

Maidencreek Township Board of Supervisors

March 14, 2024

6:00 p.m.

Attending: Joshua Meck, Eric Bauman, Diane Hollenbach, Christina Hafer, Eric Frey, Esq. of E. Kenneth Nyce, Jim Keiser, Northern Berks Regional Police Department, and Pamela Stevens of Systems Design Engineering.

Guests: Keith Shuman (Road Foreman), Dan Miller, Fire Chief at Blandon Fire Company, Anthony Spero, Donna Culp, Yvonne Scalse, Mile Schittler, Gavin Milligan, Nancy Runyon, Donald Griest and Heidi Fiedler.

Attending the Zoom: Brooke Meck, Larry Maister, Christos Dinoalis, and other guests.

Joshua Meck called the regular meeting to order at 6:00 p.m. with the Pledge to the Flag.

### **APPROVAL OF AGENDA AND MINUTES**

Eric Bauman motioned to approve the March 14, 2024, Agenda. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Eric Bauman motioned to approve the November 15, 2023, Special Meeting Minutes. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Eric Bauman motioned to approve the February 8, 2024, Regular Meeting Minutes. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

### **PERSONAL APPEARANCES AND PUBLIC COMMENT**

Heidi Fiedler, 432 East Wesner Road.

Ms. Fiedler asked about the status of the \$5 million bond and the process. Mr. Meck stated they will have an update when we get to the manager's report.

### **REPORTS**

#### **Northern Berks Regional Police Report – Chief James Keiser**

Chief Keiser reviewed the NBRPD Activity Report for February 2024 for Maidencreek Township, including calls for service, citations, traffic warnings, vehicle contacts, crashes, arrests, fuel, mileage, and hours of service. He also made note of vehicle service with the replacement of a fuel pump and fuse box on vehicle #6. Chief Keiser stated they have two new vehicles and started planning for National Night Out possibly moving to the Reading Fairgrounds, 1216 Hilltop Road, Leesport, and will be held on August 6, 2024. Chief Keiser mentioned the incident that occurred in the Township on the purchase of a car involving a gun that was used in the incident. No one was injured, and the person with the gun was charged.

Joshua Meck commented about being interested in purchasing a vehicle from NBRPD when they are listed on Municibid. He stated the reason for the purchase of the vehicle is for the road crew to have a vehicle for emergencies on the weekends.

**Engineering & Zoning Reports – Pamela Stevens**

David Kopfer Final Subdivision Plan expires on April 8, 2024.

Pamela Stevens asked if there was a letter for a time extension and Diane Hollenbach said there was not and there has been no activity since 2020 except for time extensions. Ms. Stevens recommends that the Board reject the plan.

A motion was made by Eric Bauman to reject the David Kopfer Final Subdivision Plan that expires on April 8, 2024, due to no time extension requested in accordance with the outstanding issues from the Systems Design Engineer letter dated March 3, 2021. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Update on Subdivision/Zoning/LDP.

Pamela Stevens noted there was no action on the updates and she briefly addressed the Zoning/Code & UCC Report, and stormwater basin inspections saying there is great compliance with the inspections, with only one with deficiencies at Melrose Place. Pamela and the Board briefly discussed the storm damage at the Walnut Tree Drive culvert, the Engine Retarder Study on Route 222, and the sign.

Pamela Stevens updated the Board about the sinkhole at 109 Penrose Avenue saying they are requesting an emergency quote to repair the sinkhole in the roadway and Diane Hollenbach said she would send the video to Pamela. Joshua Meck asked for an update on the sinkhole at Shadow Ridge and Pamela said that it was part of the basin inspections and letters have gone out. Mr. Meck said the sinkhole is getting larger and Ms. Stevens will send everything she has about the Shadow Ridge sinkholes.

Approval of the release of GSP Letter of Credit 540002333 for \$74,687.38.

A motion was made by Eric Bauman to approve the release of the GSP Letter of Credit 540002333 for \$74,687.38. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the release of Trinity Bible Fellowship Letter of Credit 100463934 for \$135,696.00.

A motion was made by Eric Bauman to approve the release of Trinity Bible Fellowship Letter of Credit 100463934 for \$135,696.00. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the release of Redner's Quick Shoppe Letter of Credit IS000333578U for \$639,522.00.

A motion was made by Eric Bauman to approve the release of Redner's Quick Shoppe Letter of Credit IS000333578U for \$639,522.00. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Authorize signature on the Ringler Planning Module.

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A motion was made by Joshua Meck to authorize signatures on the Ringler Planning Module. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Authorize the preparation of the 2024 Road Bids.

A motion was made by Eric Bauman to authorize the preparation of the 2024 Road Bids. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Authorize the engineer to proceed with the design and permitting for the replacement of Cornerstone Bridge.

A motion was made by Eric Bauman to authorize the engineer to proceed with the design and permitting for the replacement of the Cornerstone Bridge. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Consideration of the Planning Commission's request to review zoning regulations on home occupations and home businesses.

Eric Frey asked if the Board would add warehouses and conditional use regulations to the motion.

A motion was made by Eric Bauman to ask the Planning Commission to review zoning regulations on home occupations, home businesses, warehouses, and conditional use regulations. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Heidi Fiedler asked Pamala Stevens to elaborate further on the West Walnut Tree Bridge. Ms. Stevens said they were looking back at the emergency permits and are collaborating with Berks Nature on land studies which are still in the evaluation stage.

**Solicitor – Eric Frey, Esq.**

Schedule a conditional use hearing for the Heeby's Building Plan.

A motion was made by Eric Bauman to schedule Heeby's Building Plan conditional use hearing for April 11, 2024, at 6:00 pm in the Maidencreek Township Meeting Room. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Review and consider resolution of warehouse noise complaint (BCCCP 23-00315).

David Franke, Chairman of the Board of Supervisors identified himself via phone call.

A motion was made by David Franke by phone to accept the terms of the conditional use as presented. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Review and consider resolution of warehouse conditional use appeal (BCCCP24-00697).

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A motion was made by David Franke by phone to accept the terms of the conditional use as presented. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Heidi Fiedler asked for a copy of the documents.

Update on Verizon Cell Tower Matter.

Mr. Frey said he spoke with Verizon's attorney last month, advising them they need to update the conditional use approval and zoning approval that is expired. He also said they need to update their lease, and they work with the Maidencreek Authority.

Update on Property Maintenance at 320 Main Street.

Mr. Frey said there is a criminal and civil matter with hearings scheduled for April.

Mr. Frey also added the Right-To-Know appeal to the Office of Open Records, stating the Township submitted its response on February 29, 2024, and expects a decision from the Office of Open Records by April 22, 2024.

**Public Works – Keith Shuman**

Approval of purchase of signs (street index, stop, speed limit, no parking) \$6,864.20 – Street index \$8,671.00 – all other signs.

Keith Shuman, Road Forman discussed with the Board the need for new signs due to the age of the street index signs, colors, and how they can reface some signs.

A motion was made by Eric Bauman to approve the purchase of stop signs, speed limit signs, and no parking signs for \$8,671.00 and street index signs for \$6,864.20. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the purchase of drag box \$11,725.00.

Keith Shuman said the current drag box is 15 to 18 years old and is designed for a specific truck. The new one would be able to hook to other trucks.

A motion was made by Eric Bauman to approve the purchase of a drag box for \$11,725.00. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the purchase of 18 concrete inlet tops \$4,554.00.

Mr. Shuman would like to replace the inlet tops in Limestone Village due to paving this year.

A motion was made by Eric Bauman to approve the purchase of 18 concrete inlet tops for \$4,554.00. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the purchase of rock to create a stockpile for stream projects.

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Mr. Meck said they need to continue repairs at the creek due to recent storms that washed away some materials. The quarry has an inventory of rock and we should purchase the rock before the inventory is depleted.

A motion was made by Joshua Meck to approve the purchase of rock to create a stockpile for steam projects not to exceed \$10,000.00. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of the sale of items on Municibid.

A motion was made by Joshua Meck to approve the sale of items on Municibid. Eric Bauman seconded the motion and hearing no questions on the motion, it passed unanimously.

Diane Hollenbach and the Board discussed the sale of any items they wanted to have a reserve on and to discuss at the next Board meeting. They decided to only set a reserve for 2008 GMC Truck #3.

A motion was made by Eric Bauman to approve Diane Hollenbach and Keith Shuman to set a reserve on the 2008 GMC 5500 Plow & Spreader sold on Municibid. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Ms. Hollenbach said they would advertise in the Reading Eagle, list the items on Municibid with pictures, and be there for the next Board meeting.

**Manager – Diane Hollenbach**

Diane Hollenbach stated the bond sale occurred on March 11, 2024, with a 3.27 interest rate and money should be transferred into the account on April 9, 2024.

Discussion/action regarding cell phone and tracker cost.

Diane stated we are spending approximately \$800.00 a month on cell phones and tracking devices and the trackers are not being utilized and would like permission to cancel that part of the plan. She also would like to get quotes from Verizon to see about lowering the cost. The Board agreed to look at an alternative with quotes.

Discussion/action regarding website ongoing cost.

Ms. Hollenbach said she received an invoice from Civic Plus for \$5,000.00 for next year's coverage, which is too expensive. Diane said she spoke with Gavin Milligan about getting another website that is less expensive and would like to permit him to bring proposals to the Board. The Board agreed to let Gavin Milligan get quotes for a different website for the Township.

Discussion/direction on updating the Personnel Rules and Regulations.

Ms. Hollenbach said the Township never had employees that were not in the union and the personnel rules and regulations were not updated. She spoke about giving the same benefits to non-union employees and her question is about paying employees not taking the Health Care. Mr. Meck said that was a discussion proposed but did not know it was approved and added to the contract. Mr. Meck also said they would reopen the contract to have that removed and the rules

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and regulations. Diane said they have not been updated since 2012 and said we would get started on updating the rules and regulations and set up a meeting with the union representative.

Discussion/approval for Engineer to respond to PA DEP Notice of Land Application of Sewage Sludge 1259 Pleasant Hill Road.

Diane said the Township received notification that a local farm was going to be placed on the list of land applications for chemical sludge from a chemical company. The field on this farm where they want to spread the sludge is 800 feet from one of the Township's wells. SDE reviewed the application and sent a letter objecting and sent it to the DEP on behalf of the Township. Ms. Hollenbach asked the Board if they would ratify the letter.

A motion was made by Eric Bauman to ratify the engineer's response to the PA DEP notice of land application of sewage sludge at 1259 Pleasant Hill Road. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

**OLD BUSINESS**

Adopt Resolution 14-2024 Fund Balance Policy.

Joshua Meck read the cover of the Fund Balance Policy Resolution.

A motion was made by Eric Bauman to adopt Resolution 14-2024 Fund Balance Policy. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Authorize Ontelaunee Township to award paving project for the portion of Bewley Lane in Maidencreek Township for \$15,539.69.

A motion was made by Eric Bauman to authorize Ontelaunee Township to award paving project for the portion of Bewley Lane in Maidencreek Township for \$15,539.69. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

**NEW BUSINESS**

Adopt Resolution 15-2024 Tax Collector Fees.

Diane explained the Tax Collector is now doing additional work due to an increase in taxes and additional taxes being collected. There is the need to change her Tax Certification Fee to \$50.00, Duplicate Bill Fee to \$10.00, and Returned Check Fee to \$25.00.

A motion was made by Eric Bauman to adopt Resolution 15-2024 Tax Collector Fees. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

Approval of quote from H & M Lawn and Tree Service for treatment of ballfields and fences.

A motion was made by Eric Bauman to approve the quote from H & M Lawn and Tree Service for the treatment of ballfields and fences in all Maidencreek Township parks. Joshua Meck seconded the motion and hearing no questions on the motion, it passed unanimously.

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Authorize Township Professionals to create a Source Water Protection Ordinance for Township drinking water wells.

Diane said the Township Authority's Source Water Protection Plan was approved last year and the ordinance would help the Township regulate the activity in Zone 1 and Zone 2. She said 1259 Pleasant Hill Road is in Zone 2 of the well.

A motion was made by Eric Bauman to authorize Township Professionals to create a Source Water Protection Ordinance for Township drinking water wells. Joshua Meck seconded the motion, it passed unanimously.

**FINANCIAL MATTERS**

Treasurer's Report and Bill List.

A motion to approve the bills and accept the Treasurer's Report as presented was made by Eric Bauman, seconded by Joshua Meck, and hearing no questions on the motion, it passed unanimously.

Joshua Meck said there will be an executive session after the meeting to discuss personnel matters and no action is needed.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Eric Bauman and seconded by Joshua Meck. The meeting was adjourned at 7:09 p.m.

Respectfully Submitted,

Christina Hafer  
Township Secretary