

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

JULY 13, 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: Mervin Heller, Jr., Kendall Merril, Henry Kock, Mark Kitzmiller, Dan Miller, Howard Young, Ron Kemmerer, Gloria Kemmerer, Leslie Moseley, Patrick Harkin, Randy Wolfe, Maureen Lees – Reporter

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, Blandon Fire Chief reported on the number of calls the Fire Company had responded to in June 2000. Most recent call was a home at 401 Cassidy Court. Donations may be sent to an account at the Fleetwood Bank.

In addition to responding to calls, several of the fire fighters have been in training for ESPN’s Fireman’s Challenge “Toughest Two Minutes in Sports.” They plan to compete September 23, 2000 in New Jersey.

Karl Bolognese thanked Chief Miller for all his time and efforts for the betterment of the Fire Company and the Community.

Karl Bolognese made a motion seconded by Roy Timpe approving the minutes of the June 8, 2000 Board of Supervisors meeting. Motion carried.

VILLAGES AT MAIDENCREEK: At the June 8, 2000 Board of Supervisors meeting, waivers had been granted contingent upon the developer’s agreement to widen East Wesner Road. Henry Koch, representing the developer, informed the Board they had met with the township engineer to review work involved with widening East Wesner Road. They have agreed to the following:

1. Widening East Wesner Road to a width of 24 feet (currently 17 to 18 feet)
2. Line painting
3. 6” – 2A modified, 3” BCB, 1 ½” Wearing Course
4. Responsible for the surveying – the engineers will work together on the best locations for the widening of this roadway.

Terry Rarick made a motion, seconded by Roy Timpe agreeing to the conditions set forth for the developer to widen East Wesner Road. Motion carried.

Terry Rarick advised Henry Koch there would be a fee-in-lieu of Open Space for this development.

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BUSINESS MEETING/REPORTS

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

	TOTAL CALLS: 597		
	MAIDENCREEK	ONTELAUNEE	LEESPORT
ASSIGNMENTS	267	219	111
UNITS OF PATROL	652.25	435.25	372.25
CITATIONS	\$2251.96	\$3703.72	\$1563.91

Karl Bolognese reported the Route 222 Safety Grant has started. There are several other programs which will be acted upon during the grant period.

ROAD REPORT: Terry Rarick read the Operations Manager’s Report for June 2000:

EQUIPMENT REPORT:

1. Unit #1 still at Diebert – waiting for parts
2. Units #3 and # 4 are being serviced at Shuman’s Automotive. Tailgates have arrived
3. Unit # 8 – Recommendations proposed: #1 Advertise to sell entire tractor w/mower arm
#2 Install the new 40 inch Tiger Arm Mower on 1155 John Deer.

Terry Rarick made a motion, seconded Roy Timpe authorizing the Operations Manager to advertise for 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 bid are not high enough and specify when tractor may be received - and install the new Tiger arm mower to the John Deer. Motion carried.

ROAD CREW HAS COMPLETED THE FOLLOWING:

1. Mowing sides of roadways will be completed the week of July 10, 2000
2. Play lots and open space are being cleaned and cut on a weekly basis
3. Phase III of the installation of street index signs is being completed when time permits
4. Several signs have been replaced due to vandalism
 - Direction Arrow - West Shore
 - Do Not Enter Sign – Maidencreek Estates
 - Stop Sign – Golden Manor III
5. Low branches have been trimmed on Township roadways.
6. Shoulders were filled on Guldin Road, Wesner Road and Sunset Ave.
7. Due to storms, fallen trees were cut and given to residents

FUTURE PROJECTS

1. West Wesner Road – raise drains
2. Ontelaunee Hgts. – repair sink hole
3. Phase III Index Signs – complete installation
4. Fill shoulders of remaining roads

DRIES ROAD: Operations Manager provided the Board with pictures recently taken after a rain, in order to prove exactly where the storm water flows.

PROPERTY MAINTENANCE: After consulting with the Solicitor, the Operations Manager will arrange for properties to be maintained, which have not complied with Ordinance #142 – Weed/Grass Cutting Regulations. A list with invoices will be forwarded to the Solicitor

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ROADWORK 2000

EJB had completed the paving except for East Wesner Road from Main Street to the Railroad – water service was being installed caused the delay. All work should be completed by the end of July.

NORFOLK SOUTHERN RAILROAD

Norfolk Southern Railroad Police cited vehicle owners in order to remove the abandoned vehicles along Chestnut Street near Lindbergh Ave.

GOLDEN MANOR III: On-Going Problems

1. Property Pins and Monuments
2. Complete pond
3. Grading of remaining lots and two tot lots
4. Ingot Drive

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Engineer to set property pins and find property lines for the proper location of Ingot Drive, work to be paid from the escrow account. Motion carried.

SINK HOLE – WEST WALNUT TREE DRIVE: Schlouch Excavating was called out to dig open the sink hole in the roadway. It appears that when the sewer lateral was installed; they blasted and created cracks in the limestone. Over the years, this opened and collapsed. Voids were grouted and backed with 2-A modified and will be black topped in the near future. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Secretary to pay the Schlouch Excavating for the emergency work to repair a sinkhole on West Walnut Tree Drive. Motion carried.

The Operations Manager informed the Board:

1. Penn Dot will conduct a study of the intersections at Routes 222 & 73 and Routes 222 & 662.
2. October 10, 2000 Trade Show will be held at Leesport Market Hall

RE-ALIGNMENT OF WEST WESNER ROAD T-777, Including Storm and Sanitary Sewer Modifications: Bids opened at 7:30 PM

E. Kuser, Inc.	\$95,322.00
Windsor Service, Inc.	\$66,151.00
EJB Paving & Materials Co.	\$70,642.48

Terry Rarick made a motion, seconded by Roy Timpe to accept the bids as presented and authorized the Engineer to review all bids, providing the bids are in order the lowest bid will be accepted. Motion carried.

TREASURER’S REPORT: Ruth Manmiller read the Secretary/Treasurer’s report for June 2000 and requested permission for the following payouts:

GENERAL FUND CHECKING	\$40,689.07
PAYROLL	\$16,038.63
ST LIQUID FUELS SINKING	\$ 101.25
GOLDEN MANOR III IMPROVEMENTS	\$ 97.78
RECREATION TAX CHECKING	\$12,395.54

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Terry Rarick made a motion, seconded by Roy Timpe, approving the treasurer's report and payments from listed accounts. All Board members voted, "Aye."

NEW BUSINESS

REQUEST FOR ZONING CHANGE: Merve Heller, representing Andretti International, Inc. requested a zoning change for a parcel of land located along Route 222 approximately a quarter mile south of the Pleasant Hill Road and Route 222 intersection. The 9.246 acre parcel is currently zoned A- Agriculture. Andretti International, Inc. is requesting this parcel to be changed to C1-Commercial. Application and fee of \$2000.00 was submitted. Terry Rarick made a motion, seconded by Roy Timpe at accept the Andretti International, Inc. Zoning Change Application and fee to change the zoning of A- Agriculture to C1- Commercial for a parcel of land located along Route 222 approximately a quarter mile south of the Pleasant Hill Road and Route 222 intersection, and forward this application to Berks County Planning Commission and Maiden Creek Township Planning Commission for their recommendations. Motion carried.

ORDINANCE 172: STOP SIGN – Spirit Court and Titus Road: Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to advertise for adoption at the August 2000 Board of Supervisors meeting the amendment to Ordinance 172 to include the installation of Stop Signs on Spirit Court at the intersection of Spirit Court and Titus Road and leave the existing Stop sign installed at Titus Road for approximately one month for traffic to become familiar with the new signs. Flashers will be installed on the new stop signs. Motion carried.

ENGINEER'S REPORT:

WALNUT MANOR III & WALNUT MANOR, LOT 5: Terry Rarick made a motion, seconded by Roy Timpe to accept the review extension forms submitted for Walnut Manor III and Walnut Manor, Lot 5 until October 26, 2000. Motion carried.

BEDROCK, Land Development Plan: Mark Kitzmiller, engineer for Howard Young presented a rough sketch of the proposed Bedrock re-location in Maiden Creek Township. Mr. Young is interested in purchasing property located off of West Wesner Road owned by Tom Greenawald. A portion of this property, Northridge Industrial Park was recorded in 1992 and zoning still applies. Mr. Young understands the necessity to review this land development plan but, is concerned about the length of time it will take to accomplish an approved plan. One section of the property he feels does not require review because it will be used to stockpile mulch and he will control the water run off. Mr. Young requested permission from the Board to proceed with re-locating his mulch stockpile on the one section of the property while the other section goes through land development review. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor and Engineer to prepare a Memorandum of Understanding for one year from date of execution, to utilize the undeveloped lot at Mr. Young's own risk while the remaining portion of the property goes through land development contingent upon proof of a sales agreement. It was agreed the Memorandum of Understanding would be completed and ready to be executed at the August 2000 Board of Supervisors meeting. Items to be included in the agreements – improvements to Bertolet Place and approval of an E & S Plan. Motion carried.

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HOCH ROAD CULVERT: The Engineer presented a County Application for aid to install a 5' x 10' culvert on Hoch Road in the amount of \$96,379.00. Roy Timpe made a motion, seconded by Terry Rarick authorizing the Chairman to sign the County Application to receive \$96,379.00 for installation of a 5' x 10' culvert on Hoch Road. Motion carried.

EAST WESNER ROAD STREAM RE-LOCATION: The Engineer reported to the Board the Wesner Road Stream re-location plan which had been previously prepared was reviewed by using three different methods in efforts to prove their calculations were correct. No discrepancies were discovered. The main purpose of the re-location of the stream is to allow the construction of a community park and to control flooding. The Engineer warned this re-location will not stop the flooding, just control it and move it away from residential areas. The removal of a portion of East Wesner Road and proper grading on the opposite side of the stream will allow for a natural berm to control the flooding. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor and Engineer to prepare advertisement for bids to re-locate the stream along East Wesner Road. Motion carried. A written report will be provided to the Board.

SUBDIVISION IMPROVEMENT AGREEMENT 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 \$3,724.08. Motion carried.

ONTELAUNEE HEIGHTS III & IV – Sidewalks: Roy Timpe made a motion, seconded by Terry Rarick approving the extension of time for Berks Construction to complete the installation of sidewalks in Phases II & IV of Ontelaunee Height from August 31, 2000 to October 31, 2000. Allowing the extension will enable Berks Construction to install the sidewalks without additional joints in the gas lines and water lines. Motion carried.

NOISE PROBLEM: Over the past years, parties have been held at the Shady Glenn Picnic Grove. The parties included music being played loudly sometimes until midnight or one in the morning. A recent party resulted in several complaints from residents. The Operations Manager provided a section from Ontelaunee Township's Zoning Book, which outlined their noise regulations. After careful review and discussion, the Board agreed to amend the Maiden creek Township Zoning Ordinance to include an outline of noise regulations. The main point of the outline will be to control noise levels from 10:00 PM to 7AM. Terry Rarick made a motion, seconded by Karl Bolognese authorizing the Solicitor to advertise for adoption at the August 2000 Board of Supervisors meeting, the amendment to the Maiden creek Township Zoning Ordinance to include regulations to control noise. Motion carried.

ORDINANCE 44: Part of the problem with the noise regulation resulted from the confusion of the Amusement Permit and its application. The Board has agreed to designate the township office staff to issue the Amusement Permits in the future. By the township office issuing the permit, rules, regulations and penalties will be made clear prior to any permit being issued. The information will then be forwarded to the Tax Collector for collection of Amusement Taxes. Terry Rarick made a motion, seconded by Roy Timpe authorizing the Solicitor to advertise for adoption at the August 2000 Board of Supervisors meeting, the amendment to Ordinance 44 allowing township office staff to issue Amusement Permits and then forward their information to the Tax Collector. Motion carried.

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RESOLUTION 12-2000: SEXUAL HARRASSMENT POLICY: Terry Rarick made a motion, seconded by Roy Timpe approving the addition of the Sexual Harassment Policy to Maiden creek Township Personnel Rules and Regulations with the corrections submitted by Roy Timpe. Motion carried.

SECRETARY'S QUESTIONS

YMCA AGREEMENT: Terry Rarick made a motion, seconded by Roy Timpe authorizing the Chairman to sign the 2000 YMCA Agreement for the Summer Playground Program. Motion carried. Terry Rarick made a motion, seconded by Roy Timpe to amend the wording in the YMCA Summer Playground Program Agreement to read: Children ages 6 (or have completed Kindergarten) and older, who live in the Fleetwood School District. Motion carried.

AUGUST BOARD OF SUPERVISORS MEETING: Terry Rarick made a motion, seconded by Roy Timpe authorizing the Secretary to advertise the re-scheduling of the August 10, 2000, 7:00 PM Board of Supervisors meeting to August 3, 2000 at 7:00 PM and if the Park and Recreation Board can not be accommodated in another portion of the building, the Secretary shall advertise their new meeting date. Motion carried.

MAIDENCREEK TOWNSHIP AUTHORITY: Terry Rarick made a motion, seconded by Roy Timpe accepting the resignation of Gary Saggio from the Authority Board and authorized the Secretary to send a thank you letter for his years of service. Motion carried. A replacement for Gary Saggio was tabled until the August 2000 Board of Supervisors meeting.

FLEETWOOD AREA SCHOOLS: Terry Rarick made a motion, seconded by Roy Timpe to waive review of the Fleetwood Area School District Sketch Plan for Athletic Ball Fields – a portion of the athletic field is in Maiden creek Township. Motion carried.

BERKS COUNTY CONSERVANCY: The Board does not wish to respond to their request to endorse the Schuylkill River Conservation Plan.

TAX COLLECTOR: The Board had received a complaint letter relative to the availability of the Tax Collector's posted hours. The Board will respond to the complaint letter, informing the complainant the Tax Collector is a separate entity and the Board has no control over the Tax Collector.

SOLICITOR'S REPORT

WEST WESNER ROAD RE-ALIGNMENT: The Solicitor informed the Board he will submit all required agreements signed by respective property owners along West Wesner Road, in order to adopt a resolution at the August 2000 Board of Supervisors meeting.

MAIDENCREEK PLAZA: An amendment will be presented at the August concerning the Maiden creek Plaza DIA costs for Phase II.

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GOLDEN MANOR III – MICHAEL MORGAN’S LETTER: The only response the Board felt necessary to make was that if he completes the work, and upon proof by invoice the Board would release any funds from the Golden Manor III Escrow account. The Operations Manager informed the Board the township has hired a private contractor to mow the weeds in Golden Manor III and will forward the bill to the Solicitor.

GOLDEN MANOR III - PROPERTY PINS: Terry Rarick made a motion, seconded by Roy Timpe authorizing Terry Manmiller – Zoning Officer to delay issuing Occupancy Permits until property pins are installed by the builder/developer/owner of the property. Motion carried.

Roy Timpe made a motion, seconded by Karl Bolognese to adjourn the meeting at 10:07 PM. Motion carried.

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

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