

**THE TOWNSHIP OF MAXATAWNY  
BOARD OF SUPERVISORS MEETING  
NOVEMBER 11, 2015**

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**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 Judy Daub. Professionals present: Engineer, Tom Deily; Solicitor, Jill Nagy; Code Enforcement Officer, Chris Paff; Roadmaster, Richard Grim; Manager, Justin Yaich. Audience Officials: Authority Member, Steve Wilson; Auditor, Norm Adam; Agricultural Security Board Members, John Brubaker; Harry Weaver; Raymond Hoover; Ted Ormai.

**ANNOUNCEMENTS:** Chairman Allen Leiby announced that the Board of Supervisors held an executive session on Monday, November 9, 2015 from 10:00AM to 11:00AM and again on Wednesday, November 11, 2015 from 7:10PM to 7:30PM to discuss personnel matters.

**AGRICULTURAL SECURITY APPLICATION:**

1. Chairman Leiby called a recess from the general business meeting in order to conduct the Agricultural Security Application public hearing at 7:40PM.
2. Chairman Leiby reconvened the general business meeting at 7:45PM.
3. Motion was made by Wessner and seconded by Daub to approve the Ruth application for the Agricultural Security Zone. Motion passed (3-0).

**APPROVAL OF THE MINUTES:**

1. Motion was made by Wessner and seconded by Daub to approve the Minutes of the October 14, 2015 Board of Supervisors. Motion passed (3-0).

**REPORTS:**

1. State Police Report - Attached to the agenda.
2. Kutztown Library - Mary Laub
  - a. Mary Laub presented her annual report and funding appeal to the Board of Supervisors. The library is again requesting \$7,906.00 for the 2016 budget year.
3. Roadmaster -Richard Grim
  - a. Richard Grim presented his report for the month. He also requested permission to advertise to accept bids for a used roller. The Township Manager asked that Solicitor Nagy prepare the appropriate ads for the newspaper.
  - b. Motion was made by Wessner and seconded by Daub to authorize the Solicitor to prepare and advertise to accept bids. Motion passed (3-0).
4. Code Enforcement - Chris Paff
  - a. Chris Paff gave his report for the month. He updated the Board on the property at 429 Krumsville Road and stated that the property has not been totally cleaned up as of this date. He also informed the Board of the potential application for a chicken farm on the old Woodbridge Golf Course.
  - b. Chris Paff pointed out the attendance of several residents regarding recent complaints on a farm operated by Lester Hoover. Mr. Hoover is receiving hog renderings which are causing excessive odor in the neighborhood. Several residents voices opposition to this but stated that they were willing to work with Mr. Hoover to come to tolerable arrangement. Mr. Hoover was also present and stated that he would do his best to control the odor.

- c. Solicitor Nagy stated that because the property is in the Agricultural Preservation Zone, the Township can do little to regulate the farming practice and that any regulation would likely need to be handled by the Department of Environmental Protection.
5. Manager – Justin Yaich
  - a. Justin Yaich presented his report for the month. He also addressed the issue of Emergency Management Coordinator Kim Stout resigning at the end of 2015.
  - b. A letter of interest was received by Cheri Keim. Ms. Keim is an active member of the local ambulance group and is currently certified to handle the duties of Emergency Management Coordinator.
  - c. Motion was made by Daub and seconded by Wessner to appoint Cheri Keim as Emergency Management Coordinator effective December 31, 2015 at midnight. Motion passed (3-0).
6. Motion was made by Wessner and seconded by Daub to approve the reports as presented. Motion passed (3-0).

**PLANS TO REVIEW:**

1. Zoning request – Josh Tucker.
  - a. Josh Tucker presented a request for a zoning change at his property located on West Kutztown Road. Mr. Tucker seeks to have the commercial zoning line increased from 300 to 550 feet off Kutztown Road.
  - b. Resident David Sabotka asked why Mr. Tucker isn't requesting this in the form of a zoning variance. Solicitor Nagy stated that it is up to Mr. Tucker which request he chooses to make and in this case he is choosing to ask the Board to relocate the line through a zoning amendment.
  - c. Motion was made by Wessner and seconded by Daub to authorize the staff to review the request and to send the request to the Planning Commission for their comments. Motion passed (3-0).

**OLD BUSINESS:**

1. Nothing at this time.

**NEW BUSINESS:**

1. Motion was made by Daub and seconded by Wessner to approve the 2016 Preliminary Budget. Motion passed (3-0).

**PROFESSIONAL SERVICES:**

1. Solicitor – Jill Nagy
  - a. Jill Nagy stated that the Board would need to take action on a pending application for conditional use regarding a convenient store at 222 and Long Lane.
  - b. Motion was made by Wessner and seconded by Daub to schedule the hearing for Wednesday, December 9, 2015 at 5:30PM. Motion passed (3-0).
  - c. The Solicitor also updated the Board on a zoning hearing for the construction of an Autozone which will be coming up. She stated that there are several issues that need to be addressed at the hearing.
  - d. Motion was made by Daub and seconded by Wessner to have the Solicitor and Code Enforcement Officer attend the zoning hearing. Motion passed (3-0).
2. Engineer – Tom Deily
  - a. Nothing to report.

**PUBLIC COMMENT & HEARING OF THE VISITORS:**

1. Resident Steve Wilson voiced his displeasure for a recent protest lead by Congressman Joe Sestak where a group of college students marched to the Township polling place to protest the location. The protestors made it difficult for the elderly residents to access the polls. In addition, the students took great risk marching down a busy roadway like Route 222.

**FINANCIAL MATTERS:**

1. Motion was made by Wessner and seconded by Daub 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:** Motion was made by Wessner and seconded by Daub to adjourn at 8:38PM. Motion passed (3-0).

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Respectfully Submitted,

Justin Yaich, Manager