

**THE TOWNSHIP OF MAXATAWNY
BOARD OF SUPERVISORS MEETING
MAY 12, 2025**

MINUTES

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

ANNOUNCEMENTS: nothing at this time

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 April 14, 2025 Board of Supervisors Meeting
 - a. Motion made by Simonetti and seconded by Wessner to approve the minutes of the April 14, 2025 Board of Supervisors meeting. Motion passed (3-0)

REPORTS:

1. State Police Report
 - a. The Police report was presented. There were 126 calls in April
2. Kutztown Library – nothing at this time
3. Volunteer Fire Department/Ambulance
 - a. Lyons Fire Co. tax fund request
 - b. Motion made by Wessner and seconded by Simonetti to approve release of \$70,000.00 of fire tax funds to Lyons Fire Co. to put towards the purchase of a new tanker. Motion passed (3-0)
4. Historic Commission
 - a. There was no meeting in May. Chairman Reynolds stated that photos were taken at 15509 Kutztown Road before demo
5. Municipal Authority
 - a. Chairman Berger stated that the Municipal Authority has decided to ask that the Authority be downsized from 7 members to 5 members. Documentation was provided
 - b. The Board and Solicitor will review and prepare a Resolution for June
6. Roadcrew
 - a. Foreman Roy Wessner provided the monthly report
 - b. Simonetti stated that he reviewed the roads report provided by the Township Engineer and requested that Wessner prepare a plan for road repair
7. Code Enforcement – Chris Paff
 - a. Paff presented his report
 - b. Paff stated that the temporary traffic light will be placed next week at the 222 and Long Lane roundabout area
8. Secretary/Treasurer – Jerilyn Wehr
 - a. HSI update

- Simonetti stated that he reached out to two other companies to get quotes for the work. Discussion was tabled
- 9. Motion made by Simonetti and seconded by Wessner to approve the reports as presented. Motion passed (3-0).

PLANS TO REVIEW: nothing at this time

OLD BUSINESS:

1. Leck Waste Services – update on modification application with DEP
 - a. Tony Wright was not in attendance but provided additional documentation
 - b. There was discussion on the requested improvements by PennDot, which will require stormwater management and possible land development

NEW BUSINESS:

1. Escrow release request – Elm Street Apartments
 - a. Motion made by Simonetti and seconded by Wessner to approve the release of \$74,058.67. Motion passed (3-0)
2. Escrow release request – Valentino's
 - a. Motion made by Simonetti and seconded by Wessner to approve the release of \$69,450.00. Motion passed (3-0)
3. Escrow release request – Hampton Inn
 - a. This request is for the \$10,000.00 hold for updates to the streetlight that Med-Ed has not completed
 - b. Motion made by Simonetti and seconded by Wessner to approve the release of \$10,000.00. Motion passed (3-0)
4. Zoning Hearing application review – Paul Burkholder
 - a. The requested variances were reviewed and Paff requested approval to have Solicitor Muvdi attend the Hearing
 - b. Motion made by Simonetti and seconded by Wessner to recommend to not approve the requested variances and to approve Solicitor Muvdi's attendance at the Hearing. Motion passed (3-0)
5. Zoning Hearing application review - Aldi
 - a. Representatives of the project were in attendance. They provided project plans and provided information on the requested variances
 - b. Motion made by Simonetti and seconded by Wessner to recommend approval of all variances related to driveways, loading spaces, and curbing of drive thru lanes. There was no recommendation on the signage variance request. Motion passed (3-0)
6. Special Event – Antique Tractor Show
 - a. The event will be held June 11-15th with the same tractor parade route used in the past
 - b. Motion made by Simonetti and seconded by Wessner to approve the Antiques Tractor Show event with the exemption of using the baseball field for tractor pulls. Motion passed (3-0)
7. Extension expiration – Kutztown University Solar
 - a. Motion made by Simonetti and seconded by Wessner to approve the extension to August 12, 2025. Motion passed (3-0)
8. Extension expiration – Maxatawny industrial – Long Lane

- a. Motion made by Simonetti and seconded by Wessner to approve the extension to November 30, 2025. Motion passed (3-0)
- 9. Extension expiration – Rodale
 - a. Motion made by Simonetti and seconded by Wessner to approve the extension to November 30, 2025. Motion passed (3-0)
- 10. Discussion on road/stormwater issue on S Kemp Road
 - a. Engineer Falencki's options were reviewed
 - b. There was lengthy discussion on how to correct the stormwater issue
 - c. Motion made by Simonetti and seconded by Wessner to authorize Falencki to apply for a grant next March to try to help pay for the work. Motion passed (3-0)
- 11. Discussion on Conditional Use application revision to include requirement of electronic submission
 - a. Motion made by Simonetti and seconded by Wessner to update the requirements of submission of Conditional Use applications to include electronic submission. Motion passed (3-0)
- 12. Discussion on Industrial refrigerator use at Bowers Park
 - a. Supervisor Simonetti stated that he was approached by a Resident requesting that the industrial refrigerator at the Bowers Park be unlocked for the Relay for Life event. Wehr stated that the agreement signed by Relay for Life does not allow use of that refrigerator or the gas stove. Wehr suggested that if they want to work that into future agreements, they will need to request it. No action taken
- 13. Motion to appoint member to the Zoning Hearing Board to complete the term of Cynthia Hillegass
 - a. Wehr stated that she received one letter of interest from Resident Deon Marecheau
 - b. The Board discussed their options
 - c. Motion made by Wessner and seconded by Simonetti to appoint Deon Marecheau to complete John Zima's alternate seat and move John Zima to fill the remainder of Cynthia Hillegass's member seat. Motion passed (3-0)
- 14. Motion to enter into Improvement Agreements – Newswanger annexation
 - a. Motion made by Simonetti and seconded by Wessner to enter into the Newswanger annexation Improvements Agreements. Motion passed (3-0)

PROFESSIONAL SERVICES:

- 1. Solicitor – Christopher Muvdi – nothing at this time
- 2. Engineer – Chris Falencki
 - a. Falencki's report was presented to the Board

PUBLIC COMMENT (non-agenda items)

- 1. Resident Marty Yourkavitch asked for an update on lawsuits involving the Township

FINANCIAL MATTERS:

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

ADJOURN: Chairman Deplanque adjourned the meeting at 7:37PM

Respectfully submitted,

Jerilyn R. Wehr
Secretary/Treasurer