Maidencreek Township Board of Supervisors
August 8, 2024
6:00 p.m.

Attending: David Franke, Joshua Meck, Eric Bauman, Diane Hollenbach, 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, Donna Culp, Anthony Spero, Aaron Rogers, Gavin Milligan, Steven Dymeck, Danial Brown, Nancy Runyon and other guests.
Attending the Zoom: Brooke Meck, David Tranquillo

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

APPROVAL OF AGENDA AND MINUTES

Joshua Meck motioned to approve the August 8, 2024 Agenda. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Eric Bauman motioned to approve the July 11, 2024 Regular Meeting Minutes with one correction on page 3 under the Verizon Lease Agreement changing "rental price of $22,000.00" to " rental price to $22,000.00". Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

PERSONAL APPEARANCES AND PUBLIC COMMENT

Steven Dymeck, 196 Longleaf Drive asked again about the line of site at the CVS entrance on Tamarack Blvd., the missing 25 MPH speed limit sign, the location of the brake retarder signs in the roundabout, and trees across the path at the Community Park. A letter was sent to the CVS property owner and no response was received. The township is scheduling removal of the bush. Mr. Shuman will look at getting the speed limit sign installed next week. Pamela Stevens will include a request in her next letter to Penn DOT to relocate the brake retarder signs. Dave Franke explained that the police department was issuing warnings until the first thirty days expired. After thirty days, they would begin issuing citations.

Joshua Meck brought up the overgrown detention basins on Route 222. David Franke discussed sign reflectivity and Eric Bauman reported that Dave Maloney contacted him about a left turn arrow at Route 222 and Route 73. There may be future discussion about making a joint effort between the township, police department, State Representative and State Senator to request the turning arrows from Penn DOT.

Heidi Fiedler, 432 East Wesner Road read a portion of a letter received from the State Ethics Commission with a preliminary finding that she was not in violation of the ethics act because she did not receive pecuniary compensation from the low head dam repair. She requested an apology

from Supervisor Franke. Supervisor Franke declined. Heidi Fiedler accused David Franke of making false allegations that influenced the election.

Charles L. Voorhies, 284 West Walnut Tree Drive asked who decides the fine amount for brake retarder violations. Dave Franke explained that the District Justice makes the decision on the fine amount. Charles Voorhies asked why Dave Franke would not apologize and said he had information of the dam from the County.

REPORTS

Northern Berks Regional Police – Dave Franke informed the public that National Night Out has been rescheduled for September 24th from 5:30 to 8 p.m.

Engineering & Zoning Reports – **Pamela Stevens**

Time Extension for the Crossing at Maidencreek Final Plan

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 December 4, 2024.

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

Resolution 19-2024 Deerfoot Winery Planning Module

A motion was made by Joshua Meck to adopt Resolution 19-2024 authorizing Act 537 revision for the Deerfoot Winery Planning Module. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Maidencreek Banquet Hall Variance – The Supervisors discussed the Planning Commission's recommendation that the applicant for the variance show there is adequate parking or propose a plan to address parking deficiencies. The Supervisors felt that the Zoning Hearing Board should hear how many people could be in the 3000 square foot building and how many parking spaces are required for the maximum number of people. There are other businesses at 8520 Allentown Pike as well as unoccupied units and the Supervisors thought there should also be testimony on how this use impacts the other businesses parking. The Board instructed that a letter similar to the Planning Commission letter be sent to the Zoning Hearing Board.

NPDES Renewal Application

A motion was made by Joshua Meck to authorize the manager to sign and submit the NPDES permit renewal to the Pennsylvania Department of Environmental Protection at the conclusion of the thirty-day comment period for the TMDL and PRP plans. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

2023 Road Project – Martin Paving Application for Payment #1

A motion was made by Joshua Meck to approve application for payment #1 from Martin Paving for the 2023 Road Paving Project in the amount of $55,324.80 conditioned upon completion of the close documents. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Cornerstone Drive Bridge Grant Resolution

A motion was made by Joshua Meck to adopt Resolution 20-2024 authorizing the submittal of a grant application to the LSA Program for the Cornerstone Drive Bridge Project. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Presentation by Ty Leineweber of Systems Design – Ty Leineweber discussed the removal of the dam on Mtn. Spring Road that created the original drinking water reservoir for the township. The reservoir has not been used for several years. The original reservoir depth was fifteen feet. Due to a build up of sediment the reservoir may be six to eight feet deep. The flood last year left the spillway intact but eroded the spillway from a 4-foot drop to an eight-foot drop and the wingwalls are beginning to pull away. Some repairs have been made to the access road that washed away in the flood. The reservoir has no outlet structures and the water that flows in, an equal amount flows out. It does not function as a detention pond and has no beneficial use to the township or authority. The authority met with the PA DEP and either a repair needs to be made or the dam breached. If the dam were to be breached, the DEP would like the stream relocated to its original location with a meandering flow and wide banks. There is no floodplain. The breach would be done gradually. The water tank and building would remain. Dan Miller, Fire Chief had concerns about what happens downstream. Ty Leineweber stated that the dam is classified as the lowest hazard and does not provide any type of detention for storm water. The Supervisors asked that SDE confirm there will be no impact downstream. Donna Culp of West Wesner Road asked what the dam's purpose was. Pat Donovan, Authority Manager, stated that it was Blandon's drinking water supply but currently serves no purpose at all. The spring was shut down as it was high in radon. Joshua Meck asked to see a concept plan and hydraulic analysis and the Supervisors were okay with the project moving forward. Joshua Meck also asked SDE to look at the Blandon Fire Company Pond.

Solicitor – Eric Frey, Esq.

An executive session will be held after the meeting for litigation. Mr. Frey reported that the trial for 320 Main Street was held in the afternoon and the township is expecting a written order from Judge Gavin awarding the township legal fees and granting an injunction with the property required to be cleaned up by September 15th or the owners will be arrested. Ms. Fiedler

questioned why her testimony wasn't required. Mr. Frey did try to contact her three times but in the end the testimony was not needed.

Public Works – Keith Shuman

Approval to replace the clutch in Truck #2.

A motion was made by Joshua Meck to authorize the repair of the clutch on truck #2 at Penn Power Group for a cost of $2,200. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Charlie Voorhies of 284 West Walnut Tree Drive asked if the Board had a certified mechanic on staff to do these repairs. The township has staff that can make repairs to small engines but does not have a certified diesel mechanic.

Salt Shed Replacement - The Township Road Master and Foreman researched and obtained quotes for several salt sheds. They are proposing a sixty-four foot by fifty-foot tarp over eight-foot-high concrete blocks with a sixteen foot high arch. The shed would have double beam trusses and be able to hold 1000 tons of salt and would be high enough for a triaxle to drive in to dump. The cost would not include paving, and the township may want to look at a vinyl roll down door in the future. Tom Unger of SDE would like to evaluate the building specifications for things like tarp thickness and if the metal is galvanized or stainless.

Joshua Meck made a motion to authorize Systems Design Engineering to evaluate and to purchase a Britespan Salt Shed through Source Well at a cost not to exceed $100,000. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Park and Recreation – Aaron Rogers

The Board will meet in August with two candidates interested in serving on the Park and Recreation Board.

Manager – Diane Hollenbach

2025 Recycling Service – Diane Hollenbach reported that the Board had three options for the 2025 recycling service. Option 1 – Extend the current contract with J.P. Mascaro for another year at a 3.8% increase. Option 2 – Take the risk and rebid the contract with the possibility that the cost could go up 60 to 80%. Option 3 – Eliminate the township involvement in recycling and adopt an ordinance mandating that each homeowner would be required to contract with a hauler for recycling and then have those haulers report the totals collected to the township. There would be challenges in getting every household to recycle and collecting the information. The summer intern, Connor Tucci, made phone calls to various trash companies and additional cost to residents ranged from $3 a month to $14 a month. One trash hauler would not offer recycling. Mike Schittler of 131 South View Road questioned if the County Commissioners had thought

about doing county wide recycling. Pamela Stevens added that she had told the Center for Excellence in Local Government about the problem.

Eric Bauman made a motion to authorize the Chairman to sign the one-year addendum to the recycling contract with J.P. Mascaro at a 3.8% increase in cost. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

OLD BUSINESS

Appointment of Personnel Committee

Joshua Meck made a motion to appoint Brian Wise, Mike Stern and Keith Shuman to the Personnel Committee. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Security Cameras – Keith Shuman stated the cable had been run to both sites and the township is waiting on the cable company to make the connection to the building.

Joint Comprehensive Plan Agreement

Joshua Meck made a motion to authorize the Chairman to sign the Joint Comprehensive Plan Agreement. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

NEW BUSINESS

Disposition of Records

Joshua Meck made a motion to adopt Resolution 21-2024 Disposition of Records. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

FINANCIAL MATTERS

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 7:46 p.m. The Board went into executive session until 8:15 p.m.

Respectfully Submitted,

Diane Hollenbach
Township Manager