

Maidencreek Township Board of Supervisors  
June 14, 2018

Attending: Claude Beaver, Joseph Rudderow III, Heidi Fiedler, Eugene Orlando, Jr. – Orlando Law Office, Diane Hollenbach – Manager

Guests: Robert Rautzhan, Jeannette Rautzahn, Gerald Fuoti, Francis Scott, Gabriel Yoder, Jill Yoder, Vickie Solberg, David Boulin, Tom Gorgia, Jim Schoellkopf, Jr., Val I. Lacis

Claude Beaver called the June 14, 2018 meeting of the Board of Supervisors to order at 7:00 p.m. in the Maidencreek Township Building, 1 Quarry Road, Blandon and asked everyone to rise for the Pledge to the Flag.

#### MINUTES & FINANCES

A motion was made by Heidi Fiedler to waive the reading of the minutes and approve the minutes for the May 10, 2018 meeting with corrections. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Heidi Fiedler to waive the reading of the minutes and approve the special meeting minutes for the May 18, 2018 meeting. Claude Beaver seconded the motion and hearing no questions on the motion, it passed with Joseph Rudderow III abstaining.

#### **Treasurer's Report and Bill List**

A motion was made by Heidi Fiedler to approve the May 2018 Treasurer's Report and Bill List. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

#### PUBLIC COMMENT

Robert Rautzhan, 112 Via Dolorosa, Blandon brought to the Board's attention that the property across the street at 119 Via Dolorosa has tall grass and weeds, a pool that is not maintained and the front door is not secure. There is lawn furniture and debris in the yard. Diane Hollenbach added that the property was vacant since December and is on the Sheriff sale list as active.

A motion was made by Joseph Rudderow III to authorize the Township Road Crew to cut the grass, drain the pool at 119 Via Dolorosa, Blandon. No summer help shall be used. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

David Boulin and Vickie Solberg, 317 Sofia Blvd, Blandon told the Board that Systems Design Engineering and the Board have been fantastic during the work on the swale; it is beautifully shaped. Water flows, and the grass grows. However, the contours are not what was called for at the south wall on the property and are off by almost two feet. Mr. Boulin questioned if the new storm water plan with the new contours had been accepted or used to modify the original recorded subdivision plan, and if so, has Berks County Conservation District looked at the amended soils and if they are sufficient to meet the plan. Diane Hollenbach responded that the new storm water plan was not recorded, and she will ask the Berks County Conservation District

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if they had inspected the properties. Vickie Solberg told the Board that the road paving in front of her driveway seems gouged out a little bit. There is a 2 ¾ inch lip where her driveway meets the road, and it jars her as she drives over it. She requested 1 ½ inches of blacktop added in front of her driveway and noticed on the way out of the development that there are six driveways in her subdivision that are flush to the road. Joseph Rudderow III asked Mrs. Solberg to contact her builder. Diane Hollenbach added that she informed the engineer that this should be looked at during his final inspection.

Tree Tops Subdivision – James Fegley

Mr. Fegley updated the Board of Supervisors on the status of the Tree Tops Trust. The Board of Supervisors had assisted the Trust in getting the detention basin returned to it after it was sold at sheriff sale and helped get a new trustee appointed. Since that time, the homeowners in the development have met but have not formed a home owners association to take over the maintenance of the basin. The homeowners are still paying dues. Fifty-two homeowners current and sixty-nine homeowners are delinquent in payment of dues. Some haven't paid in five years. Mr. Fegley has been retained by the Trustee to begin action to collect dues from delinquent properties. He asked before that action begins, how the Board felt about reconsidering taking over the responsibilities of the detention basin.

Claude Beaver stated that his feelings haven't changed at all. He is not in favor of taking it over. Heidi Fiedler asked how much money is outstanding. Mr. Fegley stated there was \$33,350 of unpaid dues. Joseph Rudderow III brought forward his concerns that home owners not in the subdivision should not have their tax dollars spent on the maintenance of this subdivision's detention basin. Given the outstanding balance, he would be more agreeable to having a discussion about the township taking ownership if those delinquent home owners paid. Heidi Fiedler questioned the P & L statement income of \$29,000. Mr. Fegley stated that the statement showed receipts and disbursements as if everyone had paid. Heidi Fiedler stated most accountants would drop that income after six months because the likelihood of it being paid was pretty small. Mr. Fegley agreed. He did not know the real balance in the account. The fees for mowing were fairly consistent. The other fees are for administration and insurance. Much less would need to be paid if a home owners association was developed.

## REPORTS

ENGINEER'S REPORT – Tom Unger, P.E., Systems Design Engineering submitted a written report.

SOLICITOR'S REPORT – Eugene Orlando, Jr.

### **Litigation Disclosure and Conflict Letter**

A motion was made by Joseph Rudderow III to authorize the Chairman to sign the June 8, 2018 conflict letter from Siana Bellwoar regarding representation concerning the matter between the Fraternal Order of Police Lodge 71 and Northern Berks Regional Police. Heidi

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Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously. Mr. Orlando commented that this letter requires the Township to preserve all records, electronic and paper.

**MANAGER’S REPORT – Diane Hollenbach**

Diane Hollenbach updated the Board about the pet sitting business operating for the past three years at 232 West Walnut Tree Drive. This is in violation of the Zoning Ordinance. The proper notices were filed, and the Code Enforcement Officer asks the Board to authorize enforcement proceedings before the District Justice and authorize the solicitor to assist him. Heidi Fiedler asked why this isn’t executive session material, since other enforcement issues have been executive session items. The matter was tabled for executive session.

The Board was given a copy of the newsletter and informed of a twenty-two percent increase in the Township employee’s health insurance plan. The manager is working on alternative plans with two different agents. Joseph Rudderow III asked that PSATS be contacted to see if they offer a plan.

**Property Maintenance Issues**

113 South View Road, Fleetwood – The grass on this property is in violation of the Property Maintenance Ordinance for the third year. The homeowner is not in the state, and the Board had authorized the road crew to mow this property in the past. The Township is billing the homeowner and will lien the property at \$500.

Joseph Rudderow III made a motion to authorize the Township Road Crew to cut the grass and weed wack one time at 113 S. View Road, Fleetwood. No summer help shall be used. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

195 Sandhurst Blvd, Blandon – The property is for sale. The grass at this property is also in violation of the Township Property Maintenance Ordinance. The Township has tried to contact both the realtor and homeowner. The property is not on the Sheriff Sale List. The Board asked that the Manager contact the real estate agent’s home office. No action was taken.

**Maidencreek TV and Appliance** – Watkins Architect is asking that the Board of Supervisors not require recording of the Maidencreek TV and Appliance plan, and that the Township review and manage the erosion and sedimentation plan. The need for the plan is due to the Route 222 road widening project. Mr. Orlando recommended the plan be recorded. Mrs. Hollenbach stated that Mr. Watkins indicated without these two items, Maidencreek TV and Appliance might not be able to stay in the township. Their deadline to vacate their building is December 2018. Mr. Rudderow III suggested the manager request the landowner attend the July meeting to discuss

the situation with the Board. Heidi Fiedler asked why the land owner doesn't want to record the plan. Diane Hollenbach felt it was because of the expense and time.

## BUSINESS

### **Resignation of Susan Carbaugh , Park and Recreation Board**

A motion was made by Joseph Rudderow III to accept the resignation of Susan Carbaugh from the Park and Recreation Board. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously. A thank you letter will be sent.

### **Resignation of Brad Pflum, Planning Commission**

A motion was made by Heidi Fiedler to accept the resignation of Brad Pflum from the Planning Commission. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously. A thank you letter will be sent.

**Traffic Signal Plan** – Diane Hollenbach explained the plans were for the intersection of Route 73 and Route 222. The plans included a left turn arrow for Route 73 East and West. The signal would be ready for the left turn arrow on Route 222 North and South if it would be needed in the future.

A motion was made by Joseph Rudderow III to authorize the Chairman to sign Resolution 14-2018 authorizing the submittal of the Traffic Signal Plan to Penn DOT. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joseph Rudderow III to authorize the Chairman to sign the application for traffic signal approval as supplied by Penn DOT. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joseph Rudderow III to authorize the Township Engineer to sign the traffic signal plan that Mr. Unger reviewed. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

**Willow Creek Erosion** - Heidi Fiedler and Keith Shuman, Public Works Forman reviewed two sections of the Willow Creek between East Wesner Road and West Walnut Tree Drive. Heidi Fiedler is concerned about the stream bank erosion and its impact to the MS4 storm water requirements and to the bridge on West Walnut Tree Drive.

A motion was made by Heidi Fiedler to authorize Systems Design Engineering, Inc. to review the Willow Creek at the areas discussed for a solution to the serious stream bank erosion issues. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it

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passed unanimously. Claude Beaver commented that it is a stream and it will go where it wants to go.

**Executive Session** 7:54 p.m. to 8:07 p.m. to discuss litigation.

A motion was made by Joseph Rudderow III to authorize the Code Enforcement Officer and Solicitor to proceed with litigation against 232 West Walnut Tree Drive, Blandon. Claude Beaver seconded the motion and hearing no questions on the motion, it passed with Heidi Fiedler abstaining.

A motion was made by Heidi Fiedler, seconded by Joseph Rudderow III, to adjourn the June 14, 2018 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 8:07 p.m.

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Diane Hollenbach, Township Manager/Secretary/Treasurer