

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING JULY 18, 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 Kelsey Frankowski, Chief of Police Madison Winchester, Fire Chief James Beane, Superintendent of Public Works Robert McNichols, Jr., Manager/Secretary Jeanne E. Johnston, Business/Personnel Administrator Peggy A. Carpenter, Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer, William Frymoyer, Sr., Codes Officer, and Joseph P. Rogosky of Great Valley Consultants. Asst. Superintendent of Public Works Michael Yost, Jr. 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.

Pledge to the Flag.

PUBLIC

Attendance: Anthony Martin, Susan Heflin, Lorie Readdy, Kevin Armour, Perry Haas, Robert Moyer, and Greg Miller.

A) Michael Caterina re: Cedar Top Rd. soil deposit site

No one was present to discuss this issue.

B) David Lugo re: 501 Governor Dr. fire escrow

No one was present to discuss this issue.

C) 717 Philadelphia Ave. fire escrow

No one was present to discuss this issue.

D.) Susan Heflin, a resident of Stewart Ave., asked the Board what was going on with the property that is to be built upon at Grings Hill. She wanted to know if there would be a vote concerning this project. Ms. Johnston replied that no land development plans have been submitted to the Township. There has been preliminary discussion of a warehouse type use with possibly 1 or 2 buildings. The primary entry and exit would use the limited access driveway from SR222. Misty Lane would be a gated emergency access to the property. Ms. Johnston stated that it was always the intention to connect Misty Lane to SR222. Ms. Frankowski advised that we will know more once a plan is submitted.

E.) Robert Moyer, a resident of Grill Avenue, addressed the Board concerning several issues.

1) Trash Issues

Mr. Moyer stated that he had talked to Commissioner Kalbach on 2 separate occasions. He told the Board that the trash and recycling was a mess in his area. Ms. Johnston agreed. She explained that Eagle Disposal, the current hauler, was bought by Waste Connections last year. Waste Connections bought A. J. Blosenski Inc. this past April. In June, Waste Connections forced a merger between the 2 companies which has caused a lot of trouble.

Ms. Johnston explained that the Township has levied penalties totaling \$24,890.00 to date. The penalties will be deducted from the bill paid by the Township. The unexpended money will remain in the refuse fund to help offset the anticipated fee increase that will result from bidding a new contract, which is required this year.

Ms. Johnston also reported that the 2022 changes for the CDL requirements have caused a shortage of qualified drivers. The Township has also experienced difficulty hiring Public Works employees since they are required to have a CDL.

2) Community Days

Mr. Moyer reported that he saw very little trash from the event. He said that the fireworks were spectacular. He also said that there was a problem with people driving into private driveways and blocking driveways when parking on the road. He witnessed people being very disrespectful to the police officers especially on the Saturday fireworks night due to the no parking. Mr. Moyer said that people were moving the barricades. Mr. Moyer suggested that the letter to the residents about the no parking could be sent out earlier next year in case people are away on vacation because they would not know about moving their vehicles.

3) Animal waste

Mr. Moyer asked if there was any recourse for when dogs poop on other people's property. Ms. Johnston explained that Cumru Township Ordinance #549 is an Animal Nuisance Ordinance. The person experiencing the nuisance must testify.

AMBULANCE SERVICE

A.) Monthly Report – June 2023

Anthony Martin reported 212 EMS calls in June with an average response time of 6 minutes and 29 seconds. He also reported that TowerDirect received mutual aid twice and provided mutual aid to others on 40 occasions. They are continuing to hire more employees.

APPROVE MINUTES

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES OF 6/20/23 – REGULAR MEETING, AS SUBMITTED.

TREASURER

A.) Monthly Report – June 2023

B.) 2022 Audit

Mrs. Carpenter reported that the Township received a clean audit finding with no deficiencies for 2022. Ms. Johnston credited Mrs. Carpenter.

TAX COLLECTOR

A) June 2023 Report

- 1) Year 2023 Real Estate
 - Balance collectable beginning of month – \$489,777.36
 - Cash collected – \$246,359.89
 - Balance collectable end of month – \$243,417.47
- 2) Year 2023 Interim Real Estate
 - Balance collectable beginning of month – \$5,553.72
 - Cash collected – \$905.54
 - Balance collectable end of month - \$4,648.18
- 3) Year 2022 Interim Real Estate
 - Balance collectable beginning of month – \$1,025.16
 - Additions - \$7.72
 - Cash collected – \$0
 - Balance collectable end of month - \$1,032.88

DEPARTMENTS

Police Department

A.) Monthly Report – June 2023

Chief Winchester reported that there has been a rash of thefts from vehicles in the Thomas Gardens area. He said that 14 unlocked vehicles were targeted. Chief Winchester requested that everyone lock their vehicles to prevent crimes of opportunity.

B.) BusPatrol – Intergovernmental Agreement with Gov. Mifflin School District

Chief Winchester stated that the Governor Mifflin School District sent an intergovernmental agreement to the Cumru Township Police Department for the BusPatrol program. This program deals with the side stop signs attached to school buses that are engaged when the bus is stopped and children are boarding or exiting the bus. This program would video any vehicles that are not stopping and provide evidence to charge the drivers. Cumru Township Police would only be responsible for any offenses that occur in Cumru Township. The Solicitor has reviewed and approved the document.

Ms. Johnston explained that Cumru Township Police Department would only receive \$25.00 of the \$300.00 fine, so this is not a money-making venture for the Police Department.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CUMRU TOWNSHIP POLICE DEPARTMENT AND THE GOVERNOR MIFFLIN SCHOOL DISTRICT FOR THE BUSPATROL PROGRAM.

Fire Department

A.) Monthly Report – June 2023

Ms. Johnston stated that the Philadelphia Avenue fire is still under investigation by the PA State Police.

Emergency Management

A.) Promulgation of an Update to the Emergency Operations Plan

Mrs. Wylezik- Pfeiffer reported that she had updated the Cumru Township Emergency Operations Plan. The plan was last updated in 2021 and a lot of the contact information was outdated. She requested that the Board approve a Promulgation of the update to the Emergency Operations Plan.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPROVE A PROMULGATION OF THE UPDATE TO THE EMERGENCY OPERATIONS PLAN FOR CUMRU TOWNSHIP.

Administration

A.) Codes Department – June 2023

Building Permits Issued – 25

Use Permits Issued – 1

Zoning Permits Issued – 18

Notices of Violations – 20

Citations issued – 0

Zoning Hearing Board Hearings – Service Caster Way

Violations complied – 23

Phone calls from contractors, realtors & public approximately – 197

Properties condemned – 0

Permit Inspections Done – 28

Inspections with the Fire Department – 0

Training Seminars attended – 1

B.) Governor Mifflin Community Days

Ms. Johnston said that there will be multiple internal debriefing sessions to work through any issues and gain feedback for the future. She thanked the residents of Mifflin Park for their cooperation.

Mr. Kalbach, as the President of the Greater Governor Mifflin League, thanked everyone for their support.

C.) 25 Service Caster Way – re: Letters of support for waste transfer station

1) Memo from the Manager re: permit application to PaDEP, dated 6/28/23

Ms. Johnston explained that this is located next to Hafer's Petroleum and is the proposed site for a waste transfer station. This station would take waste to McKean County via the railway. She stated that the Township does not receive host fees for a waste transfer station. The request is for a letter of support to be included with the DEP permit application. Ms. Johnston reported that the Zoning Hearing Board gave verbal approval for the requested relief.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE THE MANAGER TO WRITE A LETTER OF SUPPORT FOR THE PROPOSED WASTE TRANSFER STATION LOCATED AT 25 SERVICE CASTER WAY FOR THE PADEP PERMIT APPLICATION.

2) request for support for Multimodal Transportation Fund (MTF) grant application

Ms. Johnston explained that the developer, and not the Township, would be applying for the grant. She recommended that the Board of Commissioners authorize a letter of support but not commit to any financial responsibility for the project.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE THE MANAGER TO WRITE A LETTER OF SUPPORT FOR THE PROPOSED WASTE TRANSFER STATION LOCATED AT 25 SERVICE CASTER WAY FOR THE MULTIMODAL GRANT APPLICATION CONDITIONED ON THE TOWNSHIP NOT ASSUMING ANY FINANCIAL RESPONSIBILITY FOR THE PROJECT.

D.) Grings Hill Business Park – re: JEAP application

Ms. Johnston reported that the developer for the proposed Grings Hill Business Park has asked the Township to approve a JEAP application. She explained that this is a process where the County holds a meeting to coordinate all the permitting entities involved in a proposed project to discuss timelines, deadlines and responsibilities.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPROVE A JEAP APPLICATION FOR GRINGS HILL BUSINESS PARK.

E.) Eagle Disposal/Waste Connections re: penalties for non-collection

1) Letter from Manager, dated 7/07/23

2) Letter from Manager, dated 7/17/23

This topic was discussed during the Public comments.

F.) Mitnick Subdivision – Conditional Final Approval

2023 – 05 MITNICK SUBDIVISION

EXPIRATION DATE – 9/08/2023

(Final Minor) Owners: Paul David & Ellen Marie Mitnick; Agent: John W. Hoffert, P.L.S., LTD.; Location: 47 Maple Grove Rd; Parcel ID# 39-439302998417; Plan no. D-23-27-1; Proposal Summary: Subdivision of parcel into 2 lots: Existing and Proposed Lot 1 use– single family dwelling with on-lot water and sewer; Residue use – passive recreation /silviculture.

a) Revised Final Minor Subdivision Plans from John W. Hoffert P.L.S., dated 06/06/23

b) 2nd Review Letter from GVC, dated 6/30/23

c.) Memo from Planning Secretary, dated 7/11/23

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO GRANT CONDITIONAL FINAL PLAN APPROVAL FOR THE MITNICK

SUBDIVISION PLAN SUBJECT TO RESOLUTION OF THE ISSUES STATED IN THE GREAT VALLEY CONSULTANTS REVIEW LETTER DATED 6/30/23.

Public Works

A.) Storm 07/09/2023

Mr. McNichols was happy to report that the Township did not experience any sanitary sewer overflows during the heavy rains on July 9, 2023.

B.) Reed St. Storm Sewer – update

Mr. McNichols reported that there had been a pre-construction meeting on July 6, 2023, and the project is moving forward.

C.) Act 57 Sewer Tapping Fee – Draft

Ms. Johnston explained that the tapping fee is a sewer connection fee calculated by a formula provided in a statute. The Township has spent a good deal of money to replace sanitary sewer mains and upgrade the pumping station at Flying Hills. The costs have increased considerably since the tapping fee was last calculated in 2009. The sewer engineer has presented a draft calculation. Ms. Johnston requested that the Board authorize a resolution to adopt a new sewer tapping fee, subject to final review by the Township sewer engineer and management staff.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE ADOPTING A RESOLUTION TO UPDATE THE SEWER TAPPING FEE, SUBJECT TO FINAL REVIEW BY THE MANAGER AND ENGINEER.

D) Road Patching

Mr. McNichols informed everyone that New Castle Rd., between Pleasant Run and SR724, would be closed as needed due to road paving.

E) Township Campus Utilities

Mr. McNichols also stated that the Administration Building has been connected to public water. This was the final campus building to be connected.

Engineer

A.) 2023 Road Work – South 9th St.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO AMEND THE AGENDA TO CONSIDER AUTHORIZING BIDDING FOR THE SOUTH 9TH STREET PAVING PROJECT.

Mr. Rogosky explained that the Township has received a DCED grant for \$117,988. The Township will supplement the remaining balance using Liquid Fuels money. He requested that the Board authorize advertising for bidding to open August 17, 2023, for this road project.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE ADVERTISING FOR BIDS TO BE OPENED ON AUGUST 17, 2023, FOR ROAD REPAIR WORK ON SOUTH 9TH STREET.

Solicitor

A.) Dangerous Structure Ordinance

Ms. Frankowski explained that this type of ordinance would allow the Township the ability to facilitate the restoration or demolition of dangerous structures in a timely manner. She requested that the Board consider authorizing her to draft an ordinance for review by the Board of Commissioners.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE SOLICITOR TO DRAFT A DANGEROUS STRUCTURES ORDINANCE FOR REVIEW BY THE BOARD OF COMMISSIONERS.

B.) Codification of Township Ordinances

A codification organizes all the ordinances for easier reference. The last codification of the Township Ordinances was approximately 20 years ago before there were electronic versions. Ms. Johnston informed the Board that the previous budgeted amount for codification had been removed from the budget before the project was finished. She and Ms. Frankowski both recommended that the Board authorize getting an estimate cost for an updated codification to be discussed at the budget meetings in October.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER TO AUTHORIZE GETTING AN ESTIMATE COST FOR THE CODIFICATION OF THE TOWNSHIP ORDINANCES TO BE DISCUSSED AT THE 2024 BUDGET MEETINGS.

PAYMENTS OF BILLS

ON MOTION OF MR. MILLER, SECOND OF MS. ROWE, A MAJORITY VOTE APPROVING PAYMENTS OF BILLS DATED 6/23/23, 6/30/23, 7/03/23 – PLGIT, 7/03/23, 7/07/23, AND 7/14/23. MRS. O’LEARY ABSTAINED FROM VOTING ON PAYMENT OF BILLS DATED 7/03/23.

COMMISSIONERS

A.) Resignation from Municipal Authority

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ACCEPT THE RESIGNATION OF GREG MILLER FROM THE MUNICIPAL AUTHORITY.

B.) Electric Vehicle Chargers – update from Commissioner Batdorf

Mr. Batdorf stated that they are waiting for the final cost components for the infrastructure.

C.) Reminders:

- 1) Zoning Hearing Board Regular Meeting - July 25, 2023, at 6:00 p.m.
 - a) Application No.802 continued from May re: Personal Care Home at 313 Pershing Blvd.

- b) Application No. 805 – re: relief to construct a garage (50ft x36ft)at 1129 Hunters Rd.

Ms. Johnston explained that the decision is expected to be rendered for the zoning map appeal on 7/25/2023. There is an 80-person capacity for the meeting room at 1775 Welsh Rd. She recommended that anyone interested in getting an email copy of the decision should put their name on a list being compiled by Township staff.

2) Board of Commissioners meetings for August and September 2023

- 8/15/2023 at 7:00 p.m. – Regular Meeting
- 8/29/2023 at 7:00 p.m. – 5th Tuesday Meeting
- 9/19/2023 at 7:00 p.m. – Regular Meeting

3) Planning Commission – August meeting canceled due to lack of formal plans

D.) Executive Session

8:20 p.m. – The Board met in executive session to discuss 3 personnel issues and 1 real estate issue.

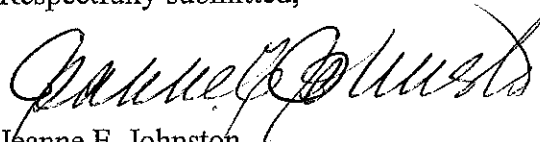
9:01 p.m. – The executive session ended; 3 personnel issues and 1 real estate issue were discussed.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ACCEPT THE RESIGNATION OF TEDD BREIDENSTEIN FROM THE HIGHWAY DEPARTMENT.

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:02 P.M.

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary