

Maidencreek Township Board of Supervisors

October 12, 2023

7:00 p.m.

Attending: David Franke, Heidi Fiedler, Joshua Meck, Hunter Ahrens, Christina Hafer, Eric Frey, Esq. of E. Kenneth Nyce, Jim Keiser, Northern Berks Regional Police Department, and Tom Unger of Systems Design, Inc.

Guests: Keith Shuman (Road Foreman), Dan Miller, Fire Chief at Blandon Fire Company, Mike Schittler, Donna Culp, Anthony Spero, Cliff Panneton, Charles L. Voorhies, Chrissy Shuman, Richard Wick, and Yvonne Scalese.

Attending the Zoom: Robert Wood, Eric Bauman, Pat Demming, and other guests.

David Franke called the regular meeting to order at 7:01 p.m. with the Pledge to the Flag.

Mr. Franke stated there was an Executive Session at the last meeting for personnel matters and potential litigation.

Joshua Meck motioned to accept the October 12, 2023, Agenda. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion carried.

MINUTES AND TREASURER'S REPORT

Heidi Fiedler motioned to accept the September 14, 2023, with corrections Regular Meeting Minutes. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion carried.

Joshua Meck motioned to accept the September 27, 2023, Special Meeting Minutes. Dave Franke seconded the motion. Heidi Fiedler was absent from the meeting. Motion passed 2 to 1.

Heidi Fiedler motioned to approve the September 2023 Treasurer's Report and the Check Request List for September 2023 bills. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion carried.

PUBLIC COMMENT

Cliff Panneton, 2 Genesis Dr. spoke about the trash haulers coming through the neighborhood too early, starting as early as 3:25 a.m. He would like someone to send them a letter about the concern. Mr. Ahrens previously addressed the issue calling the trash company in question, he stated they believe they are below the decibel readings allowable with the ordinance and will provide data to prove they are below the decibel. The Board agreed they should not be coming through neighborhoods before 6:00 a.m. and need clarification on the ordinance from the solicitor.

Mr. Panneton stated he sent a report to PennDOT on September 30, 2023, about the roundabouts, including the brake retarders, noise, and overhead street lighting that is shining in people's windows. Mr. Panneton submitted it electronically to the Township Manager and the Manager forwarded it to the Board. Mr. Unger said that PennDOT sent a second denial letter stating that the study area is still 55 miles per hour between Dries Road and Snyder Road. SDE revised the report and sent it back to PennDOT stating it is not posted 55 miles per hour in that area and does not think the complaint is in that area. Mr. Panneton sent a right-to-know request to PennDOT asking if they could help with the brake retarder. The Board discussed further the brake retarders

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and how they are affecting the surrounding area in question and having the trucks using the brake retarders be cited.

Charles L. Voorhies, 284 W. Walnut Tree Dr. expressed concerns about roundabouts and spoke about using scales to weigh the tracker trailers because he believes there are overweight limits, the state is using Route 222 as an experiment for the roundabouts, and this is about noise and safety of the residents. Mr. Meck said the theory of the state is that when the Pleasant Hill Road roundabout is put in, much of the noise will be near the farmland. Mr. Voorhies reiterated that brake retarders are being used when there is no need in certain areas, and it is dangerous for the police and first responders. Mr. Franke said there is a law called the “Move Over Law” meaning that if anyone is stopped on the side of the road, all vehicles must slow down and move over one lane if possible. He stated that NBRPD hired an officer and another officer to be hired soon which could help step up patrol. The Board continued the conversation about the tests for truck drivers, laws that are changed, and how PennDOT does not give the proper information to the public. Ms. Fiedler questioned if we are getting an expedited review of the parking ordinance update with PennDOT on the speed limit. Mr. Unger said he will stay on top of the progression of the ordinance review.

REPORTS

Northern Berks Regional Police Report

Chief Keiser went over the September 2023 activity report, including calls for service, citations, traffic warnings, vehicle contacts, arrests, fuel, miles, hours of service, and crashes. Chief Keiser stated he thought there was no chance they would find the person responsible for the hit and run, with tips leading to the investigation, the case was solved. He hoped that they could put a bike lane in on Route 222, so this does not happen again. He also said NBRPD is having a Safe Halloween on October 26th from 6:00 p.m. to 8:00 p.m. at the parking lot at the Ontelaunee police station. Chief Keiser went on to say they hired another police officer who is now going through the process and at the end of November one more will be in the process of being hired and corporal promotions in the department are being implemented. Mr. Franke thanked the police officers, firefighters, and EMS for their service to the community.

Engineer Report

Update on Stream Restoration Work.

Mr. Unger said the Township was granted a 60-day extension on the emergency permit granting it until mid-December.

Mr. Meck presented a slide show of the progress of the Stream Restoration Work.

Ms. Fiedler asked about the Melrose Place basins being addressed. Mr. Unger said they are progressing slowly; he does not have a timeframe, and they are not being responsive with communications. Mr. Unger stated he would follow up with them again.

Mr. Meck went over the process of opening the stream and digging out shallow areas. He explained that the Cornerstone Bridge was eroded and not in good shape and had pictures of the

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damage caused by the flooding. He showed pictures from Golden Drive and Grove Road at the end wall that was moved. He also had pictures of damage at the Water Authority with the container that washed away. Mr. Meck stated PennDOT was shut down by UGI due to a gas line at Cornerstone Bridge and explained the timeline of what happened. Mr. Meck communicated they cleared a lot of trees and dead debris and also said that they made an emergency pathway so if we ever get the amount of rain again, the water will have another place to go instead of flooding properties. He also said that the Fish and Wildlife officer was out checking permits due to a complaint that the water was cloudy, the State did not have any objections to the work being done. Mr. Meck said that approximately 85% of the creek has been lined with stone and Schlouch Excavating and the Road Crew did an excellent job. He also said the prisoners did a great job helping with other work the road crew could not perform due to the stream restoration work. Mr. Meck said they would eventually remove the rock that washed onto some of the properties and use it to line more of the creek. Mr. Franke thanked Mr. Meck for helping the road crew with the progress of cleaning up the creek. Mr. Meck said that starting from Cornerstone Bridge down to Willow Creek still needs to be completed, and the permit covers Route 73 to Willow Creek.

Dan Miller announced the Blandon Fire Company has a Safe Halloween night on October 27th from 6 p.m. to 9 p.m.

Time Extensions for Jojaz Final Plan Approval

Mr. Unger said the Planning Commission recommended to the Board of Supervisors the time extension for Jojaz Final Plan.

Heidi Fiedler made a motion to approve the extension for Jojaz Final Plan until October 24, 2024. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Heidi Fiedler made a motion to amend the motion and approve the extension for Jojaz Final Plan until November 13, 2024. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Crossing at Maidencreek Land Development Plan.

- Request for Approval – The plan was resubmitted for review on October 11, 2023. No action was taken.
- Discussion of Fee in Lieu of Open Space or Land Dedication –

Mr. Unger said they sent a letter to PennDOT regarding the West Shore Drive bridge which is in the Board of Supervisors packet.

Mr. Meck said that PennDOT the Township could erect a fence around the West Shore Drive bridge at a cost to the Township. He said PennDOT will not fix the bridge but will provide signage for no trespassing. The Board discussed the fence and how it would make the Township liable if anyone were injured.

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Solicitor

Mr. Frey said the next Conditional Use Hearing is October 18, 2023, at 6:30 p.m. There is one witness to give testimony, the public can then make their comments.

Manager/Public Works

Parks and Recreation

Reported Budget Requests.

The Parks and Recreation Board met on October 28, 2023, and voted to recommend to the Board of Supervisors to add two items to the budget. The first item is adding approximately \$8000.00 for a light pole and bulbs to the Blandon Fire Company Ballfield, and the second item is to add \$35,000.00 to finish the pickleball project in 2024. Mr. Meck asked if the damage to the pickleball court was covered by insurance. Mr. Ahrens said he would investigate it and get back to the Board.

Discussion of Cornerstone Drive Bridge Replacement.

Mr. Ahrens gave a brief presentation on the Cornerstone Bridge needing to be addressed and the different options for new bridges with the pros and cons of each option. The replacement of the bridge would be approximately \$500,000.00. The Board discussed which bridge would be the best option, the weight limits, and the flow capacity of each bridge. They also discussed the permits, a demo of the bridge, if it would cause an issue for emergency services, and if you could make the existing bridge structurally sound.

Mr. Franke went over the itinerary for the meetings in the next few weeks.

Board of Supervisors meeting on October 16, 2023, at 7:00 pm. for the 5-year budget plan.

Conditional Use Hearing October 18, 2023, at 6:30 p.m. with one witness identified and possible public comments.

Conditional Use Hearing October 25, 2023, at 6:30 p.m.

Parks and Recreation Board meeting October 26, 2023, at 7:00 p.m.

Planning Commission meeting November 1, 2023, at 7:00 pm.

Board of Supervisors Special Meeting November 9, 2023, at 7:00 p.m.

Trick or Treat on October 31, 2023, from 5:00 p.m. to 9:00 p.m.

Mr. Ahrens announced the permit requirement for the Low Head Dam with Berks County Conservation District requires more work and the road crew will be starting the work in the next few weeks.

Mr. Franke said there would be a brief executive session after the meeting tonight.

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Adjournment

A motion to adjourn the meeting was made by Heidi Fiedler and seconded by Joshua Meck. The meeting was adjourned at 8:58 p.m.

Respectfully Submitted,

Christina Hafer
Township Secretary