

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS**  
**5<sup>TH</sup> TUESDAY MEETING                      AUGUST 29, 2023**

The 5<sup>th</sup> Tuesday 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., Asst. Superintendent of Public Works Michael Yost, Jr., Manager/Secretary Jeanne E. Johnston, Business/Personnel Administrator Peggy A. Carpenter, and Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer. Joseph P. Rogosky of Great Valley Consultants 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.

**SWEARING IN**

Chief Winchester announced that the Police Department is proud to have Andrew Yetter and Darius Toro be sworn in as new officers.

Andrew Yetter grew up locally and had a 20-year career in the US Marines. Officer Yetter was sworn in by Jeanne Johnston.

Darius Toro also had a career in the military. Officer Toro was sworn in by Jeanne Johnston. His father, a police officer for Northern Berks, had the honor of pinning his shield.

**LIFE SAVING AWARDS**

Chief Winchester proudly announced citations awarded to members of the Cumru Township Police Department.

On July 28, 2023, Officer Matthew Melcher responded to an accident at I-176 and SR724 involving a tractor trailer carrying hot asphalt that had overturned. Officer Melcher risked personal injury and rescued the trapped driver. Officer Melcher was awarded a Meritorious Citation with a bar to be worn above his name badge.

On June 3, 2023, Officer Shawn Heatley responded to a call and performed life-saving measures for a person experiencing cardiac arrest. For his actions, Officer Heatley was awarded his 2<sup>nd</sup> Life-Saving Award.

On July 4, 2023, Officer Corbin Jones responded to a call involving a 1-month-old baby that was unresponsive, had no pulse and was in cardiac arrest. Officer Jones performed CPR and the baby is improving. Officer Jones was awarded his 1<sup>st</sup> Life-Saving Award.

Congratulations to these men and thank you to all of our Police Officers for their continued service to the community!

## PUBLIC

Attendance: Christina Worley, Keith Worley, Bev Lioni, Greg Lioni, Barbara Nagle, Roberta Kennedy, JoAnn Dowling, Janice DiMariano, and Greg Miller.

A) Mrs. Christina Worley, a resident of Flint Ridge Dr., requested that the Board vote to allow the Berks County Republican Committee to conduct their monthly meeting in the Board of Commissioners room. She explained that since they are losing their current meeting place in the Goodlife community room at the end of the year, they would need a new handicapped accessible place beginning in January 2024. They meet the 4<sup>th</sup> Wednesday of the month. She stated that she was willing to personally take responsibility for the room.

Ms. Frankowski will do research into this matter.

B.) Bev Lioni, a resident of Crestview Ave., reserved the right to speak when Montrose playground is discussed later in the agenda.

C.) Greg Miller, a resident of Brassie Circle, addressed the Board asking for clarification about the Blighted Property process and the proposed Dangerous Structure Ordinance.

Ms. Frankowski stated that the Ordinance would be specific to the Township and the Blighted Property process is through the County.

There was discussion about the need to address dangerous structures in a timely manner for the safety and well-being of the Township residents. The wording in the ordinance concerning penalties that could be imposed was discussed. The Township has also used the International Property Maintenance Codes manual for these issues in the past. The Dangerous Structure Ordinance would cost less and be quicker than both the Blighted Properties process and enforcement through the codes process.

Ms. Johnston stated that none of the options were cost-free to the individuals. The Blighted Property process works but it takes approximately a year. If the building is truly dangerous, it is better to address remediation sooner rather than later. She cited some examples where the Township was able to assist residents to find solutions for unsafe living conditions.

Ms. Johnston suggested rewording some of the ordinance.

William Miller explained that the ordinance is still being revised and has not been advertised at this time.

## DEPARTMENTS

### Police Department

A.) ) Mohnton-Cumru Lions Club's Annual Great Pumpkin Parade- Sat. October 21, 2023

1) Letter, dated 8/23/23

2) Detour map

Chief Winchester stated that the Township has received the letter and detour map for the Annual Great Pumpkin Parade. Fire Police assistance is requested during the parade .

**B.) Fire Police Appointments**

Chief Winchester reported that the Township has received 2 Fire Police applications for consideration. He explained the process to become a member of the Fire Police. Once the process is completed, the qualified applicants would be sworn in during a BOC meeting.

**ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO APPROVE THE CUMRU TOWNSHIP FIRE POLICE APPLICATIONS FOR JAYE KOTESCHESA AND NATHAN MCKEEVER.**

Chief Winchester reported these 2 individuals will bring the fire police complement to 5.

Fire Department

Chief Beane had nothing to report.

Administration

**A.) Sewer Tapping Fee re: Readopt Resolution**

- 1) recalculation \$3,060.48
- 2) inspection fee \$150.00, permit fee \$25.00

Ms. Johnston explained that a resolution had previously been approved subject to confirmation of one cost item. That item has changed the calculation. She requested that the Board vote to readopt the revised resolution. The purpose of the tapping fee is to recoup costs for maintenance and repair of the sewer lines.

**ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO READOPT THE SEWER TAPPING FEE RESOLUTION WITH A FEE OF \$3060.48 FOR THE CONNECTION, \$150.00 FOR INSPECTION, AND \$25.00 FOR THE PERMIT.**

**B.) America 250PA Resolution**

- 1) PSATC email received 8/24/23

Ms. Johnston stated that the Township had received an email requesting that the Board approve a resolution to show support for America's 250 years.

**ON MOTION OF MS. ROWE, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO APPROVE THE AMERICA250PA RESOLUTION.**

Ms. Rowe stated that she is a member of the committee.

**C.) Refuse re: Specifications for Bidding**

Ms. Johnston reported that she has a draft of the specifications for bidding the refuse contract for the liaisons to review. She requested that the Board authorize advertising bidding for the refuse contract.

**ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO AUTHORIZE ADVERTISING FOR THE REFUSE CONTRACT.**

D.) Aldi Assessment Appeal

Ms. Johnston explained that the Township gets a list of all the tax assessment appeals. If appeals are successful, real estate tax revenue is reduced. This in turn negatively affects the budget. She usually only brings the larger ones to the Board's attention because there are numerous properties on the lists. The Aldi assessment appeal is for an assessment over \$1million. Ms. Johnston asked the Board members if they would like to get involved in this appeal. The Board agreed to get involved.

E.) Use of Montrose Playground Field

Ms. Johnston explained that this item is on the agenda because a neighboring business wants to place tents in the open area to be used for a company function. The company spokesperson was told to attend the BOC meeting in person or send a detailed email for this request. The company has not done either of these. After some discussion, the Board decided against allowing this use of the Montrose Playground area.

Bev Lioni inquired about the status of the building and the playground. She stated that organizations used to hold meetings in the basement many years ago.

Ms. Johnston stated that the pavilion can be used. The bathrooms and the basement are not handicapped accessible. The building was built as a fallout shelter and is not safe by current standards.

Public Works

A.) 2023 Road Work – Cedar Top Rd. phase 1 - update

Mr. McNichols explained that the bid was awarded to Construction Masters Services, LLC at the August 17, 2023, Board of Commissioners meeting. Letters were sent to the area residents and the project will start soon.

B.) Fawn Dr.

Mr. McNichols stated that the Township will continue the roadwork on Fawn Drive. They will start at Beech St. and work toward Pheasant Rd. The new paver is much more efficient and the goal is to complete as much as possible depending on weather conditions.

Engineer

No report.

Solicitor

**A.) Penske Appeal re: Court Appeal to Zoning Hearing Board Decision**

Ms. Frankowski reported that an appeal has been filed to the Zoning Hearing Board decision for the Penske Zoning Map Appeal. She asked the Board if the members wanted to intervene.

**ON MOTION OF MRS. O'LEARY, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO INTERVENE IN THE PENSKE TRUCK LEASING ET AL. APPEAL TO THE ZONING HEARING BOARD DECISION ON A SUBSTANTIVE CHALLENGE TO THE VALIDITY OF ORDINANCE NO. 753.**

## COMMISSIONERS

### A.) Reminders:

- 1) Zoning Hearing Board Regular Meeting – September 26, 2023, at 6:00 p.m.
- 2) Board of Commissioners meeting for September 2023  
- 9/19/2023 at 7:00 p.m. – Regular Meeting
- 3) Planning Commission – September 11, 2023, at 6:00 p.m.  
(Note: Meeting is scheduled for the 2<sup>nd</sup> Monday due to Labor Day)

### B.) Executive Session

7:59 p.m. – The Board met in executive session to discuss one matter of litigation, one real estate matter, and two matters of collective bargaining.

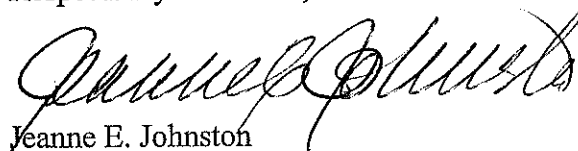
8:43 p.m. – The executive session ended at which one matter of litigation, one real estate matter, and two matters of collective bargaining were discussed.

**ON MOTION OF MRS. O'LEARY, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT (CBA) BETWEEN CUMRU TOWNSHIP AND THE CUMRU TOWNSHIP POLICE OFFICERS' ASSOCIATION (CTPOA) FOR THE PERIOD OF JANUARY 1, 2024, THROUGH DECEMBER 31, 2028, AND THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CUMRU TOWNSHIP AND THE CUMRU TOWNSHIP POLICE OFFICER'S ASSOCIATION (CTPOA) FOR A CONSOLIDATED PENSION PLAN ORDINANCE TO INCLUDE BUYBACK OF UP TO 3 YEARS MILITARY SERVICE CREDIT.**

## ADJOURNMENT

**ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:45 P.M.**

Respectfully submitted,

  
Jeanne E. Johnston  
Manager/Secretary