

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS
AUGUST 9, 2001 7:00 PM

PRESENT: Karl Bolognese - Supervisor, Terry Rarick – Supervisor, Roy Timpe – Supervisor, Richard Orwig - Solicitor, Ed Kopicki – Engineer, Terry Manmiller – Operations Director, and Ruth Manmiller – Recording Secretary.

GUESTS: Harold Burgert, Pauline Lorah, Carl Bossler, Ron Rohrbach, Hether Quillman, Tim Mills, Paul Stoudt, Cindy Stump, Fay Isamoyer, Jeffrey Martin- Martin Retirement Village, Daniel Miller-Fire Chief, Donna Mountain, Gloria Kline, Tina Poole, Ronald Kemmerer, Gloria Kemmerer, Keith Weidner, Nancy Werner, Clark Hammond, Howard Young, Larry Kunkel, Paul Martin, Daivd Cydis, Jeremy Hafer, Frank Snell, Ed Ulrich, Alfred W. Crump, Jr., Mohamad Farvardin, Claude Beaver, and James Schoellkopf.

Karl Bolognese opened the July 12, 2001 Board of Supervisors Meeting at 7:00 PM and asked everyone to rise for the Pledge to the Flag.

Terry Rarick made a motion, seconded by Roy Timpe, adopting the minutes of the July 12, 2001 Board of Supervisors regular meeting. Motion carried.

POLICE REPORT: Officer Hobart of the Northern Berks Regional Police read the Police Activity Report for July 2001.

	MAIDENCREEK	ONTELAUNEE	LEESPORT	ADMIN CALLS
TOTAL ASSIGNMENTS: 660	309	172	139	40
TRAFFIC CITATIONS: 226	89	63	74	
FINES COLLECTED: \$11,612.31	\$7,870.80	\$2,342.92	\$1,398.59	

Officer Hobart praised the Maiden creek Township Road Crew, Blandon Fire Company Personnel and Fire Police for their outstanding flood rescue, clean up and traffic control during the July 25, 2001 storm.

Officer Hobart informed the audience that due to the keen eye of a resident and the police department's quick response a burglary and a criminal mischief case have been solved.

ROAD REPORT: Terry Rarick read the Operation Director's Report for June 2001.

Equipment Report

1. Unit 4, 1992 GMC had the body cylinder repacked by Rusco Hydraulics.
2. All mowing equipment had the blades replaced.

Road Crew completed the following

1. Maiden creek Township road crew and Ontelaunee Township road crew patched Dries Road.
2. All road vegetation is being maintained for the second time this season.
3. Additional fill was moved to the tot lot on Walnut Tree Drive. LSR will grade the property and the road crew will seed the property.

LINE PAINTING AND ROAD MARKING

Terry Rarick made a motion, seconded by Roy Timpe, and authorized the repainting of the School Crossings and the Rail Road Markings by Berks Traffic Services, Inc. per their proposal of \$2,795.00. Motion carried.

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SYCAMORE TREE ON FAITH DRIVE

The removal of the Sycamore Tree on Faith Drive has begun and completion is expected by August 10, 2001.

ROAD WORK

1. EJ Brennaman has started road patching. The road crew will complete the crack sealing on Monday, August 13, 2001, per contract.
2. Paving will begin on August 16, 2001.

NEXTEL PHONES

Terry Rarick made a motion, seconded by Roy Timpe, authorized the purchase of (3) three Nextel Phones, total cost \$359.97, plus a monthly service fee of \$49.99 per phone, and authorized the Operations Director to investigate an alternative for a Nextel phone agreement. Motion carried.

STORM REPORT

1. The Operations Director provided a culvert status report.
2. DEP granted permission to allow the stream to remain on the west side East Wesner Road. Recent storms caused the stream to relocate to its original location.
3. Rock and silt was used to extend the berm in both directions to protect the residents of Limestone Acres.

Terry Rarick thanked the Blandon Fire Company, Walnuttown Fire Company and Fleetwood Fire Company and Road Crew for their assistance during the recent flooding. Federal and/or State funding is not available which will result in an unexpected financial burden on the township budget.

Roy Timpe thanked the Operations Director for the culvert status report. He feels the Board should rethink the provisions set forth in the flood ordinance for future developments.

DRIES ROAD

Ontelaunee Township approved a bid of \$21,781.56 to install overlay on Dries Road. The township line is in the middle of Dries Road. It was suggested that Maiden Creek pay half the cost to install the overlay. Terry Rarick made a motion, seconded by Roy Timpe, authorizing the expenditure of half the cost to install overlay on Dries Road and install storm water management. State Liquid Fuel Funding will be utilized for this project. Motion carried.

TREASURER'S REPORT

Ruth Manmiller read the Treasurer's report for June 2001. A request for the following payments was made:

General Checking	\$90,149.66
Payroll	\$19,845.56
Recreation Tax Checking	\$11,959.46
Parks and Recreation CD440095463	\$ 517.84
Martin Retirement Village	\$ 93.00
Blandon Meadows V, Ph II	\$ 5,399.00
Lot 8 Savings	\$ 1,958.10
Golden Manor III Improvements	\$ 1,966.13

Roy Timpe made a motion, seconded by Terry Rarick, to accept the Treasurer's report as presented and approve all listed payments. Motion carried.

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PUBLIC COMMENT

Tim Mills, Blandon Lions Club President thanked the Maidencreek Township Road Crew for alerting the club members of flood damages at Maier's Grove and the Blandon Fire Company for their assistance to clean up Maier's Grove. Blandon Fire Company personnel's efforts in cleaning the mud and stones from the pavilion area allowed the Lions Club to honor reservations.

Ron Rohrbach, Executive Director of the Berks County Home Builders Association, extended an invitation to Maidencreek Township personnel to attend their workshops designed to educate contractors and building inspectors on the new State Building Codes.

Paul Stoudt, representing Maidencreek Union Church informed the Board the congregation intends to pave the existing gravel parking lot along Route 73. Improvements will include proper grading, installing macadam curbing along the perimeter and designating one entrance and one exit, should not cause additional storm water to surrounding properties.

Lester Moore, 343 Cassidy Court, Blandon, PA, detailed the damages his home and property sustained recently due to flooding. He feels a combination of property grading and recent changes in storm water control have caused his property to flood. Mr. Moore provided pictures of his damages and grading problems.

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Engineer and Solicitor to contact Grande Construction to proceed immediately with the installation of piping to control the storm water between Shadow Ridge and Blandon Meadows. Motion carried.

Clark Hammond, 433 Eagle Drive, Blandon, PA, representing several of his neighbors, commented about their flooding concerns since the construction of the townhouses. They are looking for assurance that grading for the townhouses will not cause additional stormwater damage. Terry Manmiller and Mark Kitzmiller will visit the sight.

Paulene Lorah, 502 Calabria Drive, Blandon, PA, informed the Board that a neighbor throws bread for the birds on the township right-of-way along Schaeffer Road. The only birds the bread entices are starlings. This township right-of-way is at the rear of her property and she does not appreciate the starlings near her property. She included that this same neighbor walks his dog along Schaeffer Road and does not clean up after his dog. She has requested a "Curb Your Dog" sign for this area.

David Cydis, 335 Cassidy Court, Blandon, PA, expressed his concerns about the recent flooding that he and several of his neighbors have experienced. He questioned rules governing rental properties. A home across the street from his property is being rented to college students. He is concerned that parties, parking on both sides of the street and constant traffic could become an issue.

The Operations Director stated he would research the tax records for ownership of the property and then determine if the tenants are related to the owner.

David Shade, 340 Cassidy Court, Blandon, PA, questioned the specifics of the Pet Ordinance. He informed the Board his neighbor's habit of depositing their dog's feces in the garden produces an offensive odor.

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Jeremy Hafer, 164 South View Road, Fleetwood, PA, requested clarification on the berm installation between the Community Park and the rear of the Limestone properties. He questioned why the township had not completed the berm and who would pay for the damages he incurred due to the flooding.

Terry Rarick informed Jeremy Hafer that the berm was completed. The township had installed the berm to protect the homes that had experienced flooding in the past. Flooding had not occurred in the area of his home. Due to the recent flooding the township has extended the berm. He feels when the relocation of the stream is complete, bridges are removed or replaced, and the park is established, storm water will be controlled more effectively.

Roy Timpe added that he has never been confident that the stream relocation would effectively control flooding.

The Supervisors agreed they are working together to stop flooding near Limestone.

Harold Burgert, 331 East Wesner Road, Blandon, PA, informed the Board that the recent flooding washed stones on to his property. He requested permission to remove the stones.

The Board informed Harold Burgert that they do not control what he does on his property and he may deal with the stones in any manner he chooses. The Board did advise him to contact Berks County Conservation District if he has concerns about removing the stones.

Frank Snell, 347 Cassidy Court, Blandon, PA, expressed his concerns about the recent flooding which he and several of his neighbors experienced.

Cindy Stump, 140 Evansville Road, Fleetwood, PA, questioned the Board:

1. About the recent flooding certain areas of the township experienced.
2. The on-lot sewage surveys received by rural residents
3. If the Solicitor had filed for the zoning appeal.

Cindy Stump was informed:

1. The township experienced flooding in the usual areas but not near as bad as other municipalities.
2. The on-lot sewage surveys rural residents received are part of the process to complete Act 537 Plan for the municipality as required by DEP. All sections of the township will be surveyed.
3. The township office should have proof of filing for the zoning appeal.

Fay Isamoyer, 8717 Allentown Pike, Fleetwood, PA, stated she was concerned that the recent on-lot sewage survey would result in mandatory connections to public sewer. She feels more homes will mean more problems and warned the Board to be very careful about future planning.

Ed Ulrich, 59 West Bertolet Place, Blandon, PA, thanked the Board for investigating the operations at Bedrock Stone and Stuff, Inc. He is concerned about the repair and maintenance of Bertolet Place and erosion caused by the removal of a wooded area.

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Howard Young, Bedrock Stone and Stuff, Inc., stated that there is a recorded right-of-way that has not changed. He has installed a new driveway on his property to prevent further damages to Bertolet Place. He promised to repair damages to Bertolet Place in the area of his property. Grass has been planted in place of the trees in an effort to control erosion.

Tina Poole, 59 Lee Spring Road, Blandon, PA, asked the Board why Raymond Martin has not continued to pump his failing on-lot sewage system as agreed. On behalf of her neighbors and herself she pleaded with the Board to monitor every move Raymond Martin makes for the development of this property.

Jeffrey Martin, Martin's Retirement Village Representative, produced a receipt as proof of pumping completed on August 7, 2001.

The Solicitor informed Tina Poole that all legal issues are still in place and should Raymond Martin renege on his responsibilities, he will be cited.

The Engineer provided a record of all inspections and findings since July 11, 2001. He noted a malfunction that led to the recent pumping. Tina Poole was advised to contact Carl Wolfe, township SEO for a detailed report of his findings.

Attorney Alfred W. Crump, Jr., representing Martin Retirement Village, informed the Board that Raymond Martin is in the process of changing easement agreements from his name to the Maiden Creek Authority.

Hether Quillman 128 South View Road, Fleetwood, PA, informed the Board it is difficult to see on-coming traffic at the intersection of East Wesner Road and Hoch Road because of the corn. She requested a four way stop intersection. She stated the weeds and grass result in the same type of sight problems at Golden Drive/Park Road intersection and Hock Road/Park Road intersection. She questioned the Board when other improvements would begin at the community park. She suggested the Board notify the adjacent property owners of the Community Park to remove all garden sheds, play equipment and personal property that is stored on the community park property.

The Board advised the Operations Director to cut the tall grass and weeds at the intersection of Golden Drive/Park Road intersection and Hoch Road/Park Road intersection. The Police Chief will be advised of the sight problems at the Hoch Road and East Wesner Road intersection. The improvements to the Community Park will happen earlier than planned.

Larry Kunkel, 5 Lake Shore Drive, Fleetwood, PA:

1. Thanked the Board for the installation of No Parking signs near Tom's Convenience Store.
2. Requested installation of No Parking signs in front of Redner's Quick Shop.
3. Questioned when the lights at Tom's Convenience Store will be adjusted.

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ENGINEER'S REPORT

BEDROCK STONE AND STUFF, INC.

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to extend the Memorandum of Understanding to 9/14/01 and authorized Terry Manmiller and Mark Kitzmiller to attend a meeting Howard Young and a representative from David Argall's office on 8/14/01. Motion carried. A Memorandum of Understanding between Maidencreek Township and Bedrock Stone and Stuff, Inc. is currently in place to allow Howard Young to prepare plans and obtain permits for his development. Howard Young was hampered by DEP's delayed approval, testing for possible contamination, and financing. By extending the agreement to 9/14/01 Howard Young should meet all requirements to submit land development plans.

MAIDENCREEK PLAZA

Terry Rarick made a motion, seconded by Roy Timpe authorizing the release of the Letter of Credit for Maidencreek Plaza, Phase I & II. Motion carried. Maidencreek Plaza, Phase III will require a new Letter of Credit.

MARTIN RETIREMENT VILLAGE, Final Plan

Terry Rarick made a motion, seconded by Roy Timpe, approving the Martin Retirement Village Final Plan, upon all contingencies being met that are outlined in Systems Design Engineering, Inc. review letter dated September 12, 2000 and all legal issues will remain in effect should Raymond Martin renege on any property maintenance requirements. Motion carried. This motion was made in order for Raymond Martin to obtain financing that will allow him to complete all contingencies set forth for final plan approval. The plan will not be signed or released for recording until all contingencies are met.

RAJAH COMPLEX, Land Development Plan

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Engineer to notify Penn Dot in writing relative to the Board's request to install a turning lane on Rt. 73 (Lake Shore Drive) at the intersection of Orchard Road and Rt. 73 (Lake Shore Drive). Motion carried.

GRETH RE-ZONING

Greth Development Group submitted a request to rezone a residential parcel of land to industrial. This property is located at the intersection of Dries Road and Snyder Road. Maidencreek Township Planning Commission members were concerned about traffic this development might generate and suggested deed restrictions. A hearing will be conducted on August 23, 2001.

ROUTE 222 INLET PIPE PROBLEM

Penn Dot investigated the Route 222 inlet problem as requested by the Township Engineer. A Penn Dot representative verbally informed the Township Engineer that storm water accumulates because the inlet pipe has not outlet.

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BLANDON MEADOWS V, LOT # 98

There is a 20' easement on Lot # 98, Blandon Meadows IV. The purpose of the easement was to provide for stormwater drainage from Blandon Meadows Parkway. When Maidencreek Estates was developed a swale was developed in the same general location. The need for the 20' easement on Lot # 98 is no longer required. Ludgate Engineering has requested that the 20' foot easement on Lot# 98 be vacated. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Township Engineer to examine the Lot #98 in Blandon Meadow IV prior to the Board making any decision to vacate the 20' easement. Motion carried.

SUBDIVISION IMPROVEMENTS AGREEMENTS LOC/ESCROW RELEASE LETTERS: Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Chairman to sign the Subdivision Improvement Letters of Credit in the amount of \$73,819.78. Motion carried.

FLOOD ORDINANCE

Roy Timpe made a motion, seconded by Terry Rarick authorizing the Township Engineer to contemplate improving the flood ordinance to include culvert information for future development and maintenance. Motion carried. The Township Engineer was given a copy of the Operation Director's Culvert Data Sheet.

EAST WESNER ROAD STREAM RELOCATION – COMMUNITY PARK

Recent flooding displaced large stones and soil blocking the existing stream, which caused the creek to return to its original streambed. This is the streambed the township was required to leave dormant for one year. During an emergency visit, DEP granted permission to leave the stream in the relocated bed and to remove the bridge near Park Road. This action will allow park improvements to commence approximately one year earlier than expected. Suggestions are being considered to remove the second bridge near Hoch Road and install a footbridge. If the second bridge can be removed and the bridge on Hoch Road is replaced the stream would flow freely without any blockage. Mark Kitzmiller has begun the process to apply for a County Grant to replace the Hoch Road Bridge. The township will not receive emergency funding for flood damages.

SOLICITOR'S REPORT

ON-LOT-SEWAGE MAINTENANCE REGULATIONS FOR MAIDENCREEK TOWNSHIP

Roy Timpe made a motion, seconded by Terry Rarick, authorizing the Solicitor to advertise a Special Meeting for the purpose to adopt the On-Lot- Sewage Maintenance Regulations for Maidencreek Township on August 21, 2001 at 7:00 PM in the Maidencreek Township Building. Motion carried.

SECRETARY'S QUESTIONS

ZONING HEARING BOARD VACANCY

Terry Rarick made a motion, seconded by Roy Timpe, appointing Jan Williams as a Zoning Hearing Board alternate for the Zoning Hearing Board. Motion carried.

HOCH ROAD BRIDGE

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Township Engineer to apply for funding to widen or replace the Schaeffer Road Bridge and replace the Hoch Road Bridge. Motion carried.

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LAKESIDE MANOR

Mohamad Farvardin, developer for Lakeside Manor outlined his displeasure with the Board of Supervisors. He feels he is being harassed and his rights are being denied because the Board insists that he follow all township rules and regulations for permits, on-lot sewage, and development of his property. He offered to hire an engineer to conduct all inspections and have that engineer forward the reports to the township.

Meeting was adjourned at 10:24 PM

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
Ed Kopicki-Systems Design Engineering, Inc., Township Planning Commission Engineer
Park and Recreation Board
Zoning Hearing Board and Alternates
Paul Herbein, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Robert Hobough, Esq., Maidencreek Township Authority Solicitor
Barbara Hassler, Tax Collector
Daniel Miller, Fire Chief
Northern Berks Regional Police