

**CUMRU TOWNSHIP BOARD OF COMMISSIONERS**  
**5<sup>th</sup> TUESDAY MEETING**                      **AUGUST 30, 2022**

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 Sam Kalbach, William B. Miller, and Lisha Rowe. Vice President David J. Batdorf was absent. Also attending were Solicitor Michael A. Setley, Chief of Police Madison Winchester, Fire Chief James A. Beane, Superintendent of Public Works Robert McNichols, Jr., Asst. Superintendent of Public Works Michael Yost, Jr., Business/Personnel Administrator Peggy A. Carpenter, Manager/Secretary Jeanne E. Johnston, Special Projects/Asst. Secretary Patricia A. Wylezik-Pfeiffer.

**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.

**PUBLIC**

Attendance: Chris Heiniman, Gregg Bogia, Mark Koch, Sue McCoy and Dave McCoy.

A.) Atty. Mark Koch re: J&A Apartments, Zoning Hearing Board application 793

- 1) Memorandum from Manager re: Board of Commissioners authorized testimony on 08/16/2022, dated 08/23/2022

Atty. Mark Koch addressed the Board on behalf of his clients in regard to the property at 1540 Old Lancaster Pike. The Board had authorized Manager Jeanne Johnston to testify against the proposed apartment building at the Zoning Hearing Board on August 23, 2022. Atty. Koch wanted to discuss the concerns of the Board that were listed in the Memorandum from the Manager to the Zoning Hearing Board. He explained that his clients requested a continuance from the Zoning Hearing Board and that they were willing to work with the Township to reduce the concerns about the project. The plan has been changed from 2 buildings to 1 building and the number of units has been decreased from 42 to 30 after receiving feedback from the Township.

The previous plans all indicated using well water. A major concern was the potential lack of robustness in the provision of water for firefighting using a private water system. After conducting a cost/benefit analysis, the developer indicated a willingness to connect the 30-unit building to public water.

The second concern was the density provisions of the plan. The current plan encroaches into the set-back boundaries. The Zoning Ordinance provides for 10 units per acre. Atty. Koch stated that J&A Apartments was approved for 20 units in 2006. Mr. Setley reminded everyone that this property is 1.7 acres, which would equate to 17 units. The Zoning Ordinance also provides for 2.5 parking spaces per unit for a total of 75. Gregg Bogia, engineer for the plan, reported that other areas have downgraded this to 1.7 parking spaces per unit, a calculation that would only require 51 spaces. Mr. Kalbach stated that he is still concerned with the density and parking

spaces. Ms. Johnston asked if they had considered having parking underneath similar to the apartments on Ravine Dr. Chris Heiniman, owner representative, said that they considered this, but thought it would be too cost prohibitive. Ms. Rowe asked about the proximity to the PennDOT right-of-way. Ms. Johnston stated that the PennDOT sound wall might actually be a good boundary with respect to neighbors; PennDOT would provide the developer with feedback as to any infrastructure concerns about the sound wall.

An item from the Manger's memorandum expressed a need for the stormwater facility under the parking lot to be constructed with sufficient strength to withstand the weight of fire apparatus and parked passenger cars. The developer stated that this would be constructed accordingly.

Mr. Setley said that most of the concerns are less intensive, now that the developer has agreed to address the public water issue. Mr. Heiniman acknowledged that public water would be better since the building will require a sprinkler system. Ms. Johnston asked if there could be provisions for future connections to the water system. Mr. Setley replied that usually there could be provisions for 10 years. Mr. McNichols asked if there would be 1 water meter for the entire building or individual meters. Mr. Bogia responded that there would be 1 meter.

Ms. Johnston reminded everyone that PennDOT rules would apply since a portion of Old Lancaster Pike is a PennDOT road. Mr. McNichols stated that the entire intersection is owned by PennDOT.

Mr. Setley informed the Board that they had 3 options: 1) authorize Ms. Johnston to testify in favor of the plan, 2) authorize Ms. Johnston to testify against the plan, or 3) not have Ms. Johnston testify at all.

**ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO WITHDRAW AUTHORIZATION FOR THE MANAGER TO TESTIFY BEFORE THE ZONING HEARING BOARD AGAINST THE J&A APARTMENTS PLAN SUBJECT TO A COMMITMENT BY THE DEVELOPER TO PROVIDE PUBLIC WATER TO THE PROPERTY.**

## DEPARTMENTS

### Police Department

#### A.) Hiring – update

1) Written examination scheduled for 10/8/22

2) Advertisement for 09/2022

Chief Winchester reported that the written test is scheduled for 10/8/22 and the agility test is scheduled for 10/29/22. The hiring information was advertised starting 8/30/22. The hope is to be prepared for new hires to attend the Police Academy in January. Mrs. O'Leary asked if there was a date for the sergeant's test. Chief said that a date was not set, but he anticipates sometime in November.

### Fire Department

#### A.) Fire Station Phase 1 – update

1) Letter to Welsh Rd. area

Chief Beane informed the Board that Welsh Rd. will be closed as soon as the contractor installs the water main to the intersection of Reed St. and Church Rd. Welsh Rd. is anticipated

to be closed for approximately 3 months. He stated that there will be access for local residents and emergency services. Mr. McNichols informed everyone that the traffic pattern could be different everyday depending on the progress.

#### **B.) Fire Station Phase II**

- 1) Draft RFP for “Clerk of the Works”
- 2) Email from BCCD re: NPDES permit amendment deemed complete, dated 08/26/22

Ms. Johnston requested that the Board authorize the Manager to work with the Solicitor to create an RFP for the “Clerk of the Works” for Phase II, the building phase of the project. Ms. Johnston also recommended that Mr. Miller and Mr. Kalbach be appointed as liaisons due to their familiarity with the project and their construction experience. This does not need to be bid because it is a professional service.

**ON MOTION OF MR. KALBACH, SECOND OF MS. ROWE, A UNANIMOUS VOTE TO AUTHORIZE THE MANAGER AND THE SOLICITOR TO DEVELOP AND DISTRIBUTE A REQUEST FOR PROPOSALS (RFP) FOR A CLERK OF THE WORKS FOR THE FIRE STATION PROJECT, PHASE II, AND APPOINTING COMMISSIONERS KALBACH AND MILLER AS THE LIAISONS FOR THE RFP.**

Ms. Johnston reported that the amendment to the NPDES permit has passed its technical review and is on to the next phase of the review with PaDEP.

#### Administration

##### **A.) Fee Schedule – update**

- 1) Proposed changes for permit fees

Ms. Johnston explained that Skip Cross of Great Valley Consultants (GVC) has been helping the Township Codes department since Kenny Remp retired. She requested to change the Cumru Township fee schedule to reflect the GVC hourly fee

**ON MOTION OF MR. KALBACH, SECOND OF MR. MILLER, A UNANIMOUS VOTE TO CHANGE THE CUMRU TOWNSHIP FEE SCHEDULE TO REFLECT THE GVC FEE SCHEDULE.**

#### Public Works

Ms. Johnston stated that even though the leaves are starting to fall off the trees due to the lack of rain, leaf collection will not be moved ahead. There are other projects that must be done at this time of year, including the remainder of road patching before the blacktop plants close in October.

With respect to the “No Parking” signs on East Pointe Dr., the Board stated that it is satisfied with the placement of the “No Parking” signs on East Pointe Dr. and the issue will not be revisited.

#### Solicitor

## COMMISSIONERS

### A.) Executive Session

### B.) Reminders:

1) Board of Commissioners meetings for September and October 2022:

- 9/20/2022 at 7:00 p.m. – Regular Meeting
- 10/13/2022 at 3:30 p.m. – Budget Meeting
- 10/18/2022 at 7:00 p.m. – Regular Meeting
- 10/20/2022 at 3:30 p.m. – Budget Meeting
- 10/27/2022 at 3:30 p.m. – Budget Meeting

2) Planning Commission meeting – September 12, 2022, at 6:00 p.m.

*Note: This meeting will be held in the Governor Mifflin Intermediate Cafeteria*

3) Zoning Hearing Board – September 27, 2022, at 6:00 p.m.

- Continuation of application 793 (see public section of this meeting)

4) Municipal Authority – October 25, 2022, at 8:30 a.m.

*Note: This meeting was rescheduled from 10/13/2022.*

Mr. Miller requested that at least 1 police officer be available to attend the September Planning Commission meeting. The presence of the officers was greatly appreciated at the August Planning Commission meeting.

## ADJOURNMENT

**ON MOTION OF MR. MILLER, SECOND OF MR. KALBACH, A UNANIMOUS VOTE  
TO ADJOURN THE MEETING AT 7:43 P.M.**

Respectfully submitted,



Jeanne E. Johnston  
Manager/Secretary