

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
December 21, 2010

The Regular Meeting of the Board of Supervisors of Robeson Township was called to order by Chairman Feeg at 7:05pm 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, Brown, Deeds & Smith. Also in attendance were Engineer Gary Kraft, Solicitor Christopher Hartman, RTMA Solicitor Joan London, Chief of Police Mark T. Phillips, Road Master David Wicklein and Manager Thomas C. Keim.

Pledge to the Flag and Moment of Silence

BOS APPOINTMENT

Chairman Feeg announced that Christopher Smith was officially appointed to fill the vacant seat on the Board of Supervisors for a 1-year term (effective through January 1, 2012) at the Workshop Meeting held on December 16, 2010. Solicitor Hartman stated no official action needs to be taken at this meeting.

The meeting was taken out of order to have the **Executive Session** at 7:09PM. The meeting was reconvened at 7:38PM. Supervisor Deeds was excused from the meeting at 7:38PM.

GEIGERTOWN ACT 537 UPDATE

RTMA Solicitor Joan London addressed the following issues that were discussed at the RTMA meeting held on December 20th with regard to GAJA:

- That the households in the Geigertown area, which are the subject of the Geigertown Area Act 537 Plan, shall be customers of the Geigertown Area Joint Authority (GAJA).
- That all future connections to any pump station of the Geigertown Area sanitary sewer system shall be under the exclusive control of GAJA.
- That any connections to a public sanitary sewer system serving the area which is the subject of the Geigertown Area Act 537 Plan shall be approved by GAJA, which Authority Board is and shall continue to be comprised of residents of both Robeson Township and Union Township, in the number and proportions contained in the by-laws.
- That GAJA shall have sole and exclusive authority to grant permission for connections to the Geigertown Area sanitary sewer system, subject to availability of capacity, and compliance with sewer use regulations of the sewage treatment plant, which, currently, is the sewage treatment plant of the Birdsboro Municipal Authority.

This provision is not intended to in any way alter the authority of the two constituent Townships over land use planning or zoning, and such determinations are the exclusive discretion of the individual municipalities. This provision is for the purpose of ensuring that neither Union Township nor Robeson Township, through the use of sewer capacity, may impact land use or development in the other municipality, and to ensure equity between the parties with respect to allowance of connections.

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. He explained he discussed the indemnification agreement with the attorney for CGC, Kit Fegley. Mr. Fegley stated he would contact Solicitor Hartman to discuss the acceptance of a Certificate of Insurance from Robeson Township instead of a blanket indemnification.

Firearm Instructor Continuing Education – Low Light Instructor Training (Officer Mark E. Elliott) @ \$495.00 + \$85.00 per night for accommodations. Chief Phillips stated the training will take place on April 11 & 12, 2011 in New Hampshire; Birdsboro Police Department is also sending an Officer. No mileage will be claimed as Officer Elliott will be using a PD Vehicle. Chairman Feeg moved to authorize Officer Elliott to attend the training as stated. Following a second by Supervisor Smith, the motion passed unanimously.

ROADS, CODES, PUBLIC PROPERTY

RM Wicklein noted the Road Maintenance Department (RMD) attended the PSATS mandated Flagger Training; certificates are now mandatory for flagging and all personnel have been certified.

Mr. Wicklein also noted the RMD is working on the equipment and updating signs to high intensity.

The meeting was taken out of order to address **Agenda Item 9F - Rock Hollow Road curve signage** – Engineer Kraft recommended placement of a curve sign, a speed limit suggesting 15mph and possibly 2 chevrons. These signs would be placed to warn only southbound traffic on Rock Hollow Road. Supervisor Love moved to authorize the placement of the signs for safety purposes. Following a second by Supervisor Smith, the motion passed unanimously.

CITIZENS CONCERNS

Carol Newbury questioned the legitimacy of the property belonging to Tim Bitler pertaining to zoning for the sale of animal coops as well as cooked and uncooked foods from his driveway; does this require permitting? She was advised to submit a complaint in writing.

APPROVE PAYMENT OF BILLS

Supervisor Smith moved to pay bills for the period of November 13, 2010 thru December 17, 2010. Following a second by Supervisor Love, the motion passed unanimously.

MINUTES

Minutes of the Supervisors Workshop of November 10, 2010, Regular Meeting of November 16, 2010 and Budget Meeting of December 13, 2010 were reviewed and unanimously approved upon a motion by Supervisor Love that was seconded by Chairman Feeg.

APPROVAL OF REPORTS

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

PLANNING & ENGINEERING

Birdsboro Pharmacy Land Development – Preliminary / Final – conditional approval / escrow amount – Engineer Kraft noted the PC conditionally approved the plan subject to E&SPC approval and PennDOT Highway Occupancy Permit approval plus the other outstanding items in the engineering review and recommended the BOS conditionally approve the plan as well. Chairman Feeg moved to conditionally approve the plan subject to the outstanding items. Following a second by Supervisor Smith, the motion passed unanimously.

CZIP Zoning – Enact Ordinance #10-08 – Solicitor Hartman reported on correspondence received from the BCPC regarding their final review and stated the public comment period had expired. Also, Mr. Hartman stated that this item is open for a public hearing at this time. There being no public comment, the hearing was closed. Supervisor Smith moved to enact the CZIP Ordinance. Following a second by Chairman Feeg, the motion passed unanimously.

Plan Time Extensions thru 3/31/11 (All Expire 12/31/10) – Supervisor Brown moved to approve the time extension requests. Following a second by Supervisor Love, the motion passed unanimously.

Preserve at Geiger's Mill-Single (P)	Preserve at Geiger's Mill-Town. (P)	Bertsch Sub (P/F)
Park View Estates Sub (P)	Parkside Subdivision (P)	Birdsboro Pharmacy (F)
Gibraltar Estates (P)	Stone Ridge Subdivision (P)	Mustang Lane Subdivision (P)
Beaver Run Sub (P)	Cedar Hill Estates (P)	Quaker Ridge V Sub (P)
	Oak Grove Sub. (P)	

Plan Time Extension received without Supporting Documentation - Pheasant Run Subdivision (P) expires 12/31/10 – Due to non-receipt of supporting documentation per the Time Extension Policy adopted on April 21, 2009, the BOS granted a 1-month extension upon a motion by Supervisor Brown that was second by Supervisor Love; the motion passed on the following roll call vote:

Feeg	- Yes	Love	- Yes
Brown	- Yes	Smith	- No

Following receipt of the supporting documentation, the BOS will reconsider an extension through 3/31/11 at their next meeting.

Gibraltar Park Parking Lot – Engineer Kraft stated that following his review of the work completed and review of the hauling tonnage slips, he recommended payment for stone hauling to Willow Springs Builders in the amount of \$946.26 and Eshelman Transportation in the amount of \$1,025.46 and the lot construction contract to Plow Contractors in the amount of \$23,833.45. Supervisor Brown moved to authorize the payments as stated above. Following a second by Supervisor Smith, the motion passed unanimously.

Mr. Kraft also noted the recommendation proposes a \$1,000.00 retainage; if the \$1,000 retainage is acceptable, he recommended the BOS to release of the \$2,363.70 bond check. Chairman Feeg moved to release the bond check; following a second by Supervisor Love, the motion passed unanimously.

Evergreen Road Bridge Status – Engineer Kraft reported the layout design is 90% complete; this could be ready to discuss by April with the appraiser once winter is over.

SOLICITOR

Adopt Resolution #10-33 – Establishing Extension of Development Related Fees Under Act 46 – Supervisor Smith moved to adopt the Resolution. Following a second by Supervisor Love, the motion passed unanimously.

Adopt Resolution #10-60 - Authorizing the Reduction of Police Officers' Contributions to the Police Pension Fund. Supervisor Smith moved to adopt the Resolution. Following a second by Chairman Feeg, the motion passed unanimously.

Solicitor Hartman reviewed the Schuylkill River Greenway (SRGW) Trail Regulations noting Robeson Township does have the right to regulate by Ordinance, use of the trail after dark due to it not being lit. An Ordinance would also empower Police Officer's to enforce trail use after the trail is posted using SRGW rules. Mr. Hartman stated he will transmit a memo from Attorney Beth Auman to be circulated to the appropriate Boards. He also suggested this be presented to Cumru Township due to where the trail head is located and then both Police Departments could enforce the rules.

FINANCE

Adopt Resolution's #10-57 & #10-58 - Fixing the Various Tax Rates for 2011 - Supervisor Smith moved to adopt both Resolutions noting no tax increase. Following a second by Supervisor Brown, the motion passed unanimously.

Adopt 2011 Budget & Budget Resolution #10-59 - Supervisor Brown moved to adopt the Budget and Resolution. Following a second by Supervisor Smith, the motion passed unanimously.

OTHER

Review Insurance Quotes - Motion to Award Contract for 2011 – Following review of the insurance quotes, Supervisor Love moved to award the 2011 Contract to Richard Hart with a decrease of 1.3%; Chairman Feeg seconded the motion which passed unanimously.

RATS – Opportunity for Comment – MPO Restructuring Options – Following a brief discussion regarding the options, Manager Keim recommended the BOS select Option #4. Supervisor Brown moved to follow through with Manager Keim's recommendation. Following a second by Supervisor Smith, the motion passed unanimously.

Determine Interview Dates to Appoint PC Member – will be addressed after Reorganization in January.

The BOS unanimously adjourned @ 9:50PM upon a motion by Supervisor Smith that was seconded by Chairman Feeg.

Respectfully Submitted,
Kathleen C. Farrell,
BOS Recording Secretary