

**MINUTES**  
**EXETER TOWNSHIP BOARD OF SUPERVISORS MEETING**  
**MARCH 8, 2004**

A Regular Meeting of the Exeter Township Board of Supervisors was held on Monday, March 8, 2004, at the Township Hall, 4975 DeMoss Road, Reading, Berks County, Pennsylvania. Lachlan MacBean, Chairman, called the Meeting to order at 7:05 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, stated he agreed with a past statement made to him by Chief Radke when he said there was a man who walked this earth 2000 years ago to preach love and they killed him. Mr. Howell then stated he believed in God and fairness. He referred to various portions of the minutes, which he provides for the public, from the last meeting regarding Mrs. Powell's comments on things she was upset about and Ms. Ciotti's response to them. He felt her comments were made at a public meeting not in a courtroom. He felt Mrs. Powell was trying to explain her comments at the end of the meeting. Mr. Howell referred to Mr. Barbieri's comments in the minutes and felt Mr. Barbieri formed his opinion on the matter based only on the time he had worked with the Board and did not know all the facts. Mr. Howell stated there was a gathering at Dutch Colony, which included Ms. Ciotti, Mr. MacBean, Dr. Ganas, the Solicitor and the Police Chief, stating three supervisors together, depending on what was said, constituted a quorum. He stated it had the appearance of a conflict of interest. Mr. MacBean stated it was a social environment in a public place and business was not discussed at all. He asked Mr. Howell why he did not join them as he was there as well to which, Mr. Howell did not respond.

Mr. MacBean stated Mr. Howell had two minutes of his time left to comment and felt that everyone could read their own copy of the minutes as they were available. Mr. Howell then gave a definition of democracy and referred to a site distance issue, which he felt had not been resolved on his property.

**PEGGY MOSS**, 108 Hartline Drive, stated she attended this meeting to personally thank the Board for helping her with her situation and for taking time out of their lives to serve the people. The Board thanked Mrs. Moss for her comments.

**DONNA POWELL**, 1350 Pineland Road, complimented the current Board for doing a better job than the last Board. She also complimented the Planning Commission for buying the 100 plus acres of land along Route 562 where they now have horses. She stated she started circulating a petition for no more wells to be drilled in Exeter Township referring to the drought in the past and asked if someone would volunteer to take over the effort. Mrs. Powell complimented the Police Officers for handling a situation in which her dog was accused of biting the grandson of her former neighbors; but did not bite the child even though she paid \$700 in fines for the citations she received. She noted the neighbor was currently in jail. She asked for help because all new cars next year were to have halogen lights, and would cause people to get “shooting glasses” as she had to get so she could see to drive at night and they cost \$168. Mrs. Powell again urged residents to oppose the D.E.P. Grant because if no open burning was allowed, it would force the local farmers out. Mrs. Powell stated malpractice information was available from her for anyone who wanted to help the doctors and dentists in Exeter Township.

**MARK SAUNDERS**, 317 Forest Hill Circle, stated he was attending the meeting to follow up on the mosquito problem and as he arrived, he was handed a copy of a proposed Mosquito Ordinance. He thanked Mrs. Franckowiak for her attention to this problem. He stated Aaron Clauser, who replaced Ryan Zerbe at the Conservation District, has a program established to treat known mosquito areas; but, was concerned for other problem areas that might arise. He asked, should residents have any problems, who they should contact to follow up. Mrs. Franckowiak replied they could call the county and Mr. MacBean stated the Exeter Engineering Department would work with the county as well.

**KHIEM NGUYEN**, 99 Linree Avenue, thanked Ms. Ciotti and Mr. MacBean for their assistance regarding his water problems at the last meeting. He stated after some thought, he wanted to revisit the three suggestions made to address the water problems. He stated, first, an additional pond could be added to be used as a secondary source for diverting the water; second, Mr. Rogosky could review the current drainage system; and third, a deferment could occur. He suggested the problem should be dealt with where they were trying to build now in the next phase, rather than diverting the water. He stated water was still coming up to his deck and asked how the water would drain in the future. He also felt the option to expand the pipe should not be considered as it would impede his ability to use his property the way he wanted to use it if there was water on it. He then referred to Ms. Ciotti’s rationale regarding calculations, and felt they were nice, however they were not always an accurate representation of what would happen. He wanted to make sure all the options were looked at and he wanted a drainage plan for his property in writing so he would have some recourse should the problems occur in the future. He asked for the Board’s help. Mr. Rogosky clarified the reason the developer’s engineer came to the last meeting was to request a waiver for a property they wanted to build on, not for Mr. Nguyen’s property. Mr. Nguyen stated he understood why they were asking for the waiver, however, gravity would force the water downward from that property which was higher than his, and an overflow of water one summer would create a mishap on his property. He stated his purpose for coming to the meeting was to prevent any future problems. Mr. Nguyen felt the builders were meeting the requirements; but, there would be a cause and effect from their actions. He felt focusing on the individual issue could cause missing out on the big picture. Mr. Rogosky felt Mr. Nguyen should wait for the presentation by the developer’s engineer.

**HENRY FILIPINI**, the developer of Exeter Golf Club Estates, stated retention was planned two years ago. He stated the previous owners never maintained the drainage pipe or the wetlands, causing the problems. He informed Mr. Nguyen, as the owner of the property, he was responsible to clean out the pipe and maintain the wetlands. Mr. Filipini, in addressing the Board, stated he had met all the requirements he was required to meet when developing the property, and he was tired and frustrated with the complaints of the residents of that community. Mr. Nguyen asked to rebut his comments and to the Board stating, everything Mr. Filipini said was correct; but, felt the people in that community would not have been complaining for two years unless they had cause to complain. Mr. Filipini interrupted stating the people who bought the first group of houses he built did not want the second group of houses built. He stated he had been building in Exeter Township for 17 years and could see a change in attitude to *I live here now and I do not want anybody else to live here*. He felt that thinking had to stop. Mr. MacBean felt Mr. Nguyen had come here to speak and invited him to continue.

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Mr. Nguyen stated both the previous owner and he had not been complaining about this for two years. Mr. Nguyen stated Mr. Filipini's feelings about the residents giving him a heartache by objecting to his building more homes and preventing him from making more money were not correct because the point was the problems had not yet been solved. Mr. Nguyen felt if Mr. Filipini wished to build more homes he had to take into account the problems members of that community were experiencing. Mr. Nguyen stated, personally, he did not object to others coming to live here and felt the Board should focus on the bigger picture instead of addressing each issue, one at a time.

**CYNTHIA NESBITT**, 87 Linree Avenue, stated her home was in Phase IV of Exeter Golf Club Estates and asked who was going to pay for installing the booster pump to cure the water pressure problems and if it would affect anyone other than Phase V residents. She stated her water pressure problems caused her not to be able to use water in one place in her home without it affecting water pressure in another. The Board felt that was a PA Water Company problem. Mr. Filipini stated that matter was being resolved with the water company and he was paying for the booster pump. He stated the water company determined the size of the pipe installed in Mrs. Nesbitt's home was not correct and it was the contractor's responsibility, not his. Mr. Barbieri, Mrs. Starr and Mr. MacBean asked who the builder was to which Mrs. Franckowiak stated, it was Grande Builders. Mrs. Nesbitt felt low water pressure problems were occurring throughout the development. Mr. MacBean asked about the specs for the houses and who was responsible for overseeing the plumbing inspections. He suggested the Township should look into this because the wrong size pipe might be in Mrs. Nesbitt's home. The Solicitor stated this was not the developer's problem and emphasized Mr. Filipini had met all the Township's requirements for that phase of Exeter Golf Club Estates and the Township could not ask him to do more than he was required to do. Mr. MacBean felt if the right pipe was not put in the first time, it should be corrected within Mrs. Nesbitt's home.

**CHARLES DOUGLAS**, 370 Fairview Chapel Road, presented to the Board pictures of some of Mr. Mascaro's properties. He specifically mentioned the parcel on Route 562 across from the Stonersville Fire Company and stated trash also had been placed at the location of the old Mascaro sign. Mr. Douglas then referred to properties on Route 82 that had trash on them and felt trash-filled properties took away from the neighborhood. The Board questioned exactly where on Route 82 the properties were to which Mr. Douglas stated, about ½ mile from the bridge. Mr. Douglas asked the Board to keep in mind this company had been excused from paying certain taxes and bought properties with no intention of using them. He felt the Board should talk to him and have the truck removed from the Route 562 property. Mr. Douglas was directed to file a formal complaint form to be consistent with Township policy.

**GLENN HOOVER**, 131 S. Center Road, asked for permission to speak and stated he took Mr. Douglas' complaint about the various properties the corporation had purchased to Mr. Mascaro and gave the Board a copy of a schedule for demolition. He stated he vigorously complained to Mr. Mascaro about how they were maintaining their properties and within two days, they had cleaned up several properties. He also complained about a tractor trailer with steel in it sitting along side the road that he thought was very dangerous and they moved it. He stated he would make them aware of Mr. Douglas' complaint about the truck.

**MINUTES OF FEBRUARY 23, 2004 MEETING**

**MOTION** by Dr. Ganas, seconded by Ms. Ciotti, to approve the minutes of the February 23, 2004 meeting as amended on Page 7 to replace the name "Mrs. Smith" with "Mrs. Starr" under the Police Vehicle Motion. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**DISBURSEMENTS**

**MOTION** by Dr. Ganas, seconded by Ms. Ciotti, to approve for payment the bills presented on the Disbursement Lists dated March 5, 2004 in the amounts of \$157,094.14 in the General Fund; \$4,293.17 in the Utility Fund; \$3,500 in the Capital Expense Fund; \$113,964.28 in the Sewer Fund and \$1,093.00 in the State Fund. Motion carried with Mr. MacBean, Dr. Ganas, Ms. Ciotti and Mr. Barbieri voting in favor, and Mrs. Starr voting in favor except for Check #52161 from which she abstained.

**MOTION** by Ms. Ciotti, seconded by Mrs. Starr, to release the check to Nancy Saidis assuming the library was satisfied it had received all the information from her. 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 February 29, 2004 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 March 8, 2004, were submitted for the Board's review. The Parks and Recreation Superintendent asked the Board to review the newsletter and contact him with any comments so it could be sent to the printer tomorrow.

**SIGN APPEAL – LAMAR ADVERTISING**

This portion of the meeting was deferred due to James Lillis, Esquire, representing Lamar, being unable to attend the meeting. Deferred to March 22, 2004.

**SEALED BIDS:**

**2004 ASPHALT & STONE**

Bids were received from: Dyer Quarry, EJB Paving & Materials Co. and Eastern Industries with bid bonds in place.

**MOTION** by Ms. Ciotti, seconded by Mr. Barbieri, to refer all bids to the Highway and Engineering Departments for review and recommendation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**2004 TRAFFIC LINE PAINTING**

Bids were received from: A-1 Traffic in the amount of \$14,289.50; Denville Line Painting in the amount of \$22,780.08; Interstate Road marking in the amount of \$14,861.08; and Ross Industries in the amount of \$21,148.46 with all bid bonds in place.

**MOTION** by Ms. Ciotti, seconded by Mr. Barbieri, to refer all bids to the Highway and Engineering Departments for review and recommendation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**2004 INTERSECTION MARKINGS**

Bids were received from: A-1 Traffic in the amount of \$6,085.00; Alpha Space Control in the amount of \$7,290.00; Berks Traffic & Line Painting in the amount of \$9,250.00; Denville Line Painting in the amount of \$26,350.00; Interstate Road Marking Corporation in the amount of \$5,790.00 and Ross Industries, Inc. in the amount of \$6,140.00 with bid bonds or a certified check in place.

**MOTION** by Mr. Barbieri, seconded by Ms. Ciotti, to refer all bids to the Highway and Engineering Departments for review and recommendation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**2004 RALUMAC**

Bids were received from: Dosch King for 80,000 S.Y. in the amount of \$95,200.00; E.J. Breneman Inc. for 60,000 S.Y. in the amount of \$72,862.57; Asphalt Paving Systems for 60,000 S.Y. in the amount of \$66,900.00 with all bid bonds in place.

**MOTION** by Ms. Ciotti, seconded by Mrs. Starr, to refer all bids to the Highway and Engineering Departments for review and recommendation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**2004 FUELS**

One Bid was received from: Automotive Services in the amount of 1.259 for regular unleaded; 1.319 for premium; 1.146 for diesel; and 1.126 for #2 fuel oil, with a bid bond in place.

**MOTION** by Ms. Ciotti seconded by Dr. Ganas, to refer the bid to the Highway and Engineering Departments for review and recommendation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**2004 LIQUID PROPANE**

One Bid was received from: Penn Fuel Propane in the amount of 1.0463 per gallon for a total of \$31,389.00 with a bid bond in place.

**MOTION** by Ms. Ciotti, seconded by Dr. Ganas, to refer the bid to the Highway, Engineering and Wastewater Departments for review and recommendation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**AWARDING OF CONTRACT:**

**2004 –05 GRASS MOWING**

**MOTION** by Mr. Barbieri, seconded by Ms. Ciotti, to award the 2004 – 2005 Grass Mowing Contract to GMS Landscaping in the amount of \$39,480 including Options A1 through G2. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**UNFINISHED BUSINESS**

**ADOPT TAXPAYER BILL OF RIGHTS ORDINANCE #566**

**MOTION** by Ms. Ciotti, seconded by Mr. Barbieri, to adopt Ordinance #566 known as the Exeter Township Taxpayer Bill of Rights. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**PALECEK COMMERCIAL FINAL LAND DEVELOPMENT PLAN**

**MOTION** by Ms. Ciotti, seconded by Dr. Ganas, to approve the Palecek Commercial Land Development Final Plan in accordance with the recommendation of the Planning Commission. Motion carried with Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor, and Mr. MacBean opposed.

**EXETER GOLF CLUB ESTATES PHASE V**

C.J. Levan, from SB, reviewed the Exeter Golf Club Estates Phase V Final Plan for the Board stating they were adding an extra pond and maintaining flow control of the water. He clarified for the Board and Mr. Nguyen where the water shed draining occurred and where the storm water swale would drain water across adjacent residents' property. He explained how the two-year water flow was reduced to below the one-year, and the five-year was reduced to equal the two-year water flow. Ms. Ciotti asked how long it would take for the water to drain to which Mr. Levan answered, 24 hours. He then answered Mr. Barbieri's question stating the size of the new pond would be 150 feet by 50 feet wide at the bottom, and the lot would be 1/4 acre. Mr. Levan stated he had been to Mr. Nguyen's property several times, explained what he saw occurring on the land with the wetland basin and stated the pond could be fixed easily. He stated the rip-rap on the property had filled with sediment as the water ponded up over the years and started spilling over, raising the elevation of the land. He stated so much sediment had collected that grass was growing on it. He stated instead of the water

overtopping where it was, it was now overtopping at 6” to 8” higher causing the flooding of Mr. Nguyen’s property as the water slowly crept up to the deck of his house. Mr. Levan stated the solution to his problem under the D.E.P. regulations, which stated the property owner would be exempt from going through a D.E.P. permitting process, would be to eliminate built up sediment on the crest of the pond. He felt the property owner was responsible for this. Mr. Levan felt it would cost \$2,000 to lower the crest elevation and eliminate the problem. Mr. Levan stated the problem was not a complex one and could easily be fixed. Mr. Levan then explained why they were requesting a waiver for Phase V. He stated the Township Ordinance required the flow of water be reduced from a two-year storm event to a one-year storm event and they had gone above and beyond that on the side of the ground in question. He stated they could redirect the ridge line and they still would not meet the one inch requirement. He stated in order to meet the regulation, they would have to cut down trees and put a one inch pipe in that area which would clog up and there would be no one to take care of it. Ms. Ciotti asked Mr. Levan to indicate on the Plan where the waiver areas were. Mr. Levan indicated the five areas and noted he had eliminated several proposed houses as requested. He stated he could meet the Ordinance requirements if he cut down a number of trees in several areas; but, felt that would not be a desirable alternative. He stated the reason he came to the Board was to ask in which direction it wanted him to go. He felt the waiver was a better solution than cutting down all those trees. He added, to meet the Ordinance, he would have to do a 15% reduction and he could only meet a 10% reduction in water flow.

**MOTION** by Ms. Ciotti to grant the waiver request. Mr. Nguyen asked that he be heard before the Board voted on granting the waiver request to which Ms. Ciotti agreed. Motion died for a lack of a second. Mr. Nguyen stated the piece of land upon which the development stood was one whole piece of land even if it was being developed in sections, and the portion of the land currently being considered for development was at a higher elevation than his land causing the water to go downhill onto his property. He felt, with all the water coming his way, if he did not dig out the crest of the pond every year, it would overflow. He stated he was a lay person and they could not expect him to know how much and where to dig. He stated the problem would remain no matter who owned the property. He also felt the additional pond would be within his property line. Mr. Nguyen asked him to realize if the pond was not on his property, it would be on someone else’s property and it would have to be maintained every year. Mr. Levan stated Mr. Nguyen had to maintain the wetland; but, maintenance would not be required every year, only every three years. Mr. Levan suggested lowering the rip-rap to prevent the overflow. Mr. Barbieri suggested for \$2,000 Mr. Filipini should do exactly what Mr. Nguyen wanted and then he would get Mr. Barbieri’s affirmative vote on the waiver.

**MOTION** by Mr. Barbieri to grant the waiver if Mr. Filipini would solve Mr. Nguyen’s problem. Mr. Nguyen interrupted stating he wanted to continue speaking. Motion died for a lack of a second. Mr. Barbieri reminded Mr. Nguyen he was a Supervisor, and as such, he could continue speaking, then asked Mr. Levan if that would solve Mr. Nguyen’s problem to which Mr. Levan stated, it would. Mr. Barbieri asked if Mr. Levan would be willing to put that in writing to which Mr. Levan stated he would put it in writing. However, Mr. Nguyen asked for how long to which Mr. Barbieri stated, forever because he was going to take it down to a height so when it built up with sediment, the water level would be well below the level where it would overflow.

Mr. Nguyen asked if Mr. Filipini would come down and fix the problem if the pond overflowed to which Mr. MacBean suggested, Mr. Nguyen was asking too much. Mr. Barbieri stated the importance of working with neighbors, and suggested Mr. Filipini was Mr. Nguyen’s neighbor. Mr. Barbieri stated Mr. Filipini was giving him a solution and Mr. Nguyen should accept the solution. Mr. Nguyen began to speak, however, Mr. Barbieri stated he had made a motion. Mr. Nguyen interrupted and continued to argue insisting they were fixing only one problem. Mr. Filipini stated Mr. Nguyen would be killing the wetlands with his request and he was not going to let those wetlands die. He stated they could pipe the water around the property. Mr. Nguyen insisted they were diverting water from one side of the land in Phase V to his side to which almost everyone concerned stated, that was not the case.

Ms. Ciotti suggested Mr. Nguyen should listen to what was being said. She stated what the Ordinance required was post construction, less water was to be coming off the land than pre construction. That would be accomplished in two metered ways. She stated there would be a pond with metered flow that could not send anymore water onto Mr. Nguyen's land than currently existed and, in fact, would send less water. She stated Mr. Levan was asking for a waiver for the other side of the land and if the waivers were not granted they would have to cut down more trees, which she found objectionable, or a pond had to be put in, which would cause more problems. Ms. Ciotti stated Mr. Levan offered an explanation and a solution to the problem that Mr. Nguyen was resisting. Ms. Ciotti felt the two professional engineers in the room thought it was a solution and she did too. She felt Mr. Nguyen was trying to prevent Mr. Filipini from developing that property however, he had met all the Ordinances except for the back part of the property and that was what they wanted the waiver for. She felt Mr. Nguyen was mixing two separate issues. She stated his was not a Township problem, and while the Board and engineers were trying to help him, he was continuing to resist them. Mr. Nguyen stated what troubled him was the calculations they were using to which Ms. Ciotti stated, she understood what he was talking about; but, if their calculations turned out to be wrong they would be accountable to the Township and would be required to make the adjustments.

Mr. Nguyen continued to make his case with a prolonged statement and asked for a third opinion. Mr. Barbieri suggested Mr. Nguyen stepped over the line by asking for a third opinion because Mr. Levan, as a professional engineer, was putting his license on the line when he gave his opinion and asking for a third one was unacceptable. Mr. Rogosky stated in addition, the calculations were reviewed by Great Valley Consultants and were found to be correct. Mr. Nguyen continued to speak; but, Mr. Barbieri stated the debate was over and asked for a motion. Mrs. Starr asked how the people on Pennsylvania Avenue would be affected by the waiver, to which Mr. Levan stated the situation for them would improve. Mrs. Nguyen stated she wanted to make sure the sediment problem would not get worse during construction and afterward, and needed help to understand how the wetlands should be maintained. The explanation was again given by Mr. Levan. Mr. Filipini stated he would take responsibility for the wetlands as long as they were dedicated back to him understanding that people would not be qualified to maintain them. He reiterated he would not allow the wetlands to die and the property owners had a responsibility to maintain them by manually adding water during the dry summer months.

**MOTION** by Ms. Ciotti, seconded by Mr. Barbieri, to grant the waiver request for Exeter Golf Club Estates Phase V, provided Mr. Filipini correct the drainage problem at the 99 Linree Avenue property owned by Mr. Nguyen by eliminating the built up sediment on the crest of the pond to lower the elevation. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**MOTION** by Ms. Ciotti, seconded by Mrs. Starr, to grant approval of the Exeter Golf Club Estates Phase V Final Subdivision Plan subject to the conditions in the GVC letter of February 23, 2004 being addressed. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

### **NEW BUSINESS**

#### **AUTHORIZE ADVERTISING:**

#### **AMENDED SEWER ORDINANCE, SALE OF WATER REEL & VECTOR CONTROL ORDINANCE**

**MOTION** by Ms. Ciotti, seconded by Dr. Ganas, to authorize advertising an Ordinance amending the current Sewer Ordinance #367; the sale of the Water Reel & the Vector Control Ordinance. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

#### **PROMOTION OF POLICE OFFICERS**

**MOTION** by Dr. Ganas, seconded by Ms. Ciotti, to promote Matthew Harley and Craig Downs to Patrolman First Class, in accordance with the recommendation of the Chief of Police, effective March 11, 2004. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**APPROVE ADVANCE OF FIRE POLICE TRAINING FUNDS**

**MOTION** by Ms. Ciotti, seconded by Mrs. Starr, to approve the Advance of Fire Police Training Funds conditioned upon the return of receipts and the return of any unused funds. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**EXTENSIONS OF TIME: HUBERT BRICKEY, ROYAL VIEW ESTATES, MEISTER SUBDIVISION, WAHL SUBDIVISION & F R & S GAS TO ELECTRIC POWER PLANT**

**MOTION** by Dr. Ganas, seconded by Ms. Ciotti, to accept the Extensions of Time for Hubert Brickey (90- days), Royal View Estates (90-days), Meister Subdivision (90-days), Wahl Subdivision (60-days) and F.R. & S. Gas to Electric Power Plant (60-days). Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**TEMPORARY ADJOURNMENT – EXECUTIVE SESSION**

**MOTION** by Dr. Ganas, seconded by Ms. Ciotti, to temporarily adjourn the meeting to discuss personnel matters. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor. The Meeting temporarily adjourned at 9:34 P.M.

**RECONVENE** the Meeting reconvened at 9:52 P.M.

**APPROVAL OF 6-MONTH LEAVE OF ABSENCE – KAREN LINCOLN**

Chief Radke stated Officer Karen Lincoln's sick leave was running out and asked the Board to approve extending it by 6 months. The Board agreed.

**MOTION** by Ms. Ciotti, seconded by Mr. Barbieri, to approve a 6-month leave of absence for Karen Lincoln in accordance with Article XIX of the Police Contract. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**NON-UNION FOREMAN POSITION**

**MOTION** by Mrs. Starr, seconded by Mr. Barbieri, to authorize advertising for a non-union highway foreman position. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**LAMAR BILLBOARD LITIGATION**

**MOTION** by Mrs. Starr, seconded by Mr. Barbieri, to refer the Lamar Advertising Complaint to the Township's Insurance Carrier for representation and a defense. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

**SOLICITOR'S REPORT**

**EXETER GOLF CLUB ESTATES PHASE V ACCESS AGREEMENT**

The Solicitor stated an access agreement for an easement must be executed in accordance with the Plan of Record.

**INDIVIDUAL REPORTS**

**2004 STRONG WASTE SURCHARGE RESOLUTION #04-08**

**MOTION** by Mr. MacBean, seconded by Mr. Barbieri, to approve the 2004 Strong Waste Surcharge Resolution #04-08. Motion carried with Mr. MacBean, Dr. Ganas, Mrs. Starr, Ms. Ciotti and Mr. Barbieri voting in favor.

***KAREN LINCOLN***

Dr. Ganas felt the Board did the right thing by granting Karen Lincoln a 6-month leave as she was an outstanding Police Officer. On behalf of the Board, he wished her a speedy recovery and hoped she would be back on the Force as soon as she was able.

***PIONEER CROSSING AIR CLEANING DEVICE APPLICATION***

Mrs. Starr reminded the Board of the 30-day period available for commenting on Pioneer Crossing's application for Plan Approval to Install an Air Cleaning Device. She stated the 30-day commenting period began upon receipt of the public notice by county and local municipalities, and comments should be directed to the PA D.E.P.

***ADJOURNMENT***

***MOTION*** by Dr. Ganas, seconded by Ms. Ciotti, 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 9:56 P.M.

Respectfully Submitted,

Troy S. Bingaman  
Township Secretary