

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 17, 2016

Chairman Smith called the Regular Meeting of the Board of Supervisors to order at 7:00PM prevailing time. The meeting took place in the Robeson Township Public Meeting Room located at 2689 Main Street, in Gibraltar, Berks County, Pennsylvania. All Supervisors were present. Also in attendance were Solicitor Christopher J. Hartman, Engineer Gary D. Kraft, Road Master Bill Lanza, Codes/Zoning Officer Joseph Boulanger & Manager Colleen A. Easterday.

Pledge to the Flag and Moment of Silence

The meeting was taken out of Agenda order.

ROADS

Adopt Resolution #16-15 Creating Line Item #362-700 Roads Reimbursement – Supervisor Steve moved to adopt the Resolution; following a second by Supervisor Love, the motion passed unanimously.

Road Master Lanza reported the Road Crew are milling, patching, and preparing to put in additional pipes.

POLICE

Chief Phillips reported that PA Cycling Association is interested in holding the “Robeson Township State Road Race Championship.” This race hasn’t been held in the Township for a few years due to payment issues. Chief Phillips continued payment will be made immediately and the race, if approved by the BOS, is scheduled for either the 18th or 24th of August 2016. Supervisor Steve moved to authorize 1 of the 2 dates suggested; following a second by Supervisor Love, the motion passed unanimously.

Authorization to Advertise – Administrative Assistant to Chief of Police was approved upon a motion by Supervisor Steve that was seconded by Supervisor Love.

Lights & Siren Parade – Chief Phillips stated all necessary information will be completed; anticipate having everything ready for June meeting.

Solicitor Hartman & Supervisor Graham arrived at 7:04PM.

PUBLIC HEARING @ 7:06PM

Solicitor Hartman stated this is the time for the advertised Public Hearing to consider the adoption of Ordinance #16-04 which will become Appendix H to the current SWM Ordinance. Engineer Kraft explained how this Ordinance works. No one expressed an interest to become a party to the Hearing; therefore, the Hearing was closed at 7:08PM. Supervisor Steve moved to adopt the Ordinance; following a second by Supervisor Graham, the motion passed unanimously.

CITIZENS CONCERNS

Robert Deeds, 1217 White Bear Road, presented photographs to the BOS depicting cracks in roads that are in need of repair in developments that recently had their 18-month maintenance escrow returned. Engineer Kraft and Road Master Lanza will inspect and report on same.

Tim Bitler complained about trash at Gibraltar Park; Chief Phillips will check with Turkey Hill. Mr. Bitler also addressed a fencing issue at the park; Codes Officer Joe Boulanger stated he would check into requirements of fencing in the Zoning Ordinance / SALDO and will get back to Colleen. Brief discussion as to whether the mowing contract states “to pick up trash” and that the next mowing contract should have an item included picking up trash prior to mowing. Mr. Bitler also questioned “fee-in-lieu monies” he posted years ago; Engineer Kraft stated he would check into it.

Mr. Bitler stated he had other items to discuss ie, the Fix matter, the Miller, the White Bear Matter; the BOS agreed to discuss these items as public comment.

Miller – Discussion followed regarding the garage / shed permit that was issued to Mr. Miller, Mr. Bitler being kept in the loop and to deal directly with him per a letter he sent to the Township re his client. Solicitor Hartman stated the Township wants the procedures to be as efficient as possible and if the permit can be issued to the applicant it should be however it’s the BOS decision. Mr. Hartman explained that last month he was told to not provide special treatment to attorney’s because he’s an attorney and there’s a perception of a double standard of special treatment

being given to other attorney's. Further discussion regarding the Miller matter continued. Mr. Bitler said he will file for information in "Discovery." Kathy explained how she came to give the date of the decision to a representative of KCS. Further discussion was held.

Fix – Mr. Bitler referred to a letter he received from Solicitor Hartman earlier today. He explained that Mr. & Mrs. Fix came to the BOS in January 2016 because they wanted to know if they could use their property @ 1600 Green Hills Road to park their company / work vehicles. A lengthy discussion followed regarding the property being used as 2 residences instead of 1 and for Mr. & Mrs. Fix to request a land development waiver (as discussed with KCS), acquisition of an additional EDU & payment of lateral fees because the property was converted from a single family dwelling to a 2 family dwelling (ie, 2 apartments).

White Bear Road – With regard to the "stop work order" imposed by Kraft Code Services, Mr. Bitler stated he believed he did not need to get any permits. Codes Officer Joe Boulanger stated that he & Codes Officer Jeff Fiant met at the site 2 days later and found that several exterior bearing walls were completely removed & rebuilt and an interior bearing wall was moved; PA UCC requires building permits for any structural modifications. Mr. Bitler asked if his contractor could continue work on the property; he was told not until he gets the required permits. When asked if he would be applying tomorrow; Mr. Bitler stated he was too busy and that he was going to appeal the stop work order.

APPROVE PAYMENT OF BILLS

Supervisor Steve moved to pay bills for the period of April 15, 2016 thru May 13, 2016 pending verification of the sewer numbers. Following a second by Supervisor Graham, the motion passed unanimously.

MINUTES

Minutes of the Supervisors Workshop of April 14, 2016 & Regular Meeting of April 19, 2016 were reviewed. Supervisor Steve moved to approve the minutes pending a correction; following a second by Supervisor Graham the motion passed unanimously.

APPROVAL OF REPORTS

The April 2016 Treasurer's Summary/Report, SEO Permit, Sewer, Road, Building & Fire Company Reports were reviewed. Supervisor Steve moved to approve the reports pending verification of the sewer numbers. Following a second by Supervisor Graham, the motion passed unanimously. It was duly noted the April Police Report was not available due to lack of staffing.

PLANNING & ENGINEERING

Lauver / Gundy Annexation Subdivision – Preliminary / Final – Engineer's reviews 4/19/16 & 4/21/16 – waiver requests – sewage planning exemption - The PC approved the following items and Engineer Kraft suggested the BOS approve same. Supervisor Love moved to approve the following items; Supervisor Graham seconded the motion which passed unanimously.

- waivers for §301.B. related to plan scale, §301.E.21.g. related to mapping of utility information, and §302.A.5. related to steep slope delineation
- the request for sewage planning exemption
- conditional approval of the plan subject to completion of outstanding items in Engineer Kraft's review letter including payment of the refundable \$500.00 deposit for recording of each annexation deed (total = \$1,000.00)

Quaker Ridge Subdivision Phase V-2 – Final – Engineer's review 4/28/16 – Engineer Kraft noted the Final Plan of the Subdivision has been submitted. This plan was previously reviewed as phase V and then split into two sub-phases. The PC recommended conditional approval of the plan subject to completion of the outstanding items in Engineer Kraft's review letter of April 28, 2016. This phase includes an annexation parcel that will not be transferred in the near term. Engineer Kraft also recommended a \$500 security be included in the Improvements Agreement. Supervisor Steve moved to conditionally approve the plan subject to the above; following a second by Supervisor Graham, the motion passed unanimously.

David Gibson Variance Application - An Application for Variance was submitted to erect a 32' x 20' accessory garage on Old River Road in Gibraltar near Proudfoot Drive. The property is narrow and substantially restricted due to the narrowness of the tract & the Applicant is seeking permission to place the garage at 7.36 feet from the side lot line rather than the required 15 feet.

The Application was submitted too late for review by the Planning Commission. The hearing is scheduled for later this month; therefore this is the Board's only opportunity to provide comment. Supervisor Graham moved to support the application; Supervisor Steve seconded the motion which passed unanimously.

FINANCE

Adopt Resolution #16-16 Creating Line Item #410-152 – Vacation Buy Back – Police AA; Adopt Resolution #16-17 Creating Line Item #402-201 – Vacation Buy Back – Fiscal; and, Adopt Resolution #16-18 Creating Line Item #430-601 – Vacation Buy Back – Roads – Supervisor Steve moved to adopt the above 3 Resolutions; following a second by Supervisor Graham, the motion passed unanimously.

OTHER

Planning Commission Vacancy – 3 Letters of Interest; decision postponed from last month. Manager Easterday requested an appointment of one of the following: Thomas Keim, Robert Deeds, Laurie Elliott. Chairman Smith moved to appoint Thomas Keim to fill the PC vacancy; following a second by Supervisor Graham, the motion passed on the following roll call vote:

Smith	- Yes	Love	- Yes	Brown	- Yes
Graham	- Yes	Steve	- No		

The BOS recessed to Executive Session at 8:15PM upon a motion by Supervisor Graham that was seconded by Chairman Smith. The BOS reconvened @ 9:44PM.

Supervisor Steve moved to guarantee the additional funding of \$375,000.00 as Robeson Township’s part of the Geigertown sewer project provided the debt can be sustained. Supervisor Graham seconded the motion which passed on the following roll call vote:

Smith	- Nos	Love	- Yes	Brown	- Yes
Graham	- Yes	Steve	- Yes		

There being no further business before the BOS, Supervisor Graham moved to adjourn at 9:51PM. Following a second by Supervisor Steve, the motion passed unanimously.

Respectfully Submitted,

Kathleen C. Haight, Recording Secretary

_____ Approved

_____ Approved as Amended

Christopher M. Smith, BOS Chairman