

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OCTOBER 18, 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, and William B. Miller. Also attending were Solicitor Michael A. Setley, Police Lt. George Kuriger, 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. Commissioner Lisha Rowe arrived at 7:14 p.m.

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: Brian Salazar, Ximena Leches, Becky Wingenroth, JoAnn Dowling, Roberta Kennedy, Barbara Nagle, Anthony Martin, Ben Fisher, and Matt Close.

Brian Salazar of 1100 N. 9th Street addressed the Board about the “no winter maintenance” posting of N. 9th Street. He is a veteran concerned about getting to doctor appointments in snowy weather if the Township does not remove the snow. Mr. McNichols informed him that the area is posted as no winter maintenance because the Township can only access this area through Reading streets which are usually not cleared for vehicle traffic. Mrs. O’Leary suggested that if the weather is that bad, maybe he could reschedule his appointment. Mr. Kalbach stated that Cumru Township can’t plow the city roads so if Reading streets are not plowed, we can’t get there.

AMBULANCE SERVICE

A.) Monthly Report – September 2022

Anthony Martin reported that TowerDirect responded to 195 calls in September with an average emergency response time of 5 minutes and 53 seconds. TowerDirect gave mutual aid 34 times and received mutual aid 2 times. He also informed the Board that Stuart Dixon, the new Deputy Chief, would probably be attending some future meetings. He stated that they have maintained good employee retention.

Mr. Martin said that they were still working on the website and hoped to have a link available soon.

APPROVE MINUTES

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES OF 9/20//22 – REGULAR MEETING AS SUBMITTED.

TREASURER

A.) Monthly Report – September 2022

Mrs. Carpenter presented the September 2022 financial information. Mrs. O’Leary asked if the ARPA funds were in the PLGIT savings account or in the General Fund. Mrs. Carpenter replied that the money was still in the PLGIT account. Mrs. Carpenter also reported that a CD for \$1 million in the 809 sewer capital fund has been reinvested at a higher interest rate for 6 months.

B.) Resolution to authorize distribution of the General Municipal Pension System State Aid

1) \$388,533.88 to be distributed as follows:

a) \$227,939.88 in the Police Pension Fund as partial fulfillment of the 2022 Minimum Municipal Obligation (MMO)

Ms. Johnston reminded the Board that this is only a partial payment of the Police Pension MMO.

b) \$160,594.00 in the Non-uniformed Employee Pension Fund in fulfillment of the 2022 MMO.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE DISTRIBUTION OF THE GENERAL MUNICIPAL PENSION SYSTEM STATE AID OF \$388,533.88 TO BE DISTRIBUTED AS FOLLOWS: \$227,939.88 IN THE POLICE PENSION FUND AS A PARTIAL FULFILLMENT OF THE 2022 MINIMUM MUNICIPAL OBLIGATION (MMO) AND \$160,594.00 IN THE NON-UNIFORM EMPLOYEE PENSION FUND IN FULFILLMENT OF THE 2022 MMO.

C.) Operations Capital Funds (036 and 800) – consolidate funds

Mrs. Carpenter explained that a \$100,000.00 minimum balance is required in each bank account to avoid paying high monthly fees. She requested that the Township eliminate the 036 fire operations capital account and the 800 sewer operations capital account since these funds are not strictly necessary and have smaller balances. The fire and sewer capital accounts, 039 and 809 accounts respectively, would still continue.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ELIMINATE THE 036 AND 800 FUNDS AND AUTHORIZING MANAGEMENT TO TAKE WHATEVER STEPS ARE NECESSARY TO CLOSE THE ACCOUNTS.

TAX COLLECTOR

A.) Monthly Report – September 2022

1) Year 2022 Real Estate

Balance collectable beginning of month – \$163,877.18

Cash collected – \$8,150.37

Balance collectable end of month - \$155,726.81

2) Year 2022 Interim Real Estate

Balance collectable beginning of month – \$12,109.42

Cash collected – \$9,418.15

Balance collectable end of month - \$2,691.27

3) Year 2020 and 2021 Interim Real Estate

Balance collectable beginning of month – \$3,453.60

Cash collected – \$0

Balance collectable end of month - \$3,453.60

4) Year 2022 Refuse

Balance collectable beginning of month - \$37,155.00

Cash collected - \$2,910.00

Balance collectable end of the month - \$34,245.00

5) Year 2022 SMP

Balance collectable beginning of month - \$2,275.00

Cash collected - \$0

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

6) Year 2022 Per Capita

Balance collectable beginning of month - \$19,505.00

Additions during the month - \$15.00

Cash collected - \$2,290.00

Balance collectable end of the month - \$16,815.00

B.) Property Tax Penalty Waiver Resolution

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE
ADOPTING THE PROPERTY TAX PENALTY WAIVER RESOLUTION AS
REQUIRED BY ACT 57 OF 2022.**

[7:14 p.m. – Commissioner Rowe arrived.]

DEPARTMENTS

Police Department

A.) Monthly Report – September 2022

Police Lt. George Kuriger presented information to the Board on September calls for service.

B.) Animal Rescue League of Berks County – 2023 Limited-Service Contract

Ms. Johnston informed the Board that the 2023 cost for animal control services through the ARL is \$1.25/capita, an increase from \$1/capita for 2022. The total for 2023 would be \$19,523.75 (\$1.25 x 15,619 population by the 2020 census).

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING A 2023 LIMITED SERVICE CONTRACT WITH THE ANIMAL RESCUE LEAGUE OF BERKS COUNTY FOR \$19,523.75

Fire Department

A.) Monthly Report – September 2022

Chief Beane presented information to the Board on September calls for service.

B.) Fire Station Phase 1 – application for payment # 11, \$434,961.78

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE APPROVING PAYMENT #11 FOR ANKIEWICZ ENTERPRISES, INC. FOR \$434,961.78.

Administration

A.) Codes Department – September 2022

- Building Permits Issued – 15
- Use Permits Issued– 5
- Zoning Permits Issued – 11
- Notices of Violations – 21
- Citations issued – 0
- Violations complied – 8
- Phone calls from contractors, realtors & public approximately – 192
- Properties Condemned – 0
- Permit Inspections Done – 26
- Inspections with the Fire Department – 5
- Training Seminars Attended – 1

B.) Grings Hill Business Park

- 1) Zoning Hearing Board application no. 796
- 2) variance requested to requirement for a conditional use hearing

Ms. Johnston explained the 2021 Mixed-Use General Commercial (MUGC) Zoning requirement for a conditional use hearing. The Grings Hill area was originally approved for the medical center and a shopping mall in 2008. The new plan is for a warehouse/distribution center. Ms. Johnston suggested that this requirement would be redundant since the developer is already scheduled to appear before the Zoning Hearing Board on October 25, 2022.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE AUTHORIZING THE MANAGER TO TESTIFY BEFORE THE ZONING HEARING BOARD GENERALLY IN FAVOR OF THE GRINGS HILL BUSINESS PARK APPLICATION AND SPECIFICALLY IN FAVOR OF A VARIANCE TO THE REQUIREMENT FOR A CONDITIONAL USE HEARING BEFORE THE BOARD OF COMMISSIONERS FOR THE GRINGS HILL BUSINESS PARK APPLICATION.

C.) Berks County Conservation District – Tire Collection Event 11/10/2022

- 1) registration by email required

D.) Matz Tract – maintenance escrow release

Ms. Johnston informed the Board that the developer requested an escrow release.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO RELEASE THE ESCROW UPON CONFIRMATION WITH THE TOWNSHIP ENGINEER.

E.) Records Management

- 1) authorization for destruction of certain records

Ms. Johnston explained which outdated records could be destroyed.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE ADOPTING A RESOLUTION AUTHORIZING THE DISPOSAL OF CERTAIN RECORDS.

F.) Governor Mifflin Community Days

- 1) move to 600 Governor Dr. in Cumru Twp (Gov. Mifflin Intermediate School)
- 2) recommendation to waive large gathering permit fee

Ms. Johnston explained that the Governor Mifflin Community Days are moving to Cumru Township due to construction school district's Shillington campus. She recommended that the Board waive the \$250 large gathering permit fee for this event.

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A MAJORITY VOTE TO WAIVE THE LARGE GATHERING PERMIT FEE OF \$250 FOR THE GOVERNOR MIFFLIN COMMUNITY DAYS FOR 2023. MS. ROWE VOTED "NO."

G.) 2022-09 PARIS/CONWAY ANNEXATION/SUBDIVISION

EXPIRATION DATE 1/1/2023

(Final) Owner: Stephen Paris, Equitable Owners: Dina Conway and Marie Belote Conway; Agent: Hoffert Surveyors, John W. Hoffert; Location: 66 Meadow Glen Lane, Reading, PA 19607 (parcel #39-530301362929); plan no. D-22-50-1; Proposal summary: Original parcel to be subdivided into 2 lots with 1 lot to be annexed onto the adjoining lands which shall be joined in a common deed.

- 1) Cumru Twp. Subdivision and Land Development Application, dated 9/13/2022
- 2) Final Minor Subdivision Plans from John Hoffert Surveying, dated 6/17/2022
- 3) BCPC Land Subdivision and Land Development Review application, dated 9/13/2022
- 4) Review letter from GVC, dated 9/28/2022
- 5) **Waivers requested and recommended by the Planning Commission 10/03/2022**
 - 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 (A), not to require curb along New Holland Road, Meadow Glen Lane or any private street;

e) Relief from Section 507(B), not to require sidewalk along New Holland Road, Meadow Glen Lane or any private street

6) Approval recommended by the Planning Commission 10/03/2022

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO GRANT THE REQUESTED WAIVERS AS STATED ABOVE AND GRANT PRELIMINARY/FINAL APPROVAL TO THE PARIS/CONWAY ANNEXATION/SUBDIVISION PLAN CONDITIONED UPON SATISFYING THE COMMENTS IN THE GVC REVIEW LETTER DATED 9/28/22.

Public Works

A.) Surplus Property Sale

- 1) Auction advertised 9/21/2022
- 2) Results – The auction was held on October 5, 2022. Bids totaled \$34,300.00.

B.) PA Small Sewer and Water Grant – Montrose Blvd. Storm Sewer

The PA H2O grant is \$435,000 with a 15% match. Ms. Johnston requested that the Board authorize applying for this grant to help pay for the Montrose Blvd. storm sewer project.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO AUTHORIZE THE MANAGER TO APPLY FOR THE PA H2O GRANT TO BE USED TOWARD THE MONTROSE BLVD. STORM SEWER PROJECT.

C.) 2023 Budget – Highway Department

Ms. Johnston explained that several line items have been increased for 2023 due to higher fuel prices and continued supply chain issues. The dump truck that was ordered in August of 2021 will not be received until January 2023. Another 10-ton dump truck was ordered in July 2022 and is not projected for delivery until early 2024.

Mr. Rogosky provided estimated costs to reconstruct Hunters Road and Welsh Road. The entirety of Hunters Road would cost approx. \$1.9 million. Welsh Road from Ledgerock Road to the municipal boundary would cost approx. \$1.5 million. Mr. Rogosky explained that Hunters Road is projected to be very similar to Oregon Road, i.e., no existing road base. So, the estimated costs are based on the actual costs for the 2022 Oregon Road reconstruction. Ms. Johnston showed the Board possible budgets with different scenarios depending on which sections would be improved in 2023.

Long country roads do not have sanitary sewer to be replaced, so liquid fuels or general fund money is used for these roads. Since liquid fuels money will not be enough to pay for the proposed reconstruction in one year, the PA Infrastructure Bank (PIB), a low-interest loan program paid back via liquid fuels, could be used. The current PIB interest rate is 3.125%. Mr. Setley stated that the Township could apply for the maximum PIB loan and supplement projects with general funds. Mr. Kalbach questioned whether there was enough money in the general fund to supplement the PIB loan. Based on current estimates, it appeared that the amount needed from the general fund was probably less than \$250,000.

Mr. McNichols suggested that GVC could do cost break downs by dividing the roadwork into sections. Mr. Setley could work with Mr. Rogosky to determine specifications and apply for the PIB loan which should be approximately \$3 million. The Board concurred.

Engineer

A.) Road work 2022 – March St. (Shillington Borough as lead agency)

Mr. Rogosky reported that approximately 282 square yards of March Street were paved and 2 ADA ramps were replaced in Cumru as part of Shillington's road project. Cumru Township will be receiving a bill for approximately \$32,000.00 from Shillington. This will be paid from the general fund.

Solicitor

A.) Act 41 of 2022 – Municipal Boundaries Statute

1) request from Robeson Township for boundary changes

Mr. Setley explained that this statute allows for municipalities to agree to shift boundary lines. Robeson Township has requested to change the boundary near Ridgeway Rd. and this would involve 2 or 3 houses. The Board indicated that they were not interested in doing this because it would involve a change in school districts for affected properties.

PAYMENTS OF BILLS

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE APPROVING THE PAYMENT OF BILLS DATED 9/23/22, 9/30/22, 9/30/22 – ESCROW RELEASE, 9/30/22 – PLGIT, 10/03/22, 10/07/22, 10/14/22 AND 10/18/22.

CORRESPONDENCE

A.) October meetings advertised in the Reading Eagle

B.) Letter from SCS Engineers re: electricity generation from methane at Western Berks Landfill, dated 10/04/2022

C.) Zoning Hearing Board notice for 10/25/2022

- 3003 Welsh Rd., Home/Family Day Care
- Grings Hill Business Park, LLC, warehouse/distribution center
- 31 Hickory Rd., restore property to lodge/restaurant

D.) NRG/former Titus Station site – act 2 clearance from PaDEP, dated 10/17/2022

COMMISSIONERS

A.) Executive Session

8:25 p.m. – The Board met in executive session to discuss 1 personnel matter.

8:58 p.m. – The executive session ended. Mr. Setley stated that the Board had discussed 1 personnel matter. No action needs to be taken at this time.

B.) Reminders:

1) Board of Commissioners meetings for October and November 2022:

- 10/20/2022 at 3:30 p.m. – Budget Meeting
- 10/27/2022 at 3:30 p.m. – Budget Meeting
- 11/15/2022 at 7:00 p.m. – Regular Meeting
- 11/29/2022 at 7:00 p.m. – 5th Tuesday Meeting

2) Planning Commission meeting – November 7, 2022, at 6:00 p.m.

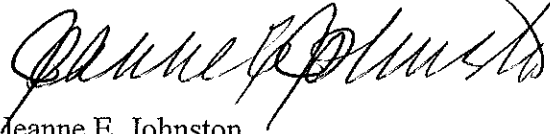
3) Municipal Authority meeting – Tuesday, October 25, 2022, at 8:30 a.m.

4) Zoning Hearing Board – October 25, 2022, at 6:00 p.m.

ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE
TO ADJOURN THE MEETING AT 8:59 P.M.**

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary