

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS
CONTINUED MEETING
MAY 15, 2003 7:00 PM

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

ABSENT: Robert Kopfer – Supervisor,

GUESTS: James Schoellkopf, Jr., Gloria Kline, Tina Poole, Fay Isamoyer, Cindy Stump, Ronald Kemmerer.

Roy Timpe called the May 15, 2003 Board of Supervisors continued meeting to order at 7:03 PM in the Maiden creek Township Building and asked everyone to rise for the pledge to the flag. This advertised continued meeting is being conducted to complete the Board of Supervisors unfinished business from the May 8, 2003 meeting.

OLD BUSINESS

BERKS COUNTY EMERGENCY MANAGEMENT PLAN

The Solicitor reviewed the Berks County Management Plan and discovered areas of the plan that he felt should be revised prior to the Board adopting. Additional information will be required to complete the emergency plan for Maiden creek Township. The Board agreed that they must reschedule the emergency meeting that was postponed in April. The Board asked the Operations Director to contact Chief Miller of the Blandon Fire Co. and Chief Eaken of the Northern Berks Regional Police Dept. for their availability on May 21, 2003 or May 22, 2003 at 7:00 PM. The Operations Director agreed to contact both individuals and double check on the availability of the Township meeting room. The Township Solicitor and the Board of Supervisor’s Recording Secretary were asked to attend.

BEDROCK STONE AND STUFF - BANKRUPTCY

The Solicitor advised the Board the Howard Young of Bedrock Stone and Stuff made a payment of \$5,000.00 to Maiden creek Township towards his outstanding fees. Additional information will be provided to the Board during executive session.

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS/MAIDENCREEK TOWNSHIP AUTHORITY – PLAN REVIEW AGREEMENT

An Ordinance was prepared, reviewed, and advertised for adoption at a June 2003 meeting that outlines a plan review process between Maiden creek Township Board of Supervisors and Maiden creek Township Authority. A public hearing will be conducted June 19, 8:00 PM.

CODIFICATION OF RESOLUTION AND ORDINANCES

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Township Secretary to obtain estimates for the codification of Maiden creek Township Resolutions and Ordinances. All Board members present voted, “Aye.” Motion carried.

RECREATIONAL ORDINANCE

The Solicitor was instructed at the May 8, 2003 Board of Supervisors meeting to prepare a Recreational Ordinance that would restrict the use of portable basketball nets and hockey nets on township roads, and restrict motorized sports vehicles in the open space areas, the playgrounds, and the

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Community Park. Gloria Kemmerer asked the Solicitor to include curfew hours for the open space areas, the playgrounds, and the Community Park when preparing the Recreation Ordinance.

NEW BUSINESS

ZIMMERMAN CONCENTRATED POULTRY FARMING

Gloria Kemmerer asked the Solicitor if it was necessary for Mr. Zimmerman to file a land development plan for the construction of his poultry buildings. (Mr. Zimmerman's variance was granted allowing him to conduct concentrated poultry farming on his property.) She stressed that she is not attempting to delay his project or cost him additional expense. She merely wants to be assured that he has the appropriate permits and that construction of additional buildings on his property will not result in contamination of a nearby creek. Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Code Enforcement Officer to contact Mr. Zimmerman to request documentation of permits for his concentrated poultry operation. All Board members present voted, "Aye." Motion carried. The Solicitor informed the Board members that the manner in which the subdivision ordinance is written Mr. Zimmerman is not required to submit a land development plan for his concentrated poultry farming.

ONTELAUNEE HEIGHTS – OPEN SPACE

Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Code Enforcement Officer to send notification letters to Ontelaunee Heights property owners that border the Ontelaunee Heights open space informing them to remove any structures or gardens they might have in the Township open space, and to cease dumping grass clippings in the Township open space. The Ontelaunee Heights residents will be afforded the same amount of days to remove their personal property from the open space that the residents in Limestone received. All Board members present voted, "Aye." Motion carried.

DRIES ROAD AND ALLENTOWN PIKE (RT 222)

Roy Timpe reported that Chief Eaken discussed a fatal accident that occurred at the intersection of Dries Road and the Allentown Pike during a recent Northern Berks Regional Police Commission meeting. Chief Eaken suggested that the Maiden Creek Township Board of Supervisors and Ontelaunee Township Board Supervisors consider to restricting left turns and cross over traffic from Dries Road on both sides of the Allentown Pike. Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Township Secretary to inquire about the possible intersection restrictions with Penn Dot and the Township Engineer. The Board was advised that a traffic study might be required for change this intersection. All Board members present voted, "Aye." Motion carried.

RADAR BILL

Roy Timpe and Gloria Kemmerer reported that Chief Eaken asked all three governing bodies involved with the Northern Berks Regional Police Department to notify their representatives in support of the modified Radar Bill that Representative Dennis Leh will introduce in Harrisburg. Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Township Secretary to prepare a letter to be sent to Representative Argall and Senator Rhoads stating the following, " be it resolved that the Maiden Creek Township Board of Supervisors at a public meeting on May 15, 2003 passed the resolution memorializing that Representative David Argall and Senator James Rhoads exert what ever influence necessary to assist in the passage of the Radar Bill that will be introduced in Harrisburg by Representative Dennis Leh." The Board added that they wanted to include in the letter that the use of

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radar would greatly assist the local police with speed enforcement. The Board of Supervisors will sign the letter. All Board members present voted, "Aye." Motion carried.

TOWNSHIP EXPENDITURES

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Township Secretary to investigate the applications for a no-fee credit card for the Maiden creek Township Board of Supervisors with a balance limit of \$1,000.00. All Board members present voted, "Aye." Motion carried. The attending Board members felt it was not in the Township's best interest to allow the office staff to use their personal credit cards to purchased items for the Township.

COMMUNITY PARK – FERTILIZE 17.26 acres

Two estimates were obtained:

Tru Green Chem Lawn - \$1,208.20

Reading Bone - \$918.23

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Operations Director to Notify Reading Bone to fertilize the Community Park per their estimate of \$918.00. All Board members present voted, "Aye." Motion carried.

PARK AND RECREATION

YMCA 2003 AGREEMENT

Gloria Kemmerer made a motion, and seconded by Roy Timpe, to enter into an agreement with YMCA to manage playground operations at the Blandon Fire Company Park in 2003. All Board members present voted, "Aye." Motion carried. Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Chairman to sign the 2003 YMCA Playground Agreement. All Board members present voted, "Aye." Motion carried.

TRASHCANS

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Operations Director to install three trashcans in the Community Park. All Board members present voted, "Aye." Motion carried.

BALLFIELDS

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing Ed Kopicki to begin the bid process for the proposed baseball fields in the Community Park. All Board members present voted, "Aye." Motion carried.

RECYCLING

Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Township Secretary/Treasure to contract with BCIU to invoice Maiden creek Township property owners \$55.00

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for the first year of recycling. All Board members present voted, "Aye." Motion carried. The Board felt that they could not make special considerations when bill the property owners.

MOLLTOWN BUILDING

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Operations Director to use "Light Stone" siding and "Weathered Wood" shingles to complete the Molltown Building located along Maiden Creek Road. All Board members present voted, "Aye." Motion carried.

MISCELLANEOUS ACTION:

Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the reimbursement of \$35.00 to Gloria Kemmerer for her registration fee to attend a Labor and Employment Seminar sponsored by the Center for Community Leadership on May 28, 2003. All Board members present voted, "Aye." Motion carried.

Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Operations Manager to attend a PASATS (Pennsylvania State Association Township Supervisors) 2003 Asphalt Updates. All Board members present voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, and seconded by Roy Timpe, authorizing the Operations Director to order three "Watch Children Signs" and then install one sign on Hoch Road, one sign Golden Drive, and one sign on Walnut Tree Drive in the area to the townhouses. All Board members present voted, "Aye." Motion carried.

The Board will not install "No parking on Grass signs" for a resident that lives across from the Cornerstone Play Lot. The resident stated that people visiting the play lot park on her grass.

The Board requested additional information before they will decide on the Tax Collector's request to increase the certification fee.

Bell Hardware received the bid for the Township Recycling Bins. They inquired if 3000 bins would be enough and asked the Board if they wished to increase the total amount of bins ordered. The Board felt confident that 3000 bins would be sufficient to supply the Township.

EXECUTIVE SESSION 9:10 PM –9:55 PM

The Board of Supervisors discussed Martin litigation, Bedrock litigation, Golden Manor III litigation, and personnel. The following three motions are a result of the executive session:

1. Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Solicitor to sue Raymond Martin to recoup outstanding Township fees. All Board members present voted, "Aye." Motion carried.
2. Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Solicitor to prepare a notification letter for all residents and/or property owners of Park Place of their voluntary compliance to join the Park Place Homeowners Association. All Board members present voted, "Aye." Motion carried.

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3. Roy Timpe made a motion, and seconded by Gloria Kemmerer, authorizing the Code Enforcement Officer and the Township Engineer to inspect the Bedrock Stone and Stuff property to be sure that the physical condition complies with the final plan dated October 2002. The Code Enforcement Officer and the Township Engineer was instructed to forward their findings to the Maiden creek Township Planning Commission. All Board members present voted, "Aye." Motion carried.

Gloria Kemmerer made a motion, and seconded by Roy Timpe to adjourn the meeting at 10:08 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

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