

Maidencreek Township Board of Supervisors  
September 13, 2018

Attending: Claude Beaver, Joseph Rudderow III, Heidi Fiedler, Eugene Orlando, Jr. – Orlando Law Office, Tom Unger, P.E. – Systems Design Engineering, Inc., Diane Hollenbach – Manager

Guests: Vickie Solberg, Jim Schoellkopf, Jr., Brian Horner, Steve Bensinger, William Colby, Tom Psarros, Tracy L. Badertscher, Rob Hain, Stefano Folino, Marsha Anderson, Lee Turner, Carin Mileschosky, Val Lacis – Reading Eagle

Claude Beaver called the September 13, 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 and a moment of silence.

#### MINUTES & FINANCES

A motion was made by Joseph Rudderow III to waive the reading of the minutes and approve the minutes for the August 9, 2018 meeting. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

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

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

A motion was made by Heidi Fiedler to adopt Resolution 17-2018 the Pension Minimum Municipal Obligation for 2019. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

#### PRESENTATION FLEETWOOD LIBRARY

Carin Mileschosky updated the Board on the Fleetwood Area Public Library. 32% of their patrons are from Maidencreek Township. This percentage was calculated using data from the last three years. The library:

- achieved PA Forward Star Library in 2017;
- was named an outstanding library by the Berks County Library System;
- has begun renting Room 111 for programs;
- requested an increase of \$5,000 for 2019 in order to qualify for additional funding from the Berks County Library System;
- will be moving to the first floor of the Community Center and is getting soft bids;
- has seven paid staff members;
- will increase staff and purchase new books after the expansion.

Joseph Rudderow III asked for the library hours (Monday – Thursday 10am to 8pm, Friday 10am to 2pm and Saturday 9am to 4pm) and if they have any corporate sponsors (no). No contribution is given from the Fleetwood Area School District. Heidi Fiedler requested the total number of patrons from Maidencreek Township in one year.

### RECYCLING BID OPENING

One bid was received for recycling service for 2019 and 2020. JP Mascaro bid \$124,260 for 2019 and 2020. This is a twenty-one percent increase. The Board tabled action until later in the meeting.

### PUBLIC COMMENT

Vickie Solberg, 317 Sofia Blvd., Blandon commented that the swale behind her property had no grass and asked what are the plans. Tom Unger of Systems Design Engineering, Inc. stated that is a punch list item and the contractor's responsibility. Mrs. Solberg stated that her yard needs reseeding as it is more weeds than grass. Mr. Unger stated he will research the difference between the public swale and private property. Mrs. Solberg added that she expects to hear a cost to replace the wall soon. Mr. Unger stated the wall is a private issue between her and the contractor.

Brian Horner, Chief of Police Northern Berks Regional PD stated that the police department budget was submitted and a workshop is scheduled for the last Wednesday of the month.

### REPORTS

ENGINEER'S REPORT – Tom Unger, P.E., Systems Design Engineering, Inc.

All Subdivision and Land Development plans require a time extension if they do not receive approval at this meeting.

GSP Properties Final Plan – Mr. Unger reported the outstanding items for the GSP Plan were erosion and sedimentation plan approval, entering into an improvements agreement and posting financial security, Maidencreek Township Authority approval, Operation and Maintenance Agreement and obtaining a storm water easement. William Colby, legal counsel for the developer stated that all items were administrative and agreement had been reached on language for the Operation and Maintenance Agreement and storm water easement. Eugene Orlando of Orlando Law Office explained that the storm water line was not to be dedicated. He also was satisfied with the MS4 language inserted in the agreements and as notes on the plan. The easement through Georgetown Village had been secured and it is exclusive to the developer's use. Heidi Fiedler asked what remuneration was the developer offering the Township for the easement. Mr. Colby stated that the easement is twenty feet by ninety-three feet. The development will add value to the Township assessment by adding twenty-two commercial units. Tom Psarros, property developer stated that he felt like these issues were coming up in the eleventh hour. Something is added at every meeting and this is dragging on. He added he is willing to do an easement.

An executive session was called for real estate from 8:00 to 8:45 p.m.

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The Board of Supervisors informed Mr. Psarros that they were not approving the GSP Properties plan and requested a 90-day time extension. The Board stated they would split the cost of an appraisal of the easement to determine fair market value. Mr. Colby stated he needed time to discuss the situation with his client.

BUSINESS

**Trick or Treat Night**

A motion was made by Heidi Fiedler to set Trick or Treat Night at October 31<sup>st</sup> from 5p.m. to 9p.m. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

**Agricultural Security Map Changes** – Mr. Orlando stated that as long as the resolution is correct, the map can be changed without a hearing.

GSP Properties Final Plan (continued)

Mr. Colby stated his client would grant a thirty-day time extension provided that the Board of Supervisors is willing to grant an easement. Claude Beaver responded that the Board will grant an easement. The appraisal is a matter of following the Second-Class Township Code. Mr. Colby responded that there is a case regarding the same matter and the Borough Code. The language is identical. Joseph Rudderow III stated the Township needs to know the value of the easement. Heidi Fiedler stated that the Township can't follow the Borough Code. The Board of Supervisors asked that a certified appraiser be used. Mr. Colby offered \$1,000 for the easement because an appraisal would cost his client time. Heidi Fiedler stated the Township wants to follow the Second-Class Township Code.

A motion was made by Joseph Rudderow III to accept the 30-day time extension until October 12, 2018 from GSP Properties, North Bethlehem LLC for the Business Park at Maidencreek review period. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Berkshire Building Warehouse Final Plan – Mr. Unger reported that all zoning issues are resolved. The erosion and sedimentation plan, improvements agreement, posting of financial security, Authority approval, Operation and Maintenance Agreement and the Department of Environmental Protection permit are outstanding. Rob Hain stated that a draft improvement cost estimate and draft operation and maintenance agreement were submitted. Mr. Unger added all remaining items are administrative. Mr. Hain explained that the project had received approval for the erosion and sedimentation plan from the Berks County Conservation District and had proceeded with the site work. The PA DEP decided that the drainage was a stream and the developer has now received their Chapter 105 permit and is waiting on the NPDES permit.

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A motion was made by Joseph Rudderow III to grant final plan approval conditional upon completion of the items outlined in the September 1, 2018 Systems Design Engineering, Inc. review letter which is incorporated by reference. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Melrose Place – The deeds of dedication and resolutions to accept Anna Avenue, Sofia Blvd., Lidia Lane were presented to the Board for consideration. Tom Unger stated there are about twenty punch list items but the roads are acceptable. Punchlist items are mostly seeding, soil behind the curb, and expansion joints in the sidewalk. The maintenance period has been extended for thirty-six months.

A motion was made by Joseph Rudderow III to adopt Resolution 2018-18 at accept dedication of Anna Avenue. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joseph Rudderow III to adopt Resolution 2018-19 at accept dedication of Lidia Lane. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Heidi Fiedler to adopt Resolution 2018-20 to accept dedication of Sofia Blvd. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

2018 Road Projects

A motion was made by Heidi Fiedler to authorize the manager to sign the time extension for the 2018 road work with no escalation of prices after August 24, 2018. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Schaeffer Road Bridge – Mr. Unger reported that progress is being made but the project is substantially behind.

Meadowbrook Sinkholes – The road crew will address the two sinkholes in Meadowbrook with guidance from the Township Engineer.

Letter of Credit/Escrow Release Letters

A motion was made by Joseph Rudderow III to authorize the Chairman to sign the Letter of Credit release letters for Melrose Place in the amount of \$2,329.98. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

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A motion was made by Joseph Rudderow III to authorize the Chairman to sign the Letter of Credit release letters for MidAtlantic Energy in the amount of \$118.36. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

A motion was made by Joseph Rudderow III to authorize the Chairman to sign the Letter of Credit release letters for Schwab Dental in the amount of \$118.36. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

Grove Road Clear Sight Triangle – Mr. Unger has the area marked and a map completed for the October meeting.

East Wesner Road Streambank Restoration – Mr. Unger reported that a meeting was held with the Township, Berks Nature and the Berks County Conservation District regarding improvements to the stream bank between East Wesner Road and West Walnut Tree Drive. Larry Lloyd of Berks Nature was enthusiastic about the project and writing the proposal and grants. Heidi Fiedler stated the project could help with MS4 requirements. This project links the existing restoration project and the Kopfer manure management project.

SOLICITOR’S REPORT – Eugene Orlando, Jr.

Roundabout Maintenance Agreement – Mr. Orlando provided the Board with a synopsis of the revised Roundabout Maintenance Agreement. Joseph Rudderow III felt the document was unacceptable and asked if Penn DOT was open to further discussion to get it to a point that was agreeable to the Township. Heidi Fiedler stated that she was not in favor of spending more time on this matter. She added that the Township did pass a resolution stating Penn DOT should take care of their own roundabout.

A motion was made by Joseph Rudderow III in the interest of continuing to work with Penn DOT to authorize the Solicitor to reach out to Penn DOT counsel to further discuss getting a workable document that is agreeable to the Township. Claude Beaver seconded the motion. Hearing no questions on the motion, Joseph Rudderow III and Claude Beaver voted, “Aye.” Heidi Fiedler voted, “Nay.” Motion carried.

MANAGER’S REPORT – Diane Hollenbach

Eagle Scout Project - Mason Badertscher

A motion was made by Joseph Rudderow III to approve Mason Badertscher’s Eagle Scout project to repair the kick wall in the Community Park and provide up to \$846.23 in support of the project. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

Tree Inspection – The Board declined waiving liability to a tree service that would be contracted to inspect trees on Township property.

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Library - The Board asked for more information on the renovation and how many Maidencreek Township residents used the library last year.

Recycling Bid

A motion was made by Heidi Fiedler to accept and award the recycling bid to Solid Waste Services Inc. (J.P. Mascaro) in the amount of \$124,260 in 2019 and \$124,260 in 2020 conditional upon the Solicitor's review. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

BUSINESS

A motion was made by Joseph Rudderow III, seconded by Heidi Fiedler, to adjourn the September 13, 2018 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 9:55 p.m.

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Diane Hollenbach, Township Manager/Secretary/Treasurer