

Maidencreek Township Board of Supervisors
May 10, 2018 Public Hearing

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

Guests: Captain J. Cecchini, Vickie Solberg, Francis A. Scott, Daniel Miller, Sr., Tom Gorgia, Cody Rhoads, Kathryn Gabriel, Sandy Gabriel, Mike Gabriel, Jim Courtney, Ken Frye, Joel Herb, Brian Horner

Claude Beaver called the May 10, 2018 public hearing 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.

Joseph Rudderow III asked the gentleman videotaping the hearing to stand and give his name and address for the record. Captain James Cecchini of 432 East Wesner Road, Blandon stated that he recommends the Board video tape all the meetings because it could be referred back to see what happened, used to write the minutes and posted on the website so people with disabilities could view the meeting.

Joseph Rudderow III stated that there is an ordinance that covers the video filming of the meeting and to please be aware of that. It is available on the website. Mr. Rudderow stated that he does not grant permission to edit, change, transform, publish, republish, distribute, redistribute, broadcast, rebroadcast or show or play in public in any form of media without his prior written permission.

Heidi Fiedler asked to what ordinance number Mr. Rudderow was referring. Mr. Rudderow stated it was Article 27-3 in the Code of Ordinances. Ms. Fiedler stated it was her understanding that when you are a public official at a public meeting and when you are a member of the public attending a meeting, there is no expectation of privacy. You are here of your own volition. She didn't believe it would stand that the meeting couldn't be taped or if they wanted to publish it or put it on the website. Mr. Rudderow stated we would let the courts decide about publishing it but there is nothing preventing anyone from videotaping the meeting. We have rules for that.

PUBLIC HEARING ORDINANCE 245

Gene Orlando opened the public hearing to consider adoption of Ordinance 245, an Ordinance of the Township of Maidencreek, Berks County, PA amending the Code of Ordinance of Maidencreek Township Chapter 88 entitled Maidencreek Outdoor Burning Ordinance to permit the use of certain outdoor furnaces in the R1 Low Density Residential Zoning District and to prohibit the use of sky lanterns within the Township of Maidencreek. The first order of business was the authentication of the Board exhibits.

Board Exhibit B1 is proof of publication of notice of this public hearing which is published in the Reading Eagle on April 26, 2018.

Maidencreek Township Board of Supervisors
May 10, 2018 Public Hearing

Board Exhibit B2 is a transmittal letter from the Orlando Law Office dated April 25, 2018 evidencing the fact that an attested copy of the ordinance was sent to the Berks County Law Library.

Board Exhibit B3 is a transmittal letter from the Orlando Law Office dated April 25, 2018 evidencing the fact that the full text of the ordinance was sent to the Reading Eagle.

Board Exhibit B4 is an attested copy of the ordinance which shows the stamp received by the Berks County Law Library as of April 27, 2018.

Mr. Orlando stated that this is the time for the members of the public to offer any comment or sworn testimony with regards to this ordinance.

Jim Courtney, 433 Troy Drive, Blandon stated he was ignorant of what the ordinance said but has asthma, and the outdoor fire pits people burn at night; the smoke can come right in your windows and through the air conditioning. It is a burden on him. Mr. Orlando thanked him for his comment but stated that did not pertain to this ordinance. Mr. Orlando explained that this particular ordinance allows outdoor furnaces in the R1 zoning district and prohibits the use of sky lanterns. It is actually an amendment to an existing ordinance. No one else had comment. The Board did not have comment. Mr. Orlando noted that the regular monthly meeting of the supervisors would convene at the conclusion of the public hearings, and the Board did intend to take action to adopt the amendment to the Burning Ordinance.

Seeing no further comment, Chairman Beaver adjourned the public hearing and reconvened a public hearing for Ordinance 246.

PUBLIC HEARING ORDINANCE 246

Mr. Orlando said the first order of business would be the authentication of the Board exhibits for Ordinance 246, an Ordinance of the Township of Maidencreek, Berks County, PA amending the Code of Ordinances of the Township by amending Part I Administrative Legislation, Chapter 16 Intermunicipal Agreements Article IX Berks County MS4 Steering Committee to permit the Township's continued participation. The Township already participates in the County's MS4 Steering Committee which was initially set up for a five-year period and this is a re-up of that.

Board Exhibit B1 is proof of publication of notice of this public hearing which is published in the Reading Eagle on April 26, 2018.

Board Exhibit B2 is a transmittal letter from the Orlando Law Office dated April 25, 2018 evidencing the fact that an attested copy of the ordinance was sent to the Berks County Law Library.

Board Exhibit B3 is a transmittal letter from the Orlando Law Office dated April 25, 2018 evidencing the fact that the full text of the ordinance was sent to the Reading Eagle.

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Maidencreek Township Board of Supervisors
May 10, 2018 Public Hearing

Mr. Orlando asked if there was any public comment or sworn testimony on Ordinance 246 continuing the Township's participation in the MS4 Steering Committee. There was no public comment. There was no comment from the Board of Supervisors. Mr. Orlando asked again if there was any public comment. Seeing none, he reminded the public that the regular monthly meeting of the supervisors would convene at the conclusion of the public hearing and the Board did intend to consider and adopt the amendment to the MS4 Steering Committee Ordinance.

Chairman Beaver adjourned the public hearing at 7:10 p.m.