

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING JUNE 16, 2015**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by Vice President Edward L. Gottschall at 7:06 p.m. Other Commissioners in attendance were, Treasurer Ruth O'Leary, Sheri Hoover, and Lorri K. Swan. President Tony J. Sacco was absent with prior notification to the Board. Also attending were Solicitors Michael A. Setley and J. Kitridge Fegley, Chief of Police Jed Habecker, Fire Chief Scott R. Brady, Superintendent of Public Works Robert McNichols, Jr., Recreation Director Samson Gausch, Manager/Secretary Jeanne E. Johnston, and Joseph P. Rogosky of Great Valley Consultants.

Pledge to the Flag.

PUBLIC

A) Pamela Souders re: 808 Lakeview Dr.

Ms. Souders identified herself as a resident of 809 Lakeview Dr. She complained that a neighbor at 808 Lakeview Dr. is running a business out of his home, including fixing cars that he does not own in his garage. She complained that he uses a nearby property, 140 Broad St., for overflow parking. Ms. Souders brought photographs of a swimming pool she claimed did not have a gate. The Board referred this matter to the codes department.

Attendance: Barry and Aneta Wunder; Latoya Procopio; Barrie A. Pease; Harry Brown; Kevin J. Smith; James Williamson; Pamela Souders; Nathan Klein.

PRESENTATION

Ptl. James Griffith – Exceptional Duty Certificate

Chief Habecker presented a certificate to Officer Griffith for his involvement in apprehending a person on 5/25/15 who was wanted for murder in the City of Reading.

2008-02 HAWTHORNE SUBDIVISION/LAND DEVELOPMENT

EXPIRATION DATE 06/30/2015

(Preliminary) Owner: KevTimRP, LP c/o Metropolitan Mgt, Inc.; Agent: Van Cleef Engineering; Location: SR 724 & I-176; proposal summary: 341 residential units and 9,000 sq ft community building on 210 acres; plan no. 06-016-P00; revised plan submitted 07/2013

a.) Extension of time to 12/31/2015 submitted

b.) Planning Commission recommended plan rejection on 06/01/2015

Mr. Setley excused himself and Mr. Fegley acted as Solicitor for the Hawthorne plan. Atty. Robert Gundlach, owner Kevin Timochenko, and project engineer Mark Bahnick of Van Cleef Engineering were present for discussion.

Mr. Fegley stated that the Board appreciated the flurry of activity on the plan. It was the Board's understanding that a plan would be filed by 6/30/15. The Board deferred a decision on the offered extension of time until the meeting on 6/30/15.

Mr. Fegley informed Mr. Gundlach that the Board required a timeline to be submitted by 6/23/15, listing when elements necessary for preliminary plan approval are to be submitted to the

Township. A waiver request letter is needed early on in the process. The Board wants to give a full and fair review, but also wants timely filings.

Mr. Gundlach thanked the Board for deferring until 6/30/15. He agreed to comply with the Board's request for a timeline by 6/23/15. The plans filed show a secondary access through the Williamsburg property and an emergency access through the Wunder property. The developer has the right, but not the desire, to use them. The developer wants an access through the Animal Rescue League (ARL). Mr. Gundlach stated that the letter from the ARL dated 5/1/15 was not authorized. Discussions with the ARL are ongoing. The plan will be resubmitted by 6/30/15.

Mr. Gundlach informed the Board that a conditional use application and a special exception application were filed today. The developer wants continued dialogue, but does not want to push the hearings. The developer wants to be fair to the Wunders.

Mr. Gundlach stated that the developer wants to substitute apartments for some of the singles and townhomes, but there will be no apartments unless the Township approves it. The developer intends to move forward on the last plan, but wants dialogue on the product mix before moving forward on the plan.

Mr. Fegley responded that the Board looks forward to the timeline and has concern about the last minute submissions.

Public

Barrie Pease asked if there was a letter from the ARL and what did it say. Ms. Johnston responded that a letter from the ARL said that an access easement was not granted. Mr. Pease stated his concern that the proposed access easement is close to the drain field. He also stated concern that the ARL would be forced to connect to public sewer and water. The proposed easement payment of \$100,000 would not cover the cost of hook ups. Mr. Pease informed the Board that the ARL handles contracts with all Berks County municipalities for stray animals, 7,000 to 10,000 animals a year, including Cumru Township. If the ARL is forced to closed, there would be nowhere to go with strays. Mr. Pease stated that, if the development is constructed, there would be many complaints about barking dogs.

[7:32 p.m. – Mr. Fegley left the meeting and Mr. Setley returned as Solicitor.]

TREASURER

A) Monthly Report

Mrs. O'Leary addressed various line items in relation to the budget.

B) Audit notice FY 2014 advertised 05/22/2015

1) financial statement 2014

Mrs. O'Leary informed the public that the 2014 audit is available.

TAX COLLECTOR

A) May 2015 Report

1) Year 2014 Real Estate Interim

Balance collectable - \$256.60

Cash collected - \$33.29

- 2) Year 2015 Real Estate
 - Balance collectable - \$564,015.76
 - Cash collected - \$42,035.07
- 3) Year 2015 Refuse
 - Balance collectable - \$88,536.00
 - Cash collected - \$9,215.00

APPROVE MINUTES

ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE TO APPROVE THE MINUTES OF 5/12/2015.

CONSENT AGENDA

2710 CEDAR TOP RD. – PARKING

- a.) Waiver recommended by Planning Commission on 6/1/2015

ACTION:

GRANTED WAIVERS TO SECTIONS 509.A.1. AND 509.A.7. OF THE SUBDIVISION & LAND DEVELOPMENT ORDINANCE, AND ANY OTHER DIMENSIONAL WAIVERS NECESSARY WITH RESPECT TO THE EXISTING AND PROPOSED DRIVEWAYS AT 2710 CEDAR TOP ROAD, CONDITIONED UPON THE UNDERSTANDING THAT THE PROPERTY OWNER IS RESPONSIBLE FOR MAINTENANCE, INCLUDING WINTER MAINTENANCE.

2014-06 MAJESTIC ACRES 4 SUBDIVISION EXPIRATION DATE 06/30/2015
(preliminary/final) Owner: ; Agent: John W. Hoffert, PLS; location: off Gouglersville Rd. at Cumru/Brecknock line; plan no. D-14-09-01; proposal summary: subdivision for 1 single family home

ACTION:

ACCEPTED AN EXTENSION OF TIME TO 12/31/2015 FOR THE MAJESTIC ACRES 4 SUBDIVISION PLAN.

END OF CONSENT AGENDA

ON MOTION OF MRS. O'LEARY, SECOND OF MRS. SWAN, A UNANIMOUS VOTE APPROVING THE CONSENT AGENDA.

DEPARTMENTS

Recreation Department

A) Monthly Report

Mr. Gausch informed the Board that the fitness programs have been very successful. The Summer Playground program starts on 6/22/15. Registration is reduced, possibly due to the new laws regarding pre-school children. Mr. Gausch informed the Board of a change in hiring for Leaders because two candidates got jobs elsewhere.

ON MOTION OF MRS. SWAN, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING HIRING ALLISON AUSTIN AS A SUMMER PLAYGROUND LEADER.

B) Pennwyn Playground Stormwater Grant

Ms. Johnston informed the Board that she requested the Township Engineer to send a representative to the next public works Liaison meeting to discuss the proposed storm water facilities.

Police Department

A) Police Department Monthly Report – April 2015

Offenses reported – 51
Offenses cleared – 23
Criminal arrests – 24
Traffic arrests – 35
Stolen property value – \$15,244.00
Recovered property value – \$433.00
Revenue received - \$4,512.37

B) Police Department Monthly Report – May 2015

Offenses reported – 32
Offenses cleared – 12
Criminal arrests – 10
Traffic arrests – 50
Stolen property value – \$15,330.00
Recovered property value – \$10,495.00
Revenue received - \$4,041.54

Chief Habecker reviewed various incidents which occurred over the past month. He stated that a report of shots fired at the Rumba Lounge cannot be substantiated. He and 4 officers testified at the PLCB hearing for Rumba’s liquor license renewal. Results are not yet known.

C) Annual Report 2014

Offenses reported – 582
Offenses cleared – 294
Criminal arrests – 298
Traffic arrests – 408
Stolen property value – \$186,254.00
Recovered property value – \$70,249.00
Revenue received - \$105,961.28

Annual Report 2013

Offenses reported – 575
Offenses cleared - 310
Criminal arrests - 326
traffic arrests - 631
stolen property value - \$496,332.00
recovered property value - \$95,120.00
revenue received - \$103,647.48

Fire Department

A) Fire Department Monthly Report – May 2015

Total Incidents-53
Fires-17
Rescue and EMS-7
Hazardous Condition (No Fire)-2
Service Call-9

Good Intent Call-13
False Alarm-4
Total Estimated Losses- \$266,500.00
Volunteer Staffing-42 (plus 2)

Chief Brady informed the Board that the new rescue engine will be at Governor Mifflin Community Days.

Administration

A) Township Secretary position advertised

B) Reconfiguration of Upper Level Offices

1) Memorandum from Manager dated 5/28/2015

Ms. Johnston proposed a reconfiguration of the upper level offices, in order to accommodate a Township Secretary. The Board had no objection to this project.

Public Works

A) Poplar Neck Bridge over Norfolk Southern – approve engineering for repair

1) task activity no. 2 from STV Engineering in the amount of \$12,400.15

Ms. Johnston informed the Board that the increased costs are associated with the railroad.

ON MOTION OF MRS. SWAN, SECOND OF MRS. O’LEARY, A UNANIMOUS VOTE APPROVING TASK ACTIVITY NO. 2 FROM STV ENGINEERING, IN THE AMOUNT OF \$12,400.15, FOR REPAIR OF THE POPLAR NECK BRIDGE OVER NORFOLK SOUTHERN.

B) Fuel Dispensing System – bids re-advertised

C) Water System for Recreation Building

Mr. Beane informed the Board of recent water problems at both the office building and the recreation building. The staff would be requesting upgrades to the recreation building water system in the 2016 budget.

Mr. Setley informed the Board that quotes could be obtained to run public water to the Township complex. Water companies would ask for a mandatory connect ordinance.

Engineer

A) Gouglersville Road – phases 3 & 4 update

Mr. Rogosky informed the Board that the road project started on 6/15/15. The road would be closed 4-5 weeks, weather permitting.

Solicitor

A) Ordinance Revisions re: Firearms

1) ordinances advertised

Mr. Setley informed the public that the Township received threats of lawsuits with respect to the protected area ordinance and the parks ordinance, regarding the ability to carry firearms. The provisions of the current ordinances were also probably not enforceable. Amendments were drafted and advertised.

ON MOTION OF MRS. O'LEARY, SECOND OF MRS. SWAN, A UNANIMOUS VOTE ADOPTING ORDINANCES TO AMEND ORDINANCE NO. 351 AND REPEAL ORDINANCE NO. 466.

B) Ordinance revisions re: prohibited waste in sanitary sewer system

Mr. Setley informed the Board that the Township needed to modernize the ordinance for grease and other prohibited waste in the sewer system. However, full revision of the ordinance will take some time. As a stop gap measure, the penalty section of the ordinance should be revised. The Board concurred with advertising a penalty ordinance.

CORRESPONDENCE

- A) Notice of mowing pipeline rights of way, dated 5/22/2015
- B) Additional lines in Mariner 2 pipeline right of way, dated 6/10/2015

PAYMENTS OF BILLS

ON MOTION OF MRS. O'LEARY, SECOND OF MRS. HOOVER, A UNANIMOUS VOTE APPROVING PAYMENTS OF BILLS DATED 5/15/15, 5/22/15, 5/29/15, 5/29/15 – SEWER TREATMENT, 6/5/15, AND 6/12/15.

COMMISSIONERS

A) Executive Session

8:17 p.m. – The Board of Commissioners went into executive session to discuss an item of pending litigation, several personnel issues, and a labor issue.

9:10 p.m. – Mr. Sacco stated that the Board of Commissioners discussed discuss pending litigation, 4 personnel issues, and a labor issue.

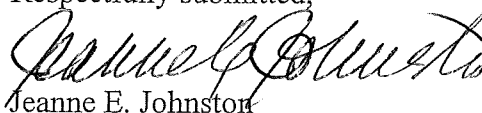
B) Reminders:

- 1) Board of Commissioners workshop meeting Tuesday, 6/30/15, at 7:00 p.m.
 - a) proposed topic: approval of routes for 3 fall events – Reading 120 cycling event, 5K run in Mohnton, Mohnton Great Pumpkin Parade
 - b) proposed topic: Fuel Dispensing System bids

ADJOURNMENT

ON MOTION OF MR. GOTTSCHALL, SECOND OF MRS. SWAN, A UNANIMOUS VOTE TO ADJOURN THE MEETING AT 9:11 P.M.

Respectfully submitted,



Jeanne E. Johnston
Manager/Secretary