised the Board that the Township now officially had a Maidencreek Little League. The Little League would like to install batting cages and they will provide material and labor but would like help setting the poles and some B2 modified stone.

List of requests from Girls Softball was reviewed. The Park and Recreation Board were in agreement with the list of requests except for the Sea Carrier. The Board agreed with the Park and Recreation recommendation.

**Police Commission Meeting** – Mr. Rudderow updated the Board on the Police Commission Meeting.

**Discussion on RoundABOUTS** - The Board met with Penn DOT to discuss the Township concerns regarding the roundabout at Route 222 and Tamarack Blvd. There will be a public meeting with Penn DOT sometime this March.

EXECUTIVE SESSION

The Board went into executive session at 9:07 pm to discuss personnel issues and returned from executive session at 10:05 pm.

Mr. Franke advised that the Township has lost three road crew personnel in 2012 and only two people are left. The Board has interviewed several people for the positions.

A motion was made David Franke, seconded by Joseph Rudderow III, to appoint Claude Beaver as full time Road Master with compensation to be determined by the Board of Auditors. The Chairman asked if there were any questions on the motion. Christina Wood asked if the Board was hiring a Township Supervisor as Road Master full time. The Chairman answered yes. Hearing no further questions on the motion, the members voted as follows: David Franke and Joseph Rudderow III, "Aye." Claude Beaver abstained. Motion carried.

A motion was made by David Franke, seconded Joseph Rudderow III, to enter into an employment contract agreement with Claude Beaver and to authorize the Chairman to sign the contract. Hearing no further questions on the motion, the members voted as follows: David Franke and Joseph Rudderow III "Aye." Claude Beaver abstained. Motion carried.

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A motion was made by David Franke, seconded by Joseph Rudderow III, to hire Greg Wolfe as full time Heavy Equipment Operator at a rate of \$21.81/hour. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

A motion was made by Claude Beaver, seconded by David Franke, to have the Township Manager review and make recommendations on the Code of Conduct. Hearing no further questions on the motion, all members voted, "Aye". Motion carried.

**Schaefer Road Bridge** - The County has offered to replace the bridge and turn it back to the Township for full responsibility. The Board would like more information.

A motion was made by David Franke, seconded by Claude Beaver, to have the County give us more information and provided a proposal and plan. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Long Term Plans for the Township** - The Board would like Mr. Beaver to give a report on township equipment as Road Master and to look at capital improvements.

Since there was no further business, a motion was made by David Franke, seconded by Claude Beaver, to adjourn the February 14, 2013 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 10:25 pm.

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Recording Township Secretary, February 14, 2013

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Township Secretary, February 14, 2013

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