

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING                      JANUARY 20, 2015**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Tony J. Sacco at 7:00 p.m. Other Commissioners in attendance were Treasurer Ruth O'Leary, Sheri Hoover, and Lorri K. Swan. Vice President Edward L. Gottschall was absent with prior notification to the Board. Also attending were Solicitor Michael A. Setley, Director of Public Safety/Chief of Police Jed Habecker, Fire Chief Scott R. Brady, Superintendent of Public Works Robert McNichols, Jr., Assistant Superintendent of Public Works James A. Beane, Business/Personnel Administrator Peggy A. Carpenter, Manager/Secretary Jeanne E. Johnston, and Joseph P. Rogosky of Great Valley Consultants.

Pledge to the Flag.

**PUBLIC**

A) Richard Fry re: multiple complaints

Richard Fry identified himself as a property owner living on Hunters Rd. He asked why Hunters Rd. has not been repaired. Mr. McNichols informed Mr. Fry that there are roads in the Township in worse shape than Hunters Rd. Mr. Sacco explained that the Township prioritizes roads. Ms. Johnston stated that traffic counts and numbers of homes on a street are taken into account when evaluating which roads to repair.

Mr. Fry complained about storm water running across 85 feet of his property. Mr. McNichols informed the Board that a storm water basin and swale have been located there for decades. Mr. Rogosky explained that one of the GVC staff had visited the area in response to a storm water complaint as a result of Mr. Fry clearing his land. The Township was awaiting a response from Berks County Conservation District.

Mr. Fry complained that leaves are hardly ever cleaned out of 2 storm water pipes north of his property and asked why that was not done during leaf picking season. Mr. McNichols noted that the leaf vacuums will not work in that location. He also informed the Board that storm water system cleaning is not done during leaf picking season. Currently, the Township is dealing with a cycle of severe winter weather. Mr. Sacco requested that this storm water location be addressed as soon as possible.

Mr. McNichols explained that the Township did leaf picking in 2014 longer than the established policy. According to policy, leaf picking could have ended after the first significant snowfall in November. However, the Township continued to pick leaves until the end of the originally scheduled 9 week period.

Mr. Fry complained that the Township will not pick leaves off of his grass. Mr. McNichols pointed out that the Township would be on private property; leaves are supposed to be deposited at the edge of the public right of way. Mr. Sacco agreed.

Mr. Fry asked what raise the police were getting because he only got a 1.7% increase in Social Security. "With price increases, I am 2.4% behind. Many more people will lose their homes." Mr. Sacco responded that the Board is sensitive to this concern. The arbitration result will be binding.

Mr. Fry complimented the fire department on clean up after a chimney fire years ago. Mr. Sacco complimented all Cumru Township employees, including the police department.

B) Donald Ritchie re: police negotiations

Donald Ritchie identified himself as a resident of 1874 Old Lancaster Pike. He stated concern that the recent pamphlets sent out by the Township showed an anti-police position. Mr. Sacco responded that the Board is not anti-police, but was in contract negotiations. Mr. Richie stated that the police requests seem reasonable, but the Board wants the police to pay for healthcare. Mr. Sacco noted that the Board proposed that the police should pay part of their healthcare. The current premium co-pay is \$1.00 per month and the Township proposes \$100.00 per month. There is no deductible. Mrs. O'Leary further explained that the Township will have to pay more when the Affordable Care Act "Cadillac tax" is imposed in 2018.

Mr. Richie said the Township should pay the police well. Mr. Sacco responded that the Cumru police were paid second highest in Berks County, according to their expert witness.

Mr. Setley noted that negotiations are a matter of degree: the Board is not anti-police, but they are not anti-taxpayer, either.

C) David Kalin re: neighbor complaint

David Kalin identified himself as a resident of 49 Hemlock Rd. He complimented the Board on the attempts to negotiation with the police union. He said that property taxes were the number one reason he is moving out of state.

Mr. Kalin complained about equipment kept at 47 Hemlock Rd., which is partially in the right of way and reducing the sight distance for pulling out of his driveway. Mr. Sacco asked Chief Habecker to look into it. Chief Habecker indicated that they had not received a complaint. Mr. Kalin responded, "I'm not going to get into that." This matter was also referred to codes.

Attendance: Richard Fry; Donald Ritchie; Kyle Dierolf of Flying Hills Co.; James Williamson; Bob Snyder of CTFD; Claude P. Mervine; Dave Kalin.

**TREASURER**

Mrs. O'Leary reported on various expenses and revenue in December, in relation to the 2014 budget. She stated that an end of year report would be presented at the February 2015 meeting.

**TAX COLLECTOR**

A) 2014 Revenue – December 2014 Report

- 1) Year 2014 Real Estate
  - Balance collectable – \$68,282.21
  - Cash collected - \$87,351.51
- 2) Year 2014 Real Estate Interim
  - Balance collectable - \$1,211.03
  - Cash collected - \$4.71
- 3) Year 2014 Refuse
  - Balance collectable –\$16,691.00
  - Cash collected – \$99,008.52

4) Year 2014 Per Capita

Balance collectable – \$6,795.00  
Cash collected – \$5,107.50

B) 2014 Real Estate – Delinquent

- 1) flat amount of \$68,282.21 sent to Tax Claim for 131 bills  
*2013 amount = \$76,011.92 for 158 bills*

C) 2014 Refuse – Delinquent

- 1) Memorandum from Tax Collector re: flat amount of \$16,691.00 uncollected,  
dated 1/8/2015  
*2013 amount = \$17,948.00*

D) 2014 Per Capita – Delinquent

- 1) Memorandum from Tax Collector re: flat amount of \$6,180.00 uncollected for 1,236 bills,  
dated 1/8/2015  
*2013 amount = \$6,710.00*

**APPROVE MINUTES**

**ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE  
TO APPROVE THE MINUTES OF 10/28/2014, 10/30/2014, 11/4/2014, 11/6/2014,  
11/18/2014, AND 12/16/2014.**

**CONSENT AGENDA**

**PLANS**

- 2014-06 MAJESTIC ACRES 4 SUBDIVISION EXPIRATION DATE 03/08/2015**  
(preliminary/final) Owner: ; Agent: John W. Hoffert, PLS; location: off Gougliersville Rd.  
at Cumru/Brecknock line; plan no. D-14-09-01; proposal summary: subdivision for 1  
single family home  
a.) Letter from Hoffert Surveying re: waiver requests, dated 11/26/2014

**ACTION:**

**APPROVED WAIVERS TO THE SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE FOR THE MAJESTIC ACRES 4 SUBDIVISION, AS REQUESTED IN A  
LETTER FROM HOFFERT SURVEYING DATED 11/26/2014 AND AS  
RECOMMENDED BY THE PLANNING COMMISSION.**

- 2014-07 NBVM LAND DEVELOPMENT PLAN EXPIRATION DATE 02/01/2015**  
(preliminary) Owner: NBVM Parish of the Ukrainian Catholic Church; agent: McCarthy  
Engineering; location: off SR 724 between SR 10 and Valley Stream Rd.; proposal  
summary: construct parish hall and sanctuary  
a.) Letter from McCarthy Engineering re: extension of time offered, dated 1/12/2015

**ACTION:**

**ACCEPTED THE EXTENSION OF TIME TO 6/30/2015 FOR THE NATIVITY OF THE BLESSED VIRGIN MARY LAND DEVELOPMENT AND SUBDIVISION PLAN.**

**2015-01      HOFFERT SUBDIVISION      EXPIRATION DATE 04/12/2015**

(final) Owner: James and Joyce Hoffert; Agent: John W. Hoffert, PLS; location: off of Welsh Rd 250' north of Matz Drive; plan no. D-14-109; proposal summary: subdivision for 1 single family home

b.) Letter from Hoffert Surveying re: waiver requests, dated 1/5/2015

**ACTION:**

**APPROVED WAIVERS TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE FOR THE HOFFERT SUBDIVISION, AS REQUESTED IN A LETTER FROM HOFFERT SURVEYING DATED 1/5/2015 AND AS RECOMMENDED BY THE PLANNING COMMISSION.**

**Wanner Estate Subdivision – mostly in Robeson Township**

a.) Letter from John T. O'Neill, PLS, re: request for deferral of review to Robeson Township, dated 12/23/2014

**ACTION:**

**DEFERED REVIEW OF THE WANNER ESTATE SUBDIVISION TO ROBESON TOWNSHIP, WITH THE UNDERSTANDING THAT ANY FUTURE IMPROVEMENTS OR ALTERATIONS THAT AFFECT CUMRU TOWNSHIP WILL REQUIRE A FORMAL SUBMISSION TO CUMRU TOWNSHIP.**

**DEPARTMENTS**

Public Works

**A) 2015 Capital Purchases**

1) Memorandum from Manager re: request to order budgeted items, dated 1/15/2015

ITEM	MODEL	POSSIBLE PAYOUT MONTH	BUDGETED AMOUNT	FUND	UPDATED QUOTES
VEH 61 REPLACEMENT 4 WHEEL DRIVE	JEEP WRANGLER	FEBRUARY 2015	\$20,000 <u>\$10,000</u> \$30,000	SEWER REFUSE TOTAL	\$20,592 <u>\$10,142</u> \$30,734
VEH 92 REPLACEMENT TV TRUCK	FORD F350	MAY 2015	\$60,000	SEWER	\$56,500
VEH 75 REPLACEMENT 10 TON DUMP	FREIGHTLINER	OCTOBER 2015	\$107,324 <u>\$ 45,676</u> \$153,000	GENERAL REFUSE* TOTAL	\$106,300 <u>\$ 45,676</u> \$151,976

\*RECYCLING GRANT

**ACTION:**

**AUTHORIZED MANAGEMENT STAFF TO ORDER REPLACEMENTS FOR VEHICLES 61, 75, AND 92, AS BUDGETED AND DESCRIBED IN THE MANAGER'S MEMORANDUM DATED 1/15/2015.**

**B) Fuel Dispensing and Pump System Bids**

- 1) draft bid specifications

**ACTION:**

**AUTHORIZED PUBLIC WORKS TO ADVERTISE RECEIPT OF BIDS FOR THE PURCHASE OF A FUEL DISPENSING AND PUMP SYSTEM.**

Administration

**A) Policy on Access to Personnel Records**

- 1) Memorandum from Manager re: proposed policy, dated 1/20/2015

**ACTION:**

**ADOPTED A REVISED POLICY ON ACCESS TO PERSONNEL RECORDS, AS DESCRIBED IN THE MANAGER'S MEMORANDUM DATED 1/20/2015.**

**B) Administrative Staff**

**ACTION:**

**ELIMINATED ONE CLASS 3 ADMINISTRATIVE ASSISTANT POSITION.**

**C) Township Secretary**

**ACTION:**

**AUTHORIZED THE MANAGER TO ADVERTISE RECEIPT OF APPLICATIONS FOR THE TOWNSHIP SECRETARY POSITION, CONDITIONED UPON REVIEW AND APPROVAL OF A JOB DESCRIPTION BY THE ADMINISTRATIVE LIAISON COMMISSIONERS.**

**END OF CONSENT AGENDA**

**ON MOTION OF MRS. O'LEARY, SECOND OF MRS. SWAN, A UNANIMOUS VOTE APPROVING THE CONSENT AGENDA.**

**DEPARTMENTS**

Recreation Department

**A) Monthly Report**

**B) Recreation Building Fobs**

- 1) Memorandum from Recreation Director re: recommendation of policy for fob access to building, dated 1/14/15

Mr. Gausch reported that the fob installation in the recreation building was almost complete. The Board agreed to rental fees for extra set up and clean up time, as recommended by the Park & Recreation Board.

C) Recreation Building Rental Payments – NSF (“bounced”) checks

- 1) Memorandum from Recreation Director re: recommendation of policy for NSF payments, dated 1/14/2015

Mr. Gausch reported that the Park and Recreation Board recommended requiring future payments in cash for any renter whose check is returned for non-sufficient funds (NSF). The Board agreed. The Board also reiterated that the NSF fee of \$32.00 is applicable in this situation.

Police Department

A) Police Department Monthly Report – December 2014

- Offenses reported – 41
- Offenses cleared – 23
- Criminal arrests – 28
- Traffic arrests – 20
- Stolen property value – \$17,084.00
- Recovered property value – \$2,277.00
- Revenue received - \$7,116.62

Chief Habecker reported an arrest in a rape case, an investigation into the fire at Route 10 Storage, and several fraud and theft cases.

**B) Fire Police Standard Operation Procedures (SOPs)**

- 1) draft SOPs as reviewed

The Board agreed with adoption of the Standard Operating Procedures for Fire Police, as reviewed by the police liaison Commissioners.

Fire Department

A) Fire Department Monthly Report-December 2014

- Total Incidents-56
  - Fires-13
  - Rescue and EMS-12
  - Hazardous Condition (No Fire)-3
  - Service Call-6
  - Good Intent Call-15
  - False Alarm-7
- Total Estimated Losses- \$400,400
- Volunteer Staffing 38 (Minus 2)

B) Fire Department Yearly Report- 2014

- Total Incidents-627
  - Fires-105
  - Overpressure/Overheat-4
  - Rescue and EMS-117
  - Hazardous Condition (No Fire)-46
  - Service Call-103
  - Good Intent Call-128
  - False Alarm-117

Severe Weather-1  
Special Incident Type-6  
Total Estimated Losses- \$1,565,330

C) Fire Department Yearly Report- 2013  
Total Incidents-517  
Fires-92  
Rescue and EMS-109  
Hazardous Condition (No Fire)-48  
Service Call-62  
Good Intent Call-59  
False Alarm-144  
Special Incident-2  
Total Estimated Losses- \$1,046,872

The Board congratulated Gary Brady for 50 years of service to the Fire Department.

Chief Brady informed the Board that several items were to be considered at the next Fire Board of Directors meeting, which might be considered on the February Board of Commissioners agenda.

#### Public Works

##### **A) 2015 Road Work – scope of project and funding**

1) Memorandum from Manager re: projected deficit in liquid fuels fund, dated 1/20/2015

Mr. Rogosky informed the Board that significant savings were projected, if the Township does Gouglerstown Rd phases 3 and 4 together. Mrs. Swan noted that the savings would be over \$60,000.00, as projected, less engineering. Ms. Johnston informed the Board that, partly due to the harsh winter, the liquid fuels fund will not be sufficient to accomplish the project and the balance would have to be paid for out of the general fund.

**ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE AUTHORIZING SPECIFICATIONS AND BIDS TO BE ADVERTISED FOR BOTH PHASES 3 AND 4 OF GOUGLERSVILLE ROAD CONSTRUCTION, WITH THE UNDERSTANDING THAT A PORTION OF THE PROJECT WILL BE PAID FOR OUT OF THE GENERAL FUND.**

##### **B) Poplar Neck Bridge over Schuylkill River**

Mrs. O'Leary noted that the Township is obligated to maintain the Poplar Neck Bridge. She recommended that the engineering be started for repair work. Mr. Rogosky informed the Board that the STV list of repair work obtained in 2014 was sufficient for a Pennsylvania Infrastructure Bank loan, if the Township chooses to apply. However, liquid fuels funds cannot be used to pay the loan back. Mr. Setley explained that the loan process would take 6-9 months, with a 10 year payback. The interest rate is 50% of prime at the time of closing. Ms. Johnston noted that environmental permitting would take several months. The Board deferred a decision on funding at this time.

**ON MOTION OF MRS. O'LEARY, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE AUTHORIZING ENGINEERING TO BEGIN ON THE POPLAR NECK BRIDGE OVER THE SCHUYLKILL RIVER, SUBJECT TO RECEIVING A PROPOSAL FROM STV ENGINEERING.**

Engineer

- A) 2015 rates – no increase
  - 1) Letter from Great Valley Consultants dated 12/16/2014

Solicitor

- A) City of Reading Intermunicipal Sewer Agreement
  - 1) Letter from City of Reading re: revised consent order, dated 12/26/2014

**CORRESPONDENCE**

- A) Monthly meeting schedule advertised in the Reading Eagle on 1/15/2015
- B) Executive session advertised in the Reading Eagle on 1/17/2015
- C) Zoning Hearing Board notice for 1/13/2015
- D) 2013 Audit of Magisterial District Court 23-2-04
- E) Downstream notification for Reading Terminals, dated 1/12/2015
- F) Letter from PaDEP re: Titus Station ash site closure revised, dated 1/2/2015
- G) Letter from Kevin Lash re: various topics, dated 12/22/2014

**PAYMENTS OF BILLS**

**ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A MAJORITY VOTE APPROVING PAYMENTS OF BILLS DATED 12/19/14, 12/26/14, 1/6/15, 1/9/15, 1/16/15, 1/19/15, AND 1/20/15.**

Mrs. O'Leary abstained.

**COMMISSIONERS**

**A) Vacancies/Expirations of Terms**

- 1) Vacancy Board
  - 2) Zoning Hearing Board Alternate – 2 vacancies, 1 candidate
- The Board indicated that they would consider this item at the February meeting.

**B) Executive Session**

Mr. Sacco announced that the Board had held an executive session on 1/19/2015 to discuss the police arbitration and personnel issues.

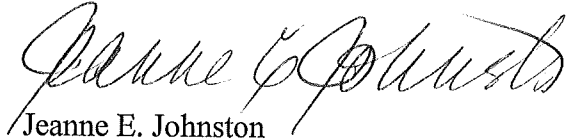
**C) Reminders: Township offices closed on Monday, February 16, 2015, in observance of the Presidents' Day Holiday**



**ADJOURNMENT**

**ON MOTION OF MRS. HOOVER, SECOND OF MRS. SWAN, A UNANIMOUS VOTE  
TO ADJOURN THE MEETING AT 8:23 P.M.**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jeanne E. Johnston".

Jeanne E. Johnston  
Manager/Secretary