

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING DECEMBER 20, 2022**

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 and William B. Miller. Also attending were Solicitor Michael A. Setley, 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, Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer, and Joseph P. Rogosky of Great Valley Consultants. Business/Personnel Administrator Peggy A. Carpenter was excused with prior notification. Commissioner Lisha Rowe was absent.

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.

PRESENTATIONS

A) K-9 Therapy Dog Unit

Chief Winchester introduced canine Officer Oliver, Cumru Township's therapy dog, a Burnese mountain dog and standard poodle mix. After completing his training, Officer Ollie will be deployed to with Officer Shawn Heatley as his handler.

B) Distinguished Service Award

Police Chief of Brecknock Township, Erik Grunzig, presented the Distinguished Service Award to Officer Elizabeth Goida on behalf of the Fraternal Order of Police with a special thank you from Brecknock Township. Officer Goida assisted in solving 5 armed robberies by providing information for a June robbery in Brecknock Township.

C) Unit Citations

Chief Winchester recounted an event that happened on April 8, 2022, and how the actions of Cumru Township Police officers helped save a life. A call was received stating that there was an individual in distress and threatening suicide. The individual was not in their residence, so the CTPD searched the area looking for the person. Officer Matthew Rich located someone fitting the description and determined they were armed. The individual fled. Officer Goida approached the individual to establish communication and was able to convince the person to abandon the gun. The individual received help from the County's mental health unit and a life was saved. Chief Winchester presented Officer Matthew Blatt, Officer Matthew Melcher, Officer Matthew Rich, and Officer Elizabeth Goida with Unit Citations for their roles in this event.

PUBLIC

Attendance: Perry Haas, Dave Robinson, Glenn Emery, Karen Hazel, Betty Volk, Bonnie Bentz, Barbara Nagle, Sheldon Meyer, Charles Muvdi, Becky Wingenroth, Dan Reese, and Ben Fisher.

A) Barbara Nagle re: tree along SR 10

Ms. Nagle, a resident of Pine Woods Ct., addressed the Board about a huge tree that is on the lines near SR10 and SR724. She is concerned about the safety of people traveling in this area. Mr. Miller stated that this would be the responsibility of the property owner, not the township. Mr. McNichols reported that the utility company would need to remove the tree. The municipalities are told not to touch anything involving the wires. The utilities only do something when the lines come down and service is interrupted. Mr. Kalbach said that he has a tree on the lines on his own property and that the telephone and cable companies won't do anything.

AMBULANCE SERVICE

A.) Monthly Report – November 2022

David High, an Assistant Chief, reported that TowerDirect responded to 196 calls in November and 2236 calls year to date. They received 2 assists and provided mutual aid to others. He stated that TowerDirect is committed to providing service to Cumru Township.

APPROVE MINUTES

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING THE MINUTES OF 11/15/22 - REGULAR MEETING, AND 11/29/22 – 5TH TUESDAY MEETING AS SUBMITTED.

TREASURER

A.) Monthly Report – November 2022

Ms. Johnston reported on behalf of Mrs. Carpenter that a mature CD was renewed. She also reminded the Board that several capital expenses will be expensed by the end of 2022.

TAX COLLECTOR

A.) Monthly Report – November 2022

1) Year 2022 Real Estate

Balance collectable beginning of month – \$149,561.50

Cash collected – \$7,162.86

Balance collectable end of month - \$142,943.74

- 2)Year 2022 Interim Real Estate
 - Balance collectable beginning of month – \$2, 627.61
 - Cash collected – \$984.65
 - Balance collectable end of month - \$1,642.96
- 3)Year 2020 and 2021 Interim Real Estate
 - Balance collectable beginning of month – \$3,453.60
 - Cash collected – \$0
 - Balance collectable end of month - \$3,453.60
- 4)Year 2022 Refuse
 - Balance collectable beginning of month - \$32,460.00
 - Cash collected - \$1,732.50
 - Balance collectable end of the month - \$30,885.00
- 5)Year 2022 SMP
 - Balance collectable beginning of month - \$2,145.00
 - Cash collected - \$130.00
 - Balance collectable end of the month - \$2,015.00
- 6)Year 2022 Per Capita
 - Balance collectable beginning of month - \$12,675.00
 - Cash collected - \$1,914.00
 - Balance collectable end of the month - \$10,885.00

Mr. Miller reminded everyone that the tax collector’s Office will be closed 12/15/2022 through 1/2/2023.

CONSENT AGENDA

2023 TAX BILLS

ACTION:

AUTHORIZED EXECUTION OF AN AGREEMENT WITH BERKS COUNTY FOR THE PRINTING OF 2023 REAL ESTATE TAX BILLS AND REIMBURSEMENT TO BERKS COUNTY FOR THE APPROPRIATE PORTION OF THE COST.

2023 BUDGET

ADOPT THE 2023 BUDGET

- 1) budget advertised 11/30/2022

ACTION:

ADOPTED THE 2023 BUDGET, AS ADVERTISED.

ADOPT THE 2023 REAL ESTATE TAX LEVY

- 1) 2023 real estate tax levy ordinance advertised 12/8/2022

ACTION:

ADOPTED THE 2023 REAL ESTATE TAX LEVY BY ORDINANCE AS ADVERTISED ON DECEMBER 8, 2022, INCLUDING 5.045 MILS FOR GENERAL PURPOSES, .85 MIL FOR DEBT SERVICE, 1.30 MIL FOR FIRE SERVICES, AND .27 MIL FOR AMBULANCE SERVICE.

2022 rates:

- General 4.645 mils
- Fire 1.23 mils
- Debt service 0.7 mil
- Ambulance 0.27 mil

ADOPT THE 2023 REFUSE FEE

ACTION:

ADOPTED A RESOLUTION ESTABLISHING THE 2023 REFUSE COLLECTION FEE SCHEDULE, INCLUDING \$275.00 FOR A DWELLING WITH 2 OR MORE ADULT OCCUPANTS AND \$255.00 FOR A DWELLING WITH A SINGLE ADULT OCCUPANT, WITH A 2% DISCOUNT IF PAID BEFORE APRIL 30 AND A 10% PENALTY FOR PAYMENT AFTER JUNE 30.

Previous rate schedule, \$225 two adults and \$210 for one adult, was in effect for 2022.

ADOPT THE 2023 SEWAGE MANAGEMENT PROGRAM AND FEE

A) Fee Administration

- 1) draft resolution for rate schedule

ACTION:

ADOPTED A RESOLUTION ESTABLISHING THE 2023 SEWER MANAGEMENT PROGRAM FEE AT A FLAT AMOUNT OF \$65.00, WITH A 2% DISCOUNT IF PAID BEFORE APRIL 30 AND A 10% PENALTY FOR PAYMENT AFTER JUNE 30.

No change from 2022.

ADOPT THE ZONING HEARING BOARD APPLICATION FEE

ACTION:

ADOPTED A RESOLUTION ESTABLISHING THE ZONING HEARING BOARD APPLICATION FEE FOR RESIDENTIAL PROPERTIES AS \$750.00 AND COMMERCIAL PROPERTIES AS \$1,500.00.

Previous fee \$550.00.

2023 PAYMENTS OF BILLS – GENERAL

ACTION:

AUTHORIZED THE STAFF TO SATISFY THE ORDINARY AND ROUTINE OBLIGATIONS INCURRED BY THE TOWNSHIP IN ORDER TO TAKE ADVANTAGE OF DISCOUNTS AND ALLOWANCES, AND TO AVOID DELINQUENT PENALTIES AND CARRYING CHARGES.

TRANSFERS – GENERAL

ACTION:

AUTHORIZED THE TREASURER TO TRANSFER FUNDS AS NECESSARY IN ACCORDANCE WITH THE 2023 ADOPTED BUDGET.

INVESTMENTS – GENERAL

ACTION:

AUTHORIZED THE TREASURER TO INVEST FUNDS AS SHE DEEMS APPROPRIATE, IN CONSULTATION WITH THE MANAGER.

POLICE PENSION EMPLOYEE CONTRIBUTION

ACTION:

ADOPTED A RESOLUTION ESTABLISHING THE 2023 POLICE PENSION EMPLOYEE CONTRIBUTION AS 5%, IN ACCORDANCE WITH THE AGREEMENT BETWEEN CUMRU TOWNSHIP AND THE CUMRU TOWNSHIP POLICE OFFICERS ASSOCIATION.

SEWER DEPARTMENT

ACTION:

AUTHORIZED AN ORDER FOR A SEWER COMBINATION TRUCK AT A CURRENT QUOTE OF \$540,729.34 AND AUTHORIZING A SEWER CAPITAL ESCROW IN THE 803 FUND 2023 BUDGET FOR \$250,000.00.

SURPLUS PROPERTY – AUCTION ON MUNICIBID

ACTION:

AUTHORIZED THE AUCTION OF SURPLUS PROPERTY, EACH ITEM WITH AN ESTIMATED VALUE OF LESS THAN \$1000.00, ON MUNICIBID.

PLANS

2022 – 10 BUDGET STORE & LOCK SELF STORAGE

EXPIRATION DATE – 3/05/2023

(Preliminary/Final) Owners: Equivest, LLC/Budget Shillington Storage, LLC; Agent: Spotts, Steven and McCoy, Inc.; Location: 2271 Lancaster Pike; Plan no. 110361.0002; Proposal Summary: Self-Storage facility

- a) Cumru Twp. Subdivision and Land Development Plan application, dated 11/14/22
- b) BCPC Land Subdivision and Land Development Review application, dated 11/14/22
- c) Waiver Request Letter from Spotts, Steven and McCoy, Inc., dated 11/14/22
- d) Concept Elevations drawing, dated 11/14/22
- e) Preliminary/Final Land Development Plans from Spotts, Steven and McCoy, Inc., dated 11/14/22
- f) Conditional Use Application to the Cumru Township Board of Commissioners, dated 11/11/2022

ACTION:

APPROVED WAIVERS FOR THE BUDGET STORE & LOCK SELF STORAGE PLAN AS REQUESTED IN THE LETTER FROM SCOTT MILLER OF SSM GROUP, INC, DATED 11/14/22 AS FOLLOWS;

- a) Relief from Section 304 &305 – to allow a combined preliminary/final plan;

- b) Relief from Section 405(A), not to perform an Environmental Impact Assessment;
- c) Relief from Section 406(A), not to perform a Community Facilities Impact Assessment;
- d) Relief from Section 407(A), not to perform a Traffic Impact Assessment;
- e) Relief from Section 408(A), not to perform a Utility Impact Assessment;
- f) Relief from Section 507(B), not to require sidewalks.

ACTION:

GRANTED PRELIMINARY/FINAL APPROVAL FOR THE BUDGET STORE & LOCK SELF STORAGE PLAN CONDITIONED ON RESOLUTION OF ALL THE ITEMS LISTED IN THE GVC REVIEW LETTER DATED 12/02/22, AND THE ATLAS ENGINEERING SEWER REVIEW LETTER DATED 12/05/22, AS WELL AS APPROVAL FROM THE BOARD OF COMMISSIONERS AT THE CONDITIONAL USE HEARING HELD ON DECEMBER 20, 2022.

2022-09 PARIS/CONWAY ANNEXATION/SUBDIVISION

EXPIRATION DATE 1/1/2023

(Final) Owner: Stephen Paris, Equitable Owners: Dina Conway and Marie Belote Conway; Agent: Hoffert Surveyors, John W. Hoffert; Location: 66 Meadow Glen Lane, Reading, PA 19607 (parcel #39-530301362929); plan no. D-22-50-1; Proposal summary: Original parcel to be subdivided into 2 lots with 1 lot to be annexed onto the adjoining lands which shall be joined in a common deed.

ACTION:

GRANTED FINAL APPROVAL FOR THE REVISED PARIS/CONWAY ANNEXATION/SUBDIVISION PLAN, SUBJECT TO APPROVAL BY THE TOWNSHIP ENGINEER, OBTAINING ALL SIGNATURES REQUIRED, AND PAYMENT OF INVOICES.

END OF CONSENT AGENDA

ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS APPROVING THE CONSENT AGENDA.

DEPARTMENTS

Police Department

A.) Monthly Report – November 2022

B.) Civil Service – promotional testing for sergeant

1) Civil Service Commission meeting for 1/3/2023 to be advertised 12/29/2022

Chief Winchester reported that there were 5 eligible officers and they all passed the oral exams. A list was compiled based on the test scores. He requested that the Board approve the promotion of the top candidate after the list is ratified by the Civil Service Commission at the next meeting scheduled for 1/3/2023.

ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE TO APPROVE THE PROMOTION TO SERGENT OF THE TOP CANDIDATE AFTER

THE LIST IS RATIFIED BY THE CIVIL SERVICE COMMISSION AT THEIR NEXT MEETING SCHEDULED FOR 1/3/2023.

C.) Scam Alert

Chief Winchester informed the Board that a person had come into the police department because she had received a call where the caller stated that he was Chief Winchester and he needed her bank account information to clear her record. He assured her that was not the case. The caller called the resident back and it appeared that he was calling from the Township's phone number. This is called "spoofing." Chief Winchester cautioned everyone to be aware that scam artists have the technology to spoof phone numbers so the calls appear to be legitimate.

Fire Department

A.) Monthly Report – November 2022

Chief Beane reported that they had 97 calls in November and that it was the busiest month of the year so far.

B.) Fire Station Phase 1 – application for payment # 13

- 1) Letter from Atlas Engineering recommending payment # 13 for Ankiewicz Enterprises, Inc. for \$161,167.98, dated 12/12/2022

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING PAYMENT #13 FOR ANKIEWICZ ENTERPRISES, INC. FOR \$161,167.98.

C.) Santa Run 2022

Chief Beane reported that the Santa Run 2022 was a success despite having to respond to three calls during the event. This event is run solely by the volunteer firefighters. The Board of Commissioners thanked the volunteer firefighters to gave up a Saturday to escort Santa.

Mr. Miller reported to the Board that he had an opportunity to assist the fire police during a recent fire on Club House Lane in Flying Hills. He acknowledged the hard work of the fire police and expressed concern about behavior of the general public during this emergency. Several individuals resisted taking longer routes in order to stay out of the fire response area.

Administration

A.) Codes Department – November 2022

- Building Permits Issued – 8
- Use Permits Issued – 2
- Zoning Permits Issued – 9
- Notices of Violations – 9
- Citations issued – 0
- Violations complied – 19
- Phone calls from contractors, realtors & public approximately – 156
- Properties Condemned – 0
- Permit Inspections Done – 26
- Inspections with the Fire Department – 1
- Training Seminars Attended – 0

Ms. Johnston reported that decreased Codes activity was probably related to the colder weather.

B.) Governor Mifflin Community Days – update

Ms. Johnston informed the public that the Governor Mifflin Community Days will be moving to Cumru Township due to construction at the Governor Mifflin High School in Shillington. The school district has already approved the use of the Intermediate School parking lot and other school district areas in that vicinity, all in Cumru Township. The Greater Governor Mifflin League is working with Chief Beane and Chief Winchester and their staffs to coordinate all the public safety needs for the event. Mr. Kalbach informed the public, for full disclosure, that he is serving as the current president of the Greater Governor Mifflin League. He requested a motion to have Community Days in Cumru Township June 30 through July 8, 2023.

ON MOTION OF MR. BATDORF, SECOND OF MR. MILLER, A UNANIMOUS VOTE OF APPROVAL, AUTHORIZING TOWNSHIP STAFF TO COOPERATE AND COORDINATE WITH THE GREATER GOVERNOR MIFFLIN LEAGUE FOR THE GOVERNOR MIFFLIN COMMUNITY DAYS TO BE HELD IN CUMRU TOWNSHIP JUNE 30 THROUGH JULY 8, 2023.

C.) Refuse and Recycling Calendar 2023 – update

Ms. Johnston informed the Board that the 2023 Refuse and Recycling calendar is on the Cumru Township website and paper copies are available in the office. The calendars will be mailed to the residents as soon as possible. She reminded everyone to please check the calendar for changes in collections during the weeks when a holiday occurs.

D.) Western Berks Landfill – gas to energy generators prior to closure

1) Letter from PaDEP re: permit administrative completeness, dated 12/15/2022

Ms. Johnston reported being informed that 2023 will be the last year of service for the Western Berks Landfill. When the landfill meets its limit on trash tonnage, it will begin closure proceedings and the Township will no longer receive host fee revenue.

She explained that the purpose of the gas to energy generators is to burn off the methane gas produced by the decomposing trash in the landfill. Currently, the methane is being flared off. The PaDEP has requested a meeting with the Township as part of the permit requirements for the generators.

Public Works

A.) Leaf Collection – update

1) 616 tons of leaves collected for 2022 season

Mr. McNichols reported that the collections were extended into last week. In answer to a question from Mr. Kalbach, Mr. McNichols reported that it takes 5 gallons of diesel fuel per ton of leaves collected.

Mr. McNichols reported that public works equipment was changed over for winter weather.

B.) Traffic Signals – update

1) Letter to PennDOT from Manager re: SR 10 / SR 724 retiming, dated 11/23/22

Mr. McNichols reported that the Township sent a letter to PennDOT, with the assistance of Mr. Rogosky, to address the timing of the traffic signals for SR 10 /SR 724. After the controllers were replaced, the signals were programmed back to the permitted specifications. However, the permitted timing was producing delays under current traffic conditions. The Township is seeking PennDOT’s approval for adjustments to the timing.

2) SR 10 / Freemansville Rd. – update

Construction on the SR10/ Freemansville Rd. traffic light was waiting for Met-Ed to move a pole. Now that the pole is in place, Verizon has to move its wires.

Ms. Johnston informed the Board that the Township had arranged to provide winter maintenance for the short section of new private driveway on the east side of SR 10, across from Freemansville Rd., into which Pine Hill Ct. connects. The property owner of the driveway stub has provided a certificate of insurance for the Township to do so. Mr. McNichols estimated that it would only cost \$2.49 per salting event.

Engineer

A.) Rim View Lane – update

Mr. Rogosky explained that the contractor was taking measures, in case they had to pour the concrete during a cold snap.

Solicitor

A.) Planning Ordinances – update

Mr. Setley will work with Ms. Johnston for additional uses allowed in the MUGC zoning district.

Mr. Setley requested a motion amend the agenda to add “Conditional Use for Budget Shillington Storage, LLC” as an actionable item:

ON MOTION OF MR. KALBACH, SECONG OF MR. MILLER, A UNANIMOUS VOTE TO AMEND THE AGENDA TO ADD CONDITIONAL USE APPROVAL FOR BUDGET SHILLINGTON STORAGE, LLC.

B.) Conditional Use for Budget Shillington Storage, LLC

ON MOTION OF MR. MILLER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE TO GRANT CONDITIONAL USE PER SECTION 602 OF THE ZONING ORDINANCE TO BUDGET SHILLINGTON STORAGE , LLC.

PAYMENTS OF BILLS

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS VOTE APPROVING THE PAYMENT OF BILLS DATED 11/18/22, 11/23/22, 11/30/22, 12/02/22, 12/02/22 - PLGIT, 12/09/22 , 12/16/22, 12/16/22 – ADDITIONAL, 12/19/22 – REPLACEMENT CHECK, AND 12/20/22 – ACH.

COMMISSIONERS

A.) Vacancies/Expirations of Terms

- 1) Zoning Hearing Board – expiration

ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO REAPPOINT GENE WALTZ FOR ANOTHER 3 YEAR TERM TO THE ZONING HEARING BOARD.

B.) Executive Session

8:05 p.m. – The Board met in executive session to discuss 2 personnel matters and 1 matter of real estate.

8:30 p.m. – The executive session ended. Mr. Setley stated that the Board had discussed 2 personnel matters and 1 matter of real estate that are still pending.

C.) Reminders:

- 1) Offices closed for holidays on 12/23/22, 12/30/22, and 1/2/2023

- 2) Zoning Hearing Board

- December 27, 2022, at 1775 Welsh Rd. – application 799 (401 Tremont)

- January 23, 2023 (tentative) at 6:00 p.m. at the Gov. Mifflin Intermediate School Cafeteria – zoning map appeal

- 3) Board of Commissioners meetings for January 2023

Organization meeting not required in 2023.

- 1/17/2023 at 7:00 p.m. – Regular meeting

- 1/31/2023 at 7:00 p.m. – 5th Tuesday meeting

- 4) Planning Commission 1/9/2023 at 6:00 p.m.

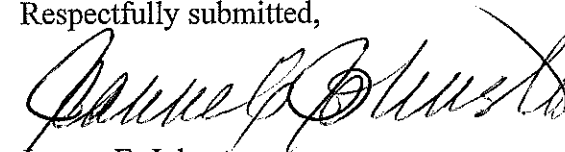
Note change from 1st Monday to 2nd Monday due to observed holiday 1/2/2023.

- 5) Municipal Authority 1/12/2023 at 8:30 a.m.

ADJOURNMENT

ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 8:31 P.M.

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary