

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING
APRIL 4, 2002 8:00 PM

PRESENT: Roy Timpe – Supervisor, Robert Kopfer – Supervisor, Gloria Kemmerer – Supervisor, Chad Lubas – Solicitor, and Ruth Manmiller – Recording Secretary.

GUESTS: Gloria Kline, Russell Kline, Tina Poole, Raymond Martin, Cindy Stump, David Stump, Krista Timpe, Nick Timpe, Kiersten Timpe, Diane Hollenbach, Keith Shuman, Patrick Harken, Richard Thren.

Roy Timpe called the April 4, 2002 Special Meeting to order at 8:00 PM. Roy Timpe proceeded to familiarize the guests with outstanding on-lot sewage issues and the Land Development Plan for Martin Retirement Village. The Board of Supervisors issued an ultimatum on 2/14/02 to Raymond Martin to complete the following by 3/14/02 or the Board would seek an injunction to cease all operations in the existing mobile home park:

1. Provide Maidencreek Township Authority with two (2) Letters of Credit by 3/14/02.
2. Provide payment of \$4,537.44 for review fees to Maidencreek Township Board of Supervisors, prior to the release of approved plans.
3. Provide payment of \$5,000.00 for pumping (current and future) of his on-lot-sewage system to Maidencreek Township Board of Supervisors prior to the release of approved plans.
4. Agree to sign the Martin Retirement Village Improvement Agreements that will include a Construction Schedule.
5. Agree to include in the Martin Retirement Village Improvement Agreement Construction Schedule, that upon construction commencing a (5) five-month time frame is imposed to connect existing units to the public sewage system.
6. 100% reimbursement of SEO costs incurred by Maidencreek Township Board of Supervisors to be paid prior to release of recorded plans. Motion carried.

At the March 14, 2002 Board of Supervisors meeting Raymond Martin informed the Board that his bank would be conducting a board meeting 3/15/02 to hopefully approve his two (2) Letters of Credit for the Authority and cash payment for his outstanding fees. In good faith, the Board once again gave Raymond Martin another chance to complete all requirements by 3/20/02. The Solicitor was instructed to keep the Board informed of Raymond Martin's progress to complete required items. The Board has not received confirmation of any kind that the Letters of Credit are forthcoming, or that cash payment has been approved for Martin's outstanding fees. The Board received a construction schedule, however the details were vague and they have requested a detailed construction schedule.

The Solicitor provided DRAFT copies of the two (2) Letters of Credit that were approved 3/15/02.

Raymond Martin stated that throughout the lengthy review he has attempted to adhere to all the demands that the Maidencreek Township Board of Supervisors and the Maidencreek Authority have imposed. However, it seems that the rules are constantly changing, making final plan approval, on-lot sewage repairs or replacement and construction of Phase II impossible.

Gloria Kemmerer reminded Raymond Martin of the numerous times both Boards have allowed him additional leave-way to achieve final approval and repair or replace his on-lot sewage system. Allowing additional time has only proved to increase outstanding fees for both Boards. Final figures submitted by the Authority is \$81,218.29 and the Township is \$28,339.70.

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Robert Kopfer stated that part of the increase in the Township fee is a result of including the Park and Recreation fees. The Board agreed that the \$12,000.00 Park and Recreation fee would not have to be paid until Phase II becomes a reality. The Park and Recreation fee will be assessed on a per lot basis and paid prior to the Zoning Officer issuing a building permit.

Roy Timpe made a motion, seconded by Gloria Kemmerer authorizing the Solicitor to follow through with the Martin Retirement Village injunction if the 2/14/02 ultimatum is not adhered to by 4/8/02, and any fees the Solicitor incurs will be added to Martin's outstanding balance. The Board reaffirmed the outstanding issues: two (2) Letters of Credit for the Authority, a detailed Construction Schedule and assured payment of outstanding fees outlined in the Solicitor's letter. All Board members voted, "Aye".

The Special Meeting was adjourned at 8:52 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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