Maidencreek Township Board of Supervisors
August 8, 2019

Attending: Claude Beaver, Joseph Rudderow III, Heidi Fiedler, Christopher Garrell - Orlando Law Office, Tom Unger - Systems Design Engineering, Diane Hollenbach - Manager, Julie Mull - Recording Secretary

Guests: Francis Scott, Sal Folino, Donna Culp, Jill Myers, Andrew Myers, Kevin Williamson, Ashley Williamson, Cody Rhoads, Brian Horner, Ed Oswald - Reading Eagle, Richard Wick, Jason Reigner

Claude Beaver called the August 8, 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.

PUBLIC HEARING

Public Hearing Ordinance 249 - Intergovernmental Cooperation with Delaware Valley Health Trust

MINUTES & FINANCES

Minutes

A motion was made by Joseph Rudderow III to waive the reading of the minutes and approve the minutes for the July 11, 2019 regular meeting. Heidi Fiedler 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 July 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

Jill Myers, 416 Acer Drive, Blandon asked the Board if anything could be done with the County regarding Spotted Lanternflies. Diane Hollenbach responded that the Department of Agriculture has several trap trees in the Township, mostly in the location of the Post Office and Redner's Warehouse.

Francis Scott, 122 Spirit Court, Blandon was concerned about the construction on the bridge on Route 73 and the Schaeffer Road paving project being completed at the same time. Diane Hollenbach reassured Mr. Scott that Schaeffer Road will not be closed.

Ashley Williamson, 414 Acer Drive, Blandon stated that her children have pet chickens and according to the Maidencreek Township Pet Ordinance, since the chickens are not for Agricultural Use, we should be able to keep them. Joseph Rudderow III explained the complaint process: A neighbor filed a complaint about the chickens, a zoning officer was sent out and a letter was sent to the Williamsons. Heidi Fiedler asked the number of chickens and if they are fenced in. Ms. Williamson replied there are six chickens and they are fenced in along with a run and coop (double contained). Joseph Rudderow III and Claude Beaver were in agreement to have the Planning Commission look over the Pet Ordinance in regards to backyard chickens, residential rabbits and potbellied pigs.

Andrew Myers, 416 Acer Drive, Blandon stated he is not the neighbor who filed the complaint against the Williamsons regarding chickens at 414 Acer Drive, Blandon. However, since it was brought up, he said it does get stinky at times. Mr. Myers also said the run and coop are right on the property line. Joseph Rudderow III informed Mr. Myers that the Planning Commission meeting is open to the public.

REPORTS

ENGINEER'S REPORT - Tom Unger, P.E., Systems Design Engineering, Inc.

5G Ordinance - Planning Commission has recommended draft regulations for approval by the Board of Supervisors. There was a discussion among the Board whether or not the section regarding pole mounted cabinets should be eliminated. Mr. Unger stated he will take all the comments and firm up the Ordinance for further review.

Gun Range Regulations - The Board discussed having the Planning Commission review gun range regulations. Brian Horner asked if this was in regards to a certain area. The Board stated location is critical. Mr. Horner explained these ordinances prevented Chris Zwicky from building a state of the art, police-only range on his property at 1300 Maidencreek Road. Heidi Fiedler and Diane Hollenbach stated Mr. Zwicky started construction without submitting plans or obtaining a permit. Township officials ordered Mr. Zwicky to halt construction at that time. Mr. Horner asked who filed a complaint against Mr. Zwicky building the range. Diane Hollenbach said she is unable to disclose that information per State law that information is confidential.

A motion was made by Joseph Rudderow III to have the Planning Commission review gun range regulations. Heidi Fiedler seconded the motion and hearing no further questions on the motion, all members voted, "Aye." Motion carried.

Melrose Place Letters of Credit

A motion was made by Joseph Rudderow III to release the Letters of Credit for Melrose Place in the amount of $349,221.00 and $83,400.00 to be mailed back to BB&T Trust. Heidi Fiedler seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

2019 Road Project - Schaeffer Road will be paved, from Rt. 222 starting short of where the round-a-bout project would end, all the way to E. Wesner Rd.

Route 73 Bridge Project - to be completed August 22, 2019.

Subdivision Improvement Letter of Credit/Escrow Release Berkshire Property Mgmt.

A motion was made by Joseph Rudderow III to authorize the Chairman to sign the release reduction of Letter of Credit to Berkshire Property Management Co., LLC in the amount of $472.02. Heidi Fiedler seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

SOLICITOR'S REPORT - Christopher Garrell, Orlando Law Office

Farm 4 Request for release of Letter of Credit - The plan was approved in 2005 and never constructed. The draft agreement to eliminate the project and record an existing condition plan should be finalized for next month's meeting.

Tree Tops Trust legal research - Mr. Orlando will give an update next month.

Review Met-Ed Agreement for Hometown Heroes - finalize a redline agreement next month, it should be ready in the next week or two.

Habitat for Humanity, 115 Grove Road, Blandon

A motion was made by Heidi Fiedler to grant conditional final plan approval to the Grove Road Subdivision Plan conditioned upon satisfaction of the April 29, 2019 Systems Design Engineering, Inc. review letter, which is incorporated by reference, and execution of an improvement agreements with financial security. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Fireworks Ordinance - Mr. Garrell attended the Planning Commission Meeting last night. There are some additions/corrections to the Ordinance which will be ready next month.

ADOPT ORDINANCE NO. 249 DELAWARE VALLEY HEALTH TRUST

A motion was made by Joseph Rudderow III to adopt Ordinance No. 249 amending the code of ordinances (Ordinance No. 223 as amended) authorizing the participation of Maidencreek Township, Berks County, Pennsylvania in an Intergovernmental Cooperation Agreement and Participation in the Delaware Valley Health Trust Pursuant to the Pennsylvania Intergovernmental Cooperation Law. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGER'S REPORT - Diane Hollenbach

Diane Hollenbach reported it is a good time to shop around for an electric supplier and she had secured a rate of .0412 per KWH.

Complaint regarding a brush pile behind a shed on Cornerstone. Owner claims it is a natural habitat/sanctuary for owls and wildlife; she doesn't want it removed. Zoning officer initially found it to be in violation. The homeowner has appealed. Joseph Rudderow III suggested Keith Shuman take a look at it and verify whether or not it is on Township property and possibly have the Planning Commission review the "yard waste" Ordinance to clarify.

ROAD CREW REPORT

Purchase of heavy-duty tracks for mini excavator. Keith Shuman would like to wait and clarify if the price quote was for a single track or a set of tracks before any action is taken.

ZONING OFFICER'S REPORT

ZONING HEARINGS:

367 West Shore Drive, Hamburg - The Maidencreek Township Planning Commission at their meeting on August 7, 2019 recommend by formal motion their support of the variance requested for 367 West Shore Drive, Hamburg.

331 East Wesner Rd, Blandon - The Board had no comments on the variance requested for 331 East Wesner Rd, Blandon.

POLICE

A motion was made by Heidi Fiedler to authorize the Chairman to sign the representation letter for Northern Berks Regional Police new unfair labor practice. Joseph Rudderow III seconded the motion and hearing no question on the motion, it passed unanimously.

BUSINESS

Park and Recreation Board Member Appointment

A motion was made by Joseph Rudderow III to appoint Tim Mills to the Park and Recreation Board to fill a vacancy with a term expiring on December 31, 2020. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Resignation of Zoning Hearing Board Member

A motion was made by Heidi Fiedler to accept the resignation of Joseph S. Pendleton III from the Zoning Hearing Board and authorize Diane Hollenbach to send a thank you letter. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

Move Zoning Hearing Board Alternate to Zoning Hearing Board Member

A motion was made by Joseph Rudderow III to move Richard Wick from a Zoning Hearing Board Alternate to a Zoning Hearing Board Member. Heidi Fiedler seconded the motion and hearing no questions, it passed unanimously.

Ag. Security - open enrollment is this month. There are no applications at the moment.

Sinkhole Ontelaunee Heights

A motion was made by Joseph Rudderow III authorizing the Township Engineer and Public Works Director to investigate a sinkhole in Ontelaunee Heights. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Executive session was held from 8:25 p.m. to 9:10 pm. on litigation and personnel.

A motion was made by Joseph Rudderow III to authorize the Township solicitor and manager to attend the joint municipal meeting for the Northern Berks Regional Police Commission on August 19, 2019. Heidi Fiedler seconded the motion and hearing no questions, it passed unanimously.

A motion was made by Heidi Fiedler to appoint Cody Rhoads to the Park and Recreation Board with a term ending December 31, 2019. Joseph Rudderow III seconded the motion and hearing no questions, it passed unanimously.

A motion was made by Joseph Rudderow III, seconded by Heidi Fiedler, to adjourn the August 8, 2019 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted “Aye.” Motion carried. Meeting adjourned at 9:12 p.m.

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Julie Mull, Board of Supervisors Recording Secretary