

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING JANUARY 17, 2023**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth A. O'Leary at 7:00 p.m. Other Commissioners in attendance were Vice President David J. Batdorf, Sam Kalbach William B. Miller and Lisha Rowe. Also attending were Solicitor Michael A. Setley, Chief of Police Madison Winchester, Fire Chief James Beane, Superintendent of Public Works Robert McNichols, Jr., Asst. Superintendent of Public Works Michael Yost, Jr., Business/Personnel Administrator Peggy A. Carpenter, Manager/Secretary Jeanne E. Johnston, Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer, and Joseph P. Rogosky of Great Valley Consultants.

NOTICE:

Public comment will be accepted in person. Please include your first name, last name and address for all comments. Any comments without a name or address will not be considered. To accommodate as many people as possible, we request that each person's comments be limited to 3 minutes. The meeting comment period is limited to a total of 60 minutes. This time period may be extended at the discretion of the Commissioners. While public comments will be given due consideration, immediate responses will be done at the discretion of the Commissioners.

PUBLIC

Attendance: Roberta Kennedy, JoAnn Dowling, Mike Nowotarski, Dave Robinson, Glenn Emery, Barbara Nagle, Sheldon Meyer, and Bob Matt.

A) Mike Nowotarski, a resident of Freemansville Rd., addressed the Board about the possibility of getting the Shillington Borough ice skating rink operational again.

Mr. Rogosky stated that in 2004, there was an attempt to get DEP approval to rebuild the dam. Due to the fact that the pond had become a wetland after 18 months, the DEP would not issue a permit. Mr. Kalbach pointed out that Cumru Twp would not have jurisdiction over something in Shillington. Mr. Miller asked if Wyomissing still had their ice skating rink and was told that they do.

B.) Glenn Emery, a resident of Fairway Rd., read a statement against making derogatory statements. He requested meeting minutes be posted on the website in a more timely fashion. He stated that there had been a few months when there was a delay in posting the minutes on the Township website. Ms. Johnston stated that the delay in posting was not intentional and that it was an oversight that was corrected.

Mrs. O'Leary informed everyone that the meeting minutes are usually approved at the next meeting and that the minutes are available after they have been approved by the Board. If they are not posted on the website, residents can call for a copy. Mr. Kalbach responded that anyone is welcome to request minutes from the Township office staff.

C.) Bob Matt declined to speak.

AMBULANCE SERVICE

A.) Monthly Report – December 2022

Deputy Chief Stuart Dixon reported that TowerDirect responded to 198 calls in December with an average response time of just under 7 minutes.

APPROVE MINUTES

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE APPROVING THE MINUTES OF 12/20/22 – CONDITIONAL USE HEARING AND 12/20/22 – REGULAR MEETING AS SUBMITTED.

TREASURER

A.) Monthly Report – December 2022

Mrs. Carpenter reported that the ARPA fund money was now invested in a higher interest rate account.

There was discussion among the Board members about how to invest unallocated fund balances that will not be used in the immediate future. Mrs. O'Leary stated concern with the way in which CDs were reflected on a monthly report. Mr. Kalbach agreed with the current investment strategy and encouraged the Township to continue to take advantage of the higher interest rate environment, especially since interest rates were projected to continue to increase.

B.) Sewer Capital

1) Recommendation from Municipal Authority to transfer \$750,000 from 803 to 809 fund

Ms. Johnston informed the Board that the 803 fund is the sewer "checking account" that provides seed money for capital projects. The fund ended the year \$500,000.00 above the expected amount. The Municipal Authority recommended on 01/12/2023 that the Township not raise sewer rates at this time. They also recommended that the Board transfer \$750,000.00 from the 803 fund to the 809 fund as follows: \$250,000.00 for a replacement combo truck, which has been ordered for arrival in 2024, and \$500,000.00 for capital improvements.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO TRANSFER \$750,000.00 FROM THE 803 FUND TO THE 809 FUND, \$250,000.00 TO BE USED FOR THE VAC TRUCK AND \$500,000.00 FOR CAPITAL IMPROVEMENTS.

2) Proposal to allocate Fritz Island escrow to Angelica Interceptor replacement project

Ms. Johnston explained the purpose of the Fritz Island escrow. Reading had sent out a draft intermunicipal agreement which would have required Cumru Township to provide approximately \$10 million from 2013 to 2021. Cumru Township started to collect this money as the Fritz Island escrow in 2014. The Township suspended collecting this money after a few years since the agreement was not signed. In order to update this agreement, the City would have to update an Act 537 study. As of now, no information has been requested for this study. In the meantime, the Township has progressed in its design of a plan to separate Cumru flows from Kenhorst flows, which is part of the Consent Order from the PaDEP to reduce infiltration and inflow into point of connection 8 of the sanitary sewer system. Therefore, the Municipal

Authority recommended to reallocate the Fritz Island escrow to the Angelica Interceptor replacement.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO CHANGE THE NAME OF THE ESCROW FUND FROM FRITZ ISLAND TO ANGELICA INTERCEPTOR SEPARATION.

TAX COLLECTOR

A.) Monthly Report – December 2022

1) Year 2022 Real Estate

Balance collectable beginning of month – \$142,943.74

Cash collected – \$63,679.13

Balance collectable end of month - \$79,264.61

2) Year 2022 Interim Real Estate

Balance collectable beginning of month – \$1,642.96

Cash collected – \$294.69

Balance collectable end of month - \$1,348.27

3) Year 2020 and 2021 Interim Real Estate

Balance collectable beginning of month – \$3,453.60

Cash collected – \$2,760.26

Balance collectable end of month - \$693.34

4) Year 2022 Refuse

Balance collectable beginning of month - \$30,885.00

Cash collected - \$14,115.00

Balance collectable end of the month - \$16,770.00

5) Year 2022 SMP

Balance collectable beginning of month - \$2,015.00

Cash collected - \$1,235.00

Balance collectable end of the month - \$780.00

6) Year 2022 Per Capita

Balance collectable beginning of month - \$10,885.00

Additions - \$5.00

Cash collected - \$2,980.00

Balance collectable end of the month - \$7,840.00

DEPARTMENTS

Police Department

A.) Monthly Report – December 2022

Chief Winchester reported there had been a burglary at the Dunkin Donuts and multiple robberies at the Members 1st Credit Union that are under investigation. The Police Department is providing guidance to the Credit Union on prevention.

B.) Civil Service – update

At the meeting on January 3, 2023, the Civil Service Commission ratified and certified the Civil Service list. Matthew Blatt was promoted to Sergeant

C.) Vehicle #14 – insurance payout

The Township received the insurance money for this vehicle which was totaled in an accident due to another driver failing to yield. A replacement vehicle has been ordered.

Fire Department

A.) Monthly Report – December 2022

Chief Beane reported the CTFD had 96 calls in December.

B.) Fire Station Phase 1 – application for payment # 14

- 1) Letter from Atlas Engineering recommending payment # 14 for Ankiewicz Enterprises, Inc. for \$173,157.45, dated 1/13/2023.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE APPROVING PAYMENT #14 TO ANKIEWICZ ENTERPRISES, INC. IN THE AMOUNT OF \$173,157.45 FOR THE FIRE STATION PHASE 1 PROJECT.

Administration

A.) Codes Department – December 2022

Building Permits Issued – 8
Use Permits Issued– 2
Zoning Permits Issued – 3
Notices of Violations – 3
Citations issued – 0
Violations complied – 4
Phone calls from contractors, realtors & public approximately – 108
Properties Condemned – 1 (26 Club Lane fire)
Permit Inspections Done – 14
Inspections with the Fire Department – 0
Training Seminars Attended – 0

B.) Codes Department – Yearly Report 2022

Building Permits Issued- 141 (-10% from 2021)
Use Permits Issued - 41
Zoning Permits Issued- 119
Notices of Violations- 160
Citations issued- 2
Violations complied- 148
Phone calls from contractors, realtors & public approximately- 2006 (-14% from 2021)
Properties condemned – 6
Permit Inspections Done – 335
Inspections with the Fire Department – 16
Training Seminars attended - 5

Ms. Johnston stated the decrease in permitting and contractor contacts coincides with the slowdown in economic development.

C.) Alms House Wall

- 1) Letter from Mifflin Park Condominium Association to Cumru Twp and Shillington Borough, dated 12/28/2022
- 2) Letter from Manager to Mifflin Park Condominium Association, dated 12/29/2022

Ms. Johnston explained that the only remaining part of the Governor Mifflin Estate is the Alms House wall along SR 724. The wall has been hit by vehicles on 3 occasions in the past 2 years. This wall is not on the National Historic Register. The repairs are estimated to be very costly and the insurance settlements will not cover the repairs. The condo association responsible for the wall has requested that PennDOT put guide rails at this location. They plan on removing the wall since it is a hazard in its present state.

D.) Planning Fees

- 1) Conditional use hearings

Ms. Johnston requested that the conditional use hearing fees be increased to \$1,500.00 to cover the costs incurred.

- 2) Land development and subdivision plans

Ms. Johnston explained that Mrs. Wylezik-Pfeiffer has been researching the fees charged by neighboring municipalities. She requested that Cumru Township amend the fee schedule to mirror the fees charged by Bern Township.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AMEND THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE FEES TO MIRROR THE FEES OF BERN TOWNSHIP AND TO INCREASE THE CONDITIONAL USE HEARING FEE TO \$1,500.00

E.) Grower Greener Grant for Storm Sewer at 678 Church Rd.

- 1) conditional award of \$65,790
- 2) approve grant agreement with conditions

Ms. Johnston requested that the Board authorize Township Administration, Engineering staff and the solicitor to fill out all the necessary paperwork for the Growing Greener Grant.

ON MOTION OF MR. MILLER, SECOND OF MS. ROWE, A UNANIMOUS VOTE AUTHORIZE TOWNSHIP ADMINISTRATION, ENGINEERING STAFF AND SOLICITOR TO FILL OUT ALL THE NECESSARY PAPERWORK FOR THE GROWING GREENER GRANT WITH A CONDITIONAL AWARD OF \$65,790.00.

F.) Turkey Monitoring

Ms. Johnston explained that Cumru township has a flock of approximately 20 turkeys that travel near the Township building. The PA Game Commission is trying to collect biological data about the turkeys. They have placed a cage near the Twp. building to catch the turkeys. They will place a backpack style GPS transmitter on the hens and tag the males. If anyone sees a dead turkey with a transmitter, they are asked to contact the Game Commission.

Public Works

A.) School Warning Device (SWD) on Philadelphia Ave at Cumru Elementary School

Mr. McNichols stated that the posted times are tied to a PennDOT permit so they can be enforced. When the permit was initially granted, New Castle Rd. was a driveway.

Mr. Rogosky said that there would be 2 parts to amending the permit. The first would be to request the time changes. The second would be to add a sign on New Castle Rd. He stated that a study might be required by PennDOT which would cost money.

Mr. Setley informed the Board that Muhlenberg Township received an ARLE grant to pay for this type of project. He suggested that maybe Cumru Township could apply for an ARLE grant if needed. It is a recurring grant program due in June.

Mr. Kalbach reported that he had communicated with Mr. Zeigler, facilities manager for the Governor Mifflin School District. Mr. Kalbach had told Mr. Zeigler that the Board might consider a 1 time change for the times. The times can't be changed back and forth because they need to be enforceable.

Mr. Miller asked about the current position of the Police Department concerning this matter. Chief Winchester stated that he and the Police Department are fine with this request.

Mr. McNichols reminded the Board that there is currently no electric for an electric sign on New Castle Rd. so this would add to the cost if PennDOT requires it.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE TOWNSHIP ENGINEER TO INVESTIGATE WITH PENNDOT TO AMEND THE PERMIT TO CHANGE THE POSTED TIMES AND ADD A SIGN TO NEW CASTLE DR., SUBJECT TO AN UNDERSTANDING THAT THIS WOULD BE A ONE TIME CHANGE.

B.) Municibid Auction of Surplus Property

Mr. McNichols requested a motion to place surplus property on the Municibid Auction site.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO PLACE SURPLUS PROPERTY ON THE MUNICIBID AUCTION SITE.

Mr. Miller wanted to compliment Public Works for quickly replacing a rotted light pole on Brassie Circle in Flying Hills.

Engineer

A.) Rim View Lane Ramp and Storm Sewer – payment #1 (final), \$16,270.00

Mr. Rogosky requested payment #1 (final) to Forino Company LP for \$16,270.00.

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE APPROVING PAYMENT #1 (FINAL) TO FORINO COMPANY LP IN THE AMOUNT OF \$16,270.00 FOR RIM VIEW LANE IMPROVEMENTS.

Mr. McNichols stated that Township staff would finish the paving for this project in the spring.

B.) Traffic Signals

1) SR 10 and Freemansville Rd – operational

Mr. Rogosky reported that on January 12, 2023, there had been an on-site meeting with PennDOT, CM High, CMS Construction McMahon Associates and GVC. The traffic light is operating under a 30-day evaluation period which began on January 12, 2023. Adjustments will be made as needed. Things seem to be going well. There will be another meeting after the 30-day period. Updated “As Built” diagrams will be sent to the Township for signatures.

2) SR 10 and SR 724 – retiming

Ms. Johnston reported that detailed information on the SR 10 and SR 724 traffic signals was received today. She suggested that, since there is another Board of Commissioners meeting scheduled for 01/31/2023, they could give Mr. Rogosky time to study the information and have him report in two weeks. The Board concurred.

Solicitor

A.) Planning Ordinances – update

Mr. Setley suggested that he should meet with Ms. Johnston to write up the proposed changes to present them at the meeting on January 31, 2023. Ms. Johnston explained that the Township might want to look into redefining “agritainment.”

PAYMENTS OF BILLS

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A MAJORITY VOTE APPROVING THE PAYMENT OF BILLS DATED 11/15/22, 12/22/22, 12/29/22 - PLGIT, 12/30/22 - ACH, 1/01/23, 1/06/23, 1/13/23, AND 1/17/23. MRS. O’LEARY ABSTAINED AND MR. BATDORF WAS ABSENT FOR THE VOTE.

CORRESPONDENCE

- A.) 2023 Monthly Meeting Schedule Advertisement
- B.) Downstream notification 2023 from CarTech

COMMISSIONERS

A.) Vacancy Board – 1 candidate

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPOINT GARY YOST FOR A 1 YEAR TERM TO THE VACANCY BOARD.

B.) May Regular Meeting – reschedule due to election primary

The Board decided to change the May meeting to Wednesday, May 17, 2023, due to election primary voting occurring in the meeting room. Ms. Johnston confirmed that this date will be advertised.

C.) Executive Session

8:40 p.m. – The Board met in executive session to discuss 2 personnel matters and 1 matter of real estate.

9:02 p.m. – The executive session ended. Mr. Setley stated that the Board had discussed 2 personnel matters and 1 matter of real estate that are still pending.

D.) Reminders:

1) Zoning Hearing Board

- January 23, 2023, at 6:00 p.m. at the Gov. Mifflin Intermediate School Cafeteria – zoning map appeal
- January 24, 2023, at 6:00 p.m. at the Township Building

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO AUTHORIZE THE MANAGER TO TESTIFY AT THE ZONING HEARING BOARD AGAINST APPLICATION #800 DUE TO THE BOARD OF COMMISSIONERS CONCERNS, AS FOLLOWS:

1) THE PROPOSED LACK OF PUBLIC WATER FOR FIRE PROTECTION IS GROSSLY INADEQUATE FOR A FACILITY THAT IS ANTICIPATED TO HOLD LARGE NUMBERS OF PEOPLE.

2) THE DRIVEWAY OFF OF OLD LANCASTER PIKE IS TOO NARROW FOR FIRE FIGHTING APPARATUS. THE PROPOSED WIDTH OF 20 FEET WILL BARELY ACCOMMODATE 2-WAY PASSENGER VEHICLE TRAFFIC.

3) THE SITE IS HIGHLY SLOPED TOWARD THE BACKS OF HOMES ON FAIRMONT AVE. THE BOARD IS CONCERNED ABOUT STORMWATER RUNOFF ONTO THOSE PROPERTIES.

4) THE PARKING LOT IS CLOSE TO PROPERTIES ON JOSEPHS WAY. EVEN WITH SCREENING, VEHICLE HEADLIGHTS AND PARKING LOT LIGHTING WILL BE INTRUSIVE TO THAT RESIDENTIAL AREA.

2) Board of Commissioners meetings for January and February 2023

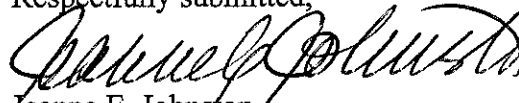
- 1/31/2023 at 7:00 p.m. – 5th Tuesday meeting
- 2/21/2023 at 7:00 p.m. – Regular Meeting

3) Planning Commission 2/06/2023 at 6:00 p.m.

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:04 P.M.

Respectfully submitted,


Jeanne E. Johnston
Manager/Secretary