RESOLUTION 12-2022

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF MAIDENCREEK, BERKS COUNTY, PENNSYLVANIA, APPOINTING THE SOLICITOR FOR THE MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS, PLANNING COMMISSION AND PARK AND RECREATION BOARD AND ESTABLISHING THE FEE SCHEDULE FROM JANUARY 10, 2022 THROUGH THE DATE OF THE REORGANIZATION MEETING TO BE HELD IN JANUARY OF 2023.

WHEREAS, it is the Board of Supervisors of Maidencreek Township desire to appoint a solicitor to serve at the pleasure of the Board Supervisors to perform services for the Board of Supervisors, the Planning Commission and the Park and Recreation Board of Maidencreek Township; and

WHEREAS, the Board of Supervisors of Maidencreek Township has the authority to appoint a person or firm to the position of Township Solicitor and determine their compensation in accordance with Article XI, section 1101 of the Second Class Township Code;

NOW, THEREFORE, in consideration of the above recitals, the Board of Supervisors of the Township of Maidencreek, Berks County, Pennsylvania, resolve as follows:

Section 1. Appointment of Township Solicitor

The Board of Supervisors of Maidencreek Township hereby appoints the law firm of E. KENNETH NYCE LAW OFFICE, LLC to the office of Township Solicitor to serve at the pleasure of the Board in accordance with Article XI of the Second-Class Township Code.

Section 2. Fee Schedule

The fees for the Township Solicitor for 2022 shall be:

Except as provided, all routine municipal representation of the Township including attendance at meetings to be accomplished at the rate of $180 per hour of

attorney time (including senior attorneys) and litigation at a rate of $200 per hour billed in 2/10 hour increments. Expenses, costs, filing fees, service fees, notary fees, advertising and similar disbursements are in addition to the hourly rate quoted as well as paralegal charges where appropriate.

RESOLVED and ADOPTED by the Board of Supervisors of the Township of Maidencreek in lawful session duly assembled, this 13th day of January, 2022A.D.

Board of Supervisors
Maidencreek Township
Berks County, Pennsylvania

Heidi Fiedler

Joseph Farley

David Franke

Attest:

Diane Hollenbach, Manager

NYCE
E. KENNETH NYCE LAW OFFICE, LLC
A Dischell Bartle Dooley Partner Firm

January 7, 2022

Jonathan B. Young
Eric C. Frey
Nicole C. Manley
Mark B. Dischell
John T. Dooley

Frank R. Bartle
(1977 – 2020)
E. Kenneth Nyce
(1956 – 2008)

Via email: heidifiedler@maidencreek.net
Attention: Heidi Fiedler, Supervisor
MAIDENCREEK TOWNSHIP
1 Quarry Road
P.O. Box 319
Blandon, PA 1951

RE: Maidencreek Township Solicitor

Dear Heidi:

It was a pleasure speaking with you yesterday regarding the position of solicitor for Maidencreek Township. As discussed, I work for the E. Kenneth Nyce Law Office ("Nyce") which is located in Boyertown, Pennsylvania. Nyce is a general practice firm which has existed in Berks County for over sixty years. We have a significant emphasis on real estate, land use, zoning, and municipal law. I have practiced primarily in those areas since 1995.

We also have attorneys that specialize in estate planning, litigation, employment law, banking/borrowing and general business law. Accordingly, Nyce can provide any overlap services which may involve any of these legal practice areas.

Attorneys in our firm represent zoning, hearing boards, school districts, boroughs, townships and other municipal entities, as well as numerous private developers. With offices located in Boyertown, Pottstown and Lansdale, our firm has been able to represent clients throughout Berks, Bucks, Lancaster and Montgomery Counties.

Nyce includes attorneys who currently represent Towamencin Township (Montgomery County), Franconia Township (Montgomery County), and Colerain Township (Lancaster County). We also currently represent Lower Providence Township Sewer Authority, Green Lane Marlborough Joint Authority and Franconia Township Sewer Authority. Additionally, our attorneys have personally represented the Zoning Hearing Boards in Towamencin Township, Horsham Township, Hatfield Borough, Lower Providence Township, Franconia Township, and Lower Salford Township.

In addition to handling normal municipal matters and monthly meetings, Nyce attorneys have successfully represented municipal clients and zoning hearing boards before the Berks County, Bucks County, Lancaster County, and Montgomery County Courts of Common Pleas and the Pennsylvania Commonwealth Court. Given the above, it should be clear that our firm includes attorneys that possess an expertise in the area of land use, zoning, and municipal law.

In short, the attorneys in Nyce possess all the necessary qualifications and expertise to enable them to render outstanding legal services to Maidencreek Township and the Board of Supervisors. We are proud of our vast and varied experience in all aspects of municipal law.

The firm proposes that I be the primary attorney assigned to Maidencreek Township on all matters. Additional attorney services may be rendered by my partners, Nicole Manley, Esquire, and/or Jonathan Young, Esquire.

Nyce also takes great pride in the quality and experience of its support personnel. The office is completely computerized, and all research is performed with state of the art computer/internet researching tools. Staff members are well aware of the importance of client accessibility to the appropriate attorney, as well as the preservation of client confidences. Immediate contact with the attorney and/or a secretary or paralegal is ensured, so that the most rapid response to a request for services can be provided.

I appreciate the opportunity to propose this firm's services to Maidencreek Township at a rate of $180.00 per hour for general municipal work and $200.00 per hour for litigation matters. We possess more than the requisite skill and expertise to handle the Township's legal issues. Further, this firm is committed to, and proudly maintains, the reputation for representing all our clients' interests in an exemplary, efficient, and professional manner.

Thank you for the chance to address you on this topic. I stand ready to provide further elaboration of our ability to serve your needs, and look forward to meeting you on Monday January 10th at 11:00 a.m.

Very truly yours,



ERIC C. FREY, ESQUIRE