

MINUTES
EXETER TOWNSHIP BOARD OF SUPERVISORS MEETING
MONDAY, AUGUST 10, 2020

Public Meeting

A Regular Meeting of the Exeter Township Board of Supervisors held virtually was called to order on Monday, August 10, 2020 at 7:02 PM by David Speece, Chairperson.

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

Absent: None

Others in Attendance: Jeff Bartlett, Township Manager
Clarence Hamm, Highway Superintendent
Laurie Getz, Township Secretary
Wendell Morris, Chief of Police
Joseph Rogosky, Great Valley Consultants, Township Engineer
Elizabeth Magovern, Hartman Valeriano Magovern & Lutz, P.C.
Beth Lutz, Hartman Valeriano Magovern & Lutz, P.C.
Thomas F. Oeste, Buckley, Brion, McGuire & Morris, LLP.

REGULAR MEETING

The Meeting was opened with the Pledge to the Flag.

MOTION of Mr. Cusatis seconded by Mr. Staub, the Board UNANIMOUSLY APPROVED adjourning the August 10th, 2020 Board of Supervisors Regular Meeting.

The meeting reconvened at 7:05PM.

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.

John Carmello; Questioned whether the appointment of a Chief Administrative Officer was redundant, asked if there is additional financial compensation involved.

David Hughes; Commented on the Right to Know Report, does not believe the report is accurately reflecting activity. It does not show pending requests. Commented on the Monthly Golf Report, finds the report to be misleading. Not demonstrating all expenses, would like a full picture to be given. Commented on the William Scotsman lease agreement, thinks it should go out to bid because it might get the township

MINUTES OF AUGUST 10, 2020 BOARD OF SUPERVISORS

a better deal.

REGULAR APPROVALS

Minutes – July 27, 2020

MOTION of Mr. Cusatis seconded by Mr. Galtere, the Board UNANIMOUSLY APPROVED the July 27, 2020 Board of Supervisors Meeting Minutes.

Disbursements – July 27, 2020

Ms. Savage explained that a question was raised regarding the \$41,880 tax bill being paid for the Promenade Shopping Center. The Promenade is a taxable property. We already paid County tax during the discount period; we are now paying the Exeter School District tax during the discount period.

MOTION of Mr. Staub seconded by Mr. Cusatis, the Board UNANIMOUSLY APPROVED payment of the bills presented on the Disbursement List dated August 10, 2020 in the amounts of \$199,332.53 in the General Fund; \$1,050.00 in the Utility Fund; \$77,330.51 in the Fire Fund; \$3,300.00 in the Capital Expense Fund; \$1,162.50 in the Sewer Fund; \$15,540.00 in the Golf Fund; \$424.55 in the RCC F&B Fund; \$41,880.34 in the Promenade Fund; \$780.00 in the WWTP Sale Proceeds; \$66,745.65 in the State Liquid Fuels Fund.

Update from Representative Chrissy Houlahan's Office

Kurtis Miller, on behalf of Representative Houlahan's Office; Mr. Miller gave a brief presentation on behalf of Rep. Houlahan on the work she has been doing in Washington, D.C. Rep. Houlahan is the US Representative covering Exeter Township. Mentioned that their office is there to help our residents, the township has contact info for their office. Their website is Houlahan.house.gov.

UNFINISHED BUSINESS

Monthly Right to Know Report - July

Mr. Speece explained that the report is posted to the website for public review. **Mr. Bartlett** stated that this report demonstrates the new requests received within the month. In response to the earlier public comment, the report was not requested by the Board to include pending responses. The purpose of the report was simply to track how many responses are received in any given month. The Administration would update the format of the report if desired by the Board, though it could result in a quite lengthy report.

Mr. Cusatis agreed that the intent of the report is to track how many requests are received in a month. Not necessarily to track responses. Does not see a need to update it.

Mr. Speece asked about a specific update requested last month in regard to a noise ordinance RTKR. **Mr. Bartlett** stated that he looked into it, for some reason it had been missed inadvertently but it has since been taken care of. **Mr. Speece** asked if a list exists demonstrating pending requests. **Mr. Bartlett** responded that we do have that list internally.

MINUTES OF AUGUST 10, 2020 BOARD OF SUPERVISORS

Ms. Kircher stated that she believes that it is her right as a supervisor to receive information printed for her rather than looking at the website. She likes to keep documents on paper.

Mr. Galtere asked about RTKR that are currently pending. **Mr. Bartlett** responded indicating that some are given 30-day extensions due to the nature of the requests. **Mr. Galtere** thanked the administration for the improvement seen in shortening overall response rates.

Mr. Staub stated he wouldn't be opposed to another report demonstrating what is still pending. **Mr. Bartlett** stated that he would prepare the report.

Mr. Cusatis asked the Solicitor if there is any recourse to frivolous RTKR, those who are abusing the system. **Ms. Kohl** responded stating that right now there is not.

Monthly Golf Report – July

Mr. Staub stated that for the budget process next year he would like to see the policies and procedures taken a look at. Would like to see less verbiage, more numbers. For the golf report, as far as he is concerned there have been many charges he doesn't think should be included. Would like to set the budget up the way we want to see it for 2021. Feels the course is performing very well given that it was shut down for an extended period.

Mr. Galtere asked about the snack shack employees, where are they reflected in the report. **Ms. Savage** responded stating that they are reflected in the Pro Shop section. **Mr. Galtere** would like to consider how to set it up so that the expenses are reflected in areas that make it easier to see the performance. **Ms. Savage** responded that some changes can be made but there are accounting principles that must be followed.

Discussion on Community Park

Mr. Staub explained that we are working on setting up a meeting to discuss with the Exeter School Board and the Borough of St. Lawrence. Would like to hold off on this discussion until that meeting can be held. **Mr. Hamm** mentioned that there has been some vandalism at the park since the last meeting, our storage shed has been broken into again.

This item was tabled until the meeting can be held.

NEW BUSINESS

Consider Adopting Amendment to Code of Ordinances, Chapter 257 Entitled “Noise”

Chief Morris stated that it is his opinion that this is an enforceable ordinance the way that it is written.

Ms. Kircher stated that she would feel better if the new solicitor reviewed it before it was adopted.

Mr. Galtere stated he feels we should rely on the professionals, and he believes Atty. Oeste did a good job and is the expert on the subject.

MINUTES OF AUGUST 10, 2020 BOARD OF SUPERVISORS

MOTION of Mr. Cusatis seconded by Mr. Galtere, the Board APPROVED adopting amendment to Code of Ordinances, Chapter 57 entitled “Noise”.

Ms. Kircher opposed.

Attorney Oeste left the meeting following this item.

Consider Adopting Amendment to Chapter 390 of the Zoning Ordinance, Revising Telecommunications Related Uses in the Zoning Districts

MOTION of Mr. Galtere seconded by Mr. Cusatis, the Board UNANIMOUSLY APPROVED Adopting Amendment to Chapter 390 of the Zoning Ordinance, Revising Telecommunications Related Uses in the Zoning Districts.

Consider Adopting Amendment to Chapter 390 of the Zoning Ordinance, Adopting a Design Manual for Certain Telecommunications Facilities

MOTION of Mr. Galtere seconded by Mr. Cusatis, the Board UNANIMOUSLY APPROVED Adopting Amendment to Chapter 390 of the Zoning Ordinance, Adopting a Design Manual for Certain Telecommunications Facilities.

Approve Advertisement Seeking Bid Proposals for the Butter Lane Culvert Project

Mr. Rogosky explained that this project has been ongoing, involves work at the intersection of Prospect and Butter Lane. The culvert is in poor shape, the Township has been coordinating with the proper utility companies and just recently the necessary easements were finalized for the project. We are now ready to move into the next phase.

MOTION of Mr. Staub seconded by Ms. Kircher, the Board UNANIMOUSLY APPROVED Advertisement Seeking Bid Proposals for the Butter Lane Culvert Project.

Appointment of the Township Manager as the Chief Administrative Officer

Mr. Bartlett explained that this appointment is traditionally made at the reorganization meeting held each January. This position was not appointed this year as the Township Manager position was vacant. Administration is asking that the position be appointed to the Township Manager position, rather than appointing to an individual.

MOTION of Mr. Galtere seconded by Mr. Cusatis, to appoint Jeff Bartlett as Chief Administrative Officer. The motion was amended prior to final vote.

Ms. Savage explained that it was a recommendation by our pension advisor to appoint this role to a position, rather than to an individual to avoid having to reappoint in the future.

AMENDED MOTION of Mr. Galtere seconded by Mr. Cusatis, the Board UNANIMOUSLY APPROVED appointment of Township Manager as Chief Administrative Officer.

MINUTES OF AUGUST 10, 2020 BOARD OF SUPERVISORS

Consider Approving Renewal of Lease Agreement with William Scotsman, Inc.

Mr. Bartlett explained that this lease agreement is for the modular trailer that is being used for the additional space in the Police Department. It is a three-year lease, and in his opinion, it is unlikely that plans for the Promenade Shopping Center should it involve moving township facilities to that location will take close to or longer than three years. It is his recommendation that this lease be agreed to at this time. The current lease will expire soon so this is a time-sensitive matter.

Mr. Staub asked if it's possible to do a shorter lease and what pricing would be.

Chief Morris explained that the pricing is the same for a two-year versus a three-year. **Mr. Staub** suggested going with the two-year option. **Ms. Kircher** asked what it would cost to purchase it rather than lease. Suggested it could be used as a command center, or in a park, or for storage. **Chief Morris** stated that the purchase option was explored previously, and it was around \$80K. **Ms. Savage** clarified that this modular unit is not easily mobile, it is stationary.

Ms. Kircher stated she would prefer to see the price before making a motion. **Mr. Cusatis** confirmed that Chief Morris stated that the price is the same for two-years versus three-years.

MOTION of Mr. Cusatis seconded by Mr. Galtere, the Board APPROVED renewal of Lease Agreement with William Scotsman, Inc. for a term of two years.

Ms. Kircher is opposed.

DEPARTMENT REPORTS

Joe Rogosky, Township Engineer, Great Valley Consultants: Provided update on the Hilldale Storm Sewer project, proceeding but have encountered some utility conflicts despite having designed the project to avoid as many as possible. Hoping to have the issues resolved shortly. Next step would be to ask the Board for authorization to advertise. Update on streets discussed at the July 13th meeting that the township needs to reaffirm or re-ordain these streets to alleviate taxes being paid by certain entities within the township. That project is ongoing.

Elizabeth Magovern, Solicitor; Thanked the Board for the appointment for their firm to serve as Solicitor.

Wendell Morris; Police Department: Discussed protest that took place this past Sunday. About 90-or so participants marched from the High School to the Township Building with a police escort. There were counter protestors, but overall it went smoothly. Thanked the fire police, fire department, and EMS for their assistance, as well as township staff.

Clarence Hamm; Highway Department: Discussed the storm that caused significant damage and downed trees in the township, spent a lot of time cleaning up after that. The culvert on Neversink at Trout Run required 40 tons of base material to repair the sides that washed out due to flooding.

MINUTES OF AUGUST 10, 2020 BOARD OF SUPERVISORS

Continuing to work on park improvements, project at Mountain Park is underway. Discussed the phone tower on township property previously leased by Windstream, it sustained significant damage recently and he would like to determine who owns it and have it removed. The Board generally agreed with having it removed by whoever owns it. **Mr. Speece** asked if the township has been fully restored to power. **Mr. Hamm** stated that it is still being worked on by the electric company.

Jeff Bartlett, Township Manager: Clarified insurance discussion relating to the Promenade from the last meeting. The property is covered by the Township's general liability insurance, it is the buildings itself that cannot be reinsured. Did receive petitions this afternoon from individuals requesting that the Board reconsider the time period being given to the tenants to vacate. Clarified that the least agreements do provide for 60-day notice to vacate. They are being given that 60-days at a minimum. Recommend extending the notice to vacate to 90-days

Mr. Staub stated that he wants to make sure everyone is covered, would assume that the businesses have insurance to cover themselves. Would not like to see this extend into the colder months.

Mr. Galtere stated that he wants to make sure he understands what liability we might have by doing this. **Mr. Bartlett** explained that the property is insured as a whole, the renters have their own insurance covering their belongings. The structure itself is just not insured separately at this point. **Mr. Hamm** stated it would be good to get the water shut off before the cold months.

MOTION by Mr. Galtere seconded by Mr. Cusatis the Board UNANIMOUSLY APPROVED extending the notice to vacate to 90-days.

Discussed KCBA status on feasibility report. Meeting took place with the staff and surveys have been distributed to each department for completion.

Discussed the Cable Franchise Agreement, is his understanding that a town hall meeting was held previously on this matter but the agreement has not yet been signed. Is suggesting that because in-person meetings cannot be held at this time the administration will put together an FAQ document to the public and will open up for questions in order to answer the public's concerns about this item so we can move towards an agreement.

Laurie Getz, Parks Department: Discussed the recent recommendation made by the Wolf Administration that fall sports be postponed to at least January 2021 due to COVID-19 concerns. Discussed that many collegiate level fall sports have been cancelled, and many surrounding areas organized sports have experienced positive COVID tests resulting in cancellations postponed seasons, including Exeter. The administration and the Board to this point have generally erred on the side of caution, and followed the Governor's recommendations. Asking for guidance from the Board as there are teams seeking to hold fall sports on township property.

Discussion ensued regarding PIAA, they have not made a decision yet. There is not much information available at this time. Many schools have already cancelled. The Board asked that this matter be brought back before the Board at the next scheduled meeting for a final decision.

PUBLIC COMMENT – General Comments

*Public comments were submitted in advance of the meeting via email and voicemail. The e-mail

MINUTES OF AUGUST 10, 2020 BOARD OF SUPERVISORS

comments were dictated by computer software.*

David Hughes; Commended the Police Department for their work this past Sunday. Thanked on behalf of the community those officers who gave up personal time to help.

Glenn Hoover; Discussed the minutes, stated that he would like to see reasons for objections documented along with the notation that the vote was a negative vote. Asked about the pending insurance claims for the Reading Country Club, would like to make sure that these don't fall through the cracks. Feels it's important that these be followed up on because it is a lot of money that the township is entitled to.

Mr. Speece responded indicating that generally discussions surrounding issues and objections are reflected in the minutes. Is aware of the insurance claims, but will have Mr. Bartlett provide an update in the near future on the status of outstanding insurance claims. He can also contact Mr. Hoover directly.

SUPERVISOR REPORTS

Ms. Kircher: Nothing to report.

Mr. Cusatis: Thanked the police department for their work on Sunday. Commended the students for the way they handled the march. It was great to see them exercising their first amendment rights the way that they did. Proud of the township, police force, and the students.

Mr. Galtere: Agreed with Mr. Cusatis, thought it was really positive. There were some exchanges between the two groups, but overall it was productive.

Mr. Staub: Thanked the police department. Is working on arranging a sit down with the new Superintendent to form a working relationship between the township and the school board.

Mr. Speece: Welcomed Ms. Magovern and Ms. Lutz. Commended the Highway Department for all the storm cleanup, and the police department.

ADJOURNMENT

MOTION of Mr. Cusatis, seconded by Mr. Galtere, the meeting adjourned at 8:37 PM.

Respectfully Submitted,

Laurie Getz
Township Secretary