

President Harvey Marshall called the July 6, 2021 Council meeting to order at 7:00 pm with the pledge to the flag. Council members present were V.P. Mark Spotts, David Rohrbach, Matt Miller, Dean Johnson and Rod Soliday. Mike Martin was absent. Also attending the meeting were SHPD Chief Leon Grim, Mayor Randy Gartner, Part-time secretary Victoria Wawrzyniak and Manager Lisa Heilman. Citizens and visitors attending the meeting were David Randler, Carol Werkheiser, David Bright, Stephanie Moultrie, Jeff & Cole Savage, Abby Wertz and Tracy Rice. A motion was made by Mr. Soliday to approve the minutes of the June 7, 2021 Council Meeting minutes. Mr. Miller seconded and Council approved unanimously.

VISITORS & CITIZENS: David Randler asked the status of the Administrative Search Warrant for the Gloray building at 317 East Penn Avenue. Mr. Marshall advised Council that he has spoken with both Technicon and the solicitor. Solicitor advised that he is working with Jeff Kerlin to ensure enough current information to get the warrant. We want to make sure we have a solid case before going before the DJ to obtain the warrant. Mr. Randler asked if the Borough has heard back from the engineer on what the Borough's portion of paving the intersection of Linden and Lincoln would be and whether the Borough will be piggy-backing with Heidelberg Township's total repave of Fry Manor. We have not yet gotten that number. Mr. Marshall asked for a motion to approve the job as long as it falls under the \$11,500 threshold for having to obtain three telephone bids. Mr. Soliday made the motion and Mr. Johnson seconded. Council approved unanimously. Stephanie Moultrie asked Council for permission to close West Ruth Avenue from South Brooke Street to South Church Street on the day of the Community Yard Sale/Vendor Show from 11AM to 3PM. She will have a band playing during those hours and would like for people to be able to move freely between the playground where the vendors will be set up and where the band will be playing. Mr. Johnson made the motion to close the street, Mr. Soliday seconded and Council approved unanimously. Mr. Marshall advised the Street Department will have the saw horses there and ready to go on that day. Abby Wertz advised Council that her contact at Simone Collins Landscape Architecture advised her that based on the vision for the passive recreation/historic preservation park they are proposing, the Borough's share of the total project would be between \$20,000-\$30,000...after grants pay for the remaining \$70,000-\$80,000. She asked if the Borough would be able to meet that amount, either through the general fund or through recreation fees paid by developers. Council was unsure but would consider budgeting for it since this work would not begin before the environmental clean-up was completed. Mayor asked status of the environmental clean-up. Manager advised the most recent email from Liberty Environmental on 6/28 noted they had completed the fate and transport modeling and had started on the report. Ms. Wertz then asked if Mountain Avenue was slated to be repaired anytime soon. Mr. Marshall advised her that was our hope but it took the state seven months to approve our PIB loan application for our roadwork project and that it was now too late in the year to get a decent proposal. Our next move is to advertise it in late fall/early winter and get on the schedule in early spring. Mr. Bright, representing the Robesonia Municipal Authority, advised Council the RMA would sincerely appreciate the Council's consideration of using the American Rescue Plan funds to help to pay for the relocation of the interceptor pipe along Wooltown Road. Mr. Savage advised Council that he and his son, Cole, were observing in order to meet a merit badge requirement for scouting.

MAYOR – Mayor Gartner advised Council that the CW Swimming Pool will be hosting a community event this Friday, July 9th from 5-10PM. 4Play will be playing (starting at 7:00). Admission is free. Food and drink will be available for sale. Also, Friends of the Furnace will be hosting a bonfire/history presentation on July 23rd at 8PM. Admission is free to the public. Mayor asked if ballfield will be open

and available on Sunday, August 22nd for Veterans' Rally, starting at 4PM (date to be confirmed by Manager). Mayor asked if Jay Ibach of 35 Chestnut Avenue was cited for the truck body still sitting in his yard. Chief Grim advised him it WAS cited. He mentioned a brush pile on the corner "across from Erica Wenrich's" house and a BMW SUV parked "at Pete Ruth's daughter's house" that has been sitting there for months with the front end smashed in.

SOLICITOR - Solicitor George presented **Resolution 2021-2** as follows:

A Resolution of the Borough of Robesonia, Commonwealth of Pennsylvania, supporting the Pennsylvania Commission for the United States semi-quincentennial (AMERICA250PA

On a motion by Mr. Miller, second by Mr. Soliday, Council approved unanimously.

Solicitor George presented the following resolution and ordinance for approval for advertising (ordinance) and adoption (both) at the August meeting:

RESOLUTION 2021-3

A RESOLUTION OF THE BOROUGH OF ROBESONIA, BERKS COUNTY, PENNSYLVANIA, SETTING THE ANNUAL RESIDENTIAL RENTAL UNIT REGISTRATION FEE FOR ALL RESIDENTIAL RENTAL UNITS WITHIN THE BOROUGH.
(\$20.00)

ORDINANCE 2021-3

AN ORDINANCE OF THE BOROUGH OF ROBESONIA, BERKS COUNTY, PENNSYLVANIA, ENDING THE RESIDENTIAL RENTAL UNIT INSPECTION PROGRAM AND REPEALING ALL REGULATIONS REQUIRING THE INSPECTION OF RESIDENTIAL RENTAL UNITS WITHIN THE BOROUGH, INCLUDING ORDINANCE NO. 2009-7 AND ALL OTHER ORDINANCES INCONSISTENT WITH THIS ORDINANCE.

Mr. Spotts made the motion to approve to advertise and Mr. Johnson seconded. Council approved unanimously.

The proposed Veteran's Group Home at 17 West Penn Avenue was discussed. A list of conditions, provided by the engineer, for Council to consider attaching to the approval of the group home was provided to Council. Questions arose on how the conditions would be enforced, solicitor advised Council that licensure requirements would be changing in December. Since Council had many unanswered questions, Manager suggested sending the list of conditions received from the engineer out to everyone with the engineer's email on it. Recommended everyone submit their questions to engineer (copying all) so approval process could be revisited at the August meeting. Solicitor George advised Council of the following:

On June 30, Gov. Wolf signed SB 554 now Act 65 of 2021, into law, amending the Sunshine Act. It is effective in 60 days from 6/30. Act 65 requires that local agencies make available to the public the agenda in advance of the meeting. A local agency must:

Post the meeting agenda on its website at least 24 hours in advance of the meeting. The agenda must list each matter to be considered;

Post the agenda at the meeting location, and at the municipal office if the two are not one and the same;

Distribute copies of the agenda to all attendees.

These new rules do not apply for conferences, work sessions, or executive sessions. There are certain times when the municipality may consider other not on the agenda:

Emergencies: A current or potential emergency with "a real and present danger to life or property";

New Issues: The governing body may take action on a matter arising within 24 hours prior to the meeting.

De Minimis Issues: Matters not involving expenditure of funds or entering into a contract.

Majority Vote: The governing body may take action if a majority formally approves the amendment of the agenda. The reasons for the amendment must be announced at the meeting, and the amended agenda must be posted on the agency's website, and at the principal office location of the agency no later than the first business day after the meeting.

ENGINEER – The Engineer's Report was included in the agenda packet.

PLANNING COMMISSION – The July Planning Commission meeting is scheduled for July 21st, if needed.

MANAGER – Manager advised Council that the American Rescue Plan funding (\$108,175.63 in 2021 and \$108,175.63 in 2022) application has been submitted and we are currently awaiting the disbursement of the funds. Manager presented the application for a handicapped parking space for Helena Stover of 44 East Meadow Avenue. Upon consideration, Council voted unanimously to deny the request on a motion by Mr. Soliday and second by Mr. Spotts due to sufficient off-street parking that provides easier access to her front door than a handicapped parking space would.

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

COMMITTEE REPORTS-

Finance/Administration –Manager advised Council that preliminary 2022 Budget work will begin in July.

Personnel: Council entered an Executive Session at 8:00pm to discuss personnel matters. Regular meeting reconvened at 8:10pm.

Fire Protection/Safety – No report.

Streets & Highways- No report.

Parks & Recreation- Manager asked Council's consideration of providing \$500 for the community night at the CW Pool on July 7th. Since we were unable to hold a playground program this year, we have approximately \$7,000 budgeted for recreation we will not be using. Mr. Johnson made the motion to pay for the band (\$500) for this event only. Mr. Soliday seconded and Council approved unanimously.

Library- No report.

Police- Chief Grim commended those involved with this year's street fair and fireworks....great job to all involved! He advised Council that the Police Department will be receiving a K-9 officer on July 19th which will be used to search for drugs and people. Also, body cameras will be in use beginning in August.

Water/Sewer Municipal Authorities-Mr. Soliday reiterated Mr. Bright's suggestion that the RMA would greatly appreciate the Borough's financial assistance in their pipe relocation project. He also noted that their Treasurer's Report from their June meeting were provided to Council. Manager asked that meeting minutes also be provided going forward.

Western Berks Joint Planning Commission: The Western Berks Joint Planning Commission will be meeting on July 15 to discuss a change to the definition of Convenience Store to allow for the sale of fuel as a customary accessory without being considered a Service Station.

COUNCIL MEMBERS:

Marshall- No report

Martin- Absent

Soliday- No report

Johnson- No report.

Spotts- No report

Rohrbach- Mr. Rohrbach noted that this was his last meeting as he and Jane moved into their new home in Wyomissing. Manager thanked Mr. Rohrbach for his many years of service on Borough Council.

Miller:. No report.

Mayor Gartner- Mayor thanked all who helped with the Street Fair and to those who supported it. It was well attended. Great job!

UNFINISHED BUSINESS – Jack Frost Parade. Meeting will be held on Thursday, July 8 at 7PM for ongoing discussions.

NEW BUSINESS – Mr. Marshall presented two interested candidates for Mr. Rohrbach’s council seat, Tracy Rice and Jamie Burrus (who was unable to be present due to the death of his father). A roll call vote was taken as follows:

Mr. Miller-Burrus	Mr. Soliday- Burrus
Mr. Marshall – Burrus	Mr. Spotts – Rice
Mr. Johnson – Rice	

Mr. Marshall noted that Mr. Burrus would be appointed based on the 3-2 vote. At this time, Mr. Spotts noted that Mr. Rohrbach had not voted, and had not yet resigned.

Mr. Rohrbach voted Rice, effectively tying the vote. Mayor Gartner voted for Ms. Rice to break the tie. Mr. Spotts made the motion to appoint Tracy Rice to the Council seat and Mr. Johnson seconded. On a 3-3 vote (Rohrbach, Johnson, Rohrbach/YES) (Miller, Soliday, Marshall/NO) vote and a yes vote from Mayor Gartner to break the tie, Tracy Rice was appointed. Mr. Marshall then asked for a motion to accept, with regret, Mr. Rohrbach’s resignation from Council. Mr. Johnson made the motion and Mr. Spotts seconded. Council approved unanimously.

COMMUNICATIONS:

- Monthly Police Report. Stats section was included in agenda packet.
- Robesonia-Wernersville Municipal Authority May meeting minutes and engineer’s report.
- Western Berks Ambulance monthly report-June
- Building Permit List-June
- RMA’s Treasurer’s report
- Kraft Codes Monthly Report.

On a motion by Mr. Marshall second by Mr. Miller and unanimously carried, the meeting was adjourned at 8:27 PM.

Attest:

Lisa Heilman
Manager/Secretary/Treasurer