

Maidencreek Township Board of Supervisor
June 30, 2005, 7:00 PM

Attending: Roy Timpe, Robert Kopfer, Diane Hollenbach – Recording Secretary

Guest: Ron and Gloria Kemmerer, William Krauter, Mary Dymeck, Scott Gisler, Joseph Rudderow III, Marty Buck, David Kroekel, Donald Glass, Randy Wolfe, Penney Humel, Krista Timpe, Fay Isamoyer, Cindy Stump, Hether Quillman, Robert Clouser, Claude Beaver, Keith Shuman

Roy Timpe called the special meeting of the Maidencreek Township Board of Supervisors to order at 8:00 p.m. at the Maidencreek Township Municipal Building, the purpose of which was to appoint someone for the balance of the year as supervisor due to the resignation of Gloria Kemmerer. Mr. Timpe asked everyone to rise for the Pledge of Allegiance to the Flag.

PUBLIC COMMENT

Mr. Timpe stated that it is customary for the Board to accept Public Comment at every meeting, but that he would not be accepting comment on issues other than the appointment to the Board of Supervisors.

Mary Dymeck, Longleaf Drive, Blandon stated that looking at the list, she felt that Joe Rudderow was the most qualified candidate because he had taken the initiative and run in the election and was obviously interested. Mr. Rudderow also is involved in Maidencreek Township politics and Mrs. Dymeck considered Mr. Rudderow well suited for the job.

Joe Rudderow III, Longleaf Drive, Blandon read the following letter into the record.
Dear Board of Supervisors,

At the June 2, 2005 Board of Supervisors meeting, I expressed my interest and asked the Board for their consideration in appointing me to fill the vacancy of Maidencreek Township Supervisor.

I am sending this letter to reaffirm my genuine interest in serving the residents of Maidencreek Township in this capacity. I have been active in the Maidencreek Township Planning Commission since 2002. I have also served the residents of Maidencreek Township as the Vacancy Board Chairman from January 2002-January 2005. I have attended Township related classes at the Center for Community Development. I have been recognized by Berks County Planning Commission as a Master Planner. I am a college graduate from West Chester University from the School of Business and Public Affairs, with a Bachelor of Science degree in Criminal Justice. I have been a small business owner for more than 15 years.

I am sure that the Board of Supervisors is aware that I successfully circulated a petition to have my name appear on the ballot in the spring 2005 Primary Election. Although I did not win the Republican nomination, the support I did receive has encouraged me to ask for this appointment. I believe that those residents who found time to vote in the spring primary for me will be greatly satisfied and duly served with my appointment.

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In closing, I feel my qualifications, as well as my dedication and involvement in Maidencreek Township demonstrate that my commitment to the residents of the Township is genuine and long standing.

Thank you for your consideration,

Sincerely, Joseph E. Rudderow, III.

Gloria Kemmerer, East Wesner Road, Blandon read the following statement into the record:

This meeting has been called tonight because I resigned my position on the Board of Supervisors earlier this month and a replacement must be chosen. The rules of the Second Class Township Code do not allow me to participate in the decision-making process of choosing my replacement. However, when I resigned my position on the Board of Supervisors, I did not resign my position as a Township resident, taxpayer and voter and therefore, I feel that I have as much right as anyone else in this room to state my opinion to this Board as to whom should be my replacement.

I believe that Joe Rudderow would be the best candidate for the job. He has proven his worthiness over the last several years as he has served well on the Planning Commission. His attendance record has been impeccable. He has arrived at meetings prepared. He has gone out into the Township to make on-site visits to properties that submitted Land Development Plans in order to make a more-informed decision. He has taken classes to earn the title of Master Planner. In plain words, he has done his job as a member of the Planning Commission very, very well. I believe he would bring that same dependability and desire to work hard to the Board of Supervisors.

Joe Rudderow successfully runs his own business. He would bring that expertise to the table at Budget time especially, being fiscally responsible with taxpayer monies. Joe's business experience also gives him the ability to work with people, both the public and employees. Because Joe rubs elbows daily with his customers, I believe he will be able to recognize the difference between the proverbial squeaky wheel and someone who is truly in need and to handle the situation accordingly.

In regard to working with employees, as a Township Supervisor, I really came to love each and every member of our Township work force. I want the Supervisor who replaces me to be sensitive to them and their needs. As Joe has carried out his duties as a member of the Planning Commission and has visited the Municipal Building on a number of occasions, I believe he has already established a good working relationship with the Office Staff. I would expect that same respect to carry over to the Road Crew as well.

One other quality that I see Joe as having is that since his family business has employees, he would have the ability to wisely hire new employees as needed and the wisdom to not only recognize a bad employee, but also have the intestinal fortitude to fire one should that ever become necessary.

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In conclusion, we cannot ignore the recent Primary Election where Joe Rudderow has a more-than-admirable number of votes, including a respectable number of write-in votes, in a low turn out election against the incumbent. For this Board of Supervisors to ignore all the fine attributes of this fine young man and appoint anyone else of lesser qualifications to the position of Township Supervisor would be a foolish mistake with long-term repercussions.

Thank you for allowing me to address the Board. Please accept this written document of my remarks for the public record.

Scott Gisler, Longleaf Drive, Blandon stated that he felt that Joe Rudderow should get the nomination for the same reasons already expressed behind him. Mr. Gisler pointed out that Mr. Rudderow took the initiative to run in the Primary and was obviously still interested in the position.

Mr. Timpe asked if there was anyone else to make public comment. Seeing a few hands Roy Timpe told the audience to make it quick.

Randy Wolfe, West Walnut Tree Drive, Blandon stated that Joe is the best candidate available, has expressed an interest and attends numerous meetings. Mr. Wolfe added that this was a leadership issue not a friendship issue and believed that Mr. Rudderow will speak his mind and listen to the public.

David Kroekel, West Walnut Tree Drive, Blandon stated that he wanted to put his comments behind Joe. Mr. Kroekel stated that he knew Joe as a person and that Mr. Rudderow had business acumen and high integrity. He showed interest in running in the primary and the Board should recognize that.

NOMINATION S

Roy Timpe made a motion to nominate Claude Bieber to the position of Supervisor for the balance of the year 2005. Mr. Kopfer stated that he had a few people in his mind but he would go along with it and seconded the motion. Roy Timpe asked for public comment on the motion.

Mary Dymeck asked on what basis did the Supervisors pick that name since it wasn't on the list on the agenda. How was the name arrived at and what are his qualifications. Roy Timpe answered that the agenda only contained the names of the people that contacted the Township Building, not the ones that contacted the Supervisors personally or that they contacted. Mr. Timpe stated that his criteria for picking his candidate was a person that attended meetings, was able to understand the issues, and would govern in a way consistent with preserving rights and liberties of the people.

William Krauter, Hill Road, Blandon stated that he was an ex school teacher, a good civic person and Joe came here tonight and the other people were a no show.

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David Kroekel stated that Mr. Timpe's criteria lacked any description of a qualification and was the Board simply going to ignore the fact of interest and someone making the effort to run in the Primary.

Roy Timpe asked if Mr. Kroekel was asking why he personally wasn't supporting Joe. Mr. Timpe stated that the way a Township is governed is that the Board of Supervisors make ordinances - Zoning and Land Development. The Township has a Zoning Hearing Board and the way the Zoning Hearing Board works is that if someone wants to use their land in a way not described in the Zoning Ordinance they go before the Zoning Hearing Board and it is either granted or not. The Zoning Hearing Board is appointed by the Board of Supervisors. The Planning Commission looks over plans and helps draft ordinances. Mr. Timpe stated that Joe is good guy, has a wonderful family and has many friend, many of whom are out here tonight. Mr. Timpe was concerned that Mr. Rudderow's style of government would extend control beyond what a Supervisor should do.

Joe Rudderow asked Mr. Timpe to educate the people on his views of government. Mr. Timpe stated that one thing that concerns him was a conversation Joe and Dick Thren had concerning the sign the Greek Orthodox Church placed in front of their property. Currently, in our zoning ordinance churches can go anywhere. The flavor of their conversation was, "Hey where do they get off putting a sign in front of their property – how do they know that we are going to allow them to put a church there" Mr. Timpe stated how Second Class Townships work, Planning Commissions don't get to decide how a person uses their property. If somebody wants to use their property in a way in accordance with the existing zoning, no one in the Township including the Board of Supervisors, Planning Commission and Zoning Hearing Board has the authority to stop that, or like the Jiffy Lube in the Commercial Residential zone is an example. Mr. Timpe stated that the Jiffy Lube is not an allowed use in the CR zone, even then it is not the Supervisors or the Planning Commission but the Zoning Hearing Board that calls that shot. So this conversation was almost as if they felt they had authority that they didn't have, authority which no one in the Township has. Mr. Timpe stated that he favors limited government that allows people to use their property as they wish.

David Kroekel asked what the role of the solicitor was. Mr. Timpe answered to advise the Supervisors on the legalities and such. Mr. Kroekel stated, "So what you are opposed to is healthy debate because they (Planning Commission) can't step outside the bounds of the law and it sounds like you don't want to have debate." Mr. Timpe stated, "You may want to interpret it that way but he felt the conversation demonstrated more of a controlling nature then what he wanted to see."

Dick Thren, Longleaf Drive, Blandon stated that he never fought against the Greek Church because it was allowed and didn't know where Mr. Timpe got that sign bit. Mr. Thren asked if he ever voted against the Church. Mr. Timpe stated that he never said Mr. Thren voted against the church. Mr. Thren added that as for the Jiffy Lube, it was a matter of coverage of impervious surface and it was also in CR and the Planning Commission has the right to make comment on the application for the Zoning Hearing Board. Mr. Timpe stated that the only reason he brought the Jiffy Lube up was to point out that the decision lies with the Zoning Hearing Board. It is appropriate for the Planning Commission to comment. William Krauter asked if there was anybody from the Greek Church in the audience that objected to appointing Joe then stated that Mr. Timpe is unhappy and the Greeks aren't that pumped up about it or they

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would be here. Mr. Timpe stated that Mr. Krauter misunderstood what he said. Mr. Krauter said, "This is how you are coming across friend."

Joanie Garza, Appian Way, Blandon stated that Mr. Kopfer had said he had several names in mind and asked Mr. Kopfer what his opinion was of Mr. Rudderow. Mr. Kopfer stated that he really didn't know. His problem was that it was a little bit more then he expected. It is just way farfetched and his other names were in another category. He added the name Jack Faust to the list and had a bunch more other names. Mr. Kopfer added that it seems like Mr. Rudderow wants it too much. Mrs. Garza asked if the two Supervisors had run for the position. Mr. Timpe replied that some of us were stupid enough to run twice. To which Mrs. Garza replied that it did not sound like he valued his position.

Mr. Timpe stated " The motion has been made, seconded and there has been public comment. All in favor of passing the motion?" Mr. Kopfer and Mr. Timpe voted, "Aye." Motion carried. Mr. Timpe stated that the swearing in would take place before the next public meeting.

Since there was no further business, a motion was made by Robert Kopfer, seconded by Roy Timpe to adjourn the June 30, 2005 special meeting of the Maidencreek Township Board of Supervisors. The meeting was adjourned at 8:24 p.m.

Transcribing Secretary

Cc: Board of Supervisors
Eugene Orlando, Orlando & Strahn, Solicitor
Thomas Unger, Systems Design Engineering, Inc., Township Engineer
Ed Kopicki, Systems Design Engineering, Inc., Planning Commission 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, Maidencreek Township Authority Solicitor
Greg Unger, Systems Design Engineering, Inc., Maidencreek Twp Authority Engineer
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Scott W. Eaken, Northern Berks Regional Police
Alice Schoellkopf, Blandon Ambulance