Maidencreek Township Board of Supervisor Meeting
February 12, 2015 7:45 pm

Present: Claude Beaver, David Franke, Joseph Rudderow III, Christopher Garrell. – Orlando Law Offices, Charles Jones – Great Valley Consulting, Diane Hollenbach – Township Manager,

Guests: Shannon Rossman, Karl Bolognese, Richard Wick, Kevin Manmiller, Karen Krater, Ken Withers, Janet Withers, David Anspach, Jim Schoellkopf, Jr., Daniel Miller, Sr., Chris Kline, Ryan Hunter, Randy Wenger, Shirley Moll, Michael Kuhns, Eric Bruggeman, Alan Piper, Quentin Rissler

Joseph Rudderow III called the February 12, 2015 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 pm in the Maidencreek Township Municipal Building and asked for a moment of silence in remembrance of two Authority Board Members, Earl Rothermel and Patricia Hecker after the Pledge of Allegiance to the Flag.

A motion was made by Claude Beaver to adopt Resolution 14-2015 Honoring the Service of Earl Rothermel to the Township of Maidencreek. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A RESOLUTION HONORING THE SERVICE OF

EARL ROTHERMEL

TO THE TOWNSHIP OF MAIDENCREEK

WHEREAS, Earl Rothermel served the Township of Maidencreek as a Maidencreek Township Authority Board Member for more than thirty years; and

WHEREAS, Earl worked tirelessly for the betterment of the Township through the acquisition and development of new water sources and the upgrade of the wastewater treatment system; and

WHEREAS, Earl demonstrated exemplary skills in listening to others, and by providing a calm voice during even the most difficult discussions; and

WHEREAS, Earl was a valuable resource of historical information pertaining to the Maidencreek Township Authority; and

WHEREAS, Earl's sense of humor, compassion for others, and generosity will be missed by Authority Members, employees, and citizens; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Maidencreek that the Board of Supervisors hereby honors and praises **EARL ROTHERMEL** for his outstanding service to the people of Maidencreek Township and his dedication to the betterment of the community.

In lawful session duly assembled, this 12th day of February, 2015A.D.

A motion was made by Claude Beaver to adopt Resolution 15-2015 Honoring the Service of Patricia Hecker to the Township of Maidencreek. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously. Karl Bolognese thanked the Supervisors for honoring both Authority Board Members.

A RESOLUTION HONORING THE SERVICE OF

PATRICIA HECKER

TO THE TOWNSHIP OF MAIDENCREEK

WHEREAS , Patricia Hecker served the Township of Maidencreek as a Maidencreek Township Authority Board Member from its creation in October 27, 1971, to December 31, 2011; and

WHEREAS, Patricia spent many years serving as the Secretary/Treasurer of the Authority Board; and

WHEREAS, Patricia diligently encouraged the Board and staff to find ways to operate efficiently and was a good steward of the funds of the Authority; and

WHEREAS, Patricia has worked tirelessly for the betterment of the Township through the acquisition and development of new water sources and the upgrade of the wastewater treatment system; and

WHEREAS, Pat's determination, belief in fair process, and dedication to the people of Maidencreek Township will be missed; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Maidencreek that the Board of Supervisors hereby honors and praises **PATRICIA HECKER** for her outstanding service to the people of Maidencreek Township and her dedication to the betterment of the community.

In lawful session duly assembled, this 12th day of February, 2015A.D.

MINUTES & FINANCES

Approval of the Reorganization and Regular Meeting Minutes

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the January 5, 2015 Reorganization meeting and 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 January 2015 Treasurer's Report and Bill List. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to authorize the Chairman to sign the Pension AG385 certifying the 2014 payroll. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to authorize the chairman to sign the Sewage Enforcement Grant application. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC EDUCATION – STORMWATER PRESENTATION (MS4)

Shannon Rossman from the County of Berks presented education on storm water as part of the Township's MS4 public education and participation requirement. Ken and Janet Withers asked what had occurred to correct the water temperature in the Willow Creek because it now freezes during the winter. Mr. Withers asked if lawn care companies would be receiving a presentation. Shannon Rossman indicated that lawn care companies and golf courses would be the target of upcoming education. Claude Beaver asked why some municipalities were running 100% salt. Joe Rudderow stated the legislation was Federal and that the MS4 activities could be very costly to the Township. The costly items that the Township might have to do was not covered this evening and Mr. Rudderow wanted the residents to understand that. Claude Beaver mentioned that some municipalities were creating storm water authorities and taxing the residents. Ms. Rossman covered a few ways that the tax could be calculated. Mr. Rudderow thanked Ms. Rossman for the presentation.

PUBLIC MEETING – SCHAEFFER ROAD BRIDGE REPLACEMENT

Quentin Rissler of Larson Design gave a presentation on the replacement of the Schaeffer Road Bridge and asked for public feedback and input. The bridge will be a single span with four box beams and constructed with prestressed concrete that requires no painting and minimal maintenance. There will be no increased water surface elevations and high water events will still overtop the road as it does now. Integral abutments will be used on the ends. The existing abutments will be cut and left in place. There will be two (2) eleven foot lanes and a three-foot shoulder on the north side and an eight-foot shoulder on the south side to allow pedestrian traffic; however, Penn DOT regulations do not allow the sidewalk to be constructed because there is no connecting sidewalk. Joseph Rudderow asked why then were curb cuts and sidewalks installed at intersections throughout the Township that did not have sidewalks?

A detour will be used for approximately eight weeks. There are more than 3000 cars a day using Schaeffer Road. Joseph Rudderow asked what time of the year construction would occur. Mr. Rissler answered after June 15 of 2017 unless a waiver is granted from Fish and Boat. There are wetlands surrounding the bridge but the project is not affecting any wetlands. Mr. Rudderow asked if the new bridge would have a weight limit. Mr. Rissler said that there would not be a weight limit. Mrs. Withers asked if there would be any effort to limit trucks on the road after the weight limit is lifted. Mr. Withers asked what the Township was going to do after the bridge is repaired to stop the speeding on the road. He asked why the road could not be made 25

MPH and a stop sign added to Faith Drive and Gallagher Drive intersection. Mr. Rudderow encouraged Mr. Withers to call Northern Berks Regional Police if he feels at any time the vehicle speed on the road is increasing. Mr. Withers asked if the bridge would be in the center of the road and if the road would be straightened. The road will not be straightened. There will be some temporary construction easement needed for the construction. Additional coordination will be needed with the Maidencreek Township Authority.

Mr. Beaver asked if the concrete would be protected against salt. A sealant will go on it. Mr. Rudderow asked what the lifespan of the bridge would be. Mr. Rissler stated 80 to 100 years. They will be using 9000 psi high quality prestressed concrete. Mr. Beaver asked if the joint is off the structure. There is no joint in this design. Water will run off the macadam into the riprap. Mrs. Withers asked if Cornerstone Drive and Faith Drive would be the detour route. Mr. Rissler stated that the detour route would be Route 222 to Route 73 and East Wesner Road to Park Road. Mr. Wick asked if there was any discussion to putting twelve-foot lanes on the bridge. Mr. Rissler responded that following the Penn DOT criteria, eleven-foot lanes with three-foot shoulders meet the specifications.

Mr. Anspach asked when the surrounding property owners would be consulted on this and find out how they will be affected. Mr. Rissler stated that being here tonight is part of the process for receiving input. The environmental process must be finished before the right of way process can be started. Once that happens, someone from the County will come out to meet with the adjoining property owners to discuss right of way. Mr. Rissler left comment forms if anyone wished to make written comments.

Mr. Withers asked how close the project would be to the log cabin. Mr. Rissler stated the guiderail design has been modified to keep it away from the house but in doing so; a little right of way will be needed. When the time comes to meet for right of way, stakes can be put in the ground to give property owners a better idea than just looking at it on paper. Mr. Franke asked what the make-up of the shoulder would be. The shoulder will be bituminous paving and will follow the Township paving standard. Mr. Wick asked what the width of the existing roadway and bridge was now. It is eighteen feet and will increase to thirty-three feet with the shoulders.

PUBLIC COMMENT

Karl Bolognese of Lindbergh Avenue, Blandon thanked the Supervisors for appointing him to the Authority Board for another term. Joseph Rudderow commended Karl on his willingness to serve and stated he was doing a great job.

Richard Wick of East Wesner Road, Blandon was concerned about the lane width on the proposed Schaeffer Road Bridge. Mr. Wick suggested looking at the long-range plan. The differential in cost is not much more between eleven-foot lane widths and twelve-foot lane widths. Joseph Rudderow explained that the bridge is not Township funded and we do not have a lot of influence over the design. Originally, the Township asked for pedestrian walkways on both sides of the bridge and Penn DOT denied the request and agreed to pedestrian walkway on only one side.

Kevin Manmiller of Giorgio Foods asked when the Calcium Road Bridge would be repaired. Joseph Rudderow explained that Norfolk Southern Railroad owns the bridge structure and the Township only maintains the boards on the deck. Mr. Manmiller asked if fishing would be

allowed from the Schaeffer Road Bridge. The Board indicated it would be posted, "No Fishing from Bridge."

REPORTS

ENGINEER'S REPORT

Redner's Warehouse Expansion

A motion was made by Claude Beaver to reject the Redner's Warehouse Land Development Plan for failure to comply with the items outlined in the December 3, 2014 Systems Design Engineering, Inc. review letter, which is incorporated by reference, unless the developer grants an extension of time to the Township for the review of this plan by March 3, 2015. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Brandywine Transportation Preliminary Plan

A motion was made by David Franke for the Brandywine Transportation Land Development Plan to defer section 190-16.1 of the Code of Maidencreek Township that requires a water resource study with the condition that the water resource study will be completed upon a change of use of the property or if the use intensifies. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to grant conditional preliminary plan approval to the Brandywine Transportation Preliminary Plan conditional upon completion of the items in the January 30, 2015 Great Valley Consultants review letter, which is incorporated by reference. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Giorgio Waste Water Treatment Plant

A motion was made by Claude Beaver for the Giorgio Waste Water Treatment Plant Expansion Plan to grant a waiver to section 186-47.C.3 of the Code of Maidencreek Township to allow light pole heights of twenty-five feet. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant conditional preliminary/final plan approval to the Giorgio Wastewater Treatment Plant Upgrade conditional upon completion of all items in the Great Valley Consultants February 3, 2015 review letter and the Systems Design Engineering Inc. February 4, 2015 review letter, both of which are incorporated by reference, and the combination deed and boundary deed be recorded with the approved land development plan. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Giorgio Food Expansion Land Development Waiver Request

A motion was made by David Franke to waive the land development requirement for the twelve hundred (1200) square foot proposed addition to the Giorgio Food Building conditional upon the construction of the facility in the exact location and size as shown on the submitted plan and satisfactory review of the permit by the Township Engineer for issues normally dealt with in a land development process. Claude Beaver seconded the motion and asked if the addition

crossed property lines. Kevin Manmiller answered that the existing building is already nonconforming but the addition does not cross property lines. Hearing no further questions on the motion, it passed unanimously.

Crossing at Maidencreek - Charlie Jones updated the Board on a meeting he had with Angelo Corrado regarding recording Phases 2 and 3 of the Crossing at Maidencreek. Action was tabled until Mr. Corrado comes to address the issue with the Board.

Feasibility Study for 257 Main Street

A motion was made by David Franke to approve the proposal from Great Valley Consultants to perform a feasibility study for municipal uses on 257 Main Street, Blandon the cost of which shall not exceed $7,500. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Letter of Credit and Escrow Release Letters

A motion was made by Claude Beaver to authorize the Chairman to sign the letter of credit and escrow release letters in the amount of $1,061.33. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

MUNICIPAL SOLICITOR REPORT

Deputy Tax Collector

A motion was made by David Franke to appoint Thomas Hassler as Deputy Tax Collector and authorize the Chairman to sign the appointment form for the surety company. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Custom Milling Improvements Agreement and Storm Water Management Agreement

A motion was made by David Franke to authorize the Board to sign the Custom Milling Improvements Agreement and the Chairman to sign the Storm Water Management Agreement. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Amendments to the Peddler's Permit Ordinance

Christopher Garrell reviewed the proposed amendments to the Peddler's Permit Ordinance with the Board. The definition of Itinerant Vendor was added along with regulations limiting these types of vendors to a permit valid for thirty (30) days. For peddling and soliciting door to door, times limiting the activity to Monday through Friday 9:30 a.m. to 6:00 p.m. and Saturday 9:30 a.m. to 5 p.m. were added. A $500,000 insurance requirement for both types of peddling was also added. Discussion was held on the application renewal, requiring each helper to apply for a permit and pay the fee and placing the Township Seal on approved permits.

A motion was made by Claude Beaver to authorize the Solicitor to advertise a public hearing on the amendments to the Peddler's Ordinance on March 12 at 7:00 p.m. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Executive Session was held from 9:25 p.m. to 10:05 p.m. to discuss potential litigation.

A motion was made by Claude Beaver to authorize the manager to prepare letters regarding Jane's Spa, and the positions of Code Enforcement and Zoning Officer as discussed in executive session. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Revisions to the Zoning and SALDO

The Board agreed to review the drafts of the Zoning Ordinance and SALDO for the March meeting at which time they anticipate sending the drafts to neighboring municipalities and authorizing the required advertising and public hearings.

Letter regarding Public Safety Emergency Telephone Act

A motion was made by Claude Beaver to authorize the Board of Supervisors to sign the letter supporting the modernization of the Public Safety Emergency Telephone Act and forward the letter to State Representatives and Senators. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously. Christopher Garrell will revise the signature lines on the letter and forward to the Township for signature.

Cable Franchise Renewal

A motion was made by David Franke to authorize the Chairman to sign the cable franchise renewal for Service Electric Cablevision to provide cable service to the residents of Maidencreek Township for another five-year period (October 13, 2015-October 12, 2020). Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

ROAD MASTER REPORT

Claude Beaver reported the road crew plowed and salted multiple times in January in addition to picking up Christmas trees, installing a railing and kickboard on the garage mezzanine, replacing the restroom door at the Blandon Fire Company Playground and fixing the exhaust fans, cold patching various roads and repairing wipers on one of the trucks. The Township has used its allotment of salt under the state contract and has begun purchasing salt through the Berks County Cooperative Purchasing Council contract. A quote was received from Industrial Grounds Maintenance for sweeping of Township roads April 14 to April 17, 2015 for a cost of $3,900. This is only $300 more than 2014.

A motion was made by Claude Beaver to approve the street sweeping contract with Industrial Grounds Maintenance on April 14th to April 17th at a cost not to exceed $3,900. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGERS REPORT

Diane Hollenbach reported that Cocciardi and Associates did a facility health and safety evaluation for the worker's compensation insurance January 20th and the results should be coming soon. The inspector did state that there were no major issues. PA DEP called to find out progress on the storm water issues at the enclosed stream at 8 Chestnut Street. They are closing their file but will issue an emergency permit if the Township makes repairs. There has been no further action on the part of the homeowner in signing the easement agreement. Joseph

Rudderow asked that the budget be a month-to-month comparison (January 2014 compared to January 2015). Claude Beaver asked that his cell phone number be provided to the Blandon Ambulance in case they require assistance from the snowplow during a storm to reach a patient.

OLD BUSINESS

Revise Personnel Rules and Regulations – The Board asked that the proposed revised Rules and Regulations be distributed to the employees.

NEW BUSINESS

Resignation

A motion was made by Claude Beaver to accept Johanna Mattera's letter of resignation as Board of Supervisors' Recording Secretary and authorized the Manager to send a letter of appreciation for Ms. Mattera's service to the Board. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Park and Recreation Annual Report

A motion was made by David Franke to accept the Park and Recreation Annual Report of 2014. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Summer Concert

A motion was made by Claude Beaver to sign the proposal from Jeff Krick to provide a summer concert at a cost of $875. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Community Park Playground Safety Surface Replacement

The Board asked to be provided with the removal and disposal costs of the safety surface and to verify that the poured in place quoted is a state contract price. No action taken.

A motion was made by David Franke, seconded by Claude Beaver, to adjourn the February 12 2015 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 10:46 pm.

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Township Secretary, February 12, 2015

Cc: Board of Supervisors
Eugene Orlando, Orlando Law Office, Solicitor
Charles Jones, Great Valley Consultants 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, Kozloff Stoudt, 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