

CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING **JULY 19, 2022**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth A. O'Leary at 7:08 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, Sewage Enforcement Officer Allen Madeira, and Joseph P. Rogosky of Great Valley Consultants. Asst. Superintendent of Public Works Michael Yost, Jr., 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. 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: Roxann Miller, Barbara Nagle, Holly Meyer, Sheldon Meyer, Susan Shellong, David Shellong, Claude P. Mervine, Jake Tanis, Eric Ermold, Jill Darrenkamp, Elvis Espinal, Luz Lopez. John Ernesto, Susan Ernesto, Jason Dorta, Heather Yohn, and Pamela VanFossen.

A.) Various residents signed the attendance sheet indicating that they wished to address the Board of Commissioners with respect to 6 Joseph's Way.

Eric Ermold, a resident of Josephs Way, told the Board about a recent serious incident where a resident of the neighborhood group home walked into a neighbor's garage without permission. The group home employees also walked into the neighbor's garage without permission to retrieve the group home resident.

Mrs. O'Leary stated that the Board had been told by the DA that the person causing problems in the neighborhood would be removed. Mr. Ermold replied that that person was removed but others have moved in. He does not believe that the company cares or that the employees are properly watching the group home residents. Mr. Setley told him to contact the home again. Mr. Ermold also reported that when he contacted the owners that he was told that all of the Berks County residents had been moved out of the home. He is concerned for the safety of all the neighbors residing along Josephs Way. Mr. Setley asked Mr. Ermold to give him the contact information and he would reach out.

Chief Winchester said that the Township and the Police Department are "handcuffed" because the people are not competent so there is only so much that can be done. The Police respond to all the complaints and the company is notified every time there is a complaint.

Jill Darrenkamp, a resident of Josephs Way, reported that that she lives at the house where the recent incident occurred. She said that her family was home with the garage door open when they heard their dog barking. Her husband went to investigate. He found the person in their garage and yelled at him to leave. Her husband slammed the house door and yelled at the man again. The workers came into the garage and carried the person out of the garage.

Mrs. Darrenkamp stated that she has personal experience because her father suffered from dementia and was a nuisance to the public. She stated that the trespasser was very slow-moving. He could have hurt himself or others, especially the children. Her father was in a locked facility. She asked why the residents of the group home were not in a locked facility?

Nada Liepins, a resident of Josephs Way, wanted to know who approved this group home. Mr. Setley told her that the Township can not disapprove the home under the "Fair Housing Act". The Township can only contact the regulating agency to confirm that the company has an operating permit.

Chief Winchester stated that the Police Department is just as concerned as the neighbors. Any time the police officers respond, there is a concern for their safety as well as the safety of the neighbors and the group home residents. He believes that the best approach is to keep putting pressure on the agency.

Mr. Setley reminded everyone that the Township does not have the authority to remove the group home.

B.) Heather Yohn re: on lot sewage problem in her neighborhood

Heather Yohn, a resident of Beech Rd., reported to the Board that she received a letter in February 2020 about a sewage discharge on her property. The Township Sewage Enforcement Officer, Allen Madeira, found that the problem was on the neighbor's property. She said that the problem has continued and they can not use approximately 1 acre of their property due to the smell. Her children can not play in the yard. She is concerned about the drinking water and the spread of diseases. She is also concerned about the wildlife and the environment.

Mr. Setley informed her that a permit has been issued. If the work is not completed within 60 days, the Township will get the job done and lien the property for the expense.

Mrs. O'Leary stated that it is a good idea for properties with wells to get the well water tested regularly. The Township is aware of the problem and the difficulties associated with the problem.

Mr. Setley confirmed that the Township understand frustration with the problem.

Mr. Madeira explained that enforcement would have stopped the process. The court would probably not put the elderly lady on hospice out on the street. They were getting the tank pumped regularly but the septic system was failing. Progress is finally being made and a permit has been issued.

**APPROVE MINUTES
ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE
APPROVING THE MINUTES OF 6/21/22 AS SUBMITTED.**

TREASURER

A.) Monthly Report – June 2022

Mrs. Carpenter announced that the annual audit went very well. Ms. Johnston reminded the Commissioners that the year-end financial statement was on their tablets for review.

DEPARTMENTS

Police Department

A.) Monthly Report – June 2022

Chief Winchester told the Board that the Governor Mifflin Community Days went very well. Mr. Kalbach, on behalf of the Greater Governor Mifflin League, wanted to thank the Police Department for a job well done. He reported that there were no incidents.

Fire Department

A.) Monthly Report – June 2022

B.) Fire Station Phase 1 – Change Order #4 for the Culvert at Hunters and Reed.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE THE CHANGE ORDER #4 FOR ANKIEWICZ ENTERPRISES, INC. FOR \$107,172.00.

Ms. Johnston reported that the back driveway for the Township Office Building will be closed starting 7/20/2022, in order for the roadway to be widened to accommodate two cars at the same time. This driveway will serve local residents when Welsh Rd. is closed for construction.

C.) Hiring – update

Chief Beane reported that the Fire department is on track to potentially hire 5 new fire firefighters.

Ms. Johnston reported that Chief Beane has made great efforts to keep the process moving forward so the candidates will be ready to enter the Fire Academy in August.

Mr. Kalbach, on behalf of the Greater Governor Mifflin League, wanted to thank the Fire Department for the coverage during the fireworks.

Mr. Miller was grateful to see the pictures of the progress of the new fire truck.

Administration

A.) Codes Department – June 2022

Building Permits Issued – 13
Use Permits Issued – 3
Zoning Permits Issued – 14
Notices of Violations – 20
Citations issued – 0
Violations complied – 13

Phone calls from contractors, realtors & public approximately – 167
Properties Condemned – 0
Permit Inspections Done – 32
Inspections with the Fire Department – 0
Training Seminars Attended – 1

B.) Recycling Container Purchase

1) Memorandum from Manager re: need to replenish supply, dated 07/15/2022

Ms. Johnston reminded everyone that Cumru Township is a mandated recycling community. The Township had purchased extra containers in 2014 and the supply has dwindled.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO PURCHASE 500 NEW RECYCLING CONTAINERS AND LIDS FOR THE AMOUNT OF \$875.00

D.) 2023 Refuse Budget – Refuse and Recycling Hauling Contract

1) Memorandum from Manager re: 2023 option year, dated 07/15/2022

Ms. Johnston explained that the current contract has 1 option year remaining. The reason that this is coming before the Board is that the process to contract a new refuse/recycling hauler is very involved and time consuming.

Mr. Setley reminded the Board that the Township could end up with Eagle Disposal of PA, Inc. at a higher cost than the option year would cost.

The expectation is that these fees will increase due to all the increases in the cost of doing business

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ACCEPT THE 2023 OPTION YEAR REMAINING ON THE EAGLE DISPOSAL OF PA., INC. CONTRACT FOR THE AMOUNT OF \$635,236.00 PLUS \$78,000.00 FUEL SURCHARGE.

E.) Leaf Picker

Mr. McNichols reported that the prices have been variable, so he did not have an exact total.

Ms. Johnston said that a DEP recycling Grant could help pay for the leaf picker and trash/recycling flyers.

ON MOTION OF MR. MILLER, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE PUBLIC WORKS TO PURCHASE A NEW LEAF PICKER.

F.) Heritage of Green Hills – escrow release no. 3

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO APPROVE THE ESCROW RELEASE CONDITIONED ON SATISFYING ITEMS OF CONCERN BY GREAT VALLEY CONSULTANTS.

G.) 2022-07 WILSON/LETSCHKE ANNEXATION

EXPIRATION DATE 10/10/2022

(Preliminary/Final Plan) Owners: Martina L. Baer, Michael Letsche, Randalf Letsche/Shannon B. Wilson and Christina L. Wilson; Agent: Snyder Surveying, LLC, Christopher W. Snyder, PLS; Location: 1878 Old Lancaster Pike; plan no. 1054-002; Proposal summary: annexation

- 1) Memorandum from Planning Secretary re: Planning Commission recommended conditional approval, dated 07/18/2022

This proposed annexation is to convey land from one property owner to another due to the pool and part of the sewer being on the neighbor's property. There is an easement with another neighboring property owner.

ON MOTION OF MRS. O'LEARY, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE THE WILSON/LETSCHER ANNEXATION PLAN.

Public Works

A.) 2023 Capital Budget – 10 Ton Dump /Truck

- 1) Memorandum from Manager re: recommendation to order, dated 07/18/2022

Due to supply chain issues and delays, Mr. McNichols requested that the Board approve the purchase of a 10 Ton Dump Truck. He has a current quote for \$202,046.55.

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE THE PURCHASE OF A 10 TON DUMP TRUCK FOR 2023, NOT TO EXCEED \$205,000.00.

B.) Van for Buildings and Grounds

Mr. McNichols reported that the electric van order was cancelled by the factory. Due to the price increase and the rebate decrease associated with reordering another electric van, the Public Works liaisons decided to order a gas-powered van for only \$400 more than the approved cost for the previously ordered electric van.

Engineer

A.) 2022 Road Work – Oregon Rd – Application for payment #1 for \$239,225.85

- 1) Letter from Great Valley Consultants re: recommendation for payment, dated 07/14/2022

Mr. Rogosky reported that the construction of Oregon Rd. is slow-going due to the unstable conditions of the road. He said that a section of rusted pipe was replaced.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE PAYMENT #1 FOR CONSTRUCTION MASTERS SERVICES, INC. IN THE AMOUNT OF \$239,225.85.

Mrs. O'Leary asked if the state liquid fuels money would be used to pay for the reconstruction of Oregon Rd. Ms. Johnston confirmed that state liquid fuels money would pay for part of the project and the remainder would be paid from the general fund. The transfer tax has increased so this will help pay for this. She also reminded everyone that the second transfer of the ARPA money would be released this fall and that some of that money could also be used.

B.) Pheasant and Ivy Lane Culvert

Mr. Rogosky contacted the contractor about submitting a payment application for the remaining balance. The contractor is agreeable to accepting the retainer as payment in full for the project. This would be done as a change order. The additional materials used would offset the services not used.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO APPROVE A CHANGE ORDER TO AXIS FOR THE RETAINAGE RELEASE IN THE AMOUNT OF \$12,375.00 AS PAYMENT IN FULL.

Solicitor

Mr. Setley did not have anything to report.

PAYMENTS OF BILLS

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE PAYMENT OF BILLS DATED 6/24/22, 6/24/22 - ADDITIONAL, 6/29/22, 6/29/22 – PLGIT, 7/01/22, 7/08/22, 7/15/22.

CORRESPONDENCE

- A.) Downstream Notification from Reading Terminals located along Mt. Home Rd, Sinking Spring– dated 7/01/2022
- B.) Zoning Hearing Board notice for 07/26/2022 re: Request for relief to build a pole barn on vacant land at 340 Old Lancaster Pike

COMMISSIONERS

A.) Executive Session

An Executive session was not needed.

B.) Reminders:

- 8/01/2022 – Planning Commission Meeting- This meeting will be held in the Governor Mifflin Intermediate School cafeteria
- 8/16/2022 at 7:00 p.m. – Regular Meeting
- 8/30/2022 at 7:00 p.m. – 5th Tuesday Meeting
- 9/20/2022 at 7:00 p.m. – Regular Meeting

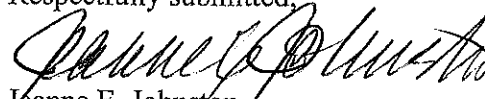
Mrs. O’Leary announced that NorthPoint Developers would be holding an Open House at Berks Nature on July 26, 2022, from 5-7 p.m.

Mr. Miller requested that the October Budget meetings scheduled for 10/13/22, 10/20/22, and 10/27/22 start at 3:30 p.m. The Board agreed to the time change.

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:21 P.M.

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary