

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
November 16, 2010

The Regular Meeting of the Board of Supervisors of Robeson Township was called to order by Chairman Feeg at 7:01pm 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 Love and Deeds; Supervisor Rhaua was available by telephone and Supervisor Brown joined the meeting at 7:08PM. Also in attendance were Engineer Gary Kraft, Solicitor Christopher Hartman, Chief of Police Mark T. Phillips, Road Master David Wicklein and Manager Thomas C. Keim.

Pledge to the Flag and Moment of Silence

Tom Unger of System Design Engineering briefed the BOS concerning the Act 537 Plan (Plan) that was submitted to DEP and stated the H₂O Grant was put on hold. Mr. Unger will be submitting a letter to DEP to affirm items at their request. Following DEP's acceptance, the Plan must be adopted by Resolution.

Chairman Feeg made a motion to approve the Inter-Municipal Agreement Addendum with East Pointe. Following a second by Supervisor Deeds, the motion passed unanimously

POLICE

Hold Harmless Agreement – Cacoosing Gun Club - Chief Phillips stated Robeson Township's Police Department has been invited to use the facility located on Ridgeway Road for a shooting range and qualification. Chief Phillips request permission from the BOS to write the HHA and forward to Solicitor Hartman for opinion. Supervisor Love moved to grant Chief Phillips request. Following a second by Supervisor Deeds, the motion passed unanimously.

Chief Phillips also reported on an incident that occurred on Old River Road when a 13' 4" high truck struck and pulled down the electric service to a home. The BOS directed Manager Keim to contact the Township's insurance carrier for advice.

ROADS, CODES, PUBLIC PROPERTY

Authorization to Attend LTAP Class – Work Zone Traffic Control – 1/12/11 – Supervisor Deeds moved to authorize the Road Maintenance Department to attend the LTAP Class. Following a second by Supervisor Love, the motion passed unanimously.

Conrad Hearing – Solicitor Hartman explained the proceedings that would take place and called the Hearing to order at 7:33PM regarding the property on Old River Road. Code Enforcement Officer Joseph Boulanger was sworn by Stenographer, Roxanne Weaver of Computerized Reporting Services, Inc. Exhibits were marked and Mr. Boulanger reported that Mr. Conrad (who did not attend the hearing) has not kept up with the schedule that was agreed upon. Solicitor Hartman recommended to the BOS they make findings of fact, which he will prepare and issue to Mr. & Mrs. Conrad giving them 30 days to comply with Ordinance #84-21. Should Mr. & Mrs. Conrad not comply with Ordinance #84-21 within 30 days, a complaint will be filed with the District Justice.

Supervisor Love made a motion to order the clean up of the property as noted. Following a second by Chairman Feeg, the motion passed unanimously. Solicitor Hartman stated he will proceed to issue the written order as approved by the BOS and concluded the hearing at 7:57PM.

The meeting was taken out of order to address Solicitor Agenda item "C"

Authorize Advertisement of CZIP Ordinance #10-08 – Solicitor Hartman noted changes have been made as requested by the BOS. Supervisor Rhaua moved to authorize the advertisement. Following a second by Supervisor Love, the motion passed unanimously.

Supervisor Rhaua was released from participating in the meeting (via telephone). The meeting resumed in Agenda order.

CORRESPONDENCE

Letter from County of Berks, Department of Emergency Services – reviewed. Following discussion, Engineer Kraft stated he will assist by obtaining a copy of the Robeson Township tax map for the Emergency Management Coordinator in an effort to get the required information to the County.

CITIZENS CONCERNS

Harold Steve requested the BOS regulate hours of use on the Thun Trail. Chairman Feeg stated the trail covers several municipalities and Robeson Township can not designate hours. Solicitor Hartman noted this request

would require further investigation of the Township's rights under Article XXII, §2203(c) with relation to regulating hours of operation of the Schuylkill River Greenways Trail. Supervisor Brown moved to authorize Solicitor Hartman to pursue the investigation. Following a second by Supervisor Deeds, the motion passed unanimously.

APPROVE PAYMENT OF BILLS

Supervisor Deeds moved to pay bills for the period of October 16, 2010 through November 12, 2010. Following a second by Supervisor Brown, the motion passed unanimously.

MINUTES

Minutes of the Supervisors Workshop of October 14, 2010, Regular Meeting of October 19, 2010 and Budget Meeting of November 9, 2010 were reviewed and unanimously approved upon a motion by Supervisor Deeds that was seconded by Chairman Feeg.

APPROVAL OF REPORTS

The Treasurer's Summary, Sewer Report, Road & Building Reports, Police Report, Gibraltar Fire Company & Geigertown FC Reports for the month of October were reviewed and approved upon a motion by Supervisor Deeds that was seconded by Supervisor Love.

PLANNING & ENGINEERING

Birdsboro Pharmacy Land Development – Preliminary / Final – Accept Final Plan withdrawal – consider one step request - Engineer Kraft discussed the proposed development noting it has been changed to do away with retail units. The new plan submittal depicts one retail building and improvements as well as the stormwater facilities being moved from Birdsboro Borough to Robeson Township. The PC approved the withdrawal of the previous final plan and agreed to consider the newly submitted plan for one step review; they recommended the BOS do the same. Supervisor Love moved to authorize the plan review and accept the withdrawal of the previously submitted Final plan. Following a second by Supervisor Brown, the motion passed unanimously.

Quaker Ridge Subdivision phase V – Planning module review – Adopt Resolution #10-34 – Supervisor Deeds moved to adopt the Resolution and forward to the appropriate parties. Following a second by Chairman Feeg, the motion passed unanimously.

Gibraltar Estates Subdivision – Applicant presentation – Brian Focht of VanCleaf Engineering discussed the proposed plans and waiver requests for §507.N.1 (regarding private streets), §507.D.1 (maximum number of lots on cul-de-sac street), and §507.D.6 (maximum length of cul-de-sac street). The Board discussed the status of the Home Owner's Association Documents and Solicitor Hartman advised the Board that draft documents cannot be finalized until the exact scope of improvements is finalized. Supervisor Deeds moved to grant the requests. Following a second by Supervisor Brown, the motion passed unanimously.

Killian Woods Lot 2 Resubdivision – reaffirm plans – Supervisor Deeds moved to reaffirm the plans. Following a second by Supervisor Love, the motion passed unanimously.

Oak Grove Subdivision – Correspondence from residents from October 7 meeting – Engineer Kraft reported on concerns and status of the Oak Grove Subdivision.

Gibraltar Park Parking Lot Project – authorize change order for barriers – Engineer Kraft reported the work at the Gibraltar Park Parking Lot is progressing and it appears that the item for overcut of the subgrade is not required which will save money. Dyer Quarry donated additional aggregate; due to this donation, parking barriers can be purchased and still keep the total cost under \$25,000. Mr. Kraft suggested the Board approve a change order in the amount of \$5,100 for purchase & installation of the barriers. Supervisor Love moved to authorize the change order; following a second by Supervisor Deeds, the motion passed unanimously.

929 Zion Road Driveway - The residents at 929 Zion Road have again requested permission to install a second driveway along their frontage due to safety reasons. The BOS reviewed their request in September 2009 and denied their request for a second driveway. The BOS previously agreed with Engineer Kraft's recommendation that the proposed second driveway location is the more appropriate location due to limited sight distance at the present driveway location but required the closure of the current driveway. Removal of the current driveway access removes the current deficient driveway and is consistent with current Township Ordinances limiting the number of driveways for individual properties. Engineer Kraft recommended the BOS approve their previous decision to allow the second driveway. Supervisor Brown moved to allow Mr. & Mrs. Pegler to build the new driveway provided the old driveway be gated and used only for special deliveries. Following a second by Supervisor Deeds, the motion passed unanimously.

SOLICITOR

Enact EIT Ordinance # 10-07 – Supervisor Deeds moved to enact the Ordinance. Following a second by Chairman Feeg, the motion passed unanimously.

Adopt Resolution #10-33 – Establishing Extension of Development Related Fees Under Act 46 – Following review of the proposed Resolution, Solicitor Hartman will edit the document as discussed and will include administrative fees; this will be before the BOS at their next meeting for action.

Boonetown Road Easement – Solicitor Hartman stated this will be addressed during Executive Session.

SEWER

Reaffirm Memorandum of Understanding for Cedar Hill Estates Trunkline, etc. – The BOS unanimously reaffirmed the MOU upon a motion by Supervisor Deeds that was seconded by Chairman Feeg.

FINANCE

Adopt Resolution #10-28 – Creation of Line Item #355-200 Police Overtime Reimbursement; Adopt Resolution #10-29 – Creation of Line Item #354-060 Schuylkill Highlands Grant; Adopt Resolution #10-30 - Creation of Line Item #400-801 Schuylkill Highlands Project; Adopt Resolution #10-31 – Creation of Line Item #402-200 Sick Pay Buy Back – Fiscal Assistant; Adopt Resolution #10-32 – Creation of Line Item #430-600 Sick Pay Buy Back – Road Maintenance Workers – Supervisor Deeds moved to adopt the Resolutions as noted. Following a second by Chairman Feeg, the motion passed unanimously.

OTHER

Term Expirations – Reviewed; the BOS directed the Robeson Township sign be changed to allow the public to know there are Board vacancies.

Letter of Interest for Planning Commission Vacancy – Reviewed. Supervisor Brown moved to have the vacancies advertised on the Township website and sign. Following a second by Supervisor Deeds, the motion passed unanimously.

Review, Approve & Authorize Advertisement of Township Meeting Schedule – Supervisor Deeds moved to approve and advertise the 2011 meeting schedule. Following a second by Supervisor Love, the motion passed unanimously.

The BOS recessed to **Executive Session @ 9:56PM**, reconvened and unanimously adjourned @ 10:16PM upon a motion by Chairman Feeg that was seconded by Supervisor Deeds.

Respectfully Submitted,
Kathleen C. Farrell,
BOS Recording Secretary