

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
December 20, 2012

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 Public Meeting Room located at 2689 Main Street, (Route 724) in Gibraltar, Berks County, Pennsylvania. The following members of the Board were present: Supervisors Love, Smith & Deeds; Supervisor Brown joined the meeting at 7:11PM. Also in attendance were Solicitor Christopher Hartman, Chief of Police Mark T. Phillips, Road Master David Wicklein, Crew Leader Billy Lanza, Codes Officer Joe Boulanger, Engineer Gary Kraft and Manager Thomas C. Keim.

Pledge to the Flag and Moment of Silence

ROADS, CODES PUBLIC PROPERTY

Price on Pipes / Delivery – Road Master Wicklein reviewed prices and noted Zimmerman is the cheapest priced at \$14,600.00 + \$150.00 for delivery (\$20,000.00 has been allocated in the budget for pipes #439-005). He requested authorization to purchase the pipes as reviewed. Supervisor Deeds moved to authorize the purchase; following a second by Supervisor Love, the motion passed unanimously.

CODE UPDATES

- **664 Spring Garden Lane** – Mr. Boulanger reported a detached garage and second dwelling without appropriate zoning and building permits have been constructed. The property owners have been cooperative following receipt of a Notice of Violation and have applied for the required permits. At this point in time, permits can not be approved due to lack of an approved septic permit, an approved stormwater management plan and the second dwelling is not allowed in the R1 zoning district. The applicant will have to apply for a variance for the second dwelling (which remains unoccupied).
- **1413 Cocalico Road** – Mr. Boulanger reported he has met with the property owner to discuss a complaint filed by Mrs. Davidheiser regarding an unlicensed vehicle and a disabled riding lawn mower. The property owner is making arrangements to remove the vehicle and requested time to try to sell it first. He agreed to a 30 day time period to either sell or remove it; “for sale” signs were posted the next day. As for the disabled lawn mower, it is not classified as a “vehicle” because it does not meet the definition of a motor vehicle.

The Agenda was taken out of order as Chief Phillips was at a court appearance.

CORRESPONDENCE

Public Officials Day @ PA Farm Show – January 10, 2013 – Kathy will make reservations for Supervisors Love & Brown.

APPROVE PAYMENT OF BILLS

Supervisor Smith moved to pay bills for the period of November 16, 2012 thru December 20, 2012. Following a second by Supervisor Love, the motion passed on a roll call.

MINUTES

Minutes of the Supervisors Workshop of November 15, 2012 and Regular Meeting of November 20, 2012 were reviewed and approved upon a motion by Supervisor Deeds; Chairman Feeg seconded the motion which passed unanimously.

APPROVAL OF REPORTS

The Treasurer's Summary, Sewer, Road & Building, and Police reports for the month of November 2012 were reviewed and unanimously approved upon a motion by Supervisor Smith that was seconded by Supervisor Deeds. It was duly noted that no reports were available for the Gibraltar Fire Company or Friendship (Geigertown) FC

SOLICITOR**Discuss Unpaid Invoices (ie, planning)**

Redstone Valley – Mr. Lampe questioned charges he was billed for regarding his Zoning Change Request:

- Hartman Shurr Invoice #115776
 - 12/22/11 (MRM) \$46.50 to draft a letter to his attorney requesting payment...
 - 12/29/11 (MRM) \$294.50 for research & procedure...
 - 12/30/11 (MRM) \$480.50 continue research...
- Hartman Shurr Invoice #116277
 - 1/11/12 (MRM) \$434.00 review research of plan note & definition of dwelling...
 - 1/12/12 (MRM) \$279.00 revise draft memo to CH regarding enforcement of plan note...

Mr. Lampe stated he strongly opposed these charges. Solicitor Hartman explained how the fee schedule has been set into place via Resolution each year and explained each billing amount. A lengthy discussion ensued and Mr. Lampe stated he will not pay these charges as well as any other charges included on the invoice sent to him from Robeson Township in the amount of \$2,865.40. The discussion continued and Mr. Lampe stated that if the Township proceeds to collection he is prepared to take necessary legal action to not pay the invoice and promptly left the meeting.

Further discussion by the BOS determined that the charge dated 12/22/11 in the amount of \$46.50 + 10% administrative fee “to draft a letter to his attorney” be removed from the RT invoice due to it being an administrative misinterpretation. That would change the amount of the RT invoice to \$2,814.25.

Supervisor Smith stated people should pay their bills and moved to direct Mr. Lampe to pay his balance; Chairman Feeg seconded the motion. Additional discussion ensued and Chairman Feeg withdrew his second. Therefore, the motion failed.

Supervisor Smith moved to direct Mr. Lampe to pay the revised balance of \$2,814.25 (originally \$2,865.40) minus the \$46.50 + 10% administrative fee; following a second by Chairman Feeg, the motion passed on the following roll call vote:

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

Chairman Feeg moved to send Mr. Lampe a revised invoice; following a second by Supervisor Smith, the motion passed unanimously.

Solicitor Hartman presented a black line draft of an agreement with RAWA noting that several modifications were requested. The BOS will consider the revised agreement at their Budget Meeting on December 27th. Also, RAWA plant expansion inter-municipal agreements are needed with other municipalities.

PLANNING & ENGINEERING

Schultz Subdivision – revised final plan – Engineer Kraft explained the change is to adjust the lot size to avoid tax rollback and that both he and the PC recommend the BOS approve the plan. Supervisor Deeds moved to approve the revised final plan; following a second by Supervisor Smith, the motion passed unanimously.

Beaudin / Dobreff Subdivision – Preliminary / Final – module exemption & Variance Application – Supervisor Deeds moved to approve the module exemption; following a second by Chairman Feeg, the motion passed unanimously. Engineer Kraft explained the Zoning Hearing is scheduled for December 27th @ 7:00PM. The PC nor the BOS had any comment for the ZHB.

Plan time extensions expiring 12/31/12 (thru 3/31/13) – Supervisor Deeds moved to approve the time extension requests; following a second by Supervisor Smith, the motion passed unanimously.

Park View Estates Sub (P)	Parkside Subdivision (P)	Beaver Run Sub (P)
Burkhart Subdivision (P/F)	Durnall Subdivision (P)	Weavers Orchard (P/F)
Cedar Hill Estates Ph 1 (F)	Gordon Subdivision (P/F)	Gibraltar Estates (P)

SEWER

700 Cold Run Road Dye Test – Manager Keim discussed the test performed by SDE & presented photographs that provide adequate evidence to prosecute the property owner. Discussion followed to have Township personnel seek a second witness regarding the dye escaping the malfunctioning area as well as obtaining samples. Manager Keim will check the area periodically.

Review & Approve Response Letter to DEP – Chairman Feeg moved to reply to the letter of November 27, 2012 from DEP; following a second by Supervisor Love, the motion passed unanimously.

POLICE

Authorize 2013 Police Vehicle (Lease Purchase) – Chief Phillips contacted New Holland Ford and stated they offered a \$500.00 trade in for the 1997 Ford Explorer. The new 2013 Ford Interceptor will be leased under the COSTARS program at \$10,195.00 per year for 3 years with unlimited mileage and an added warranty in the amount of \$1,290.00. Supervisor Deeds moved to authorize Chief Phillips to trade in the 1997 Explorer and enter into the lease agreement for a 2013 Ford Interceptor under the COSTARTS program. Following a second by Supervisor Smith, the motion passed unanimously.

Authorize Purchase of New Server for CODY – Supervisor Deeds moved to authorize the purchase with components for approximately \$1,900.00. Following a second by Supervisor Smith, the motion passed unanimously.

OTHER

Adopt Resolution #12-19 Creating Line Item 401.150 Non-Covered Medical Benefit, Adopt Resolution #12-20 Creating Line Item 410.390 2013 Ford Interceptor, Adopt Resolution #12-21 Creating Line Item 410.745 2013 Ford Lease Payment – Supervisor Deeds moved to adopt the above Resolutions; following a second by Supervisor Smith, the motion passed unanimously.

EXECUTIVE SESSION

The BOS unanimously recessed to Executive Session at 9:13PM upon a motion by Chairman Feeg that was seconded by Supervisor Smith.

The BOS reconvened and unanimously adjourned at 9:57PM upon a motion by Supervisor Deeds that was seconded by Chairman Feeg.

Respectfully Submitted,
Kathleen C. Farrell,
Recording Secretary