

CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING **February 15, 2022**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth A. O'Leary at 7:00 p.m. Other Commissioners in attendance were Vice President David J. Batdorf, Sam Kalbach, William B. Miller, and Lisha Rowe. 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 A. Wylezik-Pfeiffer, and Joseph P. Rogosky of Great Valley Consultants.

This meeting is being recorded for the purpose of assisting in the preparation of meeting minutes. The audio file of the meeting will be destroyed after official meeting minutes for this meeting have been adopted.

Call to Order and Pledge to the Flag.

PUBLIC

Attendance: Madelyn Johnston, Michael Caterina, Kelsey Frankowski, Susan Goodwin, Stacie Engel, Tracey Smith, Don Snyder, Kelly Motter, and Doug Shinn

A.) Michael Caterina of 3 Jana Court re: Recycling

Mr. Caterina addressed the Board concerning recycling in the township. He represents an organization called Justice in Action Ministries (JAM). He asked several questions. How is the township recycling program going? What % of refuse is recycled? Are we in line with other municipalities?

Ms. Johnston explained that Cumru Township is a mandated recycling community. In 1988, the Department for Environmental Protection (DEP) instituted the current recycling requirements. Regulations have become more stringent over the years. China has created a further restriction by increasing purity standards for recycling imports. Recycling statistics for the County can be found online.

Mr. Caterina asked about expenses incurred. Ms. Johnston explained that the Township fee covers both recycling and refuse because we the same contractor is used for both. The fee is based on contractor charges, landfill charges, leaf disposal, yard waste disposal, road sweeper debris disposal, and associated personnel costs.

He asked about why the Flying Hills area has not been having the recycling picked up for the past 6 weeks. Mr. Miller, a resident of Flying Hills, stated that it has been getting picked up, but that sometimes it was delayed. He explained that delays are caused by COVID issues, manpower issues, weather, etc.

Mr. Caterina asked where the recycling goes. Ms. Johnston replied that Cumru recycling is taken to York, PA. The materials must be clean and dry in order to be recycled. Mr. Caterina asked about enforcement. Ms. Johnston explained that this is difficult to enforce because the inspector must actually witness the infraction in order to testify. Mr. Caterina inquired about recycling for organizations and businesses. Ms. Johnston explained that that reporting forms are mailed to businesses located in Cumru Township every year.

Mr. Caterina ended by stating that the recycling program is confusing to residents and that his organization (JAM) would be happy to help. Mr. Miller stated that every resident receives an

annual refuse and recycling calendar that contains all this information. Ms. Johnston noted that the same information is available on the Township website.

AMBULANCE SERVICE

A) Monthly Report – January 2022

Kelly Motter reported that TowerDirect responded to 207 calls in January, with an average response time of 6 min 38 sec. TowerDirect received 1 assist and provided 52 assists in January.

APPROVE MINUTES

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ACCEPT THE MINUTES FOR JANUARY 18, 2022; AS SUBMITTED.

TREASURER

A) Monthly Report – January 2022

B) Account Balances and Bank Fees

Ms. Johnston explained the changes in the bank fees. Monthly fees will be charged when account balances fall below \$100,000.00. She proposed that the Board approve that the Treasurer be able to transfer funds accordingly to avoid extra bank fees.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPROVE THE REQUIRED TRANSFER OF FUNDS.

TAX COLLECTOR

A) January 2022 Report

1) Year 2021 Real Estate

Balance collectable beginning of month – \$72,566.49

Cash collected – \$0

Balance collectable end of month - \$0

2)Year 2021 Refuse

Balance collectable beginning of month - \$16,874.00

Cash collected - \$0

Balance collectable end of the month - \$0

3)Year 2021 SMP

Balance collectable beginning of month - \$715.00

Cash collected - \$0

Balance collectable end of the month - \$0

4)Year 2021 Per Capita

Balance collectable beginning of month - \$7,245.00

Cash collected - \$50.00

Balance collectable end of the month - \$0

Ms. Johnston explained the balances were zero because the delinquent taxes and fees were turned over to the county for collection.

DEPARTMENTS

Police Department

A) Monthly Report – January 2021

Chief Winchester explained the monthly report.

B) Towing

Chief Winchester presented the current towing procedures to the Board. He explained some issues that the police department has had with Bill's Towing. The department has investigating Matos Towing to determine if the Township could use this service. Chief Winchester recommended removing Bill's Towing and adding Matos Towing to the Township list of approved towing companies.

ON MOTION OF MR. MILLER, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO REMOVE BILL'S TOWING FROM THE AUTHORIZED LIST AND ADD MATOS TOWING TO THE AUTHORIZED TOWING LIST FOR CUMRU TOWNSHIP.

Fire Department

A) Monthly Report – January 2022

B) Annual Report 2021

C) Fire Station Phase 1 – utility project application for payment #3

1) Letter from Atlas Engineering re: recommendation to pay \$185,680.80, dated 01/17/2022

ON MOTION OF MR. MILLER, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE PAYMENT #3 TO ANKIEWICZ ENTERPRISES, INC. FOR \$185,680.80.

D) Civil Service Firefighter Application Updates

Chief Beane reported that applications would be accepted until February 24, 2022.

Administration

A) Codes Report – January 2022

Building Permits Issued- 7

Use Permits Issued- 5

Zoning Permits Issued- 3

Notices of Violations- 13

Citations issued- 0

Violations complied- 11

Phone calls from contractors, realtors & public approximately- 176

Permit Inspections Done – 26

Permit Inspections with Fire Dept. – 0
Training seminars attended – 0

B.) Codes Department – Yearly Report 2021

Building Permits Issued – 158 (25% increase over 2020)
Use Permits Issued – 31
Zoning Permits Issued - 110
Notices of Violations - 171
Citations issued - 5
Violations complied - 137
Phone calls from contractors, realtors & public approximately- 2,291 (12% increase)
Business Registration letters sent out – 48
Properties Condemned - 7
Permit Inspections Done – 407
Inspections with the Fire Department – 14
Training Seminars attended – 4

Ms. Johnston attributed the increase in building permits and phone calls in 2021 to the reversal of 2020 COVID restrictions.

C.) Property Maintenance Board of Appeals

Ms. Johnston informed the Board that appointment of a Property Maintenance Board of Appeals would be required if a property owner contests a code enforcement decision under the property maintenance code. For building code issues, the Township uses the Berks County Board of Appeals. The Township does not currently have a PM Board of Appeals and it might be necessary in the near future. The last time this committee met was in 2010. Mr. Setley advised the Board that they did not have to decide at this meeting.

D.) 2018 International Building Code Ordinance – adoption

1) Advertised 1/17/2022

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE 2018 INTERNATIONAL BUILDING CODE ORDINANCE AS ADVERTISED.

E.) 2021 International Property Maintenance Code Ordinance – adoption

1) Advertised 1/17/2022

ON MOTION OF ON MOTION OF MR. KALBACH, SECONG OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE ORDINANCE AS ADVERTISED.

F.) Mailboxes and Snowplowing

1) Memorandum from Manager re: recommendation to establish reimbursement limit, dated 2/3/2022

Ms. Johnston explained the current mailbox and snowplowing ordinance. She recommended changing the ordinance to reimburse the property owner up to the amount of \$100 for damages.

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO AMEND THE ORDINANCE TO ALLOW FOR MAILBOX REPLACEMENT UP TO \$100 UPON SUBMISSION OF RECEIPTS TO THE TOWNSHIP.

G.) Authorized Depositories - update

- 1) draft resolution

Ms. Johnston explained the need for flexibility with banking facilities.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE RESOLUTION STATING APPROVED BANKING FACILITIES TO BE USED BY THE TOWNSHIP.

H.) American Rescue Plan Act (ARPA) Funds – final rule

- 1) Memorandum from Manager re: recommended transfer, dated 2/9/2022

The account would remain open to receive the second ARPA disbursement later this year.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING THE TRANSFER OF ARPA FUNDS IN THE AMOUNT OF \$810,000.00 TO THE GENERAL FUND.

I.) Mifflin Community Library Representative – concurrence

- 1) Letter of approval from Mifflin Community Library, dated 1/27/2022

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPROVE REBECCA WINGENROTH AS A REPRESENTATIVE FOR CUMRU TOWNSHIP TO THE MIFFLIN COMMUNITY LIBRARY BOARD OF DIRECTORS.

J.) Shillington Water Pump Station at Overbrook

- 1) Request from Shillington to waive permit fees, dated 2/7/2022

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO WAIVE THE PERMIT FEES FOR THE SHILLINGTON WATER PUMP STATION AT OVERBROOK.

Public Works

A.) Sewer Mini-camera – authorize purchase for \$10,790.76

- 1) Memorandum from Manager re: recommendation for purchase, dated 2/10/2022

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO PURCHASE THE MINI CAMERA FOR SEWER INSPECTION.

B.) Pennsylvania Infrastructure Bank (PIB) Loan

- 1) Memorandum from Manager re: recommendation to apply, dated 2/10/2022

Ms. Johnston recommended to the Board that the township apply for a PIB loan to be used for road work for the country roads without public sewer. Examples would be paving Hunters Rd. and the southern part of Welsh Rd. There are 2 caveats to consider: the projects must be completed within 2 construction seasons and the payment comes out of liquid fuels funds.

Ms. Johnston asked the Board to consider allowing Mr. Rogosky, Mr. Setley and management to apply for a PIB loan.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ALLOW MR. ROGOSKY, MR. SETLEY AND TOWNSHIP MANAGEMENT TO APPLY FOR A PIB LOAN.

C.) East Pointe Traffic Ordinance - adoption

1) Advertised 1/18/2022

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ADOPT THE EAST POINTE TRAFFIC ORDINANCE AS ADVERTISED.

D.) Kachel Blvd Paving Project

1) bids advertised 1/31/2022

2) bid tabulation

<u>BIDDER</u>	<u>AMOUNT</u>
Construction Masters Services, LLC	\$388,880.00
H&K Group, Inc.	\$444,852.68
New Enterprise Stone & Lime Co. Inc	\$488,332.00
Barwis Construction LLC	\$671,381.00

3) Letter from Atlas Engineering re: recommendation of award, dated 2/14/2022

ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AWARD THE KACHEL BLVD. PAVING PROJECT BID TO CONSTRUCTION MASTERS SERVICES, LLC IN THE AMOUNT OF \$388,880.00.

E.) Maple Grove Rd. and Imperial Dr.

1) Letter to Brecknock Township Cumru Township will pay half of the intersection study up to \$2000, dated 12/10/2021

2) Letter from Brecknock Township re: start of the study, dated 1/19/2022

Engineer

A.) Hampshire Rd. Culvert - payment application 2 for \$85,446.21

1) Letter (revised) from Great Valley Consultants re: recommended payment, dated 12/3/2021

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING PAYMENT #2 TO H & K GROUP, INC. FOR \$85,446.21 FOR THE HAMPSHIRE RD. CULVERT.

B.) Pheasant Rd Culvert at Ivy Lane – emergency project

1) Memorandum from Manager re: recommendation to declare emergency project, dated 2/11/2022

2) cost estimate comparison

Mr. Rogosky explained the cost estimate comparisons between the complete reconstruction/replacement and the alternative concrete method. The first option would take several months, require complete road closure during this time and cost approximately \$329,835. The life expectancy would be 50-100 years. The second option, based on a proposal from AXIS Stabilization, would be minimal impact, require traffic control for one lane closure for about 2 weeks and would cost approximately \$118,400. The life expectancy would be 30-50 years. An

emergency project does not need bidding but does need to account for prevailing wages and bonding.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE THE PROPOSAL BY AXIS STABILIZATION USING THE ALTERNATIVE CONCRETE METHOD FOR THE PHEASANT RD. CULVERT EMERGENCY PROJECT.

Solicitor

PAYMENT OF BILLS

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO APPROVE PAYMENT FOR THE BILLS DATED 1/18/2022, 1/21/2022, 1/24/2022- FIRE ESCROW, 1/28/2022, 2/01/2022, 2/01/2022 - PLGIT, 2/04/2022, 2/08/2022 AND 1/11/2022.

CORRESPONDENCE

- A.) Annual downstream notification from Carpenter Technology
- B.) Zoning Hearing Board notice for 2/22/2022 - requesting relief to permit two “tiny homes” in addition to existing house at 490 Gouglersville Rd.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO AUTHORIZE JEANNE JOHNSTON TO TESTIFY AT THE ZONING HEARING BOARD THAT THE BOARD OF COMMISSIONERS SUPPORTS THE CURRENT ORDINANCE AND IS AGAINST GRANTING RELIEF FOR “TINY HOUSES”.

- C.) Western Berks Landfill 2020 Annual Report – 4.37 years life estimated

COMMISSIONERS

A.) 2022 meeting schedule

1) Reschedule May 17, 2022, due to election primary

Memorandum from Manager, dated 2/9/2022

The Board agreed to reschedule the meeting from May 17, 2022, to May 19, 2022.

2) 2023 Budget meetings

The Board agreed to schedule the budget meetings for 6 p.m. on October 13, 2022; October 20, 2022; and October 27, 2022.

B.) Reminders:

1) Board of Commissioners meetings for March and April 2022:

- 3/15/2022 at 7:00p.m. – Regular Meeting
- 3/29/2022 at 7:00p.m. – 5th Tuesday Special Meeting

- 4/19/2022 at 7:00p.m. – Regular Meeting

C.) Executive Session

The Board recessed for an Executive Session at 8:11 p.m.

The Board reconvened at 8:45 p.m. They had discussed a real estate matter and a litigation matter.

ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE
TO ADJOURN THE MEETING AT 8:46 P.M.**

Respectfully submitted,



Jeanne E. Johnston
Secretary/Manager