

**MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS  
FEBRUARY 10, 2000 7:00 PM**

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

**GUESTS:** Ronald Kemmerer, Gloria Kemmerer, Patrick Harkin, Frank Wheeler, Daniel Miller, Donna Moyer, Larry Kunkel, Andea Mauger, Steven Baer, Robert Beissel, Alice Beissel, Kent Morey, Joseph DeSantis, Fred Giorgi, Lon Seitz, Robert Hanna, Claude Beaver, James Schoellkopf, Brain Ray – Newspaper Reporter.

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

**PUBLIC COMMENTS**

Kent Morey, Limestone Acres commented on the following:

1. Requested a copy of the Board of Supervisors meeting for 7/99 and 8/99 in order to prove to the Board that what he thought might happen to the curbing in front of his home has happen. He stated due to the poor grading, the curbing has separated from the paving large enough that he can stick his finger in between the curb and the paving. He will not be responsible for any repairs.
2. Questioned if the resolution the Board adopted at the January Board of Supervisors meeting mean that you supported a strike at the local mushroom plant.
3. Why didn't the Board listen to the public when they voiced their concern at the December meeting against the local tax increase? This has not been the first time he has witnessed the Board not listening to the public and continued to do as they please.
4. He feels all the effort and expense to relocate the creek in the area of the future Community Park is wrong. The creek should be allowed to remain in its current state, because after it is all done the creek will find its way back to it's natural bed.

The Board members made the following comments to Mr. Morey's concerns:

1. Several times the Engineer and other township officials have inspected your property and have found it to be graded per the recorded plan. Additional work completed by property owners are not the Board's responsibility.
2. Terry Rarick – The resolution, which was adopted last month relative to a local mushroom plant had nothing to do with a strike or management at the plant. It was the intentions of the Board to urge both parties to get together and negotiate, it had nothing to do with unions.  
Roy Timpe - Stated in effect the resolution did urge the company to recognize the employees, which in effect did in urge the company to recognize the union. I was the descending vote.
3. Terry Rarick – Expressed to Mr. Morey that in effect the Board is putting the creek back into it's natural bed. The only reason it has been allowed to meander into the field was due to a local farmer diverting the stream to let water into the meadow for his cattle and with undersized bridges and erosion over the years has blocked the natural flow. The decision to return the creek to its natural bed has not been done in haste.  
Terry Manmiller – informed Mr. Morey every government agency which was involved with the decision to return the creek to its natural bed, highly recommended the Broad to proceed. DEP, Fish Commission, Army Corp of Engineers were all included in the permitting process.
4. Terry Rarick – We listen to all the people and we try to do what is right for the community at large, we will not please everyone. Whether there were 40 or 60 people here to express their objections to the tax increase, it was never a total representation of a community of more than 5000 residents. Prior to the December meeting there were flyers distributed, newspaper articles and numerous informative avenues utilized to inform the public. If there were so many people against the tax increase this building would not have been able to hold the crowd and we would have had to hold the meeting else where.

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4. Continued:

Roy Timpe – Expressed the amount of the people could vary from what was reported in the newspaper because several residents did not speak because they would have been repeating what had already been said. For the record, at the January 2000 meeting I made a motion to amend the 2000 Budget, however it died for a lack of a second.

A Census representative distributed information to the Board members and announced future dates for testing for numerators.

Steven Baer presented a proposed plan which includes the construction of a 5000 sq. foot building. He was concerned which process he should proceed with to move forward with the project, because the zoning for the area in question will not allow for the construction of a building this size.

The Board asked if he would mind waiting till later in the meeting to discuss his zoning issue.

Ron Citron, Hope Drive questioned if there was an ordinance adopted to enforce the removal of portable basketball nets and hockey nets from the right-of-way and public streets. When children are playing they have no respect for the vehicles attempting to travel on the roadways which poses a dangerous situation for everyone. He expressed his support for the park.

Terry Rarick stated the portable basketball nets that are setting in the 10-foot right-of-way are considered illegal whether there is an ordinance or not. This is where we as the Board hear the complaints of not providing recreation for the young people to enjoy which would keep them off the public streets. The township has recently learned first hand how dangerous the portable basketball nets can be. While plowing snow the portable basketball net became entangled in the truck mirror causing approximately \$1500.00 worth of damages and could have cause serious injuries to our employee. Residents will be given ample warning about the removal of the standards in the right-of-way, if the problem persists citations will be issued.

Robert Bissell, SR222 requested a street light for a section of Dries Road between SR222 and Snyder Road. He feels it would help light the area near the bridge.

Terry Rarick stated there is another section of the township requiring streetlights and at that time the Board will include his request.

John Hoffert representing Rajah Temple stated they were here to present their plans their future project. They will address the Board at the appropriate time.

Frank Wheeler asked the Board if it would be possible to insist that the builders/developers establish an escrow account to be used when homeowners experience problems with their homes and/or property.

Terry Rarick stated escrow accounts are established, however the established accounts are utilized for public maintenance such as streets, sewer, water, signs, lighting sidewalks and curbing. Any problems arising after the sale of a home is between the homeowner and the contractor.

Larry Kunkel repeated the following complaints:

1. Where are the signs he requested to be installed to prevent motorists from driving on the shoulder of the roadway in front of his home?
2. Requested a noise ordinance to be adopted to prevent garbage trucks from trash collection at 3AM at the Tom's Convenient Store
3. He feels Tom's Convenient Store has not abided by the lighting ordinance because he has a glare on his property

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Terry Rarick felt that by adopting a Trash Collection policy through out the township could possibly change the time trash would be collected. Additional research will be conducted relative to controlled trash collection.

Roy Timpe asked Mr. Kunkel if he has tried to talk to representatives of Tom's to possibly work out a solution. If talking does not work, try taking the matter to the District Justice and/or the Court of Common Pleas.

Mr. Kunkel stated " I don't talk to those people"

**BUSINESS MEETING/REPORTS**

Terry Rarick made a motion, seconded by Roy Timpe to approve the minutes from the January 13, 2000 Board of Supervisors meeting. Minutes were approved with the following corrections. All Board member voted, "Aye."

1. Terry Rarick made a motion, seconded by Roy Timpe to approve the minutes from the January 4, 2000 Reorganization meeting. All Board members voted, "Aye."
2. In the first portion of the 1/13/00 minutes Mr. Timpe's name had been misspelled.

**EXECUTIVE SESSION:** Karl Bolognese reported the Board of Supervisors conducted an executive session 2/5/00 at 1:00 PM in the Maidencreek Township Municipal Building in order to interview applicants for the receptionist position. Our decision will be announced later in the meeting.

**ROAD REPORT:** Terry Rarick read the Operations Manager's report as presented:

**EQUIPMENT REPORT**

1. Unit 4 replaced broken elbow at auger pump
2. Unit 2 replaced broken brass air line fitting
3. Unit 4 replaced broken dump lift lever
4. Unit 1 needs side window and new left side door – reported to insurance company
5. Unit 3 inspected by Diebert
6. Unit 4 scheduled to be inspected by Shuman's auto

**ROAD CREW COMPLETED THE FOLLOWING**

1. Repaired barricades for emergencies
2. Installed serving doors on concession stand
3. Cleaned open space from storm
4. Filled numerous pot holes with cold patch
5. Removed tree from creek – E. Wesner Road
6. Replaced stop signs in Golden Manor
7. Trimmed brush on Buena Vista Road
8. Serviced Unit 8 – unit needs major repairs – the Board was provided with a list of repairs

**SNOW REMOVAL/ PLOWING AND OR SALTING:**

- January 13 - numerous ice patches - 1 truck out
- 20- snow storm (plowing) - 4 trucks out
- 21- snow storm (plowing) - 4 trucks out
- 22- general clean up (clearing drifts) – 4 trucks out
- 23- general clean up - 1 truck out
- 24- plow drifts - 3 trucks out

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25- plow drifts	- 1 truck out
26- plow drifts	- 2 trucks out
27- plow drifts	- 1 truck out
28- plow drifts	- 1 truck out
29- plow drifts	- 1 truck out
30- snow storm	- 5 trucks out

**GENERAL INFORMATION**

Plowing of intersections – 135

45 miles of roadway equals approximately 202 miles of roadway due to the numerous times a truck must travel the road to clear from curb to curb.

**GROWING GREENER GRANT**

The Chairman signed grant applications and Systems Design mailed to DEP. Deadline to submit was 2/11/2000

**ROAD BID – 2000**

A list of roads for repair is attached for the Board's review.

**WEST WESNER ROAD**

We are waiting for the Engineer to contact the utilities for instructions for their facilities.

**DRIES ROAD**

The process of obtaining bids from local contractors has begun. All proposals should be received by the March meeting.

**2000 GMC**

The new truck was delivered 2/9/00, 3:30 PM The road crew will prepare the truck for the road. Triangle Communications will remove the radio from the truck we traded and install in the new truck.

**SALT**

To date we have had 140 tons of salt and 100 ton of anti skid delivered

**STREET INDEX SIGNS**

A decision for the sign color must be made to proceed with the 911-grant fund for new signs:

- a. Blue on white
- b. White on blue
- c. Green on white
- d. White on green
- e. Black on white

**EAST WESNER ROAD (73 to PARK)**

Stone trucks from the Irish Mountains use this roadway as a short cut and they have difficulty turning at Park and Main. The road is increasingly being used. The trucks present a hazard for people walking to the Post Office and the Board should also consider the strength of the bridge.

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Terry Rarick made a motion, seconded by Roy Timpe authorizing the Operation Manager to advertise for the proposed road work, and advertise in a manner which will allow the Board to choose which roads they will repair in 2000. All Board members voted, "Aye."

Terry Manmiller added, when Troxel Road is completed, the township will have completed their maintenance plan for all the roads on northwest side of Lake Ontelaunee. The roads on the northwest side of Lake Ontelaunee should not require any major repairs for another eight years.

The Board deferred the decision to the audience for a majority vote on the colors for the new road index signs to be installed with grant funding through the 911 system. The majority voted for blue sign with white lettering for the new road index signs.

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Operation Manager to proceed with posting East Wesner Road between Park Road and Main Street for "No Truck" traffic. All Board members voted, "Aye."

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Operations Manager to proceed after conducting a survey, to install street lights along East Wesner Road between Walnut Tree Drive and Hoch Road, and install one street light (near the bridge) on Dries Road between SR 222 and Snyder Road. All Board members voted, "Aye."

The Board received complaints pertaining to snowmobiles, four wheelers and other motorized vehicles in the open space in Maiden creek Estates. There was a discussion about proposing hours for use and/or banning the area of all motorized vehicles. There is a concern for liability and nuisance to the surrounding property owners. The Board felt if the vehicles would destroy the turf, then they should be band. Roy Timpe made a motion, seconded Terry Rarick requesting the issue of permitting motorized vehicles in Maiden creek Estates open space on the Parks and Recreation's March agenda for discussion and/or their recommendation. All Board members voted, "Aye."

Terry Rarick acknowledged the receipt of a petition with numerous signatures from F & P Holding Company, Inc. employees and residents, asking the Board to use whatever means possible to encourage Penn Dot to correct the traffic problem at the intersection of 73 and 222. The Board stressed they have been corresponding and meeting with Penn Dot for improvements to the 73 and 222 intersection for the past ten years. The Board has been promised improvements would begin in the Spring/Summer of 2000. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Secretary to send copies of the petition to Penn Dot and Representative David Argall. All Board members voted, "Aye."

Ronald Kemmerer questioned if anyone had contacted Allentown Cement Co. relative to the maintenance and/or repair of Evansville Road.

Terry Rarick stated no one had contacted Allentown Cement Co. to his knowledge.

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**POLICE REPORT:** The January Northern Berks Regional Police activities were read by Ruth Manmiller as follows:

	TOTAL CALLS: 468		
	MAIDENCREEK	ONTELAUNEE	LEESPORT
ASSIGNMENTS	211	167	90
UNITS OF PATROL	728.5	490	460.75
CITATIONS	\$1342.48	\$1,750.01	\$1,095.45

Karl Bolognese informed the public of the Northern Berks Regional Police meetings which are conducted the second Tuesday of the month, 7:00 PM in the Northern Berks Regional Police Headquarters.

**TREASURER’S REPORT:** Ruth Manmiller read the Secretary/Treasurer’s report and requested permission for the following payouts:

GENERAL FUND CHECKING	\$108,717.80
PAYROLL	\$ 14,071.99
ST LIQUID FUELS SINKING	\$ 5.00
GOLDEN MANOR III IMPROVMENTS	\$ 1,186.96
ONTELAUNEE HEIGHTS III & IV SIDWALKS	\$ 288.63
LOT 45 EXCELSIOR	\$ 126.00
STATE LIQUID FUELS CHECKING	\$ 5,682.24

Terry Rarick made a motion, seconded by Roy Tempa to approve the treasurer’s report and approval of payments from listed accounts. All Board members voted, “Aye.”

**OLD BUSINESS**

Karl Bolognese reported nine excellent resumes had been received to fill the receptionist position. After careful review the Board has made a decision. Terry Rarick made a motion, seconded by Roy Timpe to hire Diane Hollenbach to fill the receptionist position, 30 hours per week at \$10.00 hour. All Board members voted, “Aye.” The Secretary was directed to inform the other applicants of the Board’s decision and to inform Diane Hollenbach of her starting date which will be 2/21/00.

Terry Rarick made a motion, seconded by Roy Timpe to accept the resignation of Dorothy Herzog as Auditor and instructed the Secretary to send a letter of thanks to her years of service to the township as Auditor. All Board members voted, “Aye.”

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to petition the court to use an accounting firm to complete the 1999 budget report and to hire Reinsel & Co. LLP as the accounting firm to complete the 1999 budget report. All Board members voted, “Aye.” The Board had obtained two proposals for auditing the 1999 township records:

1. Long and Barrell & Co. Ltd.                     \$3,400.00
2. Reinsel & Company                                 \$3,000.00

Roy Timpe requested recommendations and changes to the accounting practices of the township.

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**ENGINEER'S REPORT**

**MAIDENCREEK PLAZA CO., Land Development Plan:**

Roy Timpe made a motion, seconded by Terry Rarick to grant the waiver request for Section 513.F.4.c., detention basin side slopes at 2:1 vs 3:1. All Board members voted, "Aye."

Terry Rarick made a motion, seconded by Roy Timpe to grant the waiver request for Section 505.D.1, sidewalk setback from curb for interior sidewalks. All Board members voted, "Aye."

Terry Rarick made a motion, seconded by Roy Timpe to grant the waiver request for relief from the Lighting Ordinance. All Board members voted, "Aye." The developer has plans for lighting the area more efficiently with less glare to surrounding properties.

Roy Timpe voiced his concern to the Board to review and recommend changes to the lighting ordinance to allow for more of a window for the developer to proceed with a development at a lower cost.

Terry Rarick made a motion, seconded by Roy Timpe approving Maiden Creek Plaza Co., Land Development Plan, contingent upon all issues being addressed in the Engineer's 2/10/00 review letter and an agreement being made in the improvement agreements stipulating work must be completed in Phase I of the project, with soil and erosion plan and planning module being approved for Phase II, prior to any work commencing in Phase II. All Board members voted, "Aye." The developer has five years to complete the project.

**B & F PETROLEUM:** Steven Baer presented his plan for direction from the Board of Supervisors. The location he proposes to construct a 5600 sq. foot building for his business is zoned CR. CR zoning allows for the construction of a building no larger than 2000 sq. feet. A 3000 sq. foot building would be allowed with a Special Exception. He wants to continue with the project, but is requesting the best direction to take in this matter. The Engineer made suggestions of 1.) Zoning Hearing 2.) Board of Supervisors change zoning regulations for CR to allow for a larger building to be constructed 3.) Board of Supervisors re-zone the area to C1 which would allow for a larger building to be constructed. The Board of Supervisors requested a recommendation from the Planning Commission, prior to making any type of suggestions. Mr. Baer agreed to present the plan at the February Planning Commission meeting for a recommendation.

**RAJAH TEMPLE:** Attorney John Hoffert and representatives from the Rajah Temple presented their overall plan for improvements to their property along Orchard Road and Slater Road. They have named their project "1000 Trees" with improvements occurring over the next thirty years. The existing house on the property will be used as collection office; no business will be conducted in the building. The warehouse will be used as a meeting place and storage, the Temple will be constructed at a later date. The Temple will not be used as a theater for entertainment. (Temple will be constructed in the Ontelaunee Township portion of the property) The property is zoned CR, there are some issues which must be addressed through a special exception or zoning change. The Board requested the Rajah Temple representatives present their future plans to the Planning Commission for their recommendation.

**WEST WESNER ROAD:** Berks County Conservation District has approved SE & C Plan. Engineer is meeting with the utility companies regarding their relocation of poles and gas lines. The Engineer hopes to have a presentation by the March meeting.

**MAIDENCREEK TOWNSHIP COMMUNITY PARK: WEST WESNER ROAD:** Berks County Conservation District has approved SE & C Plan. Engineer is meeting with the utility companies regarding their relocation of poles and gas lines. The Engineer hopes to have a presentation by the March meeting.

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**SEWAGE ENFORCEMENT OFFICER REPORT:** Copies were distributed to the Board members

**DEVELOPMENT/CONSTRUCTION STATUS REPORT:** Copies were distributed to the Board members

**SUBDIVISION IMPROVEMENT AGREEMENT LOC/ESCROW RELEASE LETTERS:** Terry Rarick made a motion, seconded by Roy Timpe authorizing the Chairman to sign the Subdivision Improvement Letter of Credit letters for payment of \$1,828.71. All Board members voted, "Aye."

**SOLICITOR'S REPORT:**

**GOLDEN MANOR III:** Deeds of Dedication for Golden Drive, Ingot Drive and Walnut Tree have been received from Larry Feger and have been forwarded to other partners in this project for signatures.

**PERSONNEL RULES AND REGULATIONS:** Terry Rarick made motion, seconded by Roy Timpe to adopt the new personnel rules and regulations as presented, with the addition to calculate any vacation days to half days should an employee leave employment for one reason or another. All Board members voted, "Aye."

Karl Bolognese adjourned the meeting at 9:39PM and then reopened the meeting at 9:40 PM

**RESOLUTION 9-2000:**Terry Rarick made a motion, seconded by Roy Timpe to adopt Resolution 9-2000 to energize the streetlights in Phase II of TreeTops subdivision. All Board members voted,"Aye."

Karl Bolognese adjourned the meeting at 9:41 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.  
Planning Commission  
Park and Recreation Board  
Zoning Hearing Board  
Paul Herbein, Zoning Hearing Board Solicitor  
Auditors

Maidencreek Township Authority  
Maidencreek Township Authority Solicitor  
Tax Collector

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