MEETING MINUTES
OCTOBER 9, 2007

OPENING OF MEETING: The regularly scheduled bi-monthly public meeting of the Board of Supervisors of the Township of Spring was called to order by Chairman Vaughan at 7:30 p.m. in the Meeting Room of the Municipal Building located at 2800 Shillington Road, Cornwall Terrace, Berks County, Pennsylvania.

The meeting opened with the Pledge to the Flag.

Upon roll call, Messrs. Dallas, Dettra, Kreider, Templin and Vaughan were present. Also present were: James Lillis, Esquire, Leon Mazurie, Chief Messner, James Moll, Sheryl Kressler, and approximately 47 residents. (Attendance sheets are attached to these Minutes.)

OPEN TO THE FLOOR:

The majority of the residents in the audience were present for the purpose of expressing their concerns with regard to the proposed Hofmann Tract Office Complex. Chairman Vaughan advised them that there are no formal plans currently before the Township, merely a sketch plan. The Solicitor asked whether any residents in the audience wished to speak to a different matter prior to hearing comments on the Hoffman Tract issue:

Melissa Arthur, 137 Spohn Road: According to Mrs. Arthur, there are five pit bulls living in a home on Avon Avenue. These dogs have bitten two people and have accumulated nineteen citations. The police and Animal Rescue League are aware of the situation. She is very worried about the safety of the children and residents in the neighborhood and requested that the Township consider a dangerous dog ordinance or an ordinance which would limit the number of dogs in one residence to, perhaps, two or three dogs.

Natalie and John Hoebee, 204 Shakespeare Drive: The Hoebee family, and their dog, were surrounded by three of the above pit bulls while walking on Bradley Avenue in June, 2007. Mrs. Hoebee described the dogs as snarling, growling and "pack hunting," and contends they did not provoke this behavior in any way. Solicitor Lillis explained that the state dog law does not authorize second class townships or police officers to seize a dog unless it is actually attacking. The Animal Rescue League, however, can seize a dog temporarily. Only the district justice is in a position to deem a dog as dangerous. Chief Messner added that a municipality cannot supersede the state dog law. Solicitor Lillis stated that under the law, the Township can pursue each citation, as issued, in an effort to remove the dogs.

Josephine and Patrick Rooney, 2806 Avon Avenue: Mr. and Mrs. Rooney argued that the pit bulls are not vicious, they have been antagonized by neighbors and one of the dogs was recently poisoned. The owners have attempted to contain the dogs. Allegedly, a child released the dogs on the night described above. Chairman Vaughan and Chief Messner agreed to personally meet with the owner, relay the fears of the

neighbors to her, and pursue the matter under the limits of the law.

Brenda Daelhousen, 2615 Tennyson Avenue: Mrs. Daelhousen commented that she warned her mail carrier about the pit bulls, however, he had previously been given a warning sheet for that address from the Post Office.

Constance Vaughan, 2021 Noble Street: Mrs. Vaughan questioned whether something could be done to deter parking on both sides of Noble Street. Chairman Vaughan answered that today there are multiple cars for one residence, and he did not know where cars would be parked if parking was prohibited on one side of Noble Street. Widening the street would be virtually impossible. At one time, boroughs actually designed narrow streets to allow parking on both sides for a traffic calming effect. In addition, the alley behind Mrs. Vaughan's house seems to have become a road. She was advised that the Township does not have jurisdiction over the alleys.

The Open to the Floor portion of the meeting continued subsequent to the Solicitor's review of the history of the possible development of the Hofmann Tract. He emphasized that the Board cannot comment on the office complex issue, since there is no official plan pending at this time. Nevertheless, the Supervisors understand and are very concerned about the traffic situation. Solicitor Lillis noted that the developer was not present at the meeting and suggested that residents could call the developer (Metropolitan Development Group) to obtain further information.

Bill and Helen Hanson, 2615 Garfield Avenue: Mr. Hanson pointed out that there would be safety problems incurred by increased traffic on Cleveland Avenue. He was, also, concerned about drainage. Mrs. Hanson was worried about the safety of the children in the area and increased traffic on Penn Avenue.

Kathy Mulvaney, 2324 Cleveland Avenue: Ms. Mulvaney attended the meeting because of the flyer she received, and Solicitor Lillis explained the land development process to her. Once the preliminary plan is submitted, residents may desire to attend Planning Commission meetings, check the website for the meeting agenda, or contact the Township Engineering Department. The Planning Commission meets the first Thursday of each month. Plans are available for review at the Spring Township Library.

Steven Herbein, 2812 Hiester Boulevard: Concerns regarding traffic safety and stress on the fire department, police and sewer plant.

Leah DiBiase, 2900 Hiester Boulevard: Traffic safety concerns, no one stops at stop signs, she is afraid to work in her front yard.

Stanley Novashinsky, 2822 Hillvale Avenue: Increase in traffic when Spring Towne Center was built. Questioned whether the WWTP could treat additional sewage. (The Developer would be required to demonstrate that there is adequate sewage capacity for their sewage.) There are empty buildings available in the Township.

Mike and Nancy Zinn, 2711 Garfield Avenue: Gridlock, overdevelopment, nothing positive. Boscov's available. (Located in Sinking Spring Borough) Mrs. Zinn asked why abandoned buildings are not used. Solicitor Lillis responded that a realtor would say perhaps the location failed because it is not a good location for development. He explained that the Hofmann property is zoned Planned Office/Business (PO/B) and, therefore, appropriate for commercial development. The Township cannot prohibit development or the ordinance will be deemed illegal by the courts.

Al and Deborah Moatz, 2720 Hiester Boulevard: Question regarding traffic control. Mr. Moll explained that the Transportation Advisory Committee members have similar concerns and are considering resolutions to current and future traffic problems. Mrs. Moatz read an open letter to the Metropolitan Development

Group, relating to an article appearing in the Reading Eagle on September 17, 2007. (A copy of said letter is attached hereto.)

Christine Braun, 23 Howard Street: Concerned about children walking to school – buses and sidewalks will be needed.

Ron, Susan and Doug Zdunowski, 2820 Clark Avenue: More space is available in other areas of the Township. Would like to keep the area residential. Roads are a speedway.

Lana Rodgers, 106 Halsey Avenue: Concerned about water pressure being affected. Solicitor Lillis assured her the developer must demonstrate that there are adequate provisions for water, which will be reviewed by the Township.

Don Cook, 2716 Hiester Boulevard: On Thursday, October 4, 2007, Mr. Cook recorded 595 cars traveling past his house between 6:00 a.m. and 9:00 a.m., and 1,046 cars from 3:00 p.m. to 8:00 p.m.

Gregory and Linda Ganikon, 100 S. Dwight Street: The proposed development of the Hofmann Tract and the potential new road would affect their quality of life and their photography business. Snow would be plowed against their home, it would interfere with parking, there will be blasting of rock, and construction run off. Solicitor Lillis and Chairman Vaughan defended the Township's position that eminent domain could have been used in order to extend Iroquois Avenue, but it was not due to the objections of Mr. and Mrs. Ganikon.

Supervisor Dallas, also a member of the Planning Commission, commented that he appreciated the input from the residents and advised them to check the website for the Hofmann Tract Office Complex listed on the Planning Commission agenda.

MINUTES: A motion was made by Mr. Kreider, second by Mr. Dettra, approving Minutes dated September 24, 2007. Upon roll call, all Supervisors voted affirmatively with the exception of Mr. Templin, who abstained.

OPERATIONS:
Business Office:
Bills for Approval: Mr. Dallas made the motion, second by Mr. Kreider, approving payment of bills, from various Township accounts, as listed by the Township Treasurer:

General Fund - $125,460.34
Street Lighting Tax Fund - $24,625.26
Fire Hydrant Tax Fund - $1,062.60
Refuse Tax Fund - $19,912.29
Sewer District #2 Fund - $420.00
Sewer District #3 Fund - $117,919.60
Fire Protection Fund – $9,714.64
Recreation Fund - $23,308.95

Upon roll call, all Supervisors voted affirmatively.

Financial Reports: All members received copies of the current financial reports.

PUBLIC WORKS:
Engineering/Planning Department:
Time Extension Requests: As recommended by the Planning Commission, a motion was made by Mr. Dettra, second by Mr. Templin, to grant the following time extensions:

- **Spring Towne Center Office Building, Preliminary Plan – to January 31, 2008**
- **Holloway Minor Subdivision, Final Plan – to November 14, 2007**
- **Randy Brubaker Subdivision, Final Plan – to February 1, 2008**
- **Glad Tidings Assembly of God, Revised Final Plan – to December 3, 2007**

Upon roll call, all Supervisors voted affirmatively.

Road Services Department/WWTP:
Requisition #02076 – MAPP Lab Program Support Contract: As recommended by the Infrastructure Committee, a motion was made by Mr. Dallas, second by Mr. Dettra, approving Requisition #02076, for a support contract with MAPP Lab Program, provided by Alloway, in the amount of $1,800.00. Upon roll call, all Supervisors voted affirmatively. The Plant Superintendent believes this support is invaluable to the Township's accredited laboratory.

Requisition #02077 – SCADA Meter Signal Investigation: As recommended by the Infrastructure Committee, a motion was made by Mr. Dallas, second by Mr. Kreider, approving Requisition #02077, for the investigation of many communication failures experienced with the South Heidelberg SCADA meter signal, RTU 9, provided by Optimum Controls Corporation, in the amount of $1,360.00. Upon roll call, all Supervisors voted affirmatively.

PUBLIC SAFETY DEPARTMENT:
Police Department:
Animal Rescue League Agreement: As requested by Chief Messner, a motion was made by Mr. Kreider, second by Mr. Dettra, that the appropriate Township official executes the annual agreement with the Animal Rescue League and approve a donation from the Township in the amount of $2,000.00. Upon roll call Supervisors voted affirmatively. The Animal Rescue League provides animal control services to the Township on a 24-hour per day basis.

Body Zone – 2007 Senior Expo - Public Gathering Permit: Mr. Kolva, Facilities Director for Body Zone, has complied with all the requirements under the public gathering permit application A motion was made by Mr. Dallas, second by Mr. Templin, to issue a Public Gathering Permit to Body Zone for their 2007 Senior Expo, to be held on Tuesday, October 23, 2007. Upon roll call, all Supervisors voted affirmatively.

Fire Police Traffic Control – 2007 Senior Expo: As requested by Mrs. Weiss, of the Berks County Senior Citizens' Council, a motion was made by Mr. Dettra, second by Mr. Templin, granting permission for two (2) fire policemen to direct traffic during the Body Zone 2007 Senior Expo, on the above date, at a cost of $15.00 per hour, per man, if there are fire policemen available. Upon roll call, all Supervisors voted affirmatively.

Officers Long and Schappell - Transfer to Criminal Investigation Division: As a result of interviews conducted to fill two criminal investigator positions, and as requested by Chief Messner, a motion was made by Mr. Dettra, second by Mr. Templin, to approve the transfer (lateral move) of Officers Robert Long and Jared Schappell from Patrol Division to the Criminal Investigation Division. Upon roll call, all Supervisors voted affirmatively. Two new officers will replace Officers Long and Schappell in the Patrol Division.

Chief Michael Messner – Retirement: Chairman Vaughan read the following letter into the record:

Dear Jay,
I wish to inform you that on Wednesday, 11/23/07, I will be retiring from the police department since I have accepted employment with the Mohave County Community College in Mohave County, Arizona.
Sincerely,
Michael S. Messner
Chief of Police

A motion was made by Mr. Dettra, second by Mr. Templin, accepting the resignation for purpose of retirement of Michael Messner as Police Chief as follows: Chief Messner shall actively serve the Township through November 23, 2007, shall receive payment for all accrued vacation and compensation time through such date as called for in his employment agreement, and in consideration of his extending his active service through that time, being November 23, 2007, and his waiving of any claim for other incidental payments pursuant to said agreement, the Township shall continue his health coverage through January 31, 2008.

Upon roll call, all Supervisors voted affirmatively.

Chairman Vaughan stated that it has been a pleasure serving with Chief Messner. Mr. Dettra appreciates very much the work Chief Messner has done within the Township Police Department and all that has been accomplished due to his leadership.

SOLICITOR:
Beverly Professional Center, Morgan Drive: A motion was made by Mr. Kreider, second by Mr. Templin, authorizing the Chairman to execute a replacement Improvements Agreement for the Beverly Professional Center property, subject to review of the adequacy of the security and amount by Mr. Moll. Upon roll call, all Supervisors voted affirmatively. The new owner of the property is 3 Morgan Associates.

OLD BUSINESS: No old business to report.

NEW BUSINESS: No new business to report.

There being no further business, Chairman Vaughan adjourned the meeting at 9:00 p.m.

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Sheryl Kressler, Township Secretary