Maidencreek Township Board of Supervisors
May 14, 2020

Attending: Claude Beaver, Heidi Fiedler, David Franke, Diane Hollenbach – Manager, Tom Unger – Systems Design Engineering,
via Zoom - Eugene Orlando, Jr. – Orlando Law Office

Guests: Keith Shuman,
via Zoom – Jim Schoellkopf, Jr., Robert Wood, Jeremy Schoener, Eric Bauman, Donna Culp, Cody Rhoads, Brian Wise, Nick Stoltzfus, Rob Hain,

Heidi Fiedler called the May 14, 2020 public hearing and regular 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.

Eugene Orlando opened the continued public hearing for adoption of Ordinance 251, an ordinance of the Township of Maidencreek, Berks County, Pennsylvania, amending the Code of Ordinances of the Township by adding Chapter 114 entitled "Fireworks" to establish regulations and permitting requirements for sale and use of fireworks with the township and establishing procedures for compliance and penalties. Mr. Orlando stated that the letters to the Reading Eagle and Berks County Law Library had been marked as exhibits at the April 9, 2020 hearing and asked if anyone in attendance or in the meeting room wished to make comments or offer testimony on the adoption of the ordinance. There were no comments. Mr. Orlando noted that the Board would convene its May regular meeting immediately following the close of this public hearing and the Board intended to take action to adopt Ordinance 251. Mr. Orlando stated that because the April hearing was continued, he wanted to note that under the Second-Class Township Code, an ordinance may be adopted within sixty days of advertisement.

Heidi Fiedler closed the public hearing and called the regular meeting of the Maidencreek Township Board of Supervisors back to order at 7:05 p.m.

ORDINANCE 251

A motion was made by David Franke to adopt Ordinance 251, an ordinance of the Township of Maidencreek, Berks County, Pennsylvania, amending the Code of Ordinances of the Township by adding Chapter 114 entitled "Fireworks" to establish regulations and permitting requirements for sale and use of fireworks with the township and establishing procedures for compliance and penalties. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

MINUTES & FINANCES

Minutes

A motion was made by David Franke to waive the reading of the minutes and approve the minutes for the April 9, 2020 regular meeting. Heidi Fiedler seconded the motion and hearing no questions on the motion, Mr. Franke and Ms. Fiedler voted, "Aye." Claude Beaver abstained.

Treasurer's Report and Bill List

A motion was made by David Franke to approve the April 2020 Treasurer's Report and Bill List. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT - none

ENGINEER

Schick Dental Preliminary/Final Plan – Mr. Unger informed the Board that the Planning Commission recommended conditional plan approval. All zoning, lighting, storm water and Subdivision and Land Development Ordinance issues were addressed. The Erosion and Sedimentation plan approval was received today. A new letter was issued by SDE on May 14, 2020 updating all this progress since the May 1, 2020 letter. There were two waivers to storm water that Mr. Unger recommended, and the developer must enter into the Storm Water Management Agreement, an Improvements Agreement and provide financial security in a form acceptable to the township.

A motion was made by Claude Beaver granting a waiver for the Schick Dental Office Land Development Plan from sections 182-15 Streambank Erosion and 182-16 Stormwater Management Districts in the Maidencreek Township Code of Ordinances. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to grant preliminary/final plan approval to the Schick Dental Office Land Development Plan conditioned upon satisfaction of the May 14, 2020 Systems Design Engineering, Inc. review letter, which is incorporated by reference. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to authorize the Board of Supervisors and Manager to sign the agreements and plan between meetings if agreements and financial security is received that is satisfactory to the solicitor. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

2020 Road Bids – Mr. Unger stated that four bids were received for contract B. New Enterprise Stone & Lime Company $135,317.50, Schlouch, Inc. - $136,053.46, Landis C. Deck & Sons 145,402.26 and Bracalente Construction Inc. 147,137.00.

A motion was made by Claude Beaver to accept the four 2020 Road Bids for Contract B. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to accept the one 2020 Road Bid for Contract A from Recon Construction Services, Inc for $206,038. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Mr. Unger continued that the Total Project would be $341,355.50 which is under the budgeted amount of $388,146.

A motion was made by Claude Beaver to award contract A to Recon Construction Services, Inc for $206,038. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to award contract B to New Enterprise Stone & Lime Company for $135,317.50. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Supervisor Fiedler asked why only one bid was received for contract A. Mr. Unger explained that the process is specialized. There is Recon and another company in New jersey that do the work. He thought that Allen Myers would bid the contract since they just moved into Berks County, but they did not.

Escrow and Letter of Credit Releases

A motion was made by Claude Beaver to authorize the manager to sign the GSP Properties Letter of Credit/ Escrow Release Letter for $492.92. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

SOLICITOR

Blandon (Schaeffer Road) Bridge Bill of Sale

A motion was made by David Franke to adopt Resolution 14-2020 accepting the "Blandon Bridge". Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Claude Beaver to authorize the Chair to sign the Bill of Sale for the "Blandon Bridge." David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Ordinances – Mr. Orlando reported that he is holding the Traffic Ordinance and the Maidencreek Township Authority Charter renewal. Diane Hollenbach explained that the township is waiting for feedback from Penn DOT as to whether the proposed handicap parking space on Main Street must conform with PennDOT specifications. If it does, Mr. Unger did not believe that it would be possible to meet the specifications. The Authority is ready to move

forward with the charter documents and Mr. Orlando asked the Board to authorize him to work with the Authority solicitor on the matter.

A motion was made by Claude Beaver to authorize the solicitor to work with the Maidencreek Township Authority solicitor to amend the Maidencreek Township Authority charter documents. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Backyard Chicken Ordinance – Mrs. Hollenbach reported to the Board that there have been many requests from residents to have chickens since the COVID-19 pandemic began. Mrs. Hollenbach asked the Board if they would like to look at the Backyard Chicken Ordinance again.

A motion was made by David Franke to authorize the township solicitor to look at the Backyard Chicken Ordinance. Mr. Franke amended his motion to authorize the Planning Commission and Manager to work with the solicitor on the ordinance. Claude Beaver seconded the motion and amendment and hearing no questions on the motion, it passed unanimously.

MANAGER

Dog Park Parking Area

A motion was made by Claude Beaver to send a thank you letter from the Board of Supervisors to Brentwood Industries for their donation of material and man power towards the installation of the dog park parking area. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

June 2, 2020 Election Polling Place Change – Mrs. Hollenbach reported that the polling place at Keystone Villa Assisted Living had been moved to the Trinity Bible Fellowship Church on Main Street. Voters who normally vote at the Villa should have received letters from Berks County Election Services informing them of the change.

Union Contract Negotiations – A formal request to negotiate has been received from the employees' labor union. Mrs. Hollenbach was given permission to attend the first meeting on May 28th representing the Board of Supervisors.

Trash and Recycling Bid – A request was received from a resident asking the Board to consider bidding trash service when the recycling service is bid this year. Claude Beaver and David Franke did not wish to change the current service and wanted to allow residents to continue to pick their service and service provider. Heidi Fiedler felt that bidding trash service would save money, be more efficient, keep multiple trash trucks off the roads and other companies might bid on trash and recycling who currently do not bid on just recycling. David Franke stated that everyone can now pick a hauler and get what they want.

FEMA Grant – Mrs. Hollenbach reported that she is applying for a FEMA grant for reimbursement of costs associated with COVID-19. The Township is purchasing a sprayer to

disinfect the lobby, meeting room and restrooms as well as structures in the parks when they reopen. Claude Beaver asked about the chemical and if it was an oxidizer, which is corrosive. Keith Shuman provided the spec sheet, and Mr. Beaver determined that the chemical was not corrosive.

Greenways, Trail and Recreation Grant

A motion was made by David Franke to adopt Resolution 15-2020 authorizing the Township Manager to apply for the Greenways, Trail and Recreation Grant to purchase 2.25 acres on West Walnut Tree Drive. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to authorize the Township Manager to sign the agreement of sale with the understanding that if the grant was not received, the agreement would expire December 31, 2020. Claude Beaver seconded the motion and hearing no questions on the motion, it passed unanimously.

Financial Impact of COVID -19 – Mrs. Hollenbach reported to the Board based on data from Berks Earned Income Tax Bureau and others at a meeting on the topic of revenue expectations in 2020, Maidencreek Township is projected to see about $300,000 in lost revenue in 2020. Budget cuts are being proposed to make up about $147,000, and the staff is watching their spending. The rest of the shortfall could be made up using reserves and excess money the Northern Berks Regional Police Commission is holding. Because the police department has not yet passed a budget for 2020, that number has not been determined. Mrs. Hollenbach will continue to update the Board on revenue each month.

BUSINESS

Real Estate Tax Flat Period Extension

A motion was made by Claude Beaver to adopt Resolution 16-2020 extending the Real Estate Tax flat rate period until September 30, 2020. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Emergency Declaration Extension

A motion was made by Claude Beaver to extend the emergency declaration until June 11, 2020. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke, seconded by Claude Beaver, to adjourn the May 14, 2020 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted “Aye”. Motion carried. Meeting adjourned at 7:52 p.m.

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Diane Hollenbach, Township Manager/Secretary/Treasurer