

Maidencreek Township Board of Supervisors

August 10, 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: Eric Bauman, Anthony Spero, Todd Tanis, Donna Culp, Mike Schittler, Dennis Fink, Robin Fink, Mark Plucker, Robert Hain, Berks Surveying, Nancy Runyon, and Robert Schneider.

Attending the Zoom: Brooke Meck, Robert Wood, Jamie Schlesinger, Dawn Geshwindt, Scott Zimmerman, Pat Demming, Jim Evans and other guests.

David Franke called the regular meeting to order at 7:04 p.m. with the Pledge to the Flag.

Executive Session on July 24, 2023, for personnel matters.

Executive Session on August 8, 2023, for discussion on potential legal matters.

Executive Session before the regular August 10, 2023, meeting for personnel matters.

Heidi Fiedler motioned to amend and approve the agenda adding the presentation and resolution for destruction of records. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

MINUTES AND TREASURER'S REPORT

Heidi Fiedler motioned to accept July 13, 2023, subject to corrections. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

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

PUBLIC COMMENT

Todd Tanis, 345 Cornerstone Dr., commented on the sinkhole in the retention pond. He stated his basement flooded due to the retention pond and said it was getting worse, and the contractor filled it with dirt. Mr. Ahrens, Mr. Unger, and the Board discussed and responded that the homeowner is aware he is responsible for the retention pond on Calabria Drive and the Township can work with the contractor to ensure the work is properly conducted.

Richard Demming, 112 S View Rd., asked if the Township had done anything about the runoff from the creek that took out the back wall of his home. He will discuss it later in the meeting.

Yvonne Scalese, 213 Spirit Ct., said Keith Shuman did a good job at the bridge and asked if something would be done with the bridge. She also said her husband and she did some cleanup of the debris at the bridge.

Lori Hershberger, 209 Spirit Ct., stated they were told it was a construction bridge and said it should be replaced. Mr. Unger said the State would do a bridge inspection and explained the inspection procedure. The Board and Mr. Unger continued the discussion about the bridge with possible options.

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Ann Santiago, 217 Spirit Ct., said she thought the creek bed had sand buildup and the swale beside her home undertook double the amount of water due to the bridge being clogged. Mr. Shuman said the swale was re-graded about two years ago. Mr. Meck stated he walked the creek to see firsthand what it looked like and what could be done. The Board continued the discussion with the process with DEP and the State for the stream restoration.

Bob Schnieder, 262 Longleaf Dr., discussed the situation he is in about building a porch on the back of his home and missed the setbacks, the permit was denied. Mr. Unger explained that changing the zoning would not be feasible for the entire area. Mr. Unger said the deck is approved but the roof does not meet the setbacks. He suggested an awning instead or apply for a variance.

Heidi Fiedler wanted to clarify the record that back in May, Mr. Franke claimed that work done at the Township's Low Head Dam had violated the law. She stated Mr. Franke asked both the Pennsylvania Association of Township Supervisors and the Ethics Commission for guidance. Ms. Fiedler read what the PSATS and the Ethics Commission said in the letter, saying that they do not offer legal advice to the Township, Board Members, or staff and gave other options.

Mr. Franke stated they have not heard back on the complaint. Ms. Fiedler stated it was minor work that was done on the Low Head Dam. Mr. Meck stated the work did not have proper permits. The discussion continued with the Board of Supervisors.

Presentation by Maidencreek Township Authority and Public Financial Management on Dept Issuance

Jamie Schlesinger explained the process of the Township Authority Capital Plan. They will be using grants and other steps for funds with the Township's involvement that would keep the interest rates low and save money. This will help with restoration due to the flooding on July 9, 2023.

Patrick Donovan explained to the Board the damages and cleanup from the flooding.

The Board of Supervisors agreed to let Maidencreek Township Authority move forward with the Capital Plan.

REPORTS

Northern Berks Regional Police Report

Chief Keiser stated the meeting for updates on the activity report will be Monday, 14th at the Northern Berks Regional Police Commission Meeting. He said that National Night Out was a success and was bigger than expected, thanking everyone who volunteered. Chief Keiser said new police vehicles are waiting to be upfitted and potentially will be available in October. He also stated that there in the process of hiring two officers.

Dave Franke thanked NBRPD and said he appreciates everything they do.

Joshua Meck also thanked NBRPD and stated we received the speed signs from PennDOT and looking for strategic locations to place them.

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Engineer Report

Action on 107/109 W. Wesner Road Subdivision Plan.

Mr. Unger said the Planning Commission made a recommendation to the Board of Supervisors to approve. He said the Zoning Variance was approved and there are three waiver requests to be approved.

Rob Hain, Berks Surveying explained the three waiver requests, discussing them with Mr. Unger and the Board.

Heidi Fiedler motioned to approve the three waivers as requested with the condition that the deferral of sidewalks be properly noted on the plan. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Heidi Fiedler motioned for final approval of plans conditional compliance with the July 24, 2023, SDE letter. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Consideration of Stormwater Ordinance Revisions.

Ty Leineweber explained the revisions to the Board of Supervisors and answered questions the Board raised. He stated that the DEP asked for all municipalities to adopt their model ordinance and being a part of the MS4 program, we are required to update our ordinance to comply with DEP recommendations.

Joshua Meck motioned to authorize the solicitor and engineer to move forward with the Stormwater Ordinance Revisions discussed. Heidi Fiedler seconded the motion. Hearing no question on the motion, all members voted, "Aye." Motion carried.

Review of Cornerstone Bridge Damage and Discussion of Response.

Mr. Unger and the Board discussed the inspection report, immediate improvements, and possible removal of the structure.

Manager/Public Works

Presentation on July 9 Flooding and Discussion of Responses.

Connor Tucci gave a PowerPoint presentation to the Board and audience with Google Maps color-coded with all the properties that had damage, and he also used FEMA maps. He explained how the water flowed, what areas flooded, and the areas where the damage was greater.

The Board discussed with the public what possible offers through FEMA with examples of those offers. They also discussed the emergency permits, funds for flood control, and dredging the creek. They also discussed the Cornerstone Bridge, water going under the bridge instead of through the culvert, the debris that has been collected at the bridge, work that needs to be done around the bridge area, grants to replace the bridge, weight limits, and emergency services utilizing the bridge.

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Mr. Unger said next month they should have pricing, emergency vehicles, and other items that were mentioned previously.

Potential Action on RoadBotics Road Inventory Software for \$5,000.00 (Road Assessment and Inventory System, Using Liquid Fuels Fund).

Hunter Ahrens explained the details of RoadBotics Software, being able to access for 12 months with a full inventory of all roads, AI programs picking up imperfections on the roadway saving time, and all roads completed in two days with accurate data for road repair. Mr. Ahrens explained to the Board how the AI program operates and answered questions, including error rate, saving money and time, and only being charged for the actual roads being surveyed.

Joshua Meck motioned to procure the RoadBotics Inventory Software, Road Assessment, and Inventory System for \$5,000.00, using Liquid Fuels Fund. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Discussion of Pension Valuation Report and Potential Implications.

Mr. Ahrens stated the Township is in good shape, he is proposing a working group with a Board Member, a Union Member, and himself to discuss changes in plans, decrease risk, and leverage funds effectively. Options are benefit increases, de-risking of assets, and using more stable funds. Decreasing the anticipated rate of return, preparing for downturns that may occur.

Discussion of Strategic Planning Workshop Meeting.

Mr. Ahrens said he would give dates to the Board of Supervisors.

Solicitor

Mr. Frey stated the Conditional Use Hearings will be on August 24, 2023, September 5, 2023, and September 20, 2023, all at 6:30 p.m. in the Township Meeting Room.

The Park and Recreation meeting will tentatively be held at the Community Park on August 24, 2023.

BUSINESS

Affirm Purchase of 2018 Cam Superline Trailer for \$5,000.00.

Joshua Meck motioned to approve the purchase of the 2018 Cam Superline Trailer for \$5,000.00. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Consider Appointments for Various Township Boards.

- Maiden Creek Township Authority Board

Heidi Fiedler motioned to appoint Thomas Evanosky as Maiden Creek Township Authority Board Member. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

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- Maiden Creek Township Planning Commission

Heidi Fiedler motioned to appoint Gavin Milligan as Maiden Creek Township Planning Commission Board Member. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

- Maiden Creek Township Zoning Hearing Board Alternate

Heidi Fiedler motioned to appoint Chris Kline as the Zoning Hearing Board Alternate. Joshua Meck seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Consideration of Resolution 27-2023 on Disposition of Records.

Mr. Ahrens stated the disposition of 2007, and 2012 records are compliant with Pennsylvania records destruction.

Joshua Meck motioned to approve Resolution 27-2023 on Disposition of Records. Heidi Fiedler seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

Proclamation for the Support of Those Suffering Gastroparesis.

Dave Franke motioned to sign this Proclamation to support those suffering from Gastroparesis. Joshua Meck seconded the motion. Heidi Fiedler voted, "Nay." Motion passed 2 to 1.

A motion to adjourn the meeting was made by Joshua Meck and seconded by Heidi Fiedler. The meeting was adjourned at 10:05 p.m.

Respectfully Submitted,

Christina Hafer
Township Secretary