

**Maidencreek Township Board of Supervisors**  
**March 18, 2004, 7:00 P.M.**

Attending: Roy Timpe, Gloria Kemmerer, Eugene Orlando, Jr. - Solicitor, Orlando & Strahn, Terry Manmiller – Operations Director, Diane Hollenbach – Recording Secretary

Guests: J. Schoellkopf, Fay Isamoyer, Ron Kemmerer, Sr., Matt Midouhas, Richard Wick, Kip Bowers, Linda Bowers, Jared Malys, and Joanne Malys

Roy Timpe called the March 18, 2004 regularly scheduled meeting of the Maidencreek Township Board of Supervisors to order at 7:00 PM in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge of Allegiance to the Flag.

**Announcements**

Roy Timpe announced that the hearing for the DiGiorgio Rezoning request on April 15, 2004 at 7 P.M has been canceled at the applicants request.

**Public Comment**

**Kip and Linda Bowers of 11 Grove Road, Blandon** asked the Board for help in dealing with their neighbors who are depositing snow in front of the Bowers house. When the plow goes down Grove Road, all the extra snow is pushed in the Bower's driveway. Terry Manmiller stated that the snow is not on the roadway, so it does not violate any Township Ordinances. The Bowers stated that the police have been unable to do anything about the situation either.

Linda Bowers also presented photos of her neighbors parking on Grove Road. Due to the narrow road, school buses have to travel in the opposing traffic's lane to get around cars parked along Grove Road. The Board tabled discussion on these issues until the Solicitor arrived.

**Jared Malys of 418 Cassidy Court, Blandon** asked if there was a project in the Township that he could do for his Eagle Scout Project. Terry Manmiller promised to call Mr. Malys when the weather warmed up and go over projects that could be completed for the Township.

Upon the arrival of the solicitor, discussion was again opened on the problem at 11 Grove Road in Blandon. Eugene Orlando, solicitor for the Township, stated that the neighbor's piling of the snow in front of the Bower's property was not a Township issue, but the Bowers could speak to a private attorney because such actions could be considered trespass or private nuisance.

Gloria Kemmerer stated that the photos of the school bus and the cars parked along Grove Road appeared very dangerous. Mrs. Kemmerer asked if all the houses in this area had off street parking and suggested no parking be allowed on Grove Road.

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the engineer to study the parking situation on Grove Road in Blandon with the possibility of not allowing parking on the road. All members voted, "Aye." Motion carried.

**Solicitor's Report**

Mr. Orlando stated that he would have a report for the Board on the Ray Martin matter in executive session.

Mr. Orlando reported that the request for rezoning has been withdrawn for the DiGiorgio property. There is a Pennsylvania State Association of Township Supervisors (PSATS) tour in Kennett Square of mushroom facilities that may be worthwhile for the Board to attend.

Mr. Orlando stated that he is working on a proposal for the Solomon Willow Creek Manor issue that will be submitted to the Board and the landowner.

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The Adam's Coffee Kiosk peddler's permit has been withdrawn. The Board of Supervisors instructed the secretary to send any bills incurred for the review of this issue to Mr. Adams.

**Old Business**

Cable Franchise – A letter has been received from Service Electric Cablevision regarding the expiration of the cable franchise between Service Electric and Maidencreek Township on July 20, 2004. Service Electric has requested that the Township begin the franchise renewal proceedings. Mr. Orlando suggested that the Board hold a public hearing to take public comment on renewing the Service Electric Cable Franchise in conjunction with one of the other public hearings that the Board will need to hold in the next few months.

Penn DOT Agility Agreement – Mr. Orlando stated that he had reviewed the Penn DOT Agility Agreement and had no problems with it. He indicated that there was an extensive list of services attached to the agreement that the Operations Director should review. Mr. Manmiller stated that he had reviewed the agreement and was okay with it.

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, resolving that Maidencreek Township would enter into an Agility Agreement with PennDOT and authorized the Chairman of the Board of Supervisors to sign the agreement. All members voted, "Aye." Motion carried.

Perry Township Winter Maintenance Agreement – This agreement allows the crews from Maidencreek Township and Perry Township to turn around at safe places in the each other's Townships and provide winter maintenance to portions of the other township's roadways that is convenient to the route of each road crew. Terry Manmiller stated that he has been doing this for 12 years. Mr. Orlando recommended that the following be added to the agreement:

12. Each Township shall keep all vehicles and personnel fully insured and shall indemnify each other for injury or damage caused. Each Township shall provide proof of adequate insurance to the other.

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to adopt the Winter Maintenance with Perry Township as amended. All members voted, "Aye." Motion carried. The Board will adopt the agreement by resolution in April.

**New Business**

PSATS Convention

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize Terry Manmiller to attend the 2004 PSATS Convention at a cost of \$110.00. All members voted, "Aye." Motion carried. Mr. Manmiller stated that he would like to check out equipping the Township trucks to spray liquid calcium like the Penn DOT trucks for winter maintenance.

Appointment of a 3<sup>rd</sup> auditor – Berks County Election Services has been contacted and no one has accepted the position of auditor of Maidencreek Township to fill Larry Kunkel's expired term. Diane Hollenbach stated that Dan Miller suggested Annette Becker for the position. The Board asked the Secretary to contact Ms. Becker to see if she was interested and to contact the current auditors for any recommendations they had to fill the position.

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**Treasurer's Report**

Library Donation

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize a donation of \$6,600.00 to the Fleetwood Area Public Library as budgeted in 2004. All members voted, "Aye." Motion carried

Community Event Account

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the Secretary to open an account for funds generated for the purposes of community events. All members voted, "Aye." Motion carried.

DiGiorgio Escrow Account

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the Secretary to return the unused escrow money for the DiGiorgio Rezoning due to the withdraw of the rezoning request. All members voted, "Aye." Motion carried.

Emergency Generator Hook Up

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the Chairman to sign the Telco Agreement for the installation of an emergency generator hook up for the traffic light at the intersection of Route 222 and Route 73 for a cost of \$930.00. All members voted, "Aye." Motion carried.

Act 205 Actuarial Report

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the Pension Plan Administrator to sign the Act 205 Actuarial Study prepared by Standard Insurance. All members voted, "Aye." Motion carried.

Confirmation of Account Requests

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the Chairman to sign the confirmation of account requests from Kosmerl and Company as part of the annual Township audit. All members voted, "Aye." Motion carried.

**Park and Recreation**

Bench Purchase – The Board of Supervisors directed the Park and Recreation Board to obtain three quotes on benches due to the fact that the cost is over \$4,000.00. Gloria Kemmerer expressed concern that steel benches would be hot to sit on in the summer and cold in the winter and ask that the Park and Recreation Board also look at the material used in the construction of the benches.

Basketball Courts in the Community Park

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the Operations Director to rent the necessary equipment, proceed with digging out the basketball court in the Community Park and place 2A modified stone for the base. All members voted, "Aye." Motion carried.

Pedestrian Bridge Installation

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to authorize the installation of the pedestrian bridge in the Community Park and authorize the engineer to provide construction drawings for forms. All members voted, "Aye." Motion carried.

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7<sup>th</sup> Park and Recreation Board Member – The Board of Supervisors upon the request of the Park and Recreation Board discussed two candidates, Ken Schittler and Dan Miller, for the 7<sup>th</sup> position on the Park and Recreation Board. The 7<sup>th</sup> member to the Board is provided for in resolution from 1988.

A motion was made by Gloria Kemmerer, seconded by Roy Timpe, to appoint Dan Miller to the Maidencreek Township Park and Recreation Board with a term expiring 12/31/06. All members voted, "Aye." Motion carried.

**Emergency Management Update**

Terry Manmiller updated the Board on the progress of issues discussed at the February 26, 2004 Special Meeting of the Board of Supervisors.

- ⊙ Berks County Emergency Management has been contacted for a tabletop exercise. Mr. Manmiller and Chief Eaken will meet with Mr. Bonanni, Andrew Maier Principal, to discuss a tabletop exercise involving the elementary school.
- ⊙ As soon as clean drums are acquired, dust for absorbing spills will be obtained from WD Zwicky.
- ⊙ Township inventory will be done on a rainy day.
- ⊙ Folding stop signs have been purchased and will be mounted at all intersections in the Township that have traffic lights.
- ⊙ Mr. Manmiller provided Dan Miller, Fire Chief, with a contact at 3M who sells the devices to put in fire trucks that change traffic signals from red to green.

Mr. Manmiller also added that he has met with Jack Lee of the Pennsylvania DEP regarding the standing water in the open space behind the former Rapp property on Faith Drive. Mr. Lee stated that the land with the depressions is wetland and the depressions can not be filled. The Board asked that the residents that had complained about the standing water be contacted and informed of the results of the meeting with the PA DEP.

**Executive Session 8:06 pm to 9:00 pm to discuss personnel and litigation**

A motion was made by Gloria Kemmerer, to adjourn the March 18, 2004 regularly scheduled meeting of the Maidencreek Township Board of Supervisors. Roy Timpe adjourned the meeting at 9:00 pm.

Diane Hollenbach, Recording Secretary – March 24, 2004

Cc: Board of Supervisors  
Terry Manmiller, Operations Director  
Eugene Orlando, Orlando & Strahn, Solicitor  
Thomas Unger, Systems Design Engineering, Inc., Township Engineer  
Ed Kopicki, Systems Design Engineering, Inc., Planning Commission 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, Maidencreek Township Authority Solicitor  
Greg Unger, Systems Design Engineering, Inc., Maidencreek Township Authority Engineer  
Barbara Hassler, Tax Collector  
Daniel Miller, Blandon Fire Company Chief  
Chief Scott W. Eaken, Northern Berks Regional Police