

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 21, 2014

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 in the Police Department at 2689 Main Street, Birdsboro, Berks County, Pennsylvania. The following members of the Board were present: Supervisors Love, Brown, Smith & Deeds. Also in attendance were Solicitor Christopher J. Hartman, Chief of Police Mark T. Phillips, Road Master Billy Lanza & Manager Thomas C. Keim.

Pledge to the Flag and Moment of Silence

Senator Judith Schwank – introduced herself and discussed changes in redistricting & noted there are grant options available for Townships and she would help in any way possible to acquire funding from different venues.

POLICE

Designation of Trick or Treat Night – Supervisor Smith moved to designate Friday, October 31st 5:00PM - 10:00PM for Halloween. Following a second by Supervisor Deeds, the motion passed unanimously.

Chief Phillips discussed the surveillance vehicle reviewed with BOS at the Workshop. He spoke with the Officer in charge and stated RTPD could use the vehicle at any time for anything. Another municipality is being sought to join in. He is reviewing insurance and stated it's next to nothing; as for general maintenance, the vehicle is in good condition. Chief Phillips stated he feels this vehicle could be valuable to the RTPD; another municipality may be interested in sharing also. RTPD has been asked to simply fill the vehicle with gasoline and pay toward insurance & general maintenance.

Solicitor Hartman stated that in theory RT should have an Inter-Governmental Cooperation Agreement in order to set forth what the uses would be, sharing, responsibilities, etc. Following discussion, Chief Phillips received permission from the BOS to proceed with obtaining information about the vehicle and to discuss particulars with Solicitor Hartman.

CITIZENS CONCERNS

Tom Whyte of Overlook Road asked about when his road would be repaired since it is in very poor condition. RM Lanza stated it was on the list that for repairs and was priced at \$180k± and that would have taken approximately 1/4th of the Road Budget for the year but the repairs for Overlook Road are being worked into the "plan." Discussion followed regarding history & conditions of the road and what would be needed to repair it.

Donna Aulenbach asked about a neighbor running water onto her property on Old River Road. This matter was referred to Codes Officer Joe Boulanger. Manager Keim will follow up.

Mrs. Aulenbach also stated the Roads Department did a great job on Cocalico Road. She then asked if anything would be done with the protruding rocks that are close to the road on the Quarry property on Rock Hollow Road. RM Lanza will discuss with Quarry personnel.

Kim Peiffer stated Seton Road looks great and she is still waiting to see if it floods but it seems like the road looks good except for all the white marks. RM Lanza explained when Seton Road was done there were some issues; the Road Crew had to mark the road where it is believed to be wrong. The contractor has given a 3-year warranty on Seton Road (& waived the overage charge) if something should go wrong, they would be responsible. Ms. Peiffer asked if guiderail was going to be installed in the area where it always floods; RM Lanza will check the area.

Also, Ms. Peiffer raised concerns about the trucks that are timbering on Ridgeway Road. When empty, they drive at a high rate of speed including during school time bus hours on SR 568; if there is a school bus dropping off children, at the bottom of SR 568, the timbering trucks are not going to be able to stop. Supervisor Deeds stated it is Schmucker's that is logging on Ridgeway Road. Chief Phillips noted this is a state road and the RTPD can enforce speed however it is difficult to get "clear site distance" but he will contact the company. Supervisor Deeds will try to get a phone number for the Chief.

Gary Cuppels, representative of Stewart & Conti (S&C), requested a discussion re Green Hills Estates. Supervisor Smith stated that from the RTMA meeting held last evening, the next step is to meet with S&C representatives along with the BOS, RTMA & citizens so a date needs to be determined for the joint meeting. Mr. Cuppels stated there is quite a bit to say since Robeson Township held a meeting with DEP and he is ready to discuss it now. He stated he did not have legal counsel with him and simply wanted to try to determine where "this" is going; a lot of money & effort has been expended and it seems that they've been thrown into a political situation that S&C does not want to be in. Chairman Feeg stated the BOS did not throw them into a political situation. Mr. Cuppels stated to Chairman Feeg that it's not the BOS fault either but if the BOS wants to discuss "it" now, he is more than happy to and that he has a long ride ahead of him & that he is up here from Rehoboth Beach, that's where he lives.

Supervisor Deeds stated he would prefer having a meeting with S&C, the BOS, the RTMA & the residents. Mr. Cuppels stated the problem is the resident's out in Green Hills Lake, "we don't have a dog in that fight;" Green Hills Lake is not S&C's problem. Supervisor Deeds stated no one is saying that's S&C's problem but they would like to know what is happening because what is being talked about is right next to their development.

Mr. Cuppels stated that if the BOS wants to schedule a joint meeting, S&C will be more than happy to attend but they need to know the rules; if Solicitor Hartman is going to be present at that meeting then S&C will have their attorney attend. Mr. Cuppels continued that if the meeting can be held without attorneys and straight across the table and find out where everybody is at, S&C will be more than happy to do that. Chairman Feeg said the BOS would too and that he would like the opportunity to respond to comments made while he was joining the meeting via telephone from Montana because he could not hear everything and believes there may be some misinterpretations. Chairman Feeg continued that instead of rush it thru the Agenda tonight, it would do both a service to get everything honestly, face-to-face, across the board, and he stated it would be best to have a separate time. Mr. Cuppels stated they would be more than happy to do that, you set a date within the next couple of weeks. Discussion followed re dates that would be available.

Mr. Cuppels stated he would not be available November 4th thru 6th but would be available November 1st. Supervisor Smith suggested getting some dates together. Chairman Feeg stated that after the meeting tonite the BOS will discuss what dates are available for everyone to meet and will have Manager Keim contact Mr. Cuppels. Mr. Cuppels stated that would be fine; he also stated he's had numerous discussions with Pat Mascaro regarding the issue and obviously he is representing Nik & Les (a/k/a S&C). Chairman Feeg stated there is a lot of information we don't have. Mr. Cuppels said there probably is and he thinks we need to set the record straight because there's a lot of misinformation flying back & forth so if we can have a joint meeting and if it's going to be without attorney's he won't bring one but if RT is going to have an attorney present then we will do that. Chairman Feeg stated the BOS is not going to make any decisions at this time. Mr. Cuppels suggested no attorneys and approaching the joint discussion across the table just as normal people. Discussion followed.

Joy Graham commented this needs to be approached as human beings first and sit down together and (no offense to Solicitor Hartman) leave the Solicitor and what he costs at home. Supervisor Love commented that if Mr. Cuppels were to leave his attorney at home we would do the same thing. Mr. Cuppels stated S&C would be more than happy to leave their attorney at home. Solicitor Hartman stated to Mr. Cuppels that he is a technical assistant to his clients and recommended the BOS have technical resources available to them however it is in the BOS' discretion how they wish to staff this particular meeting and would want the BOS to have, at least, technical staff to be present who would be SDE. Chairman Feeg stated in his view this meeting would be mainly informational. Discussion followed.

Supervisor Deeds stated that if Solicitor Hartman and S&C's counsel are not in attendance, Solicitor London of the RTMA should not be in attendance either. Mr. Cuppels stated he will bring his consultant, Brian Boyer; then sit down, minus the attorney's and see where everybody's mind is at. Mr. Cuppels exited the meeting @ 7:42PM.

Discussion followed regarding setting up the joint meeting. Also, the BOS was polled and agreed that Counsel should be present at the joint meeting.

APPROVE PAYMENT OF BILLS

Chairman Feeg moved to pay bills, with the exception of the \$45,000.00 payable to Friendship (Geigertown) Fire Company, for the period of September 13, 2014 thru October 17, 2014. Following a second by Supervisor Deeds, the motion passed unanimously.

MINUTES

Minutes of the Workshop of September 11, 2014 & Budget Meeting of October 8, 2014 were reviewed and approved upon a motion by Supervisor Smith. Supervisor Deeds seconded the motion which passed unanimously. Chairman Feeg stated the Minutes of the Regular Meeting of September 16, 2014 are understandably unavailable at this time.

APPROVAL OF REPORTS

The Treasurer's Summary, Sewer, SEO Permit, Road (inc'g August) & Building, Police, & Friendship (Geigertown) Fire Company Reports for September 2014 were reviewed and unanimously approved upon a motion by Supervisor Deeds that was seconded by Supervisor Smith. It was duly noted reports from Gibraltar FC are outstanding for August & September.

PLANNING & ENGINEERING

- Raymond Deeds Estate Subdivision – Preliminary plan – planning module
- Sentry Plumbing Land Development – Preliminary / Final
- Adopt Resolution #14-14 Durnall Planning Module
- Pienta Variance Application
- Avondale Farm escrow release
- Woods at White Bear escrow release
- Livingstone Subdivision escrow release
- Feinsot Land Development escrow release

Supervisor Deeds asked if the BOS could vote on the above items in 1 motion per the recommendations made by Engineer Kraft at the Workshop Meeting (also included in Engineer Kraft's Monthly Report); Solicitor Hartman stated yes. Supervisor Smith moved to approve all items; following a second by Supervisor Love, the motion passed on the following roll call vote:

Feeg	- Yes	Brown	- Yes	Love	- Yes
Smith	- Yes	Deeds	- Abstained on item A; Yes on items B thru H		

SOLICITOR

Solicitor Hartman stated a legal description & plan was received depicting the proposed temporary by-pass located on the property of MB Investments for the Evergreen Road Bridge. The temporary construction easement, which would be in effect for a couple of years, has been prepared that would allow RT to use the property of MB Investments during the bridge replacement project. Manager Keim stated MB Investments has the “easement” document; they are going to review it and when he brought up the issue of S&C they did not know what Mr. Keim was referring to. Solicitor Hartman recommended the BOS approve the agreement and authorize the execution of the agreement subject to the concurrence & execution of the document by MB Investments.

Chairman Feeg moved to execute the document subject to the concurrence & execution of the document by MB Investments. Supervisor Love seconded the motion. Much discussion followed re replacement of the bridge. The motion passed unanimously.

Senator Schwank exited the meeting @ 7:29PM.

Solicitor Hartman reviewed a draft Resolution (14-21) authorizing the EAC to prepare a draft land protection easement program for consideration such as the one Pike Township adopted. Supervisor Smith moved to prepare the document; following a second by Supervisor Deeds, the motion passed unanimously.

Solicitor Hartman reviewed a draft of the proposed OLDS Ordinance (DEP wants RT to implement) for the BOS review. It is also being reviewed by the SEO. Discussion of the proposed Ordinance followed.

Also, Mr. Hartman reviewed the DROP Ordinance for the BOS consideration. Codification “clean-up” re pension Ordinances is in process; Chuck Friedlander identified things that will be incorporated in the Ordinance that adopts the DROP provision in the Police Pension. Manager Keim will distribute at the Budget Meeting scheduled for tomorrow evening.

OTHER / FINANCE

- Resolution #14-15 Adding #401-142 Transitional Reinsurance Fee – Executive
- Resolution #14-16 Adding #402-142 Transitional Reinsurance Fee – Financial Administration
- Resolution #14-17 Adding #405-142 Transitional Reinsurance Fee – Clerk / Secretary
- Resolution #14-18 Adding #410-142 Transitional Reinsurance Fee – Police / Public Safety
- Resolution #14-19 Adding #430-142 Transitional Reinsurance Fee – Highway Maintenance
- Adopt Resolution #14-20 Authorizing the Reduction of Police Officers’ Contributions to the Pension...2015

The above Resolutions were adopted unanimously upon a motion by Supervisor Deeds that was seconded by Supervisor Smith.

Authorize Advertisement of 2015 Meeting Schedule – Supervisor Deeds moved to authorize advertisement of the 2015 schedule; following a second by Supervisor Smith, the motion passed unanimously.

Stericycle Host Fees \$3,935.56 – Received

Authorize Manager to Accept Bid for Electric Service for 30 Months – Manager Keim made the request, noted the “beginning date” on the bid was incorrect, and stated he would follow-up. Supervisor Deeds moved to authorize Manager Keim to accept the bid following up on the “beginning date.” Following a second by Supervisor Smith, the motion passed unanimously.

The BOS unanimously adjourned at 9:35PM upon a motion by Supervisor Smith that was seconded by Supervisor Deeds.

Respectfully Submitted,
Kathleen C. Farrell,
Recording Secretary