

Maidencreek Township Board of Supervisors

May 11, 2023

7:00 p.m.

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

Guests: Nicole Manley, Esq. of E. Kenneth Nyce, Eric Bauman, Jarett Gibboney, Mike Schittler, Donna Culp, Dennis Fink, Robin, Fink, Aaron Rogers, Deb Solivan, Donna Bissinger, Jamie Kilyk, Sandy Renninger, LeRoy Renninger, Michael Meleta, Richard Wick, Rick Zerbe, David Brown, Kim Chilton, John Huemmrich, Tim Wales, Mary Wales, Toni Angstadt, Kimberly Burns, and Nancy Runyon.

Attending the Zoom: Robert Wood, Kevin Petri, James Cecchini, Brooke Meck, Marianne Cary, and other guests.

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

MINUTES AND TREASURER'S REPORT

Heidi Fiedler made a motion to accept the May 11, 2023, Agenda. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Heidi Fiedler made a motion to accept April 13, 2023, regular meeting minutes. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

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

PUBLIC COMMENT

A person in the audience asked about the education of the Board of Supervisors. Heidi Fiedler stated she had a Bachelors Degree in Chemical Engineering and a Master's Degree in Environmental Engineering.

Dave Franke stated he would not run for Township Supervisor when his second term is over.

Joshua Meck stated he has an Associates Degree in Architecture from Penn College and has been a Civil Designer for twenty years.

Eric Bauman stated he has a Bachelor of Science Degree from Penn State University in Criminal Justice with an emphasis in Juvenile Corrections and is in the heating and air conditioning business for the past forty years and is the Installation Department Manager with Longacre Company.

Robin Fink, 325 W. Walnut Tree Dr., returned a political mailer to Ms. Fiedler.

Donna Bissinger, Allentown Pike, asked about a letter in the mail that Mr. Meck was not approved as a supervisor. Ms. Fiedler stated that he was appointed, not elected.

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REPORTS

Northern Berks Regional Police Report

Dave Franke stated Chief Keiser is not in attendance this evening and he will give the activity report. Mr. Franke read the calls for service, citations, traffic warnings, vehicle contacts, arrests, and vehicle services totaling \$634.44. He also spoke about fuel, miles, hours of service, and crashes.

Deb Solivan asked how to get the police to patrol Golden Drive due to it becoming a racetrack for Deka employees traveling to and from work.

Mr. Franke stated the Police Department will be implementing a new program that will track where they patrol. He also said to call the Police Department and let them know your concerns. The Board discussed more traffic issues and the roundabouts. Ms. Fiedler asked for a report from the Police Commission to access data for the roundabouts.

Engineer Report

Accept Maiden Creek Associates LDP Time Extension.

Heidi Fiedler made a motion to accept the Maiden Creek Associates LDP Time Extension until June 12, 2023. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Accept 107/109 W. Wesner Road LDP Time Extension.

Heidi Fiedler made a motion to accept the 107/109 W. Wesner Road LDP Time Extension until August 28, 2023. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Mr. Unger shared that the Maiden Creek Associates Preliminary Land Development Plan review letter dated May 1, 2023, was sent to the Planning Commission. He also spoke about zoning, code enforcement, UCC report, permits, and inspections. Road Work Contracts have been signed and will be sent shortly. Ms. Fiedler asked about the May 1, 2023, review letter to Maiden Creek Associates LDP, specifically concerning the comments about the Water and Sewer Agreement. Mr. Unger stated the Water Authority has granted a full-serve letter and can service the warehouse. Mr. Unger also said the road paving would not start until the second half of June, running into July/August, and will continue to communicate with UGI.

Solicitor

Consider Road Openings in Streets Ordinance Draft.

Heidi Fiedler made a motion to adopt Ordinance 255-2023 for Road Openings in Streets. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Mr. Frey announced the schedule for the Maiden Creek Associates Conditional Use Hearings held at the Willow Creek Elementary School at 6:30 pm. The next meeting will be May 30, 2023, and the following meetings will be June 6, 2023, July 11, 2023, and August 8, 2023.

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Mr. Frey also stated there was a hearing in front of the Berks County Court on the deemed approval, the neighbors appealed the case, and the Township intervened to be a part of the case to defend that our actions are correct.

Manager/Public Works

Park Road Corridor Project.

Mr. Ahrens explained to the Board regarding the grant for the study and design of the project, and the grant deadline is July 10, 2023. The cost to the Township would be \$100,000.00. This would help with potential traffic lights in more dangerous intersections. PennDOT would help to apply on behalf of the Township. The Board discussed the possibility of making a comprehensive plan to look at ways to address the situation. The audience also participated in the discussion and talked about roundabouts with an example roundabout in Oley Township. The discussion continued to the Jake-Brake problem on Route 222, and the Board stated they are working on the ordinance on the Jake-Brake. Mr. Ahrens said that PennDOT has agreed to pay for solar speed signs that have flashing lights when going too fast. Mr. Unger stated the Jake-Brake ordinance study will be finished soon. The discussion then was directed to realigning the intersection at Maidencreek Road, Calcium Road with Route 73 at the County of Berks' expense. Jarrett Gibboney asked about the left-hand turn lanes at Route 222 and Route 73. Mr. Ahrens stated the Township would have to pay for a study to install left-hand turn arrows.

Joshua Meck made a motion to study the Park Road Corridor. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consideration of Website Upgrade.

Mr. Ahrens stated the current website is not working properly and we have two proposals for a new website, one is from Granicus and the other is from CivicPlus. Mr. Ahrens stated CivicPlus is less expensive and could have it up and running by September. Ms. Fiedler had concerns about alternatives to the website. The discussion continued with the Board on saving money, dependable company, design, and technical support.

Heidi Fiedler made a motion to authorize the Township Manager to sign a contract with CivicPlus for the implementation of Maidencreek Township's website. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consideration of Bank Account Restructuring.

Mr. Ahrens explained that he recommends moving all the Township money above the regular balances to PLIGIT and moving the general fund, payroll, and escrow funds to Tompkins VIST Bank. PLIGIT has higher interest rates and is only for government agencies. The discussion continued with the Board on security collateralization and if an issue arises with the bank's solvency and the result of losing money.

The Board requested additional information related to collateralization with Tompkins VIST Bank.

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Consideration of Hiring Township Clerk (Seasonal).

Mr. Ahrens stated hiring a part-time employee would be a benefit to the Township due to the number of summer projects we have, including grant applications, working on five-year budget projection, capital improvement plan, oversight of potential projects with Comcast and UGI, and assisting Township Secretary with managing multiple tasks including bookkeeping. The candidate is a high school graduate from Fleetwood High School. The position would be a union position and be seasonal. Ms. Fiedler asked for his resume to be forwarded to the Board of Supervisors. Mr. Meck asked if this position is budgeted. Mr. Ahrens stated it is not budgeted but could be afforded, and reiterated this would be a summer position and not a long-term position.

Heidi Fiedler made a motion to start the hiring process for the Township Clerk (Seasonal) Position. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Consideration of Multi-Municipal Hosting at Lawn Waste Site.

Mr. Ahrens presented that Richmond Township and Fleetwood Borough are interested in utilizing the Lawn Waste Site. The Board discussed adding other municipalities to the Lawn Waste Site. Mr. Meck raised the prospect of having the entrance and exit of the Lawn Waste Site one way in and one way out. Mr. Ahrens said the addition of the other municipalities would help offset the cost to Maidencreek Township, and the Township would receive the amounts of recycling counts which could help with grants. Mr. Franke stated he would not want to include commercial businesses from other municipalities. Members of the audience raised concerns that the Lawn Waste Site is not big enough to manage the other municipalities. The Board has determined to reevaluate this issue and consider it next year.

Business

Accept the 2022 Township Audit.

Mr. Ahrens stated there were recommendations from the Township Audit seeing that the reconciliation be split between the Township Manager and the Secretary, adjusting accounts for how the Township records accounts, and budgeting.

Heidi Fiedler made a motion to accept the 2022 Township Audit by Herbein with the recommendations. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Approved Resolutions 21-2023 & Resolutions 22-2023 for Permission to Apply for Grants to DCED.

Heidi Fiedler made a motion to approve Resolution 21-2023 for the Township Manager to sign the comprehensive Parks and Recreation open space grant for \$47,493.00. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

Heidi Fiedler made a motion to approve Resolution 22-2023 to sign for phase one of the W. Walnut Tree Drive stream bank at the bridge grant to DCED. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion passed.

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Other Business

Mr. Franke read a prepared statement addressing the issue of the low head dam on Township property adjacent to 432 E. Wesner Road, Blandon PA, the project details, and that the entire Board was not aware of the project, permits were not acquired, and the issue should have been brought to the attention to and for the consent of the entire Board of Supervisors.

Ms. Fiedler disputed Mr. Franke's statement. Ms. Fiedler shared that the Township Manager authorized the work and thus did not need the Board's approval. She continued that the work was intended to repair the dam which is owned by the Township. Ms. Fiedler added that the Township Engineers reviewed the condition of the dam and provided a memo. Permits were not raised to her attention by the Township Engineers which she believed they were responsible to do.

Ms. Fiedler concluded that the statement read by Mr. Franke was politically motivated for the upcoming election to benefit his preferred candidates. She continued that Mr. Meck had violated the State Ethics Law by not correctly filing a Statement of Financial Interests for the year 2022 before he was appointed Township Supervisor.

Dave Franke made a motion to amend the agenda to add the information about the low-head dam and send the information to PSATS and the State Ethics Board. Joshua Meck seconded the motion. Heidi Fiedler abstained. Motion passed 2 to 1.

Dave Franke made a motion to send the information to the State Ethics Board and PSATS for violations. Joshua Meck seconded the motion. Heidi Fiedler abstained. Motion passed 2 to 1.

Members of the audience made comments on the dialogue between board members. Mr. Meck made statements about his integrity and his compliance with the State Ethics Board review referenced by Ms. Fiedler.

Mr. Frey stated that the Board cannot take a position on the Maiden Creek Associates Warehouse.

Mr. Franke said the meeting should not be political and the State Ethics Committee could recommend changes and appropriate actions thereafter.

A motion to adjourn the meeting was made by David Franke and seconded by Joshua Meck. The meeting was adjourned at 9:11 p.m.

Respectfully Submitted,

Christina Hafer
Township Secretary