Maidencreek Township Board of Supervisors
June 10, 2021
7 P.M.

Attending: Claude Beaver, Heidi Fiedler, David Franke, Tom Unger of Systems Design Engineering, Chris Garrell of Orlando Law Offices, and Diane Hollenbach

Guests: Donna Culp, Anthony Spero, Richard Wick, Eric Bauman, Jim Keiser, Tom Gorgia, Dan Miller, Rob Hain, Massimo Folino, Jim Schoellkopf Jr., Keith Shuman

Zoom Guests: Cody Rhoads

Claude Beaver called the regular meeting to order at 7 p.m. and asked everyone to rise for the Pledge to the Flag.

MINUTES AND TREASURERS REPORT

A motion was made by David Franke to waive the reading of the May 13, 2021 meeting minutes and approve them as presented. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by David Franke to approve the May 2021 Treasurer's Report and Bill List. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

American Recovery Plan Application for Funds

A motion was made by David Franke to authorize Diane Hollenbach as the Entity Administrator in the System of Award Management. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by David Franke to authorize the chairman to sign the Federal Funding Accountability and Transparency Act Sub-Recipient Data Sheet. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by David Franke to submit the Department of Economic and Community Development Single Application for the American Recovery Plan Act funds in the amount of $992,054.80 with half to be received in 2021 and half to be received in 2022. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by David Franke upon receipt of the funds to place them in a separate account, the Pennsylvania Local Government Investment Trust Prime Account and to authorize the manager to search for the best interest rate at competing banks. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

PUBLIC COMMENT

Heidi Fiedler welcomed the new police chief. Chief Keiser introduced himself to the audience. He is a lifelong resident of Maidencreek Township with twenty-four years on the Allentown Police Force.

Maidencreek Township Board of Supervisors
June 10, 2021
7 P.M.

REPORTS

Engineer

Jojaz Preliminary Land Development Plan

A motion was made by Heidi Fiedler, seconded by David Franke to accept the developer's letter extending the review period for the Jojaz Preliminary Land Development Plan until October 6, 2021. David Franke seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Schwab Addition Final Plan

A motion was made by David Franke to approve waivers to Section 190-15 *Preliminary Plan* due to the fact that the plan meets final plan requirements; Section 190-36.C *Markers at points of tangency* as steel pins will be placed at all outbound corners not currently marked; and Section 182-15 *Streambank Erosion* since the Melrose Place Subdivision was designed to accommodate storm water runoff from each lot assuming 65% impervious coverage and this addition brings the impervious coverage to 39.5% for the lot. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by Heidi Fiedler to grant final plan approval to the Schwab Proposed Addition Plan conditioned upon satisfaction of the items in the June 2, 2021 Systems Design Engineering, Inc. review letter which is incorporated by reference. David Franke seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Titan C Planning Module

A motion was made by David Franke to authorize the manager to sign the Titan C planning module transmittal letter. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by David Franke to adopt Resolution 22-2021 Titan C Planning Module for plan revision. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Melrose Place Commercial Overlay District - Rob Hain of Berks Surveying and Engineering presented a concept plan for an overlay district for the lots in the Melrose Place Subdivision currently zoned C1, Local Commercial. The overlay district would allow apartments and townhomes to be built on the lots. The lots in question are along Park Road and have been vacant for 14 years. Mr. Hain added the Planning Commission was interested in investigating creating the overlay district with Systems Design Engineering generating the regulations. Massimo Folino stated that commercial isn't coming back. 68% of commercial in Blandon is vacant and 49% of commercial in the United States is in foreclosure. The cost to build exceeds the amount for which he can rent the units and the cost of the real estate taxes. He pointed out that Wyomissing and West Reading are both doing overlay districts.
Claude Beaver asked if this was spot zoning. Tom Unger stated no because there are multiple lots and multiple owners. Mr. Unger added that the applicant would pay for the preparation of the ordinance and would need to sign a professional engineering agreement. Heidi Fiedler commented that the Supervisors had discussed this a few years ago and were not in favor of creating residential in the commercial district. She pointed out that the Folinos were asking for a rezoning without going through the process. The economy is moving and the real estate market

is strong. Ms. Fiedler added the Supervisors just approved the Schwab Dental Addition in the same development, so commercial is in demand. David Franke felt the Planning Commission should look at an overlay district. They may have ideas that are beneficial. Claude Beaver asked if that locked the Township in to making the change if the Planning Commission proposed regulations. Tom Unger stated it did not.

A motion was made by David Franke to authorize the Planning Commission to look at possibilities for an overlay district in the C-1 Local Commercial zoning district with no commitment to make the change from the Board of Supervisors. Claude Beaver seconded the motion. Hearing no questions on the motion, Claude Beaver and David Franke voted, "Aye." Heidi Fiedler voted, "No." Motion passed.

Street Project – The annual street paving project was bid for roads in the Treetops Subdivision. The results were as follows:

H & K Group, Inc.	$242,619.09
New Enterprise Stone & Lime Co.	$274,882.30
Construction Masters Service LLC	$299,842.00

A motion was made by David Franke to accept the bids for the 2021 Street Projects. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by Heidi Fiedler to award the street paving contract to H & K Group, Inc. for $242,619.09. David Franke asked if the contract has an escalation clause. Tom Unger stated there is an escalation clause for the oil price once the price of oil exceeds 10% from when the project was bid. David Franke seconded the motion and hearing no further questions on the motion, all members voted, "Aye." Motion passed.

Solicitor

Chris Garrell of Orlando Law Offices distributed a draft agreement for the yard waste drop off site. Heidi Fiedler suggested an evergreen clause.

A motion was made by Heidi Fiedler to revise the agreement and distribute the draft to Jojaz Properties and Zwicky Processing for comment. David Franke seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Manager

Diane Hollenbach reported that the Blighted Property Review Board had sent a letter to 59 W Bertolet Place to offer the homeowner a chance to meet and discuss clean up of the property. Ms. Hollenbach also reported on the meeting of Berks, Environmental, Safety and Transportation Partnership. The Board of Supervisors was not interested in the manager continuing to attend since Maidencreek's traffic issues are more congestion related. Finally, Ms. Hollenbach reported that the UPS for the phone system died, and the building was without phones for a brief period. After contacting Service Electric, Berkshire Phone Systems and Stratix System for a replacement, Stratix System would be returning a quote shortly but not in time for this meeting.

A motion was made by David Franke authorizing the manager to spend up to $1500 to replace the phone system surge protector and battery backup unit. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

BUSINESS

Financing Agreement

A motion was made by Heidi Fiedler to authorize the application to Tax Exempt Leasing Corp. for financing $90,113 at a rate of 1.88% for three years for the lease of a Ford F550. David Franke seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

902 Grant Agreement

A motion was made by David Franke to authorize the Board of Supervisors to sign the 902 Grant Agreement for the purchase of a truck and a chipper. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Summer Help

A motion was made by David Franke to hire Robert Hughes as summer help at a rate of $12 per hour. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Resolution 23-2021 Fuel Bid Approval

A motion was made by David Franke to adopt resolution 23-2021 accepting the 2021-2022 Berks County Joint Purchasing Board gasoline, diesel fuel and heating oil contracts. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Sale of Bleachers –Diane Hollenbach reported that the Park and Recreation Board would like to go in a different direction with the Ontelaunee Heights facility and remove the ball field and install a tot lot for the development. Keith Shuman added the bleachers are in good condition.

A motion was made by David Franke to authorize the sale of the bleachers at the Ontelaunee Heights Ball Field. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

COMMENTS FROM THE BOARD

Return of Funds Northern Berks Regional Police - Heidi Fiedler asked the other supervisors to consider requesting a return of excess money from Northern Berks Regional Police. There appears to be about $500,000 in their accounts. Donna Culp asked if the unresolved litigation issues were resolved. David Franke stated that the issues were resolved and once the thirty-day grace period passed the litigation issues would be closed.

A motion was made by Heidi Fiedler to authorize the Maidencreek Police Commissioner to pursue returning fifty percent of the funds in excess once the contingency periods are complete. David Franke seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Recognition of the Blandon Fire Company – David Franke recognized the Blandon Volunteer Fire Company for their service to the community. They have been inundated with bad calls recently and he appreciated their commitment especially having to respond in the excessive heat.

A motion was made by David Franke to send a letter of appreciation to the Fire Chief and the Blandon Volunteer Fire Company for their sacrifice and service for the residents and surrounding areas. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Northern Berks Regional Police Study – Claude Beaver asked the Board if they were ready to discuss the Ron Smeal study for the regional police department. Everyone agreed to take more time to review the study.

Meeting Secretary Pay – David Franke stated that he wanted to resolve the meeting secretary pay issue. He felt that anyone who substituted for the appointed meeting secretary should be paid the rate designated for taking those minutes.

A motion was made by David Franke to give the approved meeting compensation to the person takes meeting minutes. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Having no further business, a motion was made by David Franke to adjourn the June 10, 2021 meeting of the Maidencreek Township Board of Supervisors. Heidi Fiedler seconded the motion. Meeting adjourned at 8:16 p.m.

Respectfully submitted,
Diane Hollenbach