

**MINUTES**  
**EXETER TOWNSHIP BOARD OF SUPERVISORS MEETING**  
**DECEMBER 13, 2004**

A Regular Meeting of the Exeter Township Board of Supervisors was held on Monday, December 13, 2004 at the Township Hall, 4975 DeMoss Road, Reading, Berks County, Pennsylvania. Lachlan MacBean, Chairman, called the Meeting to order at 7:04 P.M. with the following in attendance:

**SUPERVISORS**

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

**OTHERS IN ATTENDANCE**

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

Absent from the Meeting: Supervisor Dave F. Barbieri  
The Meeting was opened with the Pledge to the Flag.

**PUBLIC COMMENT**

**BILL SMYERS**, from Gannet Fleming and the Sewer Authority Consulting Engineer, gave a status report on the sewer line upgrading project. He stated a D.E.P. Permit for a 15" sewer line had been received, and there was one more hurdle to cross and that was getting approval from the Army Corps of Engineers. He stated he was optimistic they would get that approval by the end of December or early January. He stated from March 1<sup>st</sup> through June 15<sup>th</sup> a construction restriction was in place due to Trout stocking season. He also stated he planned to advertise for bids from February 1<sup>st</sup> to March 1<sup>st</sup>, and construction would start in June to be completed before October 1<sup>st</sup>. He noted they had to meet the October 1<sup>st</sup> deadline for completion because a Wild Trout Restriction would be in place from October 1<sup>st</sup> through December 31<sup>st</sup>. **ANNE SCHAEFFER**, 202 Wood Lane, asked if the sewer line would be replaced on Wood Lane to which Mr. Smyers stated, they would be replacing the existing 10" sewer line with a 15" sewer line.

**THOMAS HOWELL**, 4970 Hafer Road, stated on February 9<sup>th</sup>, March 22<sup>nd</sup>, May 10<sup>th</sup>, July 12, October 25<sup>th</sup> and December 13<sup>th</sup> Mr. Barbieri missed Board meetings which Mr. Howell felt was 24% of the meetings in 2004. He stated when Mr. Barbieri was interviewed for a Supervisor position, he was asked if he could attend the meetings and he stated he could. Mr. Howell then suggested Mr. Barbieri had not lived up to his obligation and called for him to step down and make room for someone who could attend all the meetings. Mr. Howell felt Engineering should be outsourced, and singled out two Township employee salaries projected for 2005. He stated in 2001, the Chief of Police made \$63,998 and in 2005 his salary would be \$88,530 which was a 38% increase; and Highway Superintendent Clarence Hamm earned \$56,071 in 2001 and he would earn \$110,000 in 2005 which was a 96% increase. (Both of which are an incorrect analysis of the 2005 budget)

**ANNE SCHAEFFER**, 202 Wood Lane, asked the Solicitor if he had heard anything from Risk Management to which he responded, he had heard nothing further. Mrs. Schaeffer stated she had been in contact with an attorney who indicated Mr. Huntzinger's case was the only one being reviewed. The Solicitor stated he would check on it this week and asked Mrs. Schaeffer to call him on Friday.

**THOMAS BROSSMAN**, 4 W. 34<sup>th</sup> Street, had several complaints. He stated his leaves had been picked up one time in November and that was the first time this had happened in over 15 years; a street sweeper should be used to clean up the streets as they looked awful; stated no one cleaned the leaves from the storm sewers near his home even after he had called repeatedly about this; and nothing had been done about the pushed up pavement caused by a lot of old trees in Reiffon. He also complained about his neighbor who used five feet of stone as his sidewalk for five months, and also had PVC pipe in place to take the water out at 36<sup>th</sup> and Romig Avenue. Dr. Ganas asked the Highway Superintendent to look into Mr. Brossman's complaints and stated the Board would get back to him.

**CHRIS JORDAN**, Reiffon Fire Company, submitted a monthly report as well as a proposal for generating capital funds for the Fire Company. He asked the Board to read the proposal and to consider supporting their efforts. He also presented the Board with an article referencing information for a Fire Tax stating, in Spring Township the Fire Tax was .5 mils, and Exeter's Fire Tax was .16 mils. Mr. MacBean asked about the billboard advertisement the Fire Company was using to sell Christmas Trees to which Mr. Jordan stated, the Fire Company got a good deal from LaMar Advertising because Reiffon provided fire protection for them. He stated they only had to pay \$125 for materials and there was no cost to rent the space.

**MINUTES OF NOVEMBER 22, 2004 MEETING**

**MOTION** by Dr. Ganas, seconded by Mrs. Starr, to approve the minutes of the November 22, 2004 meeting as presented. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**DISBURSEMENTS**

**MOTION** by Dr. Ganas, seconded by Ms. Ciotti, to approve for payment the bills presented on the Disbursement Lists dated December 13, 2004 in the amounts of \$157,839 in the General Fund; \$9,346.52 in the Utility Fund; \$103,389.66 in the Sewer Fund; \$2,659.73 in the Capital Projects Fund; \$1,355.00 in the Library Fund; \$24,759.34 in the Parks & Rec. Fund; \$529.65 in the State Fund; and \$4,066.64 in the Traffic Fund. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**TREASURER'S REPORT**

Deferred to the next meeting.

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

**DEPARTMENT REPORTS**

The Engineering, Highway, Parks & Recreation, Fire Marshal and Wastewater Treatment Monthly Reports, and reports of scheduled activities for the week of December 13, 2004 were submitted for the Board's review.

***SEALED BIDS: SLUDGE AND GRIT HAULING, AND DISPOSAL***

The following bids were submitted for Sludge and Grit Hauling, and Disposal: JP Mascaro & Sons in the amount of \$16 per ton for hauling of sludge for a total of \$208,000; \$65.62 per ton for the disposal of sludge for a total of \$853,060; \$71.99 per ton for a total of \$15,477.85 for hauling of grit and screen; \$65.62 per ton or a total of \$14,108.30 for disposal of grit and screen; and the total bid was \$1,090,646.15. Waste Management in the amount of \$24.20 per ton for hauling of sludge for a total of \$314,600; \$72.00 per ton disposal of sludge or \$930,000; \$109.80 per ton for the hauling of grit and screen for a total of \$23,607; \$72.00 per ton for disposal of grit and screen for a total of \$15,480; and the total bid amount was \$1,289,687.00.

***MOTION*** by Mrs. Starr, seconded by Ms. Ciotti, to table action and refer the bids for Sludge and Grit Hauling, and Disposal to the Wastewater Treatment Superintendent and Engineering for review. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***UNFINISHED BUSINESS***

***ADOPT ORDINANCES:***

***INTEREST RATE BASIS SWAP ORDINANCE #581 AND 2005 GENERAL OBLIGATION NOTES ORDINANCE #582***

Jamie Schlesinger, from Concord Public Finance, reviewed their General Obligation Note research stating they were there to obtain Board authorize for the execution of the Interest Rate Basis Swap when the market conditions were appropriate to do so. On the 2005 General Obligation Note Mr. Schlesinger stated seven different banks made proposals and he then presented the two best offers explaining the debt service in detail for each. The Board decided the variable rate proposal from Leesport Bank would be the best for the Township.

***MOTION*** by Ms. Ciotti, seconded by Mrs. Starr, to approve and adopt the Interest Rate Basis Swap Ordinance #581 and the 2005 General Obligation Notes Ordinance #582. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***MOTION*** by Ms. Ciotti, seconded by Mrs. Starr, to accept the variable rate proposal from Leesport Bank for the 2005 General Obligation Notes. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***APPOINTMENT OF INDEPENDENT ACCOUNTANT – 2004 AUDIT***

***MOTION*** by Dr. Ganas, seconded by Ms. Ciotti, to authorize the appointment of Reinsel & Company as the Independent Accountant/Auditing Firm to audit the financial records of the Township for the year 2004. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***AUTHORIZE ADVERTISING:***

***2005 TAX ORDINANCES & ROUTE 422 PHASE 2 IMPROVEMENTS***

***MOTION*** by Ms. Ciotti, seconded by Mrs. Starr, to authorize advertising the 2005 Tax Ordinances and the Route 422 Phase 2 Improvements. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor. Mr. MacBean noted there would be no tax increase in Exeter Township for 2005.

***DUTCH COLONY WAIVER & CONDITIONAL PLAN APPROVAL***

Mrs. Franckowiak stated the Planning Commission moved to waive the requirement of SALDO Section 5.820 for the slopes of the detention ponds subject to an approved review by GVC. She stated the Commission felt this pond would be owned and maintained privately, and would not impose difficulty on Township personnel or contractors. She stated assuming the waiver would be approved, they would be seeking conditional Final Plan Approval as there were only a few, minor items that would be addressed and reviewed by GVC before the plans were released.

***MOTION*** by Ms. Ciotti, seconded by Mrs. Starr, to waive the requirement of SALDO Section 5.820 for the slopes of the detention ponds subject to an approved review of the Dutch Colony Final Plan, and to grant Final Plan Approval, subject to all outstanding issues being resolved and approved by GVC as recommended by the Planning Commission. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***BRICKEY MUNICIPAL IMPROVEMENTS AGREEMENT***

The Solicitor stated he prepared the Brickey Municipal Improvements Agreements and was waiting for the letter of credit in the proper amount.

***MOTION*** by Ms. Ciotti, seconded by Mrs. Starr, to approve the Brickey Municipal Improvements Agreement in the amount of \$88,310.60 as recommended by the Township Solicitor. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***BRICKEY SUBDIVISION FINAL PLAN APPROVAL***

Mrs. Franckowiak stated the Planning Commission moved to recommended conditional approval of the Hubert A. Brickey Property Sketch Plan of Record as they had met all five comments in the GVC review letter.

***MOTION*** by Ms. Ciotti, seconded by Dr. Ganas, to approve the Brickey Subdivision Final Plan as recommended by the Planning Commission subject to the execution of the Municipal Improvements Agreement. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***SHELBOURNE SQUARE RE-AFFIRM FINAL PLAN AND EXECUTE MUNICIPAL IMPROVEMENTS AGREEMENT***

The Solicitor stated the letter of credit for the Municipal Improvements Agreement in the amount of \$181,297.78 for Shelbourne Square had been received.

***MOTION*** by Ms. Ciotti, seconded by Mrs. Starr, to re-affirm the Shelbourne Square Final Plan and to authorize the execution of the Municipal Improvements Agreement. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***JOINT COMPREHENSIVE PLAN***

The Township Manager stated after meeting with Glenn Knoblauch of the Berks County Planning Commission he was recommending participation in the Plan as it might be in the Township's best interest. Dr. Ganas felt this was a win-win situation and would help the Township in the future.

***MOTION*** by Mrs. Starr, seconded by Ms. Ciotti, to rejoin the Joint Comprehensive Plan and draft a letter to the County Commissioners and the Committee reflecting Exeter's desire to do so. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***NEW BUSINESS***

***TREE REMOVAL- HUNTER'S RUN OPEN SPACE***

The Highway Superintendent stated numerous requests to remove trees both on Township property and on nearby private property have been made by the property owners of adjoining properties along Gunpowder Lane in Hunter's Run. He stated the two trees that were not on Township property appear to be potential candidates for falling as they had both been struck by lightening and had visible scars. He stated two others that were on Township property did not have visible lightening scars; however the concern was that they were enormous trees in excess of 60' tall standing alone and could potentially fall. He stated the property owners felt the roots of these trees were damaged when the swale of the subdivision was being constructed. He asked the Board for its decision. Ms. Ciotti stated there was an Ordinance that prevented taking down healthy trees and she recommended just removing the damaged trees. The Board directed the Highway Superintendent to take down the damaged tree on Township property.

**SPRING TOWNSHIP MULTI-SERVICE UNIT RESOLUTION OF SUPPORT #04-25**

The Board felt a Resolution to show its support for the Spring Township Multi-Service Unit should be adopted. Mr. MacBean then described the unit.

**MOTION** by Mrs. Starr, seconded by Ms. Ciotti, to approve Resolution #04-25 in support of Exeter Township's participation in an inter-municipal cooperative project to assist other municipalities with the use of a Multi-Service Unit. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**MCGINNIS/BEAVER PLANNING WAIVER & NON-BUILDING DECLARATION**

Ms. Ciotti asked whether or not there was any down side to this, to which Mrs. Franckowiak stated, no as nothing could be build on that lot.

**MOTION** by Ms. Ciotti, seconded by Dr. Ganas, to authorize the execution of the McGinnis/Beaver Planning Waiver & Non-Building Declaration. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**AUTHORIZE APPLICATION OF ADDITIONAL COUNTY AID-EXETER ROAD**

The Township Manager recommended the Board request another \$50,000 in additional aid from the County for the Exeter Road Project as this project was going to cost the Township \$180,000.

**MOTION** by Ms. Ciotti, seconded by Mrs. Starr, to authorize application of additional county aid in the amount of \$50,000 for the Exeter Road Project. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**EXTENSIONS OF TIME: ROYAL VIEW ESTATES/SCI SERVICES, INC./PEASE RIDGE SUBDIVISION/ KERSCHNER ANNEXATION**

**MOTION** by Ms. Ciotti, seconded by Dr. Ganas, to grant extensions of time for Royal View Estates for 30 days; SCI Services, Inc. for 90 days; Pease/Pineview Ridge Subdivision for 90 days; and Kerschner Annexation for 90 days. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**ESCROW RELEASES: VALLEY RIDGE FARMS PHASE VII, RELEASE #5; COUNTRY CLUB ESTATES II-3, RELEASE #1; LAUREL VILLAGE APARTMENT COMPLEX, RELEASES #8 & #9**

**MOTION** by Ms. Ciotti, seconded by Mrs. Starr, to approve escrow releases for Valley Ridge Farms Phase VII, Release #5 in the amount of \$38,122.00 for concrete work, asphalt paving and miscellaneous; Country Club Estates II-3, Release #1 in the amount of \$43,846.00 for site preparation; Laurel Village Apartment Complex, Releases #8 & #9 in the amounts of \$76,156.75 and \$56,725.49, respectively, for earthwork, sanitary sewer, water distribution system and asphalt paving. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

**SOLICITOR'S REPORT**

**EMERGENCY & MUNICIPAL SERVICES TAXES**

The Solicitor stated he had provided for the Board a copy of the new Emergency & Municipal Services Tax which replaced the Occupational Privilege Taxes in some areas of the County. He suggested the Board look at this to consider it in the future. He stated the Board had a right to alter and amend the tax base, and suggested there might be a conflict with the school district on this matter. Mr. MacBean stated he did not know how the other Board members felt; but, the Board had made a statement it would not raise taxes this year in Exeter Township and he would not consider this at all. He felt this would be asking a person who had a job in a fast food restaurant and made little money to pay two more dollars in taxes a paycheck. The Solicitor stated he was only suggesting this as a way to impose a new tax because it was being discussed in other municipalities at this time.

***INDIVIDUAL REPORTS***

***CROSTOWN CONNECTOR/DUNHAM DRIVE***

The Township Manager felt the Solicitor's Office should review the Zoning Hearing Board's previous decision to have Dunham Drive remain a private road which was decided when the school was built. Mr. Rogosky stated that decision had to be reviewed before the Township could proceed with the Crosstown Connector. The Solicitor stated he would look into the matter, and it seemed to him that it would be inconsistent for it to remain a private drive.

***EXETER ROAD PROJECT***

The Highway Superintendent reported the Exeter Road project had finally started.

***POLICE COMPUTER PURCHASE***

The Police Chief stated he received a \$1,000 check from WalMart for the Detective Unit, and planned to use it to purchase the additional computer he had requested at a previous Board Meeting. Ms. Ciotti congratulated the Police Chief on finding a way to buy the computer. The Police Chief also stated he was able to purchase a computer and flat screen monitor for the new secretary for \$800 with rebates, which was well within the \$1200 limit the Board had placed on the purchase.

***SEWER VENT DISHES***

The Wastewater Superintendent stated the flyer was ready to be sent to the residents of the Farming Ridge area, and the sewer vent dishes were in the office ready to be picked up by the residents.

***ZONING REQUEST – SPENCER***

Mrs. Franckowiak stated a different date was needed to schedule a Public Hearing for John Spencer's petition to rezone the 26 acres of land located at Shelbourne and Rugby Roads.

***MOTION*** by Dr. Ganas, seconded by Ms. Ciotti, to advertise a Public Hearing for January 24<sup>th</sup> at 6:00 P.M. on the Spencer petition to rezone. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor.

***KUBOVCSAK HEARING***

***MOTION*** by Mrs. Starr, seconded by Ms. Ciotti, to have legal representation at the Kubovcsak Zoning Board Hearing. Motion carried with Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor, and Mr. MacBean abstained.

***EXETER TOWNSHIP NEWSLETTER***

The Board felt the upcoming newsletter was great and congratulated the Parks and Recreation Superintendent for the successful "Festival of Lights" celebration.

***TERRY L. FRANCIS RETIREMENT***

Mr. MacBean stated this was the last Board Meeting Terry L. Francis would be attending in his official capacity as Exeter Township's Fire Marshal because he was retiring. The Board and audience applauded Mr. Francis for the good job he had done for the Township.

***FESTIVAL OF LIGHTS***

Ms. Ciotti congratulated the Parks and Recreation Superintendent for the excellent job he did in producing the "Festival of Lights" celebration.

***TAX COLLECTOR COMPENSATION***

Ms. Ciotti referred to an editorial in the Reading Eagle that addressed how Tax Collectors in Berks County were compensated. She stated she wanted all to know that Exeter Township compensated its Tax Collector the appropriate way. She stated he was paid at a rate of 70 cents per bill, not by commissions based on the amount of the tax bills. She felt the Township had set an example on how a Tax Collector should get paid.

***AMBULANCE SERVICE***

Jerry End commended and thanked the Exeter Ambulance crew, and the emergency services it provided for him when he needed it during his recent medical emergency.

***DUTCH COLONY PLAN***

Dr. Ganas felt this was a strong step in the development of commercial properties in the Township that would help provide a commercial tax base for the Township. He stated it took a long time to make these things happen and he felt good that this one finally had been approved. He stated the Board was working hard at finding more commercial tax base support for the Township.

***THANKS***

Mrs. Starr thanked the Parks & Recreation Superintendent for a great "Festival of Lights" celebration and wished everyone a happy holiday. Mr. MacBean thanked the Reiffon Fire Company for the letter of appreciation it sent to the Township.

***EXECUTIVE SESSION***

The Township Manager asked for a brief executive session following the meeting to discuss personnel matters.

***ADJOURNMENT***

***MOTION*** by Dr. Ganas, seconded by Ms. Ciotti, to adjourn the Meeting. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr and Ms. Ciotti voting in favor. The Meeting adjourned at 8:22 P.M.

Respectfully Submitted,

Troy S. Bingaman  
Township Secretary