

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

MINUTES

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

ANNOUNCEMENTS: Wehr announced that the Board met in executive session on April 24th from 8:30pm until 8:50pm to deliberate over CU Hearing

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 10, 2024 Board of Supervisors Meeting
 - a. Motion made by Wessner and seconded by Deplanque to approve the minutes of the April 10, 2024 Board of Supervisors meeting. Motion passed (3-0)

REPORTS:

1. State Police Report
 - a. The Police report was not received
2. Kutztown Library – nothing at this time
3. Volunteer Fire Department/Ambulance
 - a. Kutztown Fire Company fire tax funds release request - \$50,000.00
 - Motion made by Wessner and seconded by Deplanque to approve payment of \$50,000.00 to Kutztown Fire Co. Motion passed (3-0)
 - b. Lyons Fire Company fire tax funds release request - \$45,000.00
 - Motion made by Wessner and seconded by Deplanque to approve payment of \$45,000.00 to Lyons Fire Co. Motion passed (3-0)
4. Historic Commission – nothing at this time
5. Municipal Authority
 - a. Michael Berger provided the Municipal Authority report
 - b. Simonetti questioned if the MA had received any requests for water/sewer from the warehouse projects. Berger confirmed not at this time
6. Roadcrew
 - a. Wehr presented the monthly report
7. Code Enforcement – Chris Paff
 - a. Paff presented his report
 - b. Paff stated that cycle 3 pumping is active. Reminder notices will be mailed soon
 - c. Paff stated that he received notification that Kutztown University is renewing its PADEP permit for pollutants for their generator and boiler
 - d. Paff also received ACT 14 NPDES notice for the Kutztown Boro treatment plan
8. Secretary/Treasurer – Jerilyn Wehr

- a. ARPA funds – discussion on remaining funds and uses
 - Wehr informed the Board that the Township received two quotes for meeting room upgrades and will be reviewing the quotes
 - Wehr stated that she received a quote for window replacement
 - Wehr stated that she met with a rep from GameTime regarding the park playground equipment and is waiting on a quote for replacement parts
 - Wehr announced that we were approved for a grant to cover a portion of the proposed Joint Comprehensive Plan
 - Simonetti added that we need to have the ARPA funds spent or dedicated to projects by the end of the year and reviewed some of the additional options that we are considering and asked for input from the audience
9. Motion made by Wessner and seconded by Deplanque to approve the reports as presented. Motion passed (3-0)

PLANS TO REVIEW: nothing at this time

OLD BUSINESS: nothing at this time

NEW BUSINESS:

1. Extension expiration – 23 Max LLC – Long Lane
 - a. Motion made by Wessner and seconded by Deplanque to approve the extension request to November 30, 2024. Motion passed (3-0)
2. Escrow release request – Valentino’s
 - a. Valentino’s has requested a partial release of \$78,045.00. Paff and Falencki are both good with the partial release
 - b. Motion made by Wessner and seconded by Deplanque to approve the release of \$78,045.00. Motion passed (3-0)
3. Zoning Hearing application review – 222 Capital Partners LLC
 - a. Motion made by Deplanque and seconded by Simonetti to recommend backing Paff’s determination on the plan. Motion passed (2-0). Wessner abstained due to conflict
4. Update on status of possible intergovernmental agreement with Rockland Township re: 174 and 188 Lyons Road
 - a. Simonetti stated that a draft agreement was received and is being reviewed. Discussion was tabled until next month
 - b. Resident Alex Bollinger voiced concern regarding the properties and their location and provided information on why he believes the properties should be part of Maxatawny Township
5. Discussion on Comprehensive Plan update
 - a. Simonetti stated that he received feedback from residents with recommendations for the Comprehensive Plan and is considering a committee to put together ideas for the update
 - b. Motion made by Deplanque and seconded by Wessner to look into forming a committee. Wehr will post on the Township website
6. Discussion of Municibid postings for equipment sales
 - a. Wehr stated that three pieces of equipment were posted for sale. None of them met the reserve.

- b. There was discussion on the equipment and the bids received
- c. Motion made by Wessner and seconded by Deplanque to accept the bids for the trailer and the chip gate, but to repost the mower. Motion passed (3-0)
- 7. Discussion on New Enterprise request to DEP for temporary pumping limit increase
 - a. Paff stated that he received notice of the pumping increase
 - b. There was lengthy discussion regarding the concerns with the extra pumping and the effect on local wells
 - c. Motion made by Wessner and seconded by Deplanque to submit a letter of opposition to the pumping increase. Motion passed (3-0)
- 8. Discussion on Long Lane/Cherrington – property maintenance issue
 - a. Paff stated that this property has been a problem for many years. About a year ago, Paff asked the Board to allow a Constable to track down the owner, as we have been unsuccessful in serving him a citation, due to multiple violations on the property
 - b. Again, there were residents in the audience that suggested helping to clean up the property instead of issuing citations
 - c. Motion made by Deplanque and seconded by Wessner to approve hiring of a Constable to locate the property owner. Motion passed (3-0)
- 9. Discussion on Clifford Hill/Leck application to DEP for daily capacity and operating hours increase
 - a. Paff stated that he received notice from DEP regarding the request and is still working through his review of the documents
 - b. There was discussion on the proposed increases
 - c. Resident and neighbor of the property, Brian Sheetz, voiced concern over the request
 - d. Wehr stated that DEP will be holding a meeting on the request that will be open to local government officials
 - e. Motion made by Wessner and seconded by Deplanque to authorize Paff to complete his review and respond, as well as have Paff and Falencki attend the DEP meeting . Motion passed (3-0)

PROFESSIONAL SERVICES:

- 1. Solicitor – Heidi Masano
 - a. Nothing to report
- 2. Engineer – Chris Falencki
 - a. Falencki’s report was presented to the Board
 - b. Falencki reminded the Supervisors to sign the grant paperwork for the DCED sidewalk grant

PUBLIC COMMENT (non-agenda items)

- 1. Resident Anne Franke questioned dates for future meetings and hearings
- 2. Resident Brian Sheetz voiced concern regarding the Cannabis Festival at Renningers Market. Additional residents including Alex Darlington, Garret Miller, Marty Yourkavich, and Ken Franke added additional comments regarding the Festival

FINANCIAL MATTERS:

- 1. Motion was made by Wessner and seconded by Deplanque to approve the bills as presented. Motion passed (3-0).

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

ADJOURN: Vice-Chairman Simonetti adjourned the meeting at 7:32PM

Respectfully submitted,

Jerilyn R. Wehr
Secretary/Treasurer