

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
March 15, 2011

The Regular Meeting of the Board of Supervisors of Robeson Township was called to order by Chairman Feeg at 7:00pm 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 Deeds & Smith. Supervisor Brown joined the meeting at 7:10PM & Supervisor Love joined the meeting at 7:14PM. 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

PUBLIC HEARING – SALDO AMENDMENT & ENACTMENT

Solicitor Hartman explained this hearing is regarding the amendment and enactment of the Subdivision & Land Development Ordinance. He noted the SALDO amendment is to bring it current and to coincide with the Zoning Ordinance that was enacted in December 2010. Solicitor Hartman opened the hearings at 7:02PM. Engineer Kraft summarized the amendments for the public. There being no public comment, Solicitor Hartman closed the hearing at 7:07PM upon a motion by Chairman Feeg that was seconded by Supervisor Smith. Chairman Feeg moved to enact the SALDO Amendment. Following a second by Supervisor Smith, the motion passed unanimously.

ROADS, CODES & PUBLIC PROPERTY

Authorization to Rent a Grader (during the summer months) – RM Wicklein stated the Roads Department is battling potholes; some of the issues are due to the shoulders being high that they are causing poor drainage and suggested renting a grader or requesting help from Brecknock Township. He stated the most important aspect is to rent a belt-loader thus eliminating extra time to clean up. Mr. Wicklein has contacted Stephenson Equipment and their price is \$7,900.00 per month + transportation charges for delivery / pick-up. Following a discussion regarding renting vs. purchasing and scheduling between Robeson & Brecknock Townships, Supervisor Brown made a motion to authorize Mr. Wicklein and 2 Supervisors to go to Penn Hazel to check belt loaders. Following a second by Supervisor Smith, the motion passed unanimously.

Review Proposed Parking & Snow Emergency Ordinance – Solicitor Hartman reviewed the proposed Ordinance. Snow Emergency Routes (SER) would be adopted separately by Resolution indicating which roads would be considered SER's that need to be maintained clear in the Township. Signs would be erected on the SER's. Supervisor Brown moved to authorize advertisement of the proposed Ordinance for enactment at the April Regular BOS Meeting. It was further noted that this Ordinance is in effect year-round. Gatherings at a residence for special occasions would be discretionary.

Schedule Road Inspections (Include 3-Way Stop Request @ Mountz & Furnace Roads) – RM Wicklein stated he contacted Eshelman Transportation to rent a van to perform the road inspections. Mr. Eshelman is willing to donate a van for use by the Township. Chairman Feeg moved to authorize the advertisement to set the date for the road inspections for Thursday, March 31st. Following a second by Supervisor Love, the motion passed unanimously. Kathy Farrell will take care of the advertisement.

KRAFT CODE SERVICES - Reports on Complaints

Conrad – Joe Boulanger reported that Mr. & Mrs. Conrad have not followed the agreement that was made. He has been given many opportunities however no progress has been made. Chairman Feeg moved to authorize Mr. Boulanger to work with Solicitor Hartman to issue a citation to the Conrad's. Following a second by Supervisor Love, the motion passed unanimously.

Cocalico Road & Timber Ridge Road – Mr. Boulanger has sent a Notice of Violation and met with the property owners. There has been no progress at either location. Several residents in attendance also complained about the properties. Supervisor Love moved to have a Public Hearing before the BOS at their Regular Meeting in April. Following a second by Supervisor Smith, the motion passed unanimously. If the property owners do not appear for the Public Hearing, citations will be issued.

Mr. Boulanger was directed to provide a monthly report regarding complaints to the BOS and to appear at the next Workshop Meeting.

Harold Steve asked if any complaints have been received about the barn located at Westley & SR 10; the tin roof has become dislodged and it flops in the wind; it will end up on the road. Mr. Steve was given a complaint form to file with the Code Enforcement Officer.

POLICE

Training Request for Sergeant Cassel (SWAT) – This request has been withdrawn due to unavailability of grant monies which include training, lodging and meals.

Review Proposed Indemnification Agreement with Cacoosing Gun Club – Solicitor Hartman reviewed information he has received from Kit Fegley, attorney for CGC, and has answered Mr. Fegley’s questions; the current form of the Agreement is satisfactory. Mr. Fegley stated he must take the Agreement to the Board of the CGC and will not have an answer for a few weeks. In an effort to progress, Solicitor Hartman suggested the BOS approve the Agreement subject to the concurrence of the GCG. Chairman Feeg moved to approve the Agreement with CGC. Following a second by Supervisor Love, the motion passed unanimously.

Supervisor Deeds moved to authorize Chairman Feeg to execute the Agreement when notification is received from CGC when approved. Following a second by Supervisor Smith, the motion passed unanimously.

Berks County EMS – Support of End User Radios – Chief Phillips reported he will contact the Fire Chief’s to meet at the next meeting at 7:00 and to have a list of radios they will require in conjunction with the proposed countywide public safety radio communications system.

Request for Assistance from Gibraltar FC for Lights & Siren Parade to be held July 23, 2011 – Chief Phillips has sent a request to PennDOT District 5 requesting a partial closing of SR 724. They will also need a letter from Gibraltar FC stating they have the required liability insurance and a letter from the Township stating the same thing. A letter has been supplied for Chairman Feeg to execute. Supervisor Brown stated that Chief Kupp had supplied a Certificate of Insurance for the parade although has not yet received one for the fireworks.

Police Services Workshop (let Tom Keim know ASAP if you plan to attend) – Supervisor Deeds moved to authorize Chief Phillips, a Police Officer, Manager Keim and any BOS member to attend at a cost of \$45.00 p/p. Following a second by Supervisor Smith, the motion passed unanimously.

NATURAL LANDS TRUST – GREEN HILLS PROPERTY ACQUISITION

Request for Letter of Support – Jack Stefferud requested a letter of support to operate the property as a nature preserve. Following a discussion regarding the property, Supervisor Deeds moved to provide the letter; following a second by Supervisor Smith, the motion passed unanimously along with a request to the NLS to try and preserve the historical house and barn on the property.

CITIZENS CONCERNS

Dave Wolfe discussed the request he put before the BOS last year to reduce the speed limit along Route 724 (Solicitor Hartman did send a letter to PennDOT). Mr. Wolfe stated he has concerns about the decision by PennDOT to not reduce the speed limit and requested this item be addressed with the new state representative. He read a letter he received from the state representative and requested the township resubmit this request in May for another study. Engineer Kraft suggested requesting a copy of PennDOT’s study for their justification. Supervisor Brown moved to authorize Manager Keim to request the documents from PennDOT. Following a second by Supervisor Love, the motion passed unanimously.

Harold Steve stated that last fall the hours of the Thun Trail were discussed and wanted to know if anyone had inquired about the hours of operation. Solicitor Hartman stated that the BOS can not take any official action to impose any new regulations. Supervisor Brown stated that the rules and regulations of the trail were to be looked in to and to review the Robeson Township Ordinance to come to a consensus to close it. Chairman Feeg stated he would get more information at the Park & Rec meeting scheduled for next week for discussion next month. Supervisor Brown stated that a copy of the bylaws or operations concerning the Trail that declare the part of the Trail in Robeson Township during certain hours have never been posted and there has never been any kind of formalization as to who will be closing the trail or if a gate would be placed. Solicitor Hartman stated that if the Township wanted to empower the Police Department or Code Enforcement Officers to enforce hours of operation on the Trail property, which is open to the public, an Ordinance could be enacted that would adopt the same regulations of the Schuylkill River Trailway’s as a Township Ordinance and that would enable enforcement to issue citations in the event of a violation of those hours of operation. Manager Keim will research that information.

APPROVE PAYMENT OF BILLS

Supervisor Smith moved to pay bills for the period of February 12, 2011 thru March 11, 2011. Following a second by Supervisor Deeds, the motion passed on the following roll call vote:

Feeg	- Yes	Love	- Yes
Brown	- Yes	Deeds	- Yes, abstained on bills for Green Hills Equipment
Smith	- Yes		

MINUTES

Minutes of the Supervisors Workshop of February 10, 2011 and Regular Meeting of February 15, 2011 were reviewed and unanimously approved upon a motion by Supervisor Smith that was seconded by Supervisor Deeds.

APPROVAL OF REPORTS

The Treasurer's Summary, Road & Building Reports, Police Report for the month of February were reviewed and approved upon a motion by Supervisor Smith that was seconded by Supervisor Deeds. Again, no Fire Reports were available and the Sewer Report for February was not available.

PLANNING & ENGINEERING

Oak Grove Subdivision – Preliminary – conditional approval – The PC recommended conditional approval in February subject to the items in Engineer Kraft’s review letter. Engineer Kraft noted that a meeting was held with the residents on Oak Grove Road and the results from that meeting are reflected on the plan. Also, text changes were suggested to the conditions in the review letter. Mr. Kraft suggested the BOS consider conditional approval of the plan subject to the items in the review letter, revised improvements as shown on the plan and the text changes incorporated. Discussion followed regarding paving and gravel surfaces, water runoff.

Supervisor Deeds made a motion to grant conditional preliminary approval subject to the Kraft Engineering comment letter dated 2/4/11 with a textual revision in paragraph 2.C.7. and the Witman off-site improvement plan with a Robeson Township Received date stamp of 3/10/11 with the first pull-out area being on the north side of the road rather than the south side of the road. Following a second by Supervisor Brown, the motion passed on the following roll call vote:

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

The next step will be to submit a final plan that would address all of the conditions and the final plan items that are listed in the Ordinance.

Edward Eby Variance Application – This variance is to put a farm feed supplement manufacturing facility on Lots 1 & 2 of the Chestnut Hill Industrial Lots Subdivision. The variances requested are 1) height for a bucket elevator @ 98 feet, 2) manufacturing assuming there would be processed water—this process does not require water; there will be a need for on-site septic, 3) extension of construction from 12 months to 3 years. Engineer Kraft & the PC recommend an extension totaling 2 years. There is no feed being handled at this site, supplements only and this will be done inside a building. Chairman Feeg moved to adopt the PC’s comments; following a second by Supervisor Love, the motion passed unanimously.

St. Benedict’s Bell Tower Planning waiver request – construction of a bell tower is planned for the front of the facility and it will take up 2 parking spaces and create approximately a few hundred square feet of impervious surface. Engineer Kraft suggested accommodating the loss of 2 parking spaces to restripe parking spaces (ie, from 10 feet to 9 feet); there are several locations where this can be done. Mr. Kraft and the PC recommend approval of the waiver request. Supervisor Deeds moved to approve the waiver; following a second by Supervisor Smith, the motion passed unanimously.

Deeds request for waiver of Land Development – Supervisor Deeds presented a plan on behalf of his son to Engineer Kraft in order to move his business from the current location on the west side of SR10 to the east side. The proposed area has a combination of paving and other impervious surface. One building will be removed and a new building would be erected. The PC recommended the waiver be approved subject to providing the required handicapped parking, providing a layout of the other required parking that may be necessary if it does not exist, required septic planning, an evaluation of the site distance from the driveways and improved site distance on-site. Supervisor Love moved to grant the waiver; following a second by Supervisor Smith, the motion passed on the following roll call vote:

Feeg	- Yes	Love	- Yes
Brown	- Yes	Deeds	- Abstained
Smith	- Yes		

Review Draft County Comp Plan Land Use Plan – Engineer Kraft reviewed the draft plan provided by the BCPC in preparation of the next 10-year County comprehensive plan and gave an overview of the color coding as follows: green areas are like R-1 zoning, pink areas are developed areas, blue areas are hazard areas (ie, flood plains), brown areas are an overlay of the Agricultural Zoning District, yellow areas are future development, orange areas are designated development which is equivalent to future development, and grey areas are open space & recreation. Comments from the PC are that the Chestnut Hill area should be shown as Industrial, not rural conservation, the GC area (orange) should be changed to future growth, the area along SR10, south from Green Hills toward Beckersville, should be future growth. Also, the area that was to be Villages of Green Hills is depicted as future development but with conservation easements on those properties there is no potential for that so the 2 properties affected by the easements should be changed to rural conservation. The properties below VGH should also be rural conservation. And the Cedar Hill Estates subdivision is shown as future growth but should be shown as designated growth. Supervisor Smith moved to authorize Engineer Kraft to forward the changes; following a second by Supervisor Brown, the motion passed unanimously.

Engineer Kraft noted that the BCPC will be having a meeting at Birdsboro Borough Hall on April 7th @ 6:30PM to go over the Draft Plan.

Plan Time Extensions (thru 6/30/11) All Expire 3/31/11 – Supervisor Love moved to grant the time extensions as requested; following a second by Supervisor Smith, the motion passed unanimously.

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

Escrow Release – C.F. Farms (Livingstone S/D) \$14,548.31 – Supervisor Love moved to authorize the release; following a second by Supervisor Deeds, the motion passed unanimously.

FEMA Notifications – Engineer Kraft noted that sometime over the next several months notices will need to be provided to property owners letting them know they are potentially impacted by the new FEMA Mapping. It is not a requirement of FEMA and DCED that property owners with reduced floodplain be notified; the requirement is to identify those property owners that are newly in the flood plain and provide notification to them.

SOLICITOR

Spring Municipal Seminar (let Kathy Farrell know if you plan to attend before 3/24/11) – Solicitor Hartman explained this seminar of no charge to the municipality. Supervisor Brown moved to authorize any Supervisor or Township employee to attend any one of the seminars. Following a second by Supervisor Love, the motion passed unanimously.

MetroPCS Conditional Use – Last month there was a public hearing held regarding MetroPCS and the Decision has been prepared and is ready for execution. Supervisor Deeds moved to authorize Chairman Feeg to execute the Decision; following a second by Supervisor Smith, the motion passed unanimously.

OTHER

Open & Award Bid for Gas Pump Card System – Manager Keim opened the bids and read them as follows:

Miniscalco Construction, LLC	\$23,599.00
Tyree Services Corp.	\$19,400.00
Hafer Petroleum Equipment, LTD	\$17,304.00
B & F Petroleum Installations, Inc.	\$10,900.00

Following discussion, Supervisor Deeds moved to refer the bids to Manager Keim for review due to the vast dollar difference and postpone the award until the April Regular Meeting; Supervisor Love seconded the motion which passed unanimously.

Authorize Advertisement for 2011 Mowing Contract – Supervisor Love moved to advertise for bids; following a second by Supervisor Deeds, the motion passed unanimously.

Authorization to Advertise for Cleaning Services (current contract expires April 2011) – Supervisor Deeds moved to authorize the advertisement; following a second by Supervisor Love, the motion passed unanimously. This cleaning contract will not include the Municipal Concession Stand.

The BOS recessed to Executive Session @ 9:35PM and reconvened @ 9:38PM to discuss Mr. MacMinn’s subdivision at his request.

Mr. MacMinn reviewed his subdivision and requested voiding the Letter of Credit that Robeson Township holds due to the current economic crisis. After much discussion, Supervisor Love moved to authorize Solicitor Hartman to work with Mr. MacMinn to determine a procedure to suspend his approved subdivision plan. Following a second by Supervisor Smith, the motion passed unanimously.

The BOS recessed to Executive Session @ 10:01PM, reconvened and unanimously adjourned at 10:36PM upon a motion by Chairman Feeg that was seconded by Supervisor Deeds.

Respectfully Submitted,
Kathleen C. Farrell,
Recording Secretary