

MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS

DECEMBER 12, 2003

7:00 PM

PRESENT: Roy Timpe – Supervisor, Robert Kopfer – Supervisor, Gloria Kemmerer – Supervisor, Bruce Heilman – Township Engineer, Eugene Orlando-Township Solicitor, Terry Manmiller-Operations Director, and Ruth Manmiller – Recording Secretary.

GUESTS: Tyler Greth, J.D. Krafczek, David Carroll, David Jensen, Jordan Jensen, Robert Hanna, Michael Adams, Walter Greth, Mary Dymeck, Donald Greth, Matthew Midouhus, Rea Gehret, Jeff Biehn, Lester Moore, Tina Poole, Gloria Kline, Scott Miller, Chris Bradley, Larry Kunkel, Peter Giorgi, Fred Giorgi, Gary Kutz, Sherlyn Kutz, Dan Miller- Dunkin Donuts/Baskin Robbins, Diane Hollenbach, Ronald Kemmerer, Harold Burgert, and the Reading Eagle reporter.

BOARD OF SUPERVISORS MEETING

Roy Timpe called the November 13, 2003 Board of Supervisors meeting to order at 7:00 PM and asked everyone to rise for the Pledge of Allegiance to the Flag.

POLICE REPORT

Officer Charles Hobart read the November 2003 Northern Berks Regional Police Activity Report:

	Maidencreek	Ontelaunee	Leesport	Totals
Patrol Hours	603.25	404.5	325.25	1333
Administration Patrol Hours	86.55	67.1	40.85	194.5
Total Patrol Hours	689.8	471.6	366.1	1527.5
Fuel				1044.8
Mileage	6118.87	4230.27	2110.86	12460
			Admin.	
Assignments	241	181	90	30
Citations	107	110	66	283
Fines Collected	\$2,865.34	\$2,534.57	\$1,953.82	\$7,353.73

Officer Hobart was informed of the following police related information and concerns:

1. **Harold Burgert, 331 East Wesner Road, Blandon, PA**, wanted the Police to be aware of the numerous Stop sign violations that occur at the intersection of Hoch Road and East Wesner Road.
2. A resident reported that an increasing number of vehicles are being driven in the center lane on the Allentown Pike (Rt. 222) to pass rather than to make turns. She asked for police presence in the area of the Allentown Pike, Genesis Drive & Tamarack Boulevard intersection where passing in the center lane is very common.

Officer Hobart advised the public to be vigilant in their neighborhoods during the Holiday Season.

ANNOUNCEMENTS

Senator Rhoades will be visiting the Township Building on December 16th from 10 AM to 12 PM. The public is welcome to stop by and meet the Senator.

The Planning Commission will meet on December 17, at 7:30 pm. This is one week earlier than usual due to the Christmas holiday.

The Board of Supervisors will meet December 18th at 7:00 pm to adopt the 2004 budget and take care of any unfinished business from 12/11/03 meeting.

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ANNOUNCEMENTS, cont.

The Zoning Hearing Board will meet on December 22, 2003 to review a request for a special exception from DiGiorgio Mushroom and a request for a special exception and variance from Greth Construction. The public is welcome to attend.

The annual Reorganization meeting will be held January 5, 2003 at 7:00 pm. The regular meeting will follow.

PUBLIC COMMENT

Larry Kunkel, Lake Shore Drive, Fleetwood, PA, asked the Board the progress of the dumpster ordinance. He stated that his property constantly has trash, rodents, and odor because a commercial dumpster lid is not kept closed. He feels that guidelines (adopted ordinance) should be in place to control the maintenance of commercial dumpsters.

Lester Moore, 343 Cassidy Court, Blandon, PA reported to the Board that the recent storm water improvements stopped the flooding of his yard and basement. He will continue to monitor the problem.

APPROVAL OF THE MINUTES

Gloria Kemmerer made a motion, and seconded by Robert Kopfer, to approve the **November 13, 2003** Board of Supervisors Meeting minutes. All Board members present voted, "Aye." Motion carried.

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, to approve the **November 20, 2003** Board of Supervisors Special Meeting minutes. All Board members present voted, "Aye." Motion carried.

ENGINEER'S REPORT

VILLAGE AT SUMMIT CREST (Martin Retirement Village)

The developer for Village at Summit Crest requested the following construction changes that will result in a modification of the approved plan:

1. Rename Retirement Drive to Allison Drive.
2. Add a variety to the screen plantings that will meet subdivision regulations and the approval of the adjoining neighbors. Plantings screen to be installed within a specified time frame.
3. Place the modular units on piers instead of slabs with approval by the Township's code enforcement officer.
4. Change the proposed vertical curbing to slant curbing.

The developer agreed to revise and submit a revised final plan to the Board of Supervisors for approval as per the 12/5/03 Systems Design Engineering, Inc letter and will include a formal request to change the installation of the modular homes from slabs to piers as per BOCA codes.

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, authorizing the Building Inspector to issue a temporary building permit to Bradley Management Group to install a sales office at Villages at Summit Crest (Martin Retirement Village). The sales trailer must be removed by 5/31/04. All Board members voted, "Aye." Motion carried.

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YOUR CHILDREN FIRST DAYCARE, Preliminary Plan

Gloria Kemmerer made motion, and seconded by Robert Kopfer, approving Your Children First Daycare, Preliminary plan as per conditions of the 12/5/03 Systems Design Engineering, Inc letter:

1. Section 1310.F, Glare & Heat – Receipt of lighting plan review from Stan Stubbe.
2. A note on the plan indicating that the proposed landscaping be installed by 6/1/2004.
3. The applicant is to receive the new list of screening plants.

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

GIORGIO ZONING MAP AMENDMENT REQUEST

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, to begin the process for a zoning map amendment as requested by Giorgio to change the current zoning of their property of SIA (Special Intensified Agriculture) and Industrial to all SIA (Special Intensified Agriculture). All Board members voted, “Aye.” Motion carried. Gloria Kemmerer made a motion, and seconded by Robert Kopfer, to schedule a public hearing for the zoning map amendment on 2/12/04 at 7:00 PM. All Board members voted, “Aye.” Motion carried.

DUNKIN DONUTS/BASKEN & ROBBINS

FORMER LEESPORT BANK, ALLENTOWN PIKE, BLANDON

Gloria Kemmerer made a motion, and seconded by Robert Kopfer, instructing the developer for Dunkin Donuts/Baskin & Robbins to submit a final plan for review. All Board members present voted, “Aye.” Motion carried. The Board was in agreement that the Dunkin Donuts/Baskin & Robbins developer should submit a final plan, rather than a land development plan because of several outstanding issues that must be addressed. If the developer would proceed with only a building permit, the outstanding issues would not be resolved. The Dunkin Donuts/Baskin & Robbins developer was instructed to complete a final plan application, submit final plans for review by the Planning Commission and the Board of Supervisors, and receive final plan approval from the Maiden Creek Township Authority.

D & G RESTAURANT

PARK ROAD, BLANDON

Walter Greth developer representing the new owner of the former D & G Restaurant located along Park Road, Blandon, asked the Board to waive the land development requirements for this property. He explained that the trailer addition will be removed and the existing building will be demolished for the new owner to build a restaurant that will have less square footage than the existing building. Robert Kopfer made a motion, and seconded by Gloria Kemmerer, to waive the land development requirements for the D&G Restaurant project and advised the developer to proceed in obtaining a building permit. All Board members present voted, “Aye.” Motion carried.

COMMUNITY PARK BALL FIELDS

The Engineer reported that the ball field project is completed and requested payment for application # 1 for \$37,240.00 with a 5% retainage held. Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the payment of Application #1 in the amount of \$37,240.00 to J. Margerison Landscaping, Inc. for the installation of the Community Park ball fields. All Board members voted, “Aye.” Motion carried.

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ACT 537, Phase 2

Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the Township Engineer to forward a copy of the Act 537, Phase 2 plan to Berks County Planning commission and adjoining municipalities. All Board members voted, "Aye." Motion carried.

SUBDIVISION IMPROVEMENTS AGREEMENTS LOC/ESCROW RELEASE LETTERS

Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the Chairman to sign the Subdivision Improvement Letters of Credit in the amount of \$394,834.68. All Board members present voted, "Aye." Motion carried.

DEVELOPMENT/CONSTRUCTION STATUS REPORT

A Development and Construction Status Report was provided for the Board to review.

SEWAGE ENFORCEMENT ACTIVITY REPORT

A Sewage Enforcement Activity Report was provided to the Board for review.

Martin Retirement Village –

1. Public sewer connections are completed.
2. The Board authorized the Township Secretary to collect any outstanding bills for the Martin Retirement Village because settlement with the new owner is scheduled for 12/17/03.
3. The Zoning Officer will contact DEP relative to the removal of any contaminated soil

MOBILE COFFEE STATION

Michael Adams would like to start a small business venture of selling coffee from a mobile concession stand along Park Road. The unit is mobile however he would like to make modifications to a commercial lot to accommodate the mobile coffee unit. The Board asked Michael Adams to allow them time to research his request because they have no guidelines for this new business venture

OPERATION DIRECTOR'S REPORT

Copies of the Operation Director's Report are available on the receptionist's counter. The following action was taken as per requested by the Operations Director:

Gloria Kemmerer made a motion, and seconded by Robert Kopfer, authorizing the Township Secretary to send a thank you letter to Mr. Nye for contributing his time and efforts to spread mulch on the Maiden creek Estates Island. All Board members present voted, "Aye." Motion carried.

SOLICITOR'S REPORT

The Township Solicitor commented that the Board's actions taken on commercial project this evening were discriminatory and they should be compelled to follow subdivision regulations.

The Solicitor noted that he is working on the following subjects:

1. Maiden creek Township is part of a lawsuit pertaining to boundary lines in the Golden Manor development. He advised the Township Secretary to forward the paperwork to the Township insurance carrier.
2. The 12/18/03 township meeting should complete the Police Pension Trust Agreement.

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SOLICITOR’S REPORT, cont.

3. When he receives the modified Agriculture Security map, he will record the ordinance and map together.
4. Results of the trespassing notices (The Operations Director stated that the trespassing issue was resolved and everyone was notified via an email from the Township Secretary).

EXECUTIVE SESSION 9:55 PM TO 10:55 PM

The Supervisors and Solicitor discussed personnel issues and pending litigation during executive session. The following action is a result of the executive session:

Roy Timpe made a motion, and seconded by Robert Kopfer, authorizing the Township Solicitor to send a letter to the Maiden creek Township Zoning Hearing Board indicating that the Supervisors are in favor of allowing an assisted living facility in an industrial zone but oppose granting a variance in regards to parking spaces. All Board members present voted, “Aye.” Motion carried.

TREASURER’S REPORT

Robert Kopfer made a motion, and seconded by Gloria Kemmerer, to approve the November 2003 Treasurer’s report. All Board members present voted, “Aye.” Motion carried.

Checking Account	\$ 5,579.38
Payroll Checking	\$ 914.98
Money Market	\$241,358.04
On Lot Sewage	\$ 13,170.95
Petty Cash	\$ 69.37

Copies of the Treasurer’s report are on the receptionist’s counter for review.

Robert Kopfer made a motion, and seconded by Gloria Kemmerer to adjourn the December 11, 2003 Board of Supervisors meeting at 11:00 PM. A second Board of Supervisors meeting will be conduct on December 18, 2003 to address any un-finished business. All Board members present voted, “Aye.” Motion carried.

Respectfully Submitted,

Ruth M. Manmiller
Recording Secretary

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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