Maidencreek Township Board of Supervisors
June 11, 2020

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

Guests: Keith Shuman,
via Zoom – Jim Schoellkopf, Jr., Heather Schoener, Eric Bauman, Donna Culp, Brian Wise, Katelyn Gruber, Debbie Didyoung, Steve Lutz, Jim Holmgren, Gary Hadden, Rich Wick, Brenda Eaken, Ruth Manmiller

Heidi Fiedler called the June 11, 2020 regular meeting of the Board of Supervisors to order at 7:02 p.m. in the Maidencreek Township Building, 1 Quarry Road, Blandon and asked everyone to rise for the Pledge to the Flag.

## MINUTES & FINANCES

**Minutes**

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the May 14, 2020 regular meeting. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Treasurer's Report and Bill List**

A motion was made by David Franke to approve the May 2020 Treasurer's Report and Bill List. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to accept the 2019 audit. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

## PUBLIC COMMENT

Dave Brown of Ridge Road submitted a written comment with concerns about the recent arson on Ridge Road and the drug use and other activities that occur on the West Shore Drive Bridge. Heidi Fiedler stated that she submitted Mr. Brown's letter to the police chief. Claude Beaver encouraged anyone who sees any suspicious activity to report it to the police.

## ENGINEER

**Land Development Plans** – Mr. Unger told the Board that the Planning Commission is reviewing three plans: Jojaz Land Development Plan, Kopfer Subdivision Plan and Redners Quick Shop and Car Wash Land Development Plan. No action was required by the Supervisors at this time. Supervisor Fiedler commented that quite a few approvals are needed by each applicant to move forward. Mr. Unger will have a staff meeting with Redner's and Jojaz to discuss storm water. The Kopfer plan's biggest issue is to identify the nitrate plume.

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**2020 Road Bids**

A motion was made by Claude Beaver to authorize the Township Manager to sign the 2020 Road Bids and authorize the Engineer to issue the Notice to Proceed. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

**Escrow and Letter of Credit Releases**

A motion was made by Claude Beaver to authorize the manager to sign the GSP Properties Letter of Credit/ Escrow Release Letter for $417.55. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

SOLICITOR

**Maidencreek Township Authority** - Mr. Orlando reported that the ordinance amending the Maidencreek Township Authority's Articles of Incorporation needs to be written in the codification format. The Board will review this in July and plans to schedule a public hearing on the ordinance in August.

MANAGER

Diane Hollenbach updated the Supervisors on an email received in regards to the Township Burning Ordinance. A member of the Planning Commission is preparing a revision for discussion. Also, the railroad crossing on Chestnut Street and West Wesner will be closed for repair the week of June 15th. An executive was needed to schedule and discuss the upcoming labor union negotiation.

**Cooperation Resolution with Fleetwood Borough**

A motion was made by Claude Beaver authorizing the Township Solicitor to prepare an Intergovernmental Cooperation Agreement Resolution between Fleetwood Borough and Maidencreek Township. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

**Patching of Ridge Road and Koller Road**

A motion was made by David Franke authorizing $15,000 for paving six-foot widths along the edges of Ridge Road and Koller Road as presented by Keith Shuman with the work to be done with the drop box. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

BUSINESS

**Friend Inc.** – Mrs. Hollenbach gave a brief overview of the Friend Inc. organization. Maidencreek Township residents may use Friend Inc.'s services which include a food pantry, budget counseling, financial crisis intervention and referrals to other services available

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throughout Berks county. The Board asked that a link to the Friend Inc. website be placed on the Township webpage.

**Reopening of Township Building** – The Board agreed to wait to reopen the Township Building until Berks County moves to the green phase.

**MS4 Presentation**

1. Maidencreek Township's 2018 -2019 report was accepted and deemed complete by the PA Department of Environmental Protection on June 9, 2020.
2. Outfall cleaning and inspection has been completed for this report year.
3. We have reviewed the Public Education and Outreach Plan and Public Involvement and Participation Plan and find them adequate. We will not be able to hand out information at National Night Out since it was cancelled due to Covid 19 restrictions. Hopefully, we will have Safe Halloween.
4. The Township is participating in an Eagle Scout project at Andrew Maier Elementary. The following MS4 activities will be implemented: pollinator garden, no mow area with tree planting by the stream, installation of a water monitoring station, detention basin conversion to a moist meadow with native vegetation, planting wildflowers along the guiderail, installing bird feeders, tree planting along the Authority and School shared boundary, and invasive species removal. The Township will deliver materials to the site for the volunteers to install.

**Questions on MS4 Activities:**

**Steve Lutz, East Wesner Road, Blandon** asked the Township to clean out the drainage swale on his property. The silt is deep enough to require heavy equipment. Mr. Lutz felt that is was unfair to expect him to maintain the swale due to the fact that the storm water comes from a one hundred plus homes subdivision where storm water drains through two twenty-four-inch pipes that cross East Wesner Road and dump onto his property. Heidi Fiedler proposed getting an easement from Mr. Lutz because this has a negative impact on the downstream property and the Willow Creek at the West Walnut Tree Drive bridge. Claude Beaver stated that the Township does not work on private property and use tax payer's money for it. David Franke asked the solicitor if the Township did this work, would we be responsible to clean all other private property drainage. Mr. Orlando stated that not with a temporary construction easement that defined the scope of work and was specific to this situation. He suggested that Tom Unger review the plan notes because sometimes the plans addressed responsibility and liability.

David Franke made a motion authorizing the Township Engineer to investigate the drainage issue on East Wesner Road at the Steve Lutz property. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

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**Public Comment via Zoom**

**Brenda Eaken, 62 Berk Road, Shoemakersville** asked what was being done about the police budget and asked if Maidencreek Township was holding it up. David Franke responded that the police do not have a 2020 budget yet. Heidi Fiedler responded that they are operating off of the 2019 budget.

**Rosanne and Robert Mitchell, 216 Anna Avenue, Blandon** complained about burning in their residential neighborhood. They were advised to call 911 when they witnessed burning that was in violation of the burning ordinance and have done so. The neighbor relit the fire once police and the fire company departed. The Township Manager will check into the call and the Planning Commission is working on revising the Burning Ordinance. The Mitchells felt only gas fire pits should be allowed. They also provided information on the effect burning and smoke inhalation on people's immune system fighting off Covid 19.

**Heather Schoener, 431 Acer Drive, Blandon** was concerned about the police budget.

Executive Session was held from 7:55 p.m. until 9:45 p.m. to discuss litigation, acquisition of real estate and personnel.

**Acquisition of Real Estate**

A motion was made by David Franke to authorize the Township Manager to send a letter exercising Maidencreek Township's right of first refusal for .18 acres of land. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Northern Berks Regional Police**

Taking into consideration the current circumstances we are faced with due to Covid 19 and the fact that a budget for 2020 has not yet been adopted by the Northern Berks Regional Police Commission, a motion was made by David Franke for the Police Commission representative to adopt a budget adjusted for changes already under consideration for example the retirement of a sergeant and the fact that the two new officers have not been hired as proposed and any other items that have changed.

Discussion on the motion:
Heidi Fiedler asked that the Township Manager quantify the different items for the budget. David Franke stated that there was time to talk about this again because the police meeting would be held after the July Township meeting but we are looking at passing a budget at that next Police Commission meeting. Heidi Fiedler asked if Mr. Franke would amend his motion to authorize the Township Manager to review the 2020 budget and make adjustments for considerations such as the retirement of Sgt. Mohl and non-hiring of police officers and other issues relating to the Covid 19 pandemic and the economic issues facing the municipalities.

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David Franke amended his motion to authorize the Township Manager to review the 2020 budget and make adjustments for considerations such as the retirement of Sgt. Mohl and non-hiring of police officers and other issues relating to the Covid 19 pandemic and the economic issues facing the municipalities. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to send a thank you letter to Sgt. Ron Mohl and Officer Michael Cardona congratulating them on their retirements. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

**Public Comment Received via Text**

**Gary Hadden, 295 Ida Red Drive, Ontelaunee Township** wrote, "You cannot talk about budget or anything about money issues in executive session. That is not allowed. I'll let everyone know what your doing is not right."

Diane Hollenbach clarified that the Board was talking about litigation and litigation in regards to the police budget.

A motion was made by David Franke, seconded by Claude Beaver, to adjourn the June 11, 2020 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:50 p.m.

Note: After the meeting adjourned further text messages were received from Gary Hadden which have been preserved but were not part of this meeting.

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Diane Hollenbach, Township Manager/Secretary/Treasurer

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