

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
MEETING APRIL 17, 2018**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth O'Leary at 7:02 p.m. Other Commissioners in attendance were Vice President Edward L. Gottschall, Sheri Hoover, William B Miller and David J. Batdorf. Also attending were Solicitor Michael A. Setley, Superintendent of Public Works Robert McNichols, Jr., Assistant Superintendent of Public Works Michael L. Yost, Business/Personnel Administrator Peggy A. Carpenter, Manager Jeanne E. Johnston, Secretary Latoya Procopio, and Joseph P. Rogosky of Great Valley Consultants.

Pledge to the Flag.

PUBLIC

Attendance: Atty. Allen Shollenberger, Brian Kobularcik, James H. Williamson, Keith Smoker of the Reading Eagle, Ernie Speros, and Ken Dearstyn.

A) Brian Johnson re: petition for re-zoning parcel number 39530504945553

Attorney Allen Shollenberger was present, representing Route 10 Realty LLC. Atty. Shollenberger gave the Board a petition for rezoning parcel number 39530504945553. The owner of the LLC is Brian Johnson, who is also the owner of The Mail Shark. Mr. Johnson would like to relocate The Mail Shark business to parcel number 39530504945553 and stay in Cumru Township. In order to do so, the land would need to be zoned for a printing business. The zoning classification of General Industrial has printing as a use by right. Currently the land is zoned as Agriculture and Rural Conservation. The Board of Commissioners requested Atty. Shollenberger and Mr. Johnson go to the Planning Commission for a recommendation. Atty. Shollenberger stated that Mail Shark would be willing to escrow funds for the cost of the rezoning procedure.

ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO REFER THE PETITION FOR REZONING FOR PARCEL NUMBER 39-5305-04-94-5553 BY MR. BRIAN JOHNSON TO THE PLANNING COMMISSION FOR A RECOMMENDATION TO THE BOARD OF COMMISSIONERS.

B) Brian Kobularcik re: Kantner Lane Twins Subdivision – sewer easement

- 1) Memorandum from Manager re: waiver request for sanitary sewer main placement, dated 4/13/2018

Brian Kobularcik was present for discussion. Mr. Kobularcik stated he appeared before the Planning Commission and the Municipal Authority. The Planning Commission is in favor of the waiver request to place the sewer line in the sewer easement behind the lots to be subdivided. The Municipal Authority stated they are not in favor of granting the waiver request and would like the sewer line to be placed in Kantner Lane, but they wanted more information on cost. Mrs. O'Leary indicated that she was concerned about running the sewer line in back of the homes because 4 of them would need grinder pumps. The Board declined the waiver request.

Mr. Kobularcik asked, if the waiver was not granted, could he run the sewer line in the right of way, but outside of the cartway. The Board indicated that was acceptable.

SOUTHERN BERKS REGIONAL EMS

A) Monthly Report – March 2018

TREASURER

A) Monthly Report – March 2018

TAX COLLECTOR

A) March 2018 Report

1) Year 2018 Real Estate

Balance collectable beginning of month – \$5,499,813.79

Cash collected - \$741,661.38

Balance collectable end of month - \$4,743,016.40

2) Year 2018 Refuse

Balance collectable beginning of month - \$927,400.00

Cash collected - \$129,379.60

Balance collectable end of the month - \$797,180.00

3) Year 2018 SMP

Balance collectable beginning of month - \$76,575.00

Cash collected - \$10,069.50

Balance collectable end of the month - \$66,450.00

4) Year 2017 Per Capita

Balance collectable beginning of month - \$1,710.00

Cash collected - \$49.50

Balance collectable end of the month - \$1,665.00

APPROVE MINUTES

ON MOTION OF MR. MILLER, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING THE MINUTES FROM MARCH 20, 2018.

CONSENT AGENDA

A) **Authorized Depositories – update resolution**

1) draft resolution

ACTION:

ADOPTED A RESOLUTION UPDATING THE LIST OF AUTHORIZED DEPOSITORIES FOR TOWNSHIP FUNDS.

PLANS

2017-15

**MATZ TRACT HAMPSHIRE RD/OLD LANCASTER PIKE
PHASE 1 FINAL PLAN**

EXPIRATION DATE 07/02/2018

(final) Owner: Raymond and Rita Matz; Applicant: Brian K. Kobularcik D/B/A B5K-K48; Agent: C2C Design Group; Location: southeast corner of the intersection of Hampshire Rd. and Old Lancaster Pike; plan no. BKK-CMU-01; proposal summary: subdivide into 10 single family lots in 3 phases, Phase 1 is lot 1; preliminary approval granted 2/20/2018

- a.) Letter from Great Valley Consultants re: plan review, dated 03/28/2018
- b.) Memorandum from Manager re: Planning Commission recommended approval, dated 4/13/2018

ACTION:

GRANTED APPROVAL TO THE MATZ TRACT HAMPSHIRE RD/OLD LANCASTER PIKE PHASE 1 FINAL PLAN SUBJECT TO RESOLUTION OF ANY OUTSTANDING ITEMS IN GREAT VALLEY CONSULTANTS' REVIEW LETTER, DATED 3/28/2018, INCLUDING PAYMENT OF FEE IN LIEU OF OPEN SPACE FOR ONE NEW DWELLING UNIT.

2018-02 KANTNER LANE TWINS SUBDIVISION PLAN

EXPIRATION DATE 12/31/2018

(preliminary) Owner: Keshet Zion Cemetery Association; Applicant: Brian K. Kobularcik D/B/A B5K-K48; Agent: John W. Hoffert, PLS.; Kraft Engineering; Location: southeast side of Kantner Lane, east of Deerfield drive; plan no. BKK-CMU-01; proposal summary: construct 8 single family semi-detached dwelling units, utilizing public sewer and water facilities.

- a.) Extension of time to 12/31/2018 offered by applicant

ACTION:

ACKNOWLEDGED AN EXTENSION OF TIME TO 12/31/2018 FOR THE KANTNER LANE TWINS SUBDIVISION PLAN.

2016-02 TIMAC II LAND DEVELOPMENT

Owner: William Houde Real Estate, Inc.; Applicant: Timac Agro USA, Inc. (Jake Tanis); Agent: Witman Engineers & Consultants, LLC; location: 153 Angstadt Lane Reading, PA 19607; plan no. 3279.2-D-16-001; warehouse building and a building expansion

- a.) Escrow release request
- b.) Memorandum from Fire Chief re: inspection of fire suppression system completed, dated 4/16/18

ACTION:

AUTHORIZED RELEASE OF ESCROW FOR THE TIMAC II LAND DEVELOPMENT, SUBJECT TO ADMINISTRATIVE REVIEW.

END OF CONSENT AGENDA

ON MOTION OF MR. BATDORF, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING THE CONSENT AGENDA.

DEPARTMENTS

Police Department

A) Monthly Report – March 2018

Chief Winchester informed the Board of Commissioners that there was a robbery in March that involved 3 youths and 3 arrests were made in that investigation.

B) Telcordia Agreement – cell phone carrier information for law enforcement ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING TOWNSHIP OFFICIALS TO EXECUTE THE TELCORDIA AGREEMENT.

C) Community Event

Chief Winchester informed the Board about the community event that occurred at the Shillington Farmers Market, a meet and greet with the Cumru Township Police Department.

Fire Department

A) Monthly Report – March 2018

B) Recent Major Incidents

Chief Beane informed the Board of the various fires that occurred within the Township. Chief Beane stated that the 10 Chestnut hill fire was still under investigation.

C) Fire Station – draft agreement with architect ON MOTION OF MRS. HOOVER, SECOND OF MR. MILLER, A UNANIMOUS VOTE APPROVING THE AGREEMENT WITH MANSWOOD ARCHITECT FOR THE CUMRU TOWNSHIP FIRE STATION.

Administration

A) Codes Report- March 2018

Building Permits Issued- 10

Use Permits Issued- 6

Zoning Permits Issued- 5

Notices of Violations- 20

Citations issued- 0

Violations complied- 18

Phone calls from contractors, realtors & public approximately- 213

Permit Inspections Done – 12

Inspections with the Fire Department – 4

B) Subdivisions / Land Developments

**2017-15 MATZ TRACT HAMPSHIRE RD/OLD LANCASTER PIKE
PHASE 2 FINAL PLAN**

EXPIRATION DATE 07/02/2018

(final) Owner: Raymond and Rita Matz; Applicant: Brian K. Kobularcik D/B/A B5K-K48; Agent: C2C Design Group; Location: southeast corner of the intersection of Hampshire Rd. and Old Lancaster Pike; plan no. BKK-CMU-01; proposal summary: subdivide into 10 single family lots in 3 phases Phase 2 is lots 2 through 6; preliminary approval granted 2/20/2018

- a.) Letter from Great Valley Consultants re: plan review, dated 03/28/2018
- b.) Memorandum from Manager re: Planning Commission recommended approval with conditions, dated 4/16/2018

ON MOTION OF MR. MILLER, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE GRANTING FINAL PLAN APPROVAL TO THE MATZ TRACT HAMPSHIRE RD/OLD LANCASTER PIKE PHASE 2 FINAL PLAN, SUBJECT TO ANY OUTSTANDING ITEMS IN GREAT VALLEYS CONSULTANTS REVIEW LETTER, DATED 03/28/2018, THE PAYMENTS FOR FEE IN LIEU OF OPEN SPACE, THE EXECUTION OF THE IMPROVEMENTS AGREEMENT AND THE ESCROW.

C) LERTA

- 1) Memorandum from Manager re: LERTA committee meeting, dated 3/27/2018
- 2) Memorandum from Manager re: Planning Commission recommendation, dated 4/10/2018

The Cumru Township Board of Commissioners did not object to the Planning Commission and the LERTA Committee's recommendation to assign the LERTA district on the Lancaster Pike Corridor.

D) Insurance Renewal 2018-2019

- 1) Memorandum from Manager re: recommendation to ratify coverage, dated 4/6/2018

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE RATIFYING THE APPROVAL OF THE INSURANCE RENEWAL FOR 2018-2019, APPROVED ON APRIL 10, 2018.

E) Convenience Fee for Credit Card Payments

- 1) Memorandum from Manager re: resolution, dated 4/10/2018

ON MOTION OF MR. MILLER, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING THE CONVENIENCE FEE FOR CREDIT CARD PAYMENTS TO BE BILLED TO THE CONSUMER.

F) Recycling Ordinance – update

- 1) Memorandum from Manager re: grant requires update to ordinance, dated 4/9/2018

ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. MILLER, A UNANIMOUS VOTE AUTHORIZING TOWNSHIP OFFICIALS TO DRAFT THE APPROPRIATE ORDINANCE, IN ORDER TO UPDATE THE CURRENT RECYCLING ORDINANCE.

G) Act 537 Plan – update

- 1) Memorandum from Manager re: supplemental documentation required - including Hain Road study, dated 4/13/2018

Ms. Johnston informed the Board that, at a recent meeting with the PaDEP, they determined that a complete resubmission will be due by December of 2018. The Township will be required to submit a more detailed cost analysis and the Angelica Creek study will need to be resurveyed by the SEO by June 1, 2018. After the resubmission, a study of the Hain Road area will need to be completed. The DEP is concerned that the SMP district will not sufficiently address sewage problems in this area and required future connection to sanitary sewer is likely.

H) MS4 / Stormwater Program – public education and participation activities

- 1) Letter from Angelica Creek Watershed Assoc. re: activities 5/5/2018, dated 4/9/18

I) Animal Rescue League – policy on cats

- 1) Letter from ARL re: trap/neuter/release policy, dated 4/11/2018

J) Berks County Conservation District – 2018 mosquito control

- 1) Letter from BCCD re: mosquito controls beginning 4/1/2018, dated 3/27/2018

Public Works

A) Monthly Report – March 2018

B) Poplar Neck Br. over Schuylkill River – update

Mr. McNichols advised the Board that Public Works is working on rebidding for the Poplar Neck Bridge using the system PennBID.

C) Buildings and Grounds – carpet and sound system replacement

- 1) Memorandum from Asst. Public Works Superintendent re: installation 4/18-4/20/18

Engineer

A) 2017 Road Work – application for payment no. 5

- 1) recommendation for partial payout of retainage in the amount of \$85,525.95

ON MOTION OF MR. BATDORF, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE APPROVING THE APPLICATION FOR PAYMENT NUMBER 5 IN THE AMOUNT OF \$85, 525.95.

B) 2018 Road Work – authorization to advertise bids

- 1) pre-bid meeting 5/1/2018 at 10:00 a.m.
- 2) bid opening 5/10/2018 at 10:00 a.m.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORZING TO ADVERTISE BIDS FOR THE 2018 ROADWORK.

Solicitor

CORRESPONDENCE

- A) Zoning Hearing Board notice for May 2018
- B) Berks County Planning Commission Annual Report 2017
- C) Pioneer Crossing Landfill – public meeting 5/3/2018 for proposed expansion

PAYMENTS OF BILLS

ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A MAJORITY VOTE APPROVING THE PAYMENTS OF BILLS FROM: 03/22/2018, 03/28/2018, 03/28/2018 – IT, 04/05/2018, 04/09/2018, 04/12/2018, 04/17/2018.

Mrs. Hoover abstained from the payment of bills of 03/28/2018 – IT.

COMMISSIONERS

A) Executive Session

9:12 p.m. – The Board of Commissioners went into executive session to discuss 1 real estate issue, 1 pending litigation, and 2 labor matters.

9:37 p.m. – The meeting reconvened. Mr. Setley stated that the Board of Commissioners had discussed 2 labor matters, 1 real estate issue, and 1 pending litigation. All items remain pending or being referred to Township Staff.

B) Vacancies/Expirations of Terms

1) Zoning Hearing Board – resignation and appointment

- a) Letter from James H. Williamson re: resignation effective immediately, dated 4/10/18
- b) Memorandum from Manager re: Matt Keperling willing to serve, dated 4/12/18

ON MOTION MR. GOTTSCHALL, SECOND OF MR. MILLER, A UNANIMOUS VOTE ACCEPTING MR. JAMES H. WILLIAMSON’S RESIGNATION OF 55 YEARS OF SERVICE, EFFECTIVE IMMEDIATELY, DATED 04/10/2018. ALSO APPOINTING MATT KEPERLING TO SERVE ON THE ZONING HEARING BOARD, DATED 04/12/2018.

ADJOURNMENT

ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:38 P.M.

Respectfully submitted,



Latoya Procopio
Secretary