

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

CONTINUED MEETING

February 20, 2003 7:00 PM

PRESENT: Roy Timpe - Supervisor, Gloria Kemmerer - Supervisor, Eugene Orlando – Township, Ruth Manmiller – Recording Secretary, Terry Manmiller – Operations Director.

GUESTS: Ronald Kemmerer, Gloria Kline, Tina Poole, Harvey M. Weaver, Harvey B. Martin, Fay Isamoyer, Lori Hershberger, Michael DeLong, Howard Young, Tony Folino, William Milo, James Schoellkopf, Kip Bowers, Linda Bowers, Hether Quillman, Diane Hollenbach, Linda Shenk,

Roy Timpe called the continued 2/13/03 Board of Supervisors meeting to order at 7:30 PM and asked everyone to rise for the pledge to the flag.

PUBLIC COMMENT

Howard Young of Bedrock Stone and Stuff, W. Wesner Road, Reading, PA, asked the Board what the zoning change to the SIA zoning district involved.

The Board informed Howard Young that SIA Zoning currently outlines a property owners' use of mushroom soil on the property and prohibits the re-sale of mushroom soil. The amendment would put all businesses on equal footing for the manufacturing and re-sale of mushroom soil in the SIA Zoning District.

Kip Bowers, 11 Grove Road, Blandon, PA, asked the Board to consider no parking on Grove Road. He informed the Board members that parking on Grove Road makes travel difficult and causes problems for plowing snow.

Operations Director, Terry Manmiller suggested to the Board to consider amending the Traffic Ordinance to make Grove Road, Wyatt Drive, and East and West Wesner Road snow emergency routes. Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing Operations Director, Terry Manmiller to write a letter to Chief Eaken requesting his suggestions to make Grove Road, Wyatt Drive, and East and West Wesner Road snow emergency routes. All Board members voted, "Aye." Motion carried.

Harvey Martin and Harvey Weaver representing the Walnuttown Mennonite Church on Pleasant Hill Road, Fleetwood, PA, requested assurance from the Board and the Solicitor that annexation of 1-½ acres of the adjacent property to their existing property is possible prior to purchasing. They informed the Board that the adjacent property will be sold at public auction 2/21/03 and the current property owner has agreed to remove the portion of land that the Walnuttown Mennonite Church plans to purchase.

The Solicitor informed Harvey Martin and Harvey Weaver that after review of the Subdivision and Land Development Ordinance, Section 411 allows for the annexation of the property adjacent to the Walnuttown Mennonite Church. He advised them to contact a professional consultant to survey the land and prepare plans to be reviewed by the Maiden creek Township Planning Commission and the Maiden creek Board of Supervisors for approval and recording.

William Milyo, 313 Galean Drive, Fleetwood, PA, asked the Board if they had been advised of the Shenk property that contains a 50 ft right-of-way. He wants to purchase a per-part of the Shenk property rather than attempting to subdivide. He has obtained the service of an attorney to assist him in legally obtaining a per-part of the Shenk property.

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

CONTINUED MEETING

February 20, 2003 7:00 PM

The Township Solicitor asked William Milyo for a copy of a current deed and a new survey of the Sherk property by the next meeting.

William Milyo agreed to provide the requested information in a timely manner and promised to inform his attorney Robert Kintz to contact him.

Tina Poole, 19 Lee Spring Road, Blandon, PA asked the Board about the recent newspaper article that outlined the Board's future plan of action for Raymond Martin and his malfunctioning on-lot sewage system. She is very concerned that the on-lot sewage problems that she complained about for so long will once again return causing public safety issues for the surrounding residents

The Board informed Tina Poole that the Solicitor was instructed to inform Raymond Martin of Martin's Retirement Village of the following action:

- a. The last date the Township will pump his system.
- b. He must make payment of all outstanding charges within the next thirty days.
- c. He will be responsible for future pumping of his system.
- d. Upon regular inspections by the SEO, should leakage of the system be observed, a citation will be issued and the Solicitor/Board of Supervisors will be notified.
- e. Upon notification that conditions are not being met, the Township will file an injunction to close the existing modular home park.
- f. Residents of the modular home park will receive a copy of the Solicitor's letter to Raymond Martin.

The Board is of the opinion that they have given Raymond Martin of Martin's Retirement Village every opportunity to comply with their requests during the entire subdivision review and his malfunctioning on-lot sewage system. It is not the responsibility of the Township and/or its residents to maintain problems on private property. Raymond Martin has not paid his fines or pumping fees and has not made any attempt to repair or replace his malfunctioning on-lot sewage system. If his existing modular home park is threatened with closure; he should begin to take responsibility for his problems.

Michael Delong, 772 Hill Road, Blandon, PA asked the Board why it took them so long to get to this point of action for Raymond Martin and his on-lot sewage problems. The surrounding residents have been complaining about this problem since 1998. He informed the Board he replaced one contaminated well and does not want to go through that added expense again and he certainly cannot afford an attorney to sue Raymond Martin for expenses he incurred to replace his well. He asked if it is discovered that the land is contaminated, will it be removed prior to the modular homes being installed?

The Operations Director, Terry Manmiller explained that the current location of Raymond Martin's on-lot sewage system will be removed to comply with the recorded plan for the development.

Howard Young of Bedrock Stone and Stuff, informed the Board that he has hired Tony Folino – Pennaco Excavation to install a holding tank on his property. He has obtained financial backing and is in the process of resuming his operations and he is prepared to pay all outstanding fees with the Township.

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

CONTINUED MEETING

February 20, 2003 7:00 PM

The Township Solicitor informed Howard Young of Bedrock Stone and Stuff that he is in violation of the Maiden creek Subdivision and Land Development Ordinance, the Maiden creek Township Zoning Ordinance, DEP Regulations, and that Maiden creek Township does have a holding tank ordinance. Howard Young was advised to pay his outstanding fees and begin following Maiden creek Township regulations or remain closed.

EXECUTIVE SESSION 8:14 PM – 8:47 PM – Personnel – Pension

No Action.

OLD BUSINESS

Golden Drive

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing Terry Manmiller to re-test the storm water lines on Golden Drive and provide a detailed explanation of his findings. All Board members voted, “Aye.” Motion carried.

ORDINANCE 192 – Recycling Ordinance

Gloria Kemmerer made a motion, and seconded by Roy Timpe, to enact the Maiden creek Township Recycling Ordinance with the following modifications discussed:

1. Add a definition to Section 2 - Yard Brush: Yard Brush shall mean twigs, tree trimmings, and shrubbery trimmings not to exceed three inches in diameter and length not to exceed twelve feet.
2. Section 4, (b), (2) Multi-family established recycling program – remove - by calendar quarter – change to semi-annual.
3. Section 4, (b), (3a) Commercial, Institutional, and Industrial established recycling program – remove - by calendar quarter – change to semi-annual.

All Board members voted, “Aye.” Motion carried. The Solicitor added that the minor modifications will not require re-advertisement.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Solicitor to prepare Bid documents and specifications for the Township recycling program and include requests for proposals to supply the Township with recycling bins. All Board members voted, “Aye.” Motion carried. Issues to be addressed are the type of material to be recycled, the style and size bin, and delivery of the bins.

NEW BUSINESS

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Chairman to sign the Reinsel & Company, LLP engagement letter for the audit of Barbara A. Hassler, Tax Collector for Maiden creek Township for the year ending December 31, 2002, with the stipulation that wording beginning with “Additionally” included in paragraph three on page three of the engagement letter be stricken. All Board members voted, “Aye.” Motion carried.

Gloria Kemmerer questioned the Operations Director about the freestanding basketball standards that are located in the Township right-of-way. She asked that a correction to appear in the next newsletter prohibiting freestanding basketball standards in the Township right-of-way

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

CONTINUED MEETING

February 20, 2003 7:00 PM

PARK AND RECREATION - ACTION

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing Systems Design Engineering, Inc. to prepare the specifications and bid package for the walking trails in the Community Park to be advertised when the plan is finalized in March or April. All Board members voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Operations Director to purchase 6"x 6" posts for the reconstruction of Kid's Cove on the Wyatt Drive tot lot. All Board members voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, to accept the generous contribution from a local businessman to donate a sign reading "Future Home of the Maidencreek Community Park." The sign will be a 4'x 8' sheet of plywood painted and lettered that will be visible from Park Road. All Board members voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Chairman to sign the International Fireworks contract to provide the annual fireworks display on June 14, 2003 at 10:00 PM, for the amount of \$4,000.00. The fireworks display is the closing night activity for the Blandon Fire Company Carnival. All Board members voted, "Aye." Motion carried

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Operations Director to purchase playground grade wood carpet from W.D. Zwicky for \$13.00 per yard for reapplication of wood carpet, not to exceed recommended requirement for bedding, at the Blandon Fire Company Playground, Cornerstone Tot Lot, and the Tree Tops Tot Lot. All Board members voted, "Aye." Motion carried

Gloria Kemmerer made a motion, and seconded by Roy Timpe, allowing the Men's Fastpitch Softball Team to hold a tournament at the Blandon Fire Company Ball Field on July 18 & 19, 2003, charging the group a fee of \$10.00 per game and \$30.00 per game when lights are used. The Park and Recreation Board do not wish to run the concession stand during this event. All Board members voted, "Aye." Motion carried

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Park and Recreation Board to begin preparations to conduct "Community Days" in October 2003 at the Maidencreek Community Park. Local organizations will be asked to participate in the event for the community. All Board members voted, "Aye." Motion carried. Gloria Kemmerer made a motion, and seconded by Roy Timpe, to move the Community Days event to the Blandon Fire Company recreation area if the grass is not established at the Maidencreek Community Park by October 2003. All Board members voted, "Aye." Motion carried.

The Board tabled the following items until further information is obtained:

1. Installation of shredded rubber tires for the Wyatt Drive Tot Lot.
2. Installation of a split rail fence at the entrance of the Grove Road Recreation area.
3. Installation of Plexiglas on two bulletin boards at the Blandon Fire Company Ball Field.

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

CONTINUED MEETING

February 20, 2003 7:00 PM

ADDITIONAL ITEMS REQUIRING ACTION

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Chairman to sign a letter dated February 13, 2003 to the First National Bank in Fleetwood authorizing the loan payment for Lot 8 to be deducted directly from the checking account. All Board members voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Chairman and the Operations Director to sign thank you letters being sent to the Northern Berks Regional Police Department and the Blandon Fire Company for their assistance during the recent snowstorms. All Board members voted, "Aye." Motion carried. The Operations Director added a "thank you" to all the members of the road crew who did an excellent job during the recent snowstorms.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the construction of a fire proof closet in the Township Secretary's office to hold the minute books. The fireproof closet will replace the unit that holds the approved plans and plans in review. The approved plans and plans in review will be stored in a different manner. All Board members voted, "Aye." Motion carried.

Gloria Kemmerer mentioned that recent changes in Berks EIT local funds could impact the anticipated revenue for the Township.

Gloria Kemmerer made a motion to adjourn the meeting at 9:42 PM

Respectfully submitted,

Ruth M. Manmiller
Recording Secretary

CC: Board of Supervisors

Diane Hollenbach, Maiden creek Township Board of Supervisors, Secretary

Terry Manmiller, Operations Director

Eugene Orlando, 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

Maiden creek Township Authority

Robert Hobaugh, Esq., Maiden creek Township Authority Solicitor

Joann Schaeffer, Maiden creek Township Authority Secretary

Barbara Hassler, Tax Collector

Daniel Miller, Blandon Fire Co. Chief

Chief Scott W. Eaken, Northern Berks Regional Police