

Maidencreek Township Board of Supervisor Meeting
May 12, 2016

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

Guests: Gene Bossler, Mary Lou Bossler, Mario Bossler, Chris Kline, James Schoellkopf Jr., Karen Chandler, Brian Horner, Cody Rhoads, Karl Bolognese, Victoria Solberg

Joseph Rudderow III called the May 12, 2016 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 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 April 14, 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 May 2016 Treasurer's Report and Bill List. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Gene Bossler, 122 Grove Road thanked the Board for keeping him updated on the progress of 115 Grove Rd and asked what will happen next. Mrs. Hollenbach explained that the Blight Board would meet in June and the property owners have until that meeting to make progress in cleaning up the property. The process could take up to a year.

REPORTS

ENGINEER'S REPORT

Ed Kopicki reported that there are no plans currently under review. A conditional use hearing was held April 14th and a decision rendered on April 28th. Road bids are advertised and will be opened on May 18th at 11 am.

W Walnut Tree Drive – Mr. Kopicki reviewed the findings of the televising of the W Walnut Tree Drive. There are three sections of crushed pipe and one clogged section.

Zoning Ordinance Revision – The Planning Commission discussed at their May meeting the Commercial Residential (CR) zoning district. Assisted living facilities and multifamily residential uses in CR require connection to the public water and sewer system. Because some of the CR zoning districts falls outside the public sewer and water area, it would be improbable that a property owner could comply with the requirement. The Commission discussed changing the zoning of these CR zoned properties on Maidencreek Road and Route 222. Such a change would create setback issues and use issues because the properties would be non-conforming. They recommended to the Supervisors to change sections 220-69.f.1 and 220-79.f.1 to remove the

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requirement to connect to public water and sewer. Mr. Rudderow asked if public water and sewer were made available in these areas if the properties would be exempt from connecting. Mr. Orlando stated that the mandatory connection ordinance would address that issue for properties within 150 feet of a new water and sewer line.

A motion was made by David Franke to authorize the engineer to change sections 220-69.f.1 and 220-79.f.1 of the draft zoning ordinance amendment and remove the requirement to connect to public water and sewer. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

MUNICIPAL SOLICITOR REPORT

384 Evansville Road Conditional Use Decision – Mr. Orlando reported that he had a draft written decision for the Board to review and comment upon for the assisted living conditional use for 384 Evansville Road. The Board rendered its' decision with eight conditions on April 28, 2016.

A motion was made by David Franke to authorize the written decision be signed between meetings once it is reviewed and approved by the Board of Supervisors. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Earned Income Tax Delinquent Collection Ordinance – The Berks County Tax Collection Committee has requested municipalities adopt an ordinance to allow the collection of delinquent taxes through a third party agency and to allow that agency to add no more than a 25% collection fee. Mr. Rudderow asked why the Berks EIT staff could not continue chasing delinquent accounts. David Franke asked if the Township does not adopt such a resolution, would the EIT stop collecting our delinquent accounts. Mr. Beaver asked how many delinquent cases there were in the Township and if all Townships received the letter.

A motion was made by Claude Beaver to table the issue for more information. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGERS REPORT

Diane Hollenbach provided a written report to the Board and added that the Authority had broken the Township into districts and would be doing preventative maintenance and repair of the sewer lines by district. Mrs. Hollenbach also reminded the Board that the annual Community Day would be held Saturday, May 28th at the Community Park.

ROAD CREW REPORT

A report of the month's activities was presented to the Board.

Diesel Mower Purchase – Mrs. Hollenbach covered issues that were wrong with the John Deere 5510 – coolant leak, transmission input shaft seal missing, injection pump needs to be replaced, lines are worn and valve spools and cylinders need replacing. The Township has been advised that the mower is too heavy for the tractor and some of the issues stem from that and some are from overall age of the tractor. Mrs. Hollenbach advised of the need to replace this tractor prior to the Board voting on the new small mower since the tractor will cost more than \$100,000.

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Road mowing is not finished and Mrs. Hollenbach requested permission to rent a tractor and mower for \$2,100. The Board asked that the staff get pricing and options on road tractors and mower attachments.

A motion was made by Claude Beaver to rent a tractor and mower from Stephenson Equipment at a cost not to exceed \$2,100. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to purchase a Kubota Zero Turn 72-inch diesel mower at a cost not to exceed \$13,384.85. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to purchase four turf tire for the John Deere 955 tractor at a cost not to exceed \$858. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

PARK & RECREATION

Appointment of Board Member

A motion was made by David Franke to appoint Susan Carbaugh upon the recommendation of the Park and Recreation Board to the unexpired term of Keith Shuman with the term ending 12/31/2018. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

NEW BUSINESS

2016 Audit

A motion was made by Claude Beaver to authorize the chair to sign the 2016 audit engagement letter from Kosmerl & Co. with no cost increase. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Primary Election Day – David Franke asked the Board to consider paying the employees who did not work on Primary Election day instead of making them use personal and vacation time. Mr. Franke felt that the presidential election years drew more people, created adverse attention and could be problematic for the employees working at the building. Mr. Franke felt that employees should be able to choose when their vacation is taken. Mr. Rudderow was willing to discuss the matter for future elections but was not interested in discussing this past primary election since the employees were given the option to work or take a scheduled day off. Claude Beaver agreed with Mr. Rudderow.

Police Meeting – Mr. Rudderow reported that a presentation was given on the police pension at the May Police Commission meeting. The firm that manages the pension is looking for more latitude in investments. In June, the Chief of Police Association will attend the police meeting to review their procedure of searching for a new police chief.

Speed Sign – Mr. Rudderow reported that the Township could not order a sign without the software program.

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A motion was made by Claude Beaver to authorize the Township to pay up to \$4100 for a speed sign purchased by the Northern Berks Regional Police Department. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

384 Evansville Road – Gene Orlando explained that the planning module for 384 Evansville had been submitted, reviewed and was administratively complete. It was different for the Board to be acting on a planning module that was not tied to a land development plan. The Board had sixty days to act on the module. If no action is taken, the developer could then move forward and submit the module to the DEP without Township comment. The Planning Commission took no formal action. Mr. Orlando stated that this Planning Module would become a revision to the Township's 537 plan and that technically, the Township is the applicant. Ed Kopicki of Systems Design Engineering was hesitant about recommending approving a planning module without all the planning for land development being done. David Franke raised concerns about testimony presented at the conditional use hearing that the septic system is not working properly and that this planning module, if approved by the PA DEP, would correct that system. Diane Hollenbach pointed out that the Board previously approved and forwarded a planning module for this same property without a land development plan.

A motion was made by Claude Beaver to adopt Resolution 17-2016 the Farvardin Planning Module and authorized the manager to submit the signed planning module to the PA DEP once payment of the application fee is received. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

ADDITIONAL PUBLIC COMMENT

Victoria Solberg of 317 Sofia Blvd told the Board that she believes the swale on her property is deeper than shown on the Melrose Place plan and the grading on her lot and those around her is incorrect. She has standing water in her grass and is concerned about Zika and West Nile Virus. The Board suggested she first contact her builder to remedy this private property issue. Ms. Solberg asked if she could put a pipe in the swale because she wants to put a shed on her property. Mr. Rudderow stated that the office could help her with questions on a zoning permit for a shed and the engineer would have to work with her on the possibility of her installing a pipe. Ms. Solberg was advised to contact her builder, as he is responsible for grading her lot according to the recorded plan.

FOR THE GOOD OF THE ORDER

David Franke asked that the June 19th to 24th road closure of Route 73 from Route 222 to Route 61 between 6 pm and 5:30 am be put on the Township webpage. Mr. Franke, in remembrance of Memorial Day, thanked all the residents, police, fire, soldiers, and military personnel who served their country. He asked that we keep those that had passed on in our thoughts and prayers.

A motion was made by Claude Beaver, seconded by David Franke, to adjourn the May 12, 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 8:33 p.m.

Township Secretary,

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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