

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING SEPTEMBER 20, 2022**

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, Sam Kalbach, William B. Miller and Lisha Rowe. Also attending were Solicitor Michael A. Setley, Chief of Police Madison Winchester, Fire Chief James A. Beane, Superintendent of Public Works Robert McNichols, Jr., Asst. Superintendent of Public Works Michael Yost, Jr., Business/Personnel Administrator Peggy A. Carpenter, 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. 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.

PUBLIC

Attendance: Becky Wingenroth, Allison Kalbach, Heather Mazzotta, JoAnn Dowling, Roberta Kennedy, Barbara Nagle, Deb Guigley, Mike Nowotarski, Chris Muvdi, Don Schweitzer, Marla Schweitzer, Anthony Martin, Sue McCoy, Dave McCoy, Glenn Emery, and Bev Leonti.

A.) Mifflin Community Library

Allison Kalbach and Becky Wingenroth made a presentation about the Mifflin Community Library. They are grateful for the support of the Township for the library. They reported that the library raised over \$17,000 in the 2021 annual appeal. They requested that information for the library be put on the Township website. The library was the tent holder sponsor for the bingo at the Governor Mifflin Community Days this year. The library is requesting that the Board of Commissioners approve the same donation amount as last year. The library could also use 3 more trustees on the library board and would prefer people with legal or financial backgrounds. Ms. Kalbach and Ms. Wingenroth thanked the Board for allowing them to represent the library at this meeting.

B.) Michael Duff, Penske Representative re: NorthPoint Development
Mr. Duff canceled for this evening.

AMBULANCE SERVICE

A.) Monthly Report – August 2022

Anthony Martin reported that TowerDirect responded to 228 calls in August with an average emergency response time of 6 minutes and 7 seconds. He also informed the Board that Stuart

Dixon was hired as the new Deputy Chief. Ms. Johnston requested an Ambulance link to put on the Township website. Mr. Martin said that they were updating a link and hoped to have it available soon.

APPROVE MINUTES
ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE
APPROVING THE MINUTES OF 8/16//22 – REGULAR MEETING, AND 8/30/22- 5TH
TUESDAY MEETING AS SUBMITTED.

TREASURER

A.) Monthly Report – August 2022

TAX COLLECTOR

A.) Monthly Report – August 2022

1) Year 2022 Real Estate

Balance collectable beginning of month – \$212,260.42

Cash collected – \$48,383.24

Balance collectable end of month - \$163,877.18

2) Year 2022 Interim Real Estate

Balance collectable beginning of month – \$310.07

Additions during the month – 14,530.24

Cash collected – \$2,730.89

Balance collectable end of month - \$12,109.42

3) Year 2020 and 2021 Interim Real Estate

Balance collectable beginning of month – \$3,576.69

Cash collected – \$123.09

Balance collectable end of month - \$3,453.60

4) Year 2022 Refuse

Balance collectable beginning of month - \$43,425.00

Cash collected - \$6,270.00

Balance collectable end of the month - \$37,155.00

5) Year 2022 SMP

Balance collectable beginning of month - \$2,860.00

Cash collected - \$585.00

Balance collectable end of the month - \$2,275.00

6) Year 2022 Per Capita

Balance collectable beginning of month - \$34,505.00

Cash collected - \$14,870.00

Balance collectable end of the month - \$19,505.00

CONSENT AGENDA

Kantner Lane Twins – escrow release no. 7 (final, maintenance)

ACTION:

AUTHORIZED ESCROW RELEASE NO. 7 FOR THE KANTNER LANE TWINS SUBDIVISION IN AN AMOUNT NOT TO EXCEED, \$16,281 PLUS INTEREST EARNED, SUBJECT TO FINAL INSPECTION AND PAYMENT OF ANY OUTSTANDING INVOICES.

2022-05 POSCH ACQUISITIONS LLC

EXPIRATION DATE 10/23/2022

(Preliminary/Final) Owner: Posch Acquisitions LLC-Christopher Posch; Agent: Hoffert Surveyors, John W. Hoffert; Location: 201 Pershing Blvd, Reading, PA 19607 (parcels #39-530617018469 & #39-530617018523); plan no. D-22-60; Proposal summary: Create 2 residential lots for future construction of 2 single family semi-detached dwellings.

- 1) Cumru Twp. Subdivision and Land Development Application, dated 7/25/2022
- 2) Final Plan Minor Subdivision Plans from John Hoffert Surveying, dated 7/01/2022
- 3) Letter from BCPC re: plan review, dated 8/26/2022
- 4) ZHB decision for Application No. 785, dated 5/24/2022
- 5) Review letter from GVC, dated 8/26/2022
- 6) Letter from John Hoffert surveying, re: waiver requests, dated 9/12/2022
- 7) Memo from the Planning Commission Secretary, dated 9/14/2022

ACTION:

GRANTED WAIVERS TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO POSCH ACQUISITIONS, LLC PLAN IN ACCORDANCE WITH THE WAIVER REQUEST DATED 9/12/2022 AND THE GVC REVIEW LETTER DATED 8/26/2022 AS FOLLOWS:

- a) Relief from Section 405(A), not to perform an environmental impact assessment;
- b) Relief from Section 406(A), not to perform a community facilities impact assessment;
- c) Relief from Section 408(A), not to perform a utility impact assessment;
- d) Relief from Section 507(B), not to require sidewalk along existing streets;

ACTION:

GRANTED FINAL APPROVAL TO THE POSCH ACQUISITIONS, LLC MINOR SUBDIVISION PLAN, WITH THE UNDERSTANDING THAT A SEPARATE LAND DEVELOPMENT PLAN WILL BE SUBMITTED IN THE FUTURE AND WILL BE A REQUIREMENT FOR BUILDING ON THE TWO NEW LOTS.

Moorhead Annexation/ Subdivision plan (Mohnton) re: request to defer review to Mohnton Borough

- 1) Review letter from Technicon Enterprises Inc., II dated 8/24/2022
- 2) Minor Subdivision- Lot Line Adjustment Drawing by Tarson LLC dated 7/24/2022
- 3) Memo from the Planning Commission Secretary, dated 9/14/2022

ACTION:

GRANTED REQUEST FOR CUMRU TOWNSHIP TO DEFER REVIEW OF THE MOORHEAD ANNEXATION/SUBDIVISION PLAN TO MOHNTON BOROUGH

SINCE THE MINOR ANNEXATION/SUBDIVISION IS LARGELY LOCATED IN MOHNTON BOROUGH.

Destiny Meyers re: Request for Waiver of Land Development

- 1) ZHB decision for Application No. 788 – Jeffrey C. and Destiny A. Meyers of Fawn Hill Hops Yard at 141 Wilma Ave.
- 2) Memo from the Planning Commission Secretary, dated 9/14/2022

ACTION:

GRANTED REQUEST FOR WAIVER OF LAND DEVELOPMENT TO FAWN HILLS HOP YARD CONDITIONED ON STORMWATER REVIEW BY ENGINEER, IF APPLICABLE.

2021-08 DIAMOND CREDIT UNION-CUMRU BRANCH re: reaffirm plan approval

(Preliminary/Final Plan) Owners: Richard M. Riethmuller/Carbo Group Ltd.; Agent: System Design Engineering (SDE), Inc., Alfred Ty Leinneweber, P.E.; Location: approx. 400 ft south of Rte. 724 located on the east side of Cedar Top Rd.; plan no. D-21-1432-0001-G101; Proposal summary: development of a Diamond Credit Union Bank branch with drive-through facilities located in Cumru Township, Berks County.

- 1) Letter from Great Valley Consultants re: plan review, dated 6/1/2022
- 2) Letter from Atlas Engineering re: sewer plan review, dated 06/05/2022
- 3) Memo from Planning Secretary re: recommendation for conditional approval, dated 6/8/2022
- 4) Plan approved 6/21/2022

ACTION:

REAFFIRMED CONDITIONAL FINAL APPROVAL FOR THE DIAMOND CREDIT UNION LAND DEVELOPMENT PLAN BASED UPON RESOLUTION OF THE OUTSTANDING ITEMS IN THE GVC REVIEW LETTER, DATED 6/17/22, AND ATLAS ENGINEERING SEWER REVIEW LETTER, DATED 6/5/22.

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 – August 2022

B.) Void Current Civil Service List

- 1) Civil Service Commission meeting advertised for 9/20/2022
 - 2) Recommendation from Civil Service Commission
- Chief Winchester reported that testing for a new list will begin October 8, 2022.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO VOID THE CURRENT CIVIL SERVICE LIST.

C.) License Plate Readers

1) Local Law Enforcement Grant applications due 10/13/2022

Chief Winchester informed the Board that technology was one of the areas in a grant opportunity that was presented to local law enforcement. License Plate Readers (LPRs) can store data that can assist the police. LPRs can be mounted on a vehicle or in a fixed location. He requested a motion from the Board to look into this grant opportunity to fund the purchase of an additional LPR unit. Ms. Rowe asked how they work. Chief Winchester explained the LPR reads license plates on vehicles. It reports information like vehicles reported stolen, expired registrations, etc.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE AUTHORIZING THE MANAGER AND THE CHIEF OF POLICE TO APPLY FOR A LOCAL LAW ENFORCEMENT GRANT FOR LICENSE PLATE READERS.

Fire Department

A.) Monthly Report – August 2022

Chief Beane asked if anyone had any questions concerning his monthly report. He reported that there had been a kitchen fire at 132 Colonial Dr. He made a public service announcement reminding everyone to put the lid on a pan with hot oil to suffocate the fire.

Chief Beane also reported that the candidates are in their 6th week at the academy and that 2 of them have already passed their EMT testing.

B.) Fire Station Phase 1 – application for payment # 10, \$332,274.10

1) Letter from Atlas Engineering re: \$310,527.60 for Cumru work, \$5,272.36 for Shillington work, and \$16,474.15 for Mohnton work, dated 9/15/2022

Ms. Johnston explained that this was mostly sewer work in Cumru.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING PAYMENT #10 FOR ANKIEWICZ ENTERPRISES, INC. FOR \$332,274.10.

C.) Fire Station Phase 1 – storm sewer emergency declaration

1) Storm sewer at 382 and 416 Reed St.

Ms. Johnston explained that the storm sewer is failing along the road at these 2 locations. She found documentation to support that these pipes are the responsibility of the Township as they were put in as a result of the sanitary sewer installation along Reed St. She requested the Board make a motion to declare this an emergency repair to be done as soon as possible, before winter. Application will be made to the DEP for a follow up permit.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO DECLARE REPLACING THE STORM SEWER AT 382 AND 416 REED ST. AN EMERGENCY PROJECT.

D.) 1982 Jeep

- 1) Request from Brecknock Township to transfer
- 2) Memo from Public Works concerning value of Jeep and Jeep parts

Chief Beane said that in light of the memo from Public Works, he does not think that we should give this vehicle away and that it should go to the auction.

Mrs. O’Leary informed the public that Cumru Township has 5 candidates in the Academy at HACC and employs 4 paid firefighters.

Administration

A.) Codes Department – August 2022

- Building Permits Issued – 16
- Use Permits Issued– 9
- Zoning Permits Issued – 10
- Notices of Violations – 11
- Citations issued – 0
- Violations complied – 15
- Phone calls from contractors, realtors & public approximately – 196
- Properties Condemned – 1 (Scotty Way – Fire)
- Permit Inspections Done – 30
- Inspections with the Fire Department – 5
- Training Seminars Attended – 1

B.) American Rescue Plan Funds

- 1) Remainder of first tranche and second tranche received
- 2) Total \$1,626,767.30
- 3) Transferred into general fund
- 4) Extraordinary general fund expenditures for road work and storm sewer

Ms. Johnston reported that the road work expenditures were for reconstructing Oregon Rd. and Kachel Rd. The storm sewer repair was on Pheasant Rd.

C.) 2023 Budget – Pension Minimum Municipal Obligations

- 1) adopt resolution for police pension 2023 MMO in the amount of \$932,837.00
- 2) adopt resolution for non-uniformed 2023 MMO, as follows:
 - a) defined benefit portion of plan = \$0
 - b) defined contribution portion of plan = \$129,500.00

ON MOTION OF MS. ROWE, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO ADOPT A RESOLUTION FOR THE POLICE PENSION 2023 MMO IN THE AMOUNT OF \$932,837.00 AND TO ADOPT A RESOLUTION FOR THE NON-UNIFORMED 2023 MMO AS FOLLOWS: DEFINED BENEFIT PORTION EQUALS \$0 AND DEFINED CONTRIBUTION PORTION EQUALS \$129,500.00.

Public Works

A.) Trees and Snow Plowing

Mr. McNichols reported to the Board the trees that interfere with snow plowing will need to be trimmed. Letters will be sent out to residents that need to trim their trees.

Mr. McNichols stated that the surplus vehicles will be sold at the auction at Gouglersville Fire Company on Wednesday, October 5, 2022.

Mrs. O'Leary asked about the Wyomissing Rd. Bridge that needs repair. Mr. McNichols said that he thought the bridge was located on a PennDOT road. but he would investigate.

Engineer

A.) 2022 Road Work – Oregon Rd Phase 2 – payment no. 3 (final)

- 1) Application for payment # 3 (final) in the amount of \$154,295.63 for Construction Masters Services, LLC

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE PAYMENT #3 (FINAL) FOR CONSTRUCTION MASTERS SERVICES, LLC FOR \$154,295.63 FOR OREGON RD. PHASE 2.

Mr. Rogosky reported that approximately 170 ft of road and 2 ADA ramps were constructed in March St. in Cumru Township as part of a Shillington project. He wanted to know if Cumru Township wanted to pay upon receipt of an invoice or at the end of the project. Ms. Johnston replied that at the end of the project would be preferred.

B) PennDOT Traffic Signal Maintenance Agreement

Mr. Rogosky informed the Board that this is an agreement for municipalities that own traffic signals. Traffic Signal Asset Management (TSAM) is an inventory system. He suggested that since CM High is the Township signal contractor, they could possibly input the information into the TSAM system. Mr. Rogosky requested a motion to adopt a resolution for this agreement.

Mr. Kalbach asked if this could lead to PennDOT mandating upgrades for older traffic signals and equipment. Mr. Rogosky answered yes, but this could help get grant money for the new equipment too.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ADOPT A RESOLUTION FOR THE PENNDOT TRAFFIC SIGNAL MAINTENANCE AGREEMENT, SUBJECT TO REVIEW BY THE SOLICITOR.

Solicitor

A.) Fireworks Act 74 of 2022

Mr. Setley informed the Board about the amendment to the Fireworks Act. He had submitted 3 sample ordinances from PSATS for Board review. He stated that the permit process could be a cumbersome chore for municipalities and that enforcement would still be a challenge. Chief Winchester concurred that the permit process would be a strain for the staff.

PAYMENTS OF BILLS

ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A MAJORITY VOTE APPROVING THE PAYMENT OF BILLS DATED 8/19/22, 8/26/22, 8/30/22, 9/01/22 – PLGIT, 9/02/22 - ACH, 9/02/22, 9/09/22 AND 9/16/22. MR. MILLER ABSTAINED FOR BILLS FOR 9/16/22.

COMMISSIONERS

A.) Executive Session

- 6:00 p.m. – The Board met in executive session to discuss 2 matters of pending litigation.
6:45 p.m. – The executive session ended. Mr. Setley stated that the Board had discussed 2 matters of pending litigation. No action needs to be taken at this time.

B.) Reminders:

- 1) Board of Commissioners meetings for October 2022:
 - 10/13/2022 at 3:30 p.m. – Budget Meeting
 - 10/18/2022 at 7:00 p.m. – Regular Meeting
 - 10/20/2022 at 3:30 p.m. – Budget Meeting
 - 10/27/2022 at 3:30 p.m. – Budget Meeting
- 2) Planning Commission meeting – October 3, 2022, at 6:00 p.m.
- 3) Municipal Authority meeting – Tuesday, October 25, 2022, at 8:30 a.m.
- 4) Zoning Hearing Board – September 27, 2022, at 6:00 p.m.
 - a.) ZHB notice for 09/27/2022 – J&A Court Apartments, hearing continued

Ms. Johnston reminded the Board that the Township must advertise 20 days before adopting the 2023 Budget at the Board of Commissioners meeting on December 20, 2022. She stated that this allowed for flexibility to pass the proposed budget at either the November 15, 2022, or the November 29, 2022, Board of Commissioners meetings.

ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE
TO ADJOURN THE MEETING AT 8:14 P.M.**

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary