

Maidencreek Township Board of Supervisor Meeting  
September 15, 2010 7:02 pm

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

Guests: Joe Buono, Angelo Corrado, Cliff Panneton, Rich Olson, David A. Tranquillo, Mike Cochran

Claude Beaver called the September 15, 2010 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:02 pm in the Maidencreek Township Municipal Building.

**POLICE REPORT**

Officer Drazenovich reported that the Northern Berks Regional Police responded to 336 assignments in Maidencreek Township in the month of August. This resulted in 31 citations. The traffic fines for Maidencreek for the month of August were \$794.54. In addition, non-traffic fines were \$1,264.65 totaling \$2,059.10. The total number of patrol hours was 821.43 for the month.

Officer Drazenovich asked if there were any specific question or concerns of the police department at this time. Mr. Panneton asked to see a copy of the police report in the newsletter. Officer Drazenovich advised the audience that the break-ins that have occurred are in unlocked vehicles. The police department is asking that residents please keep their vehicles locked.

The Board advised Mrs. Hollenbach to put the Police Report and graph on the website.

**APPROVAL OF THE MINUTES**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to approve the August 12, 2010 regular meeting minutes. Hearing no questions on the motion all members voted, “Aye”. Motion carried.

**RECYCLING SERVICE BIDS**

2011 Recycling Bid

	Option 1		Option 2		Option 3	
	2011	2012	2011	2012	2011	2012
Charles Blosenski Disposal	\$111,600 \$80/hr	\$111,600 \$80/hr	\$0.00	\$0.00	\$111,600	\$111,600
Cougles Recycling	\$0.00	\$0.00	Approx. \$16,200	Approx. \$15,480	\$0.00	\$0.00
JP Mascaro	\$107,136 \$4.50/ton	\$110,112 \$4.50/ton	\$15/ton	\$15/ton	\$103,416	\$106,392
Waste Management	\$0.00	\$0.00	\$0.00	\$0.00	\$104,064	\$107,338

A motion was made by Joseph Rudderow III, to accept the bids. The motion was amended to have the Township Manager and the Solicitor review the bids for accuracy. The

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motion was than seconded by Roy Timpe. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

ENGINEER'S REPORT

**Subdivision Review Status Checklist – None.**

**Subdivisions/Zoning**

**Corrado Crossings @ Maidencreek Connection to Met Ed System** – Mr. Corrado reviewed with the Board the location of electric poles needed to provide electric service to the Crossings @ Maidencreek development. The Board would like Met Ed to install insulated wire for this part of the project.

**Projects**

**Wind Ordinance Final Draft** -Tabled.

**Act 537 Plan Reimbursement Application**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, authorizing the Township Manager to sign the Act 537 reimbursement application. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Community Park Sewer & Water Line Extension**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, authorizing final payment for the water and sewer line installation at the Community Park on Application No. 2 for \$2,607.64. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**2010 Annual Road Project** – Work is completed.

**Community Park Bathrooms** – Mr. Unger stated that he needed to research and provide the Board with additional costs associated with the project such as the grinder pump.

**W. Walnut Tree Drive Culvert Clean Up** – Mr. Unger advised that the clean up is completed and that the contractor did a good job.

**Tornado Recycling letter received today September 15, 2010** – Informational item only.

**Subdivision Improvement Agreement LOC -**

A motion was made by Roy Timpe, seconded by Joe Rudderow III, to authorize the Chairman to sign the Subdivision Improvements Agreements LOC/Escrow release letters for \$4,679.18. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

PUBLICS WORKS

Ms. Hollenbach stated that the Operations Report is in the Supervisor Books for their review.

**Driving Limits for Commercial Motor** – Mrs. Hollenbach reviewed the driving limits set by the State. The Board instructed that the limits must be followed and that additional snow plow relief drivers should be hired.

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**CDL Drivers – New Drug Testing Laws** – Mrs. Hollenbach advised the Board that the Union has been made aware of the new CDL drug testing requirements and that it has been made a part of the Personnel Manual.

**SOLICITOR’S REPORT**

**Deeds of Dedication** - Mr. Orlando would like to see going forward that the legal description for the Deeds of Dedication specify whether it is a portion of a roadway or the entire roadway. If it is a portion of the roadway, we want to know the beginning and the terminus of the roadway, in addition to the running legal description.

**Resolution #16-2010 Regent Street**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Resolution #16-2010 accepting dedication of a portion of Regent Street. Hearing no questions on the motion all members voted “Aye”. Motion carried.

**Resolution #17-2010 Millennium Drive**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Resolution #17-2010 accepting dedication of a portion of Millennium Drive. Hearing no questions on the motion all members voted, “Aye”. Motion carried.

**Resolution #18-2010 Stirling Street**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Resolution #18-2010 accepting dedication of a portion of Stirling Street. Hearing no questions on the motion all members voted, “Aye”. Motion carried.

**Resolution #19-2010 Hammond Street**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, to adopt Resolution #19-2010 accepting dedication of a portion of Hammond Street. Hearing no questions on the motion all members voted “Aye”. Motion carried.

**Ingot Drive/June Avenue –**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe authorizing the Township Manager and the Township Solicitor to pursue having the property removed as soon as a final court order is obtained and to file whatever documents are necessary to remove that parcel from the tax roll of Berks County. Hearing no questions on the motion all members voted, “Aye”. Motion carried.

**Esbenshade LDP** –Litigation to be discussed in Executive Session.

**COMMUNICATIONS & QUESTIONS -**

**From the Board**

Mr. Timpe discussed the pension plan and compared it with other plans. Mrs. Hollenbach advised that Pennsylvania Municipal Retirement System would be providing a proposal in October.

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**From the Manager & Professionals**

Mrs. Hollenbach advised the Board that the Villas @ Maidencreek made a donation to the Fire Department for \$500.00.

**Public Comment –**

Joe Buono, Rich Olson and Mike Cochrane of Pleasant Hill Road and Golf Lane stated they are having difficulty with dust emissions from Lehigh Cement. Mrs. Hollenbach read an email that the Township received from Lehigh Cement. Mrs. Hollenbach also advised that the DEP had closed this investigation. DEP stated that they did not have enough evidence to say that there was a single dusting incident and if there are continued reports, they need to be called to the DEP at the Reading office and they will reopen the investigation. Mr. Cochrane also read an article regarding the study of Lehigh Cement.

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, to have a letter sent to the Pennsylvania Department of Environmental Protection from the Board of Supervisors asking them to reopen the Lehigh Cement investigation. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, to have the Manager send a letter to the Plant Manager at Lehigh Cement expressing our concerns with the numerous complaints regarding the emissions that are believed to be coming from Lehigh Cement and that we have concerns for the health safety and welfare of our residences and ask for him to look into this matter; copying the Berks County Commissioners, State Rep. Knowles, and State Senator Argall. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Cliff Panneton of Genesis Drive stated that he could feel vibrations when Lehigh Cement blasts. The Board advised him that most of the Township is sitting on limestone and advised Mr. Panneton to contact the Bureau of Mines.

David Tranquillo of Buena Vista Road read a news article regarding an incident at Lehigh Cement. Mr. Tranquillo wanted to know about the fire at Zwicky’s place. Fire Chief Miller stated he and the State Fire Marshall determined that it was an accidental fire. The Fire Chief also stated that Mr. Zwicky’s insurance company would be conducting their own investigation. Mr. Tranquillo wanted to know who Tornado Recycling is. Mr. Unger stated that it is a company proposing a facility that takes municipal solid waste and turns it into fuel.

**TREASURER’S REPORT/MANAGER’S REPORT**

**Treasurer’s Report and Bill List**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to approve the August 2010 Treasurer’s Report and Bill List. Hearing no questions on the motion, all members voted as follows: Claude Beaver and Roy Timpe “Aye”, Joseph Rudderow III “Abstained”. Motion carried.

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**PARK & RECREATION**

**Approval to purchase slide mats for Cornerstone Drive Tot Lot**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing the purchase of slide mats for Cornerstone Drive Tot Lot at a cost not to exceed \$671.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**ORDINANCES**

**Traffic Ordinance** – A public hearing on the ordinance will be held on October 14, 2010.

**RESOLUTIONS**

**Resolution #20-2010 Adopt 2011 Pension Minimum Municipal Obligation**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adopt Resolution #20-2010, 2011 Pension Minimum Municipal Obligation . The Board wanted the minutes to reflect that we know we are doing this to satisfy a mandate and that the number will likely change next month. Hearing no questions on the motion, all members voted "Aye". Motion carried.

**Resolution #21-2010 Personnel Rules & Regulations for Appointed Officials**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, to adopt Resolution #21-2010 Personnel Rules & Regulations for Appointed Officials. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Resolution #22-2010 Employee Personnel Rules & Regulations**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, to adopt Resolution #22-2010 Employee Personnel Rules & Regulations. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

**Job Descriptions** – Tabled.

**Additional Street Lights in Meadowbrook** – Tabled.

**OLD BUSINESS:**

**Timing of Rt. 222 Traffic Light** –Ms. Hollenbach read Chief Eaken's letter regarding the intersection. Chief Eaken is not recommending any timing changes at this time.

**Health Insurance Renewal** – Tabled until reviewed by the Northern Berks Regional Police.

**Pension Restatement & Distressed Status** – Tabled pending additional information from actuary and quotes from PMRS.

**Additional costs of West Walnut Tree Drive Culvert cleaning \$2,200**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, authorizing additional payment to Shirk Excavating in an amount not to exceed \$2,200.00 for purchase of erosion and sedimentation materials. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

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NEW BUSINESS:

**Variance request 207 Genesis Drive** – The Board had no comments on the application.

**Proposal to purchase Cell Tower Lease** – Acquisition of real estate for discussion in executive session.

**Agricultural Security Area Seven Year Review** – Mrs. Hollenbach advised that the Township has received comments from Berks County Planning Commission, Maidencreek Township Planning Commission and the Maidencreek Township Agricultural Security Board regarding the seven year review for the entire Agricultural Security Area. The Township needs to schedule a Public Hearing. The Board agreed to advertise a public hearing for the November meeting.

**Trick or Treat Night in Maidencreek Township**

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to set Trick or Treat Night in Maidencreek Township on October 31, 2010 from 5 pm – 9 pm. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

**Berks County Association of Township Official Annual Dinner Meeting October 21<sup>st</sup>.** – Mrs. Hollenbach reminded the Board about the Berks County Association dinner to be held on October 21<sup>st</sup>.

**Rodeos within the Township Limits**

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, to send a letter asking the owner of the Shady Glen Picnic Grove to put a Right Turn Only sign coming out of the driveway onto Rt. 222 North. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

**Mercury Vapor Street Light Upgrade** – Met Ed is asking what wattage the Township would like to use when converting the mercury vapor streetlights to sodium vapor. After a lengthy discussion, the Board decided that all streetlights would be replaced with 100 watt sodium vapor fixtures when upgrades or repairs were made.

**2011 Budget** – Tabled pending further information.

The Board of Supervisors went into executive session from 9:44 – 11:10 pm to discuss litigation and the acquisition of real estate.

A motion was made by Roy Timpe, seconded by Joseph Rudderow III, to authorize the solicitor to advertise a public hearing for the re-adoption of the cable franchise ordinance. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Since there was no further business, a motion was made by Roy Timpe, seconded by Joseph Rudderow III, to adjourn the September 15, 2010 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, “Aye”. Motion carried. Meeting adjourned at 11:15 P.M.

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Recording Township Secretary, September 15, 2010

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Township Secretary, September 15, 2010

Cc: Board of Supervisors  
Eugene Orlando, Orlando Law Office, 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