

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING JULY 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., 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: Michael and Jane Mare Clipman of 8 Weston Drive, Elizabeth Aulenbach of 178 Chateau Drive, Joy Bailey of 6 Tudor Court, Marian Wolters of 9 Tudor Court, Foster and Jannine McCurley of 10 Tudor Court, Myles O'Connor of 4 Tudor Court, Nathaniel Welsh and Kimberly Schmehl of 119 Pennwyn Place, and Eric Van Pelt of 50 P. Morris Place.

A) Eric Van Pelt re: fireworks

Mr. Van Pelt identified himself as a resident of 50 P. Morris Place. Mr. Van Pelt expressed to the Board his concern about the fireworks being set off in his neighborhood during Community Days. He was concerned for the safety of his children being around the hot ashes.

Chief Winchester addressed Mr. Van Pelt's concerns, stating there had been only 13 calls pertaining to fireworks in the Mifflin Park area. One person was cited for improper use of a firework. Chief Winchester explained that many people think it is legal to set off consumer fireworks at any time and place, now that the fireworks law has changed. However, it is still illegal to set off consumer fireworks within 150 feet of a structure. Chief Winchester stated the Police Department has a difficult job in citing individuals who are committing this crime as the police need to identify who set the fireworks off first.

Chief Winchester elaborated on the change in the fireworks law. In the past, fireworks were seized, which would be a deterrent to most people as they want to keep their fireworks. Now, with the new law, the fireworks can no longer be seized because it is legal to possess the fireworks if they do not set them off. It only becomes an illegal act if they set off the fireworks in an unlawful manner. If a person sets off fireworks illegally, then they could receive a \$100.00 fine. But, he reiterated, it is difficult to identify the responsible person.

Chief Winchester stated he does not believe banning fireworks would be beneficial. He requested that the public call the police right away so that the Police Department is able to respond as quickly as possible. Mrs. O'Leary requested that an article be placed in the 2019 Spring newsletter to educate our residents about the new fireworks law.

B) Nathaniel Welsh re: neighborhood issues

Mr. Welsh identified himself as a resident of 119 Pennwyn Place. Mr. Welsh expressed his concern for his neighbors on Helen Street and the issue of the Pennwyn Playground pavilion being a hangout spot for troubled teens. He requested a noise ordinance be put in place. Chief Winchester informed the Board that the pavilion does pose a visibility problem for the police department because of the retaining wall for the road. He stated the officers are doing periodic

checks in that area to combat crimes. Chief Winchester requested that the public call the police when an incident is occurring.

C) Michael and Jane Marie Clipman re: water testing

Mr. and Mrs. Clipman identified themselves as residents of 8 Weston Dr. Mrs. Clipman stated she would like a map of the different public water providers in her area due to her well being contaminated. Mrs. Clipman stated she found out that the former Precision Graphics contaminated the ground water in the vicinity. She requested for minimal public notice of contaminated business properties. Ms. Johnston informed Mrs. Clipman that the onus is on DEP for reporting. The Township does not have control over well testing and does not have a health department. Mrs. Clipman stated her belief that the Township should provide notification.

D) Elizabeth Aulenbach re: 180 Candy Rd.

Ms. Aulenbach identified herself as a resident of 178 Chateau Drive. Ms. Aulenbach had a few follow-up questions regarding 180 Candy Road. Ms. Aulenbach questioned if the activities that are occurring there are allowed. She stated she has documentation that she tried to give to Chief Winchester. She stated the information on the disk would provide proof of past crimes and give an idea of what kind of person the resident is at 180 Candy Road. Chief Winchester stated he would not be able to retain the information so he would not be able to take the disk into his possession. Mrs. O'Leary informed Ms. Aulenbach that, later in the meeting, the Board would be appointing an Assistant Zoning Officer to evaluate this issue (see Administration item (B)).

E) David Brumbaugh re: 180 Candy Rd.

Mr. Brumbaugh identified himself as a resident of 80 Lori Lane. He stated he has had many interactions with Bishop DePoalo of 180 Candy Road. Mr. Brumbaugh supported the concerns of Ms. Aulenbach. He claimed Bishop DePoalo stole \$20,000 from him by taking advantage of a real estate transaction.

SOUTHERN BERKS REGIONAL EMS

A) Monthly Report – June 2018

Malcom Cole was present to give the Southern Berks Regional EMS monthly report to the Board. Mr. Cole stated Chief Musser attended the Mountain View Road preconstruction meeting.

TREASURER

A) Monthly Report – June 2018

Mrs. Carpenter noted that real estate tax collection was in line with expectations and earned income tax collection was above expectations. With respect to expenses, several capital items were purchased, including a street sweeper, dump truck, and leaf vacuum machine. With respect to services, long line painting and sanitary sewer TV and grouting were expensed.

TAX COLLECTOR

A) June 2018 Report

1) Year 2018 Real Estate

Balance collectable beginning of month – \$458,695.70

Cash collected - \$252,687.65

Balance collectable end of month - \$205,997.03

2) Year 2018 Refuse

Balance collectable beginning of month - \$85,260.00

Cash collected - \$43,836.80

Balance collectable end of the month - \$41,420.00

3) Year 2018 SMP

Balance collectable beginning of month - \$9,075.00

Cash collected - \$4,950.00

Balance collectable end of the month - \$4,125.00

4) Year 2018 Real Estate Interim

Balance collectable beginning of month – \$46.20

Cash collected - \$50.83

Balance collectable end of the month - \$0

APPROVE MINUTES

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES FROM 06/19/2018 - PUBLIC HEARING ON LIQUOR LICENSE TRANSFER AND 06/19/2018 - REGULAR MEETING.

DEPARTMENTS

Police Department

A) Monthly Report – June 2018

Chief Winchester informed the Board that a call came in for a missing juvenile. This juvenile has gone missing repeatedly; the police department called in an outside agency for assistance with this matter.

Fire Department

A) Monthly Report – June 2018

B) Fire Station

1) geotechnical study in progress

2) Letter to Mohnton-Cumru Lions Club re: thank you for donation, dated 7/2/2018

C) Run Card Authorization for EMS

Chief Beane informed the Board that, after approval, the run card authorization for EMS would be consistent with the run card authorization for the fire department, making the Fire Chief the responsible individual.

ON MOTION OF MR. MILLER, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE AUTHORIZING THE TOWNSHIP MANAGER TO UPDATE THE RUN CARD AUTHORIZATION FOR EMERGENCY MANAGEMENT SERVICES.

Administration

A) Codes Report- June 2018

- Building Permits Issued- 7
- Use Permits Issued- 4
- Zoning Permits Issued- 7
- Notices of Violations- 17
- Citations issued- 0
- Violations complied- 25
- Phone calls from contractors, realtors & public approximately- 205
- Permit Inspections Done – 16
- Inspections with the Fire Department – 4

B) Assistant Zoning and Codes Officer Appointment

ON MOTION OF MRS. HOOVER, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE TO APPOINT TERRY NAUGLE OF GREAT VALLEY CONSULTANTS AS AN ASSISTANT ZONING AND CODES OFFICER.

C) Old Dominion Freight Line – Escrow Release No. 1

- 1) Letter from Great Valley Consultants re: recommendation to release \$461,113.07, dated 7/3/18

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE APPROVING ESCROW RELEASE NO. 1 FOR OLD DOMINION FREIGHT LINE IN THE AMOUNT OF \$461,113.07.

D) Growing Greener Grant – Reaffirm Applications

- 1) Memorandum from Township Manager re: application submissions for rain gardens in park areas, dated 7/10/2018

ON MOTION MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE RATIFYING THE GROWING GREENER GRANT APPLICATION AS SUBMITTED BY THE MANAGER AND GREAT VALLEY CONSULTANTS FOR IMPROVEMENTS ASSOCIATED WITH THE MS4 PROGRAM.

Public Works

A) Monthly Report – June 2018

B) Natural Gas (UGI) Service to Township Campus – authorize application

ON MOTION MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING TOWNSHIP STAFF TO REQUEST UGI GAS SERVICE TO THE TOWNSHIP CAMPUS PENDING FINALIZATION OF THE ROUTE.

C) Wyomissing Creek Bridge Closure

Mr. McNichols informed the public that this is a PennDOT project. Ms. Johnston added that the official detour route approved by PennDOT is not the route recommended by the Township.

D) Sewer Replacement Work 2017 – pay application 4 (final)

1) Letter from BCM Engineers re: recommendation to pay B. P. Paterson Inc. in the amount of \$38,596.07

ON MOTION MR. GOTTSCHALL, SECOND OF MRS. HOOVER, A UNANIMOUS AUTHORIZING SEWER REPLACEMENT WORK 2017 PAY APPLICATION 4 (FINAL) TO B.P. PATERSON INC. IN THE AMOUNT OF \$38,596.07

E) Roadside Mowing

1) Letter from Igor Maidansky re: request for mowing on Seven Springs Dr., dated 6/27/2018
Note: possible topic for 7/31/2018 Workshop meeting.

Mr. McNichols informed the Board of Commissioner that a letter was sent to the Township regarding the mowing of Seven Springs. The Board referred this topic of roadside mowing in general to the workshop meeting at 07/31/2018.

Engineer

A) 2018 Road Work - Update

Mr. Rogosky informed the Board that the road work Notices to Proceed was sent and the preconstruction meeting had been held. He stated Mountain View Road's reconstruction will start in the near future.

Solicitor

A) Sale of Township Land off of SR 10

Mr. Setley informed the Board that the acceptance of bids for purchase of Township land was advertised, as required. The only bid received was from Route 10 Realty, LLC.

ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE ACCEPTING THE BID FROM ROUTE 10 REALTY, LLC., FOR \$205,000 FOR THE PURCHASE OF TOWNSHIP OWNED LAND ON SR 10.

PAYMENTS OF BILLS

ON MOTION MR. GOTTSCHALL, SECOND OF MR. BATDORF, A MAJORITY VOTE APPROVING THE PAYMENT OF BILLS FOR 06/21/2018, 07/03/2018 – uniforms, 06/29/2018, 07/05/2018 – IT, 06/29/2018 – street sweeper, 07/05/2018, 07/02/2018, AND 07/12/2018.

Mrs. Hoover abstained from payment of bill 07/05/2018 - IT and Mrs. O'Leary abstained from payment of bill 07/03/2018 - uniforms.

CORRESPONDENCE

A) Zoning Hearing Board notice for July 2018

B) Western Berks Landfill Annual Report 2017 – 9.5 years of estimated remaining life

REPORT YEAR	EST. YEARS LANDFILL LIFE
2015	10.5
2016	10.1
2017	9.5

Ms. Johnston informed the public that the landfill host fees are a significant source of revenue to the Township. In 2017, the amount was over \$400,000 and it was projected to be over \$400,000 in 2018. Since the only access to the landfill is the Poplar Neck Bridge over the Schuylkill River, the bridge repair project will preserve a revenue stream. However, that revenue stream will have to be replaced in 9 years, such as through commercial and industrial development over the next several years.

COMMISSIONERS

A) Executive Session

Mrs. O’Leary announced that the Board had had an executive session earlier in the evening. From 6:10 p.m. to 6:40 p.m., the Board of Commissioners went into executive session to discuss 2 personnel matters, 1 real estate matter, and labor negotiations with the Teamsters. Action had been taken on the real estate matter under the Solicitor section of tonight’s agenda. Other items are to be handled administratively.

B) Vacancies/Expirations of Terms

1) Zoning Hearing Board Alternate – one vacancy, one candidate

ON MOTION OF MRS. HOOVER, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO APPOINT BRANDEN STRICKLAND TO THE ZONING HEARING BOARD AS AN ALTERNATE.

ADJOURNMENT

ON MOTION MR. GOTTSCHALL, SECOND OF MRS. HOOVER, A UNANIMOUS ADJOURNING THE MEETING AT 9:18 P.M.

Respectfully submitted,



Latoya Procopio
Secretary