

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MARCH 18, 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, 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 – February 2025

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

APPROVE MINUTES

ON MOTION OF MR. BATDORF, SECOND OF MR. DONNELL, A UNANIMOUS VOTE APPROVING THE MINUTES OF 2/18/25 – PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS, 2/18/25 – PUBLIC HEARING FOR SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) AMENDMENTS, AND 2/18/25 - REGULAR MEETING AS PRESENTED.

TAX COLLECTOR

A.) February 2025 Report

1) Year 2025 Real Estate

Balance collectable beginning of month - \$0

Referred to Tax Claim/Collection - \$0

Balance collectable end of month – \$0

2) Year 2024 Interim Real Estate

Balance collectable beginning of month – \$1,261.37 (billed 1/1/25)

Cash collected – \$374.08
Balance collectable end of month - \$887.29
3) Year 2024 Per Capita
Balance – \$9,750.00 (7/1 & 11/1)
Additions – \$0
Cash collected - \$50.00
Exonerations - \$5.00
Balance collectable end of month – \$9,695.00

Ms. Johnston explained that this is the lull period before the current year's tax bills go out. The prior year outstanding collectible amount was submitted to tax claim/collections. New collectible amounts will appear next month. The lower parking lot will be busy on Tuesdays, Wednesdays and Thursdays.

PUBLIC

Attendance: Madelyn Johnston, Ruth O'Leary, Gerald Potochnik, Susan McCoy, Bev Leonti, Greg Leonti, Roberta Kennedy, Sheldon Meyer, Glenn Emery, Mark Ferrero, Mike Eshbach, and Jazanier Martin.

A.) Matthew Ludy – complaint re: property drainage issue
No one appeared for this matter.

B.) Glenn Emery, a resident of Fairway Rd., questioned how the Planning Commission nominations were listed on the agenda. He touted the virtues of Richard Keffer.

He questioned the law relating to the Vacancy Chair position.

He reported that there had been a serious accident today near the intersection of SR 10/ SR724.

Later in the meeting, Atty. Frankowski cited section 55530(B)(3) of the 1st Class Township Code which clarified the role of the Vacancy Chair position as, "the regular elector may not vote for himself/herself and will be the chairperson."

C.) Mr. Greg Miller read from an email from a resident of Mt. View Rd. concerning issues with neighbors shooting on private property and asked what can be done.

Chief Winchester replied that the Police Department received the first complaint in April of 2023. The Police investigated and touched base with the neighbors. The neighbors made improvements including a backstop to improve safety. It is not illegal to discharge firearms on private property in a safe manner.

All the complaints were investigated. It is not known if the proximity to the Reading shooting range could be adding to the noise of shooting.

The bottom line is that there is not much that the Police Department can do because target practice is permissible on private property.

D.) Jazanier Martin, a resident of Community Drive, arrived later and wished to address the Chief of Police about procedures used to collect evidence. She voiced concern that her brother has been missing since January 2, 2025, and the family still has no answers. Another family

member stated that she was a board member in Maryland and that the Chief of Police has not returned her calls. No responses were given because this is an ongoing investigation.

DEPARTMENTS

Police Department

A.) Monthly Report – February 2025

There were no questions about the monthly report.

B.) Body Worn Cameras – consider update to the resolution for Open Records in order to set a fee for video requests

- 1) \$100 per recording
- 2) compliance with other requirements per Act 22 of 2017

Chief Winchester explained that the request would be following the PA State Police fee structure for video requests.

ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT A RESOLUTION TO SET A \$100 FEE PER VIDEO REQUEST IN COMPLIANCE WITH REGULATIONS UNDER ACT 22 OF 2017.

C.) Civil Service Testing

- 1.) applications due 4/17/2025
- 2.) testing on 4/19/2025

D.) Vehicle – consider authorization to order hybrid vehicle, subject to budget

Chief Winchester reported that during a Police liaison meeting, there was a discussion about replacing a vehicle with a hybrid vehicle. He requested that the Board authorize the Chief of Police and the Manager to explore budget options. The Board agreed by nodding heads.

Fire Department

A.) Monthly Report – February 2025

There were no questions about the monthly report.

B.) Civil Service Testing

Chief Beane stated that the Fire Department will need to start the process for Civil Service testing to create a new list for potential use in the future. No dates have been set yet.

C.) Fire Station Construction – consider pay applications totaling \$567,891.32

CONTRACTOR	APPLICATION	AMOUNT
BALTON, INC.	PAY APP 9	\$518,526.32
HB FRAZER		
VISION MECHANICAL	PAY APP 7	\$ 49,365.00
AIR MANAGEMENT		
	TOTAL	\$567,891.32

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE PAY APPLICATIONS AS STATED IN THE TABLE ABOVE FOR A TOTAL AMOUNT OF \$567,891.32.

D.) Career Fire Captain – consider advertising for position

Chief Beane requested that the Board consider advertising for the 3rd Career Fire Captain position that was budgeted for half of the year. Starting the process now will take us up to that time.

ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADVERTISE FOR THE FIRE CAPTAIN POSITION.

E.) Future Burn Ban Possible

Chief Beane gave a public service announcement to not burn due to extremely dry conditions. This includes recreational burning. Although rain is forecasted, it will not be enough.

Mr. Donnell asked about issuing a Burn Ban. Chief Beane said that conditions will continue to be monitored.

Emergency Management

Mrs. Wylezik-Pfeiffer reported that she, as the Cumru Township Emergency Management Coordinator (EMC), and the Cumru Township Fire Department will be participating in a mass casualty drill at the old Titus station on April 10, 2025. The drill is being coordinated by the Reading Hospital to provide triage training for the resident doctors. This is just informational in case people see a lot of activity and emergency vehicles in that area.

Administration

A.) Codes Department – February 2025

Building Permits Issued – 17

Use Permits Issued – 3

Zoning Permits Issued – 12

Notices of Violations – 7

Citations issued – 0

Violations complied – 5

Phone calls from contractors, realtors & public approximately – 194

Properties placarded – 0

Permit Inspections Done – 46

Inspections with the Fire Department – 3

Training Seminars attended – 0

B.) Blighted Property Training – invitation for Codes Dept. to participate

Ms. Johnston reported that William Frymoyer, Cumru Township Codes Official, has been invited to participate in the upcoming Blighted Properties Training. Cumru Township has had good success using the blighted property process.

C.) 2025-2026 Insurances – consider authorization to bind coverage

Ms. Johnston requested that the Board consider authorizing Administration to bind coverage for the next year. The current policies come due before the next Board of Commissioners meeting.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE ADMINISTRATION TO BIND COVERAGE FOR 2025-2026 INSURANCES.

D.) Mifflin Memorial Arboretum – consider request for assistance with pick up of materials

Ms. Johnston reported that the Township has been contacted by a student from Governor Mifflin High School who has founded the Mifflin Memorial Arboretum to plant trees on school district property. The 1st phase was planting trees in the Borough of Shillington in 2024. The 2nd phase is planting trees in Cumru Township in 2025. They are planting 10 ft. trees, not seedlings. They have requested help from Cumru Township to pick up the trees from the Norristown area. Since this would require manpower and vehicles to travel a significant distance, the request is for the Board to authorize Public Works to pick up the trees and transport them.

Mr. Donnell asked about doing this in Cumru township. Ms. Johnston replied that the Township needs a plan for open space. In the past, the Township had planted smaller trees that were provided by PPL.

Mr. Greg Miller asked if the student plants the trees himself. He has a group of volunteers that helps plant the trees.

Some of the trees will be planted along SR724. Ms. Johnston had sent him information about regulations for planting along a PennDOT road. She also provided information about recommended deer-resistant trees to plant, references for mini-grants and an introduction to Angelica Creek Watershed Association.

Mr. William Miller asked about the cost for a memorial tree. The cost is \$225 and a plaque will be installed.

Mr. William Miller also inquired about who takes care of the trees after planting. Ms. Johnston replied that the property owner would be responsible so the Governor Mifflin School District would be responsible for maintenance of phase #1 and phase #2.

ON MOTION OF MS. ROWE, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO AUTHORIZE PUBLIC WORKS TO PICK UP AND TRANSPORT THE TREES FOR THE 2ND PHASE OF THE TREE PLANTING IN CUMRU TOWNSHIP BY THE MIFFLIN MEMORIAL ARBORETUM.

E.) Berks Nature Angelica Creek Trail extension – consider letter of support for DCNR grant application

Ms. Johnston explained that Berks Nature wants to extend their trail and they have requested a letter of support for a DCNR grant application.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE A LETTER OF SUPPORT FOR THE BERKS NATURE ANGELICA TRAIL EXTENSION DCNR GRANT APPLICATION.

F.) Reading Area Transportation Study (RATS) – public outreach evening meeting in the Township building on Thursday, April 24, 2025, from 6pm-7pm.

Ms. Johnston explained that the RATS committee has a list of ongoing projects. Every 4 years, they look at the next 12 years to update the project list. They hold public outreach meetings to help decide the projects. Since some Berks County offices are in the process of moving to the new Mohnton location, the RATS committee requested to hold a public outreach meeting at the Cumru Township Office Building. Everyone was encouraged to attend the meeting.

G.) Planning

2022-10 BUDGET STORE & LOCK SELF STORAGE-release of escrow balance

(Preliminary/Final) Owners: Equivest, LLC/Budget Shillington Storage, LLC; Agent: Spotts, Steven and McCoy, Inc.; Location: 2271 Lancaster Pike; Plan no. 110361.0002; Proposal Summary: Self-Storage facility

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE RELEASE OF THE ESCROW BALANCE FOR 2022-10 BUDGET STORE AND LOCK SELF STORAGE SUBJECT TO THE APPROVAL OF THE SOLICITOR AND THE ENGINEERS.

2024-01 OLD HICKORY BUILDINGS, LLC-reaffirm approval & planning module exemption

(Final Plan) Owner: OHB Properties LLC; Agent: Bogia Engineering Inc.; Location: Along Morgantown Rd. (SR10); Parcel ID# 39-531403140411; Project No. 2022-011; Proposed Summary: Subdivide this parcel into 2 lots served by public water and on-lot sewer; located in both Cumru and Robeson Townships. Final plan approval with conditions on 12/17/2024.

1. Memo from PC to BOC, dated 3/11/25

Atty. Frankowski explained that every 90 days approval needs to be reaffirmed for recording purposes. The planning module exemption is for the on-lot sewer system. The sewer plan was a condition of the final approval and the Township SEO signed off. The Planning Commission recommended authorizing Administration to sign the planning module exemption.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO REAFFIRM FINAL APPROVAL FOR 2024-01 OLD HICKORY BUILDINGS, LLC. CONDITIONED ON COMPLIANCE WITH ALL ISSUES AS STATED IN THE GVC FINAL PLAN REVIEW LETTER DATED 11/25/24, OBTAINING ALL SIGNATURES, AND PAYMENT OF ALL FEES.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE ADMINISTRATION TO SIGN THE ON-LOT SEWER PLANNING MODULE EXEMPTION FOR 2024-01 OLD HICKORY BUILDINGS, LLC.

2024-05 PENSKE CUSTOMER EXPERIENCE CENTER – reaffirm approval

(Preliminary/Final Plan) Location: 2675 Morgantown Rd.- Penske Campus in Green Hills Corporate Center on the north side of Pheasant Rd.; Agent: Integrated Consulting-Zane Geist, PE; Vocon Job Number 210073-00; Proposed Summary: Minor internal traffic improvements. Preliminary/Final plan approval was granted 9/17/24 and reaffirmed on 12/17/24.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO REAFFIRM PRELIMINARY/FINAL APPROVAL FOR THE 2024-05 PENSKE CUSTOMER EXPERIENCE CENTER PLAN CONDITIONED ON COMPLIANCE WITH ALL ITEMS AS STATED IN THE REVIEW LETTER FROM GVC, DATED 7/31/24, GVC REVIEW OF THE UPDATED FINAL PLAN, OBTAINING SIGNATURES, AND PAYMENT OF ALL FEES.

2024-06 TACO BELL (CHESTNUT RESTAURANTS, LLC) – reaffirm approval

(Preliminary/Final) Owners: Equivest, LLC/ Chestnut Restaurants, LLC; Agent: The Pettit Group, LLC -Brian W. Cleary, PE; Location: 2255 Lancaster Pike; Parcel ID# 39439506386873; Job No. 1061-235 (Pettit Group) and Project No. 22009770C (Colliers); Proposed Summary: Subdivide and lease with option to buy a portion of the property for the construction of a Taco Bell restaurant with double drive-through lanes and associated site improvements. Received ZHB written approval on 7/23/24. Preliminary/Final plan approval was granted 9/17/24 and 12/17/24.

Ms. Johnston explained that this plan has been waiting for the City of Reading to review the sewer planning modules.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO REAFFIRM PRELIMINARY/FINAL APPROVAL FOR THE 2024-06 TACO BELL PLAN CONDITIONED ON COMPLIANCE WITH ALL ITEMS AS STATED IN THE REVIEW LETTER FROM GVC, DATED 8/30/24, REVIEW BY THE FIRE DEPARTMENT, REVIEW BY THE SEWER ENGINEER, REVIEW BY THE SHILLINGTON MUNICIPAL AUTHORITY ENGINEER, OBTAINING SIGNATURES, AND PAYMENT OF ALL FEES.

2024-08 1917 CEDAR TOP ROAD LLC MINOR SUBDIVISION- reaffirm approval & sewer planning module

(Final Minor) Owner: 1917 Cedar Top LLC-John McRae and Janet McRae; Agent: John Hoffert Surveying; Location: 1917 Cedar Top Rd.; Parcel ID#39439519622268; Plan No. D-24-86-1; Proposed Summary: Minor 2-lot subdivision. Existing and proposed residue lot use is a single-family detached dwelling with on-lot water and newly connected public sewer. Proposed Lot 1 use is a future single-family detached dwelling with on-lot water and public sewer. Final plan approval with conditions on 12/17/2024.

Ms. Johnston reported that the City of Reading has reviewed the planning modules. The Township needs to complete its part and then send it to the DEP. The properties are already connected to sanitary sewer. This was done while the road was under construction to avoid ripping up the new road.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO REAFFIRM FINAL APPROVAL FOR 2024-08 1917 CEDAR TOP RD., LLC. MINOR SUBDIVISION PLAN CONDITIONED ON COMPLIANCE WITH ALL ISSUES AS STATED IN THE GVC REVIEW LETTER DATED 10/31/24, OBTAINING DEP PLANNING MODULE APPROVAL, OBTAINING ALL SIGNATURES AND PAYMENTS OF ALL FEES; AND AUTHORIZE ADMINISTRATION TO SIGN THE DEP SEWER PLANNING MODULES FOR 1917 CEDAR TOP RD., LLC MINOR SUBDIVISION PLAN.

2025-01 RUS/WYOMISSING UCC MINOR SUBDIVISION

EXPIRATION DATE – 5/05/25

(Final Minor Plan) Owners: Dumitru A. Rus and Wyomissing UCC; Agent: John Hoffert
Surveying; Location: 2 Vermont Rd.; Plan No. D-24-98; Parcel ID #39438410371482;
Proposal Summary: Subdivide the property into 2 lots utilizing on-lot water and public sewer facilities. Proposed Lot 1 use – construct a single-family detached dwelling.
Existing and Proposed Residue use – Place of Worship. Zoning relief granted 1/07/25.
Plan waivers granted on 2/18/25.

1. Revised Final Minor Subdivision Plan from John Hoffert, dated 2/07/25
2. GVC 2nd review letter, dated 2/27/25
3. Memo from PC to BOC, dated 3/06/25

Ms. Johnston explained that this involves the church near the Gouglersville Fire Company located on Vermont Rd. which is a state road. The Planning Commission recommended final conditional approval.

ON MOTION OF MR. DONNELL, SECOND OF MR. GREG MILLER, A UNANIMOUS VOTE TO GRANT FINAL APPROVAL TO THE 2025-01 RUS/WYOMISSING UCC MINOR SUBDIVISION PLAN DATED 2/07/25, CONDITIONED ON COMPLIANCE WITH ALL ISSUES AS STATED IN THE GVC 2ND REVIEW LETTER DATED 2/27/25, OBTAINING DEP PLANNING MODULE APPROVAL, OBTAINING ALL SIGNATURES AND PAYMENTS OF ALL FEES.

Public Works

A.) 10-ton Dump Truck Ordered 2022 – update

Mr. McNichols reported that the Township has finally received the dump truck that was ordered in 2022. It only took 31 months to receive this truck.

Engineer

A.) BARTA Bus Stop Relocation – proposed

Mr. Rogosky reported that BARTA would like to relocate a larger, more ADA accessible Lancaster Avenue bus stop from in front of the Giant to in front of the Shillington Shopping Center. The recommendation is for a plan to be submitted to the Planning Commission.

Ms. Johnston explained that this is a busy location due to the DMV. There are multiple pre-existing non-conforming driveways at the Shillington Shopping Center. Elkins Avenue between Lancaster Avenue and Harding Avenue is a private road.

Although former Manager, Mr. Sigworth, had recommended that the owners bring the road up to standards and dedicate it to the Township, the owners refused.

Pedestrian safety could also be an issue due to the location of the driveways and the traffic flow.

Mr. Rogosky agreed with the safety concerns.

Mr. Batdorf asked if this would be in addition to the current bus stop or would the old one be removed. Mr. Rogosky stated that the old bus stop would be removed and a new one would be constructed.

Ms. Johnston said that the sidewalk is wider in front to the Shillington Shopping Center.

Mr. William Miller asked if the pothole on the DMV side of the road would be the property owner's responsibility. The answer was yes.

Solicitor

Atty. Frankowski had nothing to discuss outside of executive session.

PAYMENTS OF BILLS

ON MOTION OF MR. BATDORF, SECOND OF MR. WILLIAM MILLER, A UNANIMOUS VOTE APPROVING PAYMENTS OF BILLS DATED 2/21/25, 2/26/25, 2/28/25, 3/07/25, AND 3/14/25.

CORRESPONDENCE

A.) Permit Reissuance for Beagle Club Ash Disposal Site, dated 2/18/25

Ms. Johnston explained that this had been an ash disposal site for the Titus Station located on a private road. This is still an active maintenance permit issued by the DEP.

COMMISSIONERS

A.) Vacancy for Planning Commission – Nominations and Appointment

1) 1 regular member position available

2) 1 alternate member position available

Atty. Frankowski stated that it was her suggestion to structure the agenda this way. She recommended making the regular member nominations first and the alternate member nominations second.

Mr. Donnell nominated Richard Keffer.

Mr. Batdorf nominated Clancy Herr who is currently an alternate member on the Planning Commission.

Ms. Rowe asked if there was a normal procedure to move alternates to regular member positions. Ms. Johnston said that 2024-2025 was the first year that we had alternate members on the Planning Commission.

Mr. Donnell said that he believed that qualifications should be considered.

Mr. Keffer spoke on his own behalf and said that he is willing to serve.

RICHARD KEFFER HAD THE MAJORITY VOTE TO BECOME A REGULAR MEMBER OF THE PLANNING COMMISSION. THE VOTES WERE CAST AS FOLLOWS: MR. WILLIAM MILLER - CLANCY HERR, MR. GREG MILLER – RICHARD KEFFER, MR. BATDORF – CLANCY HERR, MR. DONNELL – RICHARD KEFFER, AND MS. ROWE – RICHARD KEFFER.

Mr. Batdorf nominated Keith Zielaskowski as an alternate member of the Planning Commission.

ON MOTION OF MR. DONNELL, SECOND OF MR. GREG MILLER, A UNANIMOUS VOTE TO APPROVE KEITH ZIELASKOWSKI TO BE AN ALTERNATE MEMBER FOR THE PLANNING COMMISSION.

B.) May Board of Commissioners Meeting – consider rescheduling

1) primary election voting being held in the meeting room on 3rd Tuesday

There was discussion about possible dates. It was decided to reschedule the Board of Commissioners meeting to May 22, 2025, at 7:00 p.m. Ms. Johnston will readvertise the new meeting date.

C.) Executive Session

1) Litigation – Zoning Appeal – 2018 Zoning Map Amendment

2) Litigation – Zoning Appeal – OHB Properties

3) Litigation – 212 Pershing Blvd.

4) Personnel issue – Police Department

5) Personnel issue – Public Works

6) Personnel issue – Public Works

Executive session began at 8:20 p.m. – to discuss 2 items of litigation, a Police Department personnel issue and 2 personnel issues for Public Works.

Executive session ended at 8:59 p.m. – 2 items of litigation, a Police Department personnel issue and 2 personnel issues for Public Works were discussed.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE SUPPLEMENT OF PAY FOR PUBLIC WORKS EMPLOYEE DURING ACTIVE DUTY STATUS.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH A POLICE DEPARTMENT EMPLOYEE.

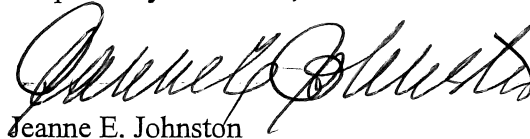
REMINDERS

- A.) Zoning Hearing Board 3/25/2025 at 6:00 p.m.
Application No. 827 – Continuance - Seeking special exception to add modular home on the property known as 812 Cameron St.
- B.) Steering Committee Open House 4/09/25 at Governor Mifflin Intermediate School 6-8p.m.
- C.) Board of Commissioners meetings for April 2025
1) 4/15/2025 at 7:00 p.m. – Regular Meeting
2) 4/29/2025 at 7:00 p.m. – 5th Tuesday Meeting
- D.) Planning Commission 4/07/2025 at 6:00 p.m. (potential cancelation due to lack of business)

ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE
TO ADJOURN THE MEETING AT 9:03 P.M.**

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary