

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MARCH 21, 2023**

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, Fire Chief James Beane, Superintendent of Public Works Robert McNichols, Jr., Asst. Superintendent of Public Works Michael Yost, 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. Chief of Police Madison Winchester was excused 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. 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.

PUBLIC

Attendance: Sheldon Meyer and Bradford Grauel.

A.) Donna & Jon Kramer re: required public sanitary sewer connection

1) Letter emailed to Solicitor 3/10/2023

No one was present to discuss this issue.

AMBULANCE SERVICE

A.) Monthly Report – February 2023

Anthony Martin was unable to attend the meeting due to a family emergency.

Ms. Johnston reported that TowerDirect has requested an update for the number of residents in the Township to determine pricing. The developer of Heritage of Green Hills submitted the newest building as a healthcare facility, not an apartment building. Therefore, the EMS calls to that facility will not be included in the membership agreement with the Township.

APPROVE MINUTES

**ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE
APPROVING THE MINUTES OF 2/21/23 – REGULAR MEETING AS SUBMITTED.**

TREASURER

A.) Monthly Report – February 2023

Mrs. Carpenter reported that the Township has received the cardstock to send the postcards for the on-lot sewer inspection (SMP) and refuse bills. Discounts of 2% and penalties of 10% will still apply per prior direction of the Board of Commissioners. Although not required for fees, this payment schedule is similar to that for real estate taxes.

Mr. Batdorf asked about delinquent notices for sanitary sewer. Mrs. Carpenter told him that letters are sent to people who are about to be sent to collections for the first time. Those individuals often pay by the deadline in order to avoid collection procedures. Letters are then sent to people who have been sent to collections previously and are at least 2 periods behind in payments.

TAX COLLECTOR

A) February 2023 Report

1) Year 2022 Real Estate

Balance collectable beginning of month – \$0

Cash collected – \$0

Balance collectable end of month – \$0

2) Year 2022 Interim Real Estate

Balance collectable beginning of month – \$2,858.22

Cash collected – \$2,386.94

Balance collectable end of month - \$471.28

3) Year 2021 Interim Real Estate

Balance collectable beginning of month – \$140.16

Cash collected – 0

Balance collectable end of month - \$140.16

4) Year 2022 Per Capita

Balance collectable beginning of month - \$845.00

Cash collected - \$85.00

Balance collectable end of the month - \$760.00

DEPARTMENTS

Police Department

A.) Monthly Report – February 2023

Ms. Johnston informed the Board that Chief Winchester was working on a case this evening. She reported that the Police Department held a recruitment event at Alvernia College and attended the opening of Ocean State Job Lots with Officer Ollie.

B.) Civil Service Advertisement

Ms. Johnston reported that testing to create a new Civil Service list will be held on 5/6/23 at 8:30 a.m. at the Fire Training Center.

**C.) Opioid Settlement part 2 – participation “opt in”
ON MOTION OF MR. MILLER, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO
AUTHORIZE THE TOWNSHIP ADMINISTRATION TO FILL OUT THE
PARTICIPATION “OPT IN” FORMS FOR OPIOID SETTLEMENT PART 2.**

Fire Department

A.) Monthly Report – February 2023

Chief Beane reported on a brush fire on Neversink Mountain. He stated that our area is very close to having a burn ban due to dry conditions.

Chief Beane reported that three of the Probationary Firefighters have passed their CDL tests and one will be taking the test tomorrow. The fifth Probationary Firefighter is expected to graduate from the Academy on May 5, 2023.

Administration

A.) Codes Department – February 2023

Building Permits Issued- 5

Use Permits Issued - 1

Zoning Permits Issued- 2

Notices of Violations- 13

Citations issued- 2

Zoning Hearing Board Hearings – 1 (Church at 665 Fairmont Ave.)

Violations complied- 17

Phone calls from contractors, realtors & public approximately- 162

Properties condemned – 1 (Fire at 124 Gerald)

Permit Inspections Done – 18

Inspections with the Fire Department – 1

Training Seminars attended – 0

Ms. Johnston reported that the fire at 124 Gerald Avenue left the building not fit for habitation so it was condemned. There is no fire escrow.

B.) Plan Reapprovals

- 1) Budget Store and Lock Self Storage (former Pathmark/Giant)
- 2) Rahns-South Reading Truck Shop

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE
TO REAFFIRM THE APPROVALS FOR THE BUDGET STORE AND SELF LOCK
STORAGE PLAN AND THE RAHNS SOUTH READING TRUCK SHOP PLANS.**

C.) TASA Grant – update

Ms. Johnston reminded everyone that this is Federal grant money. The drawings have been updated to include under parking lot detention as part of the stormwater plan to mitigate flooding in the area of the intersection of Museum Rd. and SR724. Geoff Penske has been very agreeable during the planning phase. The proposed project will cost approximately \$1.6 million.

D.) Heritage of Green Hills – request for tapping fee refund

There was discussion about a request to grant a credit of tapping fees for the former Green Hills Manor building after it is demolished. The demolition is not associated with a fire or other disaster with the intention of rebuilding. It is being done as part of an overall land development plan.

Ms. Johnston stated that such a refund/credit associated with new land development is unprecedented. She noted that other developers would likely request similar credits/refunds. The requested refund would amount to approximately \$24,000.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO DENY THE REQUEST BY HERITAGE OF GREEN HILLS FOR A TAPPING FEE REFUND.

Public Works

A.) Municibid – update

1) aggregate sales \$16,213

Mr. Yost reported that the sale of miscellaneous items on Municibid yielded \$16,213. The old paver received a bid of \$14,600.

B.) Finishing Roller – quote for \$26,300

Mr. McNichols reported that he had received a quote using COSTARS for an in-stock finishing roller for \$25,800. The proceeds from the sale of the old paver could help offset the cost of the new finishing roller.

Mr. Kalbach stated that the new paving equipment is more efficient and saves on labor costs.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO PURCHASE THE NEW FINISHING ROLLER AT A COST NOT TO EXCEED \$26,300.

C.) PennDOT Acquisition of Township ROW – Pennwyn Bridge

Ms. Johnston explained that the Township owns 25 acres adjoining the Pennwyn Club properties, fronting on South Wyomissing Rd., state road 3009. PennDOT intends to do embankment stabilization of the creek at the Pennwyn Bridge, part of South Wyomissing Rd. PennDOT is requesting that Cumru Township grant a sliver of Right-Of-Way (ROW) to PennDOT for this project. There will be some compensation given to the Township.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO GRANT THE REQUESTED RIGHT-OF-WAY TO PENNDOT FOR THE PENNWIN BRIDGE PROJECT ON SR 3009, AND AUTHORIZING THE PRESIDENT AND MANAGER TO EXECUTE THE NECESSARY DOCUMENTS.

D.) New Water Service Connections for 4 Township Buildings

Mr. McNichols reported that the Township received quotes to connect the 4 Township Buildings to the new water line. The lowest quote was \$22,250.00 from Zimmerman Environmental, which is under the bidding limit.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ACCEPT THE PROPOSAL FROM ZIMMERMAN ENVIRONMENTAL FOR \$22,250.00 TO CONNECT THE 4 TOWNSHIP BUILDINGS TO THE NEW PUBLIC WATER MAIN.

E.) Cedar Top Rd. Sanitary Sewer/ Stormwater Project – update

Atlas Engineering and Administration applied for a grant for this project through state Representative Houlahan's office. This project is expected to cost approximately \$1.6 million. The Board concurred with the grant application.

F.) Montrose Blvd. Storm Sewer – update

A grant request for this project is expected to be on the agenda for the Commonwealth Financing Agency (CFA) meeting scheduled for July 2023. Administration revised some of the grant paperwork as requested by the DCED.

G.) S. 9th St. re: grant approval

The application for this grant was submitted in July 2022 due to the severely deteriorated condition of S. 9th St. Rep. Manuel Guzman supported the grant. Last week, the CFA awarded Cumru Township \$117,988. The award requires approval by the Board.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE PRESIDENT AND ADMINISTRATION TO EXECUTE NECESSARY DOCUMENTATION TO ACCEPT THE GRANT FOR \$117,988 FOR THE RECONSTRUCTION OF S. 9TH STREET.

Engineer

A.) Traffic Signal SR10/SR724 re: Accessible Pedestrian Signals (APS)

Mr. Rogosky explained the PennDOT request to update the pedestrian signal at SR10/SR724. There have been no requests for an audible signal at this intersection and no complaints related to the pedestrian signal.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE PENNDOT TO UPDATE THE PEDESTRIAN SIGNAL AT SR10/SR724 WITHOUT AUDIBLE SIGNALS.

Ms. Johnston noted that PennDOT requires a pedestrian signal at that location, despite the fact that PennDOT also requires signage prohibiting pedestrians there.

B.) Traffic Signal Maintenance Agreement (TSMA) with PennDOT – update

Mr. Rogosky explained that the agreement will require that information be input into the system. The information is highly technical. CM High, the Township's maintenance service, doesn't provide this service. He reached out to PennDOT and others to find someone to provide this service. He will get a proposal for a future meeting.

Mr. McNichols stated that all the signals in the Township are customized, so different information is required for each one.

Ms. Johnston reported that several signals are shared with other municipalities.

Mr. Rogosky said that he will check with Shillington Public Works to see who provides this service for them.

Solicitor

A.) Zoning Amendments – update

Mr. Setley explained the proposed changes.

Ms. Johnston stated that the Board had decided on May 17, 2023, for the hearing but a time needs to be set. It was decided to have the hearing at 6:00 p.m.

B.) Municipal Boundary with Robeson Township and Fisher Subdivision

Bradford Grauel addressed the Board about the Fisher Subdivision. He had submitted a plan for the Fisher Subdivision on Ridgeway Rd. to Robeson Township. They received Zoning Hearing Board relief from Robeson Township. There are conflicting subdivision plans regarding the municipal boundary lines in this area. A 1992 subdivision has this property partially in Cumru Township. The SMP inspection is done by Cumru Township and the property is taxed in Cumru Township. A 1994 subdivision for a neighboring property shows this property all in Robeson Township.

Mr. Setley suggested that the Board could defer review for the Fisher Subdivision to Robeson Township to not cause unnecessary delays for the property owners. The Municipal Boundary is much more complicated and a decision does not have to be made at this time.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A MAJORITY VOTE TO:

1. DEFER SUBDIVISION APPROVAL OF THE FISHER SUBDIVISION PLAN TO ROBESON TOWNSHIP;

2. NOT ACKNOWLEDGE THE MUNICIPAL BOUNDARY;

3. NOT ASSERT THAT THE PROPERTY IS NOT IN CUMRU TOWNSHIP.

MR. MILLER VOTED NO. MR. BATDORF, MR. KALBACH, MS. ROWE AND MRS. O'LEARY VOTED YES.

Mr. Grauel requested that the Township SEO release the septic information for this property. He also requested that Cumru Township send a letter to Robeson Township before their next Planning Commission meeting stating the above motion.

C.) Museum Road No Parking Ordinance – update

The Board agreed to advertise the Museum Road No Parking Ordinance.

PAYMENTS OF BILLS

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE APPROVING THE PAYMENT OF BILLS DATED 2/24/23, 2/28/23, 2/28/23 - PLGIT, 3/01/23 - PLGIT, 3/01/23, 3/02/23 - ACH, 3/03/23, 3/10/23 AND 3/17/23.

CORRESPONDENCE

A.) PennDOT 2025 12-year program comment period (March 1 through April 30, 2023)

B.) Berks Redevelopment Authority 2022 Consolidated Annual Performance & Evaluation Report (CAPER) Summary for Citizens

COMMISSIONERS

A.) Vacancies/Expirations of Terms

1) Planning Commission – 1 vacancy, 3 candidates

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO APPOINT BARBARA KERN DIETRICH TO FILL THE VACANCY ON THE PLANNING COMMISSION.

B.) Executive Session

No Executive Session was needed.

C.) Reminders:

1) Zoning Hearing Board

- March 28, 2023, at 6:00 p.m. at the Township Building – regular meeting
- April 24, 2023, at 6:00 p.m. at the Gov. Mifflin Intermediate School Cafeteria – zoning map appeal
- April 25, 2023, at 6:00 p.m. at Township Building – regular meeting
- April 26, 2023, at 6:00 p.m. at Cumru Elementary School Cafeteria- zoning map appeal

2) Board of Commissioners meetings for April and May 2023

- 4/18/2023 at 7:00 p.m. – Regular Meeting
- 5/17/2023 at 6:00 p.m. - Public Hearing for Zoning Text Amendment
- 5/17/2023 at 7:00 p.m. – Regular Meeting (*Date change due to Election Day)
- 5/30/2023 at 7:00 p.m. – 5Th Tuesday Meeting

3) Planning Commission - 4/03/2023 at 6:00 p.m.

4) Municipal Authority - 4/13/2023 at 8:30 a.m.

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:15 P.M.

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary