

MAIDENCREEK TOWNSHP BOARD OF SUPERVISORS MEETING

AUGUST 3, 2000

7:00 PM

PRESENT: Karl Bolognese - Supervisor, Roy Timpe - Supervisor, Terry Rarick – Supervisor, Chad Lupos – Solicitor, Thomas Unger – Engineer, Ruth Manmiller – Recording Secretary, Terry Manmiller - Operations Director.

GUESTS: Joseph E. DeSantis, Raymond Martin, Robert Ludgate, David Faust, Karen Faust, Mark Kitzmiller, Dan Miller, Howard Young, Ron Kemmerer, Gloria Kemmerer, Ed Doerrman, Tom Evanosky, Patrick Harkin, Randy Wolfe, Jen Glick, Patrick Konopelski, Irwin Armstrong, Steven Richart

Karl Bolognese called the meeting to order at 7:00 PM and asked everyone to rise for the pledge to the flag.

PUBLIC COMMENT

Daniel Miller, Fire Chief for the Blandon Fire Company reported:

- 1. They responded to 5 Fires, 12 Accidents, 5 Medical Assists, and 2 AFA for a total of 24 calls
- 2. Fire Police responded to 17 calls
- 3. They logged 101 hours of training
- 4. They are in the process of constructing an addition to the existing Engine House
- 5. In observance of Fire Prevention Week, an open house is being planned during October

Ruth Manmiller made the following correction to the July 13, 2000 Board of Supervisors minutes: Page #2 Terry Rarick made a motion, seconded Roy Timpe authorizing the Operations Manager to advertise for **bids for the sale of** (instead of **bid to purchase**) the Russeo Tractor w/mower arm – specify in the bid the Board has the authority to reject all bids if the amount of the bids are not high enough and specify when tractor may be received - and install the new Tiger arm mower to the John Deer. Motion carried.

Roy Timpe made a motion, seconded by Terry adopting the minutes of the July 13, 2000 Board of Supervisors meeting with correction. Motion passed.

POLICE REPORT: The July 2000 Northern Berks Regional Police activity report was read by Ruth Manmiller:

		TOTAL CALLS: 549		
	MAIDENCREEK	ONTELAUNEE	LEESPORT	
ASSIGNMENTS	291	165	93	
UNITS OF PATROL	750.5	511.75	396.75	
CITATIONS	\$1935.51	\$3762.58	\$1227.81	

Karl Bolognese reported the Chief will present the Northern Berks Regional Police budget for 2001 during a workshop meeting 8/8/00 at 6:00 PM for all respective boards at police headquarters.

ROAD REPORT

Terry Rarick presented the Operations Manager’s report for July:

EQUIPMENT REPORT

- 1. Units # 3-4-5 were serviced and necessary inspections were completed by Shuman’s Auto
- 2. Unit #1-2 have been inspected by Bergey GMC (previously Diebert)
- 3. Unit # 8 advertisement for bids has been published.

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BLANDON MEADOWS V, Phase II: Robert Ludgate reported on the following issues:

1. The developer agreed to pay \$21,000.00 fee-in-lieu of Open Space.
2. The developer will be cutting Spirit Court for three inlets; the remaining connections will be made behind the curb line. There will be no need to make additional street openings for the remaining new dwellings because the installation of water and sewer lines will be behind the curb. Detail should be on the recorded plan for future repairs.
3. Single Family dwellings will be constructed along Henry Drive
4. Trees will be installed by the developer – 10 feet off the right-of-way and all lots trees will be placed further back into the yard.
5. Planning Modules have been approved

Roy Timpe made a motion, seconded by Terry Rarick allowing the planting of street trees in the yard area outside of the street right-of-way by the homeowner. Property Owner to choose type of tree from township approved list. Acceptable allowance to be provided to homeowner from the developer's improvement guarantee. Motion carried.

Terry Rarick made a motion, seconded by Roy Timpe to grant the waiver increasing the width of the storm sewer from 15 feet to 20 feet. Motion carried.

Terry Rarick made a motion, seconded by Roy Timpe to accept the time extension for review until September 15, 2000. Motion carried.

LETTERS OF CREDIT

MAIDENCREEK PLAZA: Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to notify the developer to renew the Letter of Credit before 9/9/00, or the Board will draw down on the letter. Motion carried.

WILLOW GARDENS II: Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to notify the developer to renew the Letter of Credit before 9/9/00, or the Board will draw down on the letter. Motion carried.

MAIDENCREEK PLAZA, Phase II, Final Plan: Roy Timpe made a motion, seconded by Terry Rarick authorizing the Secretary to sign and seal the Planning Modules and forward them to DEP. Motion carried. Terry Rarick made a motion, seconded by Roy Timpe approving Maiden creek Plaza, Phase II, Final Plan contingent upon the receipt of approved Planning Modules, plans properly signed, and approval of the Improvement Agreement Addendum. Motion carried. Joseph DeSantis informed the Board the Planning Modules will be rejected by DEP as submitted, but will be approved through an exemption for connection to the Maiden creek Township sewer because of the planned medical facility in Maiden creek Plaza, Phase II.

RAJAH COMPLEX: The Engineer asked if the Board plan to request a traffic study for any roads near the Rajah Complex. The Board requested a traffic study for the intersections of Slater Road and Route 73 and Orchard Road and Route 73.

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WEST WESNER ROAD, Re-alignment

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Chairman to sign the Windsor Service Contract to re-align West Wesner Road, including storm and sewer modifications, total bid of \$66,151.00. Motion carried.

EAST WESNER ROAD, Stream Relocation

The Engineer reported he had not received the wage rates for the type of required work. The Engineer asked the Board to schedule a special meeting to receive bids for the East Wesner Road Stream Relocation. This will allow time for the Engineer to review the bids and make a recommendation at the September 14, 2000 Board of Supervisors meeting.

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Secretary to advertise for a special meeting of the Board of Supervisors to be held September 5, 2000 at 6:00 PM to accept bids for the East Wesner Road Stream Relocation and any other business which may come before the Board. Motion carried. The Engineer will prepare and advertise for the receiving of bids for the East Wesner Road Stream Relocation.

SUBDIVISION IMPROVEMENTS AGREEMENTS LOC/ESCROW RELEASE LETTERS: Roy Timpe made a motion, seconded by Terry Rarick, authorizing the Chairman to sign the Subdivision Improvement Letters of Credit for payment of \$23,466.90. Motion carried.

MARTIN RETIREMENT VILLAGE, Extension: Terry Rarick made a motion, seconded by Roy Timpe authorizing the Secretary to sign the Planning Modules for the Martin Retirement Village Extension. Motion carried. Terry Rarick made a motion seconded by Roy Timpe granting preliminary approval of the Martin Retirement Village plan contingent upon the approvals from other agencies – Railroad, DEP, and Penn Dot. Motion carried.

Mr. Martin has been storing the modular homes he plans to locate in Martin's Retirement Village Extension at the corner of Route 222 and Dries Road. The temporary placement of the modular homes has cause concern from Berks County Conservation District due to possible flooding conditions, over use/coverage of the property and sight distance for motorists. Mr. Martin requested permission from the Board to move several of the modular homes to open space he has near the Martin Retirement Village Extension development until they may be properly installed. The Board stated they did not have a problem with Mr. Martin moving his modular homes to his open space for temporary storage until the development is completed.

SOLICITOR'S REPORT

ORDINANCE 172: Terry Rarick made a motion, seconded by Roy Timpe to adopt Ordinance 172 Amendment to Ordinance No. 111, to provide two additional stop signs at the intersection of Titus Road and Spirit Court as advertised. Motion carried. Signs have been installed and flashers attached.

ORDINANCE 173: Terry Rarick made a motion, seconded by Roy Timpe to adopt Ordinance 173, amending Ordinance 44 to require all amusement permits to applied for and issued at the Maidencreek Township Building. Motion carried.

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RESOLUTION 12-2000: Terry Rarick made a motion, seconded by Roy Timpe to revise section 110 of the Maiden creek Township Employee Rules and Regulations to include a sexual harassment policy. Motion carried.

NOISE ORDINANCE: The Solicitor advised the Board how to adopt an effective policy to control noise. (1) Zoning Change – Zoning Officer would enforce, (2) New Ordinance – Police would enforce. After a lengthy discussion the Board decided to proceed with a Zoning Change. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to advertise a hearing on September 14, 2000 at 6:00 PM, for public comment relative to the Zoning Change, which would enact regulations for noise levels leaving a property. Motion carried. Questions of concern that may be addressed at the hearing: noise level, how the noise will be measured, who will be cited – the property owner or the person making the noise.

BEDROCK STONE: Since a letter, which was received from DEP regarding storage of certain materials used to produce mulch, the Memorandum of Understanding was not prepared for this meeting. Howard Young owner of Bedrock Stone and developer would like to move his business to a property off of West Wesner Road, near Bertolet Place. He explained that the letter had no bearing on the materials he stores for the production of mulch. He explained this letter was an advisement for Giorgio as to the location and amount of mushroom soil that may be delivered to a certain location. The Board, Engineer and Solicitor were satisfied with the explanation of the letter from DEP and agreed to have the Memorandum of Understanding prepared for approval at the September 5, 2000 Special Board of Supervisors meeting.

SECRETARY'S QUESTIONS:

MAIDENCREEK AUTHORITY BOARD MEMBER REPLACEMENT: Roy Timpe made a motion to appoint Donald Dastian to replace Gary Saggio on the Maiden creek Authority. Motion failed for a lack of a second. Terry Rarick made a motion, seconded by Karl Bolognese appointing Robert T. Shinn to replace Gary Saggio on the Maiden creek Authority Board. His term will expire 12/31/03. The Secretary was asked to poll the Board: Mr. Timpe – “Nay”, Mr. Rarick – “Aye”, Mr. Bolognese – “Aye”. All candidates submitted resumes to the Board of Supervisors.

WILLOW GARDENS LOT 17: The Board obtained two appraisals for this parcel of land for a possible sale to adjoining property owner. (1) GKS Realty - \$16,000.00 (2) John Rothermel - \$12,500.00. The Board tabled any action on this matter on hold until they spoke with the adjoining property owners. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to contact Walter Greth about deeding Lot 133 to Maiden creek Township. Motion carried. If Maiden creek Township owned Lot 133 it would be used as access into the open space area along the Willow Creek near Route 73.

WALNUT MANOR II: Residents who submitted a petition to the township office, voiced their concern for the proposed development of property along East Wesner Road located near the rear of their homes. They felt the sketch plan on file was not planned with the surrounding resident's property welfare in mind. The proposed homes would cause additional flooding to the area, which has experienced flooding conditions in the past.

David Faust, 214 West Walnut Tree Drive questioned the Board if they knew what they were doing by developing Julio Court. Additional homes near his home would cause additional flooding. He submitted a video of recent flooding in Walnut Manor near his home.

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Steven Richart, East Wesner Road stated that currently all the storm water drains to this location and building homes in this area would be dangerous for everyone.

Irwin Armstrong, 240 West Walnut Tree Drive felt that if the Board allows homes to be built in this area, residents would be forced to purchase flood insurance.

Ed Doerrmann stated flooding has always occurred on the vacant lot he annexed to his property. Recently the flooding has gotten worse and occurred in places it never had.

The Engineer stated new regulations in the current Subdivision Book would require the Board and Planning Commission to review the plan for storm water control.

Terry Rarick informed the group of concerned residents from Walnut Manor that no plan has been submitted for review. The plan they viewed in the township office is a sketch plan of what the developer had proposed for this area. The developer had hired a new engineer and a new plan will be submitted for review. He promised the concerned residents they would be notified upon the receipt of new plans for this area. He also stressed to the group when any plan is going through the review process all subdivision rules and regulations are abided by and no decision is made to benefit any one person.

PARK AND RECREATION: Michael Schittler presented to the Board a proposed plan for the development of the Community Park. He informed the Board about some ideas the Park and Recreation Board has for the Community Park and activities. He invited the Board to attend their Park and Recreation Board meeting September 7, 2000 to discuss their plans. The Board members agreed to attend this meeting. The Board felt it would be in the best interest of the Park to phase the improvements, so everything that is planned is completed properly. The property, which adjoins the Community Park property located near the corner of East Wesner Road and Park Road, is for sale for \$350,000.00.

ANDRETTI INTERNATIONAL, INC.- Rezoning Request: Terry Rarick made a motion, seconded by Roy Timpe to conduct a hearing for public comment for the Andretti International, Inc. rezoning request, on September 14, 2000 at 6:00 PM. Motion carried.

The Board was not prepared to comment on Gloria Kemmerer's letter of concern relative to the review practices.

SPEEDING: Michael Schittler and Jennifer Shick voiced their concern about the speeding on South View Road leading from Richmond Township into Maiden creek Township. Requested a stop sign at North View Road and South View Road intersection.

Terry Rarick stated adding stop signs would not correct the problem and it might make it worse! The best enforcement for speeding is police presence.

The meeting was adjourned at 9:44 PM

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Respectfully submitted,

Ruth M. Manmiller
Recording Secretary

CC: Board of Supervisors
Terry Manmiller, Operations Director
Richard Orwig, Solicitor
Thomas Unger - Systems Design Engineering, Inc., Township Engineer
Planning Commission
Park and Recreation Board
Zoning Hearing Board
Paul Herbein, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Robert Hobaugh, Esq., Maidencreek Township Authority Solicitor
Tax Collector