

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING NOVEMBER 17, 2015**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Tony J. Sacco at 7:01 p.m. Other Commissioners in attendance were Vice President Edward L. Gottschall, Sheri Hoover, Lorri K. Swan, and Ruth O'Leary. Also attending were Solicitor Michael A. Setley, Police Officer in Charge Sgt. Timothy Woll, 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, Recreation Director Samson Gausch, Manager Jeanne E. Johnston, Secretary Latoya Procopio, and Joseph P. Rogosky of Great Valley Consultants.

Call to order and Pledge to the Flag.

PUBLIC

Attendance: Anita and Barry Wunder, Gregg Bogia of Bogia Engineering, Ana S. Martins, Harry Brown, James Williamson, Olivia Englebach, and Bob Snyder of the CTFD.

A) Olivia Englebach of 472 S. Wyomissing re: shared driveway space expansion

Ms. Englebach was present for discussion. She expressed her need for more shared driveway space in order to turn her house into a two dwelling rental unit. Ms. Englebach owns a property on S. Wyomissing Avenue where the residents are unable to park along the front of their properties due to the proximity to the road. Ms. Johnston explained to the Board of Commissioners that the current shared driveway is on Cumru Township land. Mrs. O'Leary expressed her concerns that in the past residents have left personal items on Township property. Mr. Sacco informed Ms. Englebach that she would need to go before the Zoning Hearing Board to request a variance.

B) Representatives of Hawthorne Subdivision/Land Development Plan re: request for waiver to restrictive covenant concerning apartments

2008-02 HAWTHORNE SUBDIVISION/LAND DEVELOPMENT

EXPIRATION DATE 12/30/2015

(Preliminary) Owner: KevTimRP, LP c/o Metropolitan Mtg, 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

- 1) Fiscal impact analysis
- 2) Land planning memo dated 11/13/15
- 3) Pending plan and preferred plan
- 5) Planning report dated 11/12/15
- 6) Traffic impact study

Atty. Kimberly Friemuth, owner Kevin Timochencko, traffic engineer Greg Bogia, Nancy Templeton, and Ana S. Martins were all present for discussion. Atty. Joan London, special counsel for Cumru Township, was also present for discussion. Mr. Setley did not participate in the discussion.

Ms. Friemuth explained to the Board that Hawthorne representatives were present to seek an amendment of declaration to their prior plan. They requested the Board remove the restriction on apartments for the plan. Ms. Friemuth informed the Board that Hawthorne was willing to modify the phasing line to only include the apartments. Mr. Timochencko stated that he has been

a developer for the last 30 years and he believes that the land is in a prime location due to its accessibility to I-176. Mr. Timochenko informed the Board that his development will attract young business men and women and one rental unit will cost \$1,300.00 to \$1,500.00 a month.

Mr. Sacco had concerns about the available access and the effect on the School District, with the amount of children that would start to attend the school district. He was also concerned about the availability of water and sewer.

Ms. Templeton spoke to the Board about the fiscal impacts of the development and the differences of the preferred plan, with apartments, to the pending plan, without apartments. According to Ms. Templeton, the total fiscal impact on the Township for the preferred plan is \$197,078.00 and for the pending plan it is \$184,466.00.

Mr. Bogia spoke to the Board about the traffic impact study. He stated that the traffic study was consistent when looking at either the preferred or the pending plan. Both plans have a 15 foot median down the center to create a boulevard.

Ms. London informed the Board that they did not need to take action at this time. Mrs. Swan stated that the new information needs to go before the Planning Commission. Ms. London stated that the new information may have an impact on what they recommend.

Mr. Sacco asked for the status of water and sewer to the site. Ms. Martin stated Hawthorne is still in the planning stages for sewer and they will need a tank for the water. The Board recommended that the Planning Commission review the new information. Ms. London stated an extension of time would be needed for the Hawthorne plan in December, if the plan is not rejected.

TREASURER

A) Monthly Report

Mrs. O'Leary addressed various line items in relation to the budget. The October transfer tax put that line item at 168% of the budget.

TAX COLLECTOR

A) October 2015 Report

- 1) Year 2015 Real Estate Interim
 - Balance collectable beginning of month - \$19.77
 - Cash collected - 5,554.95
 - Balance collectable end of month - \$1,768.13
- 2) Year 2015 Real Estate
 - Balance collectable beginning of month - \$183,193.27
 - Cash collected - \$29,347.96
 - Balance collectable end of the month - \$155,967.87
- 3) Year 2015 Refuse
 - Balance collectable beginning of month - \$28,490.00
 - Cash collected - \$4,548.75
 - Balance collectable end of the month - \$24,622.50
- 4) Year 2015 Per Capita
 - Balance collectable beginning of month - \$16,215.00
 - Cash collected - \$4,645.00
 - Balance collectable end of month - \$11,005.00

APPROVE MINUTES
ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE TO APPROVE MINUTES OF 10/20/2015.

CONSENT AGENDA

Police Department

A) Memorandum from Manager re: Unmarked Police Car Lease/Purchase 2015, dated 11/12/2015.

ACTION:

AUTHORIZED THE UNMARKED CAR LEASE/PURCHASE, APPROVED 09/15/2015 AND 10/20/2015, TO BE EXPENSED AS FOLLOWS:

- 1) REALLOCATED \$7,348.12 FROM POLICE ADMINISTRATIVE WAGES, LINE ITEM 4100-140, TO CURRENT CAPITAL.
- 2) CREATED A CAPITAL PROJECTS LINE ITEM AND EXPENSED THE \$7,348.12 OUT OF THAT FUND.
- 3) INCLUDED THIS PROJECT IN THE CAPITAL PROJECTS FUND FOR 2016 AND 2017.

Planning

2015-07 9 WESTON DRIVE SUBDIVISION EXPIRATION DATE 01/16/2016
(preliminary/final) Owner: Michael J. Sirak and Christine A. Sirak; Applicant: Michael J. Sirak; Agent: McCarthy Engineering; location: off of Weston Dr.; proposed 2 lot subdivision; plan no.140163; submitted 10/2/2015

- A) Letter from Township Engineer re: plan review dated 10/26/2015
- B) Letter from PaDEP re: on lot planning module exemption approved, dated 10/27/2015

ACTION:

GRANTED WAIVERS TO PROVISIONS OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AS STATED IN A LETTER FROM McCARTHY ENGINEERING DATED 10/28/2015.

ACTION:

GRANTED FINAL APPROVAL TO 9 WESTON DRIVE SUBDIVISION, CONDITIONED COMPLETION OF OUSTANDING COMMENTS IN THE TOWNSHIP ENGINEER'S REVIEW LETTER DATED 10/26/2015. PAYMENT OF THE STORM WATER FUND FEE WILL BE DUE UPON APPLICATION A BUILDING PERMIT.

END OF CONSENT AGENDA

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

DEPARTMENTS

Recreation Department

A) Monthly Report

Mr. Gausch informed the Board that the Pennwyn Playground equipment is being installed this coming week, weather permitting.

Police Department

A) Police Department Monthly Report – October 2015

Offenses reported – 78
Offenses Cleared – 53
Criminal arrests – 20
Traffic arrests – 246
Stolen property value – \$28,268.00
Recovered property value – \$8,492.00
Revenue received – \$5,644.02

Sergeant Woll informed the Board that two loads of content will be taken to the incinerator in York. Those two loads will meet the five year backlog standard. He also notified the Board that the fire arms training at Cumru Township's range was completed on 11/12/2015. There are also several holiday events that Police Department will be participating in this year, such as "Shop with a Cop."

B) IACP Strategic Planning

Sergeant Woll reported that the International Association of Chiefs of Police (IACP) will be holding a meeting on December 2, 2015. The meeting is with members of the community to discuss the community's expectations for the Cumru Township Police Department.

Fire Department

A) Fire Department Monthly Report – October 2015

Total Incidents- 53
Fires- 3
Overpressure, Overheat- 2
Rescue and EMS- 7
Hazardous Condition (No Fire)- 4
Service Call- 13
Good Intent Call- 16
False Alarm- 10
Total Estimated Losses- \$6,000
Volunteer Staffing- 43 (plus 2)

B) 2014 SAFER Grants

Chief Brady advised the Board that the 2014 SAFER Grant Applications were unsuccessful. He also informed the Board that the 2010 recruitment grant was extended for the past 6 months, but it is now expired. Chief Brady expressed his willingness to apply for the upcoming AFG grant.

C) Wide Format Printer

Chief Brady informed the Board that an updated quote had been acquired for the wide format printer. He made a recommendation to the Board for the lease/purchase of the machine in the amount of \$179.00 a month for the next five years. The Board concurred with the recommendation of the lease/purchase of the wide format printer.

Public Works

- A) Auction – total sales = \$8,320.00
1998 10-ton dump truck – \$2600
1998 Jeep – \$1000
2004 Chevy Impala – \$2050
1985 Roller – \$1400
Tire machine – \$750
Wacker vibratory plate tamper – \$300
Traffic Lights & control box – \$220

B) Leaf Picking ends 12/11/15

Mr. McNichols informed the Board that around 400 Tons of leaves will be picked up by the end date for this year, which is around 40-50 Tons a week.

Engineer

A) Poplar Neck Bridge over Norfolk Southern Railroad

1) PUC order for bridge closure, removal, and alternate route

Mr. Rogosky updated the Board regarding a meeting with the PUC that occurred on November 3, 2015, with all parties involved to discuss the project of stabilization and the removal of the bridge. The PUC gave a written order to have the superstructure of the bridge removed by 11/30/2015. The order dictates that Norfolk Southern Railroad and Met-Ed will need to absorb their costs to de-energize the lines above and monitor the tracks below the superstructure. Mr. Setley informed the Board that the order from the PUC for the absorption of costs may not prevent the two parties from billing the Township in the future.

Solicitor

A) Landfill Proposals

Mr. Setley informed the Board that Cumru Township's guaranteed rate with Western Berks Landfill expires on 12/31/2015. Western Berks Landfill does not have guaranteed capacity, although Pioneer Crossing has a guaranteed capacity of at least 10 years.

Pat Mascaro and Sam Augustine, representing Pioneer Crossing landfill, were present for discussion. Mr. Augustine reported to the Board that Pioneer Crossing has invested millions of dollars into their landfill. Mr. Augustine spoke about the environmental integrity of Pioneer Crossing as well as the long term life span of 40 to 50 years of landfill space. Mr. Augustine informed the Board that many of Cumru Townships' municipal neighbors send their refuse to Pioneer Crossing. The company has invested \$20 million in a recycling facility that is due to be open within the next 30 to 60 days.

Mr. Mascaro expressed to the Board his keen interest in doing business with Cumru Township. He explained that his company is a family owned business that has gone the last 8 years with no violations. Mr. Setley stated that this is a matter for executive session due to effectively leasing real estate.

CORRESPONDENCE

A) Special meeting for 11/18/15 advertised in the Reading Eagle 11/11/2015

PAYMENTS OF BILLS

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE APPROVING PAYMENTS OF BILLS DATED 10/23/15, 10/23/15 – ADDITIONAL, 10/27/15 – POLICE PENSION MMO, 10/30/15, 11/6/15, AND 11/13/15.

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A MAJORITY VOTE APPROVING PAYMENTS OF BILLS DATED 11/6/15 – IT. ROLL CALL: MRS. O'LEARY – YES; MR. GOTTSCHALL – YES; MRS. SWAN – YES; MRS. HOOVER – ABSTAIN; MR. SACCO – YES.

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A MAJORITY VOTE APPROVING PAYMENTS OF BILLS DATED 11/13/15 – INSPECTORS EXPENSES. ROLL CALL: MRS. O'LEARY – ABSTAIN; MR. GOTTSCHALL – YES; MRS. SWAN – YES; MRS. HOOVER – YES; MR. SACCO – YES.

COMMISSIONERS

A) Reminders:

1) offices closed for Thanksgiving on Thursday, 11/26/15 and 11/27/15

B) 2016 Budget

1) special meeting scheduled 11/18/15 at 6:00 p.m.

C) Vacancies/Expirations of Terms

D) Executive Session

8:29 p.m. – The Board of Commissioners went into executive session to discussed potential litigation and real estate.

9:32 p.m. – Mr. Sacco stated that the Board of Commissioners discussed potential litigation and real estate.

ADJOURNMENT

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:35 P.M.

Respectfully submitted,



Latoya Procopio
Township Secretary