

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS MEETING

January 6, 2003 8:00 PM

PRESENT: Roy Timpe - Supervisor, Gloria Kemmerer - Supervisor, Robert Kopfer – Supervisor, Eugene Orlando – Township Solicitor, Bruce Heilman – Township Engineer, Ruth Manmiller – Recording Secretary, Terry Manmiller – Operations Director

GUESTS: Cindy Stump, Fay Isamoyer, Ronald Kemmerer, David Anspach, Joseph Rudderow III, Hether Quillman, Krista Timpe, Danny Miller – Blandon Fire Co. Chief, Claude Beaver, James Schoellkopf, Bill Wiedemann, Barbara Hassler – Tax Collector, John O’Neil, Larry Kunkel, Lori Hershberger, Jason Martin, Diane Hollenbach.

Roy Timpe called the January 6, 2003 Board of Supervisors Meeting to order at 8:00 PM in the Maiden creek Township Building and asked everyone to rise for the pledge to the flag. This meeting was advertised to commence at the conclusion of the reorganization meeting.

PUBLIC COMMENT

Bill Weidemann, 239 Spirit Court, Blandon, PA commented on the reduced amount of speeding vehicles on Spirit Court. He credits and thanks the police for making an effort to monitor traffic and conducting patrols on Spirit Court during peak speeding times. He asked the Board to reconsider some of their decisions as they prepare to implement the recycling program in Maiden creek Township. He feels one company could accomplish trash collection and recycling. Allowing one company to perform both services would reduce the cost for Maiden creek property owners and at the same time reduce the amount of truck traffic on Township roadways.

Barbara Hassler, 16 Adele Ave., Blandon, PA (Tax Collector) asked the Board how they arrived at the \$55.00 recycling fee and had they contacted other municipalities to obtain information to implement our recycling program. She informed the Board that the \$55.00 recycling fee may not appear on the County Tax bills and she will not be responsible for collecting and/or maintaining records for the recycling fees.

The Township Solicitor agreed to investigate the issue of the recycling fee appearing on the County Tax bills. He stated that the Operations Director found that some municipalities include their recycling assessment on the County Tax bills. The Chairman added that the Board arrived at the \$55.00 recycling fee by dividing the amount of Maiden creek Township property owners into the estimated cost of the program.

MINUTES

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, approving the December 12, 2002 Board of Supervisors Meeting Minutes with the following corrections:

- Page 3 Weaver’s Bike Shop – the following sentence should have been part of the Board’s motion: Weaver’s Bike Shop is a desirable business and the Board asked the MTA to expedite the plan through their review process at their 1/8/03 meeting.
- Page 3 Focht/Wentzel – correct spelling - Weitzel.
- Page 3 Heffner Tract – Greth Construction – following should be included: an agreement letter signed by both Mr. Schlouch and Mr. Greth was received from Greth Construction.

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MINUTES, continued:

- Page 4 Resolution 28-2002 Reproduction of Public Records: Correct title of Resolution is “Policy for Access to Public Records”, and a wording change from “outlining” to “providing written” guidelines to grant or deny access to public records and fees to reproduce public records.
- Page 7 Secretary’s Questions, 2002 Audit add: the last paragraph on page 3 of the engagement letter.
- Page 7 Meeting was adjourned at 12:17 AM, not PM!

All Board members voted, “Aye.” Motion carried.

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, approving the December 18, 2002 Special Meeting minutes and the December 23, 2002 Special Meeting minutes as presented. All Board members voted, “Aye.” Motion carried.

ENGINEER’S REPORT

WEAVER’S BIKE SHOP, Land Development Final Plan

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, granting final approval to the Weaver’s Bike Shop Land Development Final Plan contingent upon the 1/8/03 MTA approval, receipt of Improvement Agreements and financial security. All Board members voted, “Aye.” Motion carried. Upon receipt of MTA approval, signed Improvement Agreements, receipt of original LOC, and signed final plans, the developer was instructed that he may commence with his project. Approved E & S plans were hand delivered to the Township office by the developer’s engineer.

FOCHT/WEITZEL ANNEXATION PLAN

Roy Timpe made a motion, and seconded by Robert Kopfer, approving the Focht/Weitzel Annexation Plan contingent upon the conclusion of the sale of the property. All Board members voted, “Aye.” Motion carried. Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the Solicitor to prepare an agreement of sale (if required) for the Focht/Weitzel Annexation. All Board members voted, “Aye.” Motion carried.

TREE TOPS, TOT LOT, PHASE I

Smith & Smith Contractors have completed the contracted work for the TreeTops Tot Lot. Remaining funds will be held until Spring of 2003.

MAIDENCREEK COMMUNITY PARK

LSR Enterprises have completed the contracted work for the Maiden creek Community Park. Remaining funds will be held until Spring of 2003.

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HOCH ROAD CULVERT, EAST WESNER ROAD CULVERT, & PEDESTRIAN BRIDGE

All DEP permits have been approved and the Board may proceed with any or all of the improvements for the Hoch Road Culvert, the East Wesner Road Culvert, and/or the installation of the Pedestrian Bridge in the Community Park. December 12, 2002 the Board of Supervisors requested recommendations from the Park and Recreation Board to install a pedestrian bridge in conjunction with their plans to utilize a \$25,000.00 grant for installation of footpaths.

STORMWATER INVESTIGATION

December 12, 2002 the Board of Supervisors authorized the Engineer to proceed with the necessary calculations and plans for the Letter of Map Revision for FEMA. This study will establish the flood plain in the area of Golden Drive and the vacated portion of East Wesner Road.

LIGHTING ORDINANCE

The Engineer is preparing a lighting ordinance based on the joint field meeting.

AGRICULTURE SECURITY MAP

Revised Agriculture Security Map is on hold.

NPDES II PERMIT

The Engineer is proceeding with the application, which is due 3/10/03.

SUBDIVISION IMPROVEMENTS AGREEMENTS LOC/ESCROW RELEASE LETTERS

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, authorizing the Chairman to sign the Subdivision Improvement Letters of Credit in the amount of \$843.43. All Board members voted, "Aye." Motion carried.

SOLICITOR'S REPORT

WILLOW GARDENS, LOT 133

The Solicitor confirmed that the developer's attorney will provide information pertaining to Lot 133 in Willow Gardens by the end of January 2003. The developer is willing to work with the Township to provide access to the open space while research is performed to provide a clear title for Lot 133 in Willow Gardens.

LAND DISPLAYS

Land Displays provided stipulations for the Board's consideration. The matter could be resolved, if the stipulations are satisfactory. If the matter is resolved, the stipulations would be heard at the 1/23/03 hearing. The Solicitor will keep the Board apprised of his review of the Land Displays stipulations in the event that the 1/23/03 hearing must be postponed or a Special Meeting must be scheduled.

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BLANDON FIRE COMPANY BALL FIELD LEASE

The Solicitor advised the Board to consider increasing the amount of liability insurance for the Blandon Fire Company Ball Field and Playground. Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the Park and Recreation Board to review and recommend an acceptable amount of liability insurance coverage for the Blandon Fire Company Ball Field and Playground. All Board members voted, "Aye." Motion carried. The Operations Director advised the Board that the Township insurance is reviewed every year and that the appropriate amount of coverage is assessed for the Blandon Fire Company Ball Field and Playground.

INDUSTRIAL ZONING DISTRICT, Permitted uses:

The Solicitor reviewed the wording of permitted uses in the Industrial Zone, specifically Article 11, Section 1102. It is his recommendation that the Board may move forward with the Township recycling program and remain within the guidelines set forth in the Maiden Creek Township Zoning Ordinance. He advised the Board that the Planning Commission should take this section into consideration when revising the Zoning Ordinance to further specify permitted uses in the Industrial Zone.

MEMORANDUM OF UNDERSTANDING

The Solicitor informed the Board that the Berks County Conservation District appreciated the Board's recommendations pertaining to the review letter. Future Berks County Conservation District standard review letters will include "and approvals" as suggested by the Board. Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the signing of the Berks County Memorandum of Understanding. All Board members voted, "Aye." Motion carried.

AGRICULTURE SECURITY HEARING

Upon receipt and confirmation of the following, the Agriculture Security Board may commence choosing a hearing date to amend and authorize preparation of a new Agriculture Security Map:

- Comments from the Maiden Creek Township Planning Commission on the seven-year review and pending amendment to the Agriculture Security Area.
- Comments from the Berks County Planning Commission on the seven-year review and pending amendment to the Agriculture Security Area.
- Comments from the Agriculture Security Board on the seven-year review and pending amendment to the Agriculture Security Area.
- Confirmation receipts from all property owners desiring to remain or be released from the Maiden Creek Agriculture Security Area.
- Accept the application to include a new property owner into the Agriculture Security Area.
- Consider removal of an existing property from the Agriculture Security Area.

MEADOWBROOK

The Solicitor assured the Board that all contingencies are in the process of being resolved for approval.

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EXECUTIVE SESSION 9:17 PM – 10:55 PM

Bedrock Stone and Stuff - Pending Litigation
Martin Retirement Village – Pending Litigation
Roger Hayward – Pending Litigation
Glen Sandritter – Pending Litigation
Alton Boyer – Possible Personnel Litigation

Chairman Roy Timpe continued the Maiden creek Township Board of Supervisors meeting to 1/9/03 at 7:00 PM in the Maiden creek Township Building.

Respectfully submitted,

Ruth M. Manmiller
Recording Secretary

CC: Board of Supervisors

Diane Hollenbach, Maiden creek Township Board of Supervisors, Secretary
Terry Manmiller, Operations Director
Eugene Orlando, Orlando and Strahn Law Firm, Solicitor
Thomas Unger, Systems Design Engineering, Inc., Township Engineer
Ed Kopicki, Systems Design Engineering, Inc., Township Planning Commission Engineer
Planning Commission
Park and Recreation Board
Zoning Hearing Board and Alternates
Paul Herbein, Zoning Hearing Board Solicitor
Maiden creek Township Authority
Robert Hobaugh, Esq., Maiden creek Township Authority Solicitor
Joann Schaeffer, Maiden creek Township Authority Secretary
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Co. Chief
Chief Scott W. Eaken, Northern Berks Regional Police

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