

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

MINUTES

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chairman Heath Wessner called the meeting to order at 6:30PM with the Pledge of Allegiance. Members present: Judy Daub and John Deplanque. Professionals present: Solicitor, Michelle Mayfield; Township Engineer, Chris Falencki; Code Enforcement Officer, Chris Paff; Secretary/Treasurer, Jerilyn Wehr.

ANNOUNCEMENTS: Chairman Wessner announced an executive session was held September 19, 2023 from 5:30pm to 6:00pm to discuss litigation

PUBLIC COMMENT: (AGENDA ITEMS)

1. Resident Peter Karch had questions regarding the Cherrington property and how the citizens of the Township could help to clean up the property

APPROVAL OF THE MINUTES:

1. Motion made by Daub and seconded by Deplanque to approve the minutes of the September 13, 2023 Board of Supervisors meeting. Motion passed (3-0)

REPORTS:

1. State Police Report
 - a. The Police report was presented. There were 112 calls in September
2. Kutztown Library – nothing at this time
3. Volunteer Fire Department/Ambulance - nothing at this time
4. Historic Commission – nothing at this time
5. Municipal Authority – nothing at this time
6. Roadmaster – Bobby Turner
 - a. Turner presented his report
 - b. Turner asked the Board if they had made a decision on the upgrades to the park bathroom
 - c. After discussion on the topic, the Board decided to turn the water off to the bathrooms and place a porta potty at the park for the winter
7. Code Enforcement – Chris Paff
 - a. Paff presented his report
 - b. Paff stated that all properties in cycle 2 septic pumping have come into compliance
8. Secretary/Treasurer – Jerilyn Wehr - nothing at this time
9. Motion made by Daub and seconded by Deplanque to approve the reports as presented. Motion passed (3-0).

PLANS TO REVIEW: nothing at this time

OLD BUSINESS:

1. Cherrington property maintenance issues – authorization to involve Constable

- a. Supervisor Deplanque stated that a few neighbors of the Cherrington's have offered to help clean up the property
 - b. Paff recommended a meeting on site with Cherrington, the residents, the Township Roadmaster, and himself to review what needs to be completed
 - c. The Board took no action on involving a constable at this time
2. Motion to approve advertising of SALDO amendment regarding Historic Properties/Land Development plans
 - a. Paff and Falencki have reviewed the draft and additional changes will be made. With the changes, the draft will need to be reviewed by the Planning Commission before coming back to the Supervisors for approval

NEW BUSINESS:

1. Brock Young – escrow release request
 - a. Paff informed the Board that the Zoning Hearing Board did grant a variance for the driveway of this property with the condition that funds be held for one year in case of any issues with the driveway
 - b. Motion made by Deplanque and seconded by Daub to approve the release of all escrow funds other than the amount of \$3,960.00 required by the Zoning Hearing Board for the driveway. Motion passed (3-0)
2. Waiver of Land Development request – 605 E Main St
 - a. Eric Schock, Attorney for the project, presented the plan. The lot is partially in Kutztown Boro and partially in Maxatawny Township. All improvements are currently planned in Kutztown Boro.
 - b. There was discussion regarding utilities and grading
 - c. Falencki recommended that the preliminary plan be submitted to the Boro of Kutztown for them to review and then bring it back to the Township with review letters and approval of layout for the Township to review
3. Ratify approval of 501 Hottenstein Road – front facing solar panels
 - a. Motion made by Deplanque and seconded by Daub to ratify the approval of the front facing solar panels at 501 Hottenstein Road. Motion passed (3-0)
4. Ratify approval of extension for Provco Pinegood Kutztown LLC
 - a. Motion made by Daub and seconded by Deplanque to ratify the approval of extension. Motion passed (3-0)
5. Extension expiration – Duke Realty
 - a. Motion made by Deplanque and seconded by Daub to approve the extension. Motion passed (2-0). Wessner abstained
6. Motion to appoint Gene Orlando as special council for C&B Zoning Hearing
 - a. Mayfield informed Board that due to the appeal by C&B, special council is needed for the Zoning Hearing to avoid conflict with the Supervisors due to the upcoming Conditional Use Hearing
 - b. Motion made by Daub and seconded by Deplanque to approve the appointment of Gene Orlando. Motion passed (3-0)

PROFESSIONAL SERVICES:

1. Solicitor – Michelle Mayfield – nothing at this time
2. Engineer – Chris Falencki
 - a. Falencki presented his report
 - b. The Rutter's basin was empty of water and all trash was removed from last month

PUBLIC COMMENT: (non-agenda items)

1. Taxpayer Josh Tucker asked if the Board had considered a bonus to the employees of the Township and asked that it be added to the agenda for next meeting
2. Resident Mya Kerner stated that speeding is an issue on Long Lane and Deer Run Road
3. Resident Marty Yourkavitch voiced concern over Township employees having too much work on their plates to meet deadlines. Engineer Falencki informed Mr. Yourkavitch that no deadlines have been missed
4. Resident Charyn Ayoub presented information on feral cats and spay and neutering programs, asking the Board to consider funding spay and neutering within the Township
5. Resident Donna Mitchell was not in favor of taxpayer funds being used to fund spay and neutering, but did voice concern over lack of medical treatment available for feral cats

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 made by Deplanque and seconded by Daub to adjourn the meeting at 7:15PM. Motion passed (3-0).

Respectfully submitted,

Jerilyn R. Wehr
Secretary/Treasurer