

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

MARCH 15, 2016

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth O'Leary at 7:00 p.m. Other Commissioners in attendance were Vice President Edward L. Gottschall, Sheri Hoover, Lorri K. Swan, and Tony J. Sacco. Also attending were Solicitor Michael A. Setley, Solicitor Daniel Becker, Officer in Charge Timothy Woll, Superintendent of Public Works Robert McNichols, Jr., Assistant Superintendent of Public Works James A. Beane, Business/Personnel Administrator Peggy A. Carpenter, Recreation Director Samson Gausch, Manager Jeanne E. Johnston, Secretary Latoya Procopio, and Joseph P. Rogosky of Great Valley Consultants.

Pledge to the Flag.

2008-02 HAWTHORNE SUBDIVISION/LAND DEVELOPMENT

EXPIRATION DATE 3/31/2016

(Preliminary) Owner: KevTimRP, LP c/o Metropolitan Mgt, Inc.; Agent: Van Cleef Engineering; Location: SR 724 & I-176; proposal summary: 313 residential units; plan no. 06-016-P00; revised plan submitted 06/30/2015

- a.) Letter from Great Valley Consultants re: Traffic Impact Study review, dated 03/04/2016
- b.) Proposed agreement for extension of time submitted with alternate sketch plan for 260 apartment units and 4 single family units
- c.) Letter from Atty. John Forry re: alternate sketch plan, dated 03/15/2016

Mr. Setley recused himself from the discussion. Atty. Robert Gundlach, Kevin Timochencko of Metropolitan Management Group, Mark Bahnick of Van Cleef Engineering, and Greg Bogia of Bogia Engineering were present for discussion. Atty. Gundlach presented the alternate plan stating that Mr. Timochencko no longer wants to pursue the pending submitted plan; Mr. Timochencko wants to develop the alternate plan that allows up to 260 apartments and 4 large lots for four individual homes. Those lots would be deed restricted so that no additional subdivision could take place.

Mr. Bahnick explained to the Board of Commissioners that they have put together a few options when it comes to the construction of the roads. Option A would make the road entrance 40 feet wide, reducing to 32 feet at the curve, and remaining at 32 feet all the way up to the apartment entrance. It would have a 32 foot cartway with a center median/barrier with two 15-foot lanes. This option, according to Mr. Bahnick, would be much safer to all parties involved. Option B would have either the road stay at 40 feet, with two 10-foot travel lanes in each direction, or one travel lane at a width of 12 feet in each direction and an emergency shoulder width of 8ft on either side. All of the options would mean the closure of Kennel road, which is the service entrance for the Animal Rescue League.

Mr. Gundlach explained to the Board that Mr. Timochencko would be the sole owner of the development. Mr. Gundlach informed the Board that the fiscal impact information had been updated. The total Township revenue was calculated at \$235,609 with a total of \$180,996 in expenditures. The total net fiscal impact for the Township was calculated at \$54,613. The School District's total net fiscal impact was calculated at \$440,875. Mr. Timochencko confirmed that the roads would remain private.

Mr. Bogia stated that, in order to improve drainage from the runoff of the existing Hawthorne site, two detention basins would be constructed near the entrance of the road off Rt. 724. Mr. Gundlach stated Mr. Timochenko has been meeting with the neighboring property owners. The alternate plan eliminates the use of the Wunder's and Lantz's rear access. Mr. Timochenko has developed this type of housing in several different areas around southern Pennsylvania.

Public Comment

Mr. Don Seltzer of 946 Hunters Road, expressed his desire to speak. Mr. Seltzer questioned the elevation of the road. Mr. Bahnick stated the road would be graded to a maximum of 12%.

Mr. Barrie Pease asked how the Animal Rescue League would be accessed if a concrete barrier was placed in the middle of the road. Mr. Bogia assured Mr. Pease that the Animal Rescue League would have access. If a median were constructed then they would provide a break in the median where the entrance of the Animal Rescue League would be.

Mr. Rick Hoffman, the Treasurer of the Animal Rescue League, was present for the discussion. Mr. Hoffman, along with two other Board members, were able to review the drawings for the first time the day before the meeting. Mr. Hoffman stated that the Animal Rescue League would need to see the final drawings to be able to weigh in on the discussion.

Attorney Becker questioned if any land would be annexed from the Animal Rescue League and if Hawthorne would be willing to go back to the Planning Commission, in order to comply with Cumru Township's Zoning Ordinance and Subdivision and Land Development Ordinance. Mrs. O'Leary advised the Hawthorne team that the Board would take the information under advisement and would make a decision at the next Board of Commissioners meeting on March 29, 2016, regarding the expiration of the extension of time.

PUBLIC

Attendance: Aneta and Barry Wunder, Barrie Pease, Don and Betty Seltzer, Liz McCauley, Charles Honsberger, HarryBrown, Rick Hoffman, Bob Snyder, and James Williamson.

TAX COLLECTOR

A) February 2016 Report

1) Year 2016 Real Estate Interim

Balance collectable beginning of month - \$518.22

Cash collected - \$483.62

Balance collectable end of month - \$24.72

2) Year 2016 Real Estate

Balance collectable beginning of month - \$0

Cash collected - \$0

Balance collectable end of the month - \$0

3) Year 2016 Refuse

Balance collectable beginning of month - \$0

Cash collected - \$0

Balance collectable end of the month - \$0

- 4) Year 2016 Per Capita
 - Balance collectable beginning of month - \$1,195.00
 - Cash collected – \$135.00
 - Balance collectable end of month - \$1,060.00

TREASURER

- A) Winter Storm Jonas – expense report summary
 - 1) Labor = \$19,547.70
 - 2) Equipment = \$24,147.15
 - 3) Supplies = \$29,275.92
 - 4) Total = \$72,970.77

APPROVE MINUTES

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE APPROVING THE FEBRUARY 16, 2016, MINUTES.

CONSENT AGENDA

Administration

A) Records Management

- 1) draft resolution listing documents for disposal

ACTION:

ADOPTED A RESOLUTION FOR DISPOSAL OF RECORDS IN ACCORDANCE WITH THE MUNICIPAL RECORDS RETENTION MANUAL, AS SPECIFIED BY THE TOWNSHIP SECRETARY.

B) Dollar General – Escrow Release Request No. 3 (final)

- 1) Letter from GVC re: recommendation for final release, dated 2/17/2016

ACTION:

AUTHORIZED ESCROW RELEASE NO. 3 (FINAL) IN THE AMOUNT OF \$10,282.95 FOR THE DOLLAR GENERAL LAND DEVELOPMENT UPON RECOMMENDATION OF THE TOWNSHIP ENGINEER.

Public Works

A) Mowing and Trimming Contract 2016

- 1) Memorandum from Assistant Public Works Superintendent re: recommendation for award, dated 3/9/16

VENDOR	AMOUNT QUOTED/YR	OTHER
CHAMPS LANDSCAPING	\$15,590.00	NO WORKERS COMP
EXPRESS LAWN & LANDSCAPE	\$18,534.00	YES WORKERS COMP
NEW CASTLE LANDSCAPING	NO QUOTE RECEIVED	N/A

ACTION:

AWARDED THE MOWING AND TRIMMING CONTRACT FOR 2016-2018 TO EXPRESS LAWN AND LANDSCAPE FOR AN AMOUNT OF \$18,534.00 PER YEAR.

PLANS

2015-05 JOHN PAUL II SCHOOL ADDITION

(preliminary/final) Agent: John W. Hoffert, PLS; location: off Welsh Rd.; proposal summary: expansion of facility and reconfiguration of driveway

a.) Letter from Great Valley Consultants re: plan review, dated 08/25/2015

ACTION:

REAFFIRMED FINAL APPROVAL OF THE JOHN PAUL II SCHOOL ADDITION PLAN, SUBJECT TO RESOLUTION OF ANY OUTSTANDING ITEMS IN THE REVIEW LETTER DATED 08/25/2015.

2015-07 THE MAIL SHARK LAND DEVELOPMENT

(preliminary/final) Owner: Mail shark c/o Brain Johnson; Agent: Impact Engineering; location: off SR 625 at Cumru/Brecknock boundary

ACTION:

REAFFIRMED FINAL APPROVAL OF THE MAIL SHARK LAND DEVELOPMENT PLAN, SUBJECT TO RESOLUTION OF ANY OUTSTANDING ITEMS IN THE REVIEW LETTER DATED 10/2/2015.

END OF CONSENT AGENDA

ON MOTION OF MRS. HOOVER, SECOND OF MRS. SWAN, A UNANIMOUS VOTE APPROVING THE CONSENT AGENDA.

DEPARTMENTS

Recreation Department

A) Monthly Report

Mr. Gausch informed the Board that the Bunny Breakfast and Egg hunt were scheduled to occur on Saturday, March 19, 2016. Mr. Gausch also informed the Board that the recreation building is booked solid through the month of August.

B) Activity Attendance Report 2012-2015

Police Department

A) Monthly Report February 2016

Offenses reported – 87

Offenses cleared – 76

Criminal arrests – 11

Traffic arrests – 95

Parking Tickets – 17

Stolen property value – \$10,091

Recovered property value – \$60,639

B) Press Release – Reported Sexual Assault 02/22/2016

Sgt. Woll reported progress on an administrative purge of stored items. He informed the Board that the evidence lockers should arrive April 19, 2016.

Fire Department

A fire department report was scheduled for the workshop meeting on 03/29/2016.

Administration

A) Ledgerock Land Development – Request for Waiver of Land Development

- 1) Letter from McCarthy Engineering re: proposed pole barn, dated 3/2/2016
- 2) Planning Commission recommended waiver of land development on 3/7/2016

ON MOTION OF MRS. SWAN, SECOND OF MR. GOTTSCHALL. A MAJORITY VOTE GRANTING THE WAIVER OF LAND DEVELOPMENT TO LEDGEROCK GOLF CLUB FOR A POLE STRUCTURE, CONDITIONED UPON REVIEW AND APPROVAL OF THE E&S AND STORM WATER PLANS. ROLL CALL: MRS. HOOVER – YES; MR. GOTTSCHALL – YES; MRS. SWAN – YES; MR. SACCO – ABSTAIN; MRS. O’LEARY – YES.

B) Act 90

- 1) Permit applications and fees for municipal services

Ms. Johnston explained to the Board that Act 90 allows a municipality to deny a permit to a property owner for a non-payment of tax, water, sewer, or refuse obligations, or for a serious code violation. Ms. Johnston informed the Board that the Township would start to implement this legislation. The Board did not object to the act being implemented.

C) Codes Department Monthly Report – February 2016

Building Permits Issued-7

- Electrical Permits Issued-6
- CSD Permits Issued-2
- Mechanical Permits Issued-1
- Plumbing Permits Issued-1
- Sign Permits Issued-0
- Pool Permits Issued-0
- Soliciting Permits Issued-0
- Use Permits Issued-7
- Well Permits Issued-0

Zoning Permits Issued-3

- Citations Issued-0
- Zoning Hearing Board Hearings-0

Notice of Violations-17

Violations Complied-14

Landlord Tenant Letters-0

Phone calls from Contractors, realtors & home owners approximately-185

Properties Condemned-1 (291 Hunters Road, Sewage Problem)

Business License letters sent out-0

Permits Finalized-5

Permits Inspections Done-9

Inspections with the Fire Department-6

D) Southern Berks EMS

1) Annual Report

Mrs. O'Leary questioned why the net income has dropped drastically for the year 2014-2015. Mr. Sacco stated that reimbursements from third party providers are down, making the net income look as if it is dropping. Mr. Sacco stated that he believes that Southern Berks EMS is in the best financial status in years.

E) Banking Requests for Proposals

- 1) deadline for receipt of RFP responses 3/15/16
- 2) anticipated award date 3/29/2016

Public Works

A) Elkins Ave. Sewer Main Repair – emergency declaration

- 1) letters to area residents 3/3/2016 and 3/11/2016

ON MOTION OF MRS. SWAN, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE TO DECLARE THE ELKINS AVENUE SEWER REPAIR AN EMERGENCY, RETROACTIVE TO MARCH 2, 2016.

B) Sanitary Sewer TV and Grouting 2016

Mr. McNichols advised the Board that TV and Grouting was approved in the 2016 budget. It is also on state contract. The Board concurred with the plan to start 2016 TV and Grouting.

Engineer

A) Montrose Blvd. Culvert Replacement

- 1) Letter from GVC re: Act 14 notice for GP-11 permit, dated 3/7/2016

Solicitor

A) John Paul II Addition Land Development Plan

- 1) Improvements Agreement
- 2) Cash Escrow Agreement
- 3) Depository resolution for Customers Bank
- 4) Storm water agreement

ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING THE IMPROVEMENTS, CASH ESCROW, AND STORMWATER AGREEMENTS; AND TO EXECUTE THE DEPOSITORY RESOLUTION FOR CUSTOMERS BANK.

CORRESPONDENCE

- A) Letter from First Energy re: notification of planned transmission line work
- B) Letter from NRG re: downstream notification, dated 2/22/16

PAYMENTS OF BILLS

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE AUTHORIZING PAYMENTS OF BILLS DATED 2/19/2016, 2/29/2016-SEWER, 2/26/2016, 3/4/2016, 3/11/2016, 3/15/2016.

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. O'LEARY, A MAJORITY VOTE AUTHORIZING PAYMENTS OF BILLS DATED 2/26/2016 – IT. ROLL CALL: MR. GOTTSCHALL – YES; MRS. SWAN – YES; MRS. HOOVER – ABSTAIN; MR. SACCO – YES; MRS. O'LEARY – YES.

COMMISSIONERS

A) Vacancies/Expirations of terms

- 1) Civil service commission – one vacancy
- 2) Zoning Hearing Board alternate – one vacancy, two candidates

B) Executive Session

8:12 p.m. – The Board of Commissioners went into executive session to discuss 1 personnel issue and 1 collective bargaining unit matter.

9:07 p.m. – The Board stated that they discussed 1 personnel issue and 1 collective bargaining unit matter.

ON MOTION OF MRS. SWAN, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE AUTHORIZING ADMINISTRATIVE STAFF TO EXECUTE AN AGREEMENT FOR THE RESOLUTION OF AN OUTSTANDING TEAMSTERS ARBITRATION, THE 2016-2018 TEAMSTERS COLLECTIVE BARGAINING AGREEMENT, AND AN AGREEMENT WITH THE TEAMSTERS HEALTH AND WELFARE FUND.

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE ACCEPTING FIRE CHIEF SCOTT BRADY'S LETTER OF RETIREMENT, WITH REGRET.

C) Reminders:

- 1) Board of Commissioners workshop meeting 03/29/2016 at 7:00 p.m.
- 2) Township offices closed for Good Friday on 03/25/2016

ADJOURNMENT

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:12 P.M.

Respectfully submitted,



Latoya Procopio
Secretary