

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING                      AUGUST 15, 2023**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth A. O’Leary at 7:00 p.m. Other Commissioners in attendance were Vice President David J. Batdorf, William B. Miller and Lisha Rowe. 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. Commissioner Sam Kalbach was excused with prior notification.

**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. 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 done at the discretion of the Commissioners.

Pledge to the Flag.

**PUBLIC**

Attendance: Anthony Martin, Adrian Jadie, Tonya Campbell, Mital Patel, Becky Fultz, Jill Darrenkamp, Perry Haas, and Greg Miller.

A) Perry Haas, a resident of Pine Tree Ct., asked the Board about the status of the paving on SR10. Mr. McNichols stated that, since SR10 is a state road, it is controlled by PennDOT and out of the Township’s hands. Mrs. O’Leary recommended that he contact his state representative about this matter.

B) Tanya Campbell, a resident of Joseph’s Way, inquired about the status of the proposed church along Fairmont Ave. Ms. Frankowski explained that the Zoning Hearing Board had granted a special exception with conditions. The property owners have appealed the decision based on the conditions. The appeal is going before the Court of Common Pleas. The Board will have to decide if the Township wants to intervene in this litigation. This matter will be discussed during the executive session.

**AMBULANCE SERVICE**

A.) Monthly Report – July 2023

Anthony Martin reported 210 EMS calls in July with an average response time of 7 minutes and 26 seconds. He stated that he will be doing a deeper dive into the increased response time to provide feedback to the Board. The expected response time is supposed to be approximately 6 minutes and 30 seconds.

**APPROVE MINUTES**  
**ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE**  
**APPROVING THE MINUTES OF 7/18/23 – REGULAR MEETING, AS SUBMITTED.**

**TREASURER**

A.) Monthly Report – July 2023

Mrs. Carpenter reported that the delinquent sewer account notices were mailed out. The delinquent accounts are expected to be paid by 9/15/23 to avoid being sent to collections.

**TAX COLLECTOR**

A) July 2023 Report

- 1) Year 2023 Real Estate
  - Balance collectable beginning of month – \$243,417.47
  - Cash collected – \$10,279.37
  - Balance collectable end of month – \$233,136.42
- 2) Year 2023 Interim Real Estate
  - Balance collectable beginning of month – \$4,648.18
  - Cash collected – \$1,240.68
  - Balance collectable end of month - \$3,407.50
- 3) Year 2022 Interim Real Estate
  - Balance collectable beginning of month – \$1,032.88
  - Cash collected – \$146.49
  - Balance collectable end of month - \$886.39
- 4) Year 2023 Per Capita
  - Balance collectable beginning of month – \$55,690.00
  - Cash collected – \$17,825.00
  - Balance collectable end of month - \$37,480.00

**DEPARTMENTS**

Police Department

A.) Monthly Report – July 2023

Chief Winchester reported that there have been arrests for the thefts from vehicles in the Thomas Gardens area. He said that the Police Department is seeing more thefts in the New Castle Dr. area. People are taking property from unsecured vehicles.

Mrs. O’Leary asked about the status of the Civil Service Commission list. Chief Winchester replied that the next step will be oral interviews. He explained that no one on the list is Act 120 certified, which would require attendance at the police academy.

Fire Department

A.) Monthly Report – July 2023

Chief Beane reported that the Fire Department responded to 111 calls in July.

**B.) End of Probationary Period**

Chief Beane explained that the probationary period has ended for 3 of the new firefighters. He requested that Ryan Ashman, Seth Etchberger and Jacob Pinkasavage be removed from probationary status and moved to full Firefighter/Driver status effective Friday, August 11, 2023.

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO REMOVE RYAN ASHMAN, SETH ETCHBERGER AND JACOB PINKASAVAGE FROM PROBATIONARY STATUS AND BE MOVED TO FIREFIGHTER/DRIVER STATUS EFFECTIVE FRIDAY, AUGUST 11, 2023.**

**C.) Fire Station Phase 1 – application for payment no. 18**

1) Letter from Atlas Engineering recommending payment of \$119,450.61 to Ankiewicz Enterprises, dated 8/14/23.

**ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE PAYMENT #18 TO ANKIEWICZ ENTERPRISES, INC. IN THE AMOUNT OF \$119,450.61 FOR THE FIRE STATION PHASE 1 PROJECT.**

**D.) Fire Station Phase 2 – Builders Risk Insurance**

Chief Beane reported that the Township has started the process for Builders Risk Insurance that will provide protection during the construction phase of the Fire Station. Ms. Johnston said that we do not have a price quote yet. The purpose is to alert the Board that this is underway.

Administration

**A.) Codes Department – July 2023**

Building Permits Issued- 14

Use Permits Issued - 0

Zoning Permits Issued- 13

Notices of Violations- 18

Citations issued- 0

Zoning Hearing Board Hearings – 1

Violations complied- 16

Phone calls from contractors, realtors & public approximately- 188

Properties condemned – 0

Permit Inspections Done – 38

Inspections with the Fire Department – 0

Training Seminars attended – 0

**B.) Western Berks Landfill Closure**

**1) Waste Management notice of yard waste site closure, dated 8/10/2023**

Ms. Johnston explained that Waste Management sent a notice that the current yard waste site will be closed by June 30, 2024. She stated that there are options for where to relocate the Cumru Township yard waste site. The Township will need to apply for a PaDEP permit. Ms. Johnston requested that liaisons be assigned to this project for decision-making purposes. Mrs. O’Leary assigned public works liaisons, Mr. Batdorf and Mr. Kalbach, as the liaisons for the yard waste site relocation. She stated that she could fill in if Mr. Kalbach was unavailable.

2) PaDEP approval of gas to energy facility, dated 08/10/2023

Ms. Johnston explained how the facility would work. This is part of the closure process for air quality.

Mrs. O'Leary stated that the intent is for Waste Management to apply for an expansion permit but this has not been done yet. The process will take a long time. Ms. Johnston added that Met-Ed is supposed to move the overhead wires in the area which would potentially allow Waste Management to expand up. The expansion process could take 3-5 years once it is started.

C.) Angelica Trail – update

Ms. Johnston reported that We Conserve PA will be hosting a tour of the Angelica Trail. Ms. Johnston and Public Works will be monitoring plans for development of a future portion of the trail connecting Shillington Park to Nolde Forest. This was controversial when it was proposed last time.

#### Public Works

A.) Storm 08/13/2023 - update

Mr. McNichols reported that several trees came down during the storm and Public Works cleaned them up from the public rights of way. There were no sewer or road problems.

B.) Reed St. Storm Sewer – update

Mr. McNichols reported that this project is underway.

**C.) Street Openings – update permit fee**

1) Memorandum from Manager, dated 08/11/2023

During the Public Works Liaison meeting, the liaisons proposed a permit fee increase from \$5.00 to \$50.00 to help offset the cost of the employees' time required to address the issues created by these permits.

Mrs. O'Leary was concerned about the ability of larger companies to negotiate a permit fee for multiple street openings. Mr. McNichols replied that larger companies have done so in the past. Ms. Johnston noted that it is allowed by ordinance.

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO RAISE THE STREET OPENING PERMIT FEE TO \$50.00.**

**D.) Bridge Engineer**

Mr. McNichols recommended that the Township consider hiring a bridge engineer as a specialty consultant. Every 2 years, the township receives a report with recommendations for maintenance of the 4 bridges in the Township. A bridge engineer would be able to help the Township navigate the process. Mr. McNichols is in the process of getting a proposal from a firm that has done work for the Township in the past.

**E.) Fob System – quotes for upgrade**

1) Quotes from Mt. Penn Video for Keri Access System for system upgrade using internet

a.) with utilization of some current hardware – \$16,590

b.) with all new hardware – \$28,403

Mr. McNichols explained that the new system would be cloud based so there would not need to be computer located at each facility and changes to the fobs would be quicker and easier. The staff is recommending option (a.) which would utilize the current hardware.

**ON MOTION OF MR. BATDORF, A SECOND BY MS. ROWE, A UNANIMOUS VOTE TO UPGRADE THE FOB SYSTEM USING CURRENT HARDWARE FOR THE QUOTED COST OF \$16,590.00.**

F.) 2023 Road Work – Cedar Top Rd. phase 1

- 1) bids advertised 07/31/2023
- 2) notice to area residents
- 3) bid award to be considered 8/17/2023

Mr. McNichols explained that the first phase of this project would be the “S” turn in Cedar Top Rd. this section of the road does not have sanitary sewer. The bids will be considered at the Special BOC meeting on 8/17/23.

Ms. Johnston stated the letters to the residents in this area will be mailed tomorrow.

Engineer

A.) 2023 Road Work – South 9<sup>th</sup> St.

- 1) bids advertised 07/27/2023
- 2) bid addendum dated 08/09/2023
- 3) bids to be opened and considered for award on 8/17/2023

Mr. Rogoski stated that 4 interested parties had attended a prebid meeting on 8/8/23. The bids will be opened in the morning of 8/17/23 and considered at the Special BOC meeting.

Solicitor

**A.) Dangerous Structure Ordinance**

Ms. Frankowski explained that this ordinance would address issues with dilapidated buildings and buildings damaged by fire.

Ms. Johnston explained that the Township has used the Blighted Properties process in the past, but that process takes months.

There was discussion about health and safety issues associated with unsafe structures. There was also discussion about the wording and the penalties in the ordinance.

Ms. Frankowski reminded the Board that there has to be notice and procedure as stated in the ordinance. She said that the Township can impose lesser penalties.

Chief Beane voiced his concern about the properties damaged by fire on Philadelphia Ave. He said that this ordinance would give the Township greater standing to remediate condemned buildings for the health and safety of the residents.

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AUTHORIZE THE SOLICITOR TO ADVERTIZE TO ENACT THE DANGEROUS STRUCTURES ORDINANCE. MR. MILLER, MR. BATDORF, AND MRS. O’LEARY VOTED YES. MS. ROWE VOTED NO.**

**PAYMENTS OF BILLS**  
**ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A UNANIMOUS VOTE**  
**APPROVING PAYMENTS OF BILLS DATED 7/21/23, 7/28/23, 7/31/23 – PLGIT, 8/01/23,**  
**8/03/23, 8/04/23 AND 8/11/23.**

**CORRESPONDENCE**

A.) Met-Ed notice of ROW trimming received 8/1/23

B.) BARTA public meetings 8/22/23 and 9/6/23

The meeting on 8/22/23 is live and 9/6/23 is a teams meeting. The meetings will determine interest for additional BARTA routes.

**COMMISSIONERS**

**A.) Participation in Berks 1<sup>st</sup> magazine**

Ms. Johnston explained that the county will be producing a magazine 3 times a year. They are asking the municipalities to contribute an article for each edition. There is a word limit for the article. Ms. Johnston requested that the Board decide if the Township should participate. If the answer is yes, then she also requests that liaisons be assigned to assist the administration to determine article content. After some discussion, the Board decided to participate and that Ms. Rowe would be the liaison.

**B.) Electric Vehicle Chargers – update from Commissioner Batdorf**

Mr. Batdorf stated that they are moving forward and hoped for a proposal to be ready by the next meeting.

**C.) Reminders:**

1) Zoning Hearing Board Regular Meeting – August 22, 2023, at 6:00 p.m.

a) Application No. 802 continuation

2) Board of Commissioners meetings for August and September 2023

- 8/17/2023 at 3:00 p.m. – Special Meeting for road work bids (advertised 08/15/2023)

- 8/29/2023 at 7:00 p.m. – 5<sup>th</sup> Tuesday Meeting

- 9/19/2023 at 7:00 p.m. – Regular Meeting

3) Planning Commission – September 11, 2023

*(Note: Meeting is scheduled for the 2<sup>nd</sup> Monday due to Labor Day)*

**D.) Executive Session**

8:09 p.m. – The Board met in executive session to discuss 1 issue of litigation, 2 labor issues, and 1 real estate issue.

8:50 p.m. – The executive session ended; 1 litigation issue, 2 labor issues and 1 real estate issue were discussed.

**E.) Guerrero Appeal of Zoning Hearing Board decision, case no. 800**

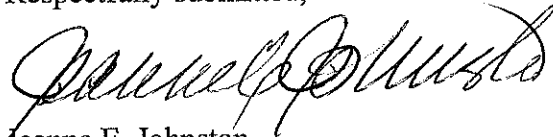
Ms. Frankowski stated that the Guerrero appeal was discussed as a matter of litigation in executive session.

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE TOWNSHIP SOLICITOR TO INTERVENE IN THE GUERRERO APPEAL.**

**ADJOURNMENT**

**ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:52 P.M.**

Respectfully submitted,



Jeanne E. Johnston  
Manager/Secretary