

Maidencreek Township Board of Supervisors

February 9, 2023

7:00 p.m.

Attending: David Franke, Heidi Fiedler, Joshua Meck, Hunter Ahrens, Christina Hafer, Eric Frey, Esq. of E. Kenneth Nyce, Tom Unger of Systems Design Engineering, Inc., Jim Keiser, NBRPD, Police Chief.

Guests: Jarrett Gibboney, Donna Culp, Charles Voorhies, Eric Bauman, Cliff Panneton, Anthony Spero, Dennis Fink, Robin Fink, Mike Schittler, Kris Schittler, Tim Wales, Mary Wales, Brian Dixon, and John McCabe.

Attending on Zoom: Sal Folino, Robert Wood, David J. Reimer, Sr., Karen Wolfson, and David Tranquillo.

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

MINUTES AND TREASURER'S REPORT

A motion was made by Heidi Fiedler to add Burkholder Sewer Planning Module, Resolution 2023-18 to the February 9, 2023, Agenda. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

A motion was made by Heidi Fiedler to accept the January 3, 2023, reorganization meeting minutes. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Approval of the January 12, 2023, meeting minutes was tabled due to requested corrections.

A motion was made by Heidi Fiedler to approve the January 2023 Treasurer's Report and approve the Check Request List for January 2023 bills. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

PUBLIC COMMENT – No public comments.

REPORTS

Police Report

Chief Keiser talked about a Grant totaling over \$116,000 to cover the bulk of the cost of their new body cameras. He shared they are now looking at other technical equipment, which he would share more about later. He shared that they have been increasing patrols near the roundabouts. Chief Keiser also shared that the department took someone in custody from a robbery in Spring Township and dealt with a serious accident on Ontelaunee Drive.

Dave Franke spoke about National Night Out, stating if anyone is interested in helping to please contact the Northern Berks Regional Police Department. Chief Keiser stated it will be bigger this year with more communities participating.

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Engineer Report

Tom Unger presented to the Board the Sub-divisions Reviews Status Checklist including the Engineer's Agenda.

Accept Maiden Creek Associates LDP Time Extension until March 31, 2023

Mr. Unger stated the Planning Commission recommended the Time Extension for Maiden Creek Associates LDP to March 31, 2023.

A motion was made by Heidi Fiedler to accept the Maiden Creek Associates LDP Time Extension until March 31, 2023. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Update on Brake Retarder Ordinance Consideration

Mr. Unger went over the progress and updates of the Brake Retarder Ordinance with the Board discussing criteria to be met, crash history, and map of zoning with grades.

Burkholder Sewer Planning Module, Resolution 2023-18

Mr. Unger went over the Planning Module with the Board. He stated it requires signatures by the secretary and DEP Planning Module Resolution.

A motion was made by Heidi Fiedler to adopt Resolution 2023-18 Burkholder DEP Sewer Planning Module. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Update on the Paving Project

Mr. Unger spoke about meeting with two contractors with estimates. He stated they ruled out the option to oil and chip with fog coat overlay for everything except West Shore Drive. The total estimate for Ontelaunee Heights, East Wesner Road to Hoch Road, and the seal coat behind the lake estimate is \$815,000.00. Mr. Unger and the Board discussed the condition of the roads, eliminating certain roads to stay under the budget of \$750,000.00. Mr. Unger stated they will advertise, receiving bids a few days before the March meeting with the tabulations.

The discussion was redirected to road cutting that Comcast and UGI proposed work in the area of the paving project. Mr. Ahrens stated he would address both separately, sending letters indicating setting up meetings. Mr. Ahrens also stated Comcast would have to follow the ordinance and does not have an update from Comcast about them finishing their project. Mr. Unger recommended letters be sent to Comcast and UGI stating the roads that the township will be paving, if work is not completed by a certain date there would be a five-year prohibition on cutting roads.

Mr. Unger requested an executive session with the Board for potential litigation.

Joshua Meck asked Mr. Unger if there was a status update on Grants for the Willow Creek projects. Mr. Unger stated we received a letter and are currently searching for grants. Mr. Ahrens

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stated he contacted Senator Gebhard's office, and Craig Lutz suggested setting up an appointment for a walking tour with the Conservation District. Mr. Ahrens stated he would organize the meeting/walking tour. Ms. Fielder asked to be invited to that walk-through.

Mr. Meck asked Mr. Unger if he had any recommendations on the Route 73 bridge. Mr. Unger said we should forward the pictures that Mr. Meck has along with a letter to PennDOT and DEP. The discussion continued with Mr. Unger and the Board, looking at the pictures and how PennDOT should be taking care of this issue with the Route 73 bridge concerns.

Solicitor

Consider Approval of Ordinance for Inter-Municipal Agreement with Ontelaunee Township

A motion was made by Heidi Fiedler to approve Resolution 2023-16, Inter-Municipal Agreement with Ontelaunee Township. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consider Approval of Ordinance for Inter-Municipal Agreement with Perry Township

A motion was made by Heidi Fielder to approve Resolution 2023-17, Inter-Municipal Agreement with Perry Township. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Mr. Frey stated he spoke with the Solicitor of Northern Berks County Regional Police about parking and fines who told him the other municipalities adopted the ordinance. He stated he would have the ordinance matched and ready for the next meeting.

Mr. Frey said the Stormwater Best Maintenance Practices for Redner's was signed but their notary acknowledgments were incorrect and will not be recorded. He stated he will have it corrected and ready for next month's meeting.

Mr. Frey announced to the public the next three conditional use hearings are scheduled, the next one is February 27, 2023, at 6:30 p.m. at the Willow Creek Elementary School. The following two will be March 27, 2023, at 6:30 pm and April 26, 2023, at 6:30 p.m.

Manager/Public Works

Presentation on Multi-Municipal and Commercial Hosting for Lawn Waste Site

Mr. Ahrens stated we had a request from Richmond Township interested in using our recycling center also shared by Fleetwood Borough and Ontelaunee Township. Mr. Ahrens gave a PowerPoint presentation to the Board about the cost associated with the work including hours, equipment, physical insurance, and hosting fees for collection if we would include the other townships/boroughs and commercial use of the facility. The Board asked whether the site was large enough to handle other municipalities, and what the impact of cost was for the larger collection of materials.

Several residents also asked questions about the key card cost and concerns about the commercial use of the facility. The discussion continued on concerns about potential abuse of the facility, hours, cameras, and liability of the site with the Board, Mr. Ahrens, and the audience.

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The Board consensus on restricting the hours. The Board concluded they would need additional clarity on the financial costs the collector would charge the township for the increase of materials collected from other municipalities using the facility and if they would be able to accommodate more recycling. Mr. Ahrens will move forward on the requests and concerns the Board has on this matter.

Update on UGI and Comcast Work in Township

The discussion on UGI and Comcast was discussed earlier in the meeting with Mr. Unger talking about the paving project and sending them letters to make sure their work is done before the paving project begins. Mr. Ahrens stated that UGI would pay all permit fees that have not been sent out, charging at the rate the Board adopted.

Business

Consider Purchase of Ford 750 Truck from Fred Bean Ford Dealership

Mr. Ahrens stated the truck fits all our needs, the body of the truck is not stainless steel, and we will have to keep up the maintenance of the truck. He said DEP approved the truck. This will be our second CDL truck. The truck is priced under Costars at \$122,114.60.

A motion was by Joshua Meck to purchase the Ford 2023 F-750 for \$122,114.60. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consider Overlay District Zoning Ordinance Draft

Mr. Ahrens stated the applicant sent a letter requesting the Board to table the Overlay Zoning District Ordinance to do a traffic study due to the concerns of the public. Mr. Franke suggested it should be tabled until June. The Board discussed concerns and issues tabling the ordinance draft. Mr. Frey assured the Board there was no risk in tabling the Overlay Zoning Ordinance.

Mr. Wales spoke about concerns the public has with the Overlay District Zoning properties included with Overlay District. Mr. Frey stated the discussions at the Planning Commission meetings recognized some properties individually did not satisfy the acreage requirement. It is an overlay for multiple properties and if someone pieced the properties together, they could have other uses available to them.

The discussion continued with the Board and the public about concerns about traffic, the school numbers, and surrounding properties in the Overlay District. Mr. Folino joined the discussion via Zoom, stating he was listening to the public by doing a traffic study, checking into school district numbers, and trying to get the experts the public requested. He also stated the applicant is paying for the traffic study.

No action was taken. TABLED

A motion to adjourn the meeting was made by Heidi Fiedler and seconded by Joshua Meck. The meeting was adjourned at 9:03 p.m.

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An executive session began at the adjournment of the meeting for personnel issues and potential litigation.

Respectfully Submitted,

Christina Hafer
Township Secretary