

MINUTES
EXETER TOWNSHIP BOARD OF SUPERVISORS MEETING
JANUARY 13, 2020

Public Meeting

A Regular Meeting of the Exeter Township Board of Supervisors was called to order on Monday, January 13, 2020 at 7:01 P.M. at the Exeter Community Library by David Speece, Chairperson.

Supervisors Present: David Speece, Chairperson
Michelle Kircher, Vice Chairperson
John Cusatis
Gregory Galtere
Joseph Staub

Absent: None

Others in Attendance: Michele Gilbert, Interim Township Manager
Laurie Getz, Township Secretary
Ed Kelly, Fox Rothschild, Solicitor
Wendell Morris, Chief of Police
Clarence Hamm, Highway Superintendent
Joseph Rogosky, Great Valley Consultants, Township Engineer

REGULAR MEETING

The Meeting was opened with the Pledge to the Flag.

SWEARING IN CEREMONY OF POLICE OFFICERS

Chief Morris gave opening remarks welcoming the three new officers to the Exeter Township Police Department.

Magisterial District Judge Sandra L. Fegley swore in Officers Anthony Pendell and Cody Davis. Cadet Frank Santiago will be officially sworn in following his successful completion of the police academy.

Mr. Speece announced a brief recess at 7:10 PM. The meeting reconvened at 7:11 PM.

PUBLIC COMMENTS: Agenda Items

Tom Howell, P.O. Box 4365, announced that he had provided packets to Mr. Galtere, Ms. Kircher, and Mr. Staub containing documents he had collected pertaining to the JMH lawsuit. He stated he thought the documents may be helpful to the new supervisors. He was unhappy that the JMH settlement had not been listed distinctly on the 12/23/19 meeting agenda. He indicated that Ms. Kircher knows how to reach him should anyone have questions regarding his packet.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

Tom Keddie, 117 Ivy Hill Circle, is requesting a variance to construct an enclosed porch on his property.

David Hughes, 255 W. 47th Street, is concerned that no one has discussed re-opening the 2020 budget. Stated he thinks the homestead/farmstead exemption should be reversed. Discussed Right to Know Reports, does not understand why he and another individual made a request for the same documents and received said documents after different lengths of time. Several questions on disbursements: legal fees, thinks October was high; Maille invoice, mugs purchased presumably for police department, ArchiveSocial, Mack Truck invoice, EEMA, payphone invoice, McGovern Environmental, Simone Collins.

Mr. Speece suggested that in the future to save time at meetings that Mr. Hughes could email his disbursement questions to Mr. Speece in advance of the meeting.

Mr. Hughes stated that he received a letter on 12/20 accusing him of committing crimes. He thinks the letter is out of order and is in violation of the Sunshine Law.

Dorothy Reilly, 13 Craig Drive, questioned the format of the meeting stating she was unsure how to comment on agenda items that haven't been discussed. Discussed Right to Know Requests stating that she does not think they should be required to obtain information.

Mr. Speece indicated that a plan is being worked on to increase communication with the public.

Mr. Galtere stated that it will take time to develop, but a process is in the works to attempt to answer questions so Right to Know Requests can be avoided.

Ms. Reilly stated that she disagreed with the procedure for the appointment of Board Chairperson. She asked what the increased cost to residents is for weekly recycling.

Mr. Cusatis stated that there is no increased cost to residents in their recycling bill.

Ms. Reilly stated she does not have much recycling and does not understand why the Township chose to go to weekly recycling.

Mr. Speece stated that it was implemented in response to complaints from residents.

Mr. Hamm stated that the dumpsters at the Trout Run Recycling Facility were consistently overflowing, and heard frequent complaints from residents regarding bi-weekly recycling.

Ms. Kircher stated that she also would like to know what the difference in cost was for the transition to weekly recycling.

Ms. Reilly asked several questions regarding the salary that will be offered to a future Township Manager. Questioned whether a bonus will be offered, and why the former Manager received a bonus. She asked why the Solicitor was reappointed, and stated that she wants details on all lawsuits the Township has been involved in to include names of involved parties. Wants to know what happened to the proceeds from the Wastewater Treatment Plant sale.

Ms. Kircher stated that Ms. Reilly made many valid points and would like to see increased transparency.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

REGULAR APPROVALS

Disbursements

MOTION of Mr. Speece, seconded by Mr. Cusatis, the Board unanimously approved ratifying payment of the bills presented on the Disbursements List dated January 6, 2020 in the amounts of \$94,716.00 in the Capital Improvements Fund; \$107,722.50 in the WWTP Sale Proceeds Fund.

Mr. Staub requested clarification on several items contained in the Disbursements, specifically related to ArchiveSocial, legal services, and the General Obligation Bond payment.

Ms. Getz explained that ArchiveSocial is the software purchased to archive all of the Township's social media activity to protect against liability. This was a 2020 budgeted expense.

Mr. Staub requested that a breakdown of the legal bills be provided for review going forward. Mr. Galtere asked if we are missing legal bills. Jen Savage, Finance Director, explained that the November and December bills are currently pending and will be included for payment at a future meeting.

MOTION of Mr. Speece, seconded by Mr. Galtere, the Board unanimously approved payment of the bills presented on the Disbursements List dated January 13, 2020 in the amounts of \$354,185.53 in the General Fund; \$1,154.09 in the Fire Fund; \$2,457.85 in the Developer's Escrow Fund; \$72,304.34 in the Sewer Fund; \$3,877.78 in the Golf Fund; \$123,001.81 in the RCC F&B Fund; \$3,120.27 in the Promenade Fund; \$74,598.00 in the Capital Improvements Fund; \$137,082.11 in the Debt Services Fund; \$8,665.02 in the State Liquid Fuels Fund.

OLD BUSINESS

Appointment of Township Treasurer.

MOTION of Mr. Speece, seconded by Mr. Cusatis, the Board voted to appoint Jen Savage to the position of Township Treasurer. Ms. Kircher voted no.

Set Bond Limits for the Township Treasurer

MOTION of Greg Galtere, seconded by Michele Kircher, the Board unanimously voted to set the bond limit for Township Treasurer at \$5,000,000.

Set Bond Limits for the Interim Township Manager.

MOTION of Greg Galtere, seconded by John Cusatis, the Board unanimously voted to set the bond limit for Interim Township Manager at \$1,000,000.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

Monthly Right to Know Request Report.

Ms. Gilbert reviewed the monthly Right to Know Request Report, a copy is attached to these minutes. There were 24 Right to Know (RTK) requests made in December, with a total of 236 for 2019. Ms. Gilbert asked the Board for direction as to whether the report should continue to be prepared by the Administration.

Mr. Galtere questioned the purpose of the report and asked what is being done with the information.

Mr. Speece explained that in his view it is to track financial spending.

Mr. Cusatis stated that it is published in the interest of transparency.

Mr. Galtere stated that the report should not contain the name of the requestor as it could be viewed as a punishment to those who file RTK.

The Board directed the Administration to continue preparing the report, however going forward it should not contain the name of the requestor. The total cost of the RTK filings will be included on the Board's version only; the report published on the website will not contain the total.

Tom Howell, P.O. Box 4635, stated that he was used to the format of the old website, specifically the old news section. He pointed out that the calendar on the new website does not go back to 2018.

Dorothy Reilly, 13 Craig Drive, questioned why RTK requests have to go to the solicitor?

Mr. Speece responded indicating that there are confidentiality and liability issues that have to be reviewed by legal to ensure we are in compliance with the law.

Authorization to Re-advertise the 2020 Board of Auditors Reorganization Meeting for January 16, 2020 at 7 p.m.

MOTION of Ms. Kircher, seconded by Mr. Staub, the Board unanimously voted to re-advertise the 2020 Board of Auditors Reorganization Meeting for January 16, 2020 at 7:00pm.

Authorization to Seek Applicants for Board of Auditors Vacancy.

Announcement made to congratulate Jessie Hodge, in attendance at the meeting, on his election to the Board of Auditors.

MOTION of Mr. Galtere, seconded by Mr. Cusatis, the Board unanimously voted to authorize seeking applicants for the Board of Auditors vacancy.

Mr. Galtere stated that he is aware that resident Phil Harsh is interested in the position.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

Discussion on Proposals for Architectural Services.

Ms. Gilbert stated that 14 submissions have been received by the Administration in response to the Request for Proposals for Architectural Services issued at the end of 2019. She asked the Board to provide direction as to how they would like to review the proposals.

Mr. Galtere stated that he had reviewed the proposals.

Mr. Speece stated that he plans to go into the Township offices to review the proposals.

Ms. Kircher stated that she would not review until the money is figured out. Stated she would like to see the budget re-opened and 1.8M deficit addressed. Will not support projects until an audit is completed, preferably a forensic audit.

Mr. Cusatis stated that he is not ready to review the architectural proposals at this time.

Ms. Savage provided clarifying comments stating that there is no deficit. The approved 2020 budget shows a \$3.8M surplus. The \$1.8M deficit being referenced was the result of a typographical error on the preliminary budget that was corrected immediately upon notice. Ms. Savage also stated that the Township is subject to an audit every year, the results of which are posted to the website.

Mr. Staub asked if there were any time constraints that would require selection of an architect at this time. Stated he would like a total picture of the Township's finances before doing any projects.

Discussion ensued regarding a potential presentation on the Township's current financial position following a review by the Board of township financials.

Tom Howell, P.O. Box 4635, asked if the Treasurer's Report can be posted to the website prior to the meetings versus the day after the meetings.

David Hughes, 255 W. 47th Street, would like to see the budget re-opened to address the \$1.8M deficit.

Dorothy Reilly, 13 Craig Drive, wants to know what elected auditors do.

Board asked that going forward a summary of the Treasurer's Report be provided to further general knowledge.

Discussion on Proposals for Investment Management Services.

Ms. Gilbert stated that 14 submissions have been received by the Administration in response to the Request for Proposals for Investment Management Services issued at the end of 2019. She asked the Board to provide direction as to how they would like to review the proposals.

Mr. Staub stated that he will come into the Township Building to review.

Mr. Speece indicated that a summary of the proposals would be helpful.

Ms. Kircher stated that she would come into the Township Building to review.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

Discussion on Cable Television Franchise Agreement.

Ms. Gilbert stated that direction is needed from the Board on the Cable Television Franchise Agreement.

Mr. Cusatis stated that he would like to have Service Electric attend a public meeting to discuss the agreement.

Mr. Galtere suggested inviting former supervisor Jeff Anderton to participate as he had been researching the subject.

Discussion ensued regarding checking availability with Service Electric and selecting several dates for the Board to choose from. When decided an ad will be prepared for notice to be properly given.

Discussion on Request for Qualifications regarding Reading Country Club.

Ms. Gilbert stated that 4 submissions have been received by the Administration in response to the Request for Qualifications regarding Reading Country Club issued in 2019. She asked the Board to provide direction as to how they would like to review the proposals. Indicated the proposals are all located on the Township's website.

Mr. Staub stated that he would like to take some time to review all of the options presented.

Mr. Cusatis stated that he would like to see the duties split up between the supervisors. Some should focus on golf and some on the restaurant business. Suggested a separate town hall style meeting.

Mr. Speece summarized the proposals received and stated that he would like to see a separate town hall style meeting occur with golf industry expert Larry Hirsh in attendance.

Mr. Galtere stated that he does not think that the development proposals submitted were feasible. Thinks the community wants a golf course.

David Hughes, 255 W. 47th Street, stated that a public meeting was promised previously. He does not think Mr. Cusatis should be involved. Made comments on the budget, homestead/farmstead exemption.

John Carmello, 3 Brookside Court, stated he does not want the course developed.

Dorothy Reilly, suggested combining the Cable Franchise Agreement and Reading Country Club town hall meetings into one night.

The Board directed the Administration to schedule a Town Hall meeting on the subject.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

NEW BUSINESS

Appoint Tri-State Financial Group LLC as Business Privilege Tax Collector.

MOTION of Mr. Staub, seconded by Mr. Cusatis, the Board unanimously voted to appoint Tri-State Financial Group LLC as Business Privilege Tax Collector.

Mr. Cusatis stated that he would like to see a RFQ for these services in 2021.

MOTION of Mr. Cusatis, seconded by Mr. Staub, the Board unanimously voted to seek a Request for Qualifications for 2021.

Approval to Submit for 902 Recycling Grant.

Mr. Hamm stated that he would like to apply for the 902-recycling grant in order to purchase 2 one-man leaf loaders and educational materials. The grant is a 60/40 grant. The current leaf loaders owned by the Township are two-man operations.

David Hughes, 255 W. 47th Street, asked if this was a budgeted item.

Mr. Hamm clarified that this is not for this budget year.

MOTION of Mr. Galtere, seconded by Ms. Kircher, the Board unanimously voted approval to submit for 902 recycling grant.

Consider Time Extension for Laudeman Subdivision 2 Plan until April 24, 2020.

Will Brugger, Zoning Officer, provided background details. He explained to the Board that earlier in the day he had received correspondence from the Applicant indicating intent to withdraw the request for time extension.

MOTION of Mr. Speece, seconded by Mr. Cusatis, the Board unanimously voted approving Resolution No. 2020-03 Denial of Sketch Plan of Record for Laudeman 2 Minor Subdivision.

Zoning Hearing Board Applications:

- **4 Woodcock Court**

The Board reached a consensus to take no action.

- **117 Ivy Hill Circle**

The Board reached a consensus to take no action.

Approve Agreement with McKim & Creed Inc. for GIS Support Services.

MOTION of Mr. Galtere, seconded by Mr. Cusatis, the Board unanimously voted to approve the Agreement with McKim & Creed Inc. for GIS Support Services.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

Authorize Advertisement for the January 27, 2020 Board of Supervisors Meeting.

MOTION of Mr. Staub, seconded by Mr. Cusatis, the Board voted unanimously to authorize the advertisement for the January 27, 2020 Board of Supervisors Meeting at the Township Building.

Discussion ensued regarding future locations for Board meetings. Mr. Speece indicated that research will continue into alternate venues as well as solutions for additional seating at the Township Building.

Hunter Ahrens indicated that the school may be an option. They may also grant access to their technology in order for the meetings to be recorded.

Mr. Galtere suggested possibly using the Reading Country Club for future meetings.

Approval to Open the Township Manager Position.

MOTION of Mr. Cusatis, seconded by Mr. Speece, the Board voted unanimously to Approve to Open the Township Manager Position.

MOTION of Mr. Galtere, seconded by Mr. Cusatis, the Board voted unanimously to seek a professional service for the search.

Set and Authorize Advertisement of 2020 Planning Commission Meeting Dates.

MOTION of Mr. Cusatis, seconded by Mr. Staub, the Board voted unanimously to Authorize Advertisement of 2020 Planning Commission Meeting Dates.

MOTION of Mr. Speece, seconded by Mr. Galtere, the Board voted unanimously approving Resolution No. 2020-04 Establishing Planning Commission Meeting Dates for the Year 2020.

DEPARTMENT REPORTS

Clarence Hamm; Highway Department: The Highway Department has been working on stormwater projects on Lorane Road, Sycamore, and others. Working on tree cutting, catch basin repair.

Chief Wendell Morris; Police Department: Stated that as a result of the No-Idling policy instituted last year the Department saw a savings of \$9,800 in fuel over 2018.

ENGINEER REPORT

Joe Rogosky, Great Valley Consultants: Stated that Norfolk Southern is continuing to work on the Neversink culvert but progress has slowed due to weather. Groundwater is creating issues and they may have to wait for it to dry out. Repairs may take until Spring.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

SOLICITOR REPORT

Ed Kelly, Fox Rothchild: Stated that allegations of criminal conduct had been made against a former Township supervisor. The supervisor has asked that the Township pay for legal representation in the matter. Mr. Kelly explained that their research has indicated that the township is responsible for mere allegations of criminal conduct during the course of an investigation. He further explained that should the Board decline to pay, the Township could potentially be held responsible for the legal fees related to the investigation as well as any fees incurred to defend their initial denial.

Mr. Speece asked if the Township would be reimbursed for legal fees should the outcome be a guilty finding.

Mr. Kelly stated that yes, it may be possible to be reimbursed should the outcome be a guilty finding.

MOTION by Mr. Staub, seconded by Mr. Cusatis, the Board authorized the Township to provide public defense for former supervisor.

Ms. Kircher voted no.

MANAGER REPORT

Michele Gilbert, Interim Township Manager: Thanked the Board, staff, and the public for support during this time of transition.

PUBLIC COMMENT

Tom Howell, P.O. Box 4635, wanted to know if the ArchiveSocial software archives video recordings of meetings posted to the website. Discussed RCC debt service payments and the elected Auditors.

David O'Donald, 1020 Hartman Road, alerted the Board that he will be submitting a request for an extended time allowance for fireworks on March 7th at the Neversink Gun Club. He will be requesting a 5-hour time period.

David Hughes, 255 W. 47th Street, discussed Right to Know appeals that he filed with the Office of Open Records regarding legal invoices. Stated Right to Know requests are costing the Township too much, and thinks names are included on the report for intimidation purposes. Stated that he and several others operate a watch group for the Township, and they file many Right to Know requests. Would like a follow up on his disbursement questions made earlier. Thinks the new manager needs to be vetted heavily. Stated that the supervisors should be aware that they may see more legal action against them.

SUPERVISOR REPORTS

Mr. Cusatis: Thanked the staff, welcomed new supervisors, and congratulated the Chief on his work.

MINUTES OF January 13, 2020 BOARD OF SUPERVISORS

Mr. Staub: Expressed his thanks. Stated commitment to openness, transparency, respect, and listening. Stated that he intends to ask questions. Stated that the Reading Country Club litigation was a costly dispute over a liquor license that hurt the community. Does not intend to participate in social media discussions on Township business, and thinks a Township social media policy is a priority.

Ms. Kircher: Expressed her thanks, stated that she is always accessible.

Mr. Galtere: Expressed thanks. Commended the high voter turnout in Exeter. Stated that this signifies increased community engagement. Wants to work together in a positive direction. Thanked the staff for taking time to speak with him, indicated there being a lot to learn. Stated that transparency means sometimes you might hear something you don't like. Encouraged continued criticism and watching supervisors.

Mr. Speece: Expressed thanks. Stated that transparency is a priority, requested patience. Welcomed new police officers. Encouraged residents to contact him with questions and suggestions. Stated that Township will be working on plans for the 50th anniversary of Earth Day in April, 2020. Working on plans to clean up litter in the Township.

ADJOURNMENT

MOTION of Mr. Cusatis, seconded by Mr. Speece, the meeting adjourned at 9:30 P.M.

Respectfully Submitted,

Laurie Getz
Township Secretary