

**MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS**

**DECEMBER 13, 2001 7:00 PM**

**PRESENT:** Karl Bolognese - Supervisor, Terry Rarick - Supervisor, Roy Timpe - Supervisor, Richard Orwig- Solicitor, Tom Unger- Engineer, Terry Manmiller - Operations Director, and Ruth Manmiller - Recording Secretary.

**GUESTS:** Krista Timpe, Kiersten Timpe, Keith Weidner, Joe Ruchlow, Harold Burgert, Jeffrey Steiner, Bruce Rader, Cindy Stump, Fay Isamoyer, Tina Poole, Gloria Kline, Ronald Kemmerer, Gloria Kemmerer, Ed Ulrich, Anna Loose, David Stump, Robert Kopfer, Larry Kunkel, Nancy Werner, Frank Wheeler, Jan Williams, Stanley McCarro, Jr., Claude Beaver, James Schoellkopf and Alexandra Rodreguez – Reporter.

Karl Bolognese opened the December 13, 2001 Board of Supervisors Meeting at 7:00 PM and asked everyone to rise for the Pledge to the Flag. He asked for a moment of silence in memory of Steward Shuman and Leo Gallagher, two gentlemen who contributed years of service to Maiden creek Township.

Terry Rarick made a motion, seconded by Roy Timpe, approving the November 13, 2001 Board of Supervisors meeting minutes. Motion carried.

**POLICE REPORT**

Officer Charles Hobart read the Northern Berks Regional Police Activity Report for November 2001.

	<b>MAIDENCREEK</b>	<b>ONTELAUNEE</b>	<b>LEESPORT</b>	<b>ADMIN. CALLS</b>
<b>TOTAL ASSIGNMENTS:</b>	248	136	125	56
<b>TRAFFIC CITATIONS:</b>	48	51	16	
<b>FINES COLLECTED:</b>	\$2,117.93	\$1,918.12	\$1,120.24	

Officer Hobart informed everyone the Northern Berks Regional Police headquarters is moving to 5710 Leesport Ave., Reading, PA 19605 and operations at the new location will begin December 22, 2001. The police department will accept delivery of a 2001 police vehicle, half of the expenses for the purchase and preparation of the vehicle for service was paid by a “Commonwealth of Pennsylvania Shared Grant” in the amount of \$12,500.00.

**ROAD REPORT**

Terry Rarick read the Operations Director’s November 2001 report:

***Equipment Report***

1. All trucks, loader, and backhoe are prepared for winter service.
2. The roller trailer floor has been replaced and the entire unit is being painted.
3. New tires have been installed on units 4 and 5.
4. Plows are painted.
5. The compressor is worn out and must be replaced.

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Operations Director to purchase a compressor not to exceed \$1,100.00. Motion carried.

***Completed Projects***

1. E.J. Breneman has completed the emergency repairs on Evansville Road and West Shore Drive.
2. Numerous drains are being cleaned.
3. Debris is being removed from the creeks on township property to reduce the chance of flooding.

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**STREET LIGHTS**

1. Walnut Manor - The buried wire in some areas for streetlights has deteriorated and streetlight heads are falling off. All light fixtures were repaired and new wire in conduit was installed. The road crew extend their thanks to Mr. & Mrs. Harmelin who were very understanding during the repairs.
2. Streetlights in Maiden Creek Estates are failing and the same style fixture is not available. The Board advised the Operations Director to replace with designated fixtures outlined in the lighting ordinance.
3. Residents requested additional streetlights on White Birch Lane in Blandon Meadows III. Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Operations Director to send a letter to Sharman Builders to request two (2) additional streetlights along White Birch Lane.  
Motion carried.

**WEST WESNER ROAD DRAIN PROBLEM**

Storm water cross pipes under West Wesner Road have been closed with concrete that has resulted in flooding. Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Engineer to investigate the cross pipe blockage on West Wesner Road and provide a recommendation to the Board. Motion carried.

Karl Bolognese reported that Joe Farley had concerns about the open space berm adjustments.

**TREASURER'S REPORT**

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

General Checking	\$41,757.28
Payroll	\$24,777.05
Recreation Tax Checking	\$ 4,633.64
Lot 8 Savings for Payments	\$ 3,739.26

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

**PUBLIC COMMENT**

**Tina Poole, 19 Lee Spring Road, Blandon, PA** stated she is confused and upset that Mr. Martin's is not adhering to maintenance regulations for his failing septic system. She is concerned that the septic tank leakage has contaminated the ground and the continuous delays by Mr. Martin to install public sewage lines.

The Engineer informed Tina Poole that Mr. Martin was recently cited because he failed to maintain his on-lot septic system. Mr. Martin has not forwarded pumping receipts to the engineer as instructed.

**Gloria Kline, Lee Spring Road, Blandon, PA** stated the run-off from Mr. Martin's on-lot sewage system smells.

Roy Timpe made a motion, seconded by Terry Rarick, for Maiden Creek Township to begin pumping Mr. Martin's septic tank to help the failing on-lot sewage system and any expenses incurred by the municipality will be filed as a lien on his property. DEP will be notified to test the soil. The Township Secretary was instructed to send a letter to Mr. Martin to inform him of future actions to be taken by the municipality. Motion carried.

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**Jeffrey Steiner, 64 Steiner Place, Reading, PA** stated he has safety concerns for the children playing on Chestnut Street and numerous issues about operations at Bedrock Stone and Stuff.

The Board instructed the Operations Director to send a letter to residents along Chestnut Street to inform them to remove the basketball nets from the township road right-of-way and notify the police department about the children playing on Chestnut Street.

**Ed Ulrich, 59 West Bertolet Place, Reading, PA** informed the Board that he had installed a new well and found no contamination. He stated he also has concerns about the operations of Bedrock Stone and Stuff. He considers the noise from Bedrock Stone and Stuff operation as pollution.

**Harold Burgert, 331 East Wesner Road, Blandon, PA** informed the Board that the stones had been cleared from the creek on his property.

**Gloria Kemmerer, 323 East Wesner Road, Blandon, PA** enlightened the Board of necessary corrections that should be made to the proposed Burning Ordinance prior to adoption:

1. Page 1: Section 2: Definitions, Contained Fire – Would that include a burning barrel?
2. Page 2: Section 2: Definitions, Leaf Waste – Remove grass clippings.
3. Page 5: (C) Control of Burning and Unattended Fires, (4) units of measure should be included with (1/2)
4. Page 6: (E) Hours, (2) – Remove designated times and change to sunset to sunrise.
5. Page 7: (F) Unlawful Substance – Should instructions be included to advise an individual how to cope with odors emanating from a neighbor's burning barrel.

The Board thanked Gloria Kemmerer for informing them of the corrections to the burning ordinance and that they will act on the ordinance later in the meeting.

**Larry Kunkel, 5 Lake Shore Drive, Fleetwood, PA** stated the replacement light bulbs being installed at Tom's Convenience Store are brighter than the original light bulbs.

The Board authorized the Engineer to inspect the outdoor light bulbs at Tom's Convenience Store and to compare with the original lighting results vs. the present reading. It was agreed that Larry Kunkel would pay Engineer expenses if there is no difference, and if there is a difference the township will pay the Engineer's expenses.

**Stanley McCarrow, 315 West Wesner Road, Reading, PA** stated that either Giorgi or Bedrock Stone and Stuff is constantly tracking mud on the street and wants them notified to be more considerate of the residents on West Wesner Road. He informed the Board that due to Bedrock Stone and Stuff cutting vegetation along the railroad tracks, the train noise has increased.

**Jan Williams, 170 South View Road, Fleetwood, PA** asked the Board if Maiden Creek Township has a curfew and if there is a curfew, he would like it enforced. Eggs thrown at vehicles, pumpkins smashed, and teenagers walking and/or skateboarding in the middle of the street is a common occurrence and he wants it to stop. He stated the police have increased patrol in his neighborhood but it doesn't seem to help. He asked if a curfew warning could be included in the next newsletter.

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Karl Bolognese informed him of a recent Supreme Court decision pertaining to curfews. The township is waiting for confirmation in print before they proceed with amending any ordinances.

**ITEMS REQUIRING ACTION**

**RESOLUTION 16-2001 – 2002 BUDGET**

Roy Timpe made a motion, seconded by Terry Rarick to approve the 2002 Budget as presented. The total appropriated revenue and expenses for 2002 is \$1,984,450.00. The 2002 Budget has been available for inspection at the township office since November 8, 2001. Motion carried.

**RESOLUTION 17-2001 – MIL INCREASE**

Terry Rarick made a motion, seconded by Roy Timpe approving the tax rate for general purposes per Section 3205 (1) of the Second Class Township Code, the sum of 0.75 mills on each dollar of assessed valuation, or the sum of .075 cents on each one hundred dollars. Motion carried.

Tax Rate for General Purposes	.0075
Tax Rate for Recreational Parks	.0005
<b>Total Township Tax</b>	<b>.00125</b>

**BURNING ORDINANCE**

The Board tabled any action pertaining to the Burning Ordinance until corrections can be made and advertised.

**ENGINEER'S REPORT**

**TATANUS, Sketch Plan**

The Engineer for the Tatanus Subdivision apologized for any misunderstanding that had resulted in the presentation of the sketch plan at October Planning Commission meeting and the November Board of Supervisors meeting. The Board advised the Engineer to return with a preliminary plan displaying all the necessary information for the Planning Commission and the Board of Supervisors to review. The Township Engineer informed the Board he had sent correspondence to the property owner as instructed, relative to the storm water and possible septic system runoff.

**EAKEN ANNEXATION PLAN**

Terry Rarick made a motion, seconded by Roy Timpe, approving the Eaken final annexation plan. Motion carried.

**EAST WESNER ROAD STREAM RELOCATION**

One bridge was installed and the second bridge will be stored until the East Wesner Road culvert is removed. A final payment of \$28,080.00 was presented for approval. Terry Rarick made a motion seconded by Roy Timpe, approving final payment of \$28,080.00 for the East Wesner Road Stream Relocation. Motion carried.

**TREE TOPS RECREATION AREA**

The Engineer is preparing plan/spec. for Phase I of the project. The Board instructed the Engineer to prepare the bids for the Tree Tops Recreation area so action can be taken on the projected.

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**MAIDENCREEK COMMUNITY PARK**

The Engineer is preparing plan/spec. for Phase I of the project. The Board instructed the Engineer to prepare the bids for the Maiden creek Community Park so action can be taken on the project.

**STORM WATER/FLOOD PLAIN AMENDMENTS**

The Engineer provided a final draft of the Storm Water/Flood Plain Ordinance to the Board of Supervisors. Terry Rarick made a motion, seconded by Roy Timpe to advertise the Storm Water and Flood Plain Ordinance for adoption at the January 7, 2002 Board of Supervisors meeting. Motion carried.

**HOCH ROAD CULVERT REPLACEMENT/EAST WESNER ROAD CULVERT REMOVAL**

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Chairman to sign the joint DEP permit for the Hoch Road Culvert Replacement and East Wesner Road Culvert Removal. Motion carried.

**SHADOW RIDGE/ BLANDON MEADOWS DRAINAGE**

The Township Engineer, Terry Manmiller, Fred Grande, and David Schumacher met to address the storm water drainage issues and concerns in Shadow Ridge and Blandon Meadows. As a result of the meeting, both developers agreed to contribute \$16,000.00 for materials and the township road crew will perform the work. Fred Grande will provide two (2) men to assist with the work in February and March 2002.

**BERKS COUNTY MAIDENCREEK CREEK WATERSHED ANALYSIS**

Berks County is in the process of preparing a Maiden creek Creek Watershed Ordinance. Expenses for this study and ordinance preparation will be funded 25% by the County and 75% by the State. The final ordinance should be completed in 2 ½ years. Terry Rarick made a motion, seconded by Roy Timpe designating Terry Manmiller as the coordinator and representative for Maiden creek Township for the analysis board. Motion carried.

**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 in the amount of \$1,173.12. Motion carried.

**SEO REPORTS AND CONSTRUCTION STATUS REPORTS:** The Engineer distributed SEO reports and development/construction status reports to the Board.

**SECRETARY'S QUESTIONS**

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Secretary-Treasurer to pay all necessary invoices due to December 31, 2001. Motion carried.

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Secretary to advertise that the Road Crew will collect Christmas Trees at curbside on Tuesdays and Thursdays starting January 4, 2002 and ending February 21, 2002. Motion carried.

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**2002 REORGANIZATION MEETING AND JANUARY BOARD OF SUPERVISORS MEETING**

Terry Rarick made a motion seconded by Roy Timpe, designation the 2002 Reorganization Meeting on January 7, 2002 to begin at 6:30 PM, and immediately following the Reorganization Meeting the January Board of Supervisors meeting will be conducted. Motion carried.

Terry Rarick made a motion, seconded by Roy Timpe, to hire Reinsel & Co. to perform the 2002 audit of Township Books @ \$3,600.00 and Tax Collector's Books @ \$1,800.00, upon clarification of a section of the agreement pertaining to distribution of reports. Motion carried.

Terry Rarick made a motion, seconded by Roy Timpe, to approve the Maiden creek Township Union Contract contingent upon correction of title, proper language of fair sharing, and management rights to incorporate township rules and regulations. Motion carried.

**NEW BUSINESS**

**EASTERN BERKS MEDICAL CENTER**

Terry Manmiller reported that the owners of Eastern Berks Medical Center located along Park Road in Blandon are planning an addition for the existing building and improving the existing parking lot. Part of the improvement to the parking lot will include installation of a culvert to control storm water. They questioned if a Land Development Plan must be submitted. Terry Rarick made a motion, seconded by Roy Timpe, requiring Eastern Berks Medical Center to post \$1,500.00 for inspections for the installation of the culvert and if the Engineer feels a Land Development Plan should be submitted for review the owners must comply. Motion carried.

**FORMER CABELL'S FRESH BUILDING**

Terry Manmiller reported the new owners of the former Cambell's Fresh Building on Buena Vista Road are planning a three-phase project to expand the existing use. The first phase of the project is to construct a small office in one of the existing buildings, they will not add any new buildings, and install two (2) detention ponds. They questioned if a Land Development Plan must be submitted. Terry Rarick made a motion, seconded by Roy Timpe, requiring the property owner to post \$2,500.00 for inspections for the installation of two (2) detention ponds and if the Engineer feels a Land Development Plan should be submitted for review the owners must comply. Motion carried.

**SHENK PROPERTY**

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Code Enforcement Officer to discuss the use of an existing right-of-way for access to a possible building lot near Steiner Place. Motion carried.

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The December 13, 2001 Board of Supervisors Meeting was adjourned at 9:50 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 Hobaugh, Esq., Maidencreek Township Authority Solicitor  
Barbara Hassler, Tax Collector  
Daniel Miller, Fire Chief  
Northern Berks Regional Police

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