

President Harvey Marshall called the December 6, 2021 Council meeting to order at 7:00 pm with the pledge to the flag. Council members present were V.P. Mark Spotts, Mike Martin, Matt Miller, Dean Johnson, Jamie Burrus and Rod Soliday. Also attending the meeting were SHPD Chief Leon Grim, Mayor Randy Gartner, Solicitor Andrew George, Engineer Jen Van Dyke and Manager Lisa Heilman. Citizens and visitors attending the meeting were David Randler, Dave Rohrbach, Christine Burrus, Carol Werkheiser, Geneva Berger, Lori Brown, Jon Henning, Ben Motz, Tim Rowe, Tracy Rice, Cindy Murdough, Brian Focht (C2C Design) and Devin Geist. A motion was made by Mr. Soliday to approve the minutes of the November 16th, 2021 Workshop Meeting. Mr. Miller seconded and Council approved unanimously.

VISITORS & CITIZENS: Lori Brown asked if the rental inspection program has been eliminated. She was told it has been for now. She gave her opinion that a flawed program was still better than no program. Mr. Marshall noted that the same landlords were being found in violation over the last six cycles of inspections and Council felt the program was just not working for that reason. She asked why the increase in the rental registrations if the inspection program was eliminated. Mr. Soliday advised her that since the Borough still has the Property Maintenance Code in place, the additional money will help to defray legal costs for the borough to pursue any violations of the IPMC. All other visitors were observing.

MAYOR – Mayor Gartner advised Council that the Administrative Search Warrant for 317 East Penn Avenue was obtained and carried out and there was no conclusive evidence found to support the claims of them living at the property. He thanked Rod Soliday for his service on Council. Mr. Soliday stated he learned a lot in his years of serving. Mayor Gartner noted that there were two quotes received from C2C Design to perform a survey of the contaminated property along Freeman Street. One to mark the overall property lines for \$750, the other to delineate the contaminated areas for \$1,250. Mr. Martin made the motion to approve C2C to do the survey at a total cost of \$2,000. Mr. Miller seconded and Council approved unanimously. Technicon to use the survey to prepare the bid specs for the removal of the trees in the contaminated areas.

SOLICITOR - Solicitor George was enthusiastically welcomed back following his recent health scare and convalescence. Solicitor George presented the following routine annual resolutions:

RESOLUTION 2021-7

A RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF ROBESONIA, BERKS COUNTY,
PENNSYLVANIA, APPOINTING STATEWIDE TAX RECOVERY
OF 100 NORTH THIRD STREET, SUNBURY, PENNSYLVANIA,
AS DELINQUENT PER CAPITA TAX COLLECTOR FOR
THE BOROUGH OF ROBESONIA FOR THE YEAR 2022.

Mr. Soliday made the motion to approve, Mr. Spotts seconded. Council approved unanimously.

RESOLUTION 2021-8

A RESOLUTION OF THE BOROUGH COUNCIL OF
THE BOROUGH OF ROBESONIA, BERKS COUNTY, PENNSYLVANIA, APPOINTING A
DELINQUENT TAX COLLECTOR FOR THE YEAR 2022 FOR THE BOROUGH OF
ROBESONIA.

Mr. Spotts made the motion to approve, Mr. Soliday seconded. Council approved unanimously.

RESOLUTION 2021-9

A RESOLUTION OF THE BOROUGH COUNCIL OF THE

BOROUGH OF ROBESONIA, BERKS COUNTY,
PENNSYLVANIA, SETTING THE SALARIES AND WAGES
FOR THE CALENDAR YEAR 2022.

BE IT RESOLVED AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Robesonia, Berks County, Pennsylvania as follows:

Council Members	\$540.00/yr	\$ 45.00/mo
Mayor	\$0.00	No salary
Manager/Sec./Treas. salary	\$54,469.00/yr	\$4539.09/mo
Tax Collector	\$2.00 per each bill collected	
Part-Time Clerical		
Custodian (p/t)		\$15.00/hr
Sidewalk Inspector (p/t)		80% of fees
Roadmaster salary	\$20,800.00/yr	\$1,733.00/mo
Highway I hourly rate		\$20.00/hr
Highway II hourly rate		\$19.00/hr
Highway III hourly rate (as needed)		\$15.00/hr

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

RESOLUTION 2021-10

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
ROBESONIA, BERKS COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR
THE YEAR 2022.

Mr. Spotts made the motion to approve, Mr. Johnson seconded and Council approved unanimously. Solicitor George thanked the South Heidelberg Police Department for their assistance in issuing and administering the administrative search warrant at 317 East Penn Avenue.

ENGINEER – The Engineer’s Report was included in the agenda packet. Engineer noted she is working with the Solicitor to update the current fee schedule for Subdivision/Land Development Plans, Hearings, Road Occupancy/Street Cut Permits, Stormwater Plans, etc.

PLANNING COMMISSION – Engineer, Jen Van Dyke, noted that no new plans have come in so the PC meeting for December will be cancelled. The meeting minutes from the November 17th PC meeting, along with a Technicon review letter dated November 15th regarding the Furnace Hill AARC preliminary plan submission and a November 22nd letter to C2C Design with the PC’s recommendations for waivers and conditional preliminary plan approval were included in the agenda packets. Ms. Van Dyke went over the AARC plan noting that layout is essentially what was depicted at the Conditional Use Hearing, the plans are generally in conformance with Zoning, SALDO and Stormwater Ordinance requirements except for a few requested waivers, and that the Final Plan will be split into two phases to allow for environmental cleanup to occur in one area of the site. She explained the PC’s recommendations regarding the waivers and conditional final plan approval as spelled out in the 11/22 letter and with no further public comment, Council took the following actions:

1. **Grant the following waivers from the SALDO (as recommended by PC):** Sections 402.4.B regarding profile vertical scale, Section 504.1.D to allow a lot depth more than 2.5 times the width, and Sections 502.3.A and 502.10.C to allow a cul-de-sac street over 500’ long and serving

more than 20 dwelling units provided an emergency access drive and snow removal easement are provided off the end of the cul-de-sac.

Mr. Soliday made the motion to approve the requested SALDO waivers, Mr. Burrus seconded and Council approved unanimously.

2. **Grant the following waivers from the Stormwater Management Ordinance (as recommended by PC);** Section 307.B.4 & 311.G to allow the infiltration facilities to drain within DEP permitted timeframes, versus 48 hours in the Ordinance; Section 308 & 309 to allow the 2-year post development flow to each point of interest to exceed the 1 year pre-development flow but be less than the 2-year predevelopment flow, and Section 313.A.5.c to not require a clay core and anti-seep collars for Basin B.

Mr. Martin made the motion to grant the Stormwater Ordinance waivers, Mr. Soliday seconded and Council approved unanimously.

3. **Grant conditional preliminary plan approval** based on the applicant complying with the comments in the Technicon review letter dated November 15, 2021, providing a split rail fence with wire mesh around Basin A, and that if significant layout changes result from the NPDES permit review, the plan shall come back to the PC/Council for further preliminary plan review.

Mr. Soliday asked who will be responsible for the maintenance of the fence going forward.

Ms. Van Dyke noted it would be the responsibility of the HOA.

Mr. Soliday made the motion to grant conditional preliminary plan approval, Mr. Johnson seconded and Council approved unanimously.

MANAGER – Manager presented a request for a handicapped parking space for 200 West Penn Avenue (Lohman). They are asking for the space to be along South Church Street in order to access the property through the side yard. Mr. Spotts made the motion to approve, Mr. Soliday seconded and Council approved unanimously. Manager asked Council if they wanted to make any changes to meeting dates/times for 2022 before advertising. The Finance Committee should be advertised for Tuesday nights at 7 PM. Workshop and Personnel Meetings to be moved to the 3rd MONDAY of each month, as needed. Manager provided Affidavits of Residency to all newly elected Council members to have filled out and notarized before the January meeting. They will need to be turned in to the Manager prior to taking the Oath of Office at the January 6th meeting.

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

COMMITTEE REPORTS-

Finance/Administration –2022 Budget has been advertised to be passed at the December 21st Workshop Meeting.

Personnel: Mayor brought up advertising for P/T office help and a P/T Streets Position. Mr. Marshall noted that he does not feel it may be necessary at this time. Subject to be discussed in Executive Session following Council Meeting.

Fire Protection/Safety – No report.

Streets & Highways- Mr. Marshall advised Council the concrete and paving work for the compost transfer facility at the Borough Garage is complete. They did a great job. Also, leaf collection is nearly done for the season. Mr. Soliday reported seeing the dirt bikers back at the borough garage again. He was told to contact the police when he sees it happening.

Parks & Recreation- No report.

Library- No report.

Police- Chief Grim expressed his appreciation for the new 5-year contract and noted it has been a great two years working with the Borough. Monthly police report was included in the agenda packet.

Water/Sewer Municipal Authorities- Mr. Soliday reported the RMA will be holding their meeting on Wednesday, December 8th at 6PM. He also reminded Council of the RMA's request for consideration to share some of the ARP funds to assist them in some much needed repairs.

Western Berks Joint Planning Commission: The next meeting will be held on December 16th at 7PM in the Robesonia Borough Hall. Mr. Marshall advised Council that one of the Amendments (the one proposed by Robesonia regarding Convenience Stores) failed to pass at the November 30th Joint Zoning meeting. North Heidelberg has advised the board they will be reconsidering their vote. They have asked, however, if Robesonia would consider paying for the advertising. This will probably be in the \$500 range. Mr. Spotts made the motion to pay for the advertising, Mr. Johnson seconded and Council approved unanimously. Mr. Randler (as Chairman of the Joint Zoning Commission) suggested the Commission consider having all of the amendments passed since it was adopted in 2004 be codified and included into the ordinance. Pricing will be obtained for the Commission's consideration in the near future.

COUNCIL MEMBERS:

Marshall- Mr. Marshall thanked Dean Baim for his assistance in the removal of a stump and placement of topsoil at the POSofA property. He donated his time and machine and it is much appreciated.

Martin- No report.

Soliday- Mr. Soliday expressed his appreciation for his time serving on Council, noting that he learned a lot in his time serving.

Johnson- No report.

Spotts- Mr. Spotts thanked the Mayor and President Marshall for making the Christmas lights through town happen again.

Burrus- No report.

Miller:. No report.

Mayor Gartner- No report.

UNFINISHED BUSINESS – Breininger Property Clean-up: Technicon is coordinating with Liberty Environmental on a revised RIR/CP Report (Remedial Investigation Report/Clean-up Plan). They are currently working with Chris Kern on the project. Mayor Gartner advised Council that he received the two quotes from C2C as noted under his name earlier in the meeting.

NEW BUSINESS – No report.

COMMUNICATIONS:

- Womelsdorf-Robesonia Joint Water Authority Treasurer's report and Meeting Minutes (October)
- RWMA Meeting Minutes, operational report :& engineer's reports for November
- SHTPD Police Report. Stats section & Calls of Interest were included in agenda packet.
- Western Berks Ambulance monthly report-November
- Building Permit List-November

On a motion by Mr. Johnson, second by Mr. Soliday and unanimously carried, the meeting was adjourned at 7:56 PM.

Minutes
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Attest:

Lisa Heilman
Manager/Secretary/Treasurer