Maidencreek Township Board of Supervisors
December 8, 2022
7 P.M.

Attending: David Franke, Heidi Fiedler, Joshua Meck, Hunter Ahrens, Christina Hafer, Eric Frey, Esq. of E. Kenneth Nyce, Tom Unger of Systems Design Engineering, Inc., Jim Keiser, NBRPD, Police Chief.

Guests: Anthony Spero, Jarrett Gibboney, Donna Culp, Eric Wilden (Comcast), Keith Allridge (Comcast), Mike Schittler, Bruce Rader (Berks Surveying & Engineering), Peter Corser (Cable Services Co.), Cliff Panneton,

Attending on Zoom: Brooke Meck, Robert Wood, Jason Peters, and Anastasia Lawrence.
David Franke called the regular meeting to order at 7:00 p.m. and asked everyone to rise for the Pledge to the Flag.

Mr. Franke asked everyone to remain standing to remember and a moment of silence for the two firefighters killed last night at a fire in Schuylkill County. One of the firefighters was previously a member of the Blandon Fire Company.

Mr. Franke announced that the Board would meet in Executive Session to discuss issues of legal matters and possible civil litigation.

MINUTES AND TREASURER'S REPORT

A motion was made by Heidi Fiedler to approve the December 8, 2022, agenda. 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 accept the minutes for November 10, 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 November Treasurer's Report and approve the Check Request List for November 2022 bills. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

PUBLIC COMMENT

Donna Culp, Historical Section of Blandon. Ms. Culp wished everyone a safe and happy holiday, have fun and please do it responsibly.
Cliff Panneton, 2 Genesis Dr, Blandon. Mr. Panneton asked the Board to consider establishing a quiet zone on the railroad. He stated he had literature from the US Department of Transportation on the process, stating he would not want the expense to be passed off onto the residents. He talked about the train horn final summary, not blowing through intersections and other areas in Pennsylvania that have adopted the ordinance and are willing to help look into it with the manager. Mr. Franke stated he looked into this previously and that it would cost approximately

$750,000.00 per crossing and could not promise not to blow the horns in case of animals on the tracks. The Board continued the discussion by asking Mr. Panneton to look into grants to help offset the costs and thanked Mr. Panneton for bringing this issue to the Board.

REPORTS

Police Report

Chief Keiser gave the Northern Berks Regional Police Department September report. Chief Keiser reviewed the October activity report and stated the November report will be available Monday on the Department's Facebook page. He discussed the call for service for October including citations, traffic warnings, vehicle contacts, arrests, crashes, and vehicle service for preventative maintenance. He also reviewed the fuel, mileage, and hours of service. Chief Keiser discussed the new handgun upgrade. Chief Keiser wished everyone a safe and happy holiday.

Engineer Report

Discuss Comcast Expansion in Maidencreek Township: Mr. Unger stated there are representatives here from Comcast to address the board, noting the magnitude of the project and why the attention of the road-cutting permits are being brought to the Board. Mr. Unger went on to discuss the procedure of the permits to keep track of where and how Comcast will be working on the project. Mr. Unger stated to the Board about the advanced restoration and contribution by Comcast to the Township are to be addressed before the work starts due to the overwhelming number of cuts, leading to degradation on the Township's roadways.

Eric Wilden, Representative for Government Affairs for Comcast discussed the requirements of the Township and how they provided what the township needed including a franchising agreement and $ bond. He stated they will come back to do repairs to the satisfaction of the Township to service the residents of Maidencreek Township.
Keith Allridge from Comcast discussed the road crossing and township right of way and the procedure for installing the cable underground and repair of roads. Heidi Fiedler questioned how deep the core cut would be. Mr. Allridge answered the Board, stating that until they found the water line, gas line, etc. and will not go over 36" deep. Joshua Meck and David Franke asked about sub-contractors involved with the Comcast Project and paving of Township roads. Mr. Allridge answered yes and listed some of them and where they are working. Ms. Fiedler also asked about the coverage of where the work would be located. Mr. Allridge stated they will be coving all of Maidencreek Township except behind the lake. Mr. Allridge stated they will be in contact with the Road Master in the Township. Mr. Unger stated due to the number of cores, the typical restoration would not be appropriate for the Township roadways, leading to the degradation of the roads. Mr. Franke stated we are looking at this more closely to avoid the issues the Township had in the past. The discussion continued between the Board and Comcast. Mr. Franke asked about the timeline of the project and working with the Township on roads that will be paved. Mr. Allridge stated it would be about nine months from start to finish and will work with the Township and will be in contact with the road crew. Peter Corser answered Cliff Panneton's question about how Comcast gets service to the homes and that Park Road is the only state road they will be working on in the Township. The discussion continued with details on

service to customers, fiber optics, paving project aspects and some parts of Maidencreek will be aerial. Mr. Wilden stated he will speak with Mr. Ahrens about the details and finances in a meeting tomorrow morning. Mr. Meck stated the Board was apprehensive due to other problems created due to previous similar projects in the Township. The discussion continued with the Board and Comcast about the process.

Approve Release of Funds for Blandon Mennonite Fellowship Church's Escrow of $42,425.04 to Oak Haven Building & Excavating: Mr. Unger stated they have release letters prepared for signatures, with a total of $40,085.00 paying the contractor and $213.89 for payment of Township review fees for a total of $41,513.97 which is a different amount due to other items were not approved.
A motion was made by Heidi Fiedler to approve the release of $41,513.97 to Blandon Mennonite Fellowship Church. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye," Motion passed.

Accept Kopfer Time Extension until December 9, 2023: Tom Unger stated Planning Commission did not want to take action due to the last time extension. Ms. Fiedler asked why they needed an extension. Mr. Unger explained to the Board various challenges and why they needed the extension.
A motion was made by Heidi Fiedler to accept the Kopher Time Extension until December 9, 2023. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Mr. Unger stated his report was provided to Board and requested an executive session for 320 Main Street.

Solicitor Report
Review and Approval of Workplace Harassment Policy (Manager Update on Behalf of Siana Law): Mr. Ahrens stated Siana Law provided a draft of the Workplace Harassment Policy, looking for feedback for approval on Resolution 18-2022. Mr. Franke commented on the signature page stating the titling should be changed from Sexual Harassment policy to Workplace Harassment Policy, being consistent verbiage throughout the document.

Consider Resolution 18-2022 Adopting a Workplace Harassment Policy: The Board agreed to delay approval until January 2023 to make noted corrections to the document.
Mr. Frey discussed the upcoming Maiden Creek Associates Conditional Use Hearing on December 14th at the Fleetwood Area High School.

Manager/Public Works Report
Update on requests of PennDOT and Associated Brake Retarder Ordinance Consideration: Mr. Ahrens drafted a prepared Brake Retarder Ordinance, including all of Route 222 between the first intersection at the borders of Township both north and south, and the same for Route 73. Mr. Ahrens asked the board for input for other roads to be included to submit to PennDOT for studies. Mr. Franke asked Mr. Ahrens if he was using the results of the last noise study

performed. Mr. Ahrens said it could be a starting point but will need to do additional noise studies that were not covered previously. The Board continued the discussion on the legal aspects, adding to the ordinance in the future. Ms. Fiedler stated she would like to move forward on Route 222 part due to immediate relief, Mr. Franke and Mr. Meck agreed with Ms. Fiedler. The Board discussed further the situation; Mr. Ahrens agreed to make Route 222 ordinance separate from the entire area in question.

Update on UGI Work in Township: Mr. Ahrens stated about continued smaller issues; UGI working backward to remediate. He stated there would be a meeting with UGI, Tom Unger, and the Road Crew with the work in progress. He also talked about resolutions and standardizing permits for street opening permits. Mr. Ahrens spoke about a new representative from UGI who has been more responsive to the Township's issues. Mr. Ahrens stated UGI still has a large amount of work to remediate and could take some time to finish. Mr. Meck asked if there was a square footage amount stipulated in the permit process. Tom Unger stated on the permit is individually stated we reserve the condition to have an overlay done at the end of work. Mr. Ahrens stated Mr. Unger recommends in the future to update the ordinance for Road Occupancy Permits. Mr. Meck stated to put measures in place for future road work in the Township. Discussion continued on all the work being done; coring the roads and the impact on the Township Roadways.

Discussion of Fuel Inventory System and Fuel Tank Upgrade: Mr. Ahrens prepared a memo about the challenges of re-fueling, keeping track of fuel consumption, and budgeting. Mr. Ahrens suggested the Board should consider implementing an inventory system and new tanks; and how that would benefit the Township with emergencies, delivery fees, and added fuel capacity to service the other entities that utilize the fuel. The Board discussed further including the condition of the tanks, and the cost to upgrade with size and location. The Board asked Mr. Ahrens to get price quotes for new tanks and physical improvements with the Fire Chief.

Schedule Meeting for Final Budget Adoption: Mr. Ahrens stated the Board of Supervisor Budget Meeting will be held on December 27, 2022, at 7:00 pm.

BUSINESS

Consider Resolution 18-2022 Appointing Ana Konopitskaya to Zoning Hearing Board: A motion was made by Heidi Fiedler to appoint Ana Konopitskaya to the Zoning Hearing Board. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consider Appointment to Maidencreek Township Authority Board: The Board suggested they interview all candidates applying for Maidencreek Township Authority Board. Mr. Ahrens stated he would send executive session dates for meeting interview appointments for the Maidencreek Township Authority Board.

A motion was made by Heidi Fiedler to amend the agenda to include reconfirmation of previous approval of Trinity Bible Fellowship Plans and to authorize the Township Manager to draft a letter of support for Maidencreek Township Water Authority applying for Grants. 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 reapprove the July 8, 2022 plan for Trinity Bible Fellowship Plans. 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 authorize Mr. Ahrens to draft a letter of support to Maidencreek Township Water Authority for Grants. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Mr. Franke announced the Board would meet in Executive Session to discuss issues of potential litigation after adjournment.

Having no further business, a motion was made by Heidi Fiedler to adjourn the December 8, 2022, meeting of the Maidencreek Township Board of Supervisors. Joshua Meck seconded the motion. All members voted "Aye." The meeting adjourned at 8:18 pm.

Respectfully Submitted,

Christina Hafer
Township Secretary