

Maidencreek Township Board of Supervisors

December 14, 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, Eric Bauman, Mike Schittler, Kris Schittler, Aaron Rogers, Dennis West, Charles L. Voorhies, Dennis Fink, Robin Fink, Gavin Milligan, Jim Fox, and Yvonne Scalese.

Attending the Zoom: Robert Wood and Brooke Meck.

David Franke called the regular meeting to order at 7:00 p.m. with the Pledge to the Flag.

APPROVAL OF AGENDA AND MINUTES

Heidi Fiedler motioned to accept the December 14, 2023, Agenda. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Heidi Fiedler motioned to accept the November 9, 2023, regular meeting minutes with corrections. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

PERSONAL APPEARANCES AND PUBLIC COMMENT

James Fox, 1214 Chestnut Street.

Mr. Fox asked the Board about the culvert washing out and if anything would happen with that. Mr. Unger said the Township will address it next spring. Mr. Fox said he had water flowing in his yard, and Mr. Franke said he would note that. Mr. Unger said it was a legal matter, and Eric Frey said he would look into it.

Charles L. Voorhies, 284 W. Walnut Tree Dr.

Mr. Voorhies asked if the Board had plans to hire a manager and will it be public for applications. Mr. Franke answered that it would be done at the January Reorganization meeting.

REPORTS

Northern Berks Regional Police Report

Chief Keiser shared the November 2023 activity report, including calls for service, citations, traffic warnings, vehicle stops, arrests, car maintenance, fuel, miles, hours of service, and crashes. He also said the department ordered three new cars, receiving one car waiting to be upfitted. The other two cars will be ready by the end of this year and January due to supply chain issues. Chief Keiser said there were two promotions, 2 officers to corporals, and sworn in the new officer and searching for a second officer to hire.

Mr. Franke stated the Township received a check from NBRPD for \$169,000.00 for reimbursement.

Ms. Fiedler asked if the union contract was signed. Chief Keiser said it was.

Engineer Report

Time extension to the plan review for Kopfer Subdivision.

Heidi Fiedler motioned to accept the 120-day time extension through April 8, 2024, for the plan review period for the Kopfer Subdivision. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Time extension to the plan review for Sunday/Davidson Annexation Plan.

Heidi Fiedler motioned to accept the time extension to the plan review period for the Sunday/Davidson Annexation Plan until March 6, 2024. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Authorizing the Chair to sign the Planning Module exemption form for 612 Barlet Road.

Heidi Fiedler motioned authorizing the Chair to sign the Planning Module exemption form for 612 Barlet Road. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Review of the matter before the Zoning Hearing Board regarding the electronic sign for Rajah Shrine.

Mr. Unger said Rajah Shriners has filed a formal letter to remove their application.

Direction regarding the preparation of a Brake Retarder Ordinance.

Mr. Unger said the Township has received a letter from PennDOT and explained the area the ordinance encompasses.

Heidi Fiedler motioned to direct the staff to begin preparation of the Brake Retarder Ordinance. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Mr. Unger mentioned that the emergency stream work with Schlouch and the Township is complete and they both did a super job. He then spoke about the Low Head Dam, stating the DEP did their final inspection and accepted the work that was done.

Direction regarding the Act 50 Small Cell Tower Ordinance.

Mr. Unger said the ordinance had been prepared and was shared at the last meeting. He asked if the Board had any comments or items to be addressed. Planning reviewed and recommended it to The Board of Supervisors.

Heidi Fiedler motioned authorizing the advertisement of both the Brake Retarder Ordinance and the Act 50 Small Cell Tower Ordinance. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Mr. Unger said the Township received a request from Deerfoot Farms for a tasting room and requested a waiver from the Land Development Plan Procedures and will go before the Planning Commission to review and make a recommendation to the Board of Supervisors.

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Heidi Fiedler asked about the Melrose Place update on cleanup and maintenance. Mr. Unger said they are making headway, need to do more general cleanup of debris, and did work at the outlet structures, cleaned up the bottom and the ponds which will be under ongoing maintenance. She also asked about the application for the zoning ordinance amendment, recommending approval on the agenda. Mr. Unger said the ball is in their court, and the Township could write a letter telling them it is being removed from the agenda.

Solicitor

Consideration of TreeTops Trust termination.

Eric Frey said the representatives were here last meeting requesting to terminate their trust and the Township would take over the responsibilities of the retention basin. Mr. Frey said our recommendation is to vote not to allow the amendment of the trust.

Heidi Fiedler motioned that the Board of Supervisors does not consent to the termination or amendment to the TreeTops Trust. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” The motion passed.

Mr. Frey updated the Board on the enforcement notices for the Dean Shuman matter, on the criminal violations, what the Township was awarded, and the civil/zoning matter.

Mr. Frey updated the Warehouse Conditional Use decision which is scheduled for 7:00 pm on December 21, 2023, at the Willow Creek Elementary School.

Dennis West, Callery Drive.

Mr. West requested the Township Engineer to evaluate the retention basin at TreeTops. Mr. Frey said that would require an agreement with the Township to cover the cost.

Public Works

Report on the upfit of the new truck, the status of truck #5, and any other fleet issues.

Keith Shuman updated the Board on the up-fit for truck #3 anticipating being done by the end of next week, truck #5 1999 GMC 3500 will not pass inspection without a considerable amount of repairs. He also said the plows and spreaders are ready in case of a snowstorm.

Discussion regarding the paving of Bewley Lane in conjunction with Ontelaunee Township.

Keith Shuman said that Ontelaunee Township is paving Bewley Lane and there is a 450-foot section that belongs to Maidencreek Township. Ontelaunee Township is offering the Township to be included in the bid to pave that section of Bewley Lane.

Joshua Meck motioned to allow Ontelaunee Township to include paving a 450-foot section of Bewley Lane belonging to Maidencreek Township on their bid. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” The motion passed.

OLD BUSINESS

Authorize the Board of Supervisors to sign the Collective Bargaining Agreement with the Teamsters Union previously approved on July 13, 2023.

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Heidi Fiedler motioned to authorize the Board of Supervisors to sign the Collective Bargaining Agreement with the Teamsters Union previously approved on July 13, 2023. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

NEW BUSINESS

Motion to appoint Right to Know Officer.

Heidi Fiedler motioned to appoint Christina Hafer as the Right to Know Officer. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Motion to authorize advertisement of the 2024 Reorganization Meeting for January 2, 2024, at 4:00 pm.

Heidi Fiedler motioned authorizing the advertisement of the 2024 Reorganization Meeting for January 2, 2024, at 4:00 pm. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Motion to authorize the secretary to sign the annual contract with Safety Net Sanctuary at \$3,000.00.

Heidi Fiedler motioned to authorize the secretary to sign the annual contract with Safety Net Sanctuary at \$3,000.00. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Authorization to enter into a 10-year lease with the Maidecreek Township Authority.

Heidi Fiedler motioned the authorization to enter into a 10-year lease agreement with the Maidencreek Township Authority. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

FINANCIAL MATTERS

Motion to advertise a Request for Proposals for a Pension Actuary.

Joshua Meck motioned to advertise a Request for Proposals for a Pension Actuary. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Motion to approve the following transfers from the ARPA account to the general fund checking for the provision of government services and to close the account.

Heidi Fiedler motioned to approve the following transfers on January 2023 \$188,208.92, February 2023 \$94,361.67, August 2023 \$136,357.09, September 2023 #38,000.00, October 2023 \$443,876.95, November 2023 \$19,088.36, and December 2023 \$34.66 from the ARPA account to the general fund checking for the provision of government services and to close the account. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

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Consideration of Resolution 33-2023 authorizing the issuance and sale of a tax and revenue anticipation note series 2024 for \$600,000.00, establishing the terms, conditions, and form of such a note, accepting a proposal to purchase the note; providing security and establishing a sinking fund for the note; authorizing certain officials to execute and deliver the note and prepare and file certain certificates and other proceedings and authorizing other necessary action.

Heidi Fiedler motioned to adopt Resolution 33-2023 authorizing the issuance and sale of a tax and revenue anticipation note series 2024 for \$600,000.00, establishing the terms, conditions, and form of such a note, accepting a proposal to purchase the note; providing security and establishing a sinking fund for the note; authorizing certain officials to execute and deliver the note and prepare and file certain certificates and other proceedings and authorizing other necessary action. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Motion to authorize the signing of a Certificate of Taxes and Revenue to be Collected.

Heidi Fiedler motioned to authorize the signing of a Certificate of Taxes and Revenue to be Collected. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Motion to approve opening three accounts at Fleetwood Bank for State Liquid Fuels, a Sinking Fund, and General Fund purposes.

Heidi Fiedler motioned to approve opening three accounts at Fleetwood Bank for State Liquid Fuels, a Sinking Fund, and General Fund purposes. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." The motion passed.

Consideration of Resolution 34-2023 setting the tax rates for 2024.

Dave Franke motioned to adopt Resolution 34-2023 setting the tax rates for 2024; General Purposes 2.60 mills, Fire Equipment 1 mills, Recycling 133.25 per parcel containing residential units. Joshua Meck seconded the motion. Heidi Fiedler voted "nay;" the motion passed 2 to 1.

Consideration of Resolution 35-2023 adopting the 2024 Budget.

Joshua Meck motioned to adopt Resolution 35-2023 for the 2024 Budget. Dave Franke seconded the motion. Heidi Fiedler voted "nay;" the motion passed 2 to 1.

Motion to approve the bills and accept the Treasurer's Report as presented.

Joshua Meck motioned to approve the bills and accept the Treasurer's Report as presented. Dave Franke seconded the motion. Heidi Fiedler voted "nay;" the motion passed 2 to 1.

Eric Frey announced the executive session after the meeting to discuss the Conditional Use Decision.

Dave Franke thanked Heidi Fiedler for her service to Maidencreek Township; on the Board of Supervisors for 6 years and serving on the Police Commission. He wished her the best in her future endeavors and will be signing a resolution to that effect for her.

He also wished everyone Happy Holidays!!

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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 7:48 p.m.

Respectfully Submitted,

Christina Hafer
Township Secretary