Maidencreek Township Board of Supervisors
February 11, 2021

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

Guests: Anthony Spero, Scott Eaken, Donna Culp, Kris and Mike Schittler, Josh Meck, Robert Wood, Jr., Eric Bauman, Cindy Parks, Jason Chestnut, Sean Showalter, Harry Dietz, Kim Berger, Brian Wise, Judy Halteman, Jim Schoellkopf Jr., Debbie Didyoung, Katelyn Gruber, Cody Rhoads, Keith Shuman, James Patterson, Connie Showalter, David Drazenovich, Paul Dickinson, Jamie Kilyk

Claude Beaver called the February 11, 2021 regular meeting of the Board of Supervisor to order at 7:00 p.m. in the Maidencreek Township municipal building; announced there was an executive session held February 5, 2021 from 8am to 4pm for personnel, and asked everyone to rise for the Pledge to the Flag.

MINUTES & FINANCES

A motion was made by David Franke to waive the reading of the minutes and approve the January 14, 2021 minutes of the Maidencreek Township Board of Supervisors as presented. 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 David Franke to approve the January 2021 Treasurer's Report and Bill List. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

PUBLIC COMMENT

James Patterson of Spirit Court, Blandon thanked the road crew for removing the dead tree in the township open space behind his home.

REPORTS

ENGINEER'S REPORT – Tom Unger, P.E., Systems Design Engineering, Inc.
Mr. Unger reported that time extensions are required for the JoJaz Land Development Plan and the Kopfer Subdivision. This evening there is also a planning module to approve for signature and submit to the Pennsylvania Department of Environmental Protection for the Jojaz Subdivision. Mr. Unger is working on the 2021 road project in the TreeTops Subdivision. Planning Commission appointed Jason Bailey to the storm water committee.

Time Extensions

A motion was made by Heidi Fiedler to accept the developer's offer of a time extension for the review period for the Jojaz Subdivision until May 31, 2021. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to reject the David Kopfer Subdivision for failure to comply with the Systems Design Engineering Inc. review letter of June 3, 2020 if a request for an extension of time to the review period is not received by March 1, 2021.

Planning Module

A motion was made by David Franke to adopt Resolution 19-2021 to submit the Jojaz Subdivision Planning Module to the Pennsylvania Department of Environmental Protection. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by Heidi Fiedler to authorize the township secretary to sign the Jojaz Planning Module and transmittal letter. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

DiGiorgio Mushroom Special Exception – Mr. Unger explained that Giorgi Mushroom has applied for a special exception to allow a mushroom growing facility on a parcel of land like the one proposed in December of 2003. That plan did not go forward and eventually a blank plan was recorded and the improvement money returned to the developer. The Planning Commission had no recommendation on the special exception. Heidi Fiedler asked why the plan is nonconforming. Tom Unger stated that mushroom growing is an agricultural use and the zoning district is Special Intensified Agriculture. The Board of Supervisors took no action.

Letter of Credit/Escrow Release Letters

A motion was made by Heidi Fiedler to authorize the manager to sign the Schick Dental Letter of Credit/ Escrow Release Letter for $306.46. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

SOLICITOR'S REPORT – Eugene Orlando, Jr.

Impact Bargaining – Mr. Orlando stated the impact bargaining with Northern Berks Regional Police Association is ongoing.

Maidencreek Township Authority Articles of Incorporation – Mr. Orlando stated that an ordinance needs to be adopted by the township to change the Maidencreek Township Authority's Articles of Incorporation to extend the term of the Authority until January 21, 2070 and change the Authority's address.

A motion was made by David Franke to authorize the solicitor and manager to establish a public hearing on March 11, 2021 at 7pm to consider and adopt an ordinance to adopt and approve amendments to the Articles of Incorporation of the Maidencreek Township Authority with the regular township meeting to immediately follow. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

MANAGER'S REPORT – Diane Hollenbach

Diane Hollenbach provided a written report.

Kubota Mower Trade In – Keith Shuman proposed that the Board trade the Kubota Mower in and purchase two snow blowers, one that is fifty-nine inches for the John Deere 955 for trails and basketball courts and one that is eight feet for the John Deere 5510 for road drifting. An offer was made to credit $3000 for the mower. With the purchase of an additional shaft, the cost for

the snow blowers would be $1,736. Heidi Fiedler stated that she believed any equipment over a value of $2000 had to be sold by bid. Claude Beaver suggested that Mr. Shuman get documentation on the resale value.

Truck #6 Replacement – Mr. Shuman asked if the Board would put in a purchase order for a 2021 Ford F550 to replace Truck #6 which is a 2002 Ford F550. At the end of next week, the pricing increases. Currently, orders for trucks are taking a long time and Mr. Shuman stated that if the truck is ordered now, the Township would not have it until November of 2021. Heidi Fiedler asked for the quote and the specifications in writing. The Board did not take action.

BUSINESS

Resignation from Park and Recreation

A motion was made by Heidi Fiedler to accept the resignation of Cody Rhodes from the Park and Recreation Board and to send him a letter thanking him for his service.

An executive session was held after adjournment for potential litigation from 8:26 p.m. to 10:15 p.m. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Planning Commission Annual Report

A motion was made by Heidi Fiedler to accept the 2020 Planning Commission Annual Report. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Park and Recreation Annual Report

A motion was made by Heidi Fiedler to accept the 2020 Park and Recreation Annual Report. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Penn DOT No Parking Study - During a meeting with Penn DOT and the engineer for Redner's Quick Shoppe, the parking along Route 222 was discussed. Penn DOT was receptive to installing the no parking signs as part of their Route 222 project provided the Township perform a no parking study, enact the required traffic ordinance and agrees to own and maintain the sign. Tom Unger explained that there will be ten-foot-wide shoulders on each side which may be enticing to tractor trailers to park and block visibility for vehicles to pull onto Route 222. Donna Culp was concerned for the businesses along Route 222.

A motion was made by David Franke to authorize the engineer to perform a study for no parking along Route 222 from Snyder Road to Schaeffer Road with a cost not to exceed $1,500. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

James Patterson of Spirit Court, Blandon state he sees vehicles almost every day making a left turn into the Redner's Quick Shoppe property from southbound Route 222. After some discussion, the police department will be made aware to be on the look out for these illegal turns.

Playground Mulch

A motion was made by Heidi Fiedler to authorize the purchase of 241 cubic yards of playground mulch from General Recreation at a cost of $4,097.00. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Infield Mix

A motion was made by Heidi Fiedler to authorize the purchase of 110 tons of infield mix from Martin Stone Quarry at a cost of $2,475.00. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Police

A motion was made by David Franke to postpone the dissolution of the Northern Berks Regional Police Department until July 2, 2021. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

The Board of Supervisors discussed the resolution to create the Maidencreek Township Police Department and the ordinance to dissolve the Northern Berks Regional Police Department. No further action was taken.

Chief of Police Interviews – the Board agreed to schedule second interviews March 1, 2021 beginning at 9 a.m.

Approval of the Chief of Police Job Description

Motion was made by Heidi Fiedler to approve the job description for the Chief of Police position and provide it to the candidates being interviewed. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

Employment Applications to Northern Berks Regional Police Officers

A motion was made by David Franke to distribute applications for officer for the Maidencreek Police Department to the Northern Berks Regional Police Officers. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Police Offices – to be discussed in executive session under real estate.

Civilian Board – tabled

Public Comment

Scott Eaken of Berks Road, Shoemakersville asked the Board of Supervisors to request that the Police Commission reconsider doing Zoom meetings and allow in person attendance. He also was not allowed to make a second comment during "For the Good of the Order" at the last Commission meeting even though he requested to speak in the chat. Several questions that were asked in November still remain unanswered and we are halfway through to the original May dissolution. Scott Eaken stated that the municipalities that spearheaded the dissolution should have known the answers before they voted to dissolve. He added that he did not expect the officer's morale to be this low. He also suggested that the Commission speak to Upper Macungie about the pension costs of dissolution.

David Franke commented that an auction house will be evaluating the value of the department's equipment. The pension actuary, Conrad Siegel is providing assistance with the pension and the Commission just hired attorney Joe Rudolph to assist with the pension legal questions.

Donna Culp of West Wesner Road, Blandon asked if there was anyway to rectify the police situation. She stated that the residents don't want the dissolution. How is it legal for two municipalities to vote on the dissolution when the public didn't know what was going to happen. David Franke explained that two votes are all that are needed to dissolve the Commission or put it back together. Scott Eaken commented that Ontelaunee Township held their meeting to discuss dissolution at 3 p.m. on a weekday. Historically there is low attendance at their meetings.

The Board discussed sending a letter to the Commission to address the Zoom meeting issue. Attorney Orlando added that he has been requesting an inventory and still has not received it. Heidi Fiedler brought up the State Police Coverage which is a violation of the charter and that the department knew there would be a short staffing issue. Diane Hollenbach suggested the Board include a reminder about the Pennsylvania Department of Health's ten-day quarantine after returning to the state from a trip. James Patterson asked what is being discussed at the other municipalities' meetings. The Board did not know except that they believed that Leesport was not changing their minds.

A motion was made by Heidi Fiedler to send a letter to the Northern Berks Regional Police Commission requesting that people be allowed to attend the Commission meetings in person and on Zoom, there be better planning to avoid needing State Police Coverage when the Township is paying for 24/7 coverage, the inventory be sent to the solicitor and reminding them of the quarantine rules when returning from out of state travel. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

James Patterson of Spirit Court, Blandon asked what the other municipalities do at their meetings. David Franke discussed Leesport's financial concerns. All that was known of

Ontelaunee Township was that they were leaving the Commission and starting their own department. Mr. Patterson asked if the Board was surprised by Leesport's action. The Board was not surprised. Claude Beaver felt that leaving the Commission would be a larger cost than staying in it.

Judy Halteman of Blandon Meadows Pkwy, Blandon was disappointed in the two to one vote and asked about mediation.

Robert Wood, Jr. representing the Northern Berks Regional Police Association stated that since November 9th the officers have not had hope but Maidencreek Township by sending the applications to the officers had given them hope. You can hire officers from other municipalities and they can patrol but they won't be Maidencreek officers. He thanked the Board of Supervisors for letting the NBRP officer apply first. Heidi Fiedler thanked all the officers that have done such a good job for us. We are disheartened by the dissolution but are moving forward the best we can. Supervisor Fiedler stated the Board was excited about the new department and having officers come over from Northern Berks.

Josh Meck of East Wesner Road, Blandon stated that he agreed with what the Board did tonight in taking applications from Northern Berks Regional Police officers first and hoped going forward that the Supervisors hired those officers.

Maidencreek Alternate to Northern Berks Regional Police Commission

A motion was made by Heidi Fiedler to accept Claude Beaver's resignation as alternate to the Northern Berks Regional Police Commission. David Franke seconded the motion and hearing no questions on the motion, it passed unanimously.

A motion was made by David Franke to appoint Diane Hollenbach as alternate to the Northern Berks Regional Police Commission. Heidi Fiedler seconded the motion and hearing no questions on the motion, it passed unanimously.

Josh Meck of East Wesner Road, Blandon asked how do you put a price tag on the years of experience the other municipalities are losing when they lose the officers. Claude Beaver stated that he is devastated. There have been rough times but he never dreamt it would come to this. David Franke stated that the Board realizes the officers are doing their best even amidst this uncertainty. He's been in their shoes. The Board of Supervisors is trying to provide coverage in the best and least costly manner. Josh Meck asked if there is anything to stop us from bringing on as many officers as we can. That's what the Board hopes to do.

Jamie Kilyk of Troxel Road, Shoemakersville thanked the Supervisors for allowing the open forum because that has been missing from the Police Commission meetings. She added that Gary Hadden of Ontelaunee Township directed at her specifically and made a point of saying

that people were not showing up for Commission meetings. She thought it was his choice to not allow the public in the Commission meetings now that people did want to attend and he can't have it both ways. She recently had a matter the police dealt with and spoke to three or four officers and each was fantastic. You would not know that they were going through such a hard time. Each was kind, courteous and professional.

ADJOURNMENT

A motion was made by Heidi Fiedler, seconded by David Franke, to adjourn the February 11, 2021 meeting of the Maidencreek Township Board of Supervisors. Hearing no questions on the motion, all members voted "Aye". Motion carried. Meeting adjourned at 8:26 p.m.

An executive session was held for potential litigation from 8:30 p.m.to 10:15 p.m.

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Diane Hollenbach, Township Manager/Secretary/Treasurer