

Maidencreek Township Board of Supervisor Meeting
December 8, 2011 7:15 pm

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: David Franke, Tony DeAngelis, Jim Schoellkopf, Jr., Dan Miller, Sr. and Chris Kline

Claude Beaver called the December 8, 2011 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:15 pm in the Maidencreek Township Municipal Building. There was a short executive session held prior to the meeting to discuss possible litigation.

MINUTES & FINANCES

Approval of Regular Meeting Minutes

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to waive the reading of the minutes and approve the minutes of the November 10, 2011 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 Joseph Rudderow III, seconded by Claude Beaver, to approve the November 2011 Treasurer’s Report and Bill List. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

REPORTS

POLICE

The Northern Berks Regional Police responded to 261 assignments in Maidencreek Township in the month of November resulting in 26 citations. The total fines were \$3,388.32 and total number of patrol hours was 781.75 for the month.

AUTHORITY – No report.

ENGINEER

Subdivision Review Status Checklist

Esbenshade Preliminary Plan expires 12/28/11

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to grant a time extension to the review period for the Esbenshade Greenhouses Land Development Plan until March 28, 2012 as requested by the Developer. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Projects

Zoning Ordinance and SALDO – No action is required by the Board at this time. Ms. Hollenbach advised that the Joint Planning Commission meeting would be held on January 26, 2012 at 7:00 pm at the Richmond Township Building.

Zoning/UCC Activity Report - Mr. Unger stated that the Zoning/UCC Activity Report is in the Supervisor Books for their review.

Mr. Unger reviewed the following complaints:

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- Sent Notice of Violation letter to Maidencreek Apartments regarding trash/solid waste disposal for pickup. Met with the representatives.
- Denied an Indoor Riding Rink at 432 E. Wesner Road.
- Investigated a noise complaint at 327 W. Wesner Road (Stan McCarro). The levels on 12/1/11 at 1:20 pm were: Low54: High 61.8; Ave. 58.5. The Board advised Mr. Unger to contact Giorgio Foods and see if they are willing to meet with Mr. McCarro.

SOLICITOR

Melrose Place – Mr. Orlando advised the Board that Jill Nagy’s office contacted him regarding the issue of the school bus stop at Melrose Place. Mr. Unger advised that the roads have not been dedicated to the Township at this time. Mr. Orlando also advised that the Developer Improvement Agreement is in default. Mr. Unger added that the Township is entitled to a 10% increase in the Letter of Credit to cover increases in the improvements costs over time.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing the Solicitor to notify Melrose Place formally that they are in default of the Developer’s Improvement Agreement for failure to complete improvements within the time frame and that they should before the next meeting submit an amendment to the agreement requesting an extension of time and as part of that notification to the extent that our Engineer determines that an increased Letter of Credit deposit is warranted under the MPC, that we also ask for the increased deposit. Hearing no questions on the motion, all members voted, “Aye”. Motion carried.

Treetops Detention Basin – No action is required by the Board at this time.

Esbenshade LDP – Pending Attorney General’s comment – No action is required by the Board at this time.

MANAGER

Shut Down of Office and Garage - Ms. Hollenbach asked the Board if the Township office and garage could be shut down from December 23 through January 2, 2012. Ms. Hollenbach advised that everyone would be on call for severe weather and that she would stop by daily to check for messages and mail. The Board agreed.

Planning Commission Resignation

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to accept Bob Orischak’s resignation letter from the Planning Commission. Hearing no questions on the motion, all members voted, “Aye”. Motion carried. The Board asked that the Manager send a thank you letter to Mr. Orischak for his service.

Zoning Hearing Board Resignation

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, accepting Jason Valick’s resignation from the Zoning Hearing Board. Hearing no questions on the motion, all members voted, “Aye”. Motion carried. The Board asked that the Manager send a thank you letter to Mr. Valick for his service and wish him luck on the School Board.

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Ms. Hollenbach advised the Bruce Major, a Township Zoning Hearing Alternate, passed away last week. The Board expressed sympathy for Mr. Major's family and asked about possible replacements given that a zoning application had just been denied. Ms. Hollenbach stated that William Riedel is interested in returning to the Zoning Hearing Board and Jan Williams would like to be reappointed. Zach Moore is interested in moving to the Planning Commission, so the Township would be looking for two residents to serve as Zoning Hearing Board Alternates.

School Bus Stop Ahead Sign - Ms. Hollenbach advised that a school bus was stopped at 8012 Allentown Pike. The tractor-trailer behind the bus stopped but the gas tanker truck behind him did not and there was an accident. A resident and the Fleetwood Area School Transportation Department are asking for a School Bus Stop Ahead sign to be placed on Allentown Pike prior to the bus stop. A letter needs to be sent by the Supervisors to Penn Dot to request a traffic study in order to get signs installed.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, authorizing a letter be sent to Penn Dot requesting a traffic study for School Bus Stop Ahead signs on Allentown Pike at the bus stop at 8012 Allentown Pike. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Once approved, the Township will install the signs.

RESOLUTIONS & ORDINANCES

Resolution #23-2011 Replace Streetlight at 150 Water Street.

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adopt Resolution #23-2011 to authorize Met Ed to install one new 100-watt sodium vapor streetlight at 150 Water Street. Hearing no questions on the motion, all members voted, "Aye". Motion carried.

Resolution #24-2011 Adopt 2012 Real Estate Tax Rate

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adopt Resolution #24-2011 Real Estate Tax Rate with no real estate tax increase. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Resolution #25-2011 Adopt 2012 Budget

A motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adopt Resolution #25-2011 2012 Budget. The Chairman asked for any questions or comments from the floor. Tony DeAngelis stated according to the newspaper article of the last month's meeting, we are using all resources not to raise the budget. Mr. DeAngelis said that they did the same in Fleetwood last year, and this year they raised the tax by 85%. Mr. DeAngelis stated that the article said that if anything unforeseen came up, we would not have the money to pay for it, and we have to look into how to pay for that. Mr. DeAngelis would like to see the Board increase taxes by ½% - 1% this year and the same for the following year so as not to have what happened in Fleetwood happen in Maidencreek. Ms. Hollenbach said that the major contributing factor to the budget would be how the police arbitration is resolved in March. If there is a large percent increase to the police budget, yes there maybe an increase to the tax rate, but not an 85% increase. The Board stated the Township Manager has done an excellent job in preparing the budget and that being good stewards of the tax payers' money is the role of the Board. Mr. DeAngelis is aware that there is a change in the Board in January. Mr. Rudderow stated that if the new Board member has questions on the budget, he can make a motion to reopen it, but there

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is a cost associated with that. Hearing no further questions on the motion, all members voted, "Aye". Motion carried.

PUBLIC COMMENT

Tony DeAngelis stated that on Hoch Road the second street light is out. He also wanted to know if the Township got any money from FEMA for picking up the brush after the snowstorm. Supervisor Elect Franke stated money was available to public agencies for one of the prior storms but not the snowstorm. Ms. Hollenbach advised that the County Emergency Management Agency is good about notifying the Township of any dollars available.

OLD BUSINESS - None

NEW BUSINESS

Reorganization Meeting Date – The Board agreed to hold the Reorganization Meeting and Regular Meeting on January 3, 2012 at 7:30 pm.

Since there was no further business, a motion was made by Joseph Rudderow III, seconded by Claude Beaver, to adjourn the December 8, 2011 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted, "Aye". Motion carried. Meeting adjourned at 8:10 pm.

Recording Township Secretary, December 8, 2011

Township Secretary, December 8, 2011

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 Hobough, 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