

**THE TOWNSHIP OF MAXATAWNY
BOARD OF SUPERVISORS MEETING
SEPTEMBER 13, 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.

PUBLIC HEARING: Ordinance 2023-05 SALDO amendment

Solicitor Mayfield informed the audience that the amendment to the SALDO included administrative revisions to update the number of plan copies required for submission, requirement of submissions to include an electronic version of all documents, as well as an updated time frame to follow once plans are submitted to the Township. The Maxatawny Township Planning Commission and the Berks County Planning Commission have reviewed.

There was no public comment

Motion made by Deplanque and seconded by Daub to close the hearing. Motion passed (3-0)

Motion made by Deplanque and seconded by Daub to approve Ordinance 2023-05. Motion passed (3-0)

ANNOUNCEMENTS: Chairman Wessner announced an executive session was held this evening from 5:30pm until 6:15pm to discuss employee issues. No decisions were made

PUBLIC COMMENT: (AGENDA ITEMS)

1. Resident Janna Gregonis asked about the timeline for the Conditional Use Hearing for C&B Development since they now need a variance
2. Resident Peter Karch voiced confusion over the Planning Commission recommendation on the C&B Development Conditional Use application
3. Taxpayer Joshua Tucker questioned if there is any way to make the Conditional Use Hearings move faster

APPROVAL OF THE MINUTES:

1. Motion made by Deplanque and seconded by Daub to approve the minutes of the August 9, 2023 Board of Supervisors meeting. Motion passed (3-0)

REPORTS:

1. State Police Report
 - a. The Police report was presented. There were 104 calls in August
 - b. Resident Garret Miller stated that he is happy to see that there are very few serious calls responded to by the State Police in the Township
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 have reviewed the quotes for the park bathroom updates. Further discussion was tabled at this time
7. Code Enforcement – Chris Paff
 - a. Paff presented his report
 - b. Paff stated that the blighted home in Monterey Village has finally completed renovations after 6 years of repair
 - c. The property on Bowers owned by Ethan Burkholder has had a permit issued to regrade to original condition the area along the creek after a large berm was built by the property owner
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: nothing at this time

OLD BUSINESS:

1. David Weaver escrow release request
 - a. Paff stated that he received the as-built plan and is recommending release of the escrow
 - b. Motion made by Deplanque and seconded by Daub to approve the release of the escrow. Motion passed (3-0)
2. Special Event – Cannabis Festival – update
 - a. Paff stated that Event Medical Staff Solutions will be on site at the event now that KATS has closed their doors. Paff received the required documents for the event. Paff also stated that the event is planning to come back in 2024 in both April and September
 - b. Motion made by Daub and seconded by Deplanque to reapprove the special event. Motion passed (3-0)

NEW BUSINESS:

1. Zoning Hearing application review – Budget Self Storage
 - a. Paff informed the Board that the project is looking for two variances. One for the slope of a parking spot and another for using the back wall of the building instead of fencing in that area
 - b. The Board did not make any recommendation on this application
2. Zoning Hearing application review – Firehouse Coffee sign @ 7 Church Road
 - a. Paff stated that the sign that is requested is 40 square feet, while the ordinance allows 32 square feet within 500 feet of a residence. Paff feels that by placing the sign, we will see the property better maintained than if it sits vacant
 - b. Motion made by Deplanque and seconded by Daub to recommend approval of the variance. Motion passed (3-0)
3. Zoning Hearing application review – C&B Development LLC
 - a. Solicitor Mayfield recommended no action on this application due to the upcoming Conditional Use Hearing on the project
 - b. The Board did not make any recommendation on this application
4. Request of waiver of Land Development – 560 Hottenstein Road
 - a. Paff stated that the property owner wants to do a 2000 square foot driveway expansion. All stormwater management requirements will need to be met

- b. Motion made by Deplanque and seconded by Daub to waive the land development with stormwater management completed. Motion passed (3-0)
5. Special Event – Saucony Creek Brewing – bike race – October 21
 - a. Paff stated that this event is the same as previous years and he has received all required paperwork
 - b. Motion made by Deplanque and seconded by Daub to approve the special event. Motion passed (3-0)
6. Special Event – KU Heritage center bonfire – November 3
 - a. Paff is waiting to confirm that the Fire Company will be in attendance at the event
 - b. Motion made by Daub and seconded by Deplanque to approve the special event upon confirmation that the Fire Company will be onsite. Motion passed (3-0)
7. Special Event – Relay for Life
 - a. Wehr informed the Board that Relay for Life did use Bowers Park in May of 2023. They have requested an agreement allowing them to utilize the park the second Saturday of May in the future.
 - b. Motion made by Deplanque and seconded by Daub to have Wehr write up an agreement for a term of 2 years for the event. Motion passed (3-0)
8. Cherrington property maintenance issues – authorization to involve Constable
 - a. Paff stated that the property owned by Cherrington on Deer Run Road has had multiple complaints filed over the years regarding property maintenance issues. Most of these issues have gone unaddressed by Cherrington. The Township does not have a home address for Mr. Cherrington and can not file a citation due to not being able to serve him. Paff is requesting hiring a Constable to try to find a home address for Cherrington
 - b. There was lengthy discussion on the topic.
 - c. The Board tabled the discussion
9. Motion to approve advertising of SALDO amendment regarding Historic Properties/Land Development plans
 - a. Wehr informed the Board that due to the revised draft just being received earlier today, to table the motion until Township staff and the Board has time to review
 - b. The Supervisors tabled the discussion for time to review the draft
10. Motion to apply to Local Share Statewide Grant
 - a. Wehr informed the Board that there are additional grants available for sidewalk construction between Kutztown University and the Giant shopping center. All documents used for the previous grant application can be used in these current grant applications so the only thing needed would be the application fee and new resolutions
 - b. Motion made by Deplanque and seconded by Daub to approve submission of the new grant applications. Motion passed (3-0)

PROFESSIONAL SERVICES:

1. Solicitor – Michelle Mayfield – nothing at this time
2. Engineer – Chris Falencki
 - a. Falencki presented his report
 - b. Maxatawny Industrial – Long Lane has requested a meeting with PennDot. Falencki will attend
 - c. The Rutter’s basin was empty of water when inspected. There was a noticeable amount of trash in the basin. Tim Bieber was informed and stated that it will be cleaned out

PUBLIC COMMENT: (non-agenda items)

1. Resident Peter Karch stated issues with placement of no truck signs. The locations he mentioned were in Greenwich Township
2. Resident Marty Yourkavitch asked how things are progressing with the Topton Ambulance
3. Resident Janna Gregonis stated concern regarding the scheduling of the Zoning Hearing on October 9th due to it being a Federal Holiday and also mentioned the costs of the Hearings and who pays them

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 7:30PM.
Motion passed (3-0).

Respectfully submitted,

Jerilyn R. Wehr
Secretary/Treasurer