

**ROBESON TOWNSHIP BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**August 17, 2010**

The Regular Meeting of the Board of Supervisors of Robeson Township was called to order by Vice-Chairman Love at 7:04pm prevailing time. The meeting took place in the Robeson Township Municipal Building located on Route 724 in Gibraltar, Berks County, Pennsylvania. The following members of the Board were present: Supervisors Brown and Deeds, Jr.; Chairman Feeg & Supervisor Rhuda were absent. Also in attendance were Engineer Gary Kraft, Solicitor Christopher Hartman, Police Chief Mark T. Phillips, Interim Road Master David Wicklein and Manager Thomas C. Keim.

**Pledge to the Flag and Moment of Silence**

**POLICE**

**Bike Race** – Chief Phillips noted the Bike Race is scheduled for Sunday, September 12, 2010 from 7:00AM to 3:00PM. Due to the Hay Creek Festival being held the same weekend, Chief Phillips will be seeking assistance from Gibraltar Fire Company and noted that Geigertown Fire Company can not assist. There are 13 intersections that need to be manned. Supervisor Brown stated he will discuss this with Gibraltar Fire Chief Kachel and will let Chief Phillips know the outcome. Chief Phillips stated he may only be able to provide 3 Police Officers; he will get his cost analysis to the Manager as soon as possible.

**Other** – Chief Phillips stated he and Manager Keim attended a meeting regarding County Wide Safety and that radio frequencies throughout the County will change (by 2013). Robeson Township's equipment will most likely not work with the new equipment (ie, the radios may not match up). The cost of new radio's could be \$3,000.00 to \$5,000.00 per unit; this will also affect fire & ambulance associations. Also noted, the County is funding the "change-over" but not for municipal equipment; bids should be back to the County by mid-October. Chief Phillips will keep the BOS apprised of the situation.

**Amendment to Traffic Ordinance (Parking)** – Chief Phillips stated he will contact Attorney Bethany Emkey to discuss the Amendment to Traffic Ordinance (Parking).

**Complaint** – Solicitor Hartman reported on a complaint received regarding a resident on Cedar Hill Road. Dyer Quarry rents the property to SharpVisions, a company that provides residential and vocational support for people with challenging disabilities. The residence is occupied by one "support employee" and one "challenged" individual; the unit(s) occupied by SharpVisions are permitted uses by right. Solicitor Hartman stated the 12 calls for the Police Department have been for this residence only and the plan is to relocate the "challenged" individual. Mr. Hartman recommended monitoring the situation and take any action to Dyer Quarry; he will also send the complainant a letter regarding the above.

**ROADS, CODES, PUBLIC PROPERTY**

**2010 Labor Day Parade** – Permission to enter 2007 Freightliner (RSVP by 8/27/10) – Supervisor Deeds moved to authorize Mr. Bare to enter (@ no cost to the Township). Following a second by Supervisor Brown, the motion passed unanimously. Solicitor Hartman stated he would like confirmation from the Township's insurance carrier that this would be covered. Manager Keim will follow up.

**Authorization to attend 14<sup>th</sup> Annual Mini Trade Show** - FREE (10/7/10) - Supervisor Deeds moved to authorize the Road Maintenance Workers to attend. Following a second by Supervisor Brown, the motion passed unanimously.

**Report regarding Costars, Eastern Industries & Silver Hill Quarry pricing of Type B Premix Cold Patch & UPM Cold Patch** – Interim Road Master Wicklein spoke with a rep at Eastern Industries; they are Costars participants. Kathy Farrell was directed to prepare a letter to Eastern Industries from Mr. Wicklein stating Robeson Township wants to participate.

**Bids for Cold Patch** – Last month the bids for cold patch were tabled in order to determine if Eastern Industries & Silver Hill Quarry participate in Costars. Since Robeson Township can participate with Eastern Industries via Costars, the bids for cold patch bids were unanimously rejected upon a motion by Vice-Chairman Love that was seconded by Supervisor Deeds.

**Furnace Road** – Mr. Wicklein reported the Furnace Road project is complete except for line painting.

The meeting was taken out of order to address agenda item 8A.

**Adopt Resolution #10-22 for removal of tree at Ziegler property on Westley Road** – reviewed and unanimously approved upon a motion by Supervisor Deeds that was seconded by Vice-Chairman Love. Manager Keim will draft a letter to Mr. & Mrs. Ziegler; Kathy Farrell will prepare an affidavit of receipt to be executed by Mr. and / or Mrs. Ziegler upon receipt of the letter & a certified copy of Resolution #10-22 which will be hand delivered by Crew Leader Lanza.

**Conrad Violation** – Solicitor Hartman took this opportunity to explain the violations and the meeting with Mr. Conrad. Mr. Conrad will be removing another vehicle tomorrow and the next day. Joe Boulanger of Kraft Code Services (KCS) reported to Mr. Hartman that the trailer was removed from the Old River Road property and 3 have been removed from the Golf Course Road property.

**Termini Complaint** – Solicitor Hartman stated it is in the BOS discretion to schedule a Hearing next month and that KCS should give notice to the owner to clean up the property. The BOS unanimously agreed to authorize KCS to send a letter to the property owner to comply with Robeson Township Ordinances upon a motion by Supervisor Deeds that was seconded by Vice-Chairman Love. Kathy Farrell will convey this information to KCS.

### **CITIZENS CONCERNS**

Dave Wolfe requested the BOS consider enacting a property maintenance Ordinance.

Harold Steve asked about the condition of the “trail” and the problem with patterns of use as well as use by undesirables. He was told a bicycle is being supplied to the Robeson Township Police Department by the Schuylkill River Greenway Association. Solicitor Hartman stated because the use is pre-existing, the Township can not regulate it’s use.

### **APPROVE PAYMENT OF BILLS**

Bills for the period of July 17, 2010 through August 13, 2010 were reviewed and unanimously approved upon a motion by Supervisor Deeds that was seconded by Vice-Chairman Love.

### **MINUTES**

Minutes of the Supervisors Workshop of July 15, 2010 and Regular Meeting of July 20, 2010 were reviewed and unanimously approved upon a motion by Supervisor Brown that was seconded by Supervisor Deeds.

### **APPROVAL OF REPORTS**

The Treasurer’s Summary, Sewer Report, Road & Building Reports, Police Report & Geigertown FC for July 2010 were reviewed and approved upon a motion by Supervisor Deeds that was seconded by Vice-Chairman Love. It was duly noted that there are outstanding reports from the Gibraltar FC for the months of May, June & July 2010 and Geigertown FC for May 2010.

### **PLANNING & ENGINEERING**

**Gruber: Glass Subdivision** - conditional approval – Engineer Kraft stated this plan was conditionally approved by the PC subject to the septic system on lot 1 being inspected by the SEO and a verification letter relative to the non-building waiver being completed, signatures on the plans and an agreement for the shared driveway. Discussion followed regarding Solicitor Hartman’s review of the plan as well as a note on the plan of the Yoder / Mohn Subdivision from which this plan is derived. The BOS will need to review requirements for the placement of a private street sign that must be posted (David Wicklein will look into pricing of necessary materials & sign), an escrow amount will need to be determined by the BOS & Solicitor until the annexation is recorded. Supervisor Deeds moved to conditionally approve the plan based upon Engineer Kraft’s comments as noted above. Following a second by Vice-Chairman Love, the motion passed unanimously.

**Opperman Subdivision** – This subdivision was approved several years ago however improvements for construction of a drainage swale & sewer lateral construction were not completed. Mr. Opperman told the Municipal Authority that he plans to complete the improvements before the end of August when his escrow expires. To date, the improvements have not started. Engineer Kraft suggested action should be considered to authorize Solicitor Hartman to claim the funds required to complete the work if needed. Supervisor Deeds moved to authorize Engineer Kraft to contact Mr. Opperman about completion of the work and to authorize Solicitor Hartman to draw on the Letter of Credit as needed. Following a second by Vice-Chairman Love, the motion passed unanimously.

**Eshelman Subdivision** waiver request - This property is located at the corner of Morgantown & Chestnut Hill Roads. A waiver was requested from having to submit a land development plan due to this project being construction of a graded area for outdoor sales for an existing use on the property; a land development plan has

already been approved for the existing property. Earth disturbance approval has been received from the County Conservation District. The PC granted the waiver subject to completion of stormwater planning, updating the *Plan of Record*, adding landscaping at the storage area and maintaining a clear sight triangle at the intersection. Supervisor Deeds moved to grant the waiver request based upon the conditions as noted in Engineer Kraft's review letter. Following a second by Vice-Chairman Love, the motion passed unanimously.

**Roadwork Projects Update** – No date has been set yet for work to begin on Old River Road.

**Gibraltar Park - Parking Lot Expansion Project** – Manager Keim was able to get stone donated from 2 quarries. Engineer Kraft recommended Robeson Township solicit bids for haulers to move the stone from the quarries to parking area at Gibraltar Park. Supervisor Deeds suggested these bids be available to local haulers and moved to authorize bids to be solicited from local haulers, not advertised. Following a second by Vice-Chairman Love, the motion passed unanimously.

### **SOLICITOR**

**Resolution In Opposition to Forced Local Government Mergers** – Following a brief overview of the Bills before the House & Senate, Solicitor Hartman suggested a Resolution be adopted by the Township. Supervisor Deeds moved to direct Kathy Farrell to prepare the Resolution for adoption at the Board of Supervisors September meeting. Following a second by Vice-Chairman Love, the motion passed unanimously.

**Stormwater Coalition** - If interested in joining, the Cost-Sharing and Cooperation Agreement must be adopted by Ordinance (#10-06) enactment. Therefore, a motion to authorize the Solicitor to advertise Ordinance (#10-06) for enactment at the September BOS Meeting would be necessary. Supervisor Deeds moved to authorize advertisement of the Ordinance. Following a second by Supervisor Brown, the motion passed unanimously.

**Utility Easement Agreement** with Shawn Myrick for connection to new Township building on Boonetown Road. Vice-Chairman Love moved to authorize Manager Keim & Solicitor Hartman to negotiate with Mr. Myrick's attorney, Timothy Bitler, for a utility agreement across Mr. Myrick's property. Solicitor Hartman recommended further discussion during Executive Session.

**Tax exemption application** - update on Boonetown Road property; Solicitor Hartman is seeking forgiveness for school taxes for July 2010 – June 2011 and also noted that a request for refund has been filed with the Tax Assessment Office.

**DEP Letter** – Disposal of Commonwealth Property – Aqueduct @ Indian Corn Creek. After discussion regarding the "Aqueduct" property, Supervisor Deeds moved to reject the offer from DEP. Following a second by Vice-Chairman Love, the motion passed unanimously. Manager Keim will send a letter to DEP.

### **FINANCE**

**Adopt Resolution #10-21 – 2011 MMO Pension Obligation** – Supervisor Deeds moved to adopt the MMO Resolution. Following a second by Vice-Chairman Love, the motion passed unanimously.

**Authorization for Sean Goheen (elected Auditor) to attend training class (\$80.00)** - Supervisor Deeds moved to authorize Mr. Goheen to attend the class. Following a second by Vice-Chairman Love, the motion passed unanimously.

**Dyer Quarry** – Donation received in the amount of \$50,000.00 – Reviewed.

**Review Tentative Budget Meeting Dates** – The BOS reviewed tentative dates for the 2011 Budget Meetings and selected the following dates to hold those meetings:

Tuesday, September 28, 2010 at 7:00PM  
 Monday, November 8, 2010 at 7:00PM  
 Tuesday, November 9, 2010 at 7:00PM  
 Tuesday, November 23, 2010 at 7:00PM  
 Tuesday, November 30, 2010 at 7:00PM  
 Monday, December 13, 2010 at 7:00PM

Vice-Chairman Love moved to authorize Kathy Farrell to have those dates advertised. Following a second by Supervisor Deeds, the motion passed unanimously.

**OTHER**

**Reaffirm Authorization to send Letter of Support to BCPC re Joint Comprehensive Plan** – Supervisor Deeds moved to reaffirm the decision made by the BOS at their Workshop Meeting authorizing Manager Keim to send the letter. Following a second by Vice-Chairman Love, the motion passed unanimously.

**2010 Berks County Assn. of Township Officials Convention** (RSVP to Kathy Farrell) – for review.

The BOS recessed to **Executive Session** @ 9:15PM upon a motion by Supervisor Deeds that was seconded by Vice-Chairman Love. The BOS reconvened @ 10:20PM.

Vice-Chairman Love moved to accept Mr. Iannelli's letter of retirement effective August 31, 2010. Following a second by Supervisor Deeds, the motion passed unanimously.

Supervisor Deeds moved to authorize Manager Keim & Solicitor Hartman to expend up to \$1,500.00 for the Utility Easement over the Myrick property on Boonetown Road. Following a second by Vice-Chairman Love, the motion passed unanimously.

The BOS unanimously adjourned at 10:21PM upon a motion by Supervisor Deeds that was seconded by Vice-Chairman Love.

Respectfully Submitted,  
Kathleen C. Farrell,  
BOS Recording Secretary