

**MAIDENCREEK TOWNSHP BAORD OF SUPERVISORS**

**SEPTEMBER 12, 2002**

**7: 00 PM**

**PRESENT:** Roy Timpe - Supervisor, Robert Kopfer – Supervisor, Gloria Kemmerer – Supervisor, Eugene Orlando - Solicitor, Tom Unger – Engineer, Terry Manmiller – Operations Director, Ruth Manmiller – Recording Secretary

**GUESTS:** Cindy Stump, David Anspach, Daniel Miller – Blandon Fire Chief, Gloria Kline, Tina Poole, Larry Kunkel, Claude Beaver, James Schoellkopf, Tammy Prokop, LaRue Younker, Kelly Downs, Diane Hollenbach, Dean Focht, Harold Burgert, David Schumacher, John Weller, Yvonne Scalese, Ann Santiago, Robert Hanna, J.D. Krafczek, Henry Koch, Jr., Adam Krafczek, Leslie Heere, Fred Giorgi, Donna First, Nancy Werner, Howard Young, Fay Isamoyer, Mohamad Farvardin.

Roy Timpe called the meeting to order at 7:00 PM and asked everyone to pause for a moment of silence in remembrance of 9/11 to be followed by the pledge to the flag.

**PUBLIC COMMENT**

The Board asked the guests to sign the comment sheet that was being passed around and list their items of concern:

Donna Fuerst	309 Faith Dr.	Blandon,PA	When will the speed signs defining citation fines be installed?
Leslie Heere	205 Longleaf Dr.	Blandon ,PA	Concerns about the mandatory recycling.
Ann Santiago	217 Spirit Ct.	Blandon ,PA	Was letter sent to residents to clear flood way?
Yvonne Scalese	213 Spirit Ct.	Blandon ,PA	Flooding / Removing fixtures from flood way, bills.
Tammy Prokop	468 Hoch Road	Blandon ,PA	Dog mess / proposed trees to be installed at the rear of property.
Tina Poole	19 Lee Spring Road	Blandon ,PA	Martin’s weeds, vacant trailers, project status.
Larry Kunkel	5 Lake Shore Dr.	Fleetwood,PA	Noise @ Tom’s – 5:00 AM.
Kelly Downs	456 Hoch Road	Blandon	Dog mess / proposed trees to be installed at the rear of property.
Fay Isamoyer	8717 Allentown Pike	Fleetwood, PA	Fleetwood School issues

The Board briefly answered the questions asked by the guests and promised to address several of their issues throughout the meeting and/or during new business.

**POLICE REPORT**

Officer Charles Hobart presented the Northern Berks Regional Police activity report for August 2002.

	<b>MAIDENCREEK</b>	<b>ONTELAUNEE</b>	<b>LEESPORT</b>		<b>TOTAL</b>
Patrol Hours	739.5	454.75	319.5	Admin.	1513.75
Assignments	329	184	139	45	697
Citations Issued	108	46	28		182
Fines Collected	\$2,952.35	\$2,318.35	\$ 963.22		\$6,233.92

Officer Hobart:

1. Distributed information pertaining to West Nile Virus.
2. Informed guests how to properly report culprit dog owners that do not clean up after their pet.
3. Detailed recent Speed Enforcement on Hoch Road. Speeds of 76 mph and 106 mph were clocked.
4. Informed residents that the officers are monitoring the trash trucks prior to 6:00 AM.
5. Informed the guests that new zones will be established for speed enforcement.

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**ANNOUNCEMENTS**

- 8/8/02            Executive Session – Personnel and Litigation
- 9/3/02            Zoning Hearing – Larmar Advertising
- 9/5/02            Hearing – DJ Gauby – Maiden creek vs. Ray Martin
- 9/5/05            Hearing – Vacation of East Wesner Road
- 10/02/02        Hearing - Billboards, Slater Road, and Traffic Ordinance Amendments 7:00 PM
- 9/24/02        Variance – Maiden creek Plaza            7:00 PM

**MINUTES**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, accepting the following minutes with listed corrections:

- 8/6/02 Recycling Workshop and Public Comment Meeting,
- 8/8/02 Board of Supervisors Meeting - Page 8 Recycling Workshop and Public Comment for September 29, 2002, instead of August 29, 2002,
- 8/17/02 Special Meeting for Hospitalization,
- 8/29/02 Recycling Workshop and Public Comment Meeting – Page 3 September 10, instead of September 12  
Page 3 \$10.00/ton should read  
“with a floor of \$10.00/ton.”

All Board members voted, “Aye.” Motion carried.

**7:30 PM – OPEN BIDS FOR CHIPPER**

The following bids were received and opened for the chipper:

- 1. Larry Kunkel                      \$1,111.11
- 2. Manny Gutierrez                \$1,200.00

Robert Kopfer made a motion, seconded by Gloria Kemmerer, to award the sale of the Chipper to the highest bidder, Manny Gutierrez for \$1,200.00. All Board members voted, “Aye.” Motion carried.

**ENGINEER’S REPORT**

**SHADOW RIDGE, Phase III**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to re-approve Shadow Ridge, Phase III final plan. All Board members voted, “Aye.” Motion carried. Shadow Ridge, Phase III received final approval on June 10, 2002 however, the ninety day recording period lapsed before all contingencies were met.

**SHADOW RIDGE, LOC**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing the Solicitor to notify the developer of Shadow Ridge to extend his Letter of Credit to 10/21/02, or the township will be forced to drawn down on the Letter of Credit. All Board members voted, “Aye.” Motion carried.

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ENGINEER'S REPORT, continued:

**MELROSE PLACE**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to accept Melrose Place review extension letter effective to 10/31/02. All Board members voted, "Aye." Motion carried. Revised preliminary plans and a hydrological study were provided for the Township Engineer to review. Gloria Kemmerer made a motion, seconded by Robert Kopfer, to grant the following waivers:

503.J – Requirement that no more than 20 residential units may be located along a single access street and the single access street may not be more than 500 feet long.

503.F - Requirement of the safe stopping site distance at the vertical curve for the driveway on Lidia Street from 200 feet to allow it at 160 feet.

515.D - Requirement on species of street trees.

All Board members voted, "Aye." Motion carried.

**R&C HEAVY MECHANICAL, LOC**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Secretary to return the Letter of Credit for R&C Mechanical because all improvements are completed. All Board members voted, "Aye." Motion carried.

**MEADOWBROOK**

Meadowbrook developers asked for the Board's approval to phase the Subdivision. Phases I & II would be completed before any construction would begin on Phases III & IV, and the developer agreed to post security for each phase at the time of construction. The overall plan has been approved. The developer will submit phased plans of Meadowbrook for approval, not additional review. Roy Timpe made a motion, seconded by Gloria Kemmerer, granting permission to the developer of Meadowbrook to proceed with the phasing concept for the project, and subject to future approval the Township Solicitor and Township Engineer are authorized to review all agreements to protect the Township interests.

Roy Timpe and Gloria Kemmerer voted, "Aye." Robert Kopfer voted, "No." Motion carried. Per subdivision regulations, the project must be completed in a five year time period.

**VILLAGE AT MAIDENCREEK**

**RESOLUTION 22 – PLANNING MODULES**

Roy Timpe made a motion, seconded by Robert Kopfer, authorizing the Secretary to sign the Planning Modules for Villages at Maiden creek. Roy Timpe and Robert Kopfer voted, "Aye." Gloria Kemmerer abstained. Motion carried.

**BEDROCK STONE AND STUFF**

No Action. Developer provided four additional sets of plans and replacement sheets for the existing Bedrock Stone and Stuff plans.

**TREE TOPS TOT LOT – PHASE I**

Work is proceeding. Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing a \$950.00 change order to extend a section of walkway to the curb along Sycamore Lane and install a walkway to the play area to meet ADA standards. All Board members voted, "Aye." Motion carried.

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**GLENMAR SUBDIVISION**

This development is primarily located in Ruscombmanor Township. Storm water run off since the onset of this development has increased to the Maiden creek Township area. The Board and the Township Engineer feel that Ruscombmanor should be held accountable for the control of the stormwater from this development.

**MAIDENCREEK TOWNSHIP/RUSCOMBMANOR TOWNSHIP LINE**

Inspection of the property provided no insight to determine where the township line might be located. An issue of trailers that are in use with no visible type of septic system has taken precedence.

**SPIRIT COURT PIPE EXTENSION**

The Engineer sent a letter to the property owner at 245 Spirit Court who requested permission to install a storm water drainage pipe from their property into the stream. The Engineer explained that this type project would not be a township responsibility and that the property owner would be required to obtain permits through DEP, since the pipe is already within 50' of the creek banks.

**LIGHTING TOUR – SEPTEMBER 30, 2002**

The Township Engineer, lighting specialist Stan Stubby, the Board of Supervisors, and the Planning Commission will conduct a tour of existing subdivisions. Everyone will be instructed to meet along Henry Drive. The tour is being conducted for future lighting requirements in the municipality. The Township Secretary was instructed to advertise the meeting.

**PARK ROAD AND RT 73 (MAIN STREET) INTERSECTION**

Penn Dot has scheduled a meeting on 9/20/02 with the Operations Manager, the Township Engineer, and the Chief of Police to discuss the future improvements to the Park Road and Rt. 73 (Main Street) intersection.

**MAIDENCREEK COMMUNITY PARK**

Work is proceeding.

**HOCH ROAD CULVERT REPLACEMENT /E. WESNER ROAD CULVERT REMOVAL**

The Board of Supervisors signed the DEP Permit Application. A letter was received from Berks County Engineering rejecting funding at this time.

**SUBDIVISION IMPROVEMENTS AGREEMENTS LOC/ESCROW RELEASE LETTERS**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Chairman to sign the Subdivision Improvement Letters of Credit in the amount of \$2252.60, with the remaining Subdivision Letter of Credit payment for the Heffner Tract in the amount of \$147,674.48 being withheld. All Board members voted, "Aye." Motion carried. The developer of the Heffner Tract when blasting has caused considerable damage to Dries Road. Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Township Engineer to inspect the Heffner Tract for damages to Dries Road and forward a list of damages to the Township Solicitor so he may inform the developer to repair all damages. Improvement Agreement payments will not be signed until damages are repaired. All Board members voted, "Aye." Motion carried.

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

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**GOLDEN MANOR III – TREES**

The Township Engineer is prepared to present a plan for the tree planting in Golden Manor III to be review by the Operations Director.

**TRAILS, INC.**

The Township Engineer reported that the developer for Trails, Inc. has completed everything, except for the swale.

**SOLICITOR’S REPORT**

**MARTIN RETIREMENT VILLAGE**

The Township Solicitor reported that a hearing at District Justice Gauby resulted in Raymond Martin being fined \$2,000.00 (\$1000.00 for each citation) for improperly maintaining his on-lot septic system. He reported that two items remain outstanding before the developer may commence with his project. Those items are M & A Excavating, LLC providing a certificate of liability insurance to Maiden creek Township Authority, and confirmation of a location for a pipe.

**FUTURE ACTION**

**10/02/02**

A. Amend the traffic Ordinance

1. Uniformity of 35 mph speed limit on Schaeffer Road
2. No Parking on Golden Drive from Park Rd to Hoch Rd. on SW side
3. No Parking on the west bound side of Lake Shore Drive (Rt. 73) between Allentown Pike (Rt. 222) and Quarry Road.

B. Vacation of a portion of Slater Road

**ORDINANCE 186 – VACATION OF EAST WESNER ROAD**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to adopt Ordinance 186 for the vacation of 606.25 feet of East Wesner Road in between Hoch Road and Park Road (the area of the Community Park). All Board members voted, “Aye.”

**SHADOW RIDGE III**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, accepting the Letter of Credit and Improvement Agreement for Shadow Ridge III. All Board members voted, ”Aye.” Motion carried. The Solicitor will proceed with the agreement for the detention pond in Shadow Ridge.

**MILDRED EDDINGER**

Roy Timpe made a motion, seconded by Gloria Kemmerer, authorizing the Solicitor to notify Mrs. Eddinger and Kenneth Shrom that there will be no action taken by the Board. The property lines and neighbor’s porch dispute are the property owner’s responsibility. All Board members voted, ”Aye.” Motion carried.

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**TREASURER’S REPORT**

General Fund Checking	\$107,692.98
General Fund Money Market	\$104,480.37
Payroll	\$ 19,480.37
Recreation Tax Checking	\$ 9,481.39
Recreation Tax Holding	\$ 10,000.00
Bennicoff (Pk.Rd. Lot 7A)	\$ 2,736.05
Golden Manor III Improvements	\$ 1,034.28
Retirement Village – Insp.	\$ 140.20
Blandon Meadows V, Ph II	\$ 656.30
Rajah Savings	\$ 137.04

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to approve the listed expenditures and report as presented for August 2002. All Board members voted, “Aye.” Motion carried. Copies of the Treasurer’s Report were available for inspection.

**ROAD REPORT**

The Operations Director’s August 2002 Report was available for inspection, the following action was taken:

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Operations Manager to order two (2) signs at a total cost of \$700.00 that defines the expense of a speeding citation. All Board members voted, “Aye.” Motion carried.

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Operations Manager to advertise for bids to salvage materials of the old Township Building in Molltown. All Board members voted, “Aye.” Motion carried.

Harold Wagner an individual that uses Calcium Road to travel to his place of employment, complained about the bushes and tree limbs along this roadway. The Operations Director will investigate.

The owner of Excelsior Brass, June Ave., Blandon, PA requested No Parking signs be installed along June Ave. to prevent large trucks from parking along the roadway and partially on his property. The Board instructed the Operations Manager to inform the owner of Excelsior Brass to post No Trespassing Signs on his property. The Board will investigate the request further before any decision is made.

**NORTHERN BERKS REGIONAL POLICE HEADQUARTERS**

Chief Scott Eaken informed the Board members and the guests that the Northern Berks Regional Police Department is currently leasing 3000 sq. feet of office space at the Pohl Corporation, Leesport Ave., Reading. When the department moved into this office space, it was understood that this was a temporary solution for the department’s headquarters. The Chief (authorized by the Commission) was authorized to investigate all possibilities for obtaining permanent headquarters for the department. After numerous attempts to locate a building lot, a building, and/or a contractor that would meet our needs, a local businessman presented an offer that deserved further investigation. Mr. Fred Gorigi has offered to construct a building to meet our specifications on one of his building lots. The Commission (three municipalities in the merger) would then enter into a lease agreement for 29 years. Final details must be worked out to confirm construction expenses before an agreement can be produced. In order to keep the project moving forward and control expenses, the developer requested assistance with the land development plan.

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The Board agreed that a land development plan must be presented and reviewed. They hoped that the plan would not involve extensive review. They want to see an agreement before this project progresses.

The Township Engineer will consider preparing the land development plan.

**OLD BUSINESS**

**Yvonne Scalse, 213 Spirit Court, Blandon, PA**, stated she is still concerned about the flooding issue near her home. She asked how soon the letters would be sent informing her neighbors they must remove all fences, sheds and/or objects that would impede water flow near the rear of their properties. She can not continue to live in her home with the constant threat of being flooded. The Township Engineer repeated his findings about the increase of storm water to the area because of Glen Mar Estates. He stated that the stream located at the rear of her property was not part of the flood plain study.

**Tammy Prokop, 468 Hoch Road, Blandon, PA** expressed her displeasure about future tree plantings at the rear of her property as designated on the recorded plan. She has installed landscaping at the rear of her property and does not want it disturbed. She included a complaint about dog owners who do not clean up after their dogs in the open space.

**Tina Poole, 19 Lee Spring Road, Blandon, PA** stressed that the Weed Ordinance must be enforced because Raymond Martin's weeds are growing into her bushes. The Operations Director informed the Board that a weed letter had been sent to Raymond Martin. Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Operations Director to send another weed letter to Raymond Martin. All Board members voted, "Aye." Motion carried. Roy Timpe made a motion, seconded by Gloria Kemmerer, authorizing the Operations Director to prepare a weed letter, and the Township Secretary to prepared a current statement of outstanding fees for Raymond Martin. Both letters are to be hand delivered to Raymond Martin by Constable service. All Board members voted, "Aye." Motion carried.

**GLENN SANDRITTER – TREE TOPS**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Solicitor to investigate the bankruptcy status of Glenn Sandritter to determine the proper course of action to enforce the weed ordinance for several areas of the TreeTops Subdivision. All Board members voted, "Aye." Motion carried.

**TIGH HOLDINGS**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, authorizing the Chairman to sign the verification documents for Tigh Holdings for future litigation. All Board members voted, "Aye." Motion carried.

**NEW BUSINESS**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing payment of 8 overtime hours for Regina Sanders to compensate her for additional hours required to prepare for the September Board of Supervisors meeting and to include additional compensation for this extended meeting as previously paid for extended meetings to Ruth Manmiller. All Board members voted, "Aye." Motion carried.

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**RESOLUTION 20-2002 – 2003 MMO**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to adopt the Minimum Municipal Obligation for the Maiden creek Township Non-Uniform Pension Contract #416571 in the amount of \$29,588.00. The Minimum Municipal Obligation amount must be in place as an estimating requirement to fund the pension plan. All Board members voted, “Aye.” Motion carried.

**RESOLUTION 21-2002 – Youth Aid Panel**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to adopt Resolution 21-2002 – Youth Aid Panel for Maiden creek Township to participation. Two Maiden creek Township residents and a Northern Berks Regional Police Officer will be participants on a joint board of surrounding municipalities to work with juvenile offenders. All Board members voted, “Aye.” Motion carried

**SECRETARY’S QUESTIONS**

**LIFE INSURANCE**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to increase the life insurance with Standard Life Insurance from \$40,000.00 to \$50,000.00 as per employment contracts. All Board members voted, “Aye.” Motion carried. This action is a result of the health insurance carriers that included \$10,000.00 life insurance coverage being canceled.

**HEALTH INSURANCE**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, designating a 15-day waiting period before health insurance is provided for new full time employees. All Board members voted, “Aye.” Motion carried.

**ZWICKY REZONING REQUEST**

Robert Kopfer made a motion, seconded by Gloria Kemmerer, instructing the Township Secretary to forward David Zwicky’s rezoning request for a 33.64 acre tract along Buena Vista Road from Agriculture to Industrial to the Berks County Planning Commission and the Maiden creek Township Planning Commission. The Solicitor was authorized to prepare for the public hearing process for this rezoning request. All Board members voted, “Aye.” Motion carried.

**RECYCLING WORKSHOP**

Next workshop is scheduled for October 8, 2002, 7:00 PM in the Maiden creek Township Building. Gloria Kemmerer made a motion, seconded by Robert Kopfer, to include recycling facts in the next Township newsletter. All Board members voted, “Aye.” Motion carried.

**AGRICULTURE SECURITY BOARD**

The Agriculture Security Board will meet September 16, 2003 at 8:30 PM to consider a request to add 15.43-acre tract owned by Elmer Ringler to Maiden creek Township Agriculture Security Area.

**NO PARKING**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing the Solicitor to prepare an ordinance to designate the west bound side of Lake Shore Drive (Rt. 73) as a no parking zone from Allentown Pike (Rt. 222) to Quarry Road. All Board members voted, “aye.” Motion carried. Hearing will be conducted October 2, 2002.



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**PARK AND RECREATION**

Gloria Kemmerer made a motion, seconded by Robert Kopfer, to accept Tom Evanosky's letter of resignation from the Park and Recreation Board, and authorized the Township Secretary to send a letter thanking him for his service. All Board members voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, seconded by Robert Kopfer, authorizing the Township Secretary to send a letter thanking Lori Schnader for donating the remainder of Kid's Cove funds to the Park and Recreation Account. All Board members voted, "Aye." Motion carried.

Terry Manmiller volunteered to inspect and repair the Blandon Fire Company Ball Field fence in a satisfactory manner.

Robert Kopfer made a motion, seconded by Gloria Kemmerer, to move Kid's Cove play equipment from the Community Park to the Wyatt Drive Tot Lot. All Board members voted, "Aye." Motion carried.

Robert Kopfer made a motion, seconded by Gloria Kemmerer to adjourn the meeting at 11:56 PM. All Board members voted, "Aye." Motion carried.

Respectively submitted,

Ruth M. Manmiller  
Recording Secretary

CC: Board of Supervisors  
Terry Manmiller, Operations Director  
Orlando and Strahn Law Firm, Solicitor  
Thomas Unger-Systems Design Engineering, Inc., Township Engineer  
Ed Kopicki-Systems Design Engineering, Inc., Township Planning Commission Engineer  
Planning Commission  
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  
Chief Scott W. Eaken, Northern Berks Regional Police

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