Maidencreek Township Board of Supervisors
June 13, 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, Tom Unger of Systems Design Engineering.

Guests: Keith Shuman (Road Foreman), Dan Miller, Fire Chief at Blandon Fire Company, Scott Zimmerman, Gavin Milligan, Anthony Spero, Donna Culp, Steve Dymeck, Mary Dymeck, Aaron Rogers, Pat Moyer, Tammy Rank, Richard Wick, Cory Leshner, Kory Hilpmann, Camina Davis, Nancy Runyon, Kelly Ryan, Roger Anderson, and other guests.

Attending the Zoom: Brooke Meck, Robert Wood, 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 May 22, 2024, from 5:00 pm to 7:00 pm for personnel matters.

APPROVAL OF AGENDA AND MINUTES

Joshua Meck motioned to approve the June 13, 2024, Agenda. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

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

PERSONAL APPEARANCES AND PUBLIC COMMENT

Kory Hilpmann, 208 Blandon Meadows Pkwy.

Mr. Hilpmann stated he would like to put a fence up and spoke about the easement that cuts diagonally across the back of their property line. He said the water collects in the lower portion of the easement. He asked for the Board to make a motion to remove the easement to put up a fence. Diane Hollenbach provided some documents for the Board and said the tree line still exists, the house was built in 2001, and the house is located where two developments meet, and thinks it might have been an error because there are two swales side by side. Mr. Hilpmann provided pictures from the July 9, 2024, storm to the Board that showed the water did not reach his property line. He explained where he would like to put the fence. The Board discussed the situation and will keep the easement with conditions and SDE will issue a zoning permit for the fence.

A motion was made by Joshua Meck to allow 208 Blandon Meadows Pkwy to encroach on the easement with a fence with conditions. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Tammy Rank, 605 Independence Court.

Ms. Rank asked the Board to reconsider the “NO PARKING” sign at the dedicated space in front of 600 Independence Court. She said her concern is that a dedicated space is putting a burden on the neighborhood with one less space available and stated the person who lives at 600

Independence Court is parking personal vehicles in the spot. Dave Franke explained why there is a dedicated parking spot for a Township vehicle and that PennDOT authorizes what is on the signs. Mr. Franke apologized for the parking issues in that area. Mr. Shuman said his vehicles are not parked in the dedicated car park. Ms. Rank said she respects the decision of the Board on the no parking sign.

Joy Thieme, 111 Independence Court.

Ms. Thieme said her husband made a sign for Independence Court and said yesterday she was almost hit due to someone going the wrong way and is asking the Township to put a "Wrong-Way" sign there. Mr. Franke said he received her email and reiterated the traffic sign process with PennDOT.

Tim Thieme, 111 Independence Court.

Mr. Thieme said cars coming out of Independence Court and Genesis Drive make a left towards the roundabout the wrong way and asked if the Township could put a "Wrong-Way" sign on the north side of Independence Court and Genesis Drive. The Board discussed solutions to the issues in this area. Mr. Thieme asked who would be liable if there was a head-on collision and the Board addressed that the Township could be sued either way. The Board also discussed how people are not following instructions in the roundabouts. Mr. Meck said the island on the roundabout was cleared of grass and weeds, but some residents were not in favor of doing that. The Board continued the discussion and said they would look into it for some kind of solution.

Pat Moyer, 102 Colonial Court.

Ms. Moyer said she called PennDOT, and they said the problem at the roundabout is the Township's responsibility and she also called the State Representative. Ms. Moyer also mentioned that there was a 15 mph sign on Colonial Court coming down the hill, but it was taken out by a car and asked for another sign to be put up. The Board continued the discussion and said they would look into the issue and would have to do a traffic safety study.

Steve Dymeck, 196 Longleaf Drive.

Mr. Dymeck asked about the brake retarder signs with the fines on the signs. He also thanked the Board for the walking trail at Ontelaunee Heights Park. He then asked about the shrubs at the driveway near CVS that are causing a visibility issue. Tom Unger stated there is a clear sight triangle for driveways and the Board said they would look into it. He asked if the 25-mph sign be put back up at Tamarack Blvd. Diane Hollenbach said the utilities underground pose a problem with putting a sign there and Tom Unger said he would check it out with Keith Shuman. Mr. Dymeck asked about the Pickleball Court regulations, and the Board said they are going to put a sign with the rules and regulations. He also asked if we would remind residents in the next newsletter to clean up after pets and keep the sidewalks clear of debris, overhanging shrubs, bushes, and trees.

Charles Voorhies, 284 West Walnut Tree Drive.

Mr. Voorhies asked if the brake retarder signs could be put up without the fines on them. The Board said they have the signs now and the signs with the fines are separate and they are not sure if PennDOT will approve the sign for fines.

Heidi Fiedler, 432 East Wesner Road.

Ms. Fiedler said there is still an issue with Willow Creek's erosion at her bridge and asked the Township to review the issue which also impacts the Walnut Tree bridge using the Bond money to pay for it. The Board said the permit did not include Willow Creek and the permit for the West Walnut Tree bridge is approved by the Conservation District and DEP. The Board discussed further with Ms. Fiedler the issue of her bridge erosion. Ms. Fielder asked if addresses would not be included in the meeting minutes. The Board and Diane Hollenbach said the addresses have always been in the minutes.

Barry Arndt, 45 West Wesner Road.

Mr. Arndt stated he had a tenant evicted from 45 West Wesner Road in March and obtained possession of the property on June 3, 2024. He said the tenant caused damage inside the property and called the Township, and the code enforcement officer was notified. He stated he only spoke to the code enforcement officer once and proceeded to read all the text messages with dates and times. David Franke said this is a court issue and Mr. Unger stated he spoke with Mr. Arndt three times; the communication was more than adequate between him and SDE with numerous emails and text messages. He also said that Mr. Arndt did not want SDE to do anything until the tenant was evicted. Mr. Unger said SDE followed up on a complaint and did not have anything to do with the legal issues. Mr. Arndt said he would like to have the SDE inspector meet with him at his property, and Mr. Unger agreed.

REPORTS

Northern Berks Regional Police Report – Chief James Keiser

Chief Keiser reviewed the NBRPD Activity Report for May 2024 for Maidencreek Township, including calls for service, citations, traffic warnings, vehicle contacts, crashes, arrests, fuel, mileage, and hours of service. Chief Keiser reminded everyone that National Night Out will be on August 6, 2024, at Reading Fair Grounds for more space. Mr. Franke asked if anyone would like to volunteer to please call the office at 610-926-2999.

Charles Voorhies asked Chief Keiser for his help stating he had an incident on October 17, 2023, his neighbor had a burglary about two months ago, and on May 22, 2024, someone put holes in his pool and has not heard anything from the police. Chief Keiser said the person Mr. Voorhies accused had a solid alibi. Chief Keiser said Officer Wood would call Mr. Voorhies.

Engineering & Zoning Reports – Thomas Unger, P.E.

Tom Unger said the Board has a copy of the Engineer's Report and the Subdivision Status Checklist, all plans are current, and working on various subdivision, and zoning amendments with the Planning Commission and the zoning officer, code enforcement, and UCC report are also attached. The property owner of the Shadow Ridge detention basin sinkhole has hired a geologist who has prepared a report and is proceeding with a contractor.

Authorize signature of the 2024 Road Work Contract and mailing of the Notice to Proceed.

A motion was made by Joshua Meck to authorize the Chairman of the Board to sign and proceed with the 2024 Road Work Contract. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Authorize payment of $33,910.00 to Wexcon for the Penrose Avenue sinkhole repair.

A motion was made by Eric Bauman to authorize payment of $33,910.00 to Wexcon for the Penrose Avenue sinkhole repair. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

11 Ingot Drive Special Exception review and comment. The hearing will be June 20, 2024, at 7:00 pm.

The Planning Commission is recommending that the Board send a letter to the Zoning Hearing Board with the stipulation that there is no boarding of animals at the facility unless the boarding is related to veterinarian service or post-surgery recovery.

Joshua Meck motioned to authorize the Township Manager to send a letter to the Zoning Hearing Board with the stipulation they do not board animals at the facility unless it is related to veterinarian emergency service or post-surgery recovery. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Solicitor – Eric Frey, Esq.

Verizon Lease Agreement proposal.

Eric Frey stated he had negotiations with Verizon to increase the rent and relocate the site. Joshua Meck said he met with an environmentalist to look at the history of the site and Mr. Meck said he wanted to move it out in the front. Mr. Frey said Verizon wanted to start the permitting process and the rent increase is what other municipalities are receiving, explaining the scale of the lease.

Mr. Frey said the judge ruled in favor of the Township on the neighbor's land use appeal for the warehouse. The neighbors then have the right to appeal that decision within 30 days of the ruling.

Public Works – Keith Shuman

Motion to hire Christopher Weiss as a Laborer II with CDL A effective June 10, 2024.

Joshua Meck made a motion to hire Christopher Weiss as a Laborer II with a CDL A license effective June 10, 2024. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Park and Recreation – Aaron Rogers

Aaron Rogers said he signed the Township up for National Night Out for a table making walking tacos. He is asking for a donation of 500 baggies of Frito Lay chips and cooked taco meat and Keith Shuman has giveaways from previous years.

Aaron said he spoke with Andrew Maier Elementary School about allowing movie night in the gymnasium and allowing the use of their movie license. He said that using DVDs might be a cheaper option, purchasing a projector and screen, and looking for a date for the event sometime in July or August.

Aaron said that Joshua Meck was present at the Park and Recreation meeting talking about having a community Flea Market at the Community Park and they decided it would be held on October 5, 2024, from 8:00 am to 1:00 pm charging a fee for each spot. They also explained how it would work and the rules for the Flea Market event. The Board discussed some of the rules they would like to have for the event. They also discussed the rules for the Pickleball Court.

Aaron Rogers said they discussed at the last P&R meeting moving the All-Inclusive Playground where the Water Authority has wells 6 & 7. The Board discussed putting in bathroom facilities, adult fitness, paving, and grants and the Board will get back to them to discuss further.

Manager – Diane Hollenbach

A request by an NBRP officer for cameras at the Faith Drive Basketball Court – Direction.

Diane Hollenbach said an NBRP officer stopped by the Township building to discuss Faith Drive basketball court saying there was some trouble with foul language and other trouble and requested we look into getting cameras. The Board and Chief Keiser discussed what type of cameras they should use and the costs of them including solar-powered cameras.

Updated Public Education Plan and Public Participation and Involvement Plan for MS4 education distributed.

Diane said she reviewed the plans and the only thing that had changed was the location of the files on the computer. DEP was specific that it should have all the information for a new employee at the Township.

OLD BUSINESS - None

NEW BUSINESS

Authorize closing of the Office on Friday, July 5, 2024.

The Board of Supervisors agreed to close the Township Office on Friday, July 5, 2024.

Accept Brad Congelio's resignation from the Park and Recreation Board.

A motion was made by Eric Bauman to accept Brad Congelio's resignation from the Park and Recreation Board and to send a thank you letter. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

The Board of Supervisors said they would like to post on the Maidencreek.net website for a replacement.

Authorize the advertisement of the Seven-Year Review of the Agricultural Security Area.

A motion was made by Joshua Meck to authorize the advertisement of the Seven-Year Review of the Agricultural Security Area. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Diane Hollenbach said every 7 years they have to send a notice to every person who is currently in the Agricultural Security Area. Those properties that have switched hands or changed names have to reapply, and those with no changes can remain in or ask to be removed.

Adopt Resolution 18-2024 Memorandum of Understanding with the Berks County Conservation District.

A motion was made by Josuha Meck to adopt Resolution 18-2024 Memorandum of Understanding with the Berks County Conservation District. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Consideration of a request to close Fleming Street on Saturday, July 13, 2024, for a block party.

Camina Davis, 108 Fleming Street said she spoke to neighbors on her street and received signatures from them to have a block party for socializing and asked about closing Cedrick Avenue to Hammond Street. Diane Hollenbach said the Township would supply the barricades and they would have to notify the NBRPD and Emergency Services of the date and time the block party would be held. Camina said they would like to play music and Diane said the music could play until 10:00 pm.

Kelly Ryan, 113 Fleming Street asked about mail delivery on that day. David Frake said they could contact the Post Office about the date and time of the party. Mr. Franke said they could use picnic tables and a moon bounce.

A motion was made by David Franke to allow a block party on July 13, 2024, from 1:00 pm to 10:00 pm on Fleming Street, closing the street from Cedrick Avenue to Hammond Street and the Township will deliver barricades at no cost. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Accept the resignation of Beverly Guistwite effective May 31, 2024.

A motion was made by Joshua Meck to accept the resignation of Beverly Guistwite effective May 31, 2024. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Discussion on request from the Blandon Fire Company Relief for financial help in paving the parking lot.

Jim Schoellkopf, Jr. said the parking lot is in bad shape, it gets a lot of use not only from the bar but also from the ball teams. The Board discussed that it's a polling place and a playground and there should not be tripping hazards. Joshua Meck stated they did an asphalt zipper demo last week and used the leftover asphalt to patch holes. David Franke suggested a concrete pad in front of the engine room due to the weight of the trucks and getting a working agreement with businesses to assist with the work. Charles Voorhies asked about a fundraiser and an estimate on the project. Mr. Schoellkopf explained the process of the fundraisers and they are working on getting an estimate. The Board will wait to hear from the Relief when they have a cost estimate.

FINANCIAL MATTERS

Motion to approve the bills and accept the Treasurer's Report as presented.

Eric Bauman motioned to approve the bills and accept the Treasurer's Report as presented. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Roger Anderson, 438 Acer Drive.

Mr. Anderson said he called the office and spoke to Connor about how unhappy he was that the crew who put the fiberoptics ruined his yard and damaged the driveway and then left. Diane Hollenbach said the reason they stopped abruptly was because they didn't pay for the permits and are obligated to restore your property. Mr. Anderson said the machine they were using broke chunks out of his driveway. Joshua Meck said he had another complaint and had a conversation with the crew along with Keith Shuman and was surprised to hear that happened and will visit them again. The Board discussed if they don't respond, they will not be issuing any more permits to them.

ADJOURNMENT

A motion to adjourn the meeting was made by Joshua Meck and seconded by Eric Bauman. The meeting was adjourned at 7:58 p.m.

Respectfully Submitted,

Christina Hafer
Township Secretary