

President Abby Wertz called the September 4, 2012 meeting to order at 7:30 PM with the pledge to the flag. Council Members present were Ron Becker, Jr., Michael Kocher, Harvey Marshall, Bob Pierce, Frank Schnee and Dave Rohrbach. Also attending the meeting were Mayor Randy Gartner, Solicitor Andrew George, Police Chief Scott Wagner and Secretary Lisa Heilman. Citizens and visitors attending the meeting were David Randler, Vernon Bright, Karen Krater of Hoffert Surveyors, Angela Miller and David Bright.

On a motion by Mr. Schnee, seconded by Mr. Becker and unanimously carried, the meeting minutes of the August 6, 2012 meeting were approved.

**VISITORS & CITIZENS** – Angela Miller asked Council's approval to hold one or two weekly zumba classes for kids at the Borough Hall. Classes would be held between 4:15 PM and 5:30 PM and would be on a pay-as-you-go basis. Council agreed to the use and to waiving the fee for a 60 day trial period. Fee issue will be revisited at the December Council meeting and after determining the success of the trial. Motion by Mr. Becker, second by Mr. Schnee and unanimously carried to allow sixty day trial and fee waiver. Karen Krater, Hoffert Surveyors, presented updated plan for Wertz Medical Building project. She advised Council that our solicitor was to have received the revised Stormwater Agreement between Heidelberg Township, Robesonia Borough and Clay Crossings for our consideration. Solicitor George advised Council he never received the amended agreement. Council will vote on passage of amended agreement at the September 18<sup>th</sup> workshop meeting, provided the agreement is received by that time.

**MAYOR** – Mayor Gartner advised Council of the upcoming Hidden Heritage Tour on Saturday, September 8<sup>th</sup> and Sunday, September 9<sup>th</sup>. Robesonia's Friends of the Furnace will be participating in the event. Tickets cost \$20/person. Hours are Saturday, 10AM to 4PM and Sunday, 1PM to 5PM. All are encouraged to attend. Mayor Gartner also issued his thanks to the Fire Department and Fire Police for their participation and assistance for the David Pannebecker Dedication ceremony.

**SOLICITOR** – Solicitor George presented Ordinance 2012-3 for adoption:

**AN ORDINANCE OF THE BOROUGH OF ROBESONIA, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING THE MUNICIPALITY TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH OTHER MUNICIPALITIES, TO PARTICIPATE IN THE BERKS COUNTY MS4 STEERING COMMITTEE FOR THE PURPOSE OF MEETING THE EDUCATIONAL REQUIREMENTS OF THE 2012-2018 MS4 NPDES PERMIT AND OTHER SERVICES AS MAY FROM TIME TO TIME BE DEEMED NECESSARY, IN ORDER TO ENSURE THAT PROPER APPLICATION/ANNUAL REPORTS TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION ARE ACCOMPLISHED FOR RENEWAL OF MS4 PERMIT(S) REQUIRE OF THE MUNICIPALITY.**

On a motion by Mr. Marshall, second by Mr. Pierce and unanimously carried, motion passed.  
Solicitor George then presented Resolution 2012-1 for adoption:

**PRICE ADJUSTMENT OF BITUMINOUS MATERIALS FOR SMALL QUANTITIES**

Whereas, the Borough of Robesonia, Berks County

Will allow an escalator clause for bituminous material to be included as part of the Proposal.  
The escalator clause will follow Pennsylvania Department of Transportation Publication 408 current edition Section 110.04 with the following exceptions:

1. Section 110.04(a); Delete "100 tons of asphalt cement". Price adjustment of bituminous material will be applicable to all quantities of asphalt cement, including asphalt cement residue contained in emulsions or cutbacks, will be used in the bituminous materials specified or indicated for placement.
2. Section 110.04(b) 7; Delete "Cumulative price adjustment amounting to less than \$500.00 will be disregarded." Bituminous price adjustment will be calculated for any payment or rebate.

NOW THEREFORE, it is resolved by the Robesonia Borough Council.

Motion by Mr. Marshall, second by Mr. Schnee and unanimously carried, motion passed.

Lastly, Mr. George discussed with Council recent court decisions involving emails sent/received on elected officials' personal computers.

**ENGINEER** – The engineer's report was included in the packet, including updates on the repair of flood damages (GP-3 & GP-11 permitting), MS4 renewal permit submission and the Wertz Medical Building project.

**PLANNING COMMISSION** – Next meeting is scheduled for September 19th , 2012, if needed.

**SECRETARY** – On a motion by Mr. Schnee, second by Mr. Becker and unanimously passed, the 2013 MMO of \$4,440 was accepted. Secretary presented Council with three options for the copier/copier replacement. The annual maintenance agreement has increased to \$987 due to the age of the copier. Three and five-year lease options were presented as follows: Three years at \$1,506.49/year (includes \$433.33/year maintenance agreement); Five years at \$1,014.84/year (includes \$460.20/year maintenance agreement). On a motion by Mr. Becker, second by Mr. Marshall and unanimously carried, Secretary was directed to enter into five-year lease/purchase agreement for new copier.

**PAYMENT OF INVOICES**- Motion by Mr. Schnee seconded by Mr. Pierce and unanimously carried, the bills were ordered paid as presented, including those paid prior to the meeting to avoid penalties.

#### **COMMITTEE REPORTS-**

**Finance/Administration** – 2013 budget work has been started..

**Fire Protection/Safety** – No report.

**Streets/Highways/Sewer** – Meeting minutes from the August meeting were included in agenda packet. Mr. Marshall made a motion to ratify the advertising for the Street Work Project. Secretary advised Council that she had received approval from four council members via email to proceed with the advertising prior to meeting. Project was advertised on August 24 and August 27. Mr. Becker seconded the motion and Council unanimously voted to ratify the advertising of the project.

**Parks & Recreation** – The playground program will be permanently ended. Also, Mr. Becker advised Council that he is seeking proposals for a video surveillance system for the tot lot pavilion. Mr. Marshall advised Council that the siding on the west end of the tot lot pavilion is damaged and in need of replacement. He is recommending replacement with marine plywood or T1-11 siding. Council approved.

**Personnel**: Performance evaluations will be conducted on September 19<sup>th</sup>.

#### **COUNCIL REPORTS**

**Marshall** – No report.

**Schnee** – No report.

**Becker**- No report.

**Rohrbach** – No report.

**Pierce**- Mr. Pierce asked about the Borough's camper parking policy and about the legality of one particular camper. Mayor Gartner was familiar with the camper and property and advised Mr. Pierce it was legally parked.

**Kocher**- No report.

**Wertz** - Ms. Wertz advised Council that the library has their open house scheduled the same night as the Kyle Pagerly dedication ceremony and is going to ask them to move it so Council members can attend. Also, Ms. Wertz expressed the thanks from the POSofA to all those who attended the David Pannebecker dedication ceremony.

**Mayor Gartner**: No report.

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**UNFINISHED BUSINESS** – Secretary asked Council to determine if a Notice of Violation should be sent to Lengert Law regarding the Zoning Issue that is still not in compliance. On a motion by Mr. Marshall, second by Mr. Pierce and unanimously carried, Secretary was directed to notify Zoning Officer to send violation notice. David Bright asked Council’s permission to submit the Notice of Intent to renew the MS4 permit. Mr. Becker made the motion and Mr. Marshall seconded to grant permission to submit. Council approved unanimously.

**NEW BUSINESS** –

On a motion by Mr. Pierce, seconded by Mr. Kocher and unanimously carried, the meeting was adjourned at 8:34 PM.

Attest:

Lisa Heilman  
Secretary