Maidencreek Township Board of Supervisors
November 14, 2019

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

Guests: Ken Withers, Joel Herb, Richard Wick, Eric Bauman, Francis Scott, Tammy Rank, Harold Wagner, David Reichlein, Tim Thieme, Keith Shuman

Claude Beaver called the November 14, 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 Joseph Rudderow III to waive the reading of the minutes and approve the minutes for the October 10, 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 Joseph Rudderow III to approve the October 2019 Treasurer's Report and Bill List. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

Ken Withers of 403 Schaeffer Road, Blandon made the following statements: Mr. Withers received no response from the Township in regards to the comments he made at the September Board of Supervisors meeting; he believes Schaeffer Road was raised up six inches and has speed limit concerns. Mr. Withers also commented there is no control of water at the mobile park located on Schaeffer Road, other townships use an asphalt berm along the side of the road to direct the flow of water. Also concerned about a manhole which he says was paved over. There is a manhole in his yard that was raised and now it is hard to mow around. In response to the paved over manhole, Diane Hollenbach stated, if there is an emergency the manhole will get opened. Chairman Beaver stated the raised manhole is a question for the Water Authority. Tom Unger stated he reviewed and investigated all the September meeting comments and believes they are not accurate, Schaeffer Road is not raised up four to six inches and he has paving slips to prove it. Joseph Rudderow III explained the meeting process to the resident and requested that they have time to review the concerns. Tom Unger stated he will personally follow up and contact Mr. Withers.

Tammy Rank of 605 Independence Court, Blandon, requested the status of the no parking signs on the left side of the street on Independence Court. Tom Unger stated this item is on the agenda under the Engineer's Report and he will give a report at that time.

Tim Thieme of 111 Independence Court, Blandon, stated there are cars going the wrong way on Independence Court because they do not see the do not enter signs. Would like a wrong way sign placed there. He feels it's due to all of the construction on Route 222. In response Diane Hollenbach replied, she will order a wrong way sign. Chairman Beaver asked Keith Shuman if he could possibly tilt the signs a little to make them more invisible.

Joel Herb of 240 W. Walnut Tree Drive, Blandon, requested the status of placing a stop sign at the intersection of E. Wesner Road and W. Walnut Tree Drive. Tom Unger stated placing a stop sign at the intersection is not warranted. Mr. Unger stated this item is on the agenda under the Engineer's Report and he will give a report at that time.

Harold Wagner of Leesport, asked Chairman Beaver and Joseph Rudderow III if they are pleased with how Heidi Fiedler is performing her duties with the police department. Chairman Beaver stated we support the police commission. Joseph Rudderow III stated Heidi Fiedler was voted in and elected, we support Heidi who was appointed to be our representative for the Northern Berks Regional Police Commission. She is qualified to be Police Commissioner for Maidencreek Township. Mr. Wagner asked about the shooting range Chris Zwicky planned to build. Mr. Rudderow replied, nothing was presented to the board or brought before the Planning Commission. Chairman Beaver said, it is not zoned for a shooting range. Mr. Zwicky did not have a permit, just went ahead and started building. Mr. Wagner asked the board if there would have been a permit fee or would that have been eliminated. The Township Solicitor replied, we have the power to waive fees but not the power to waive the zoning ordinance. Mr. Wagner requested a right to know, for the original letter regarding the complaint and accused Diane Hollenbach of being the person who complained about the shooting range. Diane Hollenbach responded, no I am not. Mr. Wagner was instructed to fill out a right to know request form. Mr. Wagner then asked the board if it's a conflict of interest to have the Township Secretary as a substitute Police Commissioner. Joseph Rudderow III responded, no it is not. Mr. Wagner submitted the right to know request, in person during the meeting.

Eric Bauman of 208 Wales Way, Blandon, asked Chairman Beaver and Joseph Rudderow III if they viewed any of the videos of the Police Commission meetings. Joseph Rudderow III explained he does not feel supervisor Fiedler is responsible for the chaos at these meetings. Mr. Rudderow continued we need to come to common ground and have leadership in place to lead the Police Department which serves our community. Mr. Bauman requested the board to please address who is appointed Police Commissioner in January at the reorganization meeting. Diane Hollenbach stated everyone has to learn to work together whether they like each other or not.

David Reichlein of Centre Township, reported in regards to the Police Department, he sees the problem as Gary Hadden, not Heidi Fiedler. If something is going wrong it should be brought to light. You wouldn't be supporting who you are supporting, if you knew what I know. The investigation going on is very serious.

REPORTS

ENGINEER'S REPORT - Tom Unger, P.E., Systems Design Engineering, Inc.
Tom Unger reported the next Board of Supervisors Meeting will be held on December 12, 2019.

PLANNING COMMISSION

Gun Range Regulations

The gun range regulations draft was reviewed with the Planning Commission on November 6, 2019 and revisions/additions are being made.

Animal/Pet Regulations

The animal and pet regulations were reviewed with the Planning Commission. The Planning Commission recommended for approval by the Board of Supervisors. The revised draft Ordinance in follow up to the Board of Supervisors meeting, completed. Four pets - doesn't matter whether they are inside or outside.

Independence Court

Parking on both sides of the street. It appears since the subdivision has been able to function for 20 plus years with parking on both sides, that parking on both sides at the straight away sections of the street would be feasible. The Traffic Ordinance is to be amended, to take out no parking on the left side of the street on Independence Court. The curves are to be painted yellow and signed. Diane Hollenbach stated, the no parking signs could be removed as early as next week.

W. Walnut Tree Drive

The pine trees on the northside of E. Wesner Road to the east of the intersection are within the Township right-of-way. Moving the stop bar on W. Walnut Tree Drive further out toward the intersection would help the situation. Systems Design Engineering will provide a sight triangle measurement to confirm. Mr. Unger will have a report for the December meeting.

Subdivision Improvement Letter of Credit/Escrow Release

Small Properties, LP

Heidi Fiedler made a motion to release/return Letter of Credit No. 135 dated June 14, 2007 in the amount of $19,026.08 from Vist Bank in the name of Small Properties LP conditioned upon payment to Township of any outstanding invoices. Joseph Rudderow III seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

Melrose Place

Joseph Rudderow III made a motion to release developer escrow funds in the amount of $91,469.02 for GSP Properties in the amount of $556.03, Melrose Place in the amount of

$1,199.32, Berkshire Building Services in the amount of $89,713.67 and authorizing Manager Diane Hollenbach to sign the documents. Heidi Fiedler seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

Heidi Fiedler asked, what maintenance issues still need to be completed for Melrose Place. Tom Unger replied, sidewalk/curb repair and clean up in the stormwater basin.

Sewage Enforcement Officer Activity Report submitted.

SOLICITOR'S REPORT - Eugene Orlando, Jr. , Orlando Law Office

Tree Tops Trust legal research

Mr. Orlando was authorized to look through the file and reviewed the information and developed a timeline. Recommends reviewing punch list, clean out escrow for December meeting.

Joseph Rudderow III made a motion to authorize the Engineer to review Tree Tops Trust. Heidi Fiedler seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

5G Ordinance Adopted

Heidi Fiedler made a motion to adopt **Ordinance No. 250** amending the code of ordinances (Ordinance No. 223) of the Township, by supplementing and/or replacing existing wireless communication facility regulations and adding applicable definitions. Joseph Rudderow III seconded the motion and hearing no questions on the motion, all members voted, "Aye." Motion carried.

Fireworks Ordinance

Gave a copy of the revised draft Fireworks Ordinance with changes to adopt in January. A copy will also be given to Supervisor elect David Franke.

Notice of Judgement/Transcript Civil Case

Dean Shuman and Julia Shuman of 320 Main Street, Blandon.

MANAGER'S REPORT - Diane Hollenbach

Grants

Keith Shuman is working on a grant for improving drains on Buena Vista Road. The grant would be part of the Dirt and Gravel Road Program, which also covers low volume paved roads. The traffic count is complete and a site meeting with the Conservation District and Penn State interns will be held in the near future.

Applied for a grant from the Berks County Conservation District. The Township, in conjunction with Brentwood Industries, is requesting $8,000.00 to cover the cost of the permeable gravel pavers for the dog park parking lot.

Safety Committee

The Safety Committee has scheduled employee training - Stop the bleed. They have also discussed a CPR course and would like to know if the Board would lease an AED for the building. Cintas provides a Zoll AED for $99/month along with training, free replacement pads and batteries, software upgrades and every other month inspection.

Holiday Lunch

The Holiday Lunch for Volunteers (boards, fire personnel, fire police and ambulance) has been scheduled for December 20, 2019 from 11 a.m. to 2 p.m.

BUSINESS

Alternate Zoning Hearing Board Member Appointed

Joseph Rudderow III made a motion to adopt **Resolution No. 18** appointing Anna Konopitskaya to serve as an Alternate on the Zoning Hearing Board. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Maidencreek TV & Appliance - Conflict Solicitor

Heidi Fiedler made a motion to authorize Diane Hollenbach to sign Masano & Bradley as Conflict Solicitor for the Maidencreek Township Zoning Hearing Board regarding the application of DKB Realty and Maidencreek TV & Appliance. Joseph Rudderow III seconded the motion and hearing no further questions on the motion, it passed unanimously.

Reorganization Meeting

Heidi Fiedler made a motion to authorize the Manager to advertise the Township Annual Reorganization Meeting for January 6, 2020 beginning at 9:00 a.m. Joseph Rudderow III seconded the motion and hearing no questions on the motion, it passed unanimously.

2020 Budget

Diane Hollenbach stated the 2020 Budget was a no tax increase budget.

Joseph Rudderow III made a motion to advertise the 2020 Budget as presented. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Joseph Rudderow III, seconded by Heidi Fiedler, to adjourn the November 14, 2019 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted “Aye”. Motion carried. Meeting adjourned at 9:25 p.m.

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Julie Mull, Board of Supervisors Recording Secretary