

Mayor Randall Gartner called the January 3, 2022 meeting to order at 7:00 PM with the pledge to the flag. Council Members present were Harvey Marshall and Jamie Burrus. Also attending the meeting were Solicitor Andrew George, Chief Leon Grim and Manager Lisa Heilman. Citizens and visitors attending the meeting were Vernon Bright, David Bright, Tim Rowe, David Rohrbach, Carol Werkheiser, Mark Spotts, Mike Martin, Matt Miller, Tracy Rice, Dean Johnson, Cindy Murdough, Devin Geist and David Randler. Mayor Gartner swore in Mark Spotts and Matthew Miller to their 2-year terms and Dean Johnson, Michael Martin and Tracy Rice to their 4-year council seats. At this time, election of officers took place. Mr. Spotts made the motion to appoint Harvey Marshall for President. Mr. Johnson seconded and Council approved unanimously. Mr. Marshall made the motion to appoint Mark Spotts as Vice President, Mr. Johnson seconded and Council approved unanimously. At this point President Marshall took over presiding over the regular council meeting.

Mr. Johnson made the motion to approve the meeting minutes of the December 6, 2021 Council Meeting. Mr. Martin seconded and Council approved unanimously. Mr. Spotts made the motion to approve the meeting minutes of the December 21, 2021 Workshop Meeting. Mr. Johnson seconded and Council approved unanimously.

VISITORS & CITIZENS – Mark Spotts, on behalf of the POSofA, sought Council’s approval for them to host a second Patriot’s Day/Civil War Re-enactment on April 23 and for the closure of Freeman Street from South Church Street to Furnace Street from 10AM-3PM for that day. Mr. Johnson made the motion to approve and Mr. Miller seconded. Council approved unanimously. Mr. Spotts noted that this is held as a fundraiser and the POSofA is looking to raise money to build a new vessel in which to burn American flags. He noted they receive hundreds of flags from the community every year and that is a testament to the respect this community shows to our flag and country. All other visitors at this time were observing.

MAYOR – No report.

SOLICITOR – Solicitor George presented the following resolutions for adoption:

RESOLUTION 2022-1

A RESOLUTION OF THE BOROUGH OF ROBESONIA, BERKS COUNTY, PENNSYLVANIA, APPOINTING A CHIEF ADMINISTRATIVE OFFICER FOR THE WESTERN BERKS REGIONAL POLICE DEPARTMENT PENSION PLAN.

WHEREAS, the Borough of Robesonia, Berks County, Pennsylvania (“Borough”) had previously been a member of the Western Berks Regional Police Department; and WHEREAS, the Western Berks Regional Police Department has a pension plan for the employees of the Western Berks Regional Police Department; and WHEREAS, the Pennsylvania legislature enacted Act 44 of September 18, 2009; and WHEREAS, in accordance with Act 44 of 2009 and the dissolution of the Western Berks Regional Police Department; and WHEREAS, the Borough desires to appoint a Chief Administrative Officer for the Western Berks Regional Police Department Pension Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Robesonia hereby appoints Lisa Heilman, the Robesonia Borough Secretary, or any successor secretary of the Borough as the Chief Administrative Office of the Western Berks Regional Police Department Pension Plan along with the Chief Administrative Officer as appointed by the Borough of Wernersville, and authorizes such Chief Administrative Officer to administer the Western Berks Regional Police Department Pension Plan in accordance with the Municipal Pension Plan Funding Standard and Recovery Act;

BE IT FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impact any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Borough Council of the Borough of Robesonia that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

BE IT FURTHER RESOLVED, that all Resolutions or part of Resolutions inconsistent with this Resolution are hereby superseded;
BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately.
On a motion by Mr. Marshall, second by Mr. Spotts and unanimously approved by Council, motion passed.

Resolution 2022-2
ROBESONIA BOROUGH, BERKS COUNTY, PENNSYLVANIA

SCHEDULE OF FEES

BE IT RESOLVED, by the Borough Council of the Borough of Robesonia that:

I. Subdivision or Land Development Application Filing Fees (non-refundable)

The following non-refundable filing fees shall be payable to Robesonia Borough upon the presentation of any application for approval of a subdivision or land development plan, to be used by Robesonia Borough to offset the costs incurred for expenses such as secretarial time and administrative expenses. These filing fees shall be paid at the time of filing any sketch, preliminary and/or final plan. The application shall not be complete, and will not be considered to be submitted, until the filing fees are paid.

A. Sketch Plan

- | | |
|-----------------------------------|----------|
| 1. Voluntary | \$ 50.00 |
| 2. Formal Zoning Review Requested | \$100.00 |

B. Minor Subdivision Plan (SALDO 310.2)

\$150.00

\$250.00

**C. Subdivision / Land Development Plan
Preliminary and Final Plan
Submissions**

II. Subdivision or Land Development Application Review Escrow
(refundable on per-cost basis)

Review fees for consultants engaged by the Borough to review, comment upon, or address any aspect of a subdivision or land development application and/or plan shall be reimbursed by the applicant in addition to the application filing fees set forth above. Review fees chargeable to the applicant shall be those fees and costs actually paid by the Borough to those consultants who review, research and/or comment upon any aspect of the application and accompanying materials. The rate of pay for consultants shall be as determined by the Borough Council when it appoints such consultants at the annual organization meeting in January of each year.

The applicant shall, upon submission of a subdivision or land development application,

tender to the Borough the amount set forth in the following schedule, which amount will be held by the Borough as a review escrow account from which the fees and costs of the Borough's consultants will be paid when bills are received by the Borough. If the review escrow account balance has dropped below 50% of the initial escrow amount when the applicant submits a revised plan, the applicant shall replenish the review escrow account to 100% of the initial escrow amount within ten days after notice by the Borough that replenishment is required.

Any unused portion of the review escrow account will be refunded to the applicant upon the conclusion of the plan review and the payment of final fees and costs. Conversely, if review fees exceeded the previous balance of the applicant's review escrow account, the applicant will be invoiced by the Borough for the cost overrun. No plans or other documentation will be released to the applicant or his representative for recording until the Borough has been reimbursed for the cost overrun.

A. Sketch Plan

1. Voluntary	\$250.00
2. Formal Zoning Review Requested	\$1,000.00
B. Minor Subdivision Plan (SALDO 310.2)	\$1,250.00
	\$2,000.00
C. Subdivision/Land Development Plan Preliminary and Final Plan Submissions	

III. Subdivision / Land Development Inspection Escrow

(refundable on per-cost basis)

Review fees for consultants engaged by the Borough to inspect required improvements, process financial security releases, review as-built plans or review, inspect, comment upon, or address any aspect of a subdivision or land development project related to its construction.

Subdivision / Land Development Projects requiring a financial security for improvements: 6% of the required financial security, or \$20,000 whichever is less.

Subdivision / Land Development Projects not requiring a financial security for improvements: \$1,500

IV. Stormwater Management Plan Review / Inspection Escrow

(refundable on per-cost basis)

For projects that do not require subdivision / land development plans, but do required a stormwater management plan to be reviewed and approved by the Borough, the following review/inspection escrow fees apply. The \$1,500.00 escrow covers costs for consultants engaged by the Borough to review and comment on the stormwater management plan, prepare and record stormwater management agreements, conduct inspections of the required stormwater controls, and other tasks associated with the approval of the stormwater management plan and construction.

V. Road Occupancy Permit Fees

Charged per the PennDOT formula

- 4. Validity challenge
- 5. Any other application

VI. Application to Zoning Hearing Board

A. Application Filing Fee (Non-Refundable)

B. Escrow Deposit (Refundable on per-cost basis)

- 1. Appeal from enforcement notice
- 2. Appeal from Zoning Officer determination
- 3. Variance / Special Exception

	\$1,000.00
	\$1,000.00
	\$1,000.00
\$100.00	\$1,500.00
	\$1,000.00

The escrow is applied as permitted under the MPC. Any amounts not used by the Borough for those expenses specified by law shall be refunded to the applicant. The applicant is responsible for any costs that exceed the escrow.

VII. Other Zoning Matters

- A. Application Filing Fee** (non-refundable) \$100.00

- B. Escrow Deposit** (refundable on per-cost basis)
 - 1. Conditional Use \$1,000.00
 - 2. Curative Amendment \$1,500.00
 - 3. Request for rezoning \$1,500.00

Any amounts not used by the Borough for those expenses specified by law shall be refunded to the applicant. The applicant is responsible for any costs that exceed the escrow.

VIII. Matters Arising Under Statutes Other Than Municipalities Planning Code

(e.g. Borough Code concerning roads; Local Agency Law)

- A. Application Filing Fee** (non-refundable) \$100.00

- B. Escrow Deposit** (refundable on per-cost basis) \$1,000.00

Any amounts not used by the Borough for those expenses specified by law shall be refunded to the applicant. The applicant is responsible for any costs that exceed the escrow.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Borough Council of Robesonia Borough that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

FURTHER RESOLVED, that this Resolution shall become effective and be in force immediately.

On a motion by Mr. Johnson, second by Mr. Spotts, and unanimously approved by Council, motion passed.

I. APPOINTMENTS FOR 2022:

- PLGIT and Fulton Bank- Womelsdorf Branch- as the Borough's depositories
- Andrew George and Kozloff-Stoudt as Borough Solicitors at a rate of \$200/meeting, \$170/hour for partner, \$140/hour for associate, \$125/hr for paralegal
- Technicon Enterprises II, Inc. as Borough Engineers, Borough Zoning Officials, Sewage Enforcement Official, Building Code Officials and Property Maintenance Code Enforcement Officials at an hourly rate of, \$96.75/senior engineer, \$83.75/Engineer, \$61.00/Sewage Enforcement Officer; \$53.60/zoning officer, \$44.00/clerical and \$68.35/Building Inspector
- Eugene Orlando of Orlando Law Services as Zoning Board Solicitor @ \$195.00/hour and \$160/hour for paralegal services.
- Rodger Krause, CPA as the Borough Auditor at a rate of \$9,000/year.
- Lisa Heilman as Borough Manager/Secretary/Treasurer
- Mike Martin, 1 year term as Borough Representative to Berks County Boroughs Association
- Mark Spotts, 1 year term on the WRW Trash COG (2022)
- David Randler, 5 year term on the Robesonia Municipal Authority (2026)
- Joel Costenbader, 3 year term on the Zoning Hearing Board (2024)
- John Ravert, 5 year term on the Shade Tree Commission (2026)
- Michael Zerbe, 5 year term on the Parks and Rec Board (2026)
- Western Berks Planning Commission representatives: Randy Gartner, Harvey Marshall, ?-alternate.

Next meeting to be held on 1/20/22 at 7PM at the Heidelberg Township Building

On a motion by Mr. Spotts, second by Mr. Martin and unanimously carried by Council, all appointments carried.

ENGINEER – The Engineer's monthly report was included in the agenda packet

PLANNING COMMISSION – Next meeting is scheduled for January 19th to review North Heidelberg Township's request to amend Joint Zoning Ordinance to include regulation of solar farms.

MANAGER – Advised Council the Robert Zerman Workers Comp death claim was denied but has since been appealed.

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

COMMITTEE REPORTS- Committees were reorganized as follows:

Finance/Administration – (Spotts, Marshall, Martin) Year end balance sheets were included in the agenda packet

Fire Protection/Safety – (Martin, Marshall, Spotts) Mr. Martin advised Council

Streets/Highways/Sewer – (Marshall, Chairman; Spotts, Miller) Mr. Marshall advised Council that leaf picking has been completed and the new picker has been cleaned up and stored. He also advised Council that C2C has completed their delineation of the contaminated area at the Breininger property and everything has been passed on to Chris Kerns at Liberty Environmental for them to complete the RIR for submission to DEP.

Parks & Recreation – (Rice, Marshall) No report.

Personnel- (Spotts, Chairman; Marshall, Martin) A meeting will be held in the very near future to discuss potential new hires

Library Liaison- Carol Werkheiser, No report.,

Western Berks Joint Planning Commission: (Gartner, Marshall; Alternate)

American Rescue Plan (NEW)- (Spotts, Rice, Johnson)

Environmental Clean-up Committee (NEW) (Rice, Chairperson; Gartner, Cindy Murdough) Ms. Rice asked if it would be appropriate for her to ask Liberty and Technicon to a meeting for a progress report. She was told that would be fine. Until a day/time is determined for their committee to meet (and it is advertised), the first meeting will, tentatively, be held at the January 17th Workshop Meeting (dependent upon Liberty Environmental's and Technicon's ability to attend).

COUNCIL REPORTS

Marshall – No report.

Martin- The Fire Company did the Santa Claus about town again this year and the residents really appreciated it. Thank you to Harvey Marshall for decorating the truck and hauling Santa around in spite of the chilly weather.

Spotts- No report.

Johnson- No report.

Rice- No report.

Miller- No report.

Burrus- No report.

Mayor Gartner - No report.

Chief Grim- Happy New Year and thanks to all who helped with the food giveaway, the gifts for the 10 CW Area families and Shop with a Cop. Also, Chief gave a shout out to the Fire Department for a job well done on the recent grease fire on 12/29 in the 200 block of West Penn Ave. It could have been much worse but thanks to the FD, it was contained to the kitchen.

UNFINISHED BUSINESS –None

NEW BUSINESS – None

COMMUNICATIONS:

- Meeting minutes & Treasurer's reports from the Womelsdorf-Robesonía Joint Authority meetings
- Technicon monthly building report.
- South Heidelberg Township PD monthly report.
- Robesonía-Wernersville MA November meeting minutes and Engineer's Report.
- Western Berks Ambulance monthly report.

On a motion by Mr. Martin, seconded by Mr. Johnson and unanimously carried, the meeting was adjourned at 7:50 PM.

Attest:

Lisa Heilman
Manager/Secretary/Treasurer