Maidencreek Township Board of Supervisors
August 11, 2022
7 P.M.

Attending: David Franke, Heidi Fiedler, Joshua Meck, Christina Hafer, Eric Frey, Esq. of E. Kenneth Nyce

Guests: Donna Culp, Anthony Spero, Eric Bauman, Jarrett Gibboney, Mike Schittler, Aaron Rogers, Richard Wick, Paul Werly, Robin Fink, Dennis Fink, John Huemmrich

Attending on Zoom: Hunter Ahrens, Township Manager, Tom Unger of Systems Designs Engineering, Inc. Robert Wood, and several other residents.

The Board went into an Executive Session at 6:59 pm for labor issues and personnel litigation.

The Board returned to the meeting room at 7:40 pm.

David Franke called the regular meeting to order at 7:40 p.m. and asked everyone to rise for the Pledge to the Flag.

A motion was made by Heidi Fiedler to amend the agenda to accept Joe Farley's resignation. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

MINUTES AND TREASURER'S REPORT

A motion was made by Heidi Fiedler to accept the minutes for July 14, 2022. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by Heidi Fiedler to approve the June Treasurer's Report and approve the Check Request List for July 2022 bills. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

PUBLIC COMMENT

Paul Werly, 1564 Ridge Rd – Paul Werly stated he has a concern about the water height in front of his house when there is heavy rain, the pipe can't handle the water, and his basement floods. He is concerned that the road paving will flood his basement. Mr. Werly stated since the development of Troxel Rd the water comes down into the creek near his house. He also stated he put an 18" pipe on his property. He is afraid that the paving of the road will cause more flooding in his basement.

David Franke stated that it's an act of God that cannot be corrected due to where your house is situated. Mr. Franke also stated we will ask our engineer to take a look at the issue. Mr. Franke stated that there is a lot of groundwater that you are dealing with as well that is coming from the hills. David Franke indicated even if the pike was 100" it was not going to do much.

Joshua Meck spoke that Keith Shuman went out to survey and take pictures and found the basement is 4 feet 3 inches above the roadway. Mr. Meck stated the ground is so saturated you can't discharge the water fast enough even if a 100-inch pipe was used. Joshua Meck also spoke to Tom Unger about going out to the property to assess the situation.

Tom Unger stated taking elevations, it appears the pipe and the road are lower in elevation being 4 foot 3 inches below the basement door, and the roadway would top before the basement would flood.

Joshua Meck commented once the roadway was flooded it would take another 4' 3" to get to the basement door. Mr. Meck pointed out that Mr. Werly's home is older with a stone foundation, that you have to duck when you are down in the basement, being around 6' deep. He also noted if you look at the groundwater tables going up to the four-foot line you would probably get about 2' of water in the basement. Mr. Meck specified the earth around Mr. Werly's home is not discharging the water fast enough to get away from the house which is infiltrating the basement. He also said the road is pitched away from Mr. Werly's home and that we are trying to mitigate as much as we can to make it pitched higher on the side of the road near Mr. Werly's home. Joshua Meck suggested that Mr. Werly have a soil sample done due to the location of the home sitting in a hollow and the rainwater going to the low point where it feeds back into Lake Ontelaunee. He also stated the pipe that Mr. Werly put in discharge onto his neighbor's property is against the law.

Eric Frey stated it is the law you cannot change the flow of water.

Heidi Fielder asked Mr. Werly under what circumstances do you get water in the basement? She asked if it was the 100-year flood or 1" or 2" of rain.

Mr. Werly stated he gets flooding in his basement when there is heavy rainfall, approximately 10" of rain.

David Franke said mitigation efforts will not help in this situation because we don't have mitigation potential to stop the rain. He also stated that the pipe is clear.

Joshua Meck said the concrete pipe does have a 45-degree elbow, which is not typical practice but nothing is obstructing the flow of water.
Mr. Meck stated the 45-degree elbow is at the edge of the paving on the opposite side of the road of Mr. Werly's home.

Tom Unger stated he has no other recommendations at this time.

David Franke said at this point there is nothing else we can do at this point. He stated we are sorry and does not know where else to go in this situation.

Joshua Meck suggested that Tom Unger looks into the 100-year flood map.

Mr. Werly stated the water coming down the creek for years was handled until the development on Troxel Road.

Hunter Ahrens suggested that Mr. Werly give Christina Hafer his contact information and will follow up the next time we get heavy rainfall.

REPORTS

Police Report

Chief Keiser gave the Northern Berks Regional Police Department July report. Chief Keiser reviewed the July activity report, which will be on the Department's Facebook page.
Chief Keiser stated the National Night Out on August 2, 2022, was a success and thanked everyone who volunteered to help. We had well over 3000 people. Chief Keiser said they are going to have an after-action meeting to see how we could do things differently next time. He also stated he gives credit to Alysia Fredericks, she did a great job.

<u>Discussion for Traffic Calming on Faith Drive:</u>
Chief Keiser is receiving complaints about speeding on Faith Drive, looking at different measures. He stated unfortunately with the way the roadway bends and with cars parked on both sides we are not able to utilize any of our speed timing devices. Chief Keiser said the officers do sit further down on Faith Drive and are making some traffic stops on vehicles that went through the stop sign or not coming to a complete stop. He stated that other neighborhoods are also having speeding problems.

David Franke stated that we are sending out a survey to all the residents on Faith Drive within the next week or two to address the speeding situation. Mr. Franke spoke about the information from the speed board, except in a few instances it indicated no speeding on Faith Drive. He also indicated that if we continue to get complaints, we may have to take further action that may be costly.

Chief Keiser mentioned speed tables have drawbacks also because you can't park on either side of the street for that area of Faith Drive.

David Franke stated that we also should look at the liabilities of speed tables with cars lower to the ground could damage the fenders and undercarriage of the car. Mr. Franke stated the cars were clocked and we don't see any cars going 50 miles per hour.

Joshua Meck stated the majority of violators are neighbors and residents.

Chief Keiser commented about other areas around the township, we are getting crashes and need to put our resources near the roundabouts.
He also stated that when we get call's they take priority.

Engineer

Consider Trinity Bible Fellowship Land Development Plan: approval, rejection, or time extension. A motion was made by Heidi Fiedler granting the waiver request as outlined in the SDE letter on July 8, 2022, for Trinity Bible Fellowship. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed

A motion was made by Joshua Meck to approve the Conditional Plan of Trinity Bible Fellowship Church. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

Consider Maidencreek Associates' Time Extension until October 31, 2022, for Land Development Plan. A motion was made by Heidi Fiedler to accept a time extension for Maidencreek Associates Time Extension for Land Development Plan until October 31, 2022. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted "Aye."

Consider Maidencreek Associates' Time Extension until October 31, 2022, for the Conditional Use Hearing. A motion was made by Heidi Fiedler to accept the Maidencreek Associates Time Extension for Conditional Use Hearing. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

Consider granting conditional approval to Redner's Quickshop Final Plan, based on the fulfillment of the August 3rd SDE letter. A motion was made by Joshua Meck to approve Redner's Quickshop contingent upon the interview dated August 3, 2022. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

Authorize signature of Joint Application for W. Walnut Tree Drive Culvert, Chapter 105 Permit Application. A motion was made by Heidi Fiedler authorizing Hunter Ahrens to sign the Department of Environmental Protection Army Corps of Engineer Joint Application for W. Walnut Tree Drive Culvert, Chapter 105 Permit. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consider 612 Barlett Road Sewage Facilities Planning Exemption Request. A motion was made by Heidi Fiedler to authorize Hunter Ahrens to sign the Sewage Facility Planning Exemption request at 612 Barlett Road. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

Solicitor

Eric Frey stated he received an email from the solicitor for the Regional Police Commission requesting that the three participating municipalities adopt an ordinance for uniformity for parking violations. Mr. Frey stated that they should write it, however, it should be looked into our ordinance to determine and ensure that it lists all the roads where we want no parking to be. He also stated they should be signed correctly so that when they go out and enforce it, the fines can be upheld in court.

Manager's Report
Hunter Ahrens stated he wanted to highlight outside the written report that the board received that he is working on the Recycling Bid for 2023. Mr. Ahrens stated that we have eleven companies on the distribution list.

BUSINESS
Appointment of Alternate Police Commissioner to Northern Berks Police Commission. A motion was made by Heidi Fiedler to accept Joe Farley's resignation from the Police Commission as the alternate. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye"

A motion was made by David Franke to appoint Joshua Meck to the Police Commission as the alternate for the duration of this year. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

Discussion and potential approval of FirstNet by AT&T program for Township cellular devices. Hunter Ahrens spoke with Detective Sergeant Wood and Chief Keiser and there is no concern with the coverage. Mr. Ahrens said there will be no expense with the cut-off of the current carrier. Mr. Ahrens stated the purpose of FirstNet is to have all government entities on the program. A motion was made by Joshua Meck to move forward with FirstNet by AT&T and have the costs of the Fire Department come out of the fire tax. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Discussion and potential approval to host Berks Free Library Program at Maidencreek Township Dog Park. A motion was made by Joshua Meck to allow Berks Free Library Program to be set up at Maidencreek Township Dog Park Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Discussion and potential approval of labor counsel engagement with hourly determined based on the firm. Authorize the Township Manager to sign the engagement letter. **TABLED**

Discussion of Meeting with PennDOT regarding 222 Traffic Corridor Improvements/Complaints. Dave Franke stated he attended a meeting several years ago at Kutztown University concerning the new roundabouts that were being proposed, the speeds will be slower. He talked about putting a barrier down the center of the road due to concerns of someone crossing over and their answer was from an engineering perspective they can't do that because there is not a roundabout down below that someone can turn around to get back to a business on the other side of the road.
Chief Keiser stated the roundabout after Farmers Lane will be a jersey barrier down the middle of 222 so if you have to make a left-hand turn you will have to go to the next roundabout and come back around.

David Franke said we are supposed to get copies of maps and it will be about 2 more years until they get finished.

Joshua Meck commented on the intersection of Shaffer Road having PennDOT putting flashing yield signs or reflectors they put on asphalt to keep people in their lane. He stated we have a meeting with PennDOT and their engineers on August 19th to discuss these issues.

Chief Keiser noted that education would be helpful.

Hunter Ahrens commented about the intersection of Hope Road and Golden Drive

Changed of Status Requests.

Discuss and authorize the creation of a new position, Township Secretary (Confidential/Management). A motion was made by Heidi Fiedler to create a new position, Township Secretary (Confidential/Management), and appoint Christina Hafer as full-time Township Secretary (Confidential/Management) at $29.00 per hour. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Appoint Michael Stern to full-time Light Equipment Operator at negotiated rate of $24.48 for the first year, $25.48 base, per hour (moving from part-time. A motion was made by Heide Fiedler to appoint Michael Stern to full-time Light Equipment Operator at negotiated rate of $24.48 for the first year, $25.48 base rate, per hour (moving from part-time). Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye,' Motion passed.

Appoint Earl Weber to part-time Equipment Operator at negotiated rate of $23.19 for the first year, $24.19 base, per hour (moving from seasonal). A motion was made by Heidi Fiedler to appoint Earl Weber to part-time Equipment Operator at negotiated rate of $23.19 for the first year, $24.19 base rate, per hour (moving from seasonal). Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye."

Park and Recreation

Anthony Spero spoke about the Pickleball Court moving forward and ideas for the property on Park Road and Route 73 to put an Electronic Signboard to be seen by everyone. Mr. Spero also talked about Handicap Playground Equipment. Anthony Spero said they will get proposals submitted to the board before the next budget.

Public Works

Update on 2022 Road Widening Projects. Keith Shuman stated he really wanted to finish up this week on the paving but unfortunately maintenance issues and the plant were shut down for energy conservation. Mr. Shuman said the road crew should be finished early next week.

Update on Vandalism at Maidencreek Park and updates on Camera Installation. Keith Shuman has talked to Cory from Redner's several times, but they are working in Delaware right now. Mr. Shuman said that when Redner's is finished with that project they could start but could not give us a timeframe.

Having no further business, a motion was made by Heidi Fiedler to adjourn August 11, 2022, meeting of the Maidencreek Township Board of Supervisors. Josh Meck seconded the motion. All members voted “Aye.” The meeting adjourned at 9:43 pm.

Respectfully Submitted,

Christina Hafer
Township Secretary