

President Abby Wertz called the April 4, 2016 meeting to order at 7:30 PM with the pledge to the flag. Council Members present were Harvey Marshall, Tony Wirebach, Frank Schnee, Rod Soliday, Bill Langjahr and Mike Martin. Junior Council member, Grayson Ziegler, was absent. Also attending the meeting were Solicitor Andrew George, Mayor Randall Gartner, Police Chief William Schlichter and Manager Lisa Heilman. Citizens and visitors attending the meeting were Vernon Bright, David Randler, Streets Supervisor Garry Degler, David Bright, Lori Brown, David Rohrbach, Carol Werkheiser, Bonnie Pope (Western Berks Ambulance) and Geneva Aulenbach of the Reading Eagle.

On a motion by Mr. Langjahr and second by Mr. Soliday and unanimously carried, meeting minutes of the March 7, 2016 council meeting were approved as presented.

VISITORS & CITIZENS- Mr. Randler suggested a meeting should be held with JD Eckman...the sooner the better, to discuss the upcoming Route 422 Improvement project. He advised Council that many of the items discussed with Phil Hoffman of Larson Design Group fell through the cracks during the bidding process and should be discussed with JD Eckman(the contractor awarded the project) before they come through. All other visitors were observing. A meeting will be set up ASAP for Robesonia Borough and Heidelberg Township to meet with Tom Kinsman, project manager. The issue of curb replacements was also discussed when Mr. Marshall advised Council that Mr. Kinsman of JD Eckman told him that in the process of road repairs on Penn Avenue, they may actually have to dig below the curb footers which could cause the curbs to cave in. He also advised there were no provisions included in PennDOT's bid package for the repair of those curbs. President Abby Wertz asked to be kept apprised of the meeting and progress of the situation. David Bright reminded Council of the Memorial Day Remembrance Ceremony scheduled for May 26th. David Rohrbach addressed several issues of concern to him. First, he asked to also be included in the meeting with JD Eckman since his property will be affected by this project. He then advised Council that he is trying to get a good count for the number of bricks to be added to HPR Park. Only veterans will be considered for new bricks. He suggested the best course of action is to create a pathway or medallion in the park where the bricks would lay flat, rather than trying to change the existing wall. He will work with DP Randler Landscaping to get a quote for laying the bricks once ordered. When he has that quote and the quote for the bricks themselves, he will be better able to determine a cost for each brick to be sold. Next, he expressed his opinion that to spend a great deal of money on obtaining and remediating the Breininger property is not a good idea. Also, he advised Council that as a regular walker in town, he finds that the trees that are currently dropping fruit on the sidewalks are a real nuisance. People walk in the street to avoid walking through the fruit all over the sidewalks in order to avoid getting on shoes and tracking the mess into homes, etc. He feels those trees should all be removed and replaced with something less messy. Bonnie Page, of Western Berks Ambulance Association reported that, to date, 200 calls have been answered in Robesonia Borough this year.

Carol Werkheiser of 331 West Penn Avenue expressed her concerns over replacing more curb during the Route 422 project. Council advised her to hold off until the meeting with JD Eckman helps to determine the liability of the contractors involved in the Penn Avenue project if any curbs are damaged during the project.

MAYOR – Mayor Gartner advised Council that the Robesonia Fair Committee will be holding a fundraiser at Johnny & Hons Smokehaus on April 24th from 1 to 5 PM. There will be a \$5 cover charge and benefits the annual Street Fair.

SOLICITOR – Solicitor George advised Council that the lengthy litigation over the Joint Zoning Ordinance is finally winding down. The ordinance has been amended and accepted by the Attorney General's office. Solicitor George sent out the amended ordinance via email to everyone (Mr. Schnee did not get his copy). The amendments most affect the Borough through allowing the intensive raising of livestock in the Medium Density Residential zoning district by special exception. Mr. Marshall made the motion to approve the amended ordinance and Mr. Martin seconded. A vote was taken at that time. Ms. Wertz, Mr. Marshall and Mr. Martin voted yes. Mr. Wirebach, Mr. Langjahr and Mr. Soliday voted no. Mr. Schnee abstained since he did not have a chance to review the changes to the ordinance. Mayor Gartner broke the tie with a no vote. Motion failed to carry. At that time, Solicitor George advised Council that their inability to pass the motion may backfire on them in the form of paying for all the legal bills for ongoing litigation since the other three involved municipalities approved the changes. All four involved municipalities must have majority approval for the changes to go forward. Several minutes of questions and discussion ensued at which point it was decided to revisit the matter at the April 19th workshop meeting.

ENGINEER- There was no engineer's report for the month of March.

PLANNING COMMISSION – Next meeting, scheduled for April 20th, if needed.

MANAGER – Ms. Heilman presented the following:

Advised Council a quote was received from Lititz Watch & Clock to service the town clock. The quote provided was for \$375, a savings of \$205 over Verdin's provided quote. Council approved hiring Lititz Watch for the clock service.

Advised Council that Wernersville Borough sent an invitation to participate in their bi-annual Memorial Day Parade and to let her know ASAP if interested in participating.

Advised Council that all Statements of Financial Interest are due no later than May 1st.

Advised Council that the first of two Municipal Official's Breakfasts with the Commissioners is scheduled for April 22 and will be held in Birdsboro. Please let her know ASAP if interested in attending.

PEL Breakfast is scheduled for April 28 at the Berkshire Country Club. Scheduled topic "Bad News for PA Municipalities? How the Reading Area Measures Up". Let her know if interested in attending.

Reminder that any changes wanted for the Joint Zoning Ordinance needs to be submitted by April 21st!

Presented the following resolution for adoption:

DESIGNATION OF AGENT RESOLUTION FOR WINTER STORM JONAS

BE IT RESOLVED BY THE BOROUGH OF ROBESONIA THAT LISA K HEILMAN, MANAGER, IS HEREBY AUTHORIZED TO EXECUTE FOR AND IN BEHALF OF ROBESONIA BOROUGH, BERKS COUNTY, a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

On a motion by Mr. Marshall, second by Mr. Soliday and unanimously carried, motion passed.

Provided Council with a request from Stephanie Moultrie regarding the annual community yard sale. She is seeking permission to allow vendors to set up stands on the basketball courts for out of town vendors. Those vendors would be charged a fee for their stand which would be donated to the Robesonia Fair Committee. Mr. Soliday asked how that might work for insurance purposes. Manager to check with insurance carrier and bring the answer back to the April 19th workshop meeting.

Provided Council with an email request from a renter at 238 South Freeman Street in the Borough to have his apartment inspected ASAP. He feels that something in the house may be making his family sick (mold?). He and his family have temporarily moved from the residence and are withholding rent until the matter can be satisfactorily resolved. Solicitor advised renter send written notification to landlord telling him exactly that. Council advised Manager to ensure Kraft Codes knows that the landlord will be held to the same standards and deadlines for inspections as everyone else and if the property is not inspected by the April 30th deadline he will be cited. There will be no negotiating. Council declined to pay for specialized testing in the home citing unfairness to all the taxpayers of having to shoulder the burden of that cost for the benefit on one household.

POLICE CHIEF: Chief Schlichter advised Council that vehicle accidents (both reportable and non-reportable) have been down since the beginning of the year. He advised Council that the police have come up with new ideas for their participation in both the Wernersville and Robesonia fairs this year.

PAYMENT OF INVOICES- On a motion by Mr. Martin, second by Mr. Langjahr and unanimously carried, the bills were ordered paid as presented, including those paid prior to the meeting to avoid penalties.

COMMITTEE REPORTS-

Finance/Administration – No report.

Personnel: No report.

Fire Protection/Safety – Mr. Martin reported the next meeting is scheduled for 4/5/16. All are welcome to attend.

Streets/Highways/Sewer – March meeting minutes were included in agenda packet. Mr. Marshall advised Council that a new Honda push mower has been purchased for \$449 and Eblings gave the Borough \$100 for the two old mowers. Also, Mr. Marshall advised Council he is in the process of obtaining street sweeping quotes and that the old street sweeper will be sold.

Parks & Recreation –Ms. Heilman advised Council True Green would be spraying the ballfields on 4/5/16. Also, she and Mr. Marshall met with the playground leaders about the upcoming season. They were informed of their increased 2016 budget and plans to put up the 2016 online registration form were discussed.

Personnel: No report.

COUNCIL REPORTS

Marshall – Mr. Marshall advised Council that the diamond tex has been dumped on the softball field and that Scott Lash and volunteers from the Rockhounds softball organization have offered to spread it. He also advised Council that the water fountain at the baseball field pavilion is no longer working. He suggested we consider removing it since most of the organizations bring their own bottled water. Council agreed.

Langjahr – No report.

Soliday- N/R

Wirebach- Mr. Wirebach thanked Mr. Schnee and Mr. Martin for taking him along to the Municipal Officials' Dinner and advised Council it was a very good and informative evening.

Martin- Mr. Martin advised Council that he attended the third seminar in the series for newly elected municipal officials being held by the Center for Excellence in Local Government and feels the series has been very informative so far. He also enjoyed the Municipal Official's Dinner and speaker. Mr. Martin suggested contact be made with our local legislators on behalf of the entire Council opposing HB340 regarding Executive Sessions. Mr. Martin made the motion, Mr. Wirebach seconded and Council approved unanimously.

Schnee- Mr. Schnee advised Council that his appointment as Assistant Zoning Officer for 2016 was missed in January. Mr. Marshall made the motion to appoint, retroactive to January 1, 2016, Frank Schnee as Assistant Zoning Officer. Mr. Wirebach seconded the motion. Council approved unanimously.

Wertz – Ms. Wertz offered her thanks for the updated Curb Repair List.

Ziegler- Absent.

Mayor Gartner- Mayor Gartner asked for an executive session regarding personnel matters at 8:45. Regular session reconvened at 9:08.

NEW BUSINESS – Mr. Gartner stated that 134 North Robeson Street was only allowed to put a 1-bedroom apartment at the rear of the property.

UNFINISHED BUSINESS – Mayor Gartner again brought up the Breininger property and suggested he was done fighting about the property. He then directed manager to obtain an RFP from SSM for the performance of additional assessment work and the writing of the grant for the remediation of the property. Solicitor George strongly recommended hiring an environmental attorney since this is not his area of expertise. Council approved spending up to \$1,500 for the environmental attorney to render an opinion on the Borough's liability risk if ownership of the property is taken, then returned if remediation grant funds are unable to be obtained within a certain time frame. David Randler told Council this is a terrible waste of taxpayers' money.

COMMUNICATIONS-

- WRJA meeting minutes.
- WBRPD Treasurers Report, monthly report and meeting minutes.
- Kraft Codes monthly property maintenance report.

On a motion by Mr. Langjahr, seconded by Mr. Martin and unanimously carried, the meeting was adjourned at 9:26 pm.

Respectfully submitted,
Attest:

Lisa Heilman
Manager/Treasurer/Secretary
Borough of Robesonia