Maidencreek Township Board of Supervisors
July 11, 2019

Attending: Claude Beaver, Joseph Rudderow III, Heidi Fiedler, Eugene Orlando, Jr. – Orlando Law Office, Thomas Unger – Systems Design Engineering, Inc., Diane Hollenbach – Manager

Guests: Cody Rhoads, Donna Culp, Jim Schoellkopf Jr., Keith Shuman, Francis Scott, James Patterson, Marion Patterson, Lance Adams

Claude Beaver called the July 11, 2019 meeting of the Board of Supervisors to order at 7:00 p.m. in the Maidencreek Township Building, 1 Quarry Road, Blandon and asked everyone to rise for the Pledge to the Flag.

MINUTES & FINANCES

Minutes

A motion was made by Heidi Fiedler to waive the reading of the minutes and approve the minutes for the June 13, 2019 regular meeting. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Treasurer's Report and Bill List

A motion was made by Heidi Fiedler to approve the June 2019 Treasurer's Report and Bill List. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Francis Scott of 122 Spirit Court, Blandon questioned the Board on the purchase of the land on W Walnut Tree Drive, stated the address was wrong in past minutes and criticized the maintenance of the open space along the stream. Heidi Fiedler responded that the purchase will help the Township meet its MS4 obligations and improve stream quality. The Township will be assisted in the project by Berks Nature.

Marion Patterson, 93 Spirit Court, Blandon discussed the Notice of Violation she received for her shed allegedly being on Township property, the storm drain on her property, the lack of mowing in the meadow along the stream behind her home and her concern about West Nile Virus. Diane Hollenbach responded that the Zoning Officer could measure her property if he had permission from her to enter on her property. The Berks County Conservation District set mosquito traps each year along the Willow Creek to test for West Nile Virus. Ms. Patterson asked to know exactly where the traps were located.

REPORTS

ENGINEER'S REPORT

Melrose Place – Tom Unger reported that the Letter of Credit reduction for Melrose Place will be considered at the August meeting. All punch list items should be completed by then. Joseph

Rudderow III asked how many lots remained to be built upon. Diane Hollenbach believed there were about six residential lots left.

5G Ordinance – The Board will review the ordinance in August. Joseph Rudderow III asked for a copy in color showing the additions.

2019 Street Projects – The tentative start date is August 8th.

Letter of Credit/Escrow Release Letters

A motion was made by Heidi Fiedler to authorize the Chairman to sign the Letter of Credit release letters for Melrose Place in the amount of $121.90 and GSP – Business Park at Maidencreek in the amount of $3,723.69. Joseph Rudderow III seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

Meadowbrook Sinkhole Repair – Claude Beaver asked if the sinkhole was repaired and if the contractor found the throat. Tom Unger stated that the repair was made. There was no throat. The sinkhole was above gas and electric lines. The contractor opened the sink hole and went as deep as possible, filled it with water and it held water. A reverse filter was installed using geotextile and then the sinkhole was filled.

Ontelaunee Heights Sinkholes – Joseph Rudderow III asked if Keith Shuman had looked at the Ontelaunee Heights sinkholes. Mr. Shuman will do that on Monday.

SOLICITOR'S REPORT – Eugene Orlando, Jr.

Farm 4 Letter of Credit – Mr. Orlando reported that he has been working with the land owner to return the Farm 4 letter of credit because the project will not be constructed. A draft agreement has been circulated for comments. The owner is to supply an existing conditions plan.

Treetops Trust – Mr. Orlando has begun his review of the Treetops Trust.

Met Ed Hometown Heroes Agreement

A motion was made by Joseph Rudderow III to authorize the solicitor and the township manager to contact Met Ed to discuss the street banner agreement to address indemnity concerns. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Fireworks Ordinance - Mr. Orlando reviewed the state statue on fireworks and recommended referring the matter to the Planning Commission for changes to the zoning ordinance because the limits on locations implicate the zoning district boundaries. James Patterson questioned what the Township was doing in regards to fireworks, if the fireworks available for purchase at Walmart

and Target would be illegal and if residents wouldn't be allowed to set off fireworks on Township land. Diane Hollenbach responded that the state law had changed making it necessary for Townships to issue permits for commercial displays, and the Township was updating the ordinance to be in compliance with state law. She added that it was legal to purchase fireworks but it was illegal to set them off if they were ignited within 150 feet of a structure and fireworks have never been permitted to be set off on any Township property by private citizens. The police department should be called immediately if fireworks are being set off illegally. Joseph Rudderow III added that the Township cannot be more restrictive than the state law.

A motion was made by Joseph Rudderow III to refer the Fireworks Ordinance to the Maidencreek Township Planning Commission for review and comment. Heidi Fiedler seconded the motion. Hearing no questions on the motion, it passed unanimously.

Mutual Cooperation Ordinance Delaware Valley Health Trust

A motion was made by Heidi Fiedler to authorize the solicitor and township manager to advertise a public hearing for August 8, 2019 beginning at 7:00 p.m. for consideration for adoption of an ordinance authorizing the township to participate in an intergovernmental agreement and participation in the Delaware Valley Health Trust. The Board of Supervisors regular meeting will immediately follow the public hearing. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGER'S REPORT – Diane Hollenbach

Diane Hollenbach reported that the bridge on Route 73 would be closed to traffic on July 24th. The project is scheduled to last thirty days and is weather dependent.

An Animal Control RFP was circulated to the Board, and the Supervisors agreed to advertise for proposals.

ZONING REPORT

The Zoning Hearing Board will hear three variance applications. On July 29th, Maidencreek Church will have a public hearing on their request for a dimensional variance for a portico on their new addition that contains an elevator and handicap restrooms. On August 15th, the Zoning Hearing Board will hear two variance applications. The owners of 367 W Shore Drive seek to build an addition that is three feet from the rear property line. The owners of 331 East Wesner Road wish to rebuild an existing home on their property that does not have the required road frontage. The owners of 269 Spirit Court have withdrawn their application and are moving their shed off of Township property.

PARK AND RECREATION

Court Sealing Community Park

A motion was made by Joseph Rudderow III to authorize the court sealing of the Community Park Basketball Courts through Seal Master at a cost not to exceed $8,687.03. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously. Keith Shuman added that the project will be done after summer playground, and the courts will be closed about one week.

Questions from the Supervisors

Heidi Fiedler asked about the grant meeting the Township Manager had attended at the Virginville Grange. Diane Hollenbach explained that there is a five-year grant program for projects that improve the waters of the Maiden Creek. Unfortunately, townships are not eligible for the grants. The grants are for farmers who do projects like stream bank fencing, riparian buffers and manure storage.

BUSINESS

Audit Proposals

A motion was made by Heidi Fiedler to appoint Herbein as the Township Auditor for fiscal year audits 2019, 2020, and 2021. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Additional Public Comment

Donna Culp of Blandon stated that she is hearing rumors about issues between Maidencreek Township and Northern Berks Regional Police. Claude Beaver responded that at this point they are just rumors.

Executive session was held from 7:50 to 8:32 p.m. on litigation.

269 Spirit Court

A motion was made by Heidi Fiedler to withdraw the enforcement notice for 269 Spirit Court if the property owner withdraws their appeal and moves their shed. Joseph Rudderow III seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

Northern Berks Regional Police

A motion was made by Joseph Rudderow III to authorize the solicitor to attend a meeting/executive session of the Northern Berks Regional Police Commission. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

320 Main Street

A motion was made by Heidi Fiedler authorizing the Zoning Officer to issue an enforcement notice for 320 Main Street. Joseph Rudderow III seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

A motion was made by Joseph Rudderow III, seconded by Heidi Fiedler, to adjourn the July 11, 2019 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 8:34 p.m.

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Diane Hollenbach, Township Manager/Secretary/Treasurer