

**THE TOWNSHIP OF MAXATAWNY
BOARD OF SUPERVISORS MEETING
JULY 8, 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 and Judith Daub. Professionals present: Engineer, Tom Deily; Solicitor, Jill Nagy; Code Enforcement Officer, Chris Paff; Manager, Justin Yaich; Roadmaster, Richard Grim. Audience officials: Authority members, Steve Wilson, Garret Miller, and Marlow Graff.

ANNOUNCEMENTS: Nothing at this time.

APPROVAL OF THE MINUTES:

1. Motion was made by Daub and seconded by Wessner to approve the Minutes of the June 10, 2015 Board of Supervisors meeting. Motion passed (3-0).

REPORTS:

1. State Police Report – Attached to agenda
2. Kutztown University – No representative present
3. Kutztown Library – Mary Laub
 - a. Mary Laub gave her report for the month. She informed everyone of a bus trip to New York City being sponsored by the Library on October 17, 2015.
4. Roadmaster –Richard Grim
 - a. Richard Grim gave his report for the month. He updated the Board on the status of Church Road as well as other paving projects he is beginning.
5. Code Enforcement – Chris Paff
 - a. Chris Paff gave his report for the month. He asked the Board for direction with regard to the Karaisz property and the issuance of rental permits. His concern is that Mr. Karaisz is in default of Municipal Authority payments and also an order to connect to the sewer system. The Board stated that they support Chris Paff and that he should proceed by the law and not issue any permits until all matters are resolved.
 - b. Chris Paff reviewed the recent order of the Zoning Hearing Board for a propane facility in Arrowhead Industrial Park. Solicitor Nagy had some concern regarding storm water declarations that were never recorded as part of the original plan. She also stated she had concern with the disregard for the environmental performance standards. The Township Manager stated that he would prefer to speak to the property owners first and attempt to resolve the concerns before any appeals are filed.
 - c. Motion was made by Wessner and seconded by Daub to have Zoning Officer Paff and Manager Yaich review the decision and meet with the developer in the immediate future to see if resolution is possible. Motion passed (3-0).
 - d. Chris Paff informed the Board that Global Libations, a Kutztown based coffee shop, has moved into the Township. They have not received proper permits from the Department of Agriculture or the Township which Mr. Paff has concerns about.
 - e. Chris Paff stated that Paul Burkholder has been selling junk cars at his property which is not permitted under the zoning district. He wants the Board to be aware that they may be hearing from Mr. Burkholder once he issues an enforcement notice on the property.

- f. Chairman Leiby questioned how the septic pumping was going for this cycle. Chris Paff stated he didn't have the exact number but believed there were still around 50 properties that needed to comply.
6. Manager – Justin Yaich
 - a. Justin Yaich gave his report for the month. He stated that Keystone Consulting Engineers have finished their study on Grim, Seigfredale, and Kunkel Road for no truck traffic. He asked that the Board authorize Solicitor Nagy to draft the ordinances for adoption at next month's meeting.
 - b. Motion was made by Daub and seconded by Wessner to authorize the Solicitor to proceed with the ordinances as stated. Motion passed (3-0).
 - c. Manager Yaich informed the Board that the Bower's Lion's Club would be holding a fall festival for the community on October 17, 2015. They have requested a donation of \$1000.00 from the Recreation Fund.
 - d. Motion was made by Wessner and seconded by Daub to authorize the Manager to make a \$1000.00 donation to the Bower's Lion's Club for the Fall Festival. Motion passed (3-0).
7. Motion was made by Daub and seconded by Wessner to approve the reports as presented. Motion passed (3-0).

PLANS TO REVIEW:

1. Zoning Request – East Penn Manufacturing
 - a. Township Manager explained that he received a zoning change request from East Penn Manufacturing. Both he and the Zoning Officer reviewed the request and have no objections. The next step would be for the Board to authorize it to proceed to the Planning Commission.
 - b. Motion was made by Wessner and seconded by Daub to authorize the zoning request to proceed to the Planning Commission.

OLD BUSINESS:

1. The Rink
 - a. Marty Rappaport and Bruce Radar (Berks Surveying) represented the plans before the Board. The primary concern was wording in the Operation and Maintenance Agreement for the onsite sewer system. Solicitor Nagy went through the document and explained it to Mr. Rappaport. All parties were satisfied with the explanation and no additional action was taken.

NEW BUSINESS:

1. Motion was made by Wessner and seconded by Daub to schedule the conditional use hearing for Arrowhead Industrial Park on August 19, 2015 at 6:00PM. Motion passed (3-0).
2. Motion was made by Daub and seconded by Wessner to authorize the Solicitor to advertise the opening of the Ag Security Area for 2015. Motion passed (3-0).
3. Motion was made by Wessner and seconded by Daub to approve the 2015-2020 Winter Maintenance Agreement and Resolution 2015-11. Motion passed (3-0).
4. Motion was made by Daub and seconded by Wessner to approve the Manager to sign the module revisions for the Area A force main as provided by Engineer Falencki. Motion passed (3-0).

PROFESSIONAL SERVICES:

1. Solicitor – Jill Nagy
 - a. Solicitor Nagy gave a brief review of the Blight Ordinance as well as the Property Maintenance Code as it relates to the issues discussed with the Karaisz property. The Board again stated that they support Code Officer Paff in his handling the matter.

2. Engineer – Tom Deily
 - a. Engineer Deily reported that the bids for Church Road are advertised in the Reading Eagle. He also reported that Engineer Ryan Christmas has finished the study on Bastian Road for the flooding issues.

PUBLIC COMMENT & HEARING OF THE VISITORS:

1. Karen Rauch asked the Board if they could assist with water issues that are taking place in front of her house in Bowers. The issue deals with runoff water. She also would like to fill in an old coal bin below her sidewalks. Roadmaster Richard Grim stated that he is available to meet Tuesday morning at 8:00AM on site to discuss the issues.
2. Steve Curry of Maxatawny spoke about keeping the steel wheel tractors off the public roads in an effort to curb damage to the blacktop. Chairman Leiby stated that he would bring the matter up for discussion with the Agricultural Security Board when they meet this year.
3. Theodore Xenos voiced concern of the intersection of Quarry Road and Route 222. He would like to see a light placed at this intersection. The Board explained that this is a State Highway and all we could do is suggest it be looked into.
4. Garret Miller stated that he had concern after speaking to a friend on the Kutztown Municipal Authority. He feels that management at the Borough is not being transparent with the volunteer board members and that is leading to many legal problems for the Borough and the Kutztown Municipal Authority. Solicitor Nagy stated that she felt the Reading Eagle's article by Ron Devlin was very accurate in terms of the trouble Kutztown is facing.
5. Steve Wilson stated that he was deeply troubled by remarks made by Councilwoman Rachel Martin of the Kutztown Borough. Wilson stated that she posted comments on Facebook related to the legal matters between Maxatawny and the Borough in which she accused Maxatawny of trying to steal Borough land and buildings. Wilson stated nothing could be farther from the truth and he was deeply trouble with the Borough's misguided thoughts on the matter. Wilson read the comments aloud which Mrs. Martin posted.

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 Wessner and seconded by Daub to approve the Treasurer's Report as presented. Motion passed (3-0).
3. Manager Yaich asked the Board for permission for him and solicitor Nagy to pursue options to lease Suite B to a suitable tenant.
4. Motion was made by Wessner and seconded by Daub to authorize the Manager and Solicitor to proceed with leasing Suite B. Motion passed (3-0).

ADJOURN: Motion was made by Daub and seconded by Wessner to adjourn the meeting at 8:50PM. Motion passed (3-0).

Respectfully Submitted,

Justin Yaich, Manager