THE TOWNSHIP OF MAXATAWNY
BOARD OF SUPERVISORS MEETING
MAY 13, 2015

Minutes

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chairman Allen Leiby called the meeting to order at 7:30PM with the Pledge of Allegiance. Members present: Heath Wessner, Judith Daub. Professional present: Engineer, Roy Stewart; Solicitor, Jill Nagy; Code Officer, Chris Paff; Manager, Justin Yaich. Audience officials: Authority members: Steve Wilson, Garret Miller; Auditor, Walter Hess; Kutztown Fire Chief, Troy Arndt.

ANNOUNCEMENTS:

APPROVAL OF THE MINUTES:

1. Motion was made by Wessner and seconded by Daub to approve the Minutes of the April 8, 2015 Board of Supervisors. Motion passed (3-0).

REPORTS:

1. State Police Report – Attached to agenda.
2. Kutztown University – N/A
3. Kutztown Fire Company – Troy Arndt
    a. Troy Arndt explained his letter to the Board of Supervisors dated May 6, 2015. The purpose of the letter was to establish a representative for handling the call cards for ambulance services. Solicitor Nagy suggested that the Township reach out to State officials to see what they recommend as far as designating a single person to handle run cards.
4. Kutztown Library – Mary Laub
    a. Mary Laub gave her report for the month. She thanked everyone for supporting the library and for participating in the Arby's fundraiser which benefits the library.
5. Roadmaster –Richard Grim
    a. Richard Grim presented his report for the month. The crews continue to sweep and clean up from the winter months.
    b. Roadmaster Grim also suggested making the southwest end of Church Street to Topton Road a one way street.
    c. Motion was made by Wessner and seconded by Daub to authorize the Engineer and Solicitor to handle the appropriate study and paperwork to establish that section as one way. The direction shall be from the southwest to the northeast.
6. Code Enforcement – Chris Paff
    a. Code Officer Paff presented his report for the month. He informed the Board of a special exemption hearing that would be coming before the Zoning Hearing Board in the near future. He asked the Board for permission to take Solicitor Nagy along to represent any concerns from the Township.
    b. Motion was made by Daub and seconded by Wessner to authorize Solicitor Nagy to attend the special exemption hearing. Motion passed (3-0).
7. Manager – Justin Yaich
    a. Township Manager Yaich gave his report for the month. He also directed the Board's attention to the recent damage on Church Road and the heavy impact truck traffic is having on the township roadways.
    b. Manager Yaich suggested the Board look into adopting a business privilege tax that would place a fee on the companies that are generating the excessive truck traffic. This would generate money to repair the battered roadways without placing a burden on the local residents.
    c. Motion was made by Daub and seconded by Wessner to authorize the Solicitor and Manager to draft an ordinance to assess a business privilege tax. Motion passed (3-0).
8. Motion was made by Wessner and seconded by Daub to approve the reports as presented. Motion passed (3-0).

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PLANS TO REVIEW:

1. Nothing at this time.

OLD BUSINESS:

1. Motion was made by Wessner and seconded by Daub to authorize the Engineer to draft the bid specs and advertise for the reconstruction of Church Road. Motion passed (3-0).

NEW BUSINESS:

1. Motion was made by Wessner and seconded by Daub to advertise the draft ordinances for Kemp and Quarry Road - Speed limits. Motion passed (3-0).
2. Motion was made by Wessner and seconded by Daub to advertise the draft ordinance for Church Road – Weight restrictions. Motion passed (3-0).
3. Motion was made by Wessner and seconded by Daub to adopt Ordinance 2015-03 – Truck Restrictions on Walnut Dr. Motion passed (3-0).
4. Motion was made by Daub and seconded by Wessner to authorize the Solicitor to schedule the conditional use hearing for Arrowhead Industrial Park. Motion passed (3-0).
5. Motion was made by Wessner and seconded by Daub to authorize the Solicitor to advertise the Special Events Ordinance for adoption. Motion passed (3-0).
6. Motion was made by Daub and seconded by Wessner to authorize the opening of Baldy Street gates for the Boy Scout Jamboree. Motion passed (3-0).
7. Motion was made by Wessner and seconded by Daub to reaffirm the East Penn Manufacturing Land Development Plans. Motion passed (3-0).
8. Motion was made by Daub and seconded by Wessner to grant a 12-month extension to Advantage Point Apartments. Motion passed (3-0).
    a. Solicitor Nagy recused herself from the discussion for items 8 and 9.
    b. The Township Manager asked the Solicitor to explain the module and the process so the Board understands the steps but to avoid making any recommendations to the Board regarding action.
    c. Solicitor Nagy explained that Lyons Borough / Authority were provided with a copy of the module in which they had 60 days to either approve or reject the module. The Borough / Authority did not take any action to approve or deny the module, but rather supplied a list of comments with no action. Under the Act, the Borough / Authority had to approve or deny the module within 60 days, just like Maxatawny Township must approve or deny the module.
9. Motion was made by Wessner and seconded by Daub to approve the planning module for Apollo Point Apartments. Motion passed (3-0).
10. 2015 Road Materials – Bid opening.
    a. Township Manager Yaich opened the bids for road materials for 2015. There were two bidders; Eastern Industries and EJB Materials. The Manager and Engineer will review the bids for signing.
    b. Motion was made by Wessner and seconded by Daub to authorize the Manager to execute the documents for the lowest responsible bidder based upon review by the Engineer and the Manager. Motion passed (3-0).
11. Eric Boyer – Kutztown Bicentennial Committee.
    a. Eric Boyer presented the parade route for the Kutztown Bicentennial Parade. The Board reviewed the route and had no concern with the layout.
    b. Motion was made by Wessner and seconded by Daub to authorize the Kutztown Bicentennial committee to use the proposed Maxatawny Township roadways to conduct their parade. Motion passed (3-0).

PROFESSIONAL SERVICES:

1. Solicitor – Jill Nagy
    a. Solicitor Nagy presented the completed Developers Improvement Agreement and the Operation and Maintenance Agreement for the Rink. She recommended the Board take action to approve.
    b. Motion was made by Wessner and seconded by Daub to approve the Developers Improvement Agreement. Motion passed (3-0).
    c. Motion was made by Daub and seconded by Wessner to approve the Operations and Maintenance Agreement. Motion passed (3-0).

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2. Engineer – Roy Stewart
    a. Engineer Stewart reported that he and Roadmaster Grim had discussed placing a weight restriction on Seigfriedale, Grim, and Kunkel roads in order to avoid another situation like Church Road.
    b. Motion was made by Wessner and seconded by Daub to authorize Roadmaster Grim and Engineer Stewart to proceed with the weight restrictions for those three roads and to coordinate with Solicitor Nagy on the appropriate ordinances. Motion passed (3-0).

PUBLIC COMMENT & HEARING OF THE VISITORS:

1. Resident and Authority Member Garret Miller thanked the Board for their work.
2. Resident Janelle Moyer raised concern about the Township getting involved with the ambulance providers. She does not want to see her taxes increased to pay for a service that we are receiving for free currently. She asked that the Board take this into consideration.
3. Manager Yaich explained that the Board has always proceeded very cautiously with ambulance services because they don't want to be in a position where they have to pay for services. The Board is happy letting the free market select the winners and the losers in the business and do not intend to finance or support any one provider.
4. Resident and Authority Member Steve Wilson asked about the status of the mediation between the Borough of Kutztown and the Township. Manager Yaich explained that there was no progress at the mediation hearing. The Borough was only willing to compromise for full 100% compliance with the 2006 SCRA agreement which the Township, as per the terms of the agreement, withdrew in 2012. Solicitor Nagy stated that she was really offended that the Borough couldn't send a representative from Council or their Manager to represent them at mediation.

FINANCIAL MATTERS:

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

ADJOURN: Chairman Leiby adjourned the meeting and requested an executive session to discuss personnel matters. Meeting was adjourned at 8:35PM.

Respectfully Submitted,

Justin Yaich, Manager

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