Maidencreek Township Board of Supervisors
October 8, 2020

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

Guests: Eric Bauman, Eric Luckenbill, Bob Wood, Katelyn Gruber, Debbie Didyoung, Kim Berger, Josh Meck, Heather Schoener, Greg Wolfe, Keith Shuman, Jim Schoellkopf, Jr., Brian Wise, Michael Preletz, Steve Lutz, Cody Rhoads, Jim Cecchini, Robert Mitchell,

Heidi Fiedler called the October 8, 2020 regular 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. An executive session for personnel was held September 21, 2020 from 9 a.m. to 10:30 a.m. Michael Preletz gave a presentation on the history of the Boy Scouts in Maidencreek Township.

MINUTES & FINANCES

Minutes

A motion was made by Claude Beaver to waive the reading of the minutes and approve the minutes for the September 10, 2020 regular meeting with the addition of the time of the executive session on August 13, 2020 "from 9:25 p.m. to 10:05 p.m." and changing "Claude Beaver" to "Heidi Fiedler" seconding the meeting adjournment on September 10, 2020. David Franke seconded the motion and hearing no questions, it passed unanimously.

Treasurer's Report and Bill List

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

ENGINEER

Tom Unger of Systems Design Engineering, Inc. reported that all land development and subdivision plans were current. The Planning Commission recommended approval of the Redner's Quick Shop and Car Wash Preliminary Plan which will be presented at the November Board of Supervisors meeting. The Planning Commission did not make a formal recommendation on the Kopfer variance request. The hearing is scheduled for October 26, 2020 at 7 p.m. The Board of Supervisors did not have comments on the variance hearing.

Road Work - Tom Unger stated that the street project is complete and turned out great. Contract A was $6,061.22 under budget.

A motion was made by Claude Beaver to authorize the manager to sign change order #1 decreasing the contract A price of $206,038 by $6,061.22 to $199,976.78. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to approve payment application #1 in the amount of $199,976.78 to Recon Construction. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Storm Water – Tom Unger reported that he had prepared the scope of work on 428 East Wesner Road, Blandon. Heidi Fiedler stated that her motion didn't include the restrictive conditions and asked how past easement agreements compared to this agreement. Steve Lutz of 428 East Wesner Road stated that he would not relinquish the right to have the township provide future maintenance. David Franke stated that he did not want to commit future Boards to ongoing maintenance and Claude Beaver agreed. The riprap in the swale was discussed.

An executive session was called for negotiation of a contract from 7:50 p.m. to 8:09 p.m.

A motion was made by David Franke to authorize the professionals to move forward with the Lutz easement agreement as discussed in executive session. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously. Mr. Lutz asked for a copy of the agreement.

Tom Unger continued his report. A meeting was held with 93 Spirit Court to explain what could and couldn't be done to the property without storm water permits. Mr. Unger walked 241 W Walnut Tree Drive and the properties adjacent to it. He discussed the conditions with the homeowners. Eric Luckenbill of 241 W Walnut Tree Drive thanked everyone who attended the meeting. Mr. Unger asked for direction from the Board. He met as requested and was not authorized to do anything further.

There was discussion on reviewing the drains in the Township. Heidi Fiedler wanted to build more drain work into the budget and wanted a review of the drains again. Greg Wolfe stated that drains tie into swales, some are failing, and the drains haven't been cleaned properly. He also wanted more street sweeping. Keith Shuman did not agree with Mr. Wolfe and stated the drains have not changed since they were last inspected and that the inspection depended on the inspector. For example, three different people would look at the same drain and rate it differently. Eric Luckenbill wanted inspection of the drains and swales on private property every three years. A storm water study was suggested for the whole township. Tom Unger discussed the cost of doing a study and questioned if the Board wanted to include storm water facilities on private property.

A motion was made by Heidi Fiedler to authorize the engineer to spend two days at the most to review 241 W Walnut Tree Drive and adjacent properties and recommend to homeowners what needs to be done to correct their storm water issues. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Mr. Unger finished his storm water report with 305 Faith Drive where a meeting has been set up for the following Monday. Josh Meck suggested state grants be pursued for storm water work and Jim Cecchini had suggestions regarding drains and overflow channels.

Escrow and Letter of Credit Releases

A motion was made by Claude Beaver to authorize the manager to sign the Melrose Place Letter of Credit/ Escrow Release Letter for $384.06. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

SOLICITOR

Maidencreek Township Authority - Mr. Orlando stated that there is nothing further for the Supervisors to do until the Authority adopts their resolution.

Cooperation Resolution with Fleetwood Borough - Mr. Orlando distributed a draft resolution to the board. Keith Shuman was happy with the draft. There is no feedback yet from Fleetwood Borough.

12 Chestnut Street – There is renewed interest from Mr. Fox, the owner of 12 Chestnut Street in granting the Township an easement on the property for the purpose of cleaning out a concrete channel that conducts a stream and stormwater underground from Chestnut Street to Main Street. Mr. Orlando sent a revised construction easement agreement to Mr. Fox's solicitor. Heidi Fiedler asked what the scope of work was as she was not sure the township had implied responsibility. Tom Unger responded that he remembers the township wanting to use a vac truck to clean the pipe out. Claude Beaver agreed that was what he remembered as well.

PUBLIC COMMENT FOR NON-STORM WATER ISSUES

Greg Wolfe, Township Shop Steward, stated that he had personally delivered a letter to each Supervisor before the meeting detailing what he believed was a toxic work environment at the township, and lies about the employees. The letter discussed pay differences between the Authority summer help and Township summer help, the Authority use of their summer help employee for flagging on state roads, how the Kubota mower was broken, drain cleaning and work in swales on private property, the outside employment of the roadcrew foreman, overtime and the overall work environment. Diane Hollenbach and Keith Shuman responded to the allegations as follows: The Township does not have control over the pay rate of Authority employees or how the Authority uses their employees. The Board had authorized the property maintenance on Via Dolorosa after the property was abandoned for almost a year and the work on the Spirit Court swale was done for the Authority well testing, and the repair needed currently was to fix the work we had performed after the August flood. The overtime situation was corrected with a sign-up sheet and the outside employment of the foreman did not violate Township rules. Mr. Shuman stated that at no time did photograph any employee. The Board of

Supervisors agreed to meet with all the employees following procedures outlined in the employee handbook. Claude Beaver suggested that the Teamsters representative be present.

MANAGER REPORT

Temporary Employee

A motion was made by David Franke to authorize the township manager to contract for temporary help to fill in for an employee on sick leave. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Redner's Market Appeal – Redner's Markets is appealing a portion of the Zoning Hearing Board's recent decision regarding no light leaving the former Top Star property when it is redeveloped into a Redner's Quick Shop and Car Wash. The Board of Supervisors took no position.

2021 Budget Meeting

The Board agreed to hold a budget meeting on November 9, 2020 at 9 a.m.

MS4 Report on Activities – Diane Hollenbach reported that the township's 2019-2020 MS4 report was submitted and accepted by the PA Department of Environmental Protection. Heidi Fiedler requested a copy.

BUSINESS

Police Station Lease – The lease proposed has no rent increase. Heidi Fiedler stated the word "Commission" is missing in the title.

A motion was made by David Franke to authorize the Maidencreek Representative to the Northern Berks Regional Police Commission to vote to approve the lease with no rent increase between Northern Berks Regional Police Commission and Ontelaunee Township. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Animal Control Contract

A motion was made by Claude Beaver to contract with Safety Net Sanctuary for 2021 at a cost of $2,000. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Chicken, Duck and Rabbit Ordinance – The Board agreed to remove the draft ordinance from the agenda.

Union Contract

A motion was made by Claude Beaver to sign the Non-Uniformed Employees Collective Bargaining Agreement and Memorandum of Understanding. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver, seconded by David Franke, to adjourn the October 8, 2020 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:13 p.m. An executive session was held from 9:20p.m. to 9:40p.m. for personnel.

Diane Hollenbach

Diane Hollenbach, Township Manager/Secretary/Treasurer