

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

January 18, 2022

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth A. O'Leary at 7:01 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 A. Beane, Superintendent of Public Works Robert McNichols, 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.

This meeting is being recorded for the purpose of assisting in the preparation of meeting minutes. The audio file of the meeting will be destroyed after official meeting minutes for this meeting have been adopted.

Call to Order and Pledge to the Flag.

PUBLIC

Attendance: Scott Brady, Mark Wenrich, and Doug Shinn

A.) Doug Shinn re: East Pointe Drive

Mr. Shinn addressed the Board concerning East Pointe Dr. He believes that the posts for the NO PARKING signs are in the incorrect locations. The turning radius should be 60 ft and he measured only 50-55 ft. Mr. McNichols stated that the NO PARKING signs are not posted yet. They will be placed once the ordinance is passed. The other signs including the speed limit are posted. Mr. Setley assured Mr. Shinn that the ordinance was prepared according to the approved plan. The ordinance will be advertised and then adopted at the February 15, 2022, Board of Commissioners meeting. Mr. McNichols confirmed that the posts were placed according to the approved plan.

AMBULANCE SERVICE

A) Monthly Report – December 2021

Mark Wenrich reported that TowerDirect responded to 197 calls in December, with an average response time of 6 min 35 sec. TowerDirect received 3 assists and provided 39 assists in December.

APPROVE MINUTES

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A MAJORITY VOTE TO ACCEPT THE MINUTES FOR DECEMBER 21, 2021; AND A UNANIMOUS VOTE TO ACCEPT THE MINUTES FOR JANUARY 3, 2022, AS SUBMITTED. MS. ROWE ABSTAINED FROM VOTING ON THE DECEMBER 21, 2021, MINUTES BECAUSE SHE WAS NOT A COMMISSIONER AT THAT MEETING.

TREASURER

A) Monthly Report – December 2021

TAX COLLECTOR

A) December 2021 Report

1) Year 2021 Real Estate

Balance collectable beginning of month – \$126,708.29

Cash collected – \$54,141.80

Balance collectable end of month - \$72,566.49

2) Year 2021 Refuse

Balance collectable beginning of month - \$27,082.00

Cash collected - \$10,208.00

Balance collectable end of the month - \$16,874.00

3) Year 2021 SMP

Balance collectable beginning of month - \$1560.00

Cash collected - \$845.00

Balance collectable end of the month - \$715.00

4) Year 2021 Per Capita

Balance collectable beginning of month - \$11,740.00

Cash collected - \$2,935.00

Deletions – \$1,570.00

Balance collectable end of the month - \$7,245.00

B.) 2021 Refuse – Delinquent

- 1) Memorandum from Tax Collector re: flat amount of \$16,874.00 uncollected, 77 bills dated 1/14/2022

C.) 2021 Per Capita – Delinquent

- 1) Memorandum from Tax Collector re: flat amount of \$7,245.00 uncollected for 1449 bills, dated 1/08/2022

D.) 2021 Sewage Management Program (SMP) – Delinquent

- 1) Memorandum from Tax Collector re: flat amount of \$715.00 uncollected, 11 bills dated 1/14/2022

E.) 2021 Township Real Estate – Delinquent

- 1) Certification from Tax Collector re: flat amount of \$72,566.49 sent to tax claim for 108 bills, dated 1/14/2022

PRESENTATION

Ms. Johnston gave a presentation to the Board detailing the end of year finances. Ms. Johnston explained the differences between the “Budget vs Actual”. The General Fund revenue was greater than expected and the expenses were less than expected. This created end of the year fund balances that were larger than originally projected. She confirmed that the fire liaisons could

choose to recommend transferring money between the funds. Ms. Johnston reminded the Board that they might need to increase the sewer fees in late 2022 or early 2023.

Ms. Johnston also informed the Board about the Final Rule for use of the ARPA money. According to the latest information, up to \$10 million can be transferred to the General Fund to support the township. Ms. Johnston recommended to the Board that they might want to consider using some of this money to satisfy Cumru Township's commitment of \$400,000 to the Wyomissing Creek Watershed Coalition (WCWC). Ms. Johnston ended by stating that the township auditors would be consulted regarding the ARPA money.

CONSENT AGENDA

2021 09 DAN'S AT GREEN HILLS ANNEXATION EXPIRATION DATE 2/28/2022

(preliminary/final) Owner: William H. Woolworth III; Agent: Michael Bieber, PLS; of Bieber Land Surveying Co. Location: 2444 Morgantown Rd. Reading PA 19607
Proposal summary: Correct property lines between Dan's and EM Kutz to reflect the usage by both businesses.

- a.) Letter from William H. Woolworth III re: waiver requests, 11/30/2021
- b.) Letter from BCPC re: plan review, 12/22/2021
- c.) Annexation plans from Bieber land Surveying Company dated 11/18/2021
- d.) Letter from Great Valley Consultants re: plan review dated 1/4/2022

ACTION:

GRANTED WAIVERS TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO DAN'S OF GREEN HILLS IN ACCORDANCE WITH THE WAIVER REQUEST DATED 11/30/2021 AND THE GVS REVIEW LETTER DATED 1/04/2022.

ACTION:

GRANTED PRELIMINARY/FINAL APPROVAL TO DAN'S AT GREEN HILLS ANNEXATION PLAN CONDITIONED ON SEALS AND SIGNATURES BEING PLACED ON THE DRAWINGS AND PAYMENT OF FEES.

Reaffirm Land Development Plan

ACTION:

REAFFIRMED LAND DEVELOPMENT PLAN FOR RAHN'S TRUCK SHOP.

END OF CONSENT AGENDA

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE CONSENT AGENDA AS PRESENTED.

DEPARTMENTS

Police Department

A) Monthly Report – December 2021

Chief Winchester reported that Cumru Police are helping to address issues pertaining to Viva Mexico on Lancaster Pike. This is a restaurant/Night Club located in the former Gino's. The Cumru Police Department is working with the PA Liquor Control Board.

Fire Department

A) Monthly Report – December 2021

B.) Fire Station Phase 1 – utility project

Chief Beane gave an update for the utility project.

C) Civil Service – update

Chief Beane reported that memos were sent to update the Board recommending the proposed changes to the Civil Service rules and regulations for the Cumru Fire Department.

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE ADOPTING UPDATED CUMRU TOWNSHIP FIRE DEPARTMENT CIVIL SERVICE COMMISSION RULES AND REGULATIONS AS ADOPTED AND RECOMMENDED BY THE CIVIL SERVICE COMMISSION ON 1/14/2022.

Mrs. O'Leary asked about the page turner meeting for the new fire station. Chief Beane reported that a meeting has not been scheduled.

Administration

A) Codes Report – December 2021

Building Permits Issued- 12

Use Permits Issued- 0

Zoning Permits Issued- 4

Notices of Violations- 8

Citations issued- 0

Violations complied- 9

Phone calls from contractors, realtors & public approximately- 108

Permit Inspections Done – 24

Permit Inspections with Fire Dept. – 0

Training seminars attended – 0

Ms. Johnston informed the Board that the Codes Department attended a meeting about the 2018 International Building Codes in accordance with the Uniform Construction Code and the 2021 International Property Maintenance Code. She reminded the Board that there will be new ordinances for these at the February 15, 2022, meeting.

B) LERTA requests

Ms. Johnston explained the LERTA requests that have been made to the township. NorthPoint would like to buy the property off RT. 10 from Mail Shark and build a very large warehouse. Heritage of Green Hills would like to expand the facility located on Morgantown Rd. They have requested a LERTA. Mr. Setley stated that a committee is not needed for one parcel.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPROVE A 10-YEAR, 10% PER YEAR PHASE IN LERTA FOR NORTHPOINT DEVELOPMENT TO BUILD THE WAREHOUSE OFF RT.10.

Ms. Johnston informed the Board that Heritage of Green Hills would also like a LERTA for future construction of phase 3. This future phase would involve different types of dwelling units, such as singles and duplexes, to foster a continuum of living situations on the same campus. The developer has stated they are in discussions with the County about whether or not such a facility meets the definition of residential under the County's standing LERTA resolution.

Ms. Johnston asked if the Board was inclined to form a committee for making a recommendation about Heritage. The alternative would for the Board to make a decision about Heritage's LERTA request based on consideration of an ordinance for that individual parcel. The Board indicated it was considering a committee for an additional LERTA district. They determined to consider the composition of a LERTA committee and would like a formal LERTA request from Heritage of Green Hills, with an sketch plan exhibit. The Board agreed to defer a decision at this time.

C) NorthPoint JEAP Application

Ms. Johnston reported to the Board that Mark Militzer, Project Manager for NorthPoint Development, has applied to the Berks County Joint Economic Approval Program (JEAP). The County Commissioners will convene a meeting to bring all the interested parties together. The goal is to expedite the development process. NorthPoint Development is seeking Cumru Township approval of the JEAP application.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE THE JEAP APPLICATION FOR NORTHPOINT DEVELOPMENT.

D) Heritage of Green Hills Tapping Fee

Ms. Johnston began the discussion by explaining that Heritage of Green Hills wants to receive credit for sanitary sewer EDUs once the old building is demolished. Mr. Setley cautioned that approving this would potentially create the expectation that people could construct new buildings and then transfer existing EDUs, which is not consistent with the current ordinance. The Board could choose to collect the fees under discussion.

Chief Beane pointed out that this building would not be demolished before the certificate of occupancy is required and would wait until the residents are moved to the new building. Therefore, both buildings would still be in use. Mr. Setley reminded the Board that this matter did not have to be decided at this meeting and could be deferred. The Board agreed to defer a decision at this time.

Public Works

**A) Salt-Mixing Shed – Application for payment #3 by Amric for \$68,522.64.
ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE
TO AUTHORIZE PAYMENT #3 TO AMRIC IN THE AMOUNT OF \$68,522.64 FOR
THE SALT-MIXING SHED.**

Mr. McNichols reported that the Salt Mixing Shed construction was finished on January 14, 2022. The building looks great and salt was ordered to fill it.

Mr. McNichols also reported that the crews made it through the last winter storm and are prepared for the one being forecasted.

B) Angelica Joint Interceptor- short term repairs- application for final payment

- 1) memorandum from Manager re: application for final payment \$34,198.90
dated 1/14/2022

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE
TO REIMBURSE KENHORST FOR THE SHORT-TERM REPAIRS TO THE
ANGELICA JOINT INTERCEPTOR IN THE AMOUNT OF \$34,198.90 AS FINAL
PAYMENT.**

Engineer

Mr. Rogosky reported on the traffic light that Mail Shark is constructing on RT. 10. Mr. Miller inquired if there was a plan to have 1 lane open during construction of this traffic light. Mr. Rogosky stated that he did not expect the road to be completely closed. This will be discussed at the pre-construction meeting in February.

Solicitor

Mr. Setley did not have anything to report.

PAYMENT OF BILLS

**ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS
VOTE TO APPROVE PAYMENT FOR THE BILLS DATED 12/22/2021, 12/22/2021-
ADDITIONAL, 12/29/2021-PLGIT, 12/29/2021- ACH, 12/29/2021, 1/03/2022, 1/07/2022,
AND 1/14/2022.**

CORRESPONDENCE

- A) 2022 Monthly Meeting Schedule- advertised 1/09/2022
B.) Tax Appeal for Refined Plastics dated 1/06/2022

COMMISSIONERS

A) PSATC Update

Mrs. O’Leary presented the Legislative updates to the Board.

B) Executive session

An executive session was not needed.

C) Reminders:

1) Board of Commissioners meetings for February and March 2022:

- 2/15/2022 at 7:00p.m. – Regular Meeting
- 3/15/2022 at 7:00p.m. – Regular Meeting
- 3/29/2022 at 7:00p.m. - 5th Tuesday Special Meeting

2) Planning Commission 2/07/2022 at 6:00 p.m.

Mr. Miller asked about setting dates for 2022 Budget meetings so everyone could put them on their calendars. The Board decided that this will be put on the agenda for the February 15, 2022, meeting.

ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE
TO ADJOURN THE MEETING AT 8:25 P.M.**

Respectfully submitted,



Jeanne E. Johnston
Secretary/Manager