

**THE TOWNSHIP OF MAXATAWNY
BOARD OF SUPERVISORS MEETING
MARCH 13, 2024**

MINUTES

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chairman John Deplanque called the meeting to order at 6:38PM with the Pledge of Allegiance. Members present: Heath Wessner (by phone) and Marcus Simonetti. Professionals present: Township Engineer, Chris Falencki; Township Solicitor, Chris Muvdi; Code Enforcement Officer, Chris Paff; Secretary/Treasurer, Jerilyn Wehr.

ANNOUNCEMENTS: Chairman Deplanque announced that the Board did meet in executive session from 6:05pm until 6:35pm to discuss personnel and litigation

PUBLIC COMMENT: (AGENDA ITEMS ONLY) – Public Comment on agenda items will take place at the agenda item after discussion is completed by the Board

APPROVAL OF THE MINUTES:

1. Motion to approve the minutes of the February 14, 2024 Board of Supervisors Meeting
2. Motion to approve the minutes of the February 26, 2024 Board of Supervisors Meeting
3. Motion to approve the minutes of the February 28, 2024 Board of Supervisors Meeting
4. Motion to approve the minutes of the March 4, 2024 Board of Supervisors Meeting
 - a. Motion made by Simonetti and seconded by Wessner to approve the minutes of all four of the Board of Supervisors meetings. Motion passed (3-0)

REPORTS:

1. State Police Report
 - a. The Police report was presented. There were 129 calls in February
2. Kutztown Library – nothing at this time
3. Volunteer Fire Department/Ambulance
 - a. Kutztown Fire Company strategic planning funding
 - Wehr informed updated the Board on the study. The Fire Company is now planning to ask both Kutztown Boro and Kutztown University to contribute to the study, which would cut the cost to the Township to one third or approx. \$8,000.00 The Board decided to table the discussion until next month
4. Historic Commission
 - a. Motion to authorize the Historic Commission to be granted party status in all PennDot actions in Maxatawny Township that affect historic resources
 - b. Motion made by Simonetti and seconded by Deplanque to approve the request. Motion passed (2-1). Wessner - no
5. Municipal Authority
 - a. Michael Berger provided a report showing current project requests presented to the Authority
6. Roadmaster – Bobby Turner – nothing at this time
 - a. Bowers Park baseball field upgrades
7. Code Enforcement – Chris Paff

- a. Paff presented his report
 - b. Paff stated that he received a request from Park Ranger Luckenbill to evaluate the bridge in Bowers by the Bowers Hotel, stating that the masonry work is deteriorating
 - c. The Supervisors requested to have the roadcrew do the evaluation
8. Secretary/Treasurer – Jerilyn Wehr
- a. ARPA funds – discussion on remaining funds and uses
 - Wehr informed the Board that a vehicle was found for the use of the Enforcement Office
 - Motion made by Wessner and seconded by Simonetti to approve the purchase of the vehicle at the cost of \$16,000.00 with payment out of the ARPA funds. Motion passed (3-0)
 - Wehr informed the Board that she is waiting on quotes for meeting room upgrades
 - There was no action at this time on renovating a portion of the Township Building to make a new office due to Roadmaster Turner being out on medical leave
9. Motion made by Wessner and seconded by Simonetti to approve the reports as presented. Motion passed (3-0).

PLANS TO REVIEW:

1. Florez Trucking – updated final plan
- a. Attorney Mark Koch presented the project updates to the Board. The Board had given conditional final approval of the project back in 2022. There were some issues with PennDot as well as DEP where they only approved composting toilets on lots 1 and 3. Notes will be added to the plan stating that composting toilets will not be used if any future use of the lots is planned, which will also require additional approvals from DEP
 - b. The letters of Falencki and Paff dated March 12, 2024 were reviewed
 - c. Motion made by Simonetti and seconded by Wessner to reaffirm the conditional final plan approval. Motion passed (3-0)

OLD BUSINESS:

1. Discussion on Ordinance review workshop
- a. Motion made by Simonetti and seconded by Wessner to authorize the Township staff to set and advertise a date for the workshop. Motion passed (3-0)

NEW BUSINESS:

1. Special Event permit – Hincapie bicycle ride
- a. Paff stated that the event is to take place on June 1, 2024. They will follow the same route as the previous year and have traffic control. Paff is waiting on PennDot approval to use state roads
 - b. Motion made by Simonetti and seconded by Wessner to give conditional approval of the special event per receiving all required paperwork. Motion passed (3-0).
2. Special Event permit – Cannabis Festival at Renningers
- a. Paff updated the Board on the application for the event to be held April 20th and 21st. The application is still not yet complete and Paff voiced concern over the condition

- of Rosecrest Drive after previous events, as they are left with dirt/mud on the road, as well as them using it as a one-way street for the event
- b. There was discussion regarding the possibility of requiring a contract showing street cleaning services or a bond to cover the cost if the Township needs to do the clean up
 - c. No motion made at this time
3. Extension expiration – Provco Pinegood Kutztown LLC
 - a. Motion made by Simonetti and seconded by Wessner to approve the extension request to June 30, 2024. Motion passed (3-0)
 4. Norman Sauder – Ag related Stormwater management issue
 - a. Sauder approached the Board asking for clarification on stormwater management requirements for a greenhouse stating that he feels that he should be exempt from certain mandates under State Law
 - b. Paff stated that he has worked with Sauder to simplify the process, but that there were additional improvements made previously to the property that were not permitted and needed to be corrected as well
 - c. No action was taken by the Board
 5. Motion to authorize Solicitor to appeal deemed approval to Court of Common Pleas
 - a. Residents Rob and Judy Boyer questioned the process
 - b. Motion made by Simonetti and seconded by Deplanque to authorize the Solicitor to appeal the deemed approval to Court of Common Pleas. Motion passed (2-0). Wessner abstained due to conflict
 6. Motion to approve intergovernmental agreement with Albany and Richmond to allow Richmond to buy into the ownership of the chip spreader and roller used for oil & chipping of roads
 - a. Motion made by Wessner and seconded by Simonetti to approve the agreement. Motion passed (3-0)
 7. Motion to approve Resolution 2023-07 – adopt Berks County Hazard Mitigation Plan
 - a. Wehr stated that by approving the Resolution, the Township will be eligible to apply for grants if a disaster happens
 - b. Motion made by Wessner and seconded by Simonetti to approve Resolution 2024-07. Motion passed (3-0)
 8. Motion to hire part time code enforcement assistant
 - a. Motion made by Simonetti and seconded by Wessner to hire a part time code enforcement assistant. Motion passed (3-0)

PROFESSIONAL SERVICES:

1. Solicitor – Chris Muvdi
 - a. Nothing to report
2. Engineer – Chris Falencki
 - a. Falencki’s report was presented to the Board

PUBLIC COMMENT (non-agenda items)

1. Resident Rob Reynolds questioned if Township Residents can reach out to the Township Solicitor outside of meetings
2. Resident Alex Bollinger informed the Board of an issue with a neighboring property that he feels is located in Maxatawny Township. This parcel is currently taxed by Rockland Township and they are currently looking to rezone the area

FINANCIAL MATTERS:

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

ADJOURN: Chairman Deplanque adjourned the meeting at 7:42PM

Respectfully submitted,

Jerilyn R. Wehr
Secretary/Treasurer