

Maidencreek Township Board of Supervisor Meeting
July 28, 2010 7:30pm

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

Guests: Paul Nahrgang, David A. Tranquillo and Richard Wick, Jesse Zerby, Jim Schoellkopf.

Claude Beaver called the July 28, 2010 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:30 pm in the Maidencreek Township Municipal Building.

An executive session held prior to the meeting to discuss litigation issues.

FLEETWOOD ALS PRESENTATION OF HEART MONITOR

Jesse Zerby of the Fleetwood ALS updated the Board regarding the purchase of the new heart monitor. Mr. Zerby explained that the new monitor has the capacity to do what several of the standalone pieces of equipment do, giving them opportunity to send out equipment on more than one EMS call. The Supervisors contributed \$5,000 toward the purchase of the \$30,000 unit.

APPROVAL OF THE MINUTES

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to approve the June 10, 2010 regular meeting minutes. Hearing no questions on the motion all members voted, “Aye”. Motion carried.

ENGINEER’S REPORT

Subdivision Review Status Checklist

Corrado Commercial Preliminary Plan

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to accept the developer’s offer of a time extension to the plan review period for the Corrado Commercial Preliminary Plan until June 30, 2011. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Esbensshade’s Greenhouse Land Development Plan

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to accept the developer’s offer of a time extension for the Esbensshade’s Greenhouse Land Development Plan until November 28, 2010. Hearing no questions on the motion, all members voted “Aye”. Motion carried.

Projects

Act 209 Transportation Study – Tabled.

James Hardie Storm Water – Mr. Unger informed the Board that the storm water pipe installation is completed. The structures did not pass the hydraulic water test. The contractor will be lining the pipes with a PVC epoxy liner. This will strengthen the joints.

Meadowbrook Street Light Dedication - Mrs. Hollenbach asked if Forino Company has contacted SDE with street dedications. Mr. Unger stated at this time no, but he will contact them. The Board tabled acceptance of the streetlights.

Subdivision Improvement Agreement LOC

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters in the amount of \$175,995.78. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

PUBLICS WORKS

Approval to Purchase Parts for Backhoe and Loader

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to purchase parts for the 580 Super backhoe and loader not to exceed \$800.00. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

SOLICITOR'S REPORT

Comcast & Service Electric Franchise Renewal Agreements – No action is required by the Board at this time.

Resolution 14-2010 Fees Permissible under Act 46 - Act 46 signed by the Governor with the budget extends all permits issued after July 2, 2008 until December 31, 2013. This resolution will allow the Township to charge a fee for certification of extended permits.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adopt Resolution 14-2010 Fees Permissible Under Act 46. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Esbenshade LDP – Attorney General sent letter extending his department's review period of issue - No action is required by the Board at this time.

PUBLIC COMMENTS

David Tranquillo of Buena Vista Road thanked the Board for clearing brush from Calcium Road as requested lasted month. Mr. Tranquillo asked who is responsible for Evansville Road. Mrs. Hollenbach stated that the Township is responsible from Rt. 222 to Maidencreek Road. Penn Dot owns it from Maidencreek Rd to Lehigh Cement. Mr. Tranquillo would like to see industry pay for the roadwork recently done by Penn DOT to Evansville Road. Mr. Tranquillo asked who was responsible for the upkeep on a vacant property on Buena Vista Road and would the Township lose tax money due on this property. Ms. Hollenbach stated that Code Enforcement Officer had been in contact with the realtor for the property and the property was to be mowed, and the Township has many recourses to collect the tax dollars owed on this property if not paid by the due date. Mr. Tranquillo asked if there is a Township Ordinance against indecent public displays of affection. The Board advised Mr. Tranquillo to call the Northern Berks Regional Police if he has issues with neighbors regarding public exhibition.

TREASURER'S REPORT/MANAGER'S REPORT

Treasurer's Report and Bill List

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to approve the June 2010 Treasurer's Report and Bill List. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Approve Mileage for 2nd Quarter of 2010 for Rita Agnetti –

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, approving the payment of 2nd Quarter Mileage to Rita Agnetti in the amount of \$94.00. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Approval to Take Out a Certificate of Deposit for \$105,000.00 –

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to deposit \$105,000 into a five year CD at 2.80% with Affinity Bank, and earmark the money for road improvements on Hoch and Park Roads. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

PARK & RECREATION

Paul Nahrgang Request to Lease Township Open Space on E. Wesner Road – Mr. Nahrgang asked if he could lease Township open space on E. Wesner Road as pasture for his horses. Mr. Nahrgang’s home is across the street from this space. The Board had been approached by several members of the community at various times to lease the land. The Board did not allow them to lease the space. The Board did not feel it would be appropriate to lease the space, as it was access to the stocked trout stream.

Mr. Nahrgang wanted to advise the Board that when volunteers come to stock the pond, they park along E. Wesner Road which is very dangerous. The Board asked Ms. Hollenbach to advise Park & Recreation Board of this matter and ask the Park & Recreation Board to look into ideas for parking in this area and along Schaeffer Road.

The Board would like advisory signs put on E. Wesner Road regarding the sharp bend.

RESOLUTION

Resolution 15-2010 Opposition to Forced Mergers and Consolidations of Local Government:

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to sign Resolution 15-2010 Opposition to Forced Mergers and Consolidations of Local Government and to send it to as many and all that should see a copy of it. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

OLD BUSINESS

Berks County Tax Collection Committee (TCC) –

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Manager to send the letter dated July 28, 2010 signed by the Chairman regarding supporting legislation to give each taxing authority an equal vote on the TCC to our fellow Supervisors and Borough Council Members. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Mr. Rudderow advised the Board and audience that the TCC would be meeting on August 10th at 6:30 pm at Fleetwood High School. Mr. Rudderow advised the Board there were four agencies that responded to the RFPs for a tax collector. Berks EIT is the only agency that is a true not-for-profit organization. The TCC will vote on who will be the tax collector for Berks County at the August meeting.

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W. Walnut Tree Drive Bridge Cleaning – The Board was advised that three companies submitted a quote to clean the culvert on West Walnut Tree Drive and the lowest quote was received from Shirk Excavating.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to hire Shirk Excavating for a price not to exceed \$6,500.00, contingent upon adequate Certificates of Insurance deemed acceptable by the Township, to clean out the bridge on W. Walnut Tree Drive as per the quote.

The Chairman asked for questions or comments on the motion. Mr. Wick asked if it was clearly understood what the contractor was supposed to do with the material and how far behind and before the bridge he is supposed to clear out. Ms. Hollenbach stated that he could only legally go 50' from the bridge on each side. Mr. Wick asked if he is going to physically remove the material or push it to the side, or just push it down stream, or what is he doing? Is he just physically cleaning out what is under the bridge and creating another issue down stream? Mr. Unger stated he is physically removing material. Mr. Rudderow stated that it would have to be in accordance with the permits issued. The Chairman asked if there were any other questions or comments on the motion. Hearing no additional questions on the motion, all members voted, "Aye". Motion carried.

Health Insurance Quote – Mrs. Hollenbach advised the Board that the Township has received some quotes for health insurance. One in particular is from Capital Blue Cross. The rate is better, and the plan is a zero deductible plan equal to what the Township had in the past. Ms. Hollenbach stated that she had already spoken with the Police Chief and Maidencreek Township Authority Manager and asked that each discuss the plan with their Boards, so that when the renewal date comes we will be ready to switch if the group decides to do so.

Public Employee Retirement Commission - Mrs. Hollenbach advised the Board that a notice was received on Monday from the Public Employee Commission stating that the Township Pension is in distress. Ms. Hollenbach advised the Board that several Townships and Police Departments received the same notice this past week. Ms. Hollenbach has forwarded the notice to the Actuary for his review. The Township is required by law to formulate a pension recovery plan.

A motion was made by Joseph Rudderow III, seconded Claude Beaver, authorizing the Chairman to sign the OPE questionnaire asking if there are any post employment benefits for retirees, which the Township has none. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Outsourcing Township Work

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Manager to review with the Township Solicitor the question of out-sourcing Township work. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Township Newsletter – Ms. Hollenbach gave the Board copies of the new format newsletter that was published by Hometown Press at no cost to the Township.

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NEW BUSINESS

Prebudget Questions and Scheduling of First Budget Meeting - Tabled

Reschedule September 2010 Regular Township Meeting

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Township Manager to advertise the rescheduled regular September Township Meeting to be held on Wednesday, September 15, 2010. Hearing no questions on the motion, all members voted, "Aye". Motion carried. The Board noted a Personnel Committee Meeting would be held August 3rd at 7:30 pm.

Timing of Rt. 222 Traffic Light – The Board asked that the Manager get the Police Chief's thoughts on a resident's suggestion that every five minutes the traffic light hold green longer (90 seconds) for traffic on Route 222.

Letter to Park and Recreation Board - The Board asked the Township Manager to send a thank you note to the Park and Recreation Board for a job well done regarding Community Days.

The Board of Supervisors went into executive session from 9:10 - 10pm to discuss personnel issues.

A motion was made by Joe Rudderow III, seconded by Claude Beaver, to mark Maidencreek Township vehicles with the Township decal. All members voted, "Aye." Motion carried.

Since there was no further business, a motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adjourn the July 28, 2010 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Meeting adjourned at 10:02 P.M.

Recording Township Secretary, July 28, 2010

Township Secretary, July 28, 2010

Cc: Board of Supervisors
Eugene Orlando, Solicitor
Thomas Unger, 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., Authority Solicitor
Greg Unger, Authority Engineer
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Scott W. Eaken, N.B.R.P.