

MINUTES
EXETER TOWNSHIP BOARD OF SUPERVISORS MEETING
MONDAY, MARCH 22, 2021

Public Meeting

A Regular Meeting of the Exeter Township Board of Supervisors held virtually was called to order on Monday, March 22, 2021 at PM by Greg Galtere, Chairperson.

Supervisors Present:

Gregory Galtere, Chairperson
David Speece, Vice Chairperson
Michelle Kircher
Joseph Staub

Absent:

John Cusatis

Others in Attendance:

Jeff Bartlett, Township Manager
Laurie Getz, Township Secretary
Clarence Hamm, Highway Superintendent
Elizabeth Magovern, Hartman Valeriano Magovern & Lutz, P.C.
Wendell Morris, Chief of Police
Joseph Rogosky, Great Valley Consultants, Township Engineer
Jennifer Savage, Finance Director

REGULAR MEETING

The Meeting was opened with the Pledge to the Flag.

PUBLIC COMMENTS: Agenda Items

Public comments were submitted in advance of the meeting via email and voicemail. The e-mail comments were dictated by computer software.

Charles Boyer; Expressed opposition to the special exception for the University Rifle Club.

Thomas Huntzinger; Is opposed to any approval of a special exception for the University Rifle Club.

Lawrence Gorel; Is opposed to the special exception for the University Rifle Club. Activity at the club has increased over the past several years.

Russ Magazzu; Expressed opposition to the special exception for the University Rifle Club on behalf of the Pathfinder Meadows II Home Owners' Association. Understands that the Board does not make the decision on the matter, but still feel that they should be involved.

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Aileen Huntzinger; Opposed to the special exception for the University Rifle Club.

Colin Macfarlane, Kozloff Stout Attorneys; Commented on behalf of the University Rifle Club, office represents URC. Provided brief summary of the application. URC seeks to elongate certain ranges by building three new target lanes ranging from 500 to 600 yards. Special exception is needed because the club will be using a parcel acquired after the Township's zoning ordinance took effect. They are also seeking to construct three new ranges, for which their position is that an exception is not needed.

Sam Augustine, JP Mascaro; Commented on municipal recycling. Encouraged the Board of Supervisors to stay with weekly service. Stated that weekly service is more environmentally conscious, and residents are generating more recycling than ever. \$20/year equates to \$0.35 per household per week.

ANNOUNCEMENTS

Mr. Galtere announced an executive session held before this meeting to discuss potential litigation and potential lessee of township property.

REGULAR APPROVALS

Regular Minutes – March 8, 2021

MOTION of Mr. Speece seconded by Ms. Kircher, the Board UNANIMOUSLY APPROVED the March 8, 2021 Board of Supervisors Minutes.

Disbursements – March 22, 2021

Ms. Savage explained several items included in the disbursements. Reviewed charges for sports field seed, legal charges related to an insurance claim, Fox Rothschild January and February legal charges for outstanding ongoing matters, H&K Contractors for charges related to the Butter Lane Culvert Project, McMahon invoices are related to the Perkiomen Avenue Streetscape Project, PA American invoice is the Township's regular hydrant service paid from the hydrant tax, Telco invoice was for traffic light maintenance incorrectly showed as being paid out of the park maintenance fund but has been corrected.

MOTION of Mr. Speece seconded by Ms. Kircher, the Board UNANIMOUSLY APPROVED payment of the bills presented on the Disbursement List dated March 22, 2021 in the amounts of \$177,904.89 in the General Fund; 15,127.90 in the Utility Fund; \$13,948.00 in the Fire Fund; \$120.00 in the Detention Pond Fund; \$2,944.44 in the Developer's Escrow Fund; \$266.22 in the Sewer Fund; \$7,738.51 in the Golf Fund; \$1,641.63 in the RCC F&B Fund; \$628.68 in the Promenade Fund; \$27,922.96 in the Capital Improvement Fund; \$75,027.71 in the Equipment Fund; \$241,542.71 in the Sewer Fund; \$12,135.66 in the Park Fund; \$20,935.95 in the State Liquid Fuels Fund.

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Treasurer's Report – February, 2021

Ms. Savage explained that prior year real estate tax revenue is up, showing that way because a large exception bill was printed outside of the regular tax bills due to a reassessment process. Earned Income Tax is at 9.2%YTD, this doesn't come in 1/12 increments but rather in 4 large quarterly payments. Received \$508,000 in March. Expenses in Engineering for reviews/expenses related to Butter Lane Culverts that should be reallocated, Trout Run Brush Depository contractor comes on a semi-annual basis and we pay him per occurrence. Expect the budgeted amount to be accurate. Police wages are up slightly, looks skewed until the year goes on because longevity payments are made per their contract in the beginning of the year.

MOTION of Mr. Staub seconded by Ms. Kircher, the Board UNANIMOUSLY APPROVED the February 2021 Treasurer's Report, subject to audit.

UNFINISHED BUSINESS

Discussion on Township Recycling Program

Ms. Getz explained that feedback in the form of a vote for weekly service versus biweekly was solicited, and as of the start of this meeting 780 votes/comments have been received. Of those, 44% indicated that they would like bi-weekly collection and 56% would like to stay with weekly collection. Provided a brief summary of the comments that were received from residents in support of weekly or bi-weekly collection.

Discussion on cost of the recycling program, market conditions have caused increased prices. There is no longer a market for recyclable materials. Explanation that recycling is not optional in Exeter, we are mandated by the state to recycle.

Ms. Getz explained that the Township does have 32-gallon recycling containers available to residents that can be picked up at the building.

Mr. Bartlett explained that collection and processing are on two separate contracts. Cost savings can be realized by separating the services. Recommendation is to leave the processing contract in place, and consider making a change to the collection portion of the contract. Based on the feedback we have received it seems that many residents would like to see weekly continue. Best cost option is to remain with the processing contract and award a new contract for weekly or bi-weekly collection per the Board's preference. If we stay with weekly, the new bid that was received is less money than the existing weekly collection contract.

Mr. Staub stated that prior to hearing the feedback from the community he thought it made sense to go bi-weekly due to cost-savings. However, he was happy to hear that 10% of the households that use the service responded to the email, and was surprised to learn that the majority are in favor of weekly service.

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Mr. Galtere is in favor of weekly. **Mr. Speece** stated that he had been waiting to hear the data before making a decision, said he's going with the data. **Mr. Staub** stated that he will follow the community and support weekly service. **Ms. Kircher** agrees it should be weekly.

MOTION of Mr. Galtere seconded by Mr. Speece, the Board UNANIMOUSLY APPROVED leave the processing fee in place and accept the low bid for weekly collection by JP Mascaro.

Consider Request from Antietam High School to Utilize the Promenade Shopping Center for their 2021 Graduation Ceremonies

Mr. Bartlett explained that this event was held at the Promenade last year. We expect the demolition to be concluded prior to this event. Antietam HS has a very small graduating class. **Mr. Hamm** stated that they have requested June 4th, it will not be a long event.

Mr. Staub asked about insurance liability. **Mr. Bartlett** stated that we can request an insurance rider naming the Township as additional insured.

MOTION of Mr. Speece seconded by Mr. Staub, the Board UNANIMOUSLY APPROVED Antietam High School to Utilize the Promenade Shopping Center for their 2021 Graduation Ceremonies assuming they sign a liability waiver.

Mr. Galtere asked that Mr. Bartlett make sure they understand what the situation at the property could be if the demo is not complete.

Discussion on Special Exception Request for University Rifle Club

Ms. Magovern clarified again that the Zoning Hearing Board is the adjudicated body that will hear the application and make a decision. The Board is not the deciding body.

Asked if the Board would like to make a motion authorizing her to attend the hearing on behalf of the Township to present conditions for the Zoning Hearing Board to impose on the applicant if the relief is granted.

MOTION of Mr. Staub seconded by Ms. Kircher, the Board UNANIMOUSLY APPROVED authorizing the Township's Solicitor to attend the Zoning Hearing and present conditions to be imposed on the applicant if the Zoning Hearing Board grants the relief being sought.

NEW BUSINESS

Consider Approval of Change Work Order for 3925 Perkiomen Avenue Demolition

Mr. Bartlett explained that the contractor has requested a no-cost change order because the project start was delayed due to weather. They have started the demolition this week.

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MOTION of Mr. Staub seconded by Mr. Speece, the Board UNANIMOUSLY APPROVED Change Work Order for 3925 Perkiomen Avenue Demolition extending 108-days with a completion date not to exceed July 30, 2021.

Consider Approval of Pathfinder Meadows Section 2 Phase 2 Improvement, Financial Security, and Maintenance Agreement

Mr. Brugger explained that these agreements have been reviewed by the Township's solicitor.

MOTION of Ms. Kircher seconded by Mr. Speece, the Board UNANIMOUSLY APPROVED Pathfinder Meadows Section 2 Phase 2 Improvement, Financial Security, and Maintenance Agreement.

Consider Approval of Pathfinder Meadows Stormwater O&M Agreement

Mr. Brugger explained that this is the same project as the previous item.

MOTION of Mr. Staub seconded by Mr. Speece, the Board UNANIMOUSLY APPROVED Consider Approval of Pathfinder Meadows Stormwater O&M Agreement.

Consider Final Plan Approval for Berks County MDC 23-2-03

Mr. Brugger explained that this is for the District Justice project. The Board approved the preliminary plan at the March 8th meeting, that approval contained conditional language. The Planning Commission has recommended approval. The only outstanding issues are the improvement agreement, financial security, and operations and maintenance agreement.

Mr. Galtere asked if we're comfortable with the approval with the outstanding issues remaining. **Mr. Brugger** confirmed.

MOTION of Ms. Kircher seconded by Mr. Speece, the Board UNANIMOUSLY APPROVED the Final Plan for Berks County MDC 23-2-03.

DEPARTMENT REPORTS

Clarence Hamm; Public Works Department: Working on street sweeping, preparing to open the parks, working on the library book trail. Sports fields are being worked on, sign repair, and preparing for crack sealing.

Joe Rogosky, Township Engineer, Great Valley Consultants: Announced that PennDOT has informed us that they will be switching lanes on the PA 562 project. They will not be detouring any traffic onto Township roads, they will be doing a complete closure due to safety concerns. A full detour will be in effect. Butter Lane is being wrapped up, Hilldale project had a delay due to an incorrectly located water line but is proceeding just slower than anticipated. Will be advertising soon for Sutton Circle to solicit bids for construction this summer.

Chief Morris; Police Department: Last week held a truck detail, good results with 53 inspections conducted. 109 citations issued, 14-trucks and one driver out of service, \$16,500 in fines issued that day. Written test was held for the recruiting of new officers last week, 115 candidates showed up for the

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testing which was an outstanding turnout. Pleased that PennDOT will be detouring 562 as it has been a safety concern.

Elizabeth Magovern, Solicitor; Discussed a litigation matter. Explained that the legislature has assigned to the township the legal responsibility to ensure that candidates running for office submit a statement of financial interest form to the township Board of Supervisors. The form must be submitted to the governing body before the deadline in order to be included on the ballot. This year a candidate failed to comply with this legal requirement. Asking if the Board would like to authorize their office to represent Mr. Speece as a Township Supervisor in a petition to strike the nomination petition of David Hughes.

Mr. Staub asked for clarification that this is a legal responsibility. **Ms. Magovern** confirmed explaining that this legal responsibility is assigned to the Board of Supervisors by the legislature, and the Board has a responsibility to uphold this per caselaw. The form is a legal requirement in order to get onto the ballot.

MOTION of Mr. Speece seconded by Mr. Galtere, the Board APPROVED Hartman Valeriano Magovern & Lutz, P.C. to represent Mr. Speece in this petition that was filed to strike the nomination petition of David Hughes.

Ms. Kircher is opposed.

Jeff Bartlett, Township Manager: Discussed the American Recovery Act, funding is being made available directly to municipalities who have a population of under 50,000. We are expecting an estimated \$2,548,026 in funding to be used with certain limited restrictions.

Announced that he has received a letter of resignation from John Cusatis, Mr. Cusatis has accepted an employment opportunity that requires him to move out of the Township.

Discussion on process related to this resignation. The Board must accept the resignation within 45-days, and must replace the position within 30-days.

Mr. Galtere pointed out that based on the Board's schedule they only have one meeting in the 30-day window to appoint a new member. **Mr. Bartlett** indicated that a special meeting is also an option.

Mr. Galtere suggested soliciting letters of interest between now and the April 12th meeting, if a selection can be made on April 12th they will appoint otherwise a special meeting can be scheduled for April 19th. **Ms. Kircher** would like to be able to interview everyone, but feels the timeline is short. Discussion on what happens if we don't accept the resignation tonight. **Mr. Staub** stated his preference would be to fill the position sooner than later to get back to a full 5-member board.

MOTION of Mr. Speece seconded by Ms. Kircher, the Board UNANIMOUSLY APPROVED accepting the resignation of John Cusatis from the Board of Supervisors of Exeter Township.

Ms. Magovern stated that the applicants can be discussed in executive session.

MOTION of Mr. Galtere seconded by Mr. Staub, the Board UNANIMOUSLY APPROVED authorizing the Township Manager to solicit letters of interest with a due date of April 9th.

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Mr. Piersol provided an update on some vehicles that recently sold and to be sold on MuniBid.

Ms. Getz announced Spring Cleanup dates for April 17th and April 24th. The map is available on the Township's website.

PUBLIC COMMENT – General Comments

Public comments were submitted in advance of the meeting via email and voicemail. The e-mail comments were dictated by computer software.

None Submitted

SUPERVISOR REPORTS:

Ms. Kircher: Nothing to report.

Mr. Staub: Announced that over the weekend an Exeter graduate, Austin Desanto came in 3rd in the nation. Congratulated Austin on his accomplishment. Discussed the Community Center presentation, watched the video of the meeting. His opinion is that Police, Fire, Highway are priority then Administration followed by consideration of a community center but would like to see it kept as tight as possible budgetarily while meeting the needs of the township. Asked residents to be patient, no decisions have been made at this time.

Mr. Speece: Wished John Cusatis well in his future endeavors, he did a lot for the community. **Mr. Staub** agreed in wishing Mr. Cusatis well.

Mr. Galtere: Commended staff on the e-newsletter, we are up to 1500 people receiving it and continues to grow. Encouraged everyone to share that info and promote sign ups.

ADJOURNMENT

MOTION of Mr. Speece, seconded by Ms. Kircher, the meeting adjourned at 8:19 PM.

Respectfully Submitted,

Laurie Getz
Township Secretary