

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING                      AUGUST 21, 2018**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President Ruth O'Leary at 7:00 p.m. Other Commissioners in attendance were Vice President Edward L. Gottschall, Sheri Hoover, William B Miller and David J. Batdorf. Also attending were Solicitor Michael A. Setley, Superintendent of Public Works Robert McNichols, Jr., Assistant Superintendent of Public Works Michael L. Yost, Manager Jeanne E. Johnston, Secretary Latoya Procopio, and Joseph P. Rogosky of Great Valley Consultants.

Pledge to the Flag.

**PUBLIC**

Attendance: Bill and Harriet Layton of Freemansville Road, Courtney Dukeman of Freemansville Road, Michael Caterina of Jana Court, Joseph Moser of Freemansville Road, Denise Pehlman of 18 Shady Hollow, Deborah Fake of 1108 Freemansville Road, Shirley Ziegler of 770 Freemansville Road, Kevin and Dawn Ludwig of 1039 Freemansville Road, Joseph D'Ascenzo of 180 5<sup>th</sup> Avenue, King of Prussia, Sharon and Ron Hrabak of 71 Flint Ridge Drive, Mady Johnson of 443 Calyn Drive, Keith Smoker of the Reading Eagle, and Larry Solomon of 475 Poplar Neck Road.

A) Joseph V. D'Ascenzo, Jr., President and Chief Technology Officer of ReFined Plastics, LLC.

Joseph D'Ascenzo of King of Prussia was present for discussion. Mr. D'Ascenzo introduced himself to the Board of Commissioners, stating he would like to redevelop the Titus Station. He has been working on securing the site for 1 year and is currently in the due diligence phase. He requested the Board allow the Township Manager to provide the appropriate information.

Mrs. Hoover questioned what the company produces. Mr. D'Ascenzo stated the company manufactures plastic. Mr. Batdorf asked how many employees the facility would have. Mr. D'Ascenzo stated the facility would employ 164 people.

B) Joseph Moser of 822 Freemansville Road re: stormwater

Mr. Moser explained to the Board that, since the Sheerlund Property removed all of the trees, he has had a 15-foot wide river in his yard and 3 inches of water in his basement. He stated he called the Township in July regarding the drainage issue but was told nothing could be done at that time. Mr. Moser's property is small and he feels that there is no room to construct a swale in his yard. Mr. Setley stated the property owner of Sherlund was referred to the Berks County Conservation District and the property owner's attorney was also contacted by Mr. Setley.

Ms. Johnston informed the Board and the public that the Department of Agriculture was contacted by BCCD regarding this issue because the Department of Agriculture has requirements when a farm changes its crop production.

C) Deborah Fake of 108 Freemansville Road re: stormwater

Mrs. Fake stated she has lived at her property for 49 years without water issues until the Christmas trees were removed from Sheerlund Forest two years ago. She stated a swale was dug by Mr. Carlino behind her home, which has helped. However, the 6' by 11' swale was no match for the amount of rain we received over the last month. Mrs. Fake explained that she and her

husband have has 2 inches of water in their basement. Other neighbors have water in their basements as well. Mrs. Fake requested a swale from 1108 Freemansville Road to Horseshoe Lane.

D) Shirley Ziegler of 770 Freemansville Road re: stormwater

Ms. Ziegler stated her house is at the top of the hill. She stated her property is tiered but the water has deteriorated the tiers. Ms. Ziegler has called Berks County Conservation District and has gotten a list of conservation engineers.

E) Kevin Ludwig of 1039 Freemansville Road re: stormwater

Mr. Ludwig stated two storm drains by his home were clogged. He requested that the Township unclog the drains. Mr. McNichols stated Freemansville Road is a State road. Since it is a State road PennDOT is responsible and the Township cannot do any work on that road.

F) William Layton of 735 Freemansville Road re: stormwater

Mr. Layton stated he has lived there since 1970 and the problem did not occur until the Sheerlund trees were removed. He questioned if the owner of Sheerlund Forest would be responsible for damages. Mr. Setley stated Mr. Layton should seek counsel on that point.

G) Courtney Dukeman of 742 Freemansville Road re: stormwater

Ms. Dukeman stated she has lived in her home for 8 years and now has \$15,000 worth of damage to her basement. She believes it was caused by Sheerlund Forest. She expressed her disapproval of the response from the Township. Mr. Setley informed Ms. Dukeman and the public that this agency is not able to do anything for them and he suggested that they reach out to Berks County Conservation District. Mrs. O'Leary stated she would attend the next BCCD meeting with the residents of Freemansville Road.

H) Denise Pehlman of 18 Shady Hollow Lane re: proposed parking restriction

Ms. Pehlman stated she lives on the corner of Flint Ridge and Shady Hollow. She questioned where the signs will be placed and how the new parking restrictions will be enforced. Mr. Setley informed Ms. Pehlman that public works would be posting the signs and the police will be handling enforcement. The purpose of the new parking restriction is to allow emergency personnel to ingress and egress the properties. Snow plowing has been difficult on the road as it is very narrow. Chief Winchester explained to the public that the non-emergency line can be called if people do not follow the new parking regulations. The Chief stated warnings will be given, as this may take the residents some time to get used to. If the issue progresses, a ticket will be issued.

I) Ron Hrabak of 71 Flint Ridge Drive re: proposed parking restriction

Mr. Hraback expressed to the Board his concerns for the new parking restriction on Flint Ridge Drive. He stated that it was never a problem before, but now there is not enough parking. He questioned why the Township decided to place the restriction on the even side instead of the odd side. Mr. Setley stated it is logical when you park to get out on the side of the street that has sidewalk.

**SOUTHERN BERKS REGIONAL EMS**

A) Monthly Report – July 2018

Mr. Malcom Cole was present for discussion. He stated that Southern Berks is in the middle of their donation period. Mrs. Hoover questioned what type of public relation material they have currently going on. Mr. Cole stated Southern Berks has attended a car show and has done hands on CPR training at other local events, such as Community Days.

**TREASURER**

A) Monthly Report – July 2018

**TAX COLLECTOR**

A) July 2018 Report

- 1) Year 2018 Real Estate
  - Balance collectable beginning of month – \$205,997.03
  - Cash collected - \$15,138.39
  - Balance collectable end of month - \$192,234.89
- 2) Year 2018 Refuse
  - Balance collectable beginning of month - \$41,420.00
  - Cash collected - \$3,762.00
  - Balance collectable end of the month - \$38,135.00
- 3) Year 2018 SMP
  - Balance collectable beginning of month - \$4,125.00
  - Cash collected - \$330.00
  - Balance collectable end of the month - \$3,825.00
- 4) Year 2018 Real Estate Interim
  - Balance collectable beginning of month – \$2,907.29
  - Cash collected - \$270.28
  - Balance collectable end of the month - \$2,631.51
- 5) Year 2018 Per Capita
  - Balance collectable beginning of month – \$56,760.00
  - Cash collected - \$17,028.20
  - Balance collectable end of the month - \$38,475.00

**APPROVE MINUTES**

**ON MOTION OF MR. MILLER, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE TO APPROVE THE MINUTES FROM 7/17/2018 – REGULAR MEETING AND 7/31/2018 – WORKSHOP MEETING.**

## CONSENT AGENDA

### Planning

#### A) GOOD LIFE FINANCIAL – escrow release no. 1 (final)

- 1) Letter from Great Valley Consultants re: recommendation to release \$86,768.08, dated 8/7/2018

#### **ACTION:**

**AUTHORIZED ESCROW RELEASE NO. 1 - FINAL IN THE AMOUNT OF \$86,768.08 FOR THE GOOD LIFE FINANCIAL LAND DEVELOPMENT PLAN AS REVIEWED AND APPROVED BY THE TOWNSHIP ENGINEER.**

#### B) IMPINK SUBDIVISION – escrow release no. 3

- 1) Letter from Great Valley Consultants re: recommendation to release \$10,430.80, dated 8/3/2018

#### **ACTION:**

**AUTHORIZED ESCROW RELEASE NO. 3 IN THE AMOUNT OF \$10,430.80 FOR THE IMPINK SUBDIVISION AS REVIEWED AND APPROVED BY THE TOWNSHIP ENGINEER.**

#### C) NTP WIRELESS – fiber optic facility

- 1) Memorandum from Secretary re: Planning Commission recommended waiver of land development, dated 8/20/2018

#### **ACTION:**

**GRANTED A WAIVER TO LAND DEVELOPMENT PLANNING REQUIREMENTS FOR A FIBER OPTIC MODULAR STRUCTURE AT THE SHILLINGTON PLAZA.**

### Public Works

#### A) Sale of Surplus Property

#### **ACTION:**

**ADOPTED A RESOLUTION FOR THE SALE OF SURPLUS TOWNSHIP PROPERTY AT AUCTION, AS FOLLOWS:**

VEH #	YEAR	MAKE	MODEL	VIN	DESCRIPTION
17	2010	FORD	CROWN VIC	2FABP7BV9AX127229	Police car
28	2009	FORD	CROWN VIC	2FAHP71V19X135204	Police car
85	2005	INTERNATIONAL	SWEEPER	1HTMPAFN45H682642	Street sweeper
66	2006	FORD	F-350 P/U	1FTWX31576EA32974	pick-up truck
78	2003	FREIGHTLINER	FL-80 DUMP	1FVABXAK43HL03882	10 ton dump
93	1999	SECA	747 FR2000	1623	Sewer jetter

### Administration

#### A) Records Management

#### **ACTION:**

**ADOPTED A RESOLUTION AUTHORIZING THE DISPOSAL OF RECYCLING RECORDS FROM 2001 THROUGH 2007.**

**B) Credit Card Payments – user fee**

**ACTION:**

**ADOPTED A RESOLUTION REQUIRING THAT, IN CREDIT CARD PAYMENTS TO CUMRU TOWNSHIP, THE CUSTOMER SHALL PAY THE CREDIT CARD SURCHARGE.**

**END OF CONSENT AGENDA**

**ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO APPROVE THE CONSENT AGENDA.**

**DEPARTMENTS**

Police Department

**A) Monthly Report – July 2018**

Chief Winchester informed the Board that the Township has experienced a rash of thefts from cars in the Mifflin Park Area. Chief Winchester encouraged the audience to keep their car doors locked as these crimes seem to be crimes of opportunity.

**B) General Orders – adopt policy authorizing periodic updates**

**ON MOTION OF MRS. HOOVER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE GENERAL ORDER 3.1 POLICY AS PRESENTED, TO AUTHORIZE PERIODIC UPDATES TO THE POLICES AND BEST PRACTICES.**

**C) 2018 Traffic Ordinance Amendment – parking Shady Hollow and Flint Ridge**

- 1) ordinance advertised 8/10/2018
- 2) notification to property owners, dated 8/10/2018

**ON MOTION MR. BATDORF, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE TO ADOPT THE TRAFFIC ORDINANCE AMENDMENT, AS ADVERTISED.**

Fire Department

**A) Monthly Report – July 2018**

**B) Hazard Vulnerability Assessment Mitigation Plan – adopt resolution**

**ON MOTION MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO ADOPT THE HAZARD VULNERABILITY ASSESSMENT MITIGATION PLAN RESOLUTION, AS PRESENTED.**

Administration

**A) Codes Report- July 2018**

- Building Permits Issued- 11
- Use Permits Issued- 4
- Zoning Permits Issued- 8
- Notices of Violations- 47
- Citations issued- 0
- Violations complied- 28

Phone calls from contractors, realtors & public approximately- 205  
Permit Inspections Done – 22  
Inspections with the Fire Department – 4

**B) Flood 8/13/2018 – declaration of emergency for certain repairs**

- 1) bridge located at 1069 Church Rd.
- 2) damage to Mt. View Rd. project

**ON MOTION OF MRS. HOOVER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING THE DECLARATION OF EMERGENCY FOR CERTAIN REPAIRS FOR THE CHURCH RD. CULVERT AND THE MT. VIEW ROAD RECONSTRUCTION PROJECT IN RELATION TO THE FLOOD OF 8/13/2018.**

**C) Wyomissing Creek Watershed Coalition - Cost sharing**

- 1) Letter from the Wyomissing Creek Watershed Coalition re: first payment for engineering, dated 07/30/2018

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE AUTHORIZING A PAYMENT IN CONNECTION WITH THE COST SHARING AGREEMENT WITH THE WYOMISSING CREEK WATERSHED COALITION IN THE AMOUNT OF \$20,000.00.**

**D) 3 Jana Court – proposed Stormwater facility**

Mr. Michael Caterina stated he moved into Ashley Run 3 months ago. There is now water in his basement and his sump pump has been running for 17 consecutive days. He stated Walter Greth, the developer, tried to rectify the situation by building a trench for a pipe to drain into the detention basin, but Mr. Greth was stopped by the Township.

Ms. Johnston informed the Board that the Township's sewer crew informed her of a digging operation occurring near 3 Jana Court on Township-owned property. There was no PA One Call performed and the amount of earth disturbance was significant. Ms. Johnston stated the developer would like to direct the water across the Township's property to the HOA-owned detention pond. Ms. Johnston informed Mr. Greth that she was unable to give permission for him to proceed and the matter should come to the Board of Commissioners. She also informed him that the Township would need plans and information on where the pipe would cross the Township sewer easement. Mr. Setley stated the Home Owners Association would need to agree with the plan. The Board indicated that, once all the documentation is received and reviewed, the Township will grant an easement.

Public Works

**A) Monthly Report – July 2018**

Mr. McNichols informed the Board and the public that the Township has received 11 inches of rain so far in the month of August.

**B) Poplar Neck Bridge – change order and budgetary transfer**

- 1) application for payment no. 1 in the amount of \$131,399.21
- 2) change order no. 1
  - a) Memorandum from STV Engineers re: additional repairs needed, dated 08/13/2018
  - b) proposed change order

c) budget

contract	\$606,250.00	
additional repairs on spans 1-4 & 9	\$ 9,000.00	already done
additional repairs on other spans	\$ 21,000.00	est. based on spans 1-4 & 9
4 additional joints	\$ 11,190.40	
repair of eastern approach	\$ 11,900.00	
deck proposal	<u>\$296,158.00</u>	
projected cost w/change order	\$955,458.40	
budgeted in capital	-\$400,000	
County liquid fuels	<u>-\$259,925</u>	reimbursement
Needed from general fund balance	\$295,573.40	

**ON MOTION OF MR. MILLER, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING THE APPLICATION FOR PAYMENT NO. 1 TO BILL ANSKIS COMPANY, INC., IN THE AMOUNT OF \$131,399.21**

**ON MOTION OF MR. MILLER, SECOND OF MR. GOTTSCHALL, A UNANIMOUS VOTE APPROVING THE POPLAR NECK BRIDGE CHANGE ORDER NO. 1 AND BUDGETARY TRANSFER.**

C) PPL Streetlight Acquisition - update

Ms. Johnston reported receiving a bill for the streetlights, but transfer of ownership has not been confirmed.

Engineer

A) 2017 Road Work

- 1) Change order no. 2 for balancing quantities

*Note: no additional cost*

**ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE CONTRACT CHANGE ORDER FOR THE BALANCING OF THE 2017 ROAD WORK PROJECT.**

B) 2018 Road Work

- 1) Change order no. 1 for storm sewer not to exceed \$7,822.50

Mr. Rogosky stated that GVC would attempt to reduce the cost of the change order.

- 2) payment application no. 1 in the amount of \$268,711.81

**ON MOTION OF MR. BATDORF, SECOND OF MILLER, A UNANIMOUS VOTE APPROVING THE CHANGE ORDER NO. 1 FOR STORM SEWER, NOT TO EXCEED \$7,822.50.**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING APPLICATION OF PAYMENT NO. 1 TO NEW ENTERPRISE STONE AND LIME COMPANY INC., IN THE AMOUNT OF \$268,711.81 WITH A 10% OF THE GROSS AMOUNT TO BE PLACED IN RETAINAGE.**

Solicitor

**PAYMENTS OF BILLS**  
**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS**  
**VOTE APPROVING THE PAYMENT OF BILLS FROM 07/20/2018, 08/03/2018-**  
**additional, 07/26/2018, 08/03/2018, 07/30/2018, 08/10/2018, 08/03/2018-IT, AND 08/16/2018**  
**Mrs. Hoover abstained from payment 08/03/2018 – IT.**

**CORRESPONDENCE**

A) Berks County Communication Development Public Hearing Notice, dated 08/30/2018

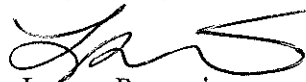
**COMMISSIONERS**

A) Executive Session

**ADJOURNMENT**

**ON MOTION OF MR. GOTTSCHALL, SECOND OF MR. BATDORF, A UNANIMOUS**  
**VOTE TO ADJOURN THE MEETING AT 8:55 P.M**

Respectfully submitted



Latoya Procopio  
Secretary