

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

MARCH 19, 2024

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Lisha Rowe at 7:00 p.m. Other Commissioners in attendance were Vice President Greg Miller, David J. Batdorf, Andy Donnell, and William B. Miller. Also attending were Solicitor Kelsey Frankowski, Chief of Police Madison Winchester, Fire Chief James Beane, Superintendent of Public Works Robert McNichols, Jr., Asst. Superintendent of Public Works Michael Yost, Jr., Manager/Secretary Jeanne E. Johnston, Business/Personnel Administrator Peggy A. Carpenter, Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer, Jeff Skinner of Atlas Engineering, and Building Code Official William Frymoyer, Sr. Joseph P. Rogosky of Great Valley Consultants was absent with prior notification.

NOTICE:

Public comment will be accepted in person. Please include your first name, last name and address for all comments. Any comments without a name or address will not be considered. To accommodate as many people as possible, we request that each person's comments be limited to 3 minutes (resolution no. 301). The meeting comment period is limited to a total of 60 minutes. This time period may be extended at the discretion of the Commissioners. While public comments will be given due consideration, immediate responses will be done at the discretion of the Commissioners.

Pledge to the Flag.

FIRE STATION PROJECT

A.) Fire Station Phase 2 – consider award of bids

- 1) general contract – Letter from Atlas Engineering re: recommendation to award general contract to Balton Construction, Inc. for \$9,156,184.50, dated 3/6/2024
- 2) electrical contract – Letter from Atlas Engineering re: recommendation to award electrical contract to H.B Frazer Company-Pennsylvania for \$1,717,000.00, dated 3/6/2024
- 3) plumbing contract – Letter from Atlas Engineering re: recommendation to award plumbing contract to Vision Mechanical, Inc. for \$1,493,674.00, dated 3/6/2024
- 4) mechanical contract – Letter from Atlas Engineering re: recommendation to award mechanical contract to Air Management Technologies, Inc. for \$1,472,800.00, dated 3/6/2024

Chief Beane presented a historical timeline of the major events involved in the Fire Station Project. He began with 2004 when the Cumru Township Fire Department was created and ended with the 2024 bids for the new fire station. This project has two phases. Phase I involved bringing water and natural gas to the Township complex and upgrading the sanitary sewer along the same route. Some of the soil removed during the utility phase was used to create the pad for the future fire station. Phase II will be the actual construction of the building.

Atlas Engineering administered the bidding process and made recommendations for the 4 prime building contracts.

There was discussion among the Board regarding the bidding process and the costs for the project. Mr. Donnell asked about funding the gap between the bond money and the bid amounts. Ms. Johnston explained that the difference will be funded using the Fire Capital Fund and budget

commitments. Any money received from selling the tower and another fire vehicle will be deposited into the Fire Capital Fund.

Mr. Greg Miller asked about project overruns and change orders. Atty. Frankowski stated that the 1st Class Township Code dictates the bidding process by which the Township accepts the bid from the lowest responsible contractor. She stated that the contracts provide protections and tight controls are built into the contracts. Ms. Johnston reminded the Board that all future changes orders are controlled by the Board.

Chief Beane addressed the concern about the increase from the 2017 estimate versus the 2024 costs. He used an analogy about inflation and the cost of a gallon of gas during the same time period. Chief Beane stated that he would be glad to have a conversation with any Board member about the project.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AWARD THE GENERAL CONTRACT FOR THE FIRE STATION TO BALTON CONSTRUCTION. INC. FOR \$9,156,184.50. MR. WILLIAM MILLER, MR. BATDORF AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AWARD THE ELECTRICAL CONTRACT FOR THE FIRE STATION TO H. B. FRAZER COMPANY-PENNSYLVANIA FOR \$1,717,000.00. MR. WILLIAM MILLER, MR. BATDORF AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AWARD THE PLUMBING CONTRACT FOR THE FIRE STATION TO VISION MECHANICAL, INC. FOR \$1,493,674.00. MR. WILLIAM MILLER, MR. BATDORF AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AWARD THE MECHANICAL CONTRACT FOR THE FIRE STATION TO AIR MANAGEMENT TECHNOLOGIES, INC. FOR \$1,472,800.00. MR. WILLIAM MILLER, MR. BATDORF AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

The audience, which contained many firefighters, responded to the bid awards with a round of applause.

PUBLIC

Attendance: Alan Wong of Atlas, Ruth O'Leary, Bev Leonti, Jeremy Brubaker, Matthew J. Carl, Zach Baker, Seth Etchberger, Joe Reynolds, Nathan Klein, Evan Gray of Manns Woodward Studios, Kathy Roland, Joe D'Ascenzo of Titus, Donna Parker of Titus, Christina D'Ascenzo of Titus, Joe D'Ascenzo, Jr., Robert Jankowski, Ella Cail, Glenva Drupp, Sue Haas, Perry Haas, Roxann Miller, Roberta Kennedy, Barbara Nagle, Glenn Emery, Sam Kalbach, Bob Matt, Ben

Fisher, Susan McCoy, Dave McCoy, Dan Reese, David Lugo, Trevor Beane, Brad Cosgrove, Charles Muvdi, and William Burke.

A.) Robert Jankowski re: 717 Philadelphia Ave.

(See also Solicitor)

Robert Jankowski identified himself as the current owner of 717 Philadelphia Ave. He stated that he intends to demolish 717 Philadelphia Ave. and construct a new building. He is being held up by the owners of the other properties and is trying to buy the units. It would be more cost effective to demolish all the units at the same time.

Mr. Donnell asked about the condition of the units. Mr. Jankowski said that his unit is boarded up and sealed. He said that he already has his demo permit from the Township.

Atty. Frankowski informed Mr. Jankowski that there is a Public Hearing scheduled for 4/18/2024 to address this issue. Notices will be mailed out to all the owners on 4/1/2024.

Mr. Donnell asked if the Township could compel the other owners to sell. Atty. Frankowski responded that the Township can't do this.

Mr. David Lugo asked about eminent domain. Atty. Frankowski said that since Mr. Jankowski was an individual and not a municipality, he could not use eminent domain to acquire the other units.

The Board thanked Mr. Jankowski for working with the Township to resolve this issue.

B.) Joe D'Ascenzo re: request to consider LSA grant resolutions for Recycle the World

1) Memorandum from Manager re: LSA grant requirement for sponsor, dated 3/17/2024

Joe D'Ascenzo stated that the Local Share Account (LSA) grants are funded by casino money from the state. A public entity must sponsor the grant application and the Township could earn approximately \$24,000 in administration fees. He explained that 1 grant would be for equipment for rail work and 1 grant would be for planning/design. Mr. D'Ascenzo requested that the Township sponsor the grant applications and that the Board vote on authorizing the necessary resolutions.

Mr. Greg Miller asked what exactly the Township would be supporting. What is the big picture? He suggested that this is only a narrow piece and not the scope of the entire project.

Ms. Rowe voiced her concern about any pollution resulting from recycling plastic. Mr. D'Ascenzo answered that sealed vessels would be used and the process was not combustion. He said that plastic was only one aspect and that other materials would be recycled too.

Mr. Donnell asked about an environmental impact study. He would like to see more information about this project. Mr. D'Ascenzo stated that these grants are for rail projects for the infrastructure, not recycling.

Mr. Batdorf asked how the grant process worked. Atty. Frankowski explained that if the Township would be the sponsor, the state would give the funds to the Township and the Township would give the fund to the entity. If the money is not used accordingly, the Township would have to reimburse if needed. There is a lot of administrative work involved for the Township.

Mr. Donnell also questioned why the Township should sponsor the grants without having a clear plan of what is involved in the project. He understands needing infrastructure but doesn't understand the overall project. He is concerned about all the unknowns.

Ms. Johnston explained that the resolutions allowed the grants to move forward. No money has been awarded yet. The sponsorship must be decided before April to be considered for the grants. She suggested that the Board might be more comfortable with the grant for the planning.

There will be contract documents to be signed when/if the grants are awarded. When asked for her opinion, Ms. Johnston reminded everyone that this site will be difficult to develop without the railroad. These grants are for the railroad component. She recommended that a plan with drawings be submitted to the Township.

Mr. Batdorf asked Mr. D'Ascenzo to put up a bond for the grant amount. Mr. D'Ascenzo responded "Sure".

Atty. Frankowski reminded the Board that the motion would be for sponsorship requiring resolutions.

Ms. Rowe stated that the DEP and other entities would be monitoring the land use.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AUTHORIZE THE RESOLUTION FOR THE LOCAL SHARE ACCOUNT (LSA) GRANT APPLICATION FOR \$957,019.94 FOR THE RECYCLE THE WORLD RAIL CARGO HANDLERS PROJECT. MR. WILLIAM MILLER, MR. BATDORF, AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A MAJORITY VOTE TO AUTHORIZE THE RESOLUTION FOR THE LOCAL SHARE ACCOUNT (LSA) GRANT APPLICATION FOR \$854,500.00 FOR THE TITUS STATION PLANNING, CONSULTING, AND DESIGN PROJECT. MR. WILLIAM MILLER, MR. BATDORF, AND MS. ROWE VOTED YES. MR. GREG MILLER AND MR. DONNELL VOTED NO.

Mr. D'Ascenzo thanked the Board.

C.) Bob Matt declined to address the Board.

AMBULANCE SERVICE

A.) Monthly Report – February 2024

Brad Cosgrove informed the Board that TowerDirect has the first Paramedic unit in PA that can carry blood.

Mr. Donnell stated that there was a presentation at the Municipal Dinner about the EMS crisis in Berks County. He voiced his concern about burn out and staffing. Mr. Cosgrove responded that all 17 agencies have been meeting to address the issues post COVID. The agencies are always looking for people and education is provided. He suggested that he could meet with the Board to discuss this further.

B.) Radios – consider authorization of transfer of radios from Fire Department to EMS

Sam Kalbach, TowerDirect liaison, gave a brief history of how Cumru Township along with other Berks County municipalities had entered into an agreement with the County to purchase radios. While there are separate user agreements for each department (police, fire and EMS), the Township owns all the radios. Some of the radios are beginning to fail and EMS has experienced several of these failures. Mr. Kalbach requested that the Board consider transferring up to 12 radios from Cumru Township to TowerDirect EMS, subject to approval by the Fire Chief, EMS Chief and Berks County Dept. of Emergency Services.

Chief Beane stated that the radios are approximately 11 year old and are not being used by the Township.

ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO TRANSFER UP TO 12 RADIOS FROM THE FIRE DEPARTMENT TO TOWERDIRECT EMS SUBJECT TO APPROVAL BY THE FIRE CHIEF, EMS CHIEF AND BERKS COUNTY DEPT. OF EMERGENCY SERVICES.

APPROVE MINUTES

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES OF 2/20/24 – REGULAR MEETING AS SUBMITTED.

TREASURER

A.) Monthly Report – February 2024

Mrs. Carpenter informed the Board that the CPA audit is still in progress and the 2022-2023 Teamster audit had no findings.

TAX COLLECTOR

A.) February 2024 Report

1) Year 2023 Interim Real Estate

Balance collectable beginning of month – \$4,250.47

Additions – \$0

Cash collected – \$831.97

Balance collectable end of month - \$3,418.50

2) Year 2023 Per Capita

Balance collectable beginning of month – \$415.00

Cash collected – \$40.00

Exonerations - \$5.00

Balance collectable end of month - \$370.00

B.) Ordinance for Tax Collector Compensation and Certification Fees – consider adoption

1) ordinance advertised 3/7/2024

The Tax Collector compensation is for the next term because this cannot be changed mid-term. The certification fees are listed separately based on who performs the certification.

ON MOTION OF MS. ROWE, SECOND OF MR. GREG MILLER, A UNANIMOUS VOTE TO ADOPT THE ORDINANCE FOR TAX COLLECTOR COMPENSATION AND CERTIFICATION FEES.

DEPARTMENTS

Police Department

A.) Monthly Report – February 2024

There were no questions about the monthly report.

B.) Civil Service – consider authorization of conditional offer of employment

Chief Winchester reported that the police liaisons support authorizing a conditional offer of employment to the next viable applicant on the approved Civil Service list. He requested that the Board consider this authorization.

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE A CONDITIONAL OFFER OF EMPLOYMENT TO THE NEXT VIABLE APPLICANT ON THE APPROVED CIVIL SERVICE LIST.

C.) Radios – consider purchase of replacement and spare

Chief Winchester stated that police radios are not exchangeable outside of the department. Ms. Johnston said that they operate on different frequencies. Chief Winchester acknowledged that radios are a very expensive necessity. He requested that the Board consider purchasing 2 new radios not to exceed \$12,500.00. One radio is not repairable and a second radio is to function as a spare.

ON MOTION OF MR. DONNELL, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE THE PURCHASE OF 2 POLICE RADIOS NOT TO EXCEED \$12,500.00.

D.) Traffic Ordinance 2024 – consider authorization to draft and advertise

1) stop sign at Andover and Jefferson

Chief Winchester asked the Board to consider authorizing and advertising a draft Traffic Ordinance 2024 to include a stop sign at the intersection of Andover Ave. and Jefferson Blvd.

Mr. McNichols said that this is an unusual intersection. Mr. Donnell said that this is personal to him because his father and younger siblings live near this intersection.

ON MOTION OF MS. ROWE, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO AUTHORIZE AND ADVERTISE A DRAFT TRAFFIC ORDINANCE 2024 TO INCLUDE A STOP SIGN AT THE INTERSECTION OF ANDOVER AVE. AND JEFFERSON BLVD.

E.) Fishing Derby – scheduled for 5/11/2024

Chief Winchester announced that the annual Fishing Derby will be held on Saturday, May 11, 2024, at Brady's Pond. This is a fun event for children sponsored by the Police Department and the Township. People will be able to sign-up by stopping in or calling the Township Office approximately a month before the event. This event is limited to 50 youth, but parents and grandparents are welcome to attend.

Fire Department

A.) Monthly Report – February 2024

There were no questions about the monthly report.

B.) Civil Service Testing - update

Chief Beane reported that 22 applications were received. 20 applicants took the test. 14 people passed and will be moving on to the oral interview and CPAT. One of the applicants

already passed CPAT. He wanted to thank the Police Department staff and Ms. Johnston for helping to administer the testing. The HACC Fire Academy is scheduled to start in August.

C.) 501 Governor Drive Fire Escrow – consider authorization to release escrow

- 1) deduction for fees to Township
- 2) release of remainder, upon approval of the Solicitor

Chief Beane requested that fees and costs to secure the building and fines to Cumru Township be deducted from the escrow with the remainder released to the LLC. Atty. Frankowski recommended deducting the fees and releasing the remainder to Trauma 24/7 Cleanup Restoration, LLC.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE FEES TO BE DEDUCTED FROM THE ESCROW AND THE REMAINDER TO BE RELEASED TO TRAUMA 24/7 CLEANUP RESTORATION, LLC.

Administration

A.) Codes Department – February 2024

- Building Permits Issued – 11
- Use Permits Issued – 6
- Zoning Permits Issued – 8
- Notices of Violations – 15
- Citations issued – 1 for 711 Philadelphia Ave.
- Violations complied – 16
- Phone calls from contractors, realtors & public approximately – 174
- Properties condemned – 0
- Permit Inspections Done – 134
- Inspections with the Fire Department – 2
- Training Seminars attended – 0

B.) Wind Turbines – consider fees and ordinance amendment

- 1) Memorandum from Manager re: fees and regulations, dated 3/17/2024

Ms. Johnston informed the Board that there have been several inquiries about installing wind turbines on residential properties. The current Zoning Ordinance only addresses commercial properties. The suggestion was to establish fees, rules and regulations for wind turbines on residential properties and clarify language for use on commercial properties. Anything over 2 families is considered commercial. The proposed permit fees were \$250 for residential and \$500 for commercial. The Board was asked to consider incorporating the new rules into the proposed Zoning Ordinance amendments.

Ms. Johnston said that the current ordinance does not reference Federal Aviation Administration (FAA) regulations, ANSI safety standards, storage for battery units, coordination with the utility company, or abandonment of the facility.

Atty. Frankowski recommended incorporating these changes into the current draft Zoning Ordinance amendment to reduce duplication of advertising, public hearings, etc.

ON MOTION OF MR. DONNELL, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ADOPT WIND TURBINE PERMIT FEES OF \$250 FOR RESIDENTIAL AND \$500 FOR COMMERCIAL PROPERTIES.

C.) Wyomissing Creek Watershed Coalition (WCWC) – grant awarded \$315,488

1) press release from U.S. Rep. Houlahan

Ms. Johnston informed the Board that the WCWC was awarded a \$315,488 grant through the efforts of U.S. Rep. Houlahan. The project is reconstruction of a stormwater channel in Mohnton that deposits sediment in Cumru Township. All the water from the Wyomissing Creek flows through Cumru Township. The WCWC is an intergovernmental coalition comprised of 8 municipalities. This grant will offset the costs for all the municipalities. The MS4 requirement to reduce sedimentation in the Wyomissing Creek is mandated by the DEP.

D.) Insurance Renewal – consider authorization to bind coverage

1) renewal date 4/13/2024

Since the renewal date will be before the next Board of Commissioners meeting, Ms.

Johnston requested that the Board authorize administration to bind insurance coverage.

ON MOTION OF MR. BATDORF, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO AUTHORIZE ADMINISTRATION TO BIND INSURANCE COVERAGE ON OR BEFORE 4/13/2024.

E.) Berks County Election Services – consider agreement

1) proposed agreement for polling place at 1775 Welsh Rd.

The agreement states that the Berks County Election Services pays the Township \$80 per voting session to provide basic amenities to the polling staff.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE AGREEMENT FOR A POLLING PLACE AT 1775 WELSH RD.

F.) Planning

2023 – 13 IMPERIAL VIEW II SUBDIVISION-2023

EXPIRATION DATE 3/15/2024

(Preliminary/Final) Owner: William B. Whitman; Agent: John Hoffert Surveying, Inc.; Location: Imperial Dr.; Parcel ID# 39-530403219328; Plan No. D-23-95-01; Proposed Summary: Subdivide the parcel into 3 lots for single-family detached dwellings utilizing on-lot sewer and on-lot water facilities.

a) Revised Preliminary/Final Subdivision plan submitted by John W. Hoffert, P.L.S., Ltd., dated 3/05/24.

b) Second Review Letter from GVC, dated 2/28/24.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO GRANT PRELIMINARY/FINAL APPROVAL TO THE IMPERIAL VIEW II-2023 SUBDIVISION PLAN CONDITIONED ON RECEIVING DEP APPROVAL OF THE SEWAGE PLANNING MODULES, COMPLIANCE WITH COMMENTS AS STATED IN THE GVC REVIEW LETTER DATED 2/28/24, FINAL REVIEW OF REVISED PLANS BY GVC, PAYMENT OF A FEE IN LIEU OF OPEN SPACE, PAYMENT OF ANY OUTSTANDING INVOICES, AND SEALS/SIGNATURES ON THE DRAWING.

2023 – 07 BERKS COUNTY WASTE TRANSFER FACILITY

(Preliminary/Final) Owners: 25 Service Caster Owner, LLC/ Manz Properties LLC;
Agent: Martin & Martin, Inc.; Location: 25 Service Caster Way; Parcel ID# 39-
531502664589; Project no. 1795; Proposal Summary: Develop a Municipal Solid Waste
Transfer Station on an existing lot known as East Pointe Business Center Lot #8.
Preliminary/Final approval granted 10/17/2023.

a.) Berks Waste and Rail Transfer Facility PaDEP permit dated 3/15/2024

**ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS
VOTE TO REAFFIRM PRELIMINARY/FINAL APPROVAL OF THE BERKS
COUNTY WASTE TRANSFER FACILITY PLAN CONDITIONED ON COMPLIANCE
WITH ALL ISSUES AS STATED IN THE REVIEW LETTER FROM GVC, DATED
9/29/23, AND OBTAINING DEP APPROVAL.**

Public Works

A.) Montrose Blvd. Stormwater Project – update

1) notice of award

Mr. McNichols reported that the bonds have been submitted and the agreement has been signed. The next step is to schedule a pre-construction meeting.

B.) Sanitary Sewer Replacement Projects 2024 – update

1) Cedar Top Road – notice of award

2) Flying Hills Dr. – notice of award

Mr. McNichols reported that once the bonds are submitted for these projects that pre-construction meeting will be scheduled.

C.) Flying Hills Obstructions in the Rights of Way – update

Mr. McNichols informed the Board that a good compromise has been reached with Flying Hills concerning the obstructions in the Rights of Way. The obstructions will be removed. Single white edge lines and a single yellow line in the middle of the road will be painted to guide traffic.

D.) Freemansville Rd. Bridge (PennDOT) – update

Mr. McNichols stated that replacement of the Freemansville Rd. Bridge is a PennDOT project in a PennDOT road. It is expected to take approximately 60 days to replace the one-lane bridge with a two-lane bridge.

E.) Highway Department – accept resignation of Anthony Castellano effective 3/22/24

**ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS
VOTE TO ACCEPT THE RESIGNATION OF ANTHONY CASTELLANO EFFECTIVE
3/22/2024.**

F.) Sewer Department – update

1) advertisement for class 2 positions

Per the Teamsters Contract Bargaining Agreement, positions are posted internally before being posted to the public. Two sewer employees filled 2 open highway positions, and 2 sewer positions were already open, resulting in 4 openings in the sewer department. Of the 4 positions, 1 is a foreman and 3 are class 2 positions.

G.) PennDOT Mowing Contract – consider renewal, \$14,660.29 for 2024-2026

Mr. McNichols explained that the state pays the Township to mow 22 lane miles of roadway owned by the state.

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ACCEPT THE PENNDOT MOWING CONTRACT RENEWAL FOR 2024-2026 FOR \$14,660.29.

Bill Burke, a resident of Chip Lane, said that his neighbor had a sewer back-up. He wanted to know if this issue had anything to do with the Flying Hills sewer project. Mr. McNichols told him that the Flying Hills sewer project was located near Tanglewood Dr., a significant distance from Chip Lane.

Engineer

A.) Hunters Rd. phase 1 – documentation in progress

Ms. Johnston reported that Mr. Rogosky is working on the specifications.

Solicitor

A.) Comcast Cable Franchise Agreement Renewal – consider authorization to execute

1) revised agreement

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE ADMINISTRATION TO EXECUTE THE REVISED COMCAST CABLE FRANCHISE AGREEMENT.

B.) Zoning Ordinance Amendment – consider authorization for hearing

(See also Administration item (B)).

1) draft ordinance amendment

2) consider hearing date

During the previous discussion it was recommended to incorporate more comprehensive regulations concerning wind turbines into the draft Zoning Ordinance amendment.

ON MOTION OF MR. DONNELL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO INCLUDE WIND TURBINES IN THE DRAFT ZONING ORDINANCE AMENDMENT.

C.) 711-717 Philadelphia Ave. – hearing pursuant to Dangerous Structures Ordinance

1) codes report on 711-717 Philadelphia Ave.

2) hearing notice – scheduled for 4/18/2024 at 6:30 p.m.

(See also Public item (A)).

This information was reiterated from the previous discussion.

PAYMENTS OF BILLS

ON MOTION OF MR. WILLIAM MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING PAYMENTS OF BILLS DATED 2/23/24, 3/01/24, 3/08/24, AND 3/15/24.

CORRESPONDENCE

- A.) 3 Seven Springs Dr. – Act 2 final report received by DEP, dated 3/01/2024
- B.) 3497 New Holland Rd. – Act 14 notice for DEP permit renewal associated with small flow treatment system, dated 03/12/2024
- C.) Letter from Governor Mifflin School District re: learning expo, dated 2/6/2024

COMMISSIONERS

- A.) Planning Commission – consider appointment to fill vacancy; consider alternate appointment
 - 1) one vacancy, two candidates – Jesse Morey, Beverly Leonti
 - 2) MPC section 203.(e) allows for appointment of alternatesMs. Johnston explained that there was 1 vacancy to fill on the Planning Commission and that the Municipal Planning Code (MPC) allows for appointment of alternates.

ON MOTION OF MR. BATDORF, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO APPOINT BEVERLY LEONTI TO FILL THE VACANCY ON THE PLANNING COMMISSION AND TO APPOINT JESSE MOREY AS AN ALTERNATE MEMBER TO THE PLANNING COMMISSION.

- B.) Executive Session
 - 1) 411 Mountain View Rd. – potential property acquisition
 - 2) 1592 Wyomissing Road – potential property acquisition
 - 3) Guerrero Land Use Appeal – authorization to execute settlement agreement
 - 4) Personnel Matter – Teamster position
 - 5) Personnel Matter – non-uniformed pension

9:10 p.m. – The Board met in executive session to discuss 411 Mountain View Rd., and 1592 Wyomissing Rd. – potential property acquisition; Guerrero Land Use Appeal- litigation; and Teamster and non-uniformed pension- personnel matter.

10:02 p.m. – The executive session ended. The Board had discussed 411 Mountain View Rd., and 1592 Wyomissing Rd. – potential property acquisition; Guerrero Land Use Appeal- litigation; and Teamster and non-uniformed pension- personnel matter.

ON MOTION OF MS. ROWE, SECOND OF MR. DONNELL, A UNANIMOUS VOTE TO AUTHORIZE THE EXECUTION OF THE SETTLEMENT AGREEMENT FOR THE GUERRERO LAND USE APPEAL.

- C.) Reminders:
 - 1) Zoning Hearing Board
 - March 26, 2024, at 6:00 p.m.
 - Application No. 812 – DS Property Ventures, LLC- Special Exception to build self-storage and outside storage at the properties known as 970 and 946 Morgantown Rd. Applicant operates an existing facility at 1012 Morgantown Rd.

- April 23, 2024, at 6:00 p.m.

April Meeting to take place in the recreation building, GPS address 436 Church Rd., due to voting at main office building.

2) Board of Commissioners meetings for April 2024

- 4/16/2024 at 7:00 p.m. – Regular Meeting

- 4/18/2024 at 6:30 p.m. – Hearing re: 711-717 Philadelphia Ave.


- 4/30/2024 at 7:00 p.m. – 5th Tuesday Meeting

3) Planning Commission 4/1/2024 at 6:00 p.m. *Possible cancellation due to lack of business.*

ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MR. DONNELL, A UNANIMOUS
VOTE TO ADJOURN THE MEETING AT 10:05 P.M.**

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary