Maidencreek Township Board of Supervisors
May 9, 2024
6:00 p.m.

Attending: David Franke, Joshua Meck, Eric Bauman, Diane Hollenbach, Christina Hafer, Eric Frey, Esq. of E. Kenneth Nyce Law Office, Pamela Stevens of Systems Design Engineering and Tom Unger of Systems Design Engineering.

Guests: Keith Shuman (Road Foreman), Dan Miller, Fire Chief at Blandon Fire Company, Mike Schittler, Maureen Cortazzo, Joe Higgins, Tim Wales, Ruth Schlechter, Kathleen Malloy, David Batz, and other guests.

Attending the Zoom: Brooke Meck, Karen Wolfson, Steve Wolfson, and other guests.

David Franke called the regular meeting to order at 6:00 p.m. with the Pledge to the Flag.

David Franke stated an executive session was held on April 22, 2024, from 9:00 am to 10:00 am and April 29, 2024, from 2:00 pm to 4 pm both for personnel matters.

APPROVAL OF AGENDA AND MINUTES

Joshua Meck motioned to approve the May 9, 2024 Agenda. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Eric Bauman motioned to approve the April 11, 2024 Regular Meeting Minutes. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Eric Frey commented on the Public Comment standards stating you have to allow the public to talk about items that may come before the Board of Supervisors.

A motion was made by Joshua Meck to Adopt Resolution 16-2024 Setting Additional Standards for Public Comment. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

PERSONAL APPEARANCES AND PUBLIC COMMENT

Joe Higgins, 225 Faith Drive.

Mr. Higgins asked when the Pickleball Courts would be complete. Keith Shuman said weather permitting we will finish soon.

Charles L. Voorhies, 284 West Walnut Tree Drive.

Mr. Voorhies referenced Resolution 16-2024 Public Comments and wanted clarification if he can comment on issues other than what is on the agenda. Eric Frey answered saying if you state a comment as a question, the Board of Supervisors does not have to answer the question. Mr. Voorhies then asked if he could request a question to be put on the agenda. Mr. Frey stated that he could request for an item to be put on the agenda and also could make a Right-To-Know request for an answer.

Heidi Fiedler, 432 East Wesner Road.

Ms. Fiedler asked the Board to read Resolution 16-2024 which was just passed. David Franke said he would read the Resolution and it would be available to the public. He then stated it

expands on the Resolution that was passed when Ms. Fiedler was in office. Mr. Franke then proceeded to read Resolution 16-2024. Ms. Fiedler stated that the previous Resolution was not enforced by this Board, and wanted her comments to be reinstated. Ms. Fiedler then stated that the website did not have information regarding the Township meeting, agenda, and minutes, which is a problem.

Tim Wales, 216 Sofia Blvd.

Mr. Wales commented on the website saying there are two different websites and to delete the website that is not being used. David Franke stated we are having problems with the website and voted to go to a new website, and it should be up and running in the next few weeks.

Ms. Fiedler then asked about the status of the Planning Commission regarding the deletion of warehouses from the C-2 Zoning District in the Township. Mr. Franke said the Board would be discussing that in the future. Eric Frey said we moved it forward and sent it to the Planning Commission last month and asked Ms. Fiedler if he could call her this week.

Mr. Voorhies asked how long it would take to revamp the website and if there was a conflict of interest with a member of the Planning Commission setting up the website. The Board stated the member of the Commission did not set it up, he only coordinated it with the Township. Mr. Franke said they are hoping it only takes thirty days for the website to be up and running.

Kathleen Malloy, 181 Faith Drive.

Ms. Malloy suggested making a notation on the other website for the correct website. Diane Hollenbach said we don't have access to the old website and suggested refreshing the browser when on the correct website.

Ms. Fiedler said the solicitor should send a letter to the website to threaten litigation.

REPORTS

Engineering & Zoning Reports – Pamela Stevens

2024 Road Maintenance Bids.

Pamela Stevens handed out the 2024 Road Maintenance bid before the meeting and there was one bidder, Asphalt Maintenance Solutions, LLC with a total base bid of $240,613.33. She went over the roads that would be covered by the bid and the type of surface that would be used for the roads.

- Acceptance of the 2024 Bids.

A motion was made by Joshua Meck to accept the 2024 Road Bids. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

- Award of the 2024 Road Maintenance Contract

A motion was made by Joshua Meck to award the 2024 Road Maintenance Contract for $248,613.33 to Asphalt Maintenance Solutions LLC from Center Valley. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Accept the time extension to the review period for the Crossing at Maidencreek Final Plan until September 4, 2024.

Pamela Stevens said the Crossing at Maidencreek is still working out the sanitary sewer off-site easement and is asking for a time extension until September 4, 2024.

A motion was made by Eric Bauman to accept the time extension for Crossing at Maidencreek Final Plan until September 4, 2024. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the Maiden Creek Associates Final Plan.

Pamela Stevens said Gregg Adelman is in the audience, she briefly went over the May 3, 2024 review letter.

Joshua Meck made a motion to approve the Maiden Creek Associates Final Plan based on the comments provided in the review letter dated May 3, 2024 and the May 8, 2024 Bohler Engineering letter, which are incorporated by reference. Seconded by Eric Bauman, hearing no questions, the motion passed unanimously.

Gregg Adelman commented there were two issues the timing of the request of the bus shelter agreement stating the Township and Barta would have to discuss the appropriate location, and would be added to the escrow. The other issue is the stormwater inspection fee agreement was $5,000.00 for 5 years, the ordinance says $7,500.00 for 10 years and agreed to the $7500.00 for 10 years provided it supersedes the prior condition so they are not both applicable. Pamela Stevens stated SDE agreed to both issues and Eric Frey said the motion should be modified for the two issues stated by Mr. Adelman.

Joshua Meck made a motion to amend the motion to approve and clarify the Maiden Creek Associates Final Plan based on the May 8, 2024, letter from Systems Design Engineering. Eric Bauman seconded the motion, hearing no questions on the motion, and it passed unanimously.

Charles Voohies asked what the developer would be allowed to do. Eric Frey said this approves the Land Development portion of the project, but there are zoning, courts, and outside agency approvals outstanding.

Motion to forward the draft amendment to the Zoning Ordinance revision that sets standards and definitions for solar electric generation to the Berks County Planning Commission for review.

A motion was made by Joshua Meck to forward the draft amendment of the Zoning Ordinance for solar electric generation to the Berks County Planning Commission for review. Seconded by Eric Bauman and hearing no questions on the motion, it passed unanimously.

Pamela Stevens went over the Brake Retardar Ordinance saying she had a sign location plan for the Board and Keith Shuman. Pamela Stevens said they did not have signs for Constitution Avenue and Tamarack Boulevard because there should not be trucks on those streets. When the signs are installed PennDOT needs to be contacted and the fines will not be on the signs. David Franke said we should send a letter to PennDOT asking permission to put the maximum fine on

the signs. Pamela said Northern Berks Regional Police Department should have a copy of the ordinance. Diane Hollenbach said they have a copy of the ordinance and it is codified.

A motion was made by Joshua Meck for the purchase of the signs, costs, installation, and the letter to PennDOT for the Brake Retarder Ordinance. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Pamela Stevens spoke about the Cornerstone Bridge to approve a quote for traffic counts and said they contacted Bogia Engineering for a 24-hour count. Diane Hollenbach talked to Dean Druckenmiller about doing a 2-hour hand count. No action was taken.

Ms. Stevens said Wexcon will be starting Monday to begin work on the sinkhole at Penrose Avenue and will meet with Keith Shuman at 8 am on Monday. She also talked about closing the roads requested.

Tim Wales, 216 Sofia Blvd. asked why Tom Unger was not present at the meeting. Ms. Stevens said Mr. Unger is retiring and she is in transition to be Maidencreek Township's Engineer.

Solicitor – Eric Frey, Esq.

Mr. Frey talked about the amendment to the Verizon lease explaining details of the amendments to the lease with payments, and a start date of January 1, 2026. Joshua Meck had some questions about the location and the layout.

Eric Frey announced they will have an executive session on a real estate issue from 6:40 pm to 6:46 pm.

Mr. Frey after speaking with the Board about some issues will go back to Verizon for more discussion.

Public Works – Keith Shuman

Approval to purchase excavator.

Joshua Meck explained some equipment is outdated and needs to be upgraded and they had a demo with a CAT machine that will fill the needs of the Township. The quote for the excavator is $96,000.00. He recommended we keep the other machine for now and said they took turns operating the new CAT machine.

A motion was made by Eric Bauman to authorize Keith Shuman to purchase the CAT machine model number 305 mini hydraulic excavator for $96,000.00 paid from the bond. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Authorize the Solicitor to prepare a reimbursement agreement between Maidencreek Township and Tyler Nolt.

David Franke explained we had an employee leave and the Township needs to replace the position with a class A licensed employee. Tyler Nolt is a current employee who desires to take the CDL training course at Berks County Technical College.

A motion was made by David Franke authorizing the solicitor to prepare a reimbursement agreement between Maidencreek Township and Tyler Nolt. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval for Tyler Nolt to enroll in the July 22, 2024 daytime CDL training course at BCTC.

David Franke motioned to approve Tyler Nolt to enroll in the July 22, 2024 daytime CDL training course at BCTC for a cost of $5,900.00. The motion was seconded by Eric Bauman and after hearing no questions on the motion, the motion carried.

Manager – Diane Hollenbach

Diane Hollenbach said the zoning hearing for 385 West Walnut Tree Drive has been rescheduled for May 21, 2024. There is a motion needed to open a new bank account for the recycling fee and open a PLIGIT account for the bond funds. She met with Fox Run Farms about building permit issues and said PennDOT is repairing street lights in the roundabout the week of May 13, 2024, and they will be handed over to the Township.

Ms. Hollenbach asked for authorization to work with the solicitor in banning a certain youth from the Community Park.

A motion was made by Joshua Meck to authorize Diane Hollenbach to work with the solicitor to ban a certain youth from the Community Park. Eric Bauman seconded the motion and hearing no question on the motion, it passed unanimously.

Mike Schittler, 131 S View Rd. asked about the noise level in the Community Park during the weekend rentals. Diane Hollenbach said there are rules, and if it is that bad the NBRPD should be called.

OLD BUSINESS - None

NEW BUSINESS

Approve the purchase of 672 recycling bins from Orbis for $7,445.76.

Joshua Meck made a motion to approve the purchase of 672 recycling bins from Orbis for $7,445.76 seconded by Eric Bauman. Hearing no question on the motion, the motion carried.

Accept Andrew Letsche's resignation and authorize the Chairman to sign the separation agreement.

A motion was made by Joshua Meck to accept Andrew Letsche's resignation and authorize the Chairman to sign the separation agreement. Eric Bauman seconded the motion and hearing no questions on the motion, the motion carried.

Authorize advertisement for a road crew worker with a CDL A license.

Joshua Meck made a motion to authorize an advertisement for a road crew worker with a CDL A license, seconded by Eric Bauman. After hearing no questions on the motion, it passed unanimously.

Discussion regarding Township fee schedule and action on Comcast permit fees.

Diane Hollenbach said the fee schedule that was previously adopted was not consistent. Comcast came to the Township about the fees and asked to waive the fee for digging in a gravel shoulder or grass and if we could escrow the permit fees and inspections and if money is left we give a refund. Joshua Meck explained about the UGI issue they had last year and has concerns about other issues that have come up recently. The Board discussed looking at the fee schedule and asked the solicitor about approving the permit fees. Eric Frey said having the escrow with it being replenished below a certain amount could be an option. He said the Board can waive fees and have meetings with Comcast about bridging a gap until the fee schedule is changed. The Board also discussed changing the street, sidewalks, and curbs ordinance that was adopted being the same as the City of Reading and is not fit for Maidencreek.

Approve the installation of a mini split unit for the meeting room by Advanced Comfort Specialists.

A motion was made by Joshua Meck to approve the cost of $14,599.00 and the installation of a mini split unit for the Maidencreek Township meeting room by Advanced Comfort Specialists. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

FINANCIAL MATTERS

Adopt Resolution 17-2024 Grant Application Resolution.

Pamela Stevens discussed the types of grant applications, when they are available, the eligible uses of the funds and one of the grants would open July 1, 2024.

Joshua Meck made a motion to adopt the 17-2024 Grant Application Resolution for the request of the water restoration grant for $300,000.00 with a 15 percent match. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joshua Meck to allow Systems Design Engineering to apply for the $300,000.00 grant. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Park and Recreation has requested $200,000.00 of the bond proceeds for the Ontelaunee Heights Tot Lot.

The Board discussed locating the All-Inclusive playground at Ontelanunee Heights open space with the concerns being security features, restrooms, and parking. The Board would like to see a plan and consideration of using the Community Park as an alternative location. Fleetwood Soccer Club was interested in meeting with Park & Recreation about using the fields. Pamela asked about the Parks Master Plan, Diane said there is a plan except for Ontelaunee Heights. The Board discussed grants where the money would be allocated and the issues of sinkholes. Diane Hollenbach asked Pamela Stevens to attend the next Park & Recreation meeting to discuss an

engineered plan for the playground, handicap-accessible walkways, and restrooms. The Board tabled the Ontelaunee Heights All-Inclusive playground.

Recycling Fee Account at Truist Bank and authorize the Board and Manager to sign all paperwork.

Joshua Meck motioned to authorize the Board and Manager to sign all paperwork for the Recycling Fee Account at Truist Bank. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Treasurer's Report and Bill List.

A motion to approve the bills and accept the Treasurer's Report as presented was made by Joshua Meck, and seconded by Eric Bauman. Hearing no questions on the motion, it passed unanimously.

ADJOURNMENT

A motion to adjourn the meeting was made by Joshua Meck and seconded by Eric Bauman. The meeting was adjourned at 7:37 p.m.

Respectfully Submitted,

Christina Hafer
Township Secretary