

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

NOVEMBER 8, 2001 7:00 PM

PRESENT: Karl Bolognese – Supervisor, Terry Rarick – Supervisor, Roy Timpe – Supervisor, Chad Lubas – Solicitor, Tom Unger – Engineer, Terry Manmiller – Operations Director, and Ruth Manmiller – Recording Secretary.

GUESTS: Matt, Barnhart, Nancy Werner, Ray Martin, Ronald Kemmerer, Gloria Kemmerer, David Snyder, Brad Snyder, Richard Thren, David Trupe, Steve Trupe, Kent Morey, Cindy Stump, Matt Phillips, Stephen Richards, William Reidel, Krista Timpe, Tammy Enama, Ronald Citron, Donna Mountain, Caroll Kopfer, Robert Kopfer, Gloria Kline, Tina Poole, Fay Isamoyer, Michael Adams, Jonathan Komula, Larry Kunkel, Robert Kline, Daniel Miller – Fire Chief, Geoff Whaling, Jan Williams, Michael DeLong, Paul Martin, Gary Rollman, Claude Beaver, and James Schoellkopf.

Karl Bolognese opened the November 8, 2001 Board of Supervisors Meeting at 7:00 PM and asked everyone to rise for the Pledge to the Flag.

Brad Snyder and members of his street hockey team asked the Board’s consideration to expand the existing volleyball court at the Cornerstone Play Lot to accommodate street hockey. He presented a sketch plan. He asked the Board to approve his sketch plan so improvements could be completed this year.

Terry Rarick made a motion, seconded by Roy Timpe, to approve the street hockey sketch plan and will attempt to make improvements before the black top plants close for the year. Motion carried.

EXECUTIVE SESSION: November 8, 2001, 6:30 PM – 7:00 PM: Personnel

Roy Timpe made a motion, seconded by Terry Rarick, to adopt the October 11, 2001 Board of Supervisors meeting minutes. Motion carried.

2002 BUDGET: Ruth Manmiller read the proposed Maiden creek Township 2002 Budget. Total budget \$1,984,450.00 with a .25 mil increase. Terry Rarick made a motion, seconded by Roy Timpe, to accept the 2002 Budget as presented and authorized the Secretary to advertise for adoption at the December 13, 2001 Board of Supervisors meeting. Motion carried.

POLICE REPORT

Officer Hobart of the Northern Berks Regional Police read the Police Activity Report for October 2001.

	MAIDENCREEK	ONTELAUNEE	LEESPORT	ADMIN CALLS
TOTAL ASSIGNMANTS: 685	276	262	117	30
TRAFFIC CITATIONS: 134	36	58	40	
FINES COLLECTED: \$6,683.68	\$1,879.47	\$1,973.01	\$2,831.20	

Karl Bolognese reported the Maiden creek Township Board of Supervisors submitted a Notice of Intent to Withdraw from the Northern Berks Regional Police Commission. The Northern Berks Regional Police Commission is comprised of three municipalities which include Leesport Borough, Ontelaunee Township and Maiden creek Township. Leesport Borough recently submitted a Notice of Intent to Withdraw from the Northern Berks Regional Police Commission. Maiden creek Township Board of Supervisors took action to notify of their intent to withdraw to protect the financial interests of the township.

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Terry Rarick stated this action was only a precaution to protect the township. He hopes that in the coming months several issues can be resolved. He supports regional police departments and would hate to see the loss of police service to the township. Starting a police department expressly for Maiden Creek Township would cut protection and services the current department provides.

Roy Timpe stated this action was to protect the township while keeping their options open for the future.

Karl Bolognese expressed his concern for the increasing costs of the police department.

Terry Rarick made a motion, seconded by Roy Timpe, to ratify the Chairman's signature on the Notice of Intent to Withdraw that was sent to the Northern Berks Regional Police Commission on October 31, 2001. Motion carried.

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

Equipment Report

1. Unit # 1 has been painted and prepared for winter.
2. Trucks are being prepared for winter.
3. Unit # 5 needs four new tires @ \$76.71 per tire, plus labor.
4. Unit # 4 needs two front tires @ \$81.32 per tire, plus labor.
5. Power Co. is servicing the 621 Loader and 580 SL Backhoe in preparation for winter.
6. Stevenson Equipment will service the 1055 JD and the Tiger Mower.

Terry Rarick made a motion, seconded by Roy Timpe authorizing the Operations Director to purchase four new tires @ \$76.71 per tire, plus labor for Unit # 5 and two front tires @ \$81.31 per tire, plus labor for Unit #4. Motion carried.

Road Crew completed the following

1. Buena Vista Road collapsed drain has been repaired.
2. Road shoulder mowing has been completed. Brush will be cut throughout the fall and winter.
3. All play lots and open space areas have been mowed for the last time in 2001.
4. Leaves continue to be collected throughout the fall season.
5. Bathrooms and concession stand at the Blandon Fire Company will be winterized 11/13/01.
6. Calcium Road Bridge planks and side rails have been replaced as instructed per inspection report.
7. Roads in Maiden Creek Estates have been crack sealed.

EVANSVILLE ROAD

A section of roadway on Evansville Road near the intersection of the Allentown Pike requires patching. The Operations Director requested permission to complete emergency patching at the same time emergency road repairs are being completed on West Shore Drive. Terry Rarick made a motion, seconded by Roy Timpe, to include the Evansville Road emergency patching, while emergency road repairs are being completed on West Shore Drive. Motion carried.

26 MOUNTAIN SPRING ROAD

Mr. Fella, John D. Painter of Watkins Architects and the Operations Director conducted an inspection at the Lorah dwelling located at 26 Mountain Spring Road, Blandon, PA. The dwelling was clean and inspectors found nothing out of the ordinary for concern. Issues concerning water service have been addressed and the water has been turned on.

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WATER BOXES/MAN HOLES

E.J. Breneman has repaired several water valves and manholes with material called Per-Col. The Authority has agreed to pay for the repairs.

TREE TOPS

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Operations Director to notify the developer of Tree Tops Subdivision in writing, to remove all vehicles from the temporary roadway in Tree Tops, Phase III. Motion carried. The Operations Director requested assistance from the Engineer to secure water and sewer connections.

FREDA FOX

In an effort to prevent tractor-trailer trucks from damaging Freda Fox’s home located at the intersection of Main Street and Park Road, Blandon, PA, a private contractor installed a retaining wall. She still has concerns for the safety of her home. Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Operations Director and/or the Township Engineer to contact PennDOT concerning the posting of “No Turn on Red” signs at the intersection of Park Road and Main Street, Blandon, PA. “No Turn on Red” signs should be posted for traffic traveling east on Main Street (SR73) and north on Park Road (SR1010).

SHADOW RIDGE/CREEKSIDE MANOR

Terry Rarick made a motion seconded by Roy Timpe, authorizing the Operations Director to notify the developers of Shadow Ridge and Creekside Manor in writing, that they are responsible for road maintenance until their road are dedicated to the township. Motion carried.

Terry Rarick made a motion, seconded by Karl Bolognese, to send PLRR cards to Teamsters 429 for certification of a card check. The secretary was instructed to poll the Board: Mr. Timpe, “No”, Mr. Rarick, “Yes”, Mr. Bolognese, “Yes”.

Gloria Kemmerer, 323 East Wesner Road, Blandon, PA, asked the Board their reason for unionizing the township employees and will this result in strikes, higher wages and the inability to fire an unsatisfactory employee.

Terry Rarick stated the employees requested unionizing for job security. He stated several municipalities have allowed their employees to unionize for job security. After due process an unsatisfactory union employee can be fired.

TREASURER’S REPORT

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

General Checking	\$173,355.67
Payroll	\$ 16,983.67
Recreation Tax Checking	\$ 13,777.66
Blandon Meadows V, Ph II	\$ 30,256.03
Golden Manor III Improvements	\$ 1,842.92
Skyline Realty	\$ 115.13
Rajah Checking	\$ 441.46
Lot 8 Savings for Payts.	\$ 1,869.63

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

Kent Morey, 316 Galean Drive, Fleetwood, PA, asked the Board if they had a response relative to a letter from Michael Adams's attorney pertaining to his drainage problem.

Michael Adams, 314 Galean Drive, Fleetwood, PA, stated his drainage problem exists due to insufficient grading by the developer and Kent Morey's landscaping. He wants the Board of Supervisors to force the developer to correct his drainage problems.

Chad Lupas, Township Solicitor advised Kent Morey and Michael Adams that the drainage problem and landscaping issue is a civil matter and should be resolved through the local magistrate's office. Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Township Solicitor to notify Michael Adams's attorney of the Board's decision and carbon copy the letter to Kent Morey. Motion carried.

Matt Barnhart – Realtor, for the property at 8521 Allentown Pike, Blandon, PA, requested a waiver of land development review. Robert and Lynn Kline, prospective clients plan to utilize the home at 8521 Allentown Pike, Blandon, PA as a craft and antique shop. To accommodate patrons, a gravel parking lot would be installed towards the rear of the property. Roy Timpe made a motion, seconded by Terry Rarick, to waive land development review for the installation of a gravel parking lot at 8521 Allentown Pike, Blandon, PA. Motion carried. The Board advised the Kline's that additional improvements to the dwelling or property would require plan review.

Stephen Richards, 432 E. Wesner Road, Blandon, PA, requested permission to burn brush on his property. His property is considered a farm but is located in a R2a zone. Burning is not allowed in a R2a zone.

The Board advised Stephen Richards to obtain permission to burn from the Fire Chief. The Board and Fire Chief both agreed that it is too dry to burn.

Cindy Stump, 140 Evansville Road, Fleetwood, PA, congratulated Robert Kopfer on his successful election to the Maiden creek Township Board of Supervisors and hopes everyone will work with him. She stated that some residents were not allowed to vote during the recent election and wanted to know if the Board was aware of the problem.

The Board advised the residents who had voting problems to contact the Township Secretary or the Board of Elections.

Geoff Whaling, 1303 Pleasant Hill Road, Fleetwood, PA, considered the voting problem to be related to the recent address changes.

Ron Citron, 106 Hope Drive, Blandon, PA asked the Board the following questions:

1. Why does the Walnut Manor development have only one exit/entrance?
2. Should the Board consider proof of identification for attendance at Board of Supervisors meetings?
3. Should an escrow account be established for future developments to maintain stormwater damages?

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The Board informed Ron Citron:

1. The Walnut Manor development does have another entrance/exit that will become a reality when the Schaeffer Farm is developed.
2. Requiring proof of identification a local meetings would not be considered at this time.
3. The Board is currently revising the stormwater and flood plain language to be included in the original ordinance. All future developers will be required to abide by the new regulations. The Board believes the revisions will decrease and/or prevent future stormwater destruction. A combined effort of the Planning Commission, Board of Supervisors, Engineer and Solicitor will be required to insure developers comply with all regulations.

Robert Kopfer, 1142 Pleasant Hill Road, Fleetwood, PA, stated:

1. Stormwater washed debris into his field causing damage to his farm equipment.
2. The retention pond in the Limestone development should not have been removed.
3. A building permit should not have been issued for construction of a home near a retention pond in Shadow Ridge.

Tom Unger, Township Engineer, informed Robert Kopfer that the retention pond in the Limestone development was installed to control stormwater during the construction phases. Terry Manmiller stated the Shadow Ridge building permit issued for construction of a home near the retention pond could not be denied because it was an approved building lot and all permit requirements had been met.

Tina Poole, 59 Lee Spring Road, Blandon, PA, asked the Board the status of the Martin Retirement Village Plan. She is aware that this plan will soon receive final approval and is concerned that the land is not the same as it was when the plan was originally submitted.

The Board informed Tina Poole that the developer must adhere to all requirements of the final plan approval. The Engineer will conduct inspections as the development progresses. The Engineer promised Tina Poole he would obtain a copy of the final plan and personally meet with her to review the improvements.

Larry Kunkel, 5 Lake Shore Drive, Fleetwood, PA, stated the Lights at Tom's Convenience Store are brighter.

David Snyder, 224 Genesis Drive, Blandon, PA, stated he was pleased to see the Community Park and recreational areas throughout the township are becoming a reality. He informed the Board he must relocate and will submit his resignation to the Park and Recreation Board January 2002.

The Board thanked David Snyder for his years of service to the township.

Gary Rollman, Berks County Bike Club, requested permission to conduct bike races as they have done in the past, on township roadways on the north side of Lake Ontelaunee. He will provide the Board with 2002 dates as soon as possible.

Geoff Whaling, 1303 Pleasant Hill Road, Fleetwood, PA, asked the Board the status of the Tatanus Subdivision. He is concerned that any work that takes place on this property will impact his water supply.

The Engineer stated he would provide information about the Tatanus Sketch Plan during his review.

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ENGINEER'S REPORT

BEDROCK STONE AND STUFF: Terry Rarick made a motion, seconded by Roy Timpe, to extend the Memorandum of Understanding for Bedrock Stone and Stuff to coincide with review period of their plan. Motion carried.

TREE TOPS II: Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Solicitor to notify the Tree Tops developer to complete all items on the Engineer's punch list and if the work is not completed within 30 days the township will draw down on his Letter of Credit. Motion carried.

TATANUS, Sketch Plan: The Engineer advised the Board and Geoff Whaling that the Tatanus Subdivision is currently in the Sketch Plan phase. There are numerous issues and concerns that must be addressed, as stated in the September 19, 2001 review letter before the developer may proceed to a preliminary or final plan. Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Engineer to inform the developer of the Tananus property of discrepancies on the plan and the Board's concerns for this subdivision. Motion carried. The Board will instruct the Township Secretary to forward Bruce T. Rader's letter and Engineer's letter to all Planning Commission members.

SCHAEFFER FARM, Sketch Plan: A lengthy discussion ensued between the Board and guests resulting in numerous suggestions made in an effort to plan the development effectively. The Engineer advised everyone that the Schaeffer Farm plan is in the sketch stage and nothing is final. A developer submits sketch plans to acquaint the Planning Commission and the Board of Supervisors with tentative ideas for their development.

Fay Isamoyer, 8717 Allentown Pike, Fleetwood, PA, asked the Board for results of the recent Penn DOT Survey conducted along the Allentown Pike.

The Board informed Fay Isamoyer that additional surveys would be conducted and final results would not be available until 2002.

EAST WESNER ROAD STREAM RELOCATION: One bridge was installed and the second bridge will be stored until the East Wesner Road culvert is removed.

TREE TOPS RECREATION AREA: The Engineer is preparing plan/spec. for Phase I of the project.

MAIDENCREEK COMMUNITY PARK: The Engineer is preparing plan/spec. for Phase I of the project.

STORM WATER/FLOOD PLAIN AMENDMENTS

Mark Kitzmiller presented a draft of the proposed ordinance language for control of storm water control, maintenance of culverts, calculations for future storm water flow and building requirements in a flood plain. The Engineer will provide a final draft at the December 13, 2001 Board of Supervisors meeting. The Board asked the Engineer to notify all developers with pending developments of the Board's intent to adopt an amendment to the storm water and flood plain regulations.

EAST WESNER ROAD CULVERT: DEP will not allow an amendment to the original permit. The Engineer must submit a new permit.

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SHADOW RIDGE/BLANDON MEADOWS DRAINAGE: A concept plan to control storm water through Shadow Ridge and Blandon Meadows was presented and discussed.

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 \$31,905.52. Motion carried.

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

SOLICITOR'S REPORT

ORDINANCE 184 – GRETH DEVELOPMENT RE-ZONING

Terry Rarick made a motion, seconded by Roy Timpe, to adopt Ordinance 184 to rezone a parcel of land located at the intersection of Snyder Road and Dries Road from (R) Residential Zoning to (I) Industrial Zoning. Motion carried.

MARTIN RETIREMENT VILLAGE

Terry Rarick made a motion, seconded by Roy Timpe, to approve the Improvement Agreements for Martin Retirement Village. Motion carried.

COMCAST AGREEMENT

Terry Rarick made a motion, seconded by Roy Timpe, to approve the Comcast agreement and to coordinate additional use of the tower for cable service for the Ambulance headquarters, the Fire Company, the Andrew Maier Elementary School, and the municipal building. Motion carried.

BURNING ORDINANCE AMENDMENT

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Solicitor to advertise the amendment to the burning ordinance for adoption the December 13, 2001 Board of Supervisors meeting. Motion carried.

SECRETARY'S QUESTIONS

BERKS COUNTY HUMANE SOCIETY AGREEMENT

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Chairman to sign the 2002 service Berks County Humane Society Agreement and approve the required \$200.00 payment. Motion carried.

2001 CHRISTMAS BONUS

Terry Rarick made a motion, seconded by Roy Timpe, to pay each full-time employee a \$100.00 Christmas Bonus and each part-time employee a \$50.00 Christmas Bonus. Motion carried.

LIMESTONE VILLAGE RESIDENTS

Terry Rarick made a motion, seconded by Roy Timpe, authorizing the Solicitor to notify Limestone Village property owners to remove all personal property from the Community Park area. Motion carried.

BOY SCOUTS

Roy Timpe made a motion, seconded by Terry Rarick, authorizing the Operations Director to provide Community Service projects for 12 – 16 year-old Boy Scouts. Motion carried.

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ROTHERMEL HOME, Main Street, Blandon, PA

Jay Becker offered to sell a portion of his lot that includes the Rothermel home to the township. The Board will investigate.

EXECUTIVE SESSION: 11:30 PM – 11:39 PM – Personnel.

Terry Rarick made a motion, seconded by Roy Timpe, authorizing Gary Reeser and Kenneth Schnader of Systems Design Engineering, Inc. to conduct inspections in the absence of the zoning officer. Motion carried.

The November 8, 2001 Board of Supervisors Meeting was adjourned at 11:39 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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