

A regular meeting of the Richland Borough Council was held on Tuesday, August 4, 2020 at 7:00 p.m. in the meeting room at the Richland Borough Building. The President being in the chair and the Secretary being present.

Present were: President Kelly Bricker, Vice President James Niethammer, Councilmember Robert Rittle, Matthew Johnson, Larry Hartman, Mark Brubaker, Mayor Ray Shanaman, Solicitor Thomas Harlan, Assistant Road Supervisor John Johnson, and Interim Secretary Lisa A. Brubaker. Absent was Councilmember Travis Randler.

President Bricker called the Richland Borough Council Meeting to order at 7:00 p.m., and asked everyone to stand and recite the Pledge of Allegiance.

The President asked for a motion to approve the previous months minutes. A motion was made by James Niethammer, seconded by Larry Hartman, to dispense with the reading of and approve the minutes of the previous meeting held on July 7, 2020. Motion unanimously carried.

President Bricker opened the floor for citizens' and visitors' comments. There were five (5) persons present.

I am Robin Randler, 131 E. Main Street, Richland. I live across the street from Travis Randler. I know there is criteria to meet to be on this board. Once you're on, what's (inaudible). President Kelly Bricker stated I don't know what you're referencing ma'am, I am sorry. Robin Randler stated to get on the board, can you have, like a record? Robin Randler held up a document. President Bricker stated I don't know what that is. Robin Randler handed the document to President Bricker and stated another one is coming. Robin Randler stated he (Travis Randler) went after my 64 year old sister on Saturday, so that is, another one that is coming. Therefore, he needs to resign.

President Bricker stated well with this being said, this is the first time hearing about this. Robin Randler stated you can see at the bottom they tried to contact him (Travis Randler) many times. President Bricker stated she apologizes, she is not familiar with this either. I have never received one, so I am just kind of looking at what this is here. I personally didn't know until now. As you can see, I am kind of surprised at what is going on. I agree this is not acceptable at all. Robin Randler said thank you. President Bricker stated we will need to speak to our Solicitor. Solicitor Thomas Harlan asked what is on it. President Bricker stated Solicitor it is harassment and physical contact. Solicitor Harlan asked what kind of documents is it. President Bricker stated it is from the District Justice, from Jonestown police arresting agency. Robin Randler stated the officer's name is on there. President Bricker stated non-traffic document. So what we will, ma'am, I'm sorry, so what will need to do is obviously, we will need to discuss this. That is not what should be happening on this council that is not what is going to represent this Borough. However, I need to find out, like you said, legally because I do not know and I am not going to tell you I do. So, I need to find out from our Solicitor how we need to proceed with this incident and along with that, in our judicial system, you are innocent until proven guilty. So with that being said, you are presenting something to me and I do not know the facts on both sides. I did contact Travis (Randler) if he was coming. I always send out with a reminder and I did not get a response. So, I wanted to let you know I did try to contact him to see if he was coming. I do not know anything about this, and, again we will have to obviously have an executive session. I have no problem getting back to you with what that is, and as a Council, and I need to know from him (the solicitor) what we can do.

Robin Randler stated she will be back at the next meeting with the next part. President Bricker stated I will tell you what I will do, once we know, I will personally give you a phone call and let

you know, if you would like, how we are going to handle this. Robin Randler stated she will put her phone number on this (sign-in sheet). President Bricker stated please, and I personally and let you know what will happen, absolutely. I am sorry, Robin, did you say your first name is, Randler, like his last name. Robin Randler stated his father and my husband are brothers, he is not related to me. President Bricker, got you, and you have your number over there and as soon as I know, if you don't stay, will we talk to Tom (the solicitor) and let you know what is going on. Robin Randler said thank you. President Bricker replied you're very welcome, do you have anything else ma'am. Robin Randler said no. President Bricker, okay.

President Bricker moved on to the next attendee. Bevan Allen – 37 N. Race Street.

Bevan Allen, yeah, I did not come here actually with anything, but now I am curious, being that Jim Niethammer has been charged and plead guilty with harassment against, of my family, what is that about two (2) years ago Jim. James Niethammer stated five (5). Bevan Allen said and he remains on the Board, does that not become an issue. James Niethammer stated his was a summons that is pretty much like a traffic ticket. Bevan Allen stated a summary offense, which that is what that is as well (document for Travis Randler). President Bricker stated well, I do not know how that is, again you are asking me questions I can't answer at this point. We will need to discuss this and find out what, what has happened. I don't know with Jim, I can't answer that, if that was five years ago. President Bricker asked James Niethammer when was it?, do you have your citation. James Niethammer stated he has it, it was January 27, 2016. President Bricker stated so with that being said, I don't know, she asked Jim if he has been through an election. James Niethammer stated yeah. President Bricker stated so the people have elected him after that, in spite of that. President Bricker stated we all live in glass houses, don't we. Bevan Allen stated I am do not sure what you are saying. President Bricker stated I am just saying, we all live in glass houses. So, the people elected him (Jim), this with Travis (Randler) that is unacceptable. I think it is a totally different offense. Bevan Allen stated oh, he screamed I'll kill your fucking chickens in front of my children. So, I guess that is debatable. Solicitor Thomas Harlan stated we will have to investigate this. President Bricker stated right. Solicitor Harlan stated there are certain grounds that council, persons can be removed. I do not know one way or the other. He will have to look into that. President Bricker stated we will have to look into this again. Solicitor Harlan stated he will need more information then.

Robin Randler said the only thing I will ask you, I had my sister to the courthouse today. She was advised to go up, it is not an order of protection, but it is an order, he is going to be served. He is not allowed near her. Do you want a copy of it? Solicitor Harlan stated yes. President Bricker stated she will look to him (the solicitor) for that, because I don't know. Robin Randler will make sure they get it.

President Bricker asked anything else Bevan. Bevan Allen said no ma'am.

President Bricker asked Andy and Michelle Voydik – 29 N. Race Street – if Attorney Raiders got back to them with the information she sent to him. Michelle Voydik stated yes. President Bricker stated okay, just checking.

Jay Wenger – 109 E. Main Street – questioned if they are open burning in the back yard at 407 Poplar Street. President Bricker asked the Code Enforcement Officer Robert Rittle to check it out.

Michelle Voydik asked if the recycling truck is still in town. Their recycling was not picked up. President Bricker stated she will call the hauler and let them know it was not picked up.

The following Committee reports were presented to Council: Water Report, Highway Report, Property Report, Finance Report, Safety Report, and Personnel Report.

Water Committee – Chairman Niethammer stated he had nothing to report. President Bricker stated she had training with Diversified regarding the billing system. Friday she had a meeting with Core and Main to start inputting all the information for the new water meters that have been installed. John Johnson stated 380 meters have been installed.

Highway Committee – Nothing to report.

Property Committee – Nothing to report.

Personnel Committee – President Bricker stated the committee has received and reviewed the applications for the Borough Secretary-Treasurer position. Interviews will be starting.

Finance Committee – Nothing to report

Safety Committee – Nothing to report

A motion was made by Larry Hartman, seconded by Matthew Johnson, to accept the Committee Reports. Motion unanimously carried.

The following reports were presented to Council: Road Supervisor Report, Office Report, Solicitor Report, Code Enforcement Report, and State Police Report.

Road Supervisor's Report – A motion was made by James Niethammer, seconded by Mark Brubaker, to accept the Road Supervisor's Report. Motion unanimously carried.

Office Report – President Bricker provided a verbal report. A pension audit for the Liquid Fuels was completed; a meeting with Jon Zinn from Zinn Insurance on the Workers Compensation Insurance. President Bricker has been coming to the office and handling calls, billing, and any other needed items.

Solicitor's Report – No report submitted

Code Enforcement Officer Report – Robert Rittle provided a cell phone number to use. A motion was made by Mark Brubaker, seconded by James Niethammer, to accept the Code Enforcement Report. Motion unanimously carried.

Police Report – A motion was made Larry Hartman, seconded by Matthew Johnson, to accept the State Police Report. Motion unanimously carried.

MRJA Report – No report submitted

The President asked for a motion to approve the Financial Report submitted by Gift Associates. A motion was made by Matthew Johnson, seconded by James Niethammer, to approve the Financial Report and have it on file for Audit. Motion unanimously carried.

President Bricker presented the invoices. A motion was made by Mark Brubaker, seconded by Matthew Johnson, to pay all the invoices submitted for payment to Gift Associates; Motion unanimously carried.

The following communications were received; J.P. Mascaro & Sons requested to be added to the bidders list for any upcoming bids; delinquent notices for water were received; State Police Report for fines the Borough will receive; copies of Zoning Permits for Dale & Martha Nauman, Laverne & Susan Zimmerman, and Slade & Shannon Hartranft were received; Certificate from the Lebanon County Agricultural Land Preservation Program for the Borough donation; the June refuse report from Eagle Disposal reporting 4.84 tons recycling collected; the fiscal report and minutes from the Millcreek/Richland Joint Authority was received.

Council may adopt Resolution 2020-01 – A Resolution for Application for County Aid Funds. A motion was made by Larry Hartman, seconded by James Niethammer, to accept Resolution 2020-01 to apply for the County Aid Funds totaling \$1,519.00. Motion unanimously carried.

President Bricker presented examples of invoices from Diversified for billing of the water bills. Payment options were discussed.

President Bricker announced the Council will recess the Regular Session and entered Executive Session at 7:26 p.m. to discuss personal and legal matters.

The Council returned from Executive Session at 8:02 p.m. reconvening the Regular Session.

President Bricker asked the Solicitor to address the discussion regarding Councilmember Travis Randler. The Solicitor stated an investigation will be made of all of the details and the scope of the investigation and charges and where they are in the process right now. That information is needed before the Council can proceed. There are certain offenses that if committed by a Councilmember can result in their removal. President Bricker stated the Borough will continue to investigate and do what is necessary according to the rules. This will be discuss with Travis Randler since this did come out in a public meeting.

The President asked if there were any comments for the good of the Borough.

Since there were no other comments. A motion was made by Mark Brubaker, seconded by James Niethammer, to adjourn. Motion unanimously carried.

The meeting was adjourned at 8:04 p.m.

Respectfully Submitted By:

Lisa A. Brubaker,
Borough Interim Secretary