

ROBESON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
March 21, 2017

The Robeson Township Board of Supervisors Regular Meeting was called to order by Chairman Smith at 7:01pm 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 Board members were present: Supervisors Brown, Graham, Smith, and Steve. Supervisor Love was not in attendance. Also in attendance were Chief of Police, Mark T. Phillips, Engineer, Gary Kraft, PE, Road Master, Bill Lanza, Township Manager, Colleen Easterday, and Michelle Mayfield, Esquire, of Hartman, Valeriano, Magovern, & Lutz, PC.

Pledge to the Flag & Moment of Silence

Mowing Proposals

The board reviewed the six bids the Township received, after the Public Notice was published in the Reading Eagle, then Supervisor Steve moved to accept the lowest bid, awarding the contract to Tommy Favinger, Supervisor Brown seconded the motion, and the board voted unanimously yes to accept.

Roads Department

Road Master, Bill Lanza, informed the board that the 2018 Mack Dump Truck, which was ordered several weeks ago, should arrive in June. As for the recent storm, March 14th-16th, nothing had changed.

Police Department

Chief of Police, Mark T. Phillips, discussed the request he received to close Furnace Road for the 2017 Hay Creek Historical Valley Events. Resolution #17-06 was created to authorize the temporary closing of Furnace Road from Pennsylvania State Route 10 East to the intersection of Weaver Road for the following events:

- 41st Annual Hay Creek Festival: Friday through Sunday, September 8th – 10th, 8:00am to 6:00pm,
- Hay Creek Apple Festival: Saturday & Sunday, October 14th & 15th, 7:00am to 5:00pm, and
- Christmas at Joanna: Friday through Sunday, December 1st, 2nd, & 3rd, 4:00pm to 9:00pm.

Citizens' Concerns (Limit each to 3 minutes.)

Resident David Wolfe spoke to the board regarding the fire whistle still being used and that it is extremely loud, to the point of causing health issues with hearing, and reminded them he had spoken to the board back in the fall. Dennis Rogers also requested the fire whistle not be used, along with an overall agreement from the crowd.

Chairman Smith responded that the board had sent letters to the fire company requesting they discontinue the use of the siren because of the radio system now in place but that they are unable to demand or force the fire company to not use it.

Cheryl Wolfe asked if the decibels of the siren can be checked because she feels it is ear piercingly loud. There were approximately 10-15 citizens in the audience that enthusiastically agreed.

Solicitor Mayfield reconfirmed Solicitor Hartman's previous stance that we do not have the legal right to force them to discontinue using it but she suggested measuring/testing the decibels to make sure the decibels are within appropriate levels and within the noise ordinances set by the Township.

Michelle and Todd Bowman, owners of Cedar Hill Flowers, said they are not trying to be difficult towards the fire company but they are unable to hear on business calls. They would like to know why is it necessary to use the old fire whistle when we now are using radio service to call in the fire fighters. Mr. Bowman asked that if the fire company will not discontinue use of the fire whistle can they at least bring it down to reasonable levels.

Supervisor Graham empathized and reminded the residents that the board is unable to do more than request they not use it. She suggested they attend the next fire company meeting to address this issue with them directly. She also suggested we contact the quarry, if the Township does not already own one, to acquire a decibel meter to check/measure the decibels of the siren.

Citizens' Concerns (continued)

David Wolfe addressed the suggestion of attending a fire company meeting with what he was told by the fire company Chief, "that there is no way they are ever going to turn off the siren", and asked Supervisor Brown, what they can do.

Supervisor Brown said that Limerick Fire Company was hit by a national disaster and was sued for not having the siren and the siren has a constant pitch that cannot be changed or turned down. He also said that there are residents that are glad for it and one donated money to have the whistle fixed. He seconded Supervisor Graham's suggestion to attend the next fire company meeting which is at 7:00pm on the 2nd Monday of the month.

Resident Sean Hafer, a fire fighter, wanted to know how many people are in reach of and benefit from use of the siren, especially with the technology available today, such as radio systems, pagers, cell phones, etc.

Residents Mike & Michele Lill have lived across the street for 27 years and Mrs. Lill said wouldn't know it wasn't going off for a disaster because it goes off for any call. Mr. Lill asked Supervisor Brown if he would talk to the fire company regarding the fire whistle.

Resident Martha Jacob asked the board what do other fire companies do that do not have sirens?

Chairman Smith said that other areas have radio systems, like our Township, but other fire companies only use the siren for tornados and/or major emergencies.

Resident has twin daughters that are constantly woken up because of the siren asked what their options are if the fire company tells them "to go pound sand" when they address this issue at the next fire company meeting.

Chairman Smith advised them to come back to the Board of Supervisors.

Resident Bob Deeds spoke about the road conditions after the snow storm on Tuesday, March 14th, commenting that the developments and Beaver Roads were the best he had seen them but the main roads, specifically naming Golf Course, Ridgewood, and Old River Roads, were only a lane and a half wide. He then complained about the Township plowing snow across the road. He also asked the board who was running for the Supervisor position besides Galen Brown and was told to call election board.

Correspondence

Kate Kennedy had given a letter of interest for a position on the EAC Board which Supervisor Steve made a motion to approve and Supervisor Graham seconded that motion and roll call was unanimously yes.

The board acknowledged that they had received the information regarding the Charlie Horse – Trail Half Marathon, no action at this time.

Berks Co. Conservation District – Affiliate Membership, at this time the board is not interested.

Bills for Review

Supervisor Graham made a motion to approve the 2.1.17 thru 2.16.17 revised bills, which included the Hart Insurance bill, Chairman Smith seconded the motion and roll call was unanimously yes.

Minutes for Review

Supervisor Steve made a motion to approve the 02.16.17 BOS Workshop, 02.21.17 BOS Regular Meeting, and the 03.06.17 Special Meeting minutes, Supervisor Graham seconded the motion with a unanimously yes roll call.

February 2017 Reports for Review

Supervisor Steve made a motion to approve the February 2017 reports, Supervisor Graham seconded the motion, and it was passed unanimously.

Planning / Engineering

Supervisor Steve moved to approve the scale waiver from Birdsboro Power Subdivision, Supervisor Graham seconded the motion, Supervisor Brown abstained, and the rest of board responded yes to the roll call.

Township Engineer, Gary Kraft, apprised the board of the Planning Commission's concerns regarding the variance applied for by General Asphalt Paving Company of Philadelphia and that a hearing is scheduled for this Thursday. Supervisor Steve motioned to echo the comments made by Planning Board, Chairman Smith seconded the motion, Supervisor Graham abstained, and the rest of the board voted yes to the roll call.

Gary Kraft, Township Engineer, discussed the Livingstone Lot 4 Annexation Subdivision as information only with no action needed.

As for 2017 Roadwork projects, Township Engineer, Gary Kraft, recommends paving Buck Hollow Road and Overlook Road as mentioned in his report. Supervisor Graham made a motion to accept his recommendation, Chairman Smith seconded the motion, and the board was unanimously yes on roll call.

Township Engineer, Gary Kraft, discussed the plan time extensions, which would be extended through June 30th, 2017, for the following; Park View Estates Sub (P), Parkside Subdivision (P), Beaver Run Sub (P), and Cedar Hill Estates Ph1 (F). Supervisor Steve moved to approve the plan extensions, Chairman Smith seconded the motion, and the board voted unanimously yes on roll call.

Solicitor

Solicitor Michelle Mayfield advised the board that Greg Eshelman verbally agreed to revisions for the Underground Water Line Right-of-Way Occupancy Agreement for Plow Farms. The revisions were to remove item #3 and page 2, signage in Township R.O.W., and Solicitor Mayfield requests the board approve the revised agreement. Supervisor Steve made a motion to approve, Supervisor Graham seconded the motion, and the board voted unanimously yes on roll call.

Amendment to Miller Environmental Agreement was discussed at the BOS Workshop Meeting on March 16th, 2017. Solicitor Mayfield recommends authorization of this agreement, Supervisor Steve made a motion to approve, Supervisor Graham made the second, and a roll call of the board was unanimously yes.

Deputy Tax Collector appointment given to Tina Gehman and all of the appropriate paperwork was made available for the board to sign.

Solicitor Mayfield asked the board to reaffirm the 2016 CBA, Collective Bargaining Agreement 2017-2020. Supervisor Steve made a motion to reaffirm, Chairman Smith seconded, and roll call was unanimously yes.

Solicitor Mayfield recommended the board approve Ordinance 17-01, reducing pension age for the police department and Ordinance 17-02, authorizing Tax Collector to collect payments by credit card, including the pass through of the credit card convenience fee. Supervisor Graham moved to approve the advertisement of Ordinance 17-01, Supervisor Steve seconded the motion, and roll call was unanimously yes. In regard to authorization to advertisement of Ordinance 17-02, Supervisor Graham made the motion, Chairman Smith seconded, and on roll call all yes except Supervisor Steve was a no.

In regard to the Employee Policy Handbook, Solicitor Mayfield asked if the board had received the clean copy and if there were any comments, Supervisor Steve said that he needed a clean copy, and Solicitor Mayfield said she would resend.

Solicitor Mayfield informed the board that Solicitor Mark Koch representing EmberClear, Birdsboro Power LLC, in the Quitclaim Deed, "street ordinance and Boonetown Road utility easement", had information from the BOS Workshop meeting, held on Thursday, March 16th, to consider with his client and the solicitors have not heard back, as of yet, so no action is needed at this time.

Solicitor (continued)

The BOS had authorized the Solicitors to research legal records for the executor of and/or willed owner of a property contained in a written complaint. The Solicitors determined the will had gone through probate and Galen and Deb Brown are the owners of the property. Solicitor Mayfield requested approval to send a 'notice of violation' letter to the owners, Chairman Smith made a motion to approve, Supervisor Graham seconded the motion, and the roll call was 2-yes, Supervisor Steve was a no, and Supervisor Brown abstained. It did not have the necessary votes so was not passed at this time. It will be readdressed at the April BOS meeting for a revote.

Finance / Other

Township Manager, Colleen Easterday, had addressed the Republic Services Inc. Host Fees - \$6,588.41, and EMC Insurance, Cash Back Refund \$15,475.03, at the BOS Workshop Meeting on Thursday, March 16th.

Supervisor Graham moved to adopt the following Resolutions, Supervisor Steve seconded the motion, and a roll call of the board was unanimously yes:

- Resolution #17-04 line item 410-153, named Comp Time Buy Back,
- Resolution #17-05 Public Records Retention Schedule,
- Resolution #17-06 Temporary closing of Furnace Road,
- Resolution #17-07 John R. Chernesky to appoint Tina Gehman as Deputy Tax Collector, and
- Resolution #17-08 Police Pension Contribution 2017-2020.

The RKL representation was signed by Chairman Smith.

Supervisor Steve made a motion to reaffirm Fuel Pump Software update purchase of \$11,700 by Hafer Equipment, Supervisor Graham seconded the motion, and a roll call of the board was unanimously yes.

Supervisor Steve made a motion to approve the amendment to the Fee Schedule, which adds administrative fee for sewer project billing, Supervisor Graham seconded, and roll call of the board unanimously yes. Township Manager, Colleen Easterday, clarified with Solicitor Mayfield that this does not need be advertised, she agreed.

Chairman Smith adjourned the meeting at 7:52pm, Supervisor Steve seconded, and roll call of board was unanimously yes.

Executive Session

The Police contract was discussed at the BOS Workshop meeting held on Thursday, March 16th, 2017.

Respectfully Submitted,
By Sheila McCune