Maidencreek Township Board of Supervisor Meeting
September 10, 2015

Present: David Franke, Joseph Rudderow III, Charles Jones – Great Valley Consultants, Eugene Orlando, Jr. – Orlando Law Offices, Diane Hollenbach – Township Manager

Guests: Dan Miller Sr., Chris Kline, Jim Schoellkopf, Jr., Tom Gorgia

Joseph Rudderow III called the September 10, 2015 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 pm in the Maidencreek Township Municipal Building.

MINUTES & FINANCES

Approval of the Regular Meeting Minutes

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the August 13, 2015 regular meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the August 26, 2015 special meeting. Joseph Rudderow III 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 August 2015 Treasurer's Report and Bill List. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Public Comment - None

REPORTS

ENGINEER'S REPORT

Verizon Land Development Plan (Buena Vista Road)

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-15E, (L), (M) from showing all roads, streets, sewer lines, water lines, and tree masses within 1,000 feet of the property. The property is over 113 acres and the cell tower will occupy 2500 square feet. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-17(2) from performing a full boundary survey. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-24(A) and allow the plan to proceed as a preliminary/final plan. Joseph Rudderow III

seconded the motion. Mr. Rudderow asked the engineer if there were any issues with this waiver and Mr. Jones replied that the waiver makes sense since it is such a small project. Tom Gorgia asked where the project is located. Mr. Jones responded that the tower would be on the WD Zwicky property off Buena Vista Road. Hearing no further questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-34 from sidewalk requirements. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-38 from providing sanitary sewer disposal system since the site will be unmanned. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-40 from providing a water supply system since the site is unmanned. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Maidencreek Township Subdivision and Land Development Ordinance in the Code of Ordinances Chapter 190 Section 190-42 from providing a storm water drainage facility. Joseph Rudderow III seconded the motion and asked if the Berks County Conservation District (BCCD) had reviewed the plan. Mr. Jones responded that the BCCD had reviewed and issued an approval letter. Hearing no further questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Storm Water Management Ordinance in the Code of Ordinances Chapter 182 Section 182-13 from designing infiltration storm water management facilities that provide groundwater recharge. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Storm Water Management Ordinance in the Code of Ordinances Chapter 182 Section 182-14 from providing storage and treatment facilities for storm water runoff. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Storm Water Management

Ordinance in the Code of Ordinances Chapter 182 Section 182-15 from stream bank erosion requirements. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant a waiver for the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan to the Storm Water Management Ordinance in the Code of Ordinances Chapter 182 Section 182-22 from providing a drainage plan. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant preliminary/final plan approval to the Cellco Partnership d/b/a Verizon Wireless, Reading Evansville Land Development Plan conditional upon completion of the items in the Great Valley Consultants August 4, 2015 review letter, which is incorporated by reference and completion of the items of the August 27, 2015 Berks County Planning Commission review letter, which is incorporated by reference. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously. Eric Shotz of Fitzpatrick, Lentz and Bubba representing Verizon Wireless agreed that they would comply with both letters.

West Shore Drive Bridge – Mr. Jones went over the timeline of requests for meetings between the Township and Penn DOT District 5 and stated that there were still some unanswered questions regarding the future of the bridge. Because so many people on Penn DOT's end will be involved in the meeting, they have requested the Township come to them during the day. Mr. Rudderow would like to see Penn DOT still have a reciprocal meeting at the Township building where the residents can ask questions. The Manager and Engineer were authorized to set up a meeting at the Allentown office preferably on a Thursday in the late morning or early afternoon. Tom Gorgia asked what the plan is for the bridge. Mr. Jones explained that Penn DOT has proposed light traffic in maybe one direction, full traffic, demolition or pedestrian traffic only. Ownership would be transferred to the Township. Mr. Gorgia asked if it is a state road. Mr. Jones responded that it is a turnback road. Mr. Gorgia asked who the liaison is. Mr. Jones responded the project manager is Mahendra Patel.

SOLICITOR'S REPORT
115 Grove Road – The citation is in process.

Comcast Cable Franchise Renewal – Comments were received from Comcast since the last meeting.

Melrose Place Improvement Agreement Extension – Mr. Orlando received a signed Improvements Agreement extension by email and is waiting on the hard copy. The extension does address checking the road substructure.

A motion was made by David Franke to authorize the Board of Supervisors to sign the Melrose Place Improvements Agreement Extension subject to the review and approval of the Township Solicitor. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Georgetown Village Homeowners Association – No further information has been received.

Zoning and SALDO Revisions – The Manager will send the final draft of the Zoning Ordinance to the Solicitor and Engineer.

ROADMASTER REPORT
The Roadcrew will paint the yellow triangle at W Wesner and Main Street. They completed several drain projects and the South View Road storm water pipe replacement. Road mowing was done. The annual contracted roadwork was completed and the chips swept up from the oil and chip application on Guldin Road, Schaeffer Road, and W Shore Drive. The Roadmaster is requesting to purchase a band saw to cut rebar for future drain work.

A motion was made by David Franke to authorize the purchase of a band saw with the cost not to exceed $1600.00. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGERS REPORT
Meetings – Mrs. Hollenbach reported that a meeting would be held by Representative Jozwiak on Wednesday, September 16th. The Board authorized the office to be closed so the manager could attend the meeting. Tom Gorgia asked if the public could attend. Mrs. Hollenbach responded that the Township had been invited and she did not believe the meeting was for the public. Mr. Gorgia asked about the Rte. 222 Roundabouts and Mr. Rudderow responded that he had not had direct contact with Representative Jozwiak on the issue and recommended that Tom contact the Representative personally. Mr. Gorgia said he had emailed Congressman Costello but had missed his return call.

Mrs. Hollenbach continued her report asking the Supervisors for attendance plans for the Berks County Convention for elected officials, which will be held on October 15th. Mr. Franke and Mrs. Hollenbach did participate in the Fleetwood Area School District No Place for Hate Campaign kickoff. 309 Faith Drive property maintenance issues have been resolved.

Maidencreek Township Authority – Mrs. Hollenbach updated the Board on the progress of the development of Well #6. The well drilling will begin near the end of September.

Emergency Services – The Fire Company asked how the Supervisors felt about continuing the annual fund drive in light of the implementation of the fire tax. There is a cost associated with putting out the fund drive. The Supervisors stated that the fire tax may only be used for certain necessities and suggested that the fund drive be sent out this year for the niceties and the response monitored. Jim Schoellkopf added that the fund drive would keep the Fire Company's name in the community. Chief Miller covered with the Supervisors the fire prevention activities in October and also that the Fire Company has smoke detectors, carbon monoxide detectors and batteries available at no cost to Township residents.

David Franke reported that he had attended the Ambulance meeting and that Dave Anspach had replaced George Sowers as the president of the Ambulance Association.

Park and Recreation

A motion was made by David Franke to accept Annette Faust's letter of resignation from the Park and Recreation Board and send her a letter of appreciation for her service. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to appoint Kevin Dunn to the unexpired term of Annette Faust ending December 31, 2017. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to authorize the replacement of seven poles and fence at the Blandon Fire Company Basketball Court at a cost not to exceed $1,095.99 as quoted by Fehl's. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

OLD BUSINESS

Time Clock Policy – A draft time clock policy was distributed to the Board prior to the meeting. The Board asked that it be sent to the Labor Attorney for review and comment. Tabled.

NEW BUSINESS

2016 Pension Minimum Municipal Obligation

A motion was made by David Franke to adopt Resolution 20-2015 setting the 2016 Minimum Municipal Obligation at $9,685. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Zoning Hearing Board Resignation

A motion was made by David Franke to accept J. Richard Thren's resignation from the Zoning Hearing Board and to send him a letter of appreciation. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously. Mr. Rudderow asked the Manager to prepare a Resolution honoring Mr. Thren for the next meeting.

FOR THE GOOD OF THE ORDER

Tom Gorgia asked that the streetlight poles in Shadow Ridge be marked with the pole numbers. Mrs. Hollenbach will discuss this with Met Ed. The Board dismissed the Engineer.

Executive Session for Personnel from 8:02 PM to 8:58PM

PERSONNEL ACTIONS

A motion was made by David Franke to take the disciplinary action against the employee as discussed in executive session. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to promote Andrew Letsche to Light Equipment Operator/Mechanic and increase his hourly rate per the Collective Bargaining Agreement .50 per

hour based on the fact that Mr. Letsche has been doing the mechanic job. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke as a result of the previous actions to mandate that all driver employees apply for and maintain a Class B Commercial Driver's License for which the Township will pay. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to continue the employment of Chad Dymeck and Tyler Nolt through the October Board of Supervisor's meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to have the Roadcrew repair the meeting room floor and any other place it has risen immediately to avoid injury to the public. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

FOR THE GOOD OF THE ORDER (continued)
Joseph Rudderow III expressed concerns about the continued speeding on Route 222 and not seeing speed enforcement. Mr. Rudderow would like to look into the cost of a sign that displays a motorist's speed. The Manager should look for a grant to purchase a sign and the sign could be put in different locations to get people to do a reasonable speed.

Mr. Orlando updated the Board on the decision made by the Judge in the Penn DOT Rte. 222 litigation. The Wolfson Group intends to appeal the decision.

A motion was made by David Franke to join the appeal in regard to the Wolfson/Penn DOT lawsuit. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Having no further business, a motion was made by David Franke to adjourn the September 10, 2015 Board of Supervisors meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously. Meeting adjourned at 9:08 PM.

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Township Secretary August 18, 2015

Cc: Board of Supervisors
Eugene Orlando, Orlando Law Office, Solicitor
Charles Jones, Great Valley Consulting, Engineer
Thomas Unger, Systems Design Engineering, Inc., SEO
Planning Commission
Park & Recreation Board
Zoning Hearing Board and Alternates
Joan London, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Patrick Donovan, MTA General Manager
JoAnn Schaeffer, Maidencreek Township Authority Secretary
Dan Becker., Kozloff Stoudt, Authority Solicitor
Greg Unger, SDE., Authority Engineer
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Scott W. Eaken, Northern Berks Regional Police