

**THE TOWNSHIP OF MAXATAWNY
BOARD OF SUPERVISORS MEETING
JANUARY 11, 2023 – 6:30pm**

MINUTES

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chairman Heath Wessner called the meeting to order at 6:35PM with the Pledge of Allegiance. Members present: Judy Daub and John Deplanque(by zoom). Professionals present: Solicitor, Elizabeth Magovern; Township Engineer, Chris Falencki; Code Enforcement Officer, Chris Paff; Secretary/Treasurer, Jerilyn Wehr.

ANNOUNCEMENTS: Nothing at this time

PUBLIC COMMENT: (AGENDA ITEMS)

1. Resident Janna Gregonis questioned item #2 under new business and asked how much of the ARPA funds are remaining. Gregonis suggested updating the website and making more documents available digitally
2. Resident John Zima stated that the meetings should be streamed
3. Resident Anne Franke stated that the ARPA funds should be spent to update the meeting room

APPROVAL OF THE MINUTES:

1. Motion made by Deplanque and seconded by Daub to approve the minutes of the December 14, 2022 Board of Supervisors. Motion passed (3-0)
2. Motion made by Daub and seconded by Deplanque to approve the minutes of the December 28, 2022 Board of Supervisors. Motion passed (3-0)
3. Motion was made by Daub and seconded by Deplanque to approve the minutes of the January 3, 2023 Reorganization meeting. Motion passed (3-0)

REPORTS:

1. State Police Report
 - a. The Police report was presented. There were 66 calls in December
2. Kutztown Library – nothing at this time
3. Volunteer Fire Department/Ambulance
 - a. Allison Fuller from KATS presented their call numbers. Total calls for December was 172 and for 2022 was 1,984 calls with 702 in Maxatawny Township and 718 in Kutztown Boro. Year to date calls is 45
4. Historic Commission
 - a. Ethan Boyer stated that the Historic Commission met in January and they are requesting the Solicitor attend their February 6th meeting to discuss options to update the Historic Ordinance
 - b. Motion made by Daub and seconded by Deplanque to have the Solicitor attend the February 6, 2023 meeting. Motion passed (3-0)
5. Municipal Authority
 - a. Mike Berger stated that the bridge replacement has begun.
6. Roadmaster – Bobby Turner – nothing at this time
7. Code Enforcement – Chris Paff
 - a. Paff presented his report

- b. Paff provided updates on multiple problem properties, including 15590 Kutztown Road, 550 Noble Street, the Cherrington property, and 7 Church Road
- 8. Secretary/Treasurer – Jerilyn Wehr – nothing at this time
- 9. Motion made by Deplanque and seconded by Daub to approve the reports as presented. Motion passed (3-0).

PLANS TO REVIEW:

- 1. Kunio Mitsuma – waiver request
 - a. There was no one present from the project. The Board tabled the discussion
- 2. Provco Pinegood Kutztown LLC – waiver requests
 - a. There was no one present from the project. The Board tabled the discussion
- 3. Elm Street Apartments – final plan-sidewalks
 - a. There was no one present from the project. The Board tabled the discussion
- 4. East Penn Self Storage – waiver request and prelim/final approval
 - a. Vince Fantozzi and Bernie Telatovich presented the plan
 - b. The letters of Falencki dated December 14, 2022 and Paff dated December 15, 2022, as well as the Fire Marshall letter were reviewed. Telatovich stated that all comments will be addressed
 - c. The requested waivers, per the letter dated December 15, 2022 were reviewed
 - d. Motion made by Daub and seconded by Deplanque to approve the requested waivers. Motion passed (3-0)
 - e. Motion made by Daub and seconded by Deplanque to give conditional prelim/final approval based on the letters of Falencki, Paff, and the Fire Marshall

OLD BUSINESS:

- 1. Motion to approve Resolution 2022-13 – Florez Trucking planning module
 - a. The applicant was not present and the Board tabled the discussion

NEW BUSINESS:

- 1. Motion to approve intermunicipal agreement with Albany Township for purchase of chip spreader and roller
 - a. Motion made by Deplanque and seconded by Daub to approve the agreement. Motion passed (3-0)
- 2. Motion to approve Resolution 2023-04 – ARPA funds usage
 - a. Motion made by Daub and seconded by Deplanque to approve Resolution 2023-04. Motion passed (3-0)
- 3. Motion to approve Resolution 2023-05 – Fee Schedule
 - a. Paff provided an overview of the updates
 - b. Motion made by Daub and seconded by Deplanque to approve Resolution 2023-05. Motion passed (3-0)
- 4. Berks County contribution offer towards North Park Bridge replacement
 - a. Solicitor Magovern reviewed the offer provided by the County and recommended approval
 - b. Motion made by Daub and seconded by Deplanque to accept the offer by the County and cooperate with the change to the original agreement. Motion passed (3-0)
- 5. David Weaver escrow release request
 - a. Paff met on site with Weaver. The site is in compliance, but an as-built plan is still needed
 - b. The request was tabled

6. KU Mallet Center escrow release request
 - a. Falencki recommended a partial release of \$327,787.40
 - b. Motion made by Daub and seconded by Deplanque to approve the partial escrow release of \$327,787.40. Motion passed (3-0)
7. Brock Young escrow release request
 - a. Falencki stated that there are still issues with the driveway and the stormwater management on the site
 - b. Paff stated that this property currently has a conditional occupancy permit and will not get a final until all items are addressed
 - c. The request was tabled
8. Budget Self Storage escrow release request
 - a. Falencki recommended a partial release of \$674,884.87
 - b. Motion made by Daub and seconded by Deplanque to approve the partial escrow release of \$674,884.87. Motion passed (3-0)
9. Zoning Hearing application review – Solar Renewable Energy – Jeff Martin property
 - a. Paff presented the plan for the Board to review
 - b. Motion made by Deplanque and seconded by Daub to authorize the Solicitor and the Engineer to attend the hearing for this project. Motion passed (3-0)

PROFESSIONAL SERVICES:

1. Solicitor – Elizabeth Magovern
 - a. Nothing at this time
2. Engineer – Chris Falencki
 - a. Falencki presented his report.
 - b. Falencki thanked the Board for reappointment as the Township Engineer
 - c. Falencki introduced Engineer Connor Becker
 - d. Falencki stated that he has reviewed the as-built plan for Rutter’s. There are a few issues. Tim Bieber stated that he will work on getting the issues corrected and is still working on the stormwater basin issue
 - e. Falencki reviewed the as built plan for St. Luke’s and it is in order. Paff will be going on site tonight to do a lighting inspection
 - f. Falencki stated that KU Poplar house was given conditional final approval last month. They have now determined that they can not meet all the conditional requirements and will be back in front of the Planning Commission and Supervisors asking for an additional stormwater waiver

PUBLIC COMMENT: (non-agenda items)

1. Resident Ken Franke stated that there was an article in the Reading Eagle that stated incorrect information regarding road widening of 222 in the Township
2. Resident Marty Yourkavitch stated that the Board should search and interview to make sure that they find the best candidate for Manager
3. Resident Janna Gregonis asked if the Board will authorize Wehr to research the possibility of Codification. Gregonis also questioned the rollover of vacation time.
4. Resident Judy Boyer stated that she feels that there is unprofessionalism among the representatives of the Township

FINANCIAL MATTERS:

1. Motion was made by Daub and seconded by Deplanque to approve the bills as presented. Motion passed (3-0).
2. Motion was made by Daub and seconded by Deplanque to approve the Treasurer's Report as presented. Motion passed (3-0).

ADJOURN: Motion was made by Daub and seconded by Deplanque to adjourn the meeting at 7:23PM. Motion passed (3-0).

Respectfully submitted,

Jerilyn R. Wehr
Secretary/Treasurer