

MINUTES
EXETER TOWNSHIP BOARD OF SUPERVISORS MEETING
JANUARY 12, 2004

A Regular Meeting of the Exeter Township Board of Supervisors was held on Monday, January 12, 2004, at the Township Hall, 4975 DeMoss Road, Reading, Berks County, Pennsylvania. Lachlan MacBean, Chairman, called the Meeting to order at 7:02 P.M., with the following in attendance:

SUPERVISORS

Lachlan MacBean, Chairman
Dr. Christ L. Ganas, Vice Chairman
Dona L. Starr
Lisa M. Ciotti
Dave F. Barbieri

OTHERS IN ATTENDANCE

Troy S. Bingaman, Manager/Secretary/Treasurer
John A. Hoffert, Jr., Esquire, Solicitor
Gerard A. Radke, Chief of Police
Cheryl A. Franckowiak, Zoning/Assistant Code Enforcement Officer
Paul A. Herb, Wastewater Treatment Superintendent
Clarence D. Hamm, Highway Superintendent
Terry L. Francis, Fire Marshal
Joseph I. Seltzer, III, Parks & Recreation Superintendent
Joseph P. Rogosky, P.E., Great Valley Consultants

The Meeting was opened with the Pledge to the Flag.

PUBLIC COMMENT

THOMAS HOWELL, 4970 Hafer Road, felt a very important statement was left out of the December 22nd Minutes regarding Dr. Ganas not reimbursing the Township for his wife's 2002 convention expenses until Mr. Howell said something in November. Mr. Howell stated he had a verbatim transcript of his comments and asked the Minutes be corrected to include them. The Solicitor and Mr. MacBean stated nothing verbatim had to go into the Minutes. Mr. Howell then passed photos around of the two damaged police cars stating there were no comments in the newspapers about them and felt the Township should do a thorough job of investigating what happened. Mr. Howell also felt the brick & mortar structure did not meet PennDOT regulations, had not heard from anyone and would only wait so long.

DONNA POWELL, 1350 Pineland Road, stated she was very concerned about two things. She stated she came here to say hello to Joe Seltzer and to bug the Police Chief because in the four years she has lived in the Township, she had somehow gotten to know 23 of his Police Officers. She objected to a Burning Permit costing \$250 stating she had 5 acres of property in a rural area and felt an exception should be made in the cost so she could burn her brush without paying a large fee. She also stated she wrote a letter to the D.E.P. asking them not to approve the grant the Township had applied for because she did not like what the result would be.

MINUTES OF DECEMBER 22, 2003 MEETING

MOTION by Dr. Ganas, seconded by Ms. Ciotti, to approve the minutes of the December 22, 2003 meeting as amended on Page 4 under "Exeter Golf Club Estates Phase V", changing the word "rugs" to "property". Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

MINUTES OF JANUARY 5, 2004 REORGANIZATION MEETING

MOTION by Dr. Ganas, seconded by Ms. Ciotti, to approve the minutes of the January 5, 2004 reorganization meeting as presented. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

DISBURSEMENTS

MOTION by Dr. Ganas, seconded by Mrs. Starr, to approve for payment the bills presented on the Disbursement Lists dated December 26, 2003 and January 9, 2004 in the amounts of \$345,796.58 in the General Fund; \$4,008.49 in the Utility Fund; \$730,485.11 in the Sewer Fund; \$1,800.00 in the Library Escrow Fund; and \$2,624.70 in the State Fund. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

TREASURER'S REPORT

MOTION by Dr. Ganas, seconded by Ms. Ciotti, to accept the Treasurer's Report dated December 31, 2003 and file the same for audit. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

INCOMING AND OUTGOING COMMUNICATIONS were submitted and are available for public inspection in the Township Office

DEPARTMENT REPORTS

The Engineering, Highway, Police, Park & Recreation, Fire Marshal and Wastewater Treatment Monthly Reports, and reports of scheduled activities for the week of January 12, 2004, were submitted for the Board's review.

Mrs. Powell, from the audience, interjected there were 2 wild dogs running around the Township for the last 4 months. She stated they have bitten people, other dogs and horses; they run at Daniel Boone Homestead and have been seen at Fegley's. She asked anyone who saw them to report them to the Animal Rescue League. Mrs. Starr asked for a description, however, Mrs. Powell did not have an exact one.

UNFINISHED BUSINESS

AUTHORIZE ADVERTISING:

ORDINANCE ADOPTING AMENDED ZONING MAP

MOTION by Mr. Barbieri, seconded by Mrs. Starr, to authorize advertising an Ordinance adopting the amended zoning map. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

LIBRARY WORKSHOP MEETING/SEWER AUTHORITY INTERVIEWS

MOTION by Ms. Ciotti, seconded by Dr. Ganas, to authorize advertising a workshop meeting with the Library Officials for January 21, 2004 at 7:00 P.M. and Sewer Authority Interviews on January 21, 2004 at 6:30 P.M. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

APPROVE MEMORANDUMS OF AGREEMENT FOR TEAMSTER'S CONTRACT

MOTION by Ms. Ciotti, seconded by Mr. Barbieri, to approve the Memorandums of Agreement for the Teamster's Contract and authorize the execution of the same. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

AUTHORIZE POSTING OF POLICE OFFICE MANAGER POSITION

MOTION by Ms. Ciotti, seconded by Mr. Barbieri, to authorize posting the position of Police Office Manager. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

NEW BUSINESS

APPOINT REINSEL & COMPANY – 2003 TAX COLLECTOR AUDIT

MOTION by Ms. Ciotti, seconded by Dr. Ganas, to Appoint Reinsel & Company to complete the 2003 Tax Collector Audit for an amount not to exceed \$4,250 (split with the School District). Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

MILLER COMMERCIAL SUBDIVISION EXTENSION OF TIME

MOTION by Ms. Ciotti, seconded by Mr. Barbieri, to accept the ninety (90) day extension of time for the Miller Commercial Subdivision to April 30, 2004. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

SOLICITOR'S REPORT

BLEISATH

The Solicitor stated he reviewed the memorandum from Greg Koontz regarding the Bleisath matter and felt they have slipped back to where they were at the second Hearing. The Solicitor advised, unless this situation was substantially improved by January 23rd, the Board should authorize him and Mr. Koontz to go back to the Court to ask for a Petition of Contempt.

MOTION by Ms. Ciotti, seconded by Mr. Barbieri, to authorize the Solicitor and Mr. Koontz to go back to the Court to seek a Petition of Contempt in the Bleisath matter should it be warranted. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

SANTANGELO SEWER LIEN/4907 MAYAPPLE LANE

The Solicitor stated he expected to be in receipt of a check in the amount of \$2,249.23 by the first week in February for the sewer lien on the 4907 Mayapple Lane property.

GIBRALTAR ROAD RIGHT-OF-WAY

The Solicitor stated on January 13, 2004 at 2:30 P.M. a meeting would take place with PennDOT regarding the condemnation of the property required for a right-of-way along Gibraltar Road at Route 422. He stated he had sent letters to the owners of the three properties affected. He felt there were only three properties affected due to the already existing rights-of-way. The Solicitor stated two of the property owners had contacted him and he felt they were willing to sign deeds in lieu of condemnation after an appraisal.

EXETER GOLF CLUB ESTATES

The Solicitor stated he met and reviewed with Attorney Mark Quinn, Jr. the Exeter Golf Club Estates Subdivision Application and the Constitution Avenue Extension as recommended by Great Valley Associates. He stated he crafted an Agreement with which he was satisfied. The Solicitor stated by the next meeting he would have the Acknowledgement of Easement between Mr. Filipini and Hynemann Inc., and would ask it be approved for execution.

4901 BRIARWOOD CIRCLE SHERIFF SALE

The Solicitor stated he received notice of a sheriff sale scheduled for February 6th on a property owned by Wendy and Russell Hinsey at 4901 Briarwood Circle. He stated he would be presenting a claim in the amount of \$7,459.81 for delinquent sewer bills.

SHELBOURNE ROAD ACCIDENT

The Solicitor informed the Board the Township had been placed on notice of potential litigation involving an accident on Shelbourne Road involving the death of David Moskovitz. He stated the matter would be turned over to the Township's insurance carrier.

ACT 90 SURCHARGE – SLUDGE CONTRACT

The Solicitor stated Mascaro had filed a Complaint for Declaratory Judgment Action on the Act 90 Surcharge. He asked for authority to have the appropriate documents prepared so an answer to the Complaint could be filed and a defense prepared.

MOTION by Ms. Ciotti, seconded by Mr. Barbieri, to authorize the Solicitor to prepare a response to and defense for a Complaint for Declaratory Judgment Action on the Act 90 Surcharge filed against the Township by Mascaro, Inc. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

INDIVIDUAL REPORTS

TREE LIGHTING CEREMONY

The Parks and Recreation Superintendent stated approximately 1,000 pounds of food were collected for the food pantry as part of the Tree Lighting celebration.

HATCH MARKS/ ROUTE 562 & ROUTE 422

Ms. Ciotti stated she was pleased to see the letter from PennDOT agreeing to place hatch marks at Route 562 and Route 422. She asked the Engineer when this could be done, to which he responded, it depended on weather conditions. She thanked Mr. Rogosky for staying on top of the matter.

NOTE FOR THE RECORD: The Supervisors met in Executive Session immediately after the meeting to discuss Personnel and Potential Litigation.

ADJOURNMENT

MOTION by Ms. Ciotti, seconded by Mr. Barbieri, to adjourn the Meeting. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor. The Meeting adjourned at 7:25 P.M.

Respectfully Submitted,

Troy S. Bingaman
Township Secretary