Maidencreek Township Board of Supervisors
December 13, 2018

Attending: Claude Beaver, Joseph Rudderow III, Heidi Fiedler, Eugene Orlando, Jr. – Orlando Law Office, Tom Unger – Systems Design Engineering, Diane Hollenbach – Manager

Guests: Francis Scott, Richard Wick, Ryan Crampsie, Jim Schoellkopf Jr., Dan Miller Sr.,

Claude Beaver called the December 13, 2018 meeting of the Board of Supervisors to order at 7:00 p.m. in the Maidencreek Township Building, 1 Quarry Road, Blandon and asked everyone to rise for the Pledge to the Flag.

MINUTES & FINANCES

A motion was made by Heidi Fiedler to waive the reading of the minutes and approve the minutes for the November 8, 2018 meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Heidi Fiedler to waive the reading of the minutes and approve the minutes for the November 29, 2018 meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Treasurer's Report and Bill List

A motion was made by Heidi Fiedler to approve the November 2018 Treasurer's Report and Bill List. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Ryan Crampsie, 312 Sofia Blvd, Blandon – questioned when the roads were dedicated in the Melrose Place Subdivision; the Township's policy on basketball standards in the street and the responsibility and liability of the Home Owners Association for the storm water detention pond. Claude Beaver explained that the roads in the Melrose Place subdivision were dedicated in October and basketball standards in the street would be removed after notice was given to the property owner if the property owner did not remove the basketball standard from the street themselves. The Township Solicitor, Gene Orlando, encouraged residents to participate in the Homeowners Association. Each property owner in Melrose Place will be responsible for the storm water detention basin as a part of the Home Owners Association.

REPORTS

ENGINEER'S REPORT – Tom Unger, P.E., Systems Design Engineering, Inc.
Maidencreek Township Lake Ontelaunee TMDL Plan and Willow Creek Pollution Reduction Plan – Mark Kitzmiller of Systems Design Engineering, Inc. presented the revised Lake Ontelaunee TMDL Plan and Willow Creek PRP. Mr. Kitzmiller and Mrs. Hollenbach met with the Pennsylvania Department of Environmental Protection in Harrisburg. The meeting went well and PA DEP has a better understanding of the Township's plan.

Lake Ontelaunee TMDL – The EPA established limits in Lake Ontelaunee in 2004 for sediment and phosphorus. The Township urbanized area is a very small area of contribution to the Lake. The Township's plan calls for education on things like cover crops and outreach of landowners in the drainage area which encompasses Orchard Road and Calcium Road. The PA DEP asked for additional calculations, which were completed and included in the plan. Joseph Rudderow III asked if the landowner is involved in the plan and what happens if the landowner does not cooperate. Mark Kitzmiller answered that the Township is the permittee and would have to report in its annual report what efforts it made and the result. Mr. Kitzmiller added that most farmers should have a conservation plan on file.

Willow Creek Pollutant Reduction Plan – The Willow Creek between Route 73 and Schaeffer Road has been designated as needing a PRP for phosphorus which is from an industrial point source. The Township has already installed a great Best Management Practice (BMP) with the tree buffer. Mr. Kitzmiller and Mrs. Hollenbach made their case to the PA DEP that the Township should not be penalized for taking action early. This planting takes care of phosphorus reduction for the entire five-year permit term. Joseph Rudderow III asked from where the phosphorus was coming. Since the closest upstream industrial discharge is the Fleetwood Waste Water Treatment Plant, it is uncertain if there really are industrial point source pollutants or if the PA DEP mapping is incorrect and the area should be between Route 73 and Route 222 below the industrial park. Regardless, PA DEP will not modify the map and the Township must create their plan for the area specified. Heidi Fiedler asked if there is anything the Business Park at Maidencreek needs to do in regards to the PRP Plan. Mr. Kitzmiller stated that they are installing BMPs on their property and the outfall will be inspected as part of the Township's MS4 outfall system.

A motion was made by Heidi Fiedler to authorize the advertisement of the Maidencreek Township Lake Ontelaunee TMDL Plan and Willow Creek Pollution Reduction Plan for the thirty-day comment period. Joseph Rudderow III seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Letter of Credit/Escrow Release Letters

A motion was made by Heidi Fiedler to authorize the Chairman to sign the Letter of Credit release letters for Melrose Place in the amount of $1,671.90. Joseph Rudderow III seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Schaeffer Road Bridge Update – Tom Unger reported that the beams were set and the contractor is placing rebar. The deck is slated to be poured in the next week and has a three-week cure time. Paving of the roadway must wait for spring.

SOLICITOR'S REPORT – Eugene Orlando, Jr.

12 Chestnut Street Storm Water Easement – A temporary construction easement had been requested from the property owner of 12 Chestnut Street in order to vacuum an underground storm water channel in May of 2014. The property owner has reinitiated the discussion by having his attorney contact Mr. Orlando. Mr. Orlando spoke with attorney Valeriano and sent suggested language for the easement.

269 Spirit Court, Blandon – A notice of violation was issued by the zoning officer to the property upon consultation with the solicitor. The landowner has retained a lawyer and will withdraw the property maintenance appeal. An executive session is needed for litigation.

Berkshire Builders DIA – Mr. Orlando presented the Developer's Improvement Agreement for signature. The letter of credit is needed.

A motion was made by Joseph Rudderow III to authorize the Board of Supervisors to sign the Developer's Improvement Agreement and Stormwater Management Agreement for Berkshire Builders Warehouse Plan and have the Township Manager hold the agreements until all plan requirements are met. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

GSP Properties Land Development Plan – Mr. Orlando prepared the Easement Agreement, Storm Water Management and Developer's Improvement Agreement for the Office Park at Maidencreek Land Development Plan. The Developer's Improvement Agreement and Stormwater Management Agreement were sent to the developer for signature.

A motion was made by Joseph Rudderow III to authorize the chairman to sign the Easement Agreement with GSP Properties for the Office Park at Maidencreek and have the Township Manager hold the agreement until all other plan conditions are met. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Lehigh Cement Assessment Appeal

A motion was made by Heidi Fiedler to not authorize the Township Solicitor to participate in the Lehigh Cement Assessment Appeal. Joseph Rudderow III seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

232 W Walnut Tree Drive – The District Justice's judgement was appealed, and the Township filed the required complaint with the court hearing the appeal. One of the homeowners has filed Chapter 7 bankruptcy. An executive session is required for litigation.

Penn DOT Maintenance Agreement – Diane Hollenbach reported that she had been in attendance at a utility meeting for the Rt 222 Round About Project. The Maintenance Agreement is still with Penn DOT counsel for review. The project is scheduled to be let July 2019 and completed

by December 31, 2021. Some utility work will be started April of 2019 and structures needing demolition may be demolished in advance of the let date. Real Estate acquisition is ongoing.

Executive Session for litigation from 8:07 p.m. to 8:32 p.m.

MANAGER'S REPORT – Diane Hollenbach
Diane Hollenbach updated the Board on ongoing property maintenance complaints at 320 Main Street.

Calcium Road/Maidencreek Road Intersection - Penn DOT will be installing an additional stop sign; right turns keep moving on Maidencreek Road as it approaches Calcium Road from Route 73. The Board asked the Manager to send Stanley Bean a letter informing him of the change, since Mr. Bean had attended a meeting to express his concerns.

BUSINESS
Park and Recreation Board Resignation

A motion was made by Heidi Fiedler to accept Kevin Dunn's resignation from the Park and Recreation Board. Joseph Rudderow III seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Park and Recreation Annual Report

A motion was made by Heidi Fiedler to accept the Park and Recreation 2018 Annual Report. Joseph Rudderow III seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Property Maintenance Appeal Board – Tabled.

Claude Beaver reminded everyone of the special meeting on December 20th at 7 p.m. to adopt the 2019 budget.

A motion was made by Joseph Rudderow III, seconded by Heidi Fiedler, to adjourn the December 13, 2018 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 8:40 p.m.

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Diane Hollenbach, Township Manager/Secretary/Treasurer