

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING                      NOVEMBER 20, 2020**

The Regular Meeting of the Cumru Township Board of Commissioners was called to order by President William B. Miller at 7:00 p.m. Other Commissioners in attendance were Vice President Ruth A. O'Leary, David J. Batdorf, and Sam Kalbach. Commissioner Chip Bilger attended via real time internet. Also attending were Solicitor Michael A. Setley, Chief of Police Madison Winchester, Fire Chief James A. Beane, Superintendent of Public Works Robert McNichols, Jr., Business/Personnel Administrator Peggy A. Carpenter, Manager Jeanne E. Johnston, and Joe Rogosky of Great Valley Consultants.

This meeting is being recorded for the purpose of assisting in the preparation of meeting minutes. The audio file of the meeting will be destroyed after official meeting minutes for this meeting have been adopted.

Pledge to the Flag.

**PUBLIC**

A) Noel Marrero re: street opening Welsh Rd.

1) Letter from C2C Engineering, dated 11/17/2020

Mr. Marrero stated that he had engaged C2C Design Group and had a field meeting. Plans will take time and he proposed to repair the milled edge over the winter. Mr. Rogosky stated he would review the materials submitted by the contractor.

B) Doug Reedy re: target shooting

Mr. Reedy asked if the Board had discussed any further about a "shooting range ordinance." Mrs. O'Leary indicated concern with the ability of the Township to enforce such an ordinance. Chief Winchester stated he did not think such an ordinance was enforceable, but reckless endangerment can be enforced. Prior visits by the police department did not result in anything about which to file criminal charges. Mr. Setley confirmed that the regulation with respect to discharge of a firearm no less than 150 yards from a building is related to hunting.

Mr. Reedy described a past incident when he was notified by phone that his daughter was shot while at an outdoor event where firearms target shooting was taking place. A loaded firearm was placed on a picnic table and discharged when someone moved the firearm. He expressed that it was a difficult phone call to receive. He wants the neighbor's target shooting to be at a distance where he does not see a muzzle flash. "I don't want to be uncomfortable."

Mrs. O'Leary and Mr. Kalbach asked Chief Winchester to speak with the property owner. The Board indicated that it would not consider a special ordinance as Mr. Reedy requested.

**SOUTHERN BERKS REGIONAL EMS**

A) Monthly Report – October 2020

**APPROVE MINUTES**

The Board determined that the 10/20/2020 minutes would be held over for approval at the 12/15/2020 meeting.

## TREASURER

### A) Monthly Report – October 2020

## TAX COLLECTOR

### A) October 2020 Report

#### 1) Year 2020 Real Estate

Balance collectable beginning of month – \$166,498.21

Cash collected - \$41,882.92

Balance collectable end of month - \$128,422.95

#### 2) Year 2020 Real Estate Interim

Balance collectable beginning of month - \$2,469.13

Cash collected - \$2,238.23

Balance collectable end of month - \$320.45

#### 3) Year 2020 SMP

Balance collectable beginning of month - \$2,665.00

Cash collected - \$214.50

Balance collectable end of the month - \$2,470.00

#### 4) Year 2020 Refuse

Balance collectable beginning of month - \$38,470.00

Cash collected - \$5,874.00

Balance collectable end of the month - \$33,130.00

#### 5) Year 2020 Per Capita

Balance collectable beginning of month - \$17,790.00

Cash collected - \$2,935.00

Balance collectable end of the month - \$11,420.00

## CONSENT AGENDA

### HERITAGE OF GREEN HILLS PHASE 2

(preliminary/final) Owner: Certus Financial, LLC; Agent: Stackhouse Bensinger; Scott Miller; summary: building 1.4, including memory care; Location: off of SR 10 across from Flying Hills.

#### 1) Review letter from GVC

#### **ACTION:**

**GRANTED PRELIMINARY/FINAL APPROVAL FOR THE HERITAGE OF GREEN HILLS PHASE 2 LAND DEVELOPMENT PLAN, AS RECOMMENDED BY THE PLANNING COMMISSION, AS FOLLOWS:**

- RESOLUTION OF ANY OUTSTANDING ISSUES IN THE REVIEW LETTER FROM GREAT VALLEY CONSULTANTS, DATED 10/30/2020;
- RESOLUTION OF ANY OUTSTANDING ISSUES IN THE REVIEW LETTER FROM BCM ENGINEERS, DATED 10/19/2020;
- SATISFACTORY REVIEW OF THE NPDES PERMIT APPLICATION.

**KANTNER LANE TWINS SUBDIVISION – escrow releases**

- 1) Letter from Great Valley Consultants re: recommendation for release, dated 11/17/2020

**ACTION:**

**AUTHORIZED ESCROW RELEASE NO. 5 IN THE AMOUNT OF \$57,158.00 FOR THE KANTNER LANE TWINS SUBDIVISION.**

**ACTION:**

**AUTHORIZED ESCROW RELEASE NO. 6 IN THE AMOUNT OF \$9,681.70 FOR THE KANTNER LANE TWINS SUBDIVISION.**

**2017-15 MATZ TRACT HAMPSHIRE RD/OLD LANCASTER PIKE  
PHASE 3 FINAL PLAN**

Owner: Raymond and Rita Matz; Applicant: Brian K. Kobularcik D/B/A B5K-K48; Agent: C2C Design Group; Location: southeast corner of the intersection of Hampshire Rd. and Old Lancaster Pike; plan no. BKK-CMU-01; proposal summary: subdivide into 10 single family lots in 3 phases, phase 3 are lots 8, 9, and 10; preliminary approval 2/20/2018.

- 1) Letter from Great Valley Consultants re: recommendation for release, dated 11/13/2020

**ACTION:**

**AUTHORIZED ESCROW RELEASE NO. 1 IN THE AMOUNT OF \$34,553.44 FOR THE MATZ TRACT PHASE 3 SUBDIVISION, SUBJECT TO REVIEW BY THE SEWER ENGINEER AND MANAGER.**

**MOHNTON POOL SUBDIVISION – mostly in Borough of Mohnton**

- 1) Memorandum from Manager re: recommendation to defer review with condition, dated 11/3/2020

**ACTION:**

**AUTHORIZED DEFERRAL OF REVIEW FOR THE MOHNTON POOL SUBDIVISION, CONDITIONED UPON THE BOROUGH OF MOHNTON TAKING RESPONSIBILITY WITH RESPECT TO INSPECTION OF THE STORMWATER STRUCTURE AND ENFORCEMENT OF ANY DEFICIENCIES.**

**REAL PETS LAND DEVELOPMENT – accessory structure**

- 1) Memorandum from Manager re: recommendation to waive planning requirements for 3,500 sq ft structure on existing slab, dated 11/4/2020

**ACTION:**

**AUTHORIZED A WAIVER OF PLANNING REQUIREMENTS FOR CONSTRUCTION OF A 3,500 SQ FT ACCESSORY BUILDING BY REAL PETS, INC., ON AN EXISTING CONCRETE SLAB, SUBJECT TO THE UNDERSTANDING THAT FUTURE STRUCTURES WILL REQUIRE LAND DEVELOPMENT PLANNING.**

**END OF CONSENT AGENDA**

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

**DEPARTMENTS**

Police Department

A) Monthly Report – October 2020

Fire Department

A) Monthly Report – October 2020

Administration

**A) Heritage of Green Hills – proposed liquor license transfer**

- 1) Letter from Atty. Charles Caputo requesting public hearing on liquor license transfer, dated 11/12/2020

The Board determined that the requested public hearing would be held on 12/15/2020 at 6:45 p.m. It was understood that the developer would pay the costs of the hearing advertisement.

**B) 2021 Budget – request for additional meeting re: refuse fee**

Ms. Johnston informed the Board that the Township had not yet received all the information needed to make a budgetary recommendation on the refuse fee for 2021. She requested an additional budget meeting. The Board scheduled it for 11/24/2020 at 7:00 p.m.

**C) Codes Department – October 2020**

Building Permits Issued- 11

Use Permits Issued- 4

Zoning Permits Issued- 16

Notices of Violations- 14

Citations issued- 0

Violations complied- 37

Phone calls from contractors, realtors & public approximately- 174

Permit Inspections Done – 24

Inspections with the Fire Department – 2

Public Works

A) Monthly Report – October 2020

**B) Installation of Utilities in Cartway**

- 1) Memorandum from Manager re: request for policy, dated 11/17/2020

**ON MOTION OF MR. BILGER, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING A POLICY THAT SEWER MAINS TO BE DEDICATED TO THE TOWNSHIP SHALL BE LOCATED IN THE CARTWAY OF PUBLIC OR PRIVATE ROADS.**

**C) Auction of Surplus Property**

1) Memorandum from Manager re: request for authorization in early 2021, dated 11/16/2020  
**ON MOTION OF MR. KALBACH, SECOND OF MR. BATDORF, A UNANIMOUS VOTE ADOPTING A RESOLUTION AUTHORIZING AUCTION OF CERTAIN VEHICLES AND OTHER SURPLUS PROPERTY.**

Engineer

**A) Mail Shark II – PennDOT traffic review**

Mr. Rogosky informed the Board that the developer of the Mail Shark resubmitted the highway occupancy permit application to PennDOT. In turn, PennDOT is requiring a letter of concurrence from the Township. Ms. Johnston informed the Board that such a letter usually comes from the Planning Commission, but they do not have a meeting scheduled for December and it is unlikely for January.

**ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE AUTHORIZING THE TOWNSHIP ENGINEER TO WRITE A CONCURRENCE LETTER ON BEHALF OF THE TOWNSHIP FOR THE H.O.P. APPLICATION TO PennDOT, AND AUTHORIZING THE SOLICITOR TO REVIEW THE RIGHT OF WAY AGREEMENT.**

**B) Road Work 2020 – application for payment (final)**

Mr. Rogosky reported receiving the final application for payment from the contractor. Ms. Johnston informed the Board that the payment would be expensed out of the liquid fuels fund.

**ON MOTION OF MRS. O’LEARY, SECOND OF MR. KALBACH, A UNANIMOUS VOTE APPROVING APPLICATION FOR PAYMENT NO. 4 FOR 2020 ROAD WORK, IN THE AMOUNT OF \$20,168.40, TO BARWIS CONSTRUCTION.**

Solicitor

**PAYMENTS OF BILLS**

**ON MOTION OF MRS. O’LEARY, SECOND OF MR. BATDORF, A UNANIMOUS VOTE APPROVING MINUTES FOR 10/30/2020, 11/2/2020, 11/6/2020, AND 11/13/2020.**

**CORRESPONDENCE**

A) Reading Area Transportation Study public meeting notice for 11/19/2020

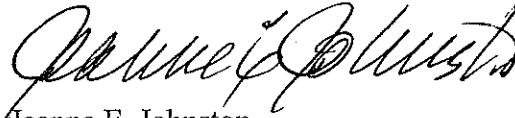
**COMMISSIONERS**

A) Pension

Mrs. O’Leary requested that a pension board meeting be scheduled. Mr. Bilger concurred. Mr. Kalbach stated concern for safe investments. Mr. Setley reported that municipalities tend to be 60/40 or 65/35 equities/fixed.

**ADJOURNMENT**  
**ON MOTION OF MR. BATDORF, SECOND OF MR. KALBACH, A UNANIMOUS**  
**VOTE ADJOURNING THE MEETING AT 8:06 P.M.**

Respectfully submitted,



Jeanne E. Johnston  
Assistant Secretary