

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OCTOBER 19, 2021**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President William B. Miller at 7:00 p.m. Other Commissioners in attendance were Vice President Ruth A. O'Leary, David J. Batdorf, Scott R. Brady, and Sam Kalbach. Also attending were Solicitor Michael A. Setley, Chief of Police Madison Winchester, Fire Chief James A. Beane, Superintendent of Public Works Robert McNichols, Jr., Business/Personnel Administrator Peggy A. Carpenter, Manager/Secretary Jeanne E. Johnston, Special Projects/Asst. Secretary Patricia Wylezik-Pfeiffer, and Joseph P. Rogosky of Great Valley Consultants.

Call to Order and Pledge to the Flag.

PUBLIC

Attendance: Jim McCarthy; Doug Shinn; Brad Stephenson; Bud Reitnouer; Lisha Rowe; Bill McKay; Sal Albert; Betty Volk.

A) Doug Shinn re: East Pointe Dr. parking

- 1) Memorandum from Manager re: recommended traffic ordinance, dated 9/17/2021
- 2) Letter to property owners along East Pointe Dr. re: discussion of parking 10/19/2021, dated 10/12/2021

Jim McCarthy introduced himself as a consulting engineer representing Doug Shinn and Mike Wall with respect to East Pointe Dr. He stated that a note on the recorded plan referenced no on-street parking. He also stated that East Pointe Dr. meets the definition of an arterial/collector road in the land development ordinance and, therefore, no parking should be allowed. Mr. McCarthy presented a plan with truck turning movements. He pointed out a particular area along East Pointe Dr. that could be used for on street parking, approx. 22 spaces. Mr. Shinn declined to speak.

Brad Stephenson identified himself as an owner of New Castle Landscaping. He stated that Mr. Shinn represented the lot owners during the dedication process but did not notify other owners of an intent to argue for no parking. Mr. Stephenson said that, if there is no parking on East Pointe Dr., his business would be shut down and will be forced to move. He agreed with no parking near the driveway to the former Water Guy property.

Mr. Setley asked if 22 spaces would solve the problem for New Castle. Mr. Stephenson responded that they have 20 to 30 cars. Mr. Miller asked if one side parking would be sufficient. Mr. Stephenson said it would.

Mr. Kalbach asked Mr. Shinn about the possibility of renting spaces. Mr. Shinn said he does not have any at the former Water Guy property, but he owns vacant lot 1. Mr. Shinn stated that the business now at the former Water Guy property will be bringing tractor trailers. Mr. McCarthy stated that the owner already marked the radius of the curb at his driveway in yellow.

Mr. Miller stated that he favored one side parking.

Mr. McCarthy argued that, if parking is on either side of the street other than in the area he shaded in red, trucks will not be able to get in and out. He claimed that the street was 31 feet wide and a 7-foot-wide car width will leave a cartway of only 24 feet.

Mr. Miller summarized that everyone agrees to no parking on the side with the most driveways (the north side) and there should be some kind of parking on the south side without

interfering with the driveways on the north side. Mr. Setley pointed out that the Township's goal is to maximize parking without causing a business to go out of business.

Mr. Reitnour asked about continuing to park trailers in the cul de sac. Mr. McNichols stated that it does not work with snow plowing.

The Board asked Mr. McNichols and Mr. Rogosky to look at the situation in the field.

B) Chris Worley re: meeting room policy – *Not present.*

AMBULANCE SERVICE

A) Monthly Report – September 2021

Mr. Martin reported 183 responses in September, with an average response time of 5 min 53 sec.

APPROVE MINUTES

ON MOTION OF MR. BATDORF, SECOND OF MRS. O'LEARY, A MAJORITY VOTE APPROVING THE MINUTES OF 8/31/21, 9/21/21, AND 10/5/21. ROLL CALL: MRS. O'LEARY – YES; MR. KALBACH – YES; MR. BATDORF – YES; MR. BRADY – ABSTAIN; MR. MILLER – YES.

Mr. Brady abstained because he was not a Commissioner for those meetings.

TREASURER

A) Monthly Report – September 2021

TAX COLLECTOR

A) September 2021 Report

1) Year 2021 Real Estate

Balance collectable beginning of month – \$170,032.46

Cash collected – \$5,928.38

Balance collectable end of month - \$164,643.04

2) Year 2021 Refuse

Balance collectable beginning of month - \$39,248.00

Cash collected - \$1,403.60

Balance collectable end of the month - \$37,972.00

3) Year 2021 SMP

Balance collectable beginning of month - \$2,405.00

Cash collected - \$143.00

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

4) Year 2021 Per Capita

Balance collectable beginning of month - \$18,300.00

Cash collected - \$2,135.00

Balance collectable end of the month - \$16,015.00

CONSENT AGENDA

2021-04 MILLER SUBDIVISION EXPIRATION DATE 10/24/2021

(Final plan) Owners: Daniel P. Miller and Cindy L. Miller; Agent: John Hoffert
Surveying; Location: 2184 Welsh Road, Mohnton, PA 19540; plan no. D-18-90-1;
Proposal summary: subdivide into 3 residential lots (1 existing house, 2 new lots)

- a.) Letter from Great Valley Consultants re: plan review, dated 10/01/2021
- b.) Memorandum from Manager re: recommended waivers, dated 10/15/2021

ACTION:

GRANTED PRELIMINARY/FINAL APPROVAL TO THE MILLER SUBDIVISION PLAN SUBJECT TO EXECUTION OF A SHARED DRIVEWAY EASEMENT.

Distribution of State Aid for Pension Plans

- 1) Memorandum from Business Administrator re: distribution by fund, dated 09/23/2021
- 2) Draft resolution

ACTION:

ADOPTED A RESOLUTION FOR DISTRIBUTION OF STATE AID FOR PENSIONS AS FOLLOWS:

- POLICE PENSION PLAN = \$211,080.43
- NON-UNIFORMED PENSION PLAN = \$158,310.33

Sewer Right of Way Machine - purchase

- 1) Memorandum from Manager re: Municipal Authority recommended purchase and fund transfer, dated 10/18/2021

ACTION:

AUTHORIZED THE PURCHASE OF A SEWER RIGHT OF WAY MACHINE IN THE AMOUNT OF \$24,064 FROM THE SEWER OPERATIONS (EQUIPMENT) CAPITAL FUND AND THE TRANSFER OF UP TO \$15,000 FROM THE 803 FUND TO THE 800 FOR THIS PURCHASE.

Cedar Top Sewer Right of Way Repair – completed; authorize payment

ACTION:

AUTHORIZED PAYMENT OF \$21,930.00 TO BARWIS CONSTRUCTION FOR REPAIR OF RIGHT OF WAY BEHIND 1228 CEDAR TOP RD., AUTHORIZED AS AN EMERGENCY PROJECT.

END OF CONSENT AGENDA

ON MOTION OF MR. BATDORF, SECOND OF MRS. O’LEARY, A UNANIMOUS VOTE APPROVING THE CONSENT AGENDA.

DEPARTMENTS

Police Department

A) Monthly Report – September 2021

Chief Winchester reported an increase in retail thefts.

B) School Zone on SR 724 – request by Gov. Mifflin SD to change timing

GMSD Superintendent Bill McKay was present for discussion of the school district's request to change the timing on the school crossing signal on SR 724.

Chief Winchester stated that changing the timing outside of the permit is unenforceable. He also did not recommend temporary permit changes as all changes must go through PennDOT, which has the ultimate authority to approve or disapprove changes. In the case of early dismissal, the lights can be altered. A sign was added on the north side for additional warning to motorists.

Mr. Miller asked Mr. McKay if the currently requested change is permanent. Mr. McKay replied that the requested change is based on current hours. He could not guarantee the school hours won't change. The current signal hours are: 7:00 a.m.-9:15 a.m. and 3:00 p.m. to 4:15 p.m. The requested hours are: 7:00 a.m.-9:00 a.m. and 2:30 p.m.-4:00 p.m. He stated concern that some children could be crossing SR 724 without flashers. Chief Winchester stated that other measures could be used, such as the school police officer with a marked vehicle.

Mr. Kalbach said he did not see the need to change the time and the biggest concern is making sure any changes are enforceable.

Fire Department

A) Monthly Report – September 2021

B) Fire Station Phase 1 Utility Project – update

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE AUTHORIZING SHUT DOWN OF THE RECREATIONAL FACILITIES ON THE TOWNSHIP MAIN CAMPUS AS OF 10/25/21 FOR SAFETY CONSIDERATIONS.

Chief Beane stated that signs would be posted about the closure.

Administration

A) Codes Report – September 2021

Building Permits Issued- 13

Use Permits Issued- 2

Zoning Permits Issued- 7

Notices of Violations- 18

Citations issued- 0

Violations complied- 20

Phone calls from contractors, realtors & public approximately- 221

Permit Inspections Done – 30

Permit Inspections with Fire Dept. – 1 (Best Western hotel)

Training seminars attended - 1

B) Albert Subdivision – sewer main

1) Memorandum from Manager re: connection of lot 2 and dedication, dated 10/1/2021

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE FOR THE FOLLOWING:

- 1) **AUTHORIZING THE SOLICITOR TO DRAFT AND ADVERTISE AN ORDINANCE OF DEDICATION FOR THE ALBERT SUBDIVISION SEWER MAIN**
- 2) **WAIVING THE REQUIREMENT FOR CONNECTION OF 2 ALBERT LANE AS LONG AS THE ON LOT SYSTEM IS FUNCTIONING IN CONSIDERATION OF THE CURRENT SEWER CONNECTION MORATORIUM.**

C) Opioid Settlement

- 1) Letter from Attorney General re: option to join settlement, dated 09/23/2021
ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO OPT INTO THE OPIOID SETTLEMENT AS DESCRIBED IN A LETTER FROM THE ATTORNEY GENERAL DATED 9/23/21.

D) Subdivision and Land Development Ordinance

- 1) Memorandum from Manager to Planning Commission re: recommended minor amendment, dated 09/29/2021

Public Works

A) 2020-2021 Sewer Replacement Project – update

Mr. McNichols informed the Board that a minor part of the project remained: raising several manholes along the SR 10 corridor.

B) Leaf Collection – ends 12/10/2021

Engineer

A) East Pointe Drive – emergency overlay update

- 1) paving scheduled for the week of 10/25/2021

Mr. Rogosky stated that the overlay will occur next week after public works sweeps the road.

B) 2021 Road Work (friction course) – application for payment \$79,691.22

- 1) Letter from Great Valley Consultants re: recommendation for payment, dated 10/15/2021

Mr. Rogosky stated that a maintenance bond is in place.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING APPLICATION FOR PAYMENT TO AMS IN THE AMOUNT OF \$79,691.22 FOR THE FRICTION COURSE PROJECT.

C) Hampshire Culvert Replacement – update

Mr. Rogosky informed the Board that the Township would meet with BCCD on 10/21/21 to review concerns about the trout hatchery nearby.

D) Maple Grove Rd. and Imperial Dr. – potential multi-way stop sign

- 1) Letter from Brecknock Twp re: proposal for 50/50 cost share of a study, markings, and signs, dated 10/13/2021

Mr. McNichols informed the Board that a stop ahead would be needed in Cumru Township, which would require an ordinance, which would require a study. Ms. Johnston

stated the last subdivision plan in the area shows the intersection in Brecknock Township. She voiced concerns for uncertain jurisdictional issues involving emergency services if the municipality owning the intersection remains ambiguous. She also stated that Cumru Township should not be maintaining stop bars or signs in Brecknock Township.

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE FOR THE FOLLOWING:

The Cumru Township Board of Commissioners authorized an amount not to exceed \$2,000 for an engineering study of the intersection of Maple Grove Rd. and Imperial Dr., subject to an acknowledgement by Brecknock Township that the intersection is in Brecknock Township and that Cumru Township has no further maintenance responsibilities in Brecknock Township.

Solicitor

PAYMENTS OF BILLS

ON MOTION OF MR. BATDORF, SECOND OF MRS. O'LEARY, A UNANIMOUS VOTE APPROVING PAYMENTS OF BILLS DATED 9/24/21, 9/29/21, 9/30/21, 9/30/21 – PLGIT, 10/1/21, 10/8/21, AND 10/15/21.

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A MAJORITY VOTE VOTE APPROVING PAYMENT OF BILLS DATED 10/15/21 – ADDITIONAL. ROLL CALL: MRS. O'LEARY – ABSTAIN; MR. KALBACH – YES; MR. BATDORF – YES; MR. BRADY – YES; MR. MILLER – YES.

COMMISSIONERS

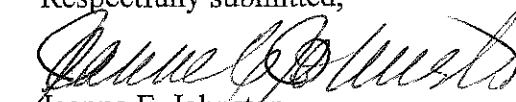
A) Reminders:

- 1) Board of Commissioners meetings for fall 2021:
 - 10/21/2021 at 3:30-5:30 p.m. – budget meeting
 - 10/28/2021 at 3:30 p.m. – budget meeting
 - 11/16/2021 at 7:00 p.m. – regular meeting
 - 11/30/2021 at 7:00 p.m. – 5th Tuesday meeting

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:35 P.M.

Respectfully submitted,


Jeanne E. Johnston
Secretary/Manager