

Maidencreek Township Board of Supervisor Meeting
January 11, 2018

Present: Claude Beaver, Joseph Rudderow III, Heidi Fiedler, Eugene Orlando – Orlando Law Offices, Tom Unger – Systems Design Engineering, Inc., Diane Hollenbach – Township Manager

Guests: James Courtney, Captain J. Cecchini, Francis Scott, David Zwicky, Brian Boyer, Brian Felker, Marion Guza, Tom Gorgia, Sal Folino, Stefano Folino, Dan Miller

Claude Beaver called the January 11, 2018 regular meeting of the Maidencreek Township Board of Supervisors to order at 7:00 pm in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge of Allegiance.

SPOTTED LANTERN FLY PRESENTATION
– Evan Corondi, Berks County Conservation District

MINUTES & FINANCES

Approval of the Meeting Minutes

A motion was made by Joseph Rudderow III to waive the reading of the minutes and approve the minutes for the December 14, 2017 joint meeting. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joseph Rudderow III to waive the reading of the minutes and approve the minutes for the December 14, 2017 regular meeting. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joseph Rudderow III to waive the reading of the minutes and approve the minutes for the January 2, 2018 reorganization meeting. Heidi Fiedler seconded the motion. Mr. Beaver asked for questions on the motion. Captain J. Cecchini, 432 East Wesner Road, Blandon stated that on the second of January the Board tabled the requests for proposals for engineer and solicitor. He stated that the Township might get a lower rate and save money and was in favor of opening that up again. Brian Felker, 224 Longleaf Drive, Blandon stated he wanted to reinforce that the tabled items be added to the agenda. James Courtney, 433 Troy Drive, Blandon stated he would like the items added as well and from time to time it was good to bid goods and services. Heidi Fiedler suggested putting requests for proposals for legal and engineering services under public comments. Chairman Beaver asked that the current motion on the floor be voted upon and hearing no further comments on the motion, the motion passed unanimously.

Treasurer's Report and Bill List

A motion was made by Joseph Rudderow III to approve the December 2017 Treasurer's Report and Bill List. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Tom Gorgia, 307 Monaco Lane, Blandon asked if Township money would be used to maintain the roundabouts, what that figure is and if the agreement was reciprocal. Joseph Rudderow III

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explained that items that were tabled can be pulled from the tabled items and if it gets a second the items can be moved to the agenda for discussion.

A motion was made by Heidi Fiedler to bring the items RFP for solicitor, RFP for engineer and the Penn DOT Roundabout Maintenance Agreement off the table and place them in the public comment portion of the meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Brian Boyer for WD Zwicky, 220 Buena Vista Road, Fleetwood, introduced a plan that was submitted to the Berks County Conservation District for the WD Zwicky site that shows installation of a 750,000-gallon storm water storage tank (72 feet in diameter and 24 feet high), a storm water basin, a driveway and creates a level area for future use by accepting clean fill from road construction projects. All the storm water on the site is captured and reused. The facility which is in the Evansville/Molltown area is under a PA Department of Environmental Protection permit for waste processing and has monitoring wells that remain. No buildings or additional impervious surface is being proposed. There is a future impervious area for calculation purposes only. WD Zwicky processes wood, textiles, construction demolition material, trees, stumps into a beneficial use as industrial fuel. They do not accept hazardous material.

Tom Unger of Systems Design Engineering, Inc. stated the plan shows a large concrete pad and storage tank. Mr. Boyer will put a plan note on the plan clarifying that the pad will not be built. The storage tank will be either metal or concrete and lined with whatever is required. The project is in part to reconstruct the storm water basin as it reaches the end of its useful life and to level an area for future development. Mr. Unger stated that the Board has a decision to make whether to treat the project as an accessory use and require a storm water permit or treat the project as a new structure and require land development. Mr. Rudderow III asked what the timetable is for the project. Mr. Zwicky stated the basin integrity is a big part of his permits and this is the first step toward future growth. Mr. Unger asked how far in the outside agency approval process the project was. Mr. Boyer stated that submittal was made and on January 22, 2018, PA DEP is coming to look at the project with Berks County Conservation District. Ms. Fiedler asked how soon the land development plan would be coming to the Township. Mr. Zwicky stated within a year. The Board agreed that the project should be handled as an accessory use with a storm water permit and notes added to the plan stating land development is required when impervious surface is added.

Brian Felker, 224 Longleaf Drive, Blandon, PA 19510 stated that the Board should continue to use the Sunshine Law and supported the bid process for solicitor and engineer.

Tabled Items

Requests for Proposals

A motion was made by Heidi Fiedler to authorize the Township Manager to send out requests for proposals for Township Solicitor and Township Engineer. Joseph Rudderow III seconded the motion. Mr. Rudderow III asked Ms. Fielder what she hopes to accomplish and how putting out the RFPs benefits the Township. Ms. Fiedler thinks it is a good business practice and she likes to have the best people in the best position. She hopes to get current

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pricing and proposals from other qualified firms. Hearing no further comments on the motion, the motion passed unanimously.

Roundabout Maintenance Agreement

Heidi Fiedler stated that she opposes the roundabout maintenance agreement. The Township taxpayer dollars shouldn't be spent on Penn DOT's responsibilities.

A motion was made by Heidi Fiedler to not sign the Penn DOT Roundabout Maintenance Agreement. The motion died for a lack of a second.

ADDITIONAL PUBLIC COMMENT

Tom Gorgia, 307 Monaco Lane, Blandon asked what Penn DOT wanted the Township to pay for and does not think the Board should agree to anything until the final round about plans are let. He also has concerns about the lack of a turn arrow on Route 222 at Route 73, lack of help from elected state officials and discussed his Facebook Page "Resist the 222 Traffic Circles" and the 4000 hits received when he posted an article on the seven houses being taken by Penn DOT.

Heidi Fiedler stated that she would contact Ryan Costello because she will not vote to sign the agreement and doesn't think it right that Penn DOT administration expects Maidencreek Township to sign the roundabout maintenance agreement.

James Courtney, 433 Troy Drive, Blandon asked if a petition from the residents would be helpful, and who would be performing the maintenance in the agreement. Mr. Beaver replied the road crew would probably perform the work.

Brian Felker, 224 Longleaf Drive, Blandon asked what the top five legacy items were in the agreement. Diane Hollenbach answered street lights, signage (removed from agreement), pavement markings (removed from agreement), sidewalk and splitter islands maintenance and center circle maintenance.

Claude Beaver asked what the Board's pleasure was with the roundabout maintenance agreement. Heidi Fiedler stated she had made a motion to not sign the agreement. Mr. Rudderow III stated that we don't know the consequences of not signing the agreement and at the end of the day there will be two roundabouts on Route 222 in Maidencreek Township. What they look like could be influenced by this Board. If we don't participate in the process, we could be stuck with big concrete circles with limited lighting. Mr. Rudderow is interested in hearing what Penn DOT has to say but he isn't going to sign something that is going to cost the taxpayer money. Mr. Rudderow III stated he wanted to continue to work through the agreement and keep it on the agenda. Tom Gorgia asked that before anything is signed, could it be presented to the public for input. Mr. Rudderow III stated the Supervisors have been elected to make decisions like this. Chairman Beaver asked that the agreement be placed on the February agenda.

Route 222 and Route 73 Traffic Signal Plan - Chairman Beaver asked if the Board wanted to keep the Traffic Signal Plan with the Roundabout Maintenance Agreement. Joseph Rudderow III updated the public on the Board's desire to have four left turn arrows and four left turn lanes at the intersection of Route 222 and Route 73 and Penn DOT's plan to only have the left turn

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arrows on Route 73. Mr. Rudderow III stated that the Township engineer, manger and Chief of Police will be attending the January RATS meeting. Chairman Beaver added that this is continuance of a twenty-year issue.

REPORTS

ENGINEER'S REPORT

Berkshire Building Sewer Planning Module– The plan itself was recommended for conditional preliminary plan approval by the Planning Commission. The applicant is currently revising the plans so the Board can act in February on a clean plan.

A motion was made by Heidi Fiedler to authorize the Chairman to sign the sewer planning module for a planning module exemption for Berkshire Builders Warehouse Plan. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

73 Water Street Variance – Tom Unger reported that the variance submitted to the Zoning Hearing Board is to allow an auto repair and sales facility in the R1 zoning district. The Planning Commission provided comments. The Supervisors took no action.

GSP Properties Variance – Tom Unger stated that the Planning Commission provided comments and is concerned about a request for a variance to the loading zone requirement. The plan needs a special exception and three (3) variances to build a twenty-two (22) unit commercial complex on Route 222. The Authority also has issues with the sewer pipes in the storm water infiltration area. The Supervisors took no action.

Dog Park – Tom Unger explained that the Park and Recreation Board was proposing a dog park for the area donated to the Township by the Authority on Hoch Road. The plan calls for a five (5) foot high fence with a stone parking area. The Board asked that the Park and Recreation Board put together rules and procedures for use of the dog park.

A motion was made by Heidi Fiedler to authorize the engineer to bid the fence for the dog park. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Subdivision Status Check List – All plans are current.

Letter of Credit and Escrow Release Letters

A motion was made by Joseph Rudderow III to authorize the chairman to sign the Letter of Credit and Escrow release letters in the amount of \$2,980.49. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

SOLICITOR'S REPORT

Melrose Place Addendum – Tom Unger stated that he had reviewed the financial security in place (\$432,621) for the Melrose Place Subdivision, and it is adequate to cover the remaining work, inspections and 10% contingency (\$429,435). Mr. Orlando stated that he had received the signed agreement but it was not dated or notarized.

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A motion was made by Joseph Rudderow III to authorize the chairman to sign the Melrose Place Improvement Agreement Addendum subject to delivery of a signed, dated and notarized agreement by January 31, 2018.

A motion was made by Joseph Rudderow III to amend his motion to authorize the chairman to sign the Melrose Place Improvement Agreement Addendum subject to deliver of a signed, dated and notarized agreement by January 15, 2018.

Heidi Fiedler asked what the status of the work is in Melrose Place. Mr. Unger stated that the lot pins, monuments, sidewalk and road repair and paving are outstanding. Ms. Fiedler asked about the swale stating that there is no silt fencing and the Solberg wall has not been constructed. Mr. Sal Folino stated that the Folinos are waiting to hear from Mrs. Solberg's attorney. Mr. Beaver added that the Solberg issue is a civil matter.

Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Zoning Ordinance Amendment – Eugene Orlando, Jr. advised the Board that when he began preparing the ordinance establishing zoning hearing board notice that it seemed prudent to include the revision needed to the Commercial Residential Zoning District impervious surface section. The Planning Commission reviewed and recommended the adoption of the ordinance. Heidi Fiedler suggested putting the ordinance on the February agenda for discussion instead of holding the hearing.

A motion was made by Joseph Rudderow III to authorize advertising a public hearing for the amendment to the Zoning Ordinance on February 8, 2018 beginning at 7 p.m. with the regular monthly meeting to follow. Claude Beaver seconded the motion and asked for questions on the motion. Tom Gorgia asked if this was rezoning residential. Hearing no further questions, Mr. Rudderow III and Mr. Beaver voted, "Aye." Ms. Fiedler voted, "Nay." Motion carried.

MANAGERS REPORT

PSATS Convention – Mrs. Hollenbach asked if anyone on the Board would like to be registered for the PSATS Annual Convention. Heidi Fiedler asked to be registered.

Park and Recreation Annual Report

A motion was made by Joseph Rudderow III to accept the 2017 Park and Recreation Annual Report. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Community Park Lower Entrance – The Park and Recreation Board reviewed a complaint from adjoining property owners that illegal activity is happening in the lower parking lot at the Community Park. The Rec. Board proposed a gate that would be opened and closed per park hours. The Supervisors had concerns with who would be opening and closing the gate and what would happen if a car was parked in the lot when it was time to close the park.

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A motion was made by Joseph Rudderow III to send a letter to the Chief of Police asking for increased patrol or another remedy. The motion was seconded by Heidi Fiedler and hearing no questions on the motion, it passed unanimously.

Green Giant Vegetation Control

A motion was made by Joseph Rudderow III to approve vegetation control upon the recommendation of the Park and Recreation Board for the ballfield fences at the three baseball fields with the cost not to exceed \$500. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

MS4 Public Meeting – The Board agreed to postpone the annual MS4 meeting until March.

Road Master – Joseph Rudderow III and Claude Beaver wished to leave the position vacant. Heidi Fiedler was willing to fill the position.

Tax Collection Committee – Heidi Fiedler volunteered to serve on the TCC. Diane Hollenbach will contact Richmond Township and Fleetwood Borough to see if anyone on their Boards is interested as well.

320 Main Street Property Maintenance

A motion was made by Joseph Rudderow III to authorize the solicitor to represent the Township at the January 17, 2018 District Justice Hearing for property maintenance violations against 320 Main Street, Blandon. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Business Cards

A motion was made by Joseph Rudderow III to approve the purchase of five boxes of business cards at a cost not to exceed \$195. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Community Map – Diane Hollenbach reported that the office has started to work on a new community map. This happens every time there is a change of Supervisors or new roads are dedicated. Heidi Fiedler asked that her property not be marked as a public park.

Crack Seal

A motion was made by Heidi Fiedler to authorize the purchase of one skid of crack seal from Crafcro at a cost not to exceed \$1,250. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Drainage Projects

A motion was made by Joseph Rudderow III to approve the purchase of stone and rental of a skid loader to perform drainage work at Koller Road and Ridge Road and at West Shore Drive and Ridge Road not to exceed \$1,200. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

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Pick Up Truck – The Board discussed the proposed purchase of a pick-up. Mr. Beaver asked that quotes be obtained for a heavier duty truck (one ton).

NEW BUSINESS

Flagger Training

A motion was made by Joseph Rudderow III to approve flagger training for the road crew at a cost of \$452.27. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

2018 Road Work

A motion was made by Joseph Rudderow III to authorize the engineer to prepare the 2018 road bid for Evansville Road, Holiday Lane, Wales Way and Tumbleweed Drive. Heidi Fiedler seconded the motion and asked if there was a five-year plan for road work. Diane Hollenbach will ask the Road Foreman for this. Hearing no questions on the motion, it passed unanimously.

Salt Purchase

A motion was made by Heidi Fiedler to approve the purchase of salt at \$56.50 per ton on the State Contract for the first 384 tons and \$66.01 per ton on the County Contract thereafter. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Street Sweeping – Diane Hollenbach reported only one quote was received and asked that the item be deferred until next month.

Repair Truck #1

A motion was made by Heidi Fiedler to approve the repair of Truck #1, the 2013 Ford F750 for \$859.75. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

902 Recycling Grant

A motion was made by Joseph Rudderow III to authorize the manager to prepare the 902 Recycling Grant application. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Tabled Items

Agricultural Security Board – A letter will be sent to inquire if there is interest from Marty Buck.

Burning Ordinance

A motion was made by Heidi Fiedler to remove the Burning Ordinance from tabled items and place it on the February agenda. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Parking Ordinance – A picture showing legally parked cars on a front lawn was passed around. Diane Hollenbach stated that the Township had received a complaint about this but there was no violation. Mr. Rudderow III and Mr. Beaver asked the item remain tabled.

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A motion was made by Joseph Rudderow III, seconded by Heidi Fiedler, to adjourn the January 11, 2018 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:53 p.m.

Township Secretary,

Cc: Board of Supervisors
Eugene Orlando, Solicitor
Thomas Unger, Township Engineer
Planning Commission
Park & Recreation Board
Zoning Hearing Board and Alternates
Joan London, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Patrick Donovan, Maidencreek Township Authority General Manager
Meagan Dompkowski, Maidencreek Township Authority Secretary
Daniel Becker, Authority Solicitor
Greg Unger, Authority Engineer
Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Brian Horner, Northern Berks Regional Police