

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING JULY 16, 2019**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order at by President Ruth O'Leary at 7:00 p.m. Other Commissioners in attendance were Sheri Hoover, William B Miller and David J. Batdorf. Also attending were Solicitor Michael A. Setley, Police Lieutenant Timothy Woll, Fire Chief James A. Beane, Superintendent of Public Works Robert McNichols, Jr., 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.

IN MEMORIAM

Edward L. Gottschall, Vice President, Board of Commissioners

Edward L. Gottschall, Vice President of the Cumru Township Board of Commissioners, passed away on July 13, 2019. Mr. Gottschall served his country in the United States Marine Corps and served his community as a small business owner, as a volunteer, and as an elected official.

Ed Gottschall was elected by the public as a Cumru Township Commissioner beginning January of 2008, and was elected by his fellow Commissioners as Vice President of the Board beginning January of 2010. He was re-elected as a Commissioner candidate during the 2019 primary and had been willing to serve the public for another term.

Mr. Gottschall's plain-spoken manner and irreverent sense of humor added a fresh dynamic to the Board of Commissioners. With a can-do attitude in his voice, he made a motion to "Pay the bills!" at every meeting he attended. During visits to the office, he promoted a common sense approach to management issues.

During his tenure as a Commissioner, Mr. Gottschall took a keen interest in the Township's infrastructure and related items. From the beginning, he served as a liaison Commissioner for public works, which includes the highway and sewer departments. In addition, he sat as a member of the Municipal Authority of Cumru for 9 years.

Mr. Gottschall also had a long-standing interest in the fire service, having served as a volunteer firefighter with Gouglersville Fire Company many years ago. He carried that interest into his role on the Cumru Township Fire Department's apparatus committee and, most recently, as a liaison Commissioner for the fire department.

For these reasons and more, the Board of Commissioners is grateful for Mr. Gottschall's years of service to the community and extends its deepest sympathies at his passing to his family and friends.

Mr. Miller paid tribute to his longtime friend; Mr. Miller stated he knew Ed for the last 18 years. He stated Ed really loved being a Township Commissioner and was the one who implored him to run for Commissioner.

Mrs. Hoover stated she would like to recognize the people who were present in Ed's time of need on July 8, 2019: Officer Michael Bezner and Sgt. Tom Pinkasavage of the Cumru Township Police Department; Deputy Chief Bill Mohn, Firefighter Jan Dietrich, and Firefighter

Katie Whitmoyer of the Cumru Township Fire Department; Fire Police Officer Rusty Hoover of the Cumru Township Fire Police; Paramedic Nate Klein, EMT Rachel Williams, and Chief Tim Musser of Southern Berks Regional Emergency Medical Services; Firefighter Ann Bortz, Assistant Chief Jesse Magill, and Captain David Whitmoyer of the Mohnton Fire Company.

PUBLIC

Attendance: Eugene Stem of 1461 Cedar Top Road, Tom and Kate Roché of 1621 March Street, Susan Shelly of the Reading Eagle, Kimberly Stutchbury of 780 Church Road, Vincent Giannotti of 291 Hunter Road, Dan Ranenzahn of 96 Summit Avenue, Denise Pehlman 18 Shady Hollow Lane, Michelle Brazenec of 101 Summit Avenue, Tamra Mock of 1624 March Street, Michael Henny of 1620 March Street, Thomas Henny of 1620 March Street, Chester Hartz of 1625 Greg Avenue, Jeffrey L. Cooper of 1622 March Street, and James Williamson of 1461 Old Lancaster Pike.

A) Mr. Eugene Stem of 1461 Cedar Top Road

Mr. Stem requested to address the Board of Commissioners. Mr. Stem stated he needed information regarding his sewer stub depth from the Public Works Department. Mr. McNichols stated he would personally deliver that information to Mr. Stem's property the following day.

B) Mr. Tom Roché and Mrs. Kate Roché of 1621 March Street

Mr. and Mrs. Roché addressed the Board of Commissioners. They stated they have lived at this location for 32 years and they lost 2 cars due to the June 20 flooding on March Street. They questioned if the Township could have an engineering firm investigate a solution to this issue from a different perspective. They are still cleaning up their cellar and ripping out drywall due to the flooding.

Mr. McNichols stated this is the wettest year in Berks County history. Mr. Rogosky stated our area received 6 to 7 inches of rain during the June 20 storm, which is far more than the 100 year storm that the storm sewers were designed for. The ground is so saturated that the water cannot be absorbed. The storm sewers had been looked at roughly 15 years ago. A meeting was held with the City of Reading as they are a large part of the infrastructure. As this would be a large scale project all parties would need to be involved. Mr. Miller stated he would like the engineer to look into the matter again.

C) Ms. Kimberly Stutchbury of 780 Church Road

Ms. Stutchbury explained to the Board of Commissioners her concerns. She stated her neighbors at 722 Church Road is collecting farm animals. The animals on the property are assorted fowls, goats, pigs, and cows. Mrs. Stutchbury stated the stench from the farm animals and their waste is inhibiting her quality of life. She is unable to enjoy her home with the windows open or even sit outside. Mrs. Stutchbury stated the animal waste could potentially contaminate her well water. She also stated the properties are zoned as low density residential. Berks County Conservation District was contacted but no response has been received. Mrs. Stutchbury questioned what the next step would be since a notice of violation letter was sent to the property owner. Ms. Johnston informed Mrs. Stutchbury that the neighbors have until the following week to file for a zoning variance. If a variance is not applied for the owners will be cited.

D) Mr. Vincent Giannotti of 291 Hunter Road

Mr. Giannotti addressed the Board of Commissioners. Mr. Giannotti stated he spoke with William Frymoyer regarding the stream near his property has “exploded” to 10 feet wide. He would like something to be done to help mitigate the how the stream has expanded. Mr. McNichols stated the Township will not be able to dredge the stream. Mr. Rogosky stated some remedial work may be allowed to occur, but changing the characteristic of the stream is not permitted. Mr. McNichols stated a lot of work would need to be done on private property, which the Township is not permitted to do. The location of the house on Mr. Giannotti’s property is pre-existing, non-conforming with respect of how close it was built to the stream. Mr. Rogosky suggested Mr. Giannotti contact Berks County Conservation District to investigate if a permit to stabilize the stream embankment can be obtained. Mrs. O’Leary urged Mr. Giannotti to contact his own engineer for this matter.

E) Mr. Dan Rauenzahn of 96 Summit Avenue

Mr. Rauenzahn expressed to the Board of Commissioners his concerns regarding the flooding of Summit Avenue. He stated he lost 4 cars in the last 2 years. The insurance company stated that they are not in a floodway, so flood insurance was not obtained. On the storm of June 20th, his house had 18 inches of backed up sewage in his basement and one of the cars floated up to the curb. Mr. Rauenzahn stated he is not able to buy a different house in the Governor Mifflin School District because the value of his home is now too low. On the July 2 storm, he had to park 3 blocks away from his home. He stated he received a call from PEMA, but he did not want another loan. He is not sure what to do and would like to know what kind of relief he could receive or a way to prevent the damage from the flood.

**ON MOTION OF MR. MILLER, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE
AUTHORIZING GREAT VALLEY CONSULTANTS’ TO REEXAMINE THE STORM
SEWER SYSTEM IN THE MARCH STREET AREA.**

Ms. Johnston informed the Board and the public that the Township does not have a connected system; the sewer and the storm sewer systems are separate. Ms. Johnston questioned if a back flow preventer was present in Mr. Rauenzahn’s home. Chief Beane stated, due to the hydraulic ground pressure, the water has nowhere to go and can push the floors of basements. When that much water is present, the water gets into the traps and finds other ways into the sanitary sewer.

F) Mr. Jeffrey L. Cooper of 1622 March Street

Mr. Cooper requested help with plugging his building trap vent and installing a back flow water preventer. Mr. McNichols stated he would contact Mr. Cooper to discuss the options available.

G) Ms. Denise Pehlman of 18 Shady Hollow

Ms. Pehlman addressed the Board regarding the parking ordinance on residential streets. She stated a flatbed truck had been parked outside of her residence. She stated that the police department was contacted on July 4th regarding 3 tow trucks and 4 flatbeds being parked on the residential street. She was informed by the officer that they were unable to enforce the

ordinances. Lt. Woll stated the traffic ordinance is clear and can be enforced. He instructed Mrs. Pehlman to call the Police Department if this should happen again. Lt. Woll stated the confusion came in when another ordinance was looked at.

H) Ms. Michelle Brazenec of 101 Summit Avenue

Ms. Brazenec addressed the Board of Commissioners. She stated her house is located behind the V&S Sandwich Shop. The flood on June 20th happened within 10 minutes, it flooded her basement and totaled her car.

I) Ms. Tamra Mock of 1624 March Street

Ms. Mock expressed her concern to the Board of Commissioners. She purchased her home in February 2016. She stated half of her basement was finished, and now due to flooding she cannot have her children living with her. The flooding has occurred 3 times since 2016. She stated the alley is very dangerous, a dumpster floated down the alley during the last storm. A resident from 1625 Gregg Street stated the Township does not take care of the alleys. He was questioning why the Township does not fix the alley.

J) Mr. Mike Henry of 1620 March Street

Mr. Henry started to argue that the Township owns the alley. He stated he has legal papers stating the Township paid \$1 for his property and the neighboring properties. He stated the Township plowed the alley until 2008. Mr. McNichols stated that the Township has not plowed the alley. Ms. Johnston stated that she was not aware of a deed of dedication for that alley. Mr. Henry expressed his belief that the Township should have helped out the residents affected by the flooding with providing dump trucks to get rid of the damaged items.

Mr. Dan Rauenzahn questioned since Summit Avenue is an emergency route, then how would emergency personnel get through if the road is flooded. Chief Musser addressed the public's concerns regarding emergency personnel will be able to get to the residents in the midst of an emergency as they have a marine unit.

K) Mr. Chester Hartz of 1625 Gregg Avenue

Mr. Hartz stated he had spoken with Willie Frymoyer regarding the water diversion flowing onto his property. Mr. Hartz believed the water was diverted onto his property by a neighbor who macadamized a portion of the shared stone alleyway. Mrs. O'Leary stated this issue sounds like a civil matter. Mr. Setley suggested Mr. Hartz contact a lawyer.

Mr. Hartz then questioned if anything could be done about the fireworks that go off around July 4th. Chief Beane informed Mr. Hartz that technically no fireworks are supposed to be dispensed unless they are 150 feet away from any structure. Unfortunately, unless law enforcement physically sees the perpetrator strike a match to a fuse of a firework, then the charges would not hold up.

SOUTHERN BERKS REGIONAL EMS

Mr. Cole announced that Southern Berks Regional EMS is very saddened at the passing of Commissioner Ed Gottschall.

A) Monthly Report – June 2019

Mr. Cole informed the Board of his monthly report. Southern Berks had 153 calls for the month of June, 7 of which were covered by Western Berks Ambulance Assoc.

TREASURER

A) Monthly Report – June 2019

TAX COLLECTOR

A) Monthly Report – June 2019

1) Year 2019 Real Estate

Balance collectable beginning of month - \$536,925.21

Cash collected - \$227,375.86

Balance collectable end of month - \$309,549.35

2) Year 2019 Real Estate Interim

Balance collectable beginning of month - \$3,755.85

Cash collected - \$3,680.73

Balance collectable end of month - \$0

3) Year 2019 SMP

Balance collectable beginning of month - \$9,825.00

Cash collected - \$5,770.50

Balance collectable end of the month - \$4,050.00

4) Year 2019 Refuse

Balance collectable beginning of month - \$107,630.00

Cash collected - \$52,377.20

Balance collectable end of the month - \$55,220.00

APPROVE MINUTES

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE APPROVING THE MINUTES FROM JUNE 18, 2019 - REGULAR MEETING.

CONSENT AGENDA

2018-02 KANTNER LANE TWINS SUBDIVISION PLAN

(final) Owner: Keshar 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 and 1 single family dwelling unit, utilizing public sewer and water facilities.

ACTION:

REAFFIRMED FINAL APPROVAL OF THE KANTNER LANE TWINS SUBDIVISION PLAN, SUBJECT TO RESOLUTION OF OUTSTANDING ITEMS IN GREAT VALLEY

CONSULTANTS' REVIEW LETTER DATED 03/29/20119, INCLUDING PAYMENT OF ALL FEES.

FIBER OPTIC COMPOUND FACILITY (at Shillington Plaza)

ACTION:

GRANTED A WAIVER OF LAND DEVELOPMENT TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE FOR THE FIBER OPTIC FACILITY PROPOSED ON 07/01/2019, AND TO ALLOW THE DEVELOPER TO MOVE DIRECTLY TO THE BUILDING PERMIT PHASE, CONDITIONED UPON SUBMISSION OF A COPY OF A LEASE.

1835 CEDAR TOP ROAD – driveway width at street line

ACTION:

GRANTED A WAIVER TO ORDINANCE NO. 321 FOR 1835 CEDAR TOP ROAD, TO ALLOW A RESIDENTIAL DRIVEWAY WIDTH TO EXCEED 12 FEET, AS PROPOSED ON 07/01/2019.

END OF CONSENT AGENDA

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

DEPARTMENTS

Police Department

A) Monthly Report – June 2019

Lt. Woll stated that the 2 new hires are doing well. Lt. Woll stated there have been a few thefts in Cumru over the past month, but they have not been pinned to one localized area.

Fire Department

A) Monthly Report – June 2019

Chief Beane stated two fires occurred last month, 1 of which was contained to a basement and 1 of which was contained to an apartment at Sencit.

B) Civil Service – Fire Department

1) Firefighter/driver advertisement 06/27/2019

Chief Beane stated testing will occur with the 6 applicants that were qualified to apply.

Mrs. Hoover stated that she would like to propose changing the qualifying age from 21 to 20. Mr. Setley stated that, if the Board agrees, the matter should be referred to the Civil Service Commission.

ON MOTION OF MRS. HOOVER, SECOND OF MR. MILLER, A UNANIMOUS VOTE DIRECTING THE CIVIL SERVICE COMMISSION TO CONSIDER A CHANGE IN CIVIL SERVICE RULES FOR FIREFIGHTER/DRIVERS TO CHANGE THE AGE REQUIREMENT FROM 21 YEARS OF AGE TO 20 YEARS OF AGE.

Administration

A) Codes Report- June 2019

- Building Permits Issued- 11
- Use Permits Issued- 3
- Zoning Permits Issued- 7
- Notices of Violations- 17
- Citations issued- 0
- Violations complied - 18
- Phone calls from contractors, realtors & public approximately- 212
- Permit Inspections Done – 16
- Inspections with the Fire Department – 1

B) Western Berks Landfill – Annual Report 2018

Ms. Johnston stated the Township receives a host fee for the landfill in the municipality. Tracking the life span of the landfill is beneficial for long term budgeting. The time frame in the 2017 report was 9 years remaining, but the 2018 report states that 6.35 years remain.

Public Works

A) Monthly Report – June 2019

B) Repair Projects – emergency declarations

- 1) sewer manholes to be stabilized
- 2) pipe replacement near 90 Yorkshire Rd.
- 3) pipe replacement near 678 Church Rd.
- 4) sewer manhole in Tricorn land to be repaired
- 5) sewer main to be relocated in Pennwyn Playground
 - a) two phase project
 - b) recommendations of Park and Recreation Board

Mr. McNichols stated the June 20th storm wreaked havoc with the Township's infrastructure. Ms. Johnston stated the Pennwyn project will be completed in 2 phases, with the sewer being moved as the first phase and restoration as the second phase. the Park and Recreation Board would like consideration of a lateral stub to be placed for the Pennwyn Playground to potentially receive sewer. They also would like to park to be restored with a replacement basketball court. The basketball court will need a fence to be installed on the west side, so that the basketballs will not fall into the creek.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO DECLARE THE REPAIR PROJECTS FROM THE JUNE 20, 2019, STORM AS EMERGENCY REPAIRS.

- 1) sewer manholes to be stabilized
- 2) pipe replacement near 90 Yorkshire Rd.
- 3) pipe replacement near 678 Church Rd.
- 4) sewer manhole in Tricorn land to be repaired
- 5) sewer main to be relocated in Pennwyn Playground

Engineer

A) 2019 Road Work

Mr. Rogosky stated Harry Avenue and Steevers Court are schedule to be completed in the next 2 weeks, weather permitting. Mr. Rogosky stated the contractor is ahead of schedule.

Solicitor

PAYMENTS OF BILLS

ON MOTION OF MR. MILLER, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING THE PAYMENTS OF BILLS FROM: 06/20/2019, 06/21/2019-SEWER LOAN PAYOFF, 06/21/2019, 06/28/2019, 07/05/2019-PLGIT, 07/05/2019, AND 07/12/2019.

COMMISSIONERS

A) Executive Session

8:53 p.m. – The Board of Commissioners went into executive session to discuss 4 personnel issues and 1 real estate matter.

9:37 p.m. – The meeting reconvened. Mr. Setley stated that the Board of Commissioners had discussed 1 real estate matter and 4 personnel issues, all items remain pending.

B) Reminders – workshop meeting 7/30/2019 at 7:00 p.m.

ADJOURNMENT

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

Respectfully Submitted,



Latoya Procopio
Secretary