

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING                      DECEMBER 15, 2015**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Tony J. Sacco at 7:05 p.m. Other Commissioners in attendance were Vice President Edward L. Gottschall, Sheri Hoover, Lorri K. Swan, and Ruth O'Leary. Also attending were Solicitors Michael A. Setley, Interim Chief Ronald Smeal, 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.

Pledge to the Flag.

**PUBLIC**

Attendance: Steve DeLucas of the Reading Eagle, Barry and Aneta Wunder, Jessica Prutzman, Megan Carpenter of WFMZ, Harry Brown, James Williamson, Charles Honsberger, Michael Thompson, and Bob Snyder.

A) Charles Honsberger re: Hawthorne Subdivision

Mr. Honsberger presented himself as the owner of 843 Philadelphia Avenue. Mr. Honsberger expressed his concern about the Hawthorne development. He stated that the development will have major problems with utilities and roads. He believes that this will be a tax burden for the residents of Cumru Township. Mr. Honsberger stated that the Planning Commission turned down the plan, and believes the Board should do the same as well.

B) Atty. John Forry re: Hawthorne Subdivision

Attorney Forry stated that he represented property owners near the Hawthorne subdivision, Mr. and Mrs. Frank Lantz of 91 Landruhe Lane. Attorney Forry expressed to the Board his concern that Hawthorne would use the lane as an emergency access. The lane is only 12 feet wide rather than the required 24 feet width for emergency vehicles. He stated that the topography and the slope of the land would make it impossible for emergency vehicles to use the lane as an alternate emergency access. He presented documentations that would restrict the use of the lane to only 25 lots of the Hawthorne Subdivision. The remaining lots would not have legal access to use the lane. Attorney Forry stated that due to these reasons he hoped the Board of Commissioners would take this information into account when regarding the plan and the pending extension of time.

**2008-02                      HAWTHORNE SUBDIVISION/LAND DEVELOPMENT**

**EXPIRATION DATE 12/30/2015**

(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 Fox Rothschild Re: Hawthorne Subdivision / Land Development, dated 11/10/2015
- B) Memorandum from Secretary re: no change in Planning Commission's previous position, dated 12/10/2015
- C) Letter from Atty. John Forry re: southern access, dated 12/11/2015
- D) Letter from Charles Honsberger re: concerns about Hawthorne subdivision – submitted originally for 11/17/2003 public hearing on re-zoning and resubmitted 12/2015

**ON MOTION OF MRS. SWAN, SECOND OF MRS. O'LEARY, A MAJORITY VOTE TO GRANT A FINAL EXTENSION OF TIME OF 90 DAYS, UNTIL MARCH 31, 2016, TO THE HAWTHORNE SUBDIVISION PLAN, WITH THE FOLLOWING STIPULATIONS:**

- compliance with the conditions set forth in Great Valley Consultants review letter dated 8/18/2015;
- determination of whether the developer has the ability to establish a conservation easement;
- payment of outstanding plan review invoices within 15 days; if invoices in the amount of \$14,160.80 are not paid within 15 days, the plan will be rejected for non-compliance with the following sections of Land Development and Subdivision Ordinance no. 496: 402.c.14, 402.c.19, 402.d.4, 402.d.7, 402.d.9, 402.d.11, 502.c.4.c, 502.c.7, 502.d.2.a, 502.d.2.d, 502.f.1, 502.g.4, 505, and 507.

These stipulations will be set forth more fully in Attorney Becker's forthcoming letter.

**ROLL CALL: MRS. HOOVER – YES; MRS. O'LEARY – YES; MR. GOTTSCHALL – YES; MRS. SWAN – YES; MR. SACCO – ABSTAIN.**

**TREASURER**

Mrs. O'Leary reported to the Board that the month of December is a sewer collection month and the numbers should increase since the month is not over. Mrs. O'Leary spoke about the guiderail repairs that occurred within the Township. Mr. Williamson requested the location of the repairs and Mrs. O'Leary provided the information.

**TAX COLLECTOR**

- A) November 2015 Report
  - 1) Year 2015 Real Estate Interim
    - Balance collectable beginning of month – \$1,768.13
    - Cash collected - \$1,710.91
    - Balance collectable end of month - \$24.72
  - 2) Year 2015 Real Estate
    - Balance collectable beginning of month - \$155,967.87
    - Cash collected - \$9,131.76
    - Balance collectable end of the month - \$147,666.28

- 3) Year 2015 Refuse  
Balance collectable beginning of month - \$24,622.50  
Cash collected - \$2,084.55  
Balance collectable end of the month - \$22,719.00
- 4) Year 2015 Per Capita  
Balance collectable beginning of month - \$10,995.00  
Cash collected - \$1,896.40  
Balance collectable end of month - \$11,075.00

**APPROVE MINUTES**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. O'LEARY, A UNANIMOUS VOTE APROVING THE MINUTES OF 10/28/2015-SPECIAL MEETING, 11/4/2015-BUDGET MEETING, 11/9/2015-BUDGET MEETING, 11/16/2015-BUDGET MEETING, 11/17/2015-REGULAR MEETING, 11/18/2015-BUDGET MEETING.**

**CONSENT AGENDA**

**TAX COLLECTOR**

**2016 TAX BILLS**

**ACTION:**

**AUTHORIZED EXECUTION OF AN AGREEMENT WITH BERKS COUNTY FOR THE PRINTING OF 2016 TAX AND REFUSE BILLS, AND REIMBURSEMENT TO BERKS COUNTY FOR THE APPROPRIATE PORTION OF THE COST.**

**2016 BUDGET**

**TRANSFERS**

**ACTION:**

**AUTHORIZED TRANSFER OF \$500,000 FROM THE SEWER 803 FUND BALANCE TO THE SEWER 809 CAPITAL FUND, AS RECOMMENDED BY THE MUNICIPAL AUTHORITY.**

**ACTION:**

**ENCUMBERED \$259,508 FROM THE SEWER 803 FUND TO THE SEWER 806-9 ACCOUNT FOR THE BALANCE OF THE 2015 FRITZ ISLAND DEBT SERVICE ESCROW AMOUNT.**

**ADOPT THE 2016 BUDGET**

A) budget advertised 11/24/2015

**ACTION:**

**ADOPTED THE 2016 BUDGET AS ADVERTISED.**

**ADOPT THE 2016 REAL ESTATE TAX LEVY**

A) 2016 real estate tax levy ordinance advertised 12/4/2015

**ACTION:**

**ADOPTED THE 2016 REAL ESTATE TAX LEVY BY ORDINANCE AS ADVERTISED ON DECEMBER 4, 2015, INCLUDING 4.645 MILS FOR GENERAL PURPOSES, .335 MIL FOR DEBT SERVICE, 1.0 MIL FOR FIRE SERVICES, AND .2 MIL FOR AMBULANCE SERVICE.**

*No change from 2015 millage.*

**ADOPT THE 2016 REFUSE FEE**

**ACTION:**

**ADOPTED A RESOLUTION ESTABLISHING THE 2016 REFUSE COLLECTION FEE, INCLUDING \$155.00 FOR A DWELLING WITH 2 OR MORE ADULT OCCUPANTS AND \$138.00 FOR A DWELLING WITH A SINGLE ADULT OCCUPANT.**

*No change from 2015 refuse fee.*

**ADOPT THE 2016 SEWER RENTAL RATE**

**ACTION:**

**ADOPTED A RESOLUTION ESTABLISHING THE 2016 SEWER RENTAL RATE, INCLUDING:**

- **DEFINING AN EQUIVALENT DWELLING UNIT FOR BILLING PURPOSES AS 7,500 GALLONS;**
- **ESTABLISHING A \$119.00 MINIMUM CHARGE FOR UP TO 7,500 GALLONS FOR METERED ACCOUNTS;**
- **PRORATING THE PER GALLON CHARGE OVER 7,500 GALLONS FOR METERED ACCOUNTS;**
- **\$166.00 FLAT RATE FOR UNMETERED ACCOUNTS;**
- **ACCOUNTS THAT HAVE BEEN DETERMINED TO BE MORE THAN ONE EDU WILL BE BILLED THE EDU RATE MULTIPLIED BY THE NUMBER OF EDUs, WITH THE PER GALLON RATE AS APPLICABLE;**
- **THE NEW RATES WILL BECOME EFFECTIVE FOR THE FIRST BILLING OF 2016.**

*The 2016 sewer fee represents an increase of 8% per EDU.*

**2016 PAYMENTS OF BILLS – GENERAL**

**ACTION:**

**AUTHORIZED THE STAFF TO SATISFY THE ORDINARY AND ROUTINE OBLIGATIONS INCURRED BY THE TOWNSHIP IN ORDER TO TAKE ADVANTAGE OF DISCOUNTS AND ALLOWANCES, AND TO AVOID DELINQUENT PENALTIES AND CARRYING CHARGES**

**INVESTMENTS**

**ACTION:**

**AUTHORIZED THE BUSINESS ADMINISTRATOR TO INVEST FUNDS AS SHE DEEMS APPROPRIATE, IN CONSULTATION WITH THE TREASURER AND MANAGER.**

**PLANS**

**Extensions of Time**

**ACTION:**

**ACCEPTED THE EXTENSIONS OF TIME FOR THE PLANS BELOW, HAVING RECEIVED THE APPROPRIATE OFFER OF EXTENSION:**

<b>PLAN NAME</b>	<b>OLD EXPIRATION DATE</b>	<b>NEW EXPIRATION DATE</b>
Majestic Acres 4	12/31/2015	12/31/2016
Stabon Plaza Land Devt. Plan	12/31/2015	12/31/2016

**2015-03      CAMPITELLI ANNEXATION/SUBDIVISION**

(preliminary/final) Owners: Roberto and Amber Campitelli; Agent: McCarthy Engineering; location: off Maple Grove Rd.; approval granted 07/21/2015

**ACTION:**

**REAFFIRMED FINAL APPROVAL OF THE CAMPITELLI ANNEXATION/SUBDIVISION PLAN SUBJECT TO RESOLUTION OF ANY OUTSTANDING ITEMS IN THE REVIEW LETTER DATED 7/1/2015.**

**2015-07      THE MAIL SHARK LAND DEVELOPMENT**

**EXPIRATION DATE 10/02/2015**

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

**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.**

**TIMAC LAND DEVELOPMENT PLAN – escrow release no. 2 (final)**

A) Letter from Great Valley Consultants re: recommendation for escrow release, dated 12/4/15

**ACTION:**

**AUTHORIZED ESCROW RELEASE NO. 2 (FINAL) FOR THE TIMAC LAND DEVELOPMENT PLAN IN THE AMOUNT OF \$18,527.75**

**END OF CONSENT AGENDA**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. O’LEARY, A UNANIMOUS VOTE APROVING THE CONSENT AGENDA.**

**DEPARTMENTS**

**Recreation Department**

**A) Monthly Report**

Mr. Gausch gave the Board an update on winter programing: 25 people attended the ornament class and the Santa Breakfast went very well. Mr. Gausch informed the Board that the deadline to have items added to the newsletter is February 1, 2016.

B) Inspection of playground equipment not owned by the Township

Mr. Gausch informed the Board that he had been in contact with the Township's insurance agency and also Mr. Setley regarding the inspection of playground equipment that is not owned by the Township. Mr. Gausch stated that the inspection of non-Township owned property would add additional liability to the Township and it was recommended to not pursue the matter further.

Police Department

A) Monthly Report November 2015

Offenses reported – 90  
Offenses cleared – 53  
Criminal arrests – 20  
Traffic arrests – 130  
Stolen property value – \$17,978  
Recovered property value – \$8,399  
Revenue received – \$5,412.35

Chief Smeal reported to the Board that the IACP meeting (International Association of Chiefs of Police) went well. The meeting was a discussion with the general public, about their expectations for the Cumru Township Police Department. Chief Smeal stated that a report is being generated by the IACP and will be given to the Board once it is completed.

Ms. Johnston complimented Chief Smeal on his dedication and effectiveness within the department in such a short period of time.

Fire Department

A) Fire Department Monthly Report – November 2015

Total Incidents-53  
Fires-13  
Overpressure, Overheat-1  
Rescue and EMS-11  
Hazardous Condition (No Fire)-2  
Service Call-6  
Good Intent Call-11  
False Alarm-9  
Total Estimated Losses- \$0  
Volunteer Staffing-43 (no change)

B) Fire Consultant Presentation for 1/19/2016 meeting

Chief Brady informed the Board that Mr. David Hartman will be giving a presentation at the next regular Board of Commissioners meeting, on his findings regarding the potential new fire station and its location.

Administration

A) **District Justice Lease of 1786 Welsh Rd.**

1) proposed lease

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE TO EXECUTE THE DISTRICT JUSTICE LEASE OF 1786 WELSH ROAD.**

**B) Governor Mifflin Association Joint Comprehensive Plan**

- 1) Adopt Resolution
- 2) Discuss representatives

**ON MOTION OF MRS. SWAN, SECOND OF MRS HOOVER, A UNANIMOUS VOTE TO ADOPT THE RESOLUTION OF THE GOVERNOR MIFFLIN JOINT COMPREHENSIVE PLAN AND TO APPOINT JEANNE E. JOHNSTON AS A TOWNSHIP REPERSENTATIVE FOR THE GMAJCP COMMITTEE.**

**C) Banking Request for proposals**

- 1) Fee waiver revoked by Citizens Bank

**ON MOTION OF MRS. O'LEARY, SECOND OF MRS. SWAN, A UNANIMOUS VOTE AUTHORIZING TOWNSHIP ADMINISTRATION TO SOLICIT BANKING REQUESTS FOR PROPOSALS.**

Public Works

**A) Poplar Neck Bridge over Norfolk Southern**

- 1) Removal of superstructure below estimate
- 2) Quote for removal of abutments

Mr. McNichols informed the Board that the original quote for the removal of the bridge was quoted at \$92,000, while the actual total amount came to \$88,. The Township received a quote for the removal of the abutments. The original estimate was for \$100,000. The quote given by Descoco was in the amount of \$68,000 for both abutments and \$50,000 for the removal of only the northern abutment. Mr. McNichols was pursuing an amendment to the PUC order, which would allow for the lower cost option. Ms. Johnston complimented Mr. McNichols on saving the taxpayers money.

**B) 2016 Budget Infrastructure Projects & Capital Purchases Request**

- 1) memorandum from Public Works Superintendent re: timing of various capital items, dated 12/10/2015

Mr. McNichols requested that the Board authorize GVC to begin preparing the specifications and bid documents for the 2016 overlay and storm water replacement projects. He also requested the replacement of one truck and to be able to order and install a plow for another truck for the coming winter weather. Mr. Sacco stated that with the approval of the 2016 budget Mr. McNichols did not need another authorization.

**C) SR 625 Bridge over Angelica Creek near Mt. View Rd.**

- 1) Relocation of sewer line required

Mr. McNichols informed the Board that the Township needs to relocate a 12 inch sewer main on the PennDOT bridge, SR 625 over the Angelica Creek near Mt. View Road. The sewer main must be moved 150 ft. from the Angelica Creek. PennDOT will reimburse the Township 75% of the cost to relocate the main.

Engineer

**A) Traffic Safety Improvements**

- 1) Letter from PennDOT re: traffic signal at SR 625/SR 724 safety improvements, dated 11/30/15

Mr. Rogosky informed the Board that PennDOT will be making improvements to a traffic signal located at SR 625 and SR 724. PennDOT will be responsible for the cost to make the improvements, however the Township is responsible for the continued maintenance on the traffic signal. Ms. Johnston questioned if the other traffic signal in that area will be affected as well due to linking traffic signals within so many feet of each other.

Solicitor

A) Landfill

- 1) Letter from JP Mascaro
- 2) Western Berks Landfill permit renewal to 2026

Mr. Setley informed the Board that the tipping fee expires on 12/31/2015 at Western Berks Landfill. Mrs. Swan recommended that the Township continue with Western Berks Landfill.

**ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE TO ACCEPT WESTERN BERKS LANDFILL'S OFFER AND AUTHORIZE THE EXECUTION OF THE AGREEMENT.**

**CORRESPONDENCE**

- A) Shillington Municipal Authority Act 14 notice
- B) 2014 audit Magisterial District Court 23-2-04
- C) Zoning Hearing Board notice for 12/08/2015

**PAYMENTS OF BILLS**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE AUTHORIZING PAYMENTS OF BILLS DATED 11/20/2015, 11/25/2015, 11/30/2015, 12/4/2015, 12/4/2015-ADDITIONAL. ROLL CALL: MR. GOTTSCHALL – YES; MRS. SWAN – YES; MRS. O'LEARY – YES; MRS. HOOVER – YES; MR. SACCO – YES.**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A MAJORITY VOTE AUTHORIZING PAYMENTS OF BILLS DATED 12/11/2015-INCL. FIRE POLICE. ROLL CALL: MR. GOTTSCHALL – YES; MRS. SWAN – YES; MRS. O'LEARY – YES; MRS. HOOVER – ABSTAIN; MR. SACCO – YES.**

**COMMISSIONERS**

A) Reminders:

- 1) Township offices closed for Holidays as follows:
  - Thursday, December 24, 2015, after 12:00 p.m.
  - Friday, December 25, 2015, all day
  - Thursday, December 31, 2015, all day



- Friday, January 1, 2016, all day
- 2) Board of Commissioners organization meeting Monday, January 4, 2016, at 7:00 p.m.
- 3) Planning Commission on Monday, January 4, 2016, at 5:00 p.m.
- 4) Municipal Authority Meeting on Thursday, January 14, 2016, at 8:00 a.m.

**B) Vacancies/Expirations of terms**

- 1) Civil service commission – two vacancies
- 2) Zoning Hearing Board – one vacancies, three candidates

**ON MOTION OF SECOND OF A UNANIMOUS VOTE REAPPOINTING STEVEN SNYDER TO THE MUNICIPAL AUTHORITY, DAVID STANISLAWCZYK AND JOHN FURDYNA TO THE PARK AND RECREATION BOARD, DENNIS HATT AND JOHN HOFFERT, JR., TO THE ZONING HEARING BOARD, AND RICHARD DODSON TO THE PENSION BOARD.**

The Board that Ms. Johnston ask the three candidates who applied for the Zoning Hearing Board, if they would be interested in being on the Civil Service Commission due to the vacancies on that board as well.

**C) Executive Session**

8:00 p.m. – The Board of Commissioners went into executive session to discuss pending litigation and a real estate matter.

9:10 p.m. – Mr. Sacco stated that the Board of Commissioners discussed pending litigation and a real estate matter.

**ADJOURNMENT**

**ON MOTION OF MRS. HOOVER, SECOND OF MR. SACCO, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:11 P.M.**

Respectfully submitted,



Latoya Procopio  
Township Secretary