Maidencreek Township Board of Supervisor Meeting
October 13, 2016

Present: Claude Beaver, David Franke, Joseph Rudderow III, Eugene Orlando, Jr. – Orlando Law Offices, Thomas Unger – Systems Design Engineering, Inc., Diane Hollenbach – Township Manager

Guests: Karen Chandler, Linda Epler, Victoria Solberg, Daniel Miller, Jr., Jim Schoellkopf, Jr., Stella Miller, Jeff Woodall

A conditional use hearing was held at 5:30 for the Cellco Partnership cell tower application. An executive session was held from 6:30 to 6:55 p.m. for personnel. Joseph Rudderow opened the regularly scheduled meeting of the Maidencreek Township Board of Supervisors at 7:00 p.m. in the Maidencreek Township Municipal Building, 1 Quarry Road, Reading, PA 19605 and asked everyone to rise for the Pledge of Allegiance to the Flag.

MINUTES & FINANCES

Approval of the Meeting Minutes

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the September 8, 2016 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 September 2016 Treasurer's Report and Bill List. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Stella Miller, 330 Cornerstone Drive, Blandon addressed the Board on the issue of her shed and pool. Mrs. Miller received a Notice of Violation that the structures were on Township property and needed to be relocated onto her property. The solicitor advised that the homeowner get the advice of an attorney. Mrs. Miller could comply with the letter, file an appeal with the zoning hearing board to preserve rights if Mrs. Miller felt the zoning officer's determination was issued in error or request a time extension from the zoning officer.

Jeff Woodall, 342 Cornerstone Drive, Blandon stated that Mrs. Miller had a permit which allowed her to place the pool where it was. Mrs. Hollenbach, Township Manager, clarified that Mrs. Miller had a permit to place a pool eight (8) feet from her rear property line. The pool is eight feet over the property line.

Vicki Solberg, 317 Sofia Blvd, Blandon stated that she is still having problems with standing water in her yard and dirt and water in her cellar. The Berks County Conservation District did a site visit and told Mrs. Solberg that the front portion of her property is still under the current NPDES permit and amended soils are required. A report was written, which the Township had not received (but will be requesting). Mrs. Solberg stated she is hiring a surveyor to make a plan to modify the grading and remove the berm at the swale. Chairman Rudderow cautioned Mrs. Solberg not to complicate the situation by doing work in the swale. Mrs. Solberg has hired legal counsel. Mrs. Hollenbach suggested that the plan be brought to the Township office for a review by the Township Engineer prior to work being done.

Linda Epler, 628 Guldin Road, Blandon stated that the speeding is worse than ever on Guldin Road. Mrs. Epler notified the police and the speed sign was installed. Mrs. Epler felt that all the neighbors would allow the police to sit in their driveways. Chairman Rudderow asked the manager to contact the Chief and ask for a speed detail on Guldin Road.

REPORTS

ENGINEER'S REPORT

Brandywine Transportation Letter of Credit Reduction – Tom Unger reported that the contractor corrected some drainage issues but the work cannot be verified until it rains and the grass grows. Mr. Unger recommended holding $4,000.

A motion was made by Claude Beaver upon the recommendation of the engineer to authorize the chairman to sign the Brandywine Transportation letter of credit reduction letter in the amount of $26,279.01. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Boyer Place Escrow Release – Tom Unger reported that the eighteen (18) month maintenance period has expired and the escrow should be returned to the developer.

A motion was made by Claude Beaver upon the recommendation of the engineer to release the Boyer Place Escrow in the amount of $5,781.98. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Maidencreek Ventures – Tom Unger reported that the eighteen (18) month maintenance period had expired in 2010 and the escrow should be returned to the developer.

A motion was made by Claude Beaver upon the recommendation of the engineer to release Maidencreek Shopping Center Escrow in the amount of $38,523.34. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Independence Court Speed Study – Mr. Unger reported that the speed study showed the safe travel speed for Independence Court was 21 M.P.H. To be enforceable, the speed on Genesis Drive would also need to be changed because speed enforcement can only begin 300 feet after a speed changes. The Chief of Police was consulted and recommended that the speed limit be kept at 25 M.P.H. for uniformity and enforcement. The Board decided against changing the speed on Independence Court.

Zoning Ordinance – The Planning Commission returned recommendations of zoning districts for medical marijuana manufacturing in the Industrial Zoning District and marijuana dispensary in the C1 Local Commercial Zoning District. For the Wind Energy regulations, the Planning Commission recommended that there be a 180-foot setback or 110% of the total wind energy structure height, whichever is greater and the height of the structure shall be measured to the tip of the blade when fully extended. The engineer will send the five ordinances reviewed to the adjoining municipalities and the complete text of the Zoning Ordinance to the Berks County Planning Commission, Berks County Law Library and the Reading Eagle.

Road Paving 2017 Contract B

A motion was made by David Franke, upon the recommendation of the engineer, to approve the payment of $71,265.24 to EJB Paving and Materials, Inc. for Contract B of the 2017 Road Paving Project. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

West Shore Drive Bridge (North of closed bridge) – Mr. Unger reported preliminary engineering showed the bridge would need three – sixty (60) foot pipes. The Board of Supervisors decided to proceed with repairs rather than replacement of the pipe.

LED Streetlights – Pictures will be taken by drone once the leaves are off the trees to better see the level of lighting in each development.

West Shore Drive Road Closure – The engineer will set up a meeting with the Police Chief regarding a permanent closure device.

Park Road Lock and Store Drainage – Mr. Bennicoff and Mr. Esbenshade agreed to keep the inlet clean and maintain the swale.

MUNICIPAL SOLICITOR REPORT

Verizon Cell Tower Hearing – Tabled decision until after the Zoning Hearing.

Penn DOT Maintenance Agreement – Mr. Orlando reported that he had made changes requested by the Board except the length of the maintenance period. Chairman Rudderow explained to the audience that the draft agreement from PennDOT asked the Township to repair and replace curb, sidewalk and streetlights after the project was complete. All references to replacing curb were removed. The Board proposed a twenty-four-month maintenance period. The Board felt that they should in no way be obligated to maintain any round about components and would be entering into such an agreement under protest.

A motion was made by David Franke to forward the draft Round About Maintenance Agreement to PennDOT. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

330 Cornerstone Drive – The solicitor stated that the Board needed to be conscious of the time allowed for the property owner to respond to the Notice of Violation. The engineer stated that he will review his files for any surveys the Township may have requested of the open space area.

A motion was made by Claude Beaver to inform the Zoning Officer that the Board of Supervisors does not object to an extension of time if he sees fit to grant one to 330 Cornerstone Drive. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGER'S REPORT

The Manager reminded the Board of Supervisors of the upcoming County Convention on October 20th and the PA Economic League breakfast. A complaint was received about speeding

on Golden Drive. The Board asked that the manager contact the Chief of Police and have the electronic speed sign put up on Golden. A signed temporary construction easement was received for the W Walnut Tree Drive project.

A motion was made by David Franke to authorize the chairman to sign the temporary construction easement agreement for 333 W Walnut Tree Drive, Blandon. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Road Crew

Road Plates

A motion was made by Claude Beaver to purchase two 96" x 144"x 7/8" road plates at a cost of $1600 each for drain work. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

W Walnut Tree Drive Culvert Cleaning – The Township and Authority will be exchanging services. Mobile Dredging will be out to remove the sediment from the W Walnut Tree Drive culvert and the Township will clean up the Well #6 site.

Snow Plow Relief Drivers

Diane Hollenbach reported that it was time to think about snow plow relief drivers. Mrs. Hollenbach made some suggestions for additions. The Board of Supervisors tabled the matter until November.

Maidencreek Township Authority – Two – seventy-two (72) hour drawdown tests on wells #6 and #7 will be performed October 17th and October 24th.

Park and Recreation – The Park and Recreation Board is recommending sending a letter to Fleetwood Girls Softball regarding electric use. The Board of Supervisors discussed options available. Usage could be reduced or softball could pay for the electric they used. The Board authorized sending a letter to the softball association outlining the issue and possible solutions.

Zoning – The manager asked if the Board was interested in securing 115 Grove Road at the request of a County official. The Board still did not think that it had the authority to enter onto private property and this was why they turned it over to the Blighted Property Board.

NEW BUSINESS

Recycling Contract Extension – The manager reminded the Board that the Residential Recycling Contract expires December 31 of 2016. The current bid allows for two one-year extensions with increases based on the CPI. CPI is 1% which is a $960 increase bringing the new contract price to $96,996.00.

A motion was made by Claude Beaver to approve and authorize the Chairman to sign the one year extension to the Residential Recycling Contract with JP Mascaro & Sons for $96,996.00. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Calendar Printing Quote – Five quotes were received for the printing of the annual recycling calendar. The quotes included mailing and postage.

A motion was made by Claude Beaver to approve the quote from Jostens for the printing of the 2017 recycling calendar. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Fuel Tank Cleaning Proposal – The manager explained to the Board of Supervisors that the gas, diesel and heating oil tanks have not been cleaned for the sixteen years she has worked at the Township and there is no record they were cleaned prior. Mrs. Hollenbach read an article on the importance of this and obtained a quote from a COSTARS vendor for $710 per tank. Cleaning should resolve the issues the road crew had in previous winters of the filter becoming clogged.

A motion was made by Claude Beaver to authorize the manager to sign the tank cleaning contract with Clean Fuels at a cost of $2,130 to clean the diesel, gasoline and heating oil tanks. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

2017 Budget – The manager presented the 2017 Budget with no tax increase. The Board decided to forego a separate budget meeting and discuss it at their November meeting. Mr. Rudderow updated the Board on the Police Budget. Ninety (90) percent of the police budget is labor expense.

A motion was made by Claude Beaver, seconded by David Franke, to adjourn the October 13, 2016 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members present voted "Aye". Motion carried. Meeting adjourned at 8:38 p.m.

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Township Secretary,

Cc: Board of Supervisors
Eugene Orlando, Solicitor
Thomas Unger, 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, Authority Solicitor
Greg Unger, Authority Engineer
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Scott W. Eaken, Northern Berks Regional Police