



Mt. Penn Preserve Partnership (MP3)

Board of Director's Meeting

Tuesday, January 10, 2023

Members: K. Mallatratt (Alsace Twp.), L. Kelleher (Reading), L. Olsen (County), D. Pottiger (Lower Alsace Twp.), J. Moore (Alsace Twp), M. Goodman-Hinnershitz (Reading)

Members absent: B. Petrov (Mt. Penn), T. Goodman (Mt. Penn), J. Oswald (Lower Alsace Twp.), K. Barnhardt

Others attending: L. Kissinger, L. Lloyd, J. Motze

CALL TO ORDER

Mr. Olsen called the meeting to order at 6:04 pm. He noted that Mr. Barnhardt was detained at work; however, a quorum is present.

PUBLIC COMMENT

Mr. Olsen opened the floor for public comment. No one present stepped forward to speak and the public comment period was closed.

APPROVAL OF MINUTES & AGENDA

Mr. Olsen asked the members to consider the minutes from the November meeting and the agenda for this meeting. No modifications were made to the minutes. Ms. Goodman-Hinnershitz asked that the topic "virtual attendance" be added to the agenda. The November minutes and the agenda, as amended, were approved by acclamation.

TREASURER'S REPORT

Ms. Kelleher moved, second by Mr. Moore, to ratify the sponsorship of \$500 to Berks Festivals for the New Year's Eve fireworks. The motion was approved unanimously.

Ms. Mallatratt, MP3 COG Treasurer, stated that the MP3 has a balance of \$40,268.73 after the deposit of \$1,200 (Blues Fest) and expenses of \$250 for VideoWorks (drone footage) and \$500 for the sponsorship of the New Year's Eve fireworks. She stated that the BCCF report has not yet arrived.

The dues invoices were distributed to each municipality present.

The Treasurer's Report was approved by acclamation.

MP3 COG REPORTS AND ACTION ITEMS

Mr. Olsen stated that to accommodate the need for Mr. Kissinger to attend another meeting, we will address his topics first.

A. Natural Lands Proposal for the completion of the Natural Resource Stewardship and Forest Management Plan for Mt. Penn.

Mr. Kissinger stated that he and Mr. Zeiber carefully reviewed the proposal and they are both in support of the proposed plan from Natural Lands without modification.

Mr. Olsen inquired how the Natural Lands billing would be handled. Mr. Kissinger explained that the ordinance adopted by Council included two other capital issues so the funding is in the City's capital line item. Invoices from Natural Lands should be sent to Mr. Kissinger and he will submit the invoices for payment by the City's Project Manager. He stated that the Capital Project manager is aware of this project.

Mr. Lloyd reminded the group that Berks Nature has committed \$20K for the preparation of the plan, so invoices with a value of up to \$20K should be submitted to him at Berks Nature for payment. This will leave an additional \$20K in City funding for implementation.

Ms. Goodman-Hinnershitz noted that although the MP3 is managing this Mt. Penn Preserve study, the funding is coming from the City. She inquired if City Council must enact an ordinance. Ms. Kelleher stated that the allocation ordinance was already enacted.

Ms. Kelleher moved, seconded by Mr. Moore, to approve the proposal submitted by Natural Lands, through the City of Reading Capital funding. The motion was approved unanimously.

B. Pavilion at the Fire Tower

Mr. Kissinger stated that he learned about the plan for this pavilion through a call he received a week prior to Christmas. Pagoda Skyline wishes to install a pavilion on the north side of the Fire Tower building. A 36' x 36' structure with a 10' roof is planned. The pavilion will have a 4" concrete slab floor covered with wood. The projected cost is \$35K. The organization wishes to have the pavilion in place for the dawn Easter service.

Mr. Kissinger stated that he was next contacted about a site meeting about the plan for the pavilion during the week of Christmas, when he was on vacation. He stated that he and Mr. Zeiber cancelled the site meeting, as Pagoda Skyline had not obtained permission to build the pavilion from the City's Managing Director.

Mr. Kissinger and Mr. Olsen noted that at the September MP3 meeting Mr. Rock mentioned the desire to build a shed/pavilion on the Fire Tower lot and he was advised to obtain permission from the City, as the City is the land owner. He added that Lower Alsace will not consider reviewing any applications or plans for this structure unless the City gives Pagoda Skyline permission to install it.

Mr. Kissinger stated that a meeting with Pagoda Skyline, the Managing Director, Mr. Zeiber and himself occurred today. At the meeting the City expressed concern about additional uses could occur at the pavilion creating another “partying” opportunity and additional police calls, concern that the pavilion will be located outside of the fencing that encloses the Fire Tower which would make the City responsible for the maintenance/care of the structure and concern that there would be an additional structure that could be vandalized. (Note: the City is responsible for maintaining the property outside of the fence that encloses the Fire Tower)

At the meeting Pagoda Skyline stated that they want the pavilion for approximately six events annually – the Easter Dawn service, races and the Pagoda Skyline fundraiser. Pagoda Skyline has raised the funding to install the pavilion but the City remains concerned with taking on the responsibility for the care and maintenance of the structure.

Mr. Pottiger stated that Lower Alsace experiences similar issues with Carsonia Park, which is owned by the Mt. Penn Water Authority with groups such as Antietam Valley Community Partnership that have interests with the park area.

Ms. Goodman-Hinnershitz expressed concern that the pavilion will be located outside the area assigned to Pagoda Skyline in the MOU and that the appearance of the pavilion will detract from the Fire Tower, which is a historic structure.

Ms. Kelleher suggested that the City should also consult with Central Berks Chief Serafin as the property is under Central Berks jurisdiction and the pavilion could increase calls for service.

In response to a question pertaining to event permits, Mr. Pottiger stated that Lower Alsace works with the City on event permits. Groups wishing to have events at the Fire Tower apply to the City and Lower Alsace matches the City’s recommendation to approve/reject the event permit.

Mr. Lloyd stated that the pavilion could create storm water runoff issues.

Mr. Kissinger stated that the City’s managing director put the project on hold until the mayor returns from vacation, noting that there are many red flags tied to this project.

There was a discussion on the mission of Pagoda Skyline and the Pagoda Foundation.

Ms. Goodman-Hinnershitz stated that the Mt. Penn Master Plan suggests uses for the Fire Tower lot and that the installation of a pavilion could interfere with those uses.

Mr. Olsen stated that while approving the pavilion is outside the MP3’s parameters, the MP3 would appreciate updates on this issue.

Mr. Kissinger left the meeting at this time.

B. Modification of MP3 Agreement re Membership

Mr. Olsen explained that an amendment to the MP3 Agreement was requested that would allow the Commissioners to appoint the County Operating Officer in place of an elected official. This amendment would allow Mr. Barnhardt to remain on the MP3 Board. He stated that Ms. Kelleher submitted the draft ordinance for review.

Ms. Kelleher added that the proposed amendment would also allow the elected officials from Alsace and Lower Alsace Townships, the Borough of Mt. Penn and the City to appoint a representative, rather than an elected official. She stated that the assistant County Solicitor is reviewing the draft language. It should be ready for MP3 approval at the March meeting, followed by consideration from the member organizations.

C. Update on RFPs for

- **Coordinated Approach to Dumping – no responses submitted**
- **Security Cameras draft started**

Ms. Kelleher stated that there were no proposals submitted for the 2nd Dumping RFP. The Solid Waste Manager is reaching out to those who were invited to bid to learn more.

D. Update on December 7th Board Retreat

Mr. Olsen stated that the retreat was productive and fruitful. Mr. Barnhardt, Ms. Mallatratt, Ms. Adams, Ms. Kelleher and he attended. He stated that he will be submitting a report for consideration at the March meeting.

E. Update Meeting with Preserve Partners - framework

- **MOUs with preserve based organizations**

Mr. Olsen explained that this initiative was delayed and that he and Ms. Goodman-Hinnershitz will begin working on the meeting framework again.

F. Update on Events Committee and Jazz Fest event

Mr. Olsen stated that the Blues event in November was a sold out event with all expenses underwritten, leaving the MP3 with a profit from the ticket sales. Work is underway for the March Jazz Fest kickoff concert with the Dave Kline Preserve Band leading off for the Swinging Foxes on March 22nd. The Liederkrantz will rearrange the seating to increase attendance to 150. The seating arrangement will be provided to Berks Arts and people will be able to choose reserved seating.

Mr. Olsen stated that Dave Kline approached him about scheduling another concert and a bike race.

Ms. Goodman-Hinnershitz stated that Mr. Kline also approached the City's 275th Anniversary Committee with the same proposal. Mr. Olsen stated that Mr. Kline approached him as he believed that his event proposals to the Anniversary Committee were going to be rejected.

COMMITTEE REPORTS & RECOMMENDATIONS – submission in written form only

None submitted in time to attach to the agenda

WRITTEN REPORTS FROM PRESERVE STAKEHOLDERS

None received.

Other Business

Ms. Goodman-Hinnershitz asked the Board to reconsider conducting hybrid meetings. She stated that she wishes to participate; however, as she is not permitted to drive at night she asked the Board to allow virtual and in-person participation.

Mr. Olsen recalled that allowing virtual and in-person attendance was difficult without the availability of Zoom Room technology.

Ms. Mallatratt and Mr. Pottiger stated that their buildings have Wi-Fi only. Ms. Kelleher stated that the only building with the proper technology is City Hall (3 meeting rooms with Zoom Room technology).

After discussion, the group present decided to allow virtual participation by board members only (virtual participation will also be permitted for those making presentations from outside Berks County).

Ms. Goodman-Hinnershitz announced the Ground Hog Day festivities planned for the Pagoda grounds and she described the damage the high winds on Christmas Eve caused to the flagpole at the Pagoda.

Public Comment

None.

Mr. Olsen adjourned the meeting at approximately 7:15 pm.

The next regular meeting of the MP3 COG will be held at the Lower Alsace Township municipal building on March 29, 2023 at 6 pm.

Respectfully submitted by Linda A. Kelleher, Secretary

Action Items:

1. Lee & Kevin Retreat Report at March meeting
2. Update of Fire Tower pavilion at March meeting
3. Lee & Marcia to define framework for the MP3 meeting with the Preserve Partners
4. Linda – follow-up Solid Waste Manager and VSU
5. Update from Stewardship Plan Work Group at May meeting