Maidencreek Township Board of Supervisor Meeting
April 8, 2010 7:02 pm

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

Guests: Lon Seitz

Claude Beaver called the April 8, 2010 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:08 pm in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

ORDINANCE:
Ordinance #224 Inter-Governmental Co-Operation for the Police

A motion was made by Joseph E. Rudderow III, seconded by Roy Timpe, to adopt Ordinance #224 Inter-Governmental Co-Operation for the Police. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Police Mutual Aid Agreement

A motion was made by Joseph E. Rudderow III, seconded by Roy Timpe, authorizing the Chairman to sign the Police Mutual Aid Agreement. Hearing no questions on the motion, all members voted "Aye". Motion carried.

POLICE REPORT
The Northern Berks Regional Police responded to 263 assignments in Maidencreek Township in the month of March. This resulted in 54 citations. The traffic fines for Maidencreek for the month of March were $2,524.76 and non-traffic fines were $1,037.35, totaling $3,562.11. The total number of patrol hours was 905.98 for the month.

APPROVAL OF THE MINUTES

A motion was made by Joseph E. Rudderow III, seconded by Roy Timpe, to approve the March 11, 2010 regular meeting minutes. Hearing no questions on the motion, all members voted as follows "Aye" Roy Timpe and Joseph Rudderow III, "Abstained" Claude Beaver. Motion carried.

ENGINEER'S REPORT
Subdivision Review Status Checklist

Corrado Commercial Preliminary

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to accept the time extension to the review period for 90 days until August 11, 2010 for the Corrado Commercial Preliminary Land Development Plan. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivisions/Zoning

Village @ Summit Crest Preliminary Plan (Private Comm. Water)

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, authorizing the Township Manager to sign the Pennsylvania DEP Sanitary Sewer Exemption Planning Module

for the Village at Summit Crest (Private Water System) Preliminary Plan. Hearing no questions the motion, all members voted "Aye". Motion carried.

The Crossings at Maidencreek Final Plan with Phasing - Mr. Seitz reviewed with the Board the plans that had been presented to the Planning Commission at their meeting on April 7, 2010. Mr. Seitz also advised the Board that he has been in communication with Maidencreek Township Authority's Solicitor regarding their issues with the Plan. Mr. Rudderow asked how is Public Water and Sewer is to be supplied to Phase 1. Mr. Seitz stated that there is a water and sewer line in place along Hill Road.

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to approve the Final Plan of The Crossings at Maidencreek conditional upon the following:

- satisfying the conditions of the April 7, 2010 Systems Design Engineering Inc. review letter, which is incorporated by reference,
- posting financial security for the entire site, in a form acceptable to the Township,
- entering into an Improvements Agreement for the entire site,
- Maidencreek Township Authority approval of the phasing plan, and
- adding note 62 as required by the Authority.

Hearing no questions on the motion, all members voted "Aye". Motion carried.

Villa at Maidencreek Traffic Analysis – Mr. Unger advised the Board that the Traffic Study that was completed by the Villa at Maidencreek indicated very low impact on the surrounding roadway but existing conditions of the intersection of Hoch Road and Park Road meet the warrants for a left turn lane on Park Road. The Board advised Mr. Unger to give them an estimated cost of placing a left turn lane on Park and Hoch Roads.

Projects

Orchard Road Roadway Sufficiency Analysis

A motion was made by Joseph E. Rudderow III, seconded by Roy Timpe, authorizing the Engineer to perform Roadway Sufficiency Analysis on Orchard Road not to exceed $2,450.00. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Subdivision Improvement Agreement LOC - None.

PUBLICS WORKS

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

Summer Help

A motion was made by Roy Timpe, seconded by Claude Beaver, to hire Ryan Dunkle and Bradford Saint as summer help. The Chairman asked is there were any questions or comments from the floor. Mr. Rudderow asked the Solicitor if there are from an employer's point of view any concerns with hiring minors, given the fact the child labor laws are stringent and apply up to the age of 18. They seem to lessen at 16 a bit, but there are still certain requirements. Mr. Orlando stated that as long as we follow those requirements and the people are otherwise qualified to operate the power tools, then if it is a good idea, is a judgment call. Mr. Rudderow asked what set of rules and regulations would summer help follow and added that

we have a union contract that spells out things, but what other document do we have in place for nonunion. Ms. Hollenbach stated that they receive a copy of the employee handbook that has personnel rules and regulations in it. Employees under 18 need to have working papers from the High School. Hearing no further questions on the motion, all members voted as follows, "Aye" Claude Beaver and Roy Timpe, "Nay" Joseph Rudderow III. Motion carried.

Hot Water Heater Stack Replacement – The Board advised Ms. Hollenbach to look into the cost of on-demand heating of hot water.

Cornerstone Drive Tot-Lot – Ms. Hollenbach informed the Board that the Road Crew has started building the playground equipment. Mr. Unger advised that Chip Pohronezy would come out to inspect the playground equipment assembly since he has been certified as a playground inspector.

SOLICITOR'S REPORT

James Hardie Developer's Improvements Agreement - Mr. Orlando advised the Board that everything has been received from James Hardie. Can Corp. is still in the process of providing an agreement. The full amount of the cash bond from James Hardie has been received.

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to authorize the Board to sign the James Hardie Developer's Improvements Agreement without prejudice to fulfillment of the remaining conditions. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Police Drop Program Questions Act 44

A motion was made by Joseph E. Rudderow III, seconded by Roy Timpe, authorizing the Solicitor to contact the other Solicitors regarding the Police Drop Program Act 44. Hearing no questions on the motion, all members voted "Aye". Motion carried.

COMMUNICATIONS & QUESTIONS -

From the Board

Joseph Rudderow has been asked why the Northern Police cars are not marked. Mr. Timpe stated that this was a decision made by the police department. Mr. Rudderow stated he would bring this up at the Police Commission meeting on Monday night.

Joseph Rudderow asked if there is a mutual aid agreement between the fire, ambulance departments. Chief Miller stated that copies of the agreement would be forwarded to the Township Manager.

From the Manager & Professionals

Health Care – Ms. Hollenbach informed the Board that she received a notice from High Mark Blue Shield regarding changes to all plans to employers with 50 or less employees effective 10/1/10.

A motion was made by Joseph Rudderow III, seconded by Roy Timpe, authorizing the Township Manager to contact other insurance carriers for quotes. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Street Light Damage on Spirit Ct.

A motion was made by Roy Timpe, seconded by Claude Beaver authorizing Roy Timpe and Claude Beaver to sign the insurance claim statement regarding the street light damage on Spirit Court on 3/4/10. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Tri-Centennial Account

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, authorizing the signing of the signature cards for the Tri-Centennial Account. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Public Comment – None

TREASURER'S REPORT/MANAGER'S REPORT

Treasurer's Report and Bill List

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

Approve Mileage for 1st Quarter of 2010 for Rita Agnetti

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, approving the payment of 1st Quarter Mileage to Rita Agnetti in the amount of $76.50. Hearing no questions on the motion, all members voted "Aye". Motion carried.

PARK AND RECREATION

Wyatt Drive Tot Lot Parking

The Park and Recreation Board recommended removing the "No Parking" restriction on Wyatt Drive and designate two to three spaces directly in front of the play lot as "Play lot Parking Only". The Board agreed to add this to the Traffic Ordinance List.

The Park and Recreation Board recommended purchasing split rail fence and have the Road Crew install it along the Community Park entrance road to stop cars from parking along the entrance road. When cars park along the road, children leaving the cars tend to dart out onto the entrance road from between the parked cars. The Supervisors suggested that the Park and Recreation Board revisit the subject and look at wooden guide rail instead because it will be sturdier.

RESOLUTIONS

Farm Vehicle Regulation Resolution #12 –2010

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to adopt a memorializing Resolution #12-2010 protesting the new Farm Vehicle Regulations and asking our Congressmen to adopt legislation exempting farm equipment from the new regulations. Hearing no questions on the motion, all members voted "Aye". Motion carried.

National Health Insurance Resolution #13– 2010

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to adopt a memorializing Resolution #13-2010 supporting the Pennsylvania Attorney General's lawsuit against the National Health Insurance and supporting legislation exempting Pennsylvanians from this new Federal Law. Hearing no questions on the motion, all members voted "Aye". Motion carried.

OLD BUSINESS

156 Main Street – No action taken by the Board at this time.

NEW BUSINESS

Accept Audit of 2009 Financial Records

A motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to accept the Audit of the 2009 Maidencreek Township Financial Records. Hearing no questions on the motion, all members voted "Aye". Motion carried.

Tax Collection Committee Survey - Ms. Hollenbach reviewed the survey with the Board.

Since there was no further business, a motion was made by Roy Timpe, seconded by Joseph E. Rudderow III, to adjourn the April 8, 2010 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:30 P.M**.**

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Recording Township Secretary, April 8, 2010

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Township Secretary, April 8, 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