

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING JANUARY 21, 2025**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order at 7:00 p.m. by President Lisha L. Rowe. Other Commissioners in attendance were Vice-President Greg Miller, David J. Batdorf, Andy Donnell, and William B. Miller. Also attending were Solicitor Kelsey Frankowski, Chief of Police Madison Winchester, Fire Chief James Beane, Superintendent of Public Works Robert McNichols, Jr., Asst. Superintendent of Public Works Michael Yost, Jr., Manager/Secretary Jeanne E. Johnston, Business/Personnel Administrator Peggy A. Carpenter, 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 (resolution no. 301). 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 made at the discretion of the Commissioners.

Call to Order and Pledge to the Flag.

AMBULANCE SERVICE

A.) Monthly Report – December 2024

The report was on the Commissioners' tablets. There were no questions.

APPROVE MINUTES

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES OF 12/17/24 - REGULAR MEETING AS PRESENTED.

TREASURER

A.) Monthly Report – December 2024

Mrs. Carpenter reported that the annual audit will be done by Herbein & Co. on February 24, 2025. She stated that this meeting was her last meeting after 36 years of service. She thanked everyone for the opportunity to serve the Township.

The Board and the staff thanked Peggy Carpenter for her years of dedicated service. Mr. Donnell stated that she should be recognized. Ms. Johnston stated that Mrs. Carpenter requested that she not be given a plaque but had made another suggestion that Ms. Johnston would present to the Board for consideration.

TAX COLLECTOR

A.) December 2024 Report

1) Year 2024 Real Estate

Balance collectable beginning of month - \$181,411.52

Cash collected - \$95,166.45

Balance collectable end of month - \$86,245.07

2) Year 2023/2024 Interim Real Estate

Balance collectable beginning of month - \$3,083.10

(billed 1/1/24, 4/1/24, 6/1/24 & 8/1/24)

Cash collected - \$1,075.27

Balance collectable end of month - \$2,007.83

3) Year 2024 Per Capita

Balance - \$13,695.00 (7/1 & 11/1)

Additions - \$15.00

Cash collected - \$3,215.00

Exonerations - \$415.00

Balance collectable end of month - \$10,080.00

Ms. Johnston stated that the Tax Collector hours were posted on the website and the Township Office Building.

The Township has received and approved the proof for the 2025 tax bills from the County.

Mr. Greg Miller asked about collecting cash for the tax bill. Ms. Johnston explained that cash cannot be left in the drop box and is only accepted in person by the Tax Collector.

Atty. Frankowski stated that legal tender must be accepted so cash payments cannot be refused. Mr. Donnell gave an example of a challenge in Philadelphia that resulted in a ruling that businesses had to accept cash payments.

PUBLIC

Attendance: Aqib Rehman, Ruth O'Leary, Ben Fisher, Barbara Nagle, Sue Haas, Perry Haas, Glenn Emery, Susan McCoy, Dave McCoy, Mary Cameron, Bev Leonti, Greg Leonti, Roberta Kennedy, Ellen Condon, and Mark Ferrero.

A.) Aqib Rehman of Cell Phone Repair (CPR) addressed the Board to promote his IT business located in the Shillington Shopping Center along Lancaster Avenue. He spoke about the services his business provides to solicit business from the Township. The business, owned by Assurant, is certified and insured. Monthly contracts are available.

Ms. Johnston said that the Township would take the information under advisement.

Mr. Donnell asked him to provide copies of his certifications.

B.) Glenn Emery, a resident of Fairway Rd., thanked Public Works and the Police Department for their service during the winter storm on 1/19/25. He expressed his thoughts about seeing a former commissioner on the agenda for reappointment.

DEPARTMENTS

Police Department

A.) Monthly Report – December 2024

There were no questions about the monthly report.

Chief Winchester explained that the 2024 annual report will look different from previous years because of switching to NIBRS. While the formatting has changed, there should be nothing unexpected or significant in the annual report.

B.) BCERT Board of Chiefs – consider resolution approving Chief Winchester to represent the Township as a Board member

Chief Winchester explained that the Police Chiefs were asked to become Board members of BCERT. The Board of Commissioners would need to approve a resolution authorizing Chief Winchester to represent Cumru Township.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE A RESOLUTION TO AUTHORIZE CHIEF WINCHESTER TO REPRESENT CUMRU TOWNSHIP ON THE BCERT BOARD.

C.) Animal Control Services Agreement – consider authorizing the agreement

- 1) Your Pet Experts, LLC d/b/a Perfect Match Pet Shop (YPE) agreement for \$5000 annual fee.

Chief Winchester explained that providing animal control services is part of the PA Dog Law. He was researching options for animal control services due to the increased prices of the previously used services. Cumru Township only averages 10-15 dogs per year that require this service. The Township owns a chip reader which helps identify the dogs. The annual fee for Your Pet Experts, LLC is \$5000 and provides service for up to 10 dogs. In comparison, the Animal Rescue League price had increased to \$1.50/capita (approximately \$20,000) in 2024 and was quoted to jump to \$7/capita in 2025. The service used in 2024 was quoted at \$10,000 for 2025. The solicitor has reviewed and approved the proposed contract.

Mr. Greg Miller asked about the auto renewal clause. Atty. Frankowski stated that the renewal was for the current price, so she thought that was a good option.

Mr. McCoy, a resident of Crestview Ave., asked if the owners pay any of the costs. Ms. Johnston said that this service is only for animals that go unclaimed.

Atty. Frankowski said that the Township should have a service in place because the Police Department is required to pick up the dogs if they receive the call. This agreement is only for the Police Department to drop off dogs, not residents.

Mr. Greg Miller asked about cats. Atty. Frankowski replied that there is no requirement to pick up cats.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE ANIMAL CONTROL SERVICES AGREEMENT WITH YOUR PET EXPERTS, LLC d/b/a/ PERFECT MATCH PET SHOP (YPE) FOR AN ANNUAL FEE OF \$5,000.00.

Fire Department

A.) Monthly Report – December 2024

Chief Beane was welcomed back. It was reported that 2 fires were contained by sprinkler systems. Sprinkler systems are extremely important to reduce injuries, loss of life, and property damage.

B.) Annual Report 2024

	2024	2023	2022	2021	2020
Calls	1050	1015	892	834	815
Fires	120	80	91	70	71

Mr. Greg Miller asked about the spike in number of calls from 2022 to 2023 and the number of fires from 2023 to 2024. Ms. Johnston explained that the increase in fires in 2024 can be attributed to drought conditions, increased vehicle fires, and increased trash fires. The number of fires includes all fires, not just structure fires.

Mr. Donnell asked about numbers for 2019. Ms. Johnston said that they can be provided.

Mr. Greg Miller’s question about ways for prevention spurred a discussion.

Ms. Johnston stated that greater attention is being paid during the planning phase of land development such as requiring sprinkler systems and widening driveways to allow access by fire apparatus.

Chief Beane explained the importance of enforcing the Burn Ordinance because dry conditions lead to big fires. Lithium battery and electrical fires are on the increase. The new call reporting system, will be able to break down the numbers better.

Ms. Johnston also explained why Brecknock Township residents can burn but Cumru Township residents can’t. Cumru Township is a mandatory recycling community and the state recycling law restricts burning in recycling communities. The burn ordinance includes restrictions for obtaining a burn permit, such as the property must be at least 10 acres and the burning can’t be for land clearing purposes.

The Fire Department alerted the Township for the need for a burn ban which was enacted before Berks County issued a burn ban.

With respect to brush fires, Chief Beane said that DCNR is contacted immediately and plays a role. He explained that prescribed burns help to mitigate future brush/wildfires. He stated that access to remote areas poses another problem.

Mr. Donnell asked about communication and the use of social media. Chief Beane warned that social media can get out of hand. He reminded everyone that October is Fire Prevention Education month.

C.) Fire Station Construction – consider pay applications totaling \$786,458.08

CONTRACTOR	APPLICATION	AMOUNT
BALTON, INC.	PAY APP 7	\$ 708,844.42
HB FRAZER	PAY APP 6	\$ 12,411.00
VISION MECHANICAL	PAY APP 5	\$ 29,562.66
AIR MANAGEMENT	PAY APP 3	\$ 35,640.00
	TOTAL	\$ 786,458.08

Mr. Donnell asked about the fund balance for the Fire Station. Ms. Johnston replied that it was approximately \$10 million.

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE THE PAY APPLICATIONS AS STATED IN THE TABLE ABOVE FOR A TOTAL AMOUNT OF \$786,458.08.

D.) Engine 42-1

- 1) new Engine 42-1 in service January 2025
- 2) old Engine 42-1 – consider offer of sale to Centerport Fire Co. for \$120,000 (no broker fee)

The new Engine 42-1 was parked outside before the meeting. Everyone was encouraged to stop by the Cedar Top Fire Station to see the new engine.

The Township has received an offer of sale for the old Engine 42-1 for \$120,000 without a broker fee. The request is for the Board to authorize the sale.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO AUTHORIZE THE SALE OF THE OLD ENGINE 42-1 TO CENTERPORT FIRE CO. FOR \$120,000.

E.) Santa Run – update

Ms. Johnston reported that the 2024 Santa Run was a success. The weather was good, and the kids were excited. The Board members expressed their thanks to all the volunteers who have made this event happen all these years.

Administration

A.) Codes Department – December 2024

- Building Permits Issued – 13
- Use Permits Issued – 0
- Zoning Permits Issued – 3
- Notices of Violations – 19
- Citations issued – 0
- Violations complied – 5
- Phone calls from contractors, realtors & public approximately – 164
- Properties placarded – 0
- Permit Inspections Done – 43
- Inspections with the Fire Department – 2
- Training Seminars attended – 0

B.) “Brave the Dark” movie, partly filmed in Cumru Township – release 1/24/2025

Ms. Johnston explained that Poplar Neck Bridge was the setting for a film based on a true story about a teacher from Garden Spot High School. The movie will be shown at the Goggleworks in Reading.

C.) Hiring

- 1) Business and Personnel Administrator replacement – consider authorizing a conditional

offer of employment to the top candidate.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE ADMINISTRATION TO EXTEND A CONDITIONAL OFFER OF EMPLOYMENT FOR THE BUSINESS AND PERSONNEL ADMINISTRATOR POSITION.

D.) Planning

**2024-09 POSCH ACQUISITIONS, LLC LAND DEVELOPMENT PLAN
EXPIRATION DATE – 4/06/25**

(Final Plan) Owners: Posch Acquisitions, LLC/Massimo Caloiero and Guiliano Caloiero; Agent: John Hoffert Surveying; Location: 201 Pershing Blvd.; Plan No. D-24-65-1; Parcel ID #39530617018469 and part of #39530617018523; Proposal Summary: Construction of a 2-unit semi-detached dwelling on 2 lots utilizing public water and sewer facilities.

Separate deeds for the 2 new lots were not recorded when the subdivision was recorded. The new addresses will be along Gregg Avenue.

1. Final Land Development Plan from John Hoffert, dated 8/16/24 (rec. 12/9/24)
2. BCPC review letter, dated 12/17/24
3. GVC review letter, dated 12/27/24
4. ZHB App. No. 785decision, dated 5/24/22

Ms. Johnston explained that the property was previously subdivided, and this was a plan for the land development phase. She stated that the owners must post an escrow and a developer's agreement for the public sewer extension.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO GRANT FINAL APPROVAL TO THE 2024-09 POSCH ACQUISITIONS, LLC LAND DEVELOPMENT PLAN CONDITIONED ON RESOLVING ANY ISSUES AS STATED IN THE GVC REVIEW LETTER DATED 12/27/24, OBTAINING SIGNATURES, AND PAYMENT OF FEES.

Public Works

A.) Winter Weather – update

Mr. McNichols reported that the storm on Sunday 1/19/25 resulted in approximately 5 inches of snow. Public Works ran 18 plows for 12 hours to clear the roads. They will continue to clean up as needed.

Mr. Donnell stated that he noticed a difference in the roads as soon as he left Cumru Township. He commended Public Works.

Engineer

A.) Freemansville Rd.-update

Mr. Rogosky reported that CM High adjusted the camera and added a 5 sec delay for the traffic signal at SR10 and Freemansville Road.

On 12/27/24, PennDOT responded to allow truck restrictions for trucks over 45 feet on Freemansville Road. Signs will be posted when the weather permits.

Ms. Johnston said that there have been questions about “flashing” traffic signals.

Mr. Rogosky explained the PennDOT conditions for allowing red “flashing” traffic signals which includes the first 2 weeks after installation and a new policy to allow all approaches to flash red during late night hours.

Mr. Greg Miller asked if the recent changes to the traffic signal will help. Mr. Rogosky replied yes.

Solicitor

A.) Police Pension Ordinance Consolidation – consider adoption of Ordinance

1) Ordinance advertised 1/14/2025

Atty. Frankowski explained that Act 49 was implemented into the pension plan. The consolidation incorporates all the pension plan amendments into 1 Police Pension Ordinance.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE CONSOLIDATED POLICE PENSION ORDINANCE.

B.) Zoning Ordinance Text Amendment – update

1) Letters sent to property owners in MUGC district re: rescheduled public hearing for 2/18/25 at 6:00 p.m., dated 1/16/25

2) Revised version 13 sent to BCPC and Cumru Planning Commission

3) to be advertised 2/3/2025 and 2/10/2025

C.) Subdivision and Land Development Ordinance Text Amendment – update

1) Rescheduled public hearing for 2/18/25 at 6:30 p.m.

2) to be advertised 2/3/2025 and 2/10/2025

Atty. Frankowski addressed items B and C when she updated the Board about the Public Hearings scheduled for February 18, 2025, beginning at 6:00 p.m. She thanked Steve Hoffman of GVC for all his technical assistance with the text amendments.

Mr. Greg Miller asked if the County had signed off. Atty. Frankowski replied that the final proposed text amendments were only sent to BCPC last Friday. Review letters will be shared when they are received.

Mr. Greg Miller asked about codification. Ms. Johnston said that she had contacted the entity but thought it would be better to include these latest amendments.

PAYMENTS OF BILLS

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING PAYMENTS OF BILLS DATED 12/20/24, 12/27/24, 1/03/25, 1/10/25 AND 1/17/25.

CORRESPONDENCE

A.) 2025 monthly meeting advertisement- proof of publication 1/02/2025

B.) Aboveground Storage Tank Notification- Carpenter Technology, dated 1/07/2025

COMMISSIONERS

A.) Committee Vacancies and Terms

Ms. Johnston explained that the terms for the ZHB and the MA had ended on 12/31/24 and that no meetings have been held since then for either. The Vacancy Board position was not included on the agenda but will be on the next agenda.

- 1) Zoning Hearing Board (ZHB; 3-year term) – consider reappointing Brendan Strickland and alternate member Patrick Marz.

Mr. Donnell asked about the listed members. Ms. Johnston explained that they are listed as the current positions held. Mr. Donnell wanted to reverse the positions.

Mr. William Miller requested an explanation from Mr. Donnell. Mr. Donnell read parts of the Judge's review from the ongoing zoning challenge for the SR10 area. He said that the ZHB needed accountability.

Mr. Greg Miller said that the Old Hickory situation has resulted in another lawsuit.

Mr. William Miller disagreed with the reasoning and said that it was a personal issue. Mr. Donnell denied that it was a personal issue.

ON MOTION OF MR. DONNELL, SECOND OF MR. GREG MILLER, A MAJORITY VOTE TO REVERSE ROLES, SO THAT PATRICK MARZ WOULD BE THE ZONING HEARING BOARD MEMBER AND BRENDAN STRICKLAND WOULD BE THE ALTERNATE MEMBER. MR. GREG MILLER, MR. DONNELL, AND MS. ROWE VOTED YES. MR. WILLIAM MILLER AND MR. BATDORF VOTED NO.

- 2) Municipal Authority (MA; 5-year term) – consider reappointing Sam Kalbach

Mr. Donnell began the discussion by stating that it sends a disenfranchised message when an elected official who was not re-elected is appointed to another position. The public should be given the opportunity to volunteer.

Mr. William Miller explained that Mr. Kalbach had been a liaison to Public Works and had been a good member of the Municipal Authority. Mr. Kalbach understands the unique infrastructure of Cumru Township.

Ms. Rowe agreed with Mr. William Miller. She stated that Mr. Kalbach is qualified for the position, and it should not matter that he lost an election. The Municipal Authority is not the Board of Commissioners.

Mr. Greg Miller agreed with Mr. Donnell by stating that the same people should not be changing chairs in local government.

Ruth O'Leary, a resident of Cedar Top Rd., said that the MA meets at 8:30 a.m. and that it is a recommending body to the Board which would make final decisions.

Dave McCoy, a resident of Crestview Ave., stated that he used to chair the MA meetings. The meetings were held at 8:00 a.m. so residents could come in before going to work.

When Mr. Greg Miller said that the meetings would not have to be at 8:00 a.m., Ms. Johnston reminded everyone that the members of the MA and other entities decide their own meeting times.

Both Mr. Greg Miller and Mr. Donnell wanted to wait until next meeting to decide.

Mr. William Miller said that when the Township had difficulty filling positions on the MA, he and Mr. Kalbach had volunteered. He wanted to confirm if he is not re-elected to the Board next year, that he should not be allowed to volunteer on the MA.

Mr. Donnell denied that is what was meant.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO REAPPOINT SAM KALBACH TO THE MUNICIPAL AUTHORITY. MR. WILLIAM MILLER, MR. BATDORF, AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

3) Planning Commission – consider replacement for Bill Meek, resignation effective 12/31/24

There was discussion about reaching out to Keith Zielaskowski since he had previously voiced his interest in volunteering. This item will be on the next agenda.

B.) Executive Session

- 1) IAFF collective bargaining
- 2) litigation – 212 Pershing Blvd.
- 3) personnel issue – police department
- 4) personnel issue – public works
- 5) personnel issue – fire department
- 6) personnel issue – administration

Executive session began at 8:38 p.m. – to discuss IAFF collective bargaining, litigation, police department personnel issue, a fire department personnel issue, a public works personnel issue, and an administrative personnel issue.

Executive session ended at 9:48 p.m. – IAFF collective bargaining, litigation, police department personnel issue, a fire department personnel issue, a public works personnel issue, and an administrative personnel issue were discussed.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE THE CHIEF OF POLICE PRESENTING AN AGREEMENT TO AN EMPLOYEE AS DISCUSSED IN EXECUTIVE SESSION.

ON MOTION OF MR. DONNELL, SECOND OF MR. WILLIAM MILLER, A UNANIMOUS VOTE TO APPROVE THE SALARY ADJUSTMENT FOR THE TOWNSHIP MANAGER AS DISCUSSED IN EXECUTIVE SESSION.

REMINDERS

A.) Zoning Hearing Board 1/28/2025 at 6:00 p.m. *CANCELED*

Application No. 827 – Continuance - Seeking special exception to add modular home on the property known as 812 Cameron St.

B.) Economic Development Steering Committee 1/23/2025 at 6:00 p.m.

C.) Board of Commissioners meetings for February and March 2025

- 1) 2/18/2025 at 6:00 p.m. – Public Hearings for Zoning Ordinance Amendments
- 2) 2/18/2025 at 6:30 p.m. – Public Hearing for SALDO Amendments

- 3) 2/18/2025 at 7:00 p.m. – Regular Meeting
- 4) 3/18/2025 at 7:00 p.m. – Regular Meeting

D.) Planning Commission 2/03/2025 at 6:00 p.m.

E.) Office Closed 2/17/2025 for President's Day

ADJOURNMENT
ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS
VOTE TO ADJOURN THE MEETING AT 9:53 P.M.

Respectfully submitted,


Jeanne E. Johnston
Manager/Secretary