Maidencreek Township Board of Supervisors
May 12, 2022
7 P.M.

Attending: Heidi Fiedler, David Franke, Joshua Meck, Eric Frey of E. Kenneth Nyce, Tom Unger of Systems Design Engineering, Inc., Keith Shuman – Public Works Foreman and Katelyn Gruber – Recording Secretary

Guests: Eric Bauman, Donna Culp, Anthony Spero, Mike Schittler, Dennis Fick, Robin Fick, Richard Wick, Cody Rhoads, Jim Keiser, Vic Snyder, Eric Luckenbill, Chrissy Shuman, Nick Shuman

Attending on Zoom: Brooke Meck, Robert Wood, Gary Hadden, Scott Zimmerman, Aaron Rogers, Diane Hollenbach, Dawn Geschwindt, Ann Marie Touche

David Franke called the regular meeting to order at 7:00 p.m. and asked everyone to rise for the Pledge to the Flag.

David Franke announced that there were three Executive Sessions held for personnel. April 22nd, April 25th and May 3rd.

MINUTES AND TREASURERS REPORT

A motion was made by Heidi Fiedler to waive the reading of the April 14, 2022 regular meeting minutes and approve the minutes. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

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

Heidi Fiedler questioned if there was follow-up from the Herbein letter dated March 23, 2022 suggesting that an internal risk assessment be completed so that no one person is in complete control of all finances. David Franke stated that he spoke to Herbein and their suggestion was to include all additional compensation in contracts moving forward. Josh Meck stated he believes it was just a recommendation moving forward to perform the internal risk assessment and not needed to accept the 2021 Audit. Ms. Fiedler questioned if Herbein received the additional paperwork to show where the $1,000.00 of grant money was received from. Katelyn Gruber stated they closed out the audit without the paperwork, Herbein was satisfied after speaking to Diane Hollenbach. Mr. Franke will make contact with Herbein to follow-up with Supervisor Fiedler's concerns to obtain paperwork regarding the $1,000.00 grant payout and performing an internal risk assessment.

A motion was made by Josh Meck to accept the 2021 Audit Report. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

PUBLIC COMMENT

Vic Snyder, 102 West Wesner Road, Blandon voiced concerns that the Township was planning to place a Veteran's Memorial on the corner of a busy intersection at Main Street and Park Road. Mr. Snyder felt a Veteran's Memorial should be placed at the Community Park.

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REPORTS

Police Report

Chief Keiser gave the Northern Berks Regional Police Department April report. Chief Keiser stated they have seen an uptick of non-reportable crashes in the roundabout. Northern Berks Regional Police Department should be receiving the body cams and in car cameras by June. Dave Franke asked if there would be turning arrows from 222 onto Rt 73. Chief Keiser will be requesting a traffic study to PennDot to see if arrows are warranted.

Engineer

Action on Trinity Bible Fellowship Land Development Plan waivers and final plan approval. If no action, action must be taken on an extension of time to be received by June 6, 2022 or the plan will be rejected. –

A motion was made by Heidi Fiedler to grant the following waiver to the Maidencreek Township Code of Ordinances for the Trinity Bible Fellowship Land Development Plan as outlined in the May 4, 2022 Systems Design Engineering, Inc. review letter:

- Section 190-22 to allow submission of final and preliminary plan combined.
- Sections 190-32.A(4) dedication of land sufficient to widen the street.
- Section 190-32.B(1)(a) each travel lane on local access streets, collector streets, and arterial streets shall have a minimum paved width of 12 feet.
- Section 190-32.B(2)(c) arterial streets shall be centered withing a right-of-way not less than 60-feet wide
- Section 190-32.L.(3) curbs and sidewalks shall be provided
- Section 190-34 sidewalks shall be required in all land developments

Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Tom Unger did not recommend approving the plan until the outstanding items with the Maidencreek Township Authority are completed.

A motion was made by Heidi Fiedler to reject the Trinity Bible Fellowship Land Development Plan if a time extension is not received by June 6, 2022. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Accept extension of time granted by the land owner to commence a conditional use hearing until August 11, 2022 for Maiden Creek Associates L.P 930,000 sq. ft. facility –

A motion was made by Heidi Fiedler to accept the time extension through August 31, 2022 for the conditional use hearing for Maiden Creek Associates. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.
Tom Unger stated that a scoping application was submitted to PennDot by the applicant. There will be a meeting with the Township, PennDot, and the developer.

Willow Creek Stream Issues –

Tom Unger updated the Board with the DEP's response to the permitting process. Phase 1 of the project focuses on the bridge at West Walnut Tree Drive. Phase 2 of the project focuses on upstream from the bridge to the Township property at the bend on East Wesner Road. Supervisor Fiedler shared pictures of the degrading of the stream and the channeling of the stream. Soil erosion and flooding onto West Walnut Tree Drive is a major concern. Josh Meck and Heidi Fiedler stated that the DEP was unhappy with the Township for not maintaining the stream and lack of cleanout under the West Walnut Tree Drive bridge. A lengthy discussion ensued regarding the permitting process and whether the Board of Supervisors would like to pursue a joint permit or a permit to only focus on 50 ft from the West Walnut Tree Drive bridge.
Josh Meck brought up concerns that Keith Shuman, Public Works Foreman, showed him in between Spirit Court and Blandon Meadows Parkway where channeling of the stream and clean out needs to take place. Tom Unger stated that the roadcrew can go in and clean out debris and trees that have fallen in the stream without a permit. The issues along the stream in between Spirit Court and Blandon Meadows Parkway is maintenance and cleanout.

A motion was made by Heidi Fiedler to authorize Tom Unger to pursue the Growing Greener Grant for multiple problematic locations in the Township. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Eric Luckenbill, 241 West Walnut Tree Drive, Blandon thanked the Board of Supervisors for addressing the flooding issues surrounding West Walnut Tree Drive. Mr. Luckenbill asked who decides what areas of flooding are focused on. The Storm Water Committee which is made up of Tom Unger, Jason Bailey, Heidi Fiedler and Keith Shuman.

Action on Planning Commission recommendation to remove the warehouse use from the C2 Regional Commercial Zoning District with the warehouse use allowed by right in the Industrial Zoning District and add warehouse standards to the supplementary regulations.
Authorization for chairman or township engineer to sign the Maiden Creek Associates L.P. Chapter 14 Notification and return to the developer's engineer. –

A motion was made by Heidi Fiedler to authorize the Planning Commission to review revising the Zoning Ordinance to remove warehouse use from the C-2 Zoning District with the warehouse use being allowed by right in the Industrial Zoning District and recommends that warehouse use standards be added to the supplementary regulations. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Authorization for chairman or township engineer to sign the Maiden Creek Associates L.P. Chapter 14 Notification and return to the developer's engineer –

A motion was made by Heidi Fiedler to authorize the Chairman to sign the Maiden Creek Associates L.P. Chapter 14 Notification. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Discuss Cornerstone Drive storm water problems -

A motion was made by Josh Meck authorize the Engineer to investigate the bridge integrity. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Authorize the chairman to sign the proposal from Land Studies in the amount of $51,400 for design and permitting for the West Walnut Tree Drive Stream Bank Restoration Project.

TABLED.

Review and adopt Resolution 14 -2022 entering into a Memorandum of Understanding with the Berks County Conservation District –

Solicitor Frey will review the Resolution and be ready for the June meeting.

Authorize Township Engineer to prepare and advertise the 2022 Road Bid and specification. Motion should include roads to be included in the bid. Discussion to include milling widening of Ridge Road and Kemmerer Road –

A motion was made by Josh Meck to advertise the 2022 Road Bid and Specification without Item #7, West Shore Drive. Heidi Fiedler seconded the motion. All members voted, "Aye." Motion passed.

The Board of Supervisors discussed widening sections of Ridge Road and Kemmerer Road. The roadcrew will perform the work. Supervisor Fiedler voiced concerns that the roadcrew will have difficulties getting all the work completed with the stream cleanout and grass mowing.

A motion was made by Josh Meck to authorize the widening of Ridge Road and Kemmerer Road, with work to be performed by the roadcrew. Heidi Fiedler seconded the motion. All members voted, "Aye." Motion passed.

Adopt Resolution 15-2022 approving the Nevin Burkholder Planning Module and authorizing the Chairman to sign –

A motion was made by Heidi Fiedler to adopt Resolution 14-2022 and authorize the Chairman to sign the Nevin Burkholder Planning Module. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Survey of 324 Main Street – Tom Unger presented a concept of the layout for a Veteran's Memorial. David Franke questioned setbacks. 30ft from right of way for each side. The Board discussed donations from different organizations. Dave Franke suggested an electronic sign for advertisements.

Release Escrow Payment - Giorgio Foods for Project Titan C –

A motion was made by Heidi Fiedler to release payment from the Project Titan C escrow in the amount of $2,391.66. Josh Meck seconded the motion. Hearing no questions on the motion, all members present voted, "Aye." Motion passed.

Solicitor
Solicitor Frey has no action items.

Heidi Fiedler voiced concerns that the Treasurer is taking home invoices and doing work from home on an unsecure network with a personal computer. Supervisor Fiedler requested Solicitor Frey check into the legality of taking documents out of the office. Eric Frey stated that original documents should not be taken out of the office due to the fact that if something would happen to Ms. Hollenbach the documents wouldn't be able to be obtained. Mr. Frey will speak to Diane Hollenbach to see if it is necessary for her to work from home or if she is able to come into the office to work after hours.

Park and Recreation
No action items.

Public Works
Discussion and action on treatment of three ballfields and spraying of fences at Dog Park and Community Park – Keith Shuman requested that weed control spraying be authorized. Josh Meck agreed that the ballfields have lots of weeds. Heidi Fiedler asked Josh Meck why he was opposed to glycophate in the past and now wants to use it for spraying of the weeds. The Board of Supervisors asked Keith Shuman to use non-glycophate products to spray.

A motion was made by Heidi Fiedler to authorize the spraying of various recreational locations in the Township with non-glycophate products at an amount not to exceed $1,800.00. Josh Meck seconded the motion. All members voted, "Aye." Motion passed.

Discussion on Five Year Paving Schedule -
Tom Unger and Keith Shuman are in the process of taking an inventory of the roads to document the condition of the roads.

BUSINESS
Action on approving Primary Election Day, May 17, 2022 as a paid holiday for full time employees per Collective Bargaining Agreement -

A motion was made by Heidi Fiedler to authorize May 17, 2022 be a paid holiday for full time employees per Collective Bargaining Agreement. Josh Meck seconded the motion. Hearing no questions on the motion, all members present voted, "Aye." Motion passed.

Discussion and direction to staff on obtaining quotes for cameras, alarm system, inventory control system for gas and diesel tanks and public address system -

The Board asked Keith Shuman to obtain pricing.

Motion to hire one or more part time equipment operator. Include in motion hourly rate, start date and number of hours per week employee is to work -

A motion was made by Dave Franke to hire Michael Stern as a part time union position at $23.19/hr not to exceed 32 hours a week, Scott Spohn as a seasonal employee at $21.00/hr not to exceed 24 hours a week, Earl Weber as a seasonal employee at $21.00/hr not to exceed 24 hours

a week. Josh Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Discussion on use of 324 Main Street. Development of the property was budgeted under park and rec budget. Possible action to refer design and quotes for fencing of 324 Main Street, Blandon to Park and Recreation Board -

Executive session was held.

Approve use of Quarry Road for Soap Box Derby on May 22, 2022

A motion was made by Josh Meck to approve the Boy Scouts use Quarry Road on May 22, 2022. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Dave Franke made a statement that the Board of Supervisors as a majority is not in agreement to do any further investigation into Diane Hollenbach. Mr. Franke stated that if Heidi Fiedler continues to investigate it is on her own, not with the Board of Supervisors consent.

Supervisor Franke would like to remove Heidi Fiedler as Northern Berks Regional Police Commissioner. Solicitor Frey spoke with the NBRPD Solicitor. The charter states that it is a one-year term. Mr. Franke asked what would happen if the Board would remove Heidi Fiedler. Solicitor Frey stated they do not have the power to do that. Ms. Fiedler stated she is disheartened by the Board not supporting her professionally to remain on the NBRPD Police Commission. A fellow Commissioner has been harassing Supervisor Fiedler continuously. Supervisor Fiedler has tried to be professional and work with this Commissioner. Supervisor Fiedler went on to address Mr. Franke's statement regarding Diane Hollenbach. Heidi Fiedler stated there was no resolution adopting additional compensation per the 2nd Class Township Code requirements. In 2020, Diane Hollenbach paid herself $3,000.00 in extra salary that was not authorized by the Board of Supervisors.

Eric Bauman, 208 Wales Way, Blandon stated there were 27 pay periods in the year in question, that is why Diane Hollenbach's earnings did not meet her contracted salary. Supervisor Fiedler stated it is the appointed Treasurer's job to make sure accurate salaries are paid to employees.

An Executive Session was held from 9:33pm to 9:58pm for personnel and potential litigation.

Having no further business, a motion was made by Heidi Fiedler to adjourn the May 12 2022 meeting of the Maidencreek Township Board of Supervisors. Josh Meck seconded the motion. Meeting adjourned at 9:59pm.

Respectfully submitted, Katelyn Gruber