

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OCTOBER 17, 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, Lt. George Kuriger, 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 Joseph P. Rogosky of Great Valley Consultants. Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer was attending an event and arrived at 7:54 p.m.

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: Ellen Condon, Natasha Donaldson and Allison Kalbach for the Mifflin Community Library.

A.) Mifflin Community Library

Natasha Donaldson, Library Director, and Allison Kalbach addressed the Board on behalf of the Mifflin Community Library. They are very grateful for the Township’s support. The library has continued to expand and refine the services for all ages.

Ms. Donaldson gave a “State of the Library” report. There will be a 25th Anniversary celebration at the library on the evening of October 24, 2023. Cumru Township has supported the library from the beginning. The library has received a grant from Hershey for children’s programs and a Berks Arts grant for summer concerts. There are currently over 1,100 card holders in Cumru Township.

The library is asking for \$39,048 in 2024. An amount less than \$36,000 would affect the funding formula. An increased amount of \$41,000 would help increase program opportunities.

Ms. Rowe stated that she and her family had a bad experience with storytime at the library several years ago.

There was a discussion started by Ms. Rowe concerning controversial and banned books. Ms. Kalbach said that the Reading Public Library puts books in age appropriate areas. Ms. Donaldson stated that, as a public library, the Mifflin Community Library doesn’t ban books based on freedom of information.

AMBULANCE SERVICE

A.) Monthly Report – September 2023

APPROVE MINUTES
ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES OF 9/19/23 – REGULAR MEETING, AS SUBMITTED.

TREASURER

A.) Monthly Report – September 2023

B.) 2020 Bonds Arbitrage – open account

1) M&T Bank custodial account letter of agreement

This will be on the agenda for the Budget meeting on October 26, 2023.

C.) Resolution to authorize distribution of the General Municipal Pension System State Aid

1) \$460,403.17 to be distributed as follows:

a) \$279,738.64 in the Police Pension Fund as partial fulfillment of the 2023 Minimum Municipal Obligation (MMO)

b) \$180,664.53 in the Non-uniformed Employee Pension Fund in fulfillment of the 2023 MMO.

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE DISTRIBUTION OF THE \$460,403.17 FROM THE GENERAL MUNICIPAL PENSION SYSTEM STATE AID AS FOLLOWS: \$279,738.64 IN THE POLICE PENSION FUND AS PARTIAL FULFILLMENT OF THE 2023 MINIMUM MUNICIPAL OBLIGATION (MMO) AND \$180,664.53 IN THE NON-UNIFORMED EMPLOYEE PENSION FUND IN FULFILLMENT OF THE 2023 MMO.

D.) 2023 Minimum Municipal Obligation (MMO) for Pension Plans – authorize payment

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO AUTHORIZE THE PAYMENTS OF THE 2023 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE PENSION PLANS.

TAX COLLECTOR

A) September 2023 Report

1) Year 2023 Real Estate

Balance collectable beginning of month – \$202,324.50

Cash collected – \$18,525.95

Balance collectable end of month – \$183,798.55

2) Year 2023 Interim Real Estate

Balance collectable beginning of month – \$1,693.54

Cash collected – \$0

- Balance collectable end of month - \$1,693.54
- 3) Year 2022 Interim Real Estate
 - Balance collectable beginning of month – \$886.39
 - Cash collected - \$446.59
 - Balance collectable end of month - \$439.80
- 4) Year 2023 Per Capita
 - Balance collectable beginning of month – \$22,065.00
 - Cash collected – \$2,300.00
 - Exonerations - \$380.00
 - Balance collectable end of month - \$19,385.00

DEPARTMENTS

Police Department

A.) Monthly Report – September 2023

Lt. Kuriger presented the monthly report. Mrs. O’Leary asked about the vandalism on Misty Lane. Lt. Kuriger reported that on October 4, 2023, heavy equipment on Misty Lane was disabled due to cut wires.

Fire Department

A.) Monthly Report – September 2023

Chief Beane reported that September was a busy month and the Fire Department responded to 102 calls.

B.) Resignation of Firefighter R. Ashman

ON MOTION OF MS. ROWE, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO ACCEPT THE RESIGNATION OF FIREFIGHTER RYAN ASHMAN WITH HIS LAST WORKDAY BEING 10/8/2023.

Chief Beane announced that the Township received the DEP permit for the New Fire Station today. The permit is good until 2026.

Administration

A.) Codes Department – September 2023

- Building Permits Issued- 17
- Use Permits Issued - 1
- Zoning Permits Issued- 19
- Notices of Violations- 24
- Citations issued- 0
- Zoning Hearing Board Hearings – 2
- Violations complied- 18
- Phone calls from contractors, realtors & public approximately- 178
- Permit Inspections Done – 38
- Inspections with the Fire Department – 2

B.) Blighted Property Completed Application – 63 Hemlock Rd.

C.) 2023 – 07 BERKS COUNTY WASTE TRANSFER FACILITY

EXPIRATION DATE – 12/31/2023

(Preliminary/Final) Owners: 25 Service Caster Owner, LLC/ Manz Properties LLC;
Agent: Martin & Martin, Inc.; Location: 25 Service Caster Way; Parcel ID# 39-
531502664589; Project no. 1795; Proposal Summary: Develop a Municipal Solid Waste
Transfer Station on an existing lot known as East Pointe Business Center Lot #8.

- a) Waiver Request Memo from Planning Secretary, dated 10/03/23
- b) Preliminary/Final Approval Memo from Planning Secretary, dated 10/03/23

1) Waiver Request

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO APPROVE THE SALDO WAIVERS FOR THE BERKS COUNTY WASTE TRANSFER FACILITY LISTED IN THE WAIVER REQUEST LETTER AND AMENDED AS STATED IN THE REVIEW LETTER FROM GVC, DATED 9/29/23, AS FOLLOWS:

- a) Relief from Section 404(D)(3), not to require a location map plan scale of 1" = 800' and allow a location map plan scale of 1"=2,000';
- b) Relief from Section 406(a), not to perform a Community Facilities Impact Assessment;
- c) Relief from Section 408(A), not to perform a Utility Impact assessment;
- d) Relief from Section 507(A), not to require curbing along Philadelphia Avenue (SR724);
- e) Relief from Section 507(B), not to require sidewalks along Philadelphia Avenue (SR724).

2) Traffic Impact Fee

The traffic fee for this plan is to be paid in full at the time of recording. Service Caster will receive a refund for the amount paid for the previous plan.

3) Preliminary/Final Approval

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO GRANT PRELIMINARY/FINAL APPROVAL OF THE BERKS COUNTY WASTE TRANSFER FACILITY PLAN CONDITIONED ON COMPLIANCE WITH ALL ISSUES AS STATED IN THE REVIEW LETTER FROM GVC, DATED 9/29/23, AND OBTAINING DEP APPROVAL.

D.) 2024-2026 Refuse/ Recycling Contract

- 1) bid specifications advertised 10/06/2023
- 2) Pre-bid Meeting held on 10/16/23 at 1:00p.m.

Ms. Johnston reported that representatives from 4 contractors attended the pre-bid meeting. The bids are due by October 31, 2023.

Public Works

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

- 1) road closed 10/16/2023

Mr. McNichols reported that the subbase of Cedar Top Rd. is as bad as Oregon Rd. It is soft and yielding.

B.) Municibid Sale of Surplus Equipment– adopt resolution

EQUIPMENT	VIN	MILEAGE
2013 Freightliner 108SD Vactor Truck	1FVAG5BS2DHFB8942	30,000
1998 Crafcro Tar Buggy (crack sealer)	1C9SY1015W1418146	
2016 Ford Fusion (car #4)	1FA6P0HD2G5106448	67,700
370 flail mower for 4520 John Deere Tractor		

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORE, A UNANIMOUS VOTE TO ADOPT A RESOLUTION FOR THE SALE OF SURPLUS EQUIPMENT LISTED IN THE ABOVE CHART ON MUNICIBID.

C.) Reed St. Storm Sewer – change order #1 and application for payment #2

- 1) Letter from Atlas Engineering recommending change order #1 in the amount of \$7,238.76 related to quantities; and
- 2) payment #2 for Construction Masters Services, LLC (CMS) for \$39,657.58, dated 10/10/2023.

ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE CHANGE ORDER #1 FOR \$7,238.76 AND PAYMENT #2 FOR \$39,657.58 TO CONSTRUCTION MASTERS SERVICES, LLC (CMS) FOR THE REED STREET STORM SEWER REPAIR.

D.) Leaf Picking

Mr. McNichols reported that leaves will be picked up until 12/08/23.

E.) Sewer Connection Moratorium Point of Connection 8

Mr. McNichols announced that the moratorium was lifted for sanitary sewer point of connection #8 on 10/05/23.

F.) Patching/Paving 2023

Mr. Kalbach gave kudos to Public Works for the road paving work that was completed on Fawn Dr. and Alpine Dr. Having Public Works do the work instead of outside contractors saved the Township a lot of money. Mr. McNichols stated that 22 tons of blacktop was needed.

Engineer

A.) 2023 Road Work – South 9th St. – update

Mr. Rogosky reported that a pre-construction meeting was held on 10/2/23. The signs were posted. The work did not begin yet and the Township wants this done by the end of the month. He has pressured H&K to complete this project ASAP because it is being partially funded with Liquid Fuels money. A DCED grant is also being used to fund this project. Mr. Kalbach asked if there is a bond for the S 9th St. project. Mr. Rogoski confirmed there is a bond.

B.) Chestnut Hill Farms – request to dedicate

1) Letter from Great Valley Consultants re: costs, dated 10/13/2023

Mr. Rogosky that there had been a meeting with the Chestnut Hill Farms POA in September 2023. GVC has generated a report for investigating the quality of the roads.

Solicitor

A.) **Bridge Engineering Services – agreement**

Atty. Frankowski reported that she reviewed the agreement that the Township received from STV Inc. for “on call” Bridge Engineering Services.

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO ACCEPT THE PROPOSED AGREEMENT FROM STV INC. FOR BRIDGE ENGINEERING SERVICES FOR THE TOWNSHIP.

PAYMENTS OF BILLS

ON MOTION OF MS. ROWE, SECOND OF MR. BATDORF A MAJORITY VOTE APPROVING PAYMENTS OF BILLS DATED 9/22/23, 9/29/23, 10/02/23, 10/03/23 – PLGIT, 10/06/23, 10/13/23, AND 10/17/23. MR. MILLER ABSTAINED FROM VOTING ON PAYMENT OF BILLS FOR 10/13/23.

CORRESPONDENCE

A.) Berks County Waste Transfer Facility- Local Municipality Involvement Process (LMIP) meeting notification for November 9, 2023, at 10:00 a.m. at the Cumru Twp. Building.

B.) Budget meetings advertised in the Reading Eagle 10/17/2023

COMMISSIONERS

A.) Electric Vehicle Chargers – Presentation by Commissioner Batdorf

Mr. Batdorf made a presentation about the possibility of the Township installing and leasing electric vehicle chargers at a location along SR222 and another at Flying Hills along SR10. Charge Point or Siemens could be possible vendors. He presented calculations for projected upfront costs for 4 EV Level 3 charging stations. He also had calculations for potential expenses and possible revenue based on 2 charges per hour for 10 hours a day for 7 days a week.

There was a discussion. Mr. Kalbach voiced concern about using taxpayer money to fund this project. Mrs. O’Leary asked about the number of electric vehicles in Cumru Township and

if Mr. Batdorf had talked to Sheetz or Wawa about possible plans for them to install electric chargers. Ms. Rowe asked about the source of the electricity. Would nuclear power or fossil fuels be used? If the electricity comes from fossil fuels, she wanted to know how this would reduce the carbon footprint. David Turner from Met-Ed said that First Energy is a transmission company and he did not know the source of the electricity. Atty. Frankowski said that the property owners would have to give permission.

Mr. Batdorf made a motion to move forward. There was no second of the motion.

B.) Reminders:

- 1) Zoning Hearing Board Regular Meeting – October 24, 2023, at 6:00 p.m.
 - a) Application No. 808-Helberth Gamez and Rosa Rivera- 17 Rim View Lane- rear and side-yard relief to extend existing patio.
 - b) Application No. 809- B5K-K48 LP- Dimensional relief to create a 5032 sq. ft. lot 5a for a stand-alone storage pole building on Hampshire Rd. near the intersection of Old Lancaster Pike and Hampshire Road; and allow the structure to remain partially in the right-of-way.

ON MOTION OF MR. KALBACH, SECOND OF MRS. O'LEARY, A UNANIMOUS VOTE TO AUTHORIZE JEANNE JOHNSTON TO TESTIFY AT THE ZONING HEARING BOARD AGAINST APPLICATION #809 ON BEHALF OF THE BOARD OF COMMISSIONERS BECAUSE THE APPLICANT INTENDS TO LEAVE THE STRUCTURE PARTIALLY IN THE RIGHT OF WAY, WHICH CONTRADICTS THE ORIGINAL MATZ TRACT SUBDIVISION PLAN.

- 2) Board of Commissioners meetings for October 2023
 - 10/19/2023 at 3:30 p.m. – Budget meeting
 - 10/26/2023 at 3:30 p.m. – Budget Meeting
 - 10/31/2023 at 7:00 p.m. – 5th Tuesday Meeting
- 3) Planning Commission – November 6, 2023, at 6:00 p.m.

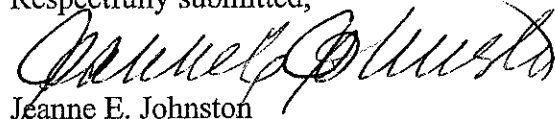
C.) Executive Session

An executive session was not needed.

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:19 P.M.

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary