

# BOARD OF SUPERVISORS



## TOWNSHIP OF SPRING

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### MEETING MINUTES NOVEMBER 13, 2007

**OPENING OF MEETING:** The regularly scheduled bi-monthly meeting of the Board of Supervisors was called to order by Vice Chairman Dallas, 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 and Templin were present. Mr. Vaughan did not attend. Also present were: James Lillis, Esquire, Leon Mazurie, Sgts. Shivers, Van Etten and Troutman, James Moll, Sheryl Kressler, William Hanson, Jim Surgeoner, Mary Surgeoner, Joe Yetter, Krickett Yetter, Scott Miller, Jeff Chapman, Rick Schartel, James Pelker, Gregory Ganikon, Patti Smith, Gregg Bogia, John Roland and Dick Mable

#### **POLICE PROMOTIONS:**

**Sgt. Joseph Shivers and Sgt. Ritchey Troutman:** As recommended by Chief Messner, a motion was made by Mr. Kreider, second by Mr. Templin, promoting Sgt. Joseph Shivers to Lieutenant – Patrol Division and Sgt. Ritchey Troutman to Lieutenant – Criminal Division. Upon roll call, all Supervisors present voted affirmatively. Mr. Dallas congratulated them and stated that their promotions were well deserved.

#### **OPEN TO THE FLOOR:**

**Jim and Mary Surgeoner, 2520 Garfield Avenue:** Officer Surgeoner addressed another side of the proposed permit parking issue – working parents of children who attend Wilson High School, who are involved in extra-curricular activities and who must drive to school. In his opinion, parking issues around the high school have been exaggerated. He suggested sampling the opinions of the entire Township rather than only the residents in the area of the high school. Mrs. Surgeoner added that walking to the school would be dangerous on roads such as Dwight Street where there are no sidewalks. Mr. Dallas responded that the Board is awaiting a report from the Police Department.

**Bill Hanson, 2615 Garfield Avenue:** Mr. Hanson had concerns regarding the annoying rectangular stop signs placed between the curb and the sidewalk, in his neighborhood, protesting development of the Hofmann Tract. He suggested that the signs be placed on the lawns to prevent safety problems for pedestrians and motor vehicles.

**Gregory Ganikon, 100 S. Dwight Street:** Mr. Ganikon offered to move the aforementioned signs as directed by the Supervisors.

**James Pelker, 2308 Jefferson Avenue:** With regard to the ordinance requiring recreational vehicles to be removed from the streets by October 15<sup>th</sup>, Mr. Pelker advised the Supervisors that his neighbor did not comply with the ordinance. However, the vehicle has since been moved to what is allegedly PennDOT property. Mr. Pelker was informed that PennDOT has been notified.

**MINUTES:** A motion was made by Mr. Kreider, second by Mr. Dettra, approving Minutes dated October 22, 2007. Upon roll call, all Supervisors present voted affirmatively with the exception of Mr. Templin, who abstained.

**OPERATIONS:**

**Business Office:**

**Bills for Approval:** Mr. Dettra made a motion, second by Mr. Templin, approving payment of bills, from various Township accounts, as listed by the Township Treasurer:

- General Fund - \$103,455.27
- Fire Hydrant Tax Fund – \$6,247.94
- Refuse Tax Fund - \$28,667.77
- Park Capital Outlay Fund - \$3,668.25
- Sewer District #3 Fund – \$56,824.39
- Traffic Impact Fund - \$1,336.50
- Fire Protection Fund - \$8,437.13
- Capital Fund Account - \$6,718.13
- Recreation Fund - \$8,380.68

Upon roll call, all Supervisors present voted affirmatively with the exception of Mr. Kreider, who abstained on Check No. 65803 only.

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

**GIS Server Update and Replacement – Purchase Order #01672:** As recommended by the Director of Operations, a motion was made by Mr. Kreider, second by Mr. Dettra, approving Purchase Order #01672, to Omega Systems, for hardware (\$19,557.52), software (\$2,890.38), and installation (\$4,250.00), at a total cost of \$26,697.90. Upon roll call, all Supervisors present voted affirmatively.

**Solomon Server Update and Replacement – Purchase Orders #01674 and #01675:** A motion was made by Mr. Templin, second by Mr. Kreider, approving the following:

- (1) Purchase Order #01674, to Intellitec Solutions, for software (\$10,755.75) and installation (\$2,640.00), at a total cost of \$13,395.75, and
- (2) Purchase Order #01675, to Omega Systems, for hardware (\$5,435.99), software (\$3,246.47) and installation (\$1,700.00), at a total cost of \$10,382.46.

Upon roll call, all Supervisors present voted affirmatively. Accordingly, a motion was made by Mr. Kreider, second by Mr. Templin, authorizing the appropriate officer to execute the contracts with the above companies to provide the necessary services. Upon roll call, all Supervisors present voted affirmatively.

**Parks and Recreation Department:**

**Conditional Offers of Employment:** As requested by Mrs. Houck, a motion was made by Mr. Kreider, second by Mr. Templin, granting permission for the Parks and Recreation Manager to offer conditional employment to two (2) individuals, thereby filling the vacancies left by the retirement and resignation of previous personnel. Upon roll call, all Supervisors voted affirmatively. Conditions for employment will be successful background checks, physicals and

substance abuse tests.

**PUBLIC WORKS:**

**Engineering/Planning Department:**

**Reading Hospital Post Acute Care Hospital and Office Building – Final Plan:** As recommended by the Planning Commission, a motion was made by Mr. Dettra, second by Mr. Kreider, approving the Reading Hospital Post Acute Care Hospital and Office Building Final Plan, with the following conditions: execution of an improvements agreement with adequate financial security, DEP approval of the planning module, execution of all necessary agreements for the conveyance and treatment of sewage, and the payment of any outstanding bills to the Township. Upon roll call, all Supervisors present voted affirmatively. All conditions listed in the Conditional Use Hearing decision have either been noted on the plan or resolved on the plan.

**Glad Tidings Assembly of God – Building Addition Final Plan:** As recommended by the Planning Commission, a motion was made by Mr. Dallas, second by Mr. Templin, approving the Glad Tidings Assembly of God Building Addition Final Plan, with the following conditions: execution of an improvements agreement with adequate financial security, DEP approval of the planning module (if necessary), and payment of any outstanding bills to the Township. Upon roll call, all Supervisors present voted affirmatively. Mr. Miller informed Mr. Kreider that trees will be planted in areas of the new parking lot.

**Holloway Subdivision - Final Plan:** As recommended by the Planning Commission, a motion was made by Mr. Dettra, Second by Mr. Kreider, approving the Holloway Subdivision Final Plan, with the following conditions: execution of improvements agreement with adequate financial security, DEP approval of the planning module, execution of a restrictive covenant for the driveway and payment of any outstanding bills to the Township. Upon roll call, all Supervisors present voted affirmatively.

**Beetel – Annexation:** As recommended by the Planning Commission, a motion was made by Mr. Templin, second by Mr. Kreider, approving the annexation of a parcel of property from Lot #47 to Lot #50 (in and around Arrowhead Trail), with the provision that a document shall be recorded offering a portion of the sanitary sewer line and easement, located on the property, to the Township. Upon roll call, all Supervisors present voted affirmatively.

**Weis Market – Time Extension:** As recommended by the Planning Commission, a motion was made by Mr. Dallas, second by Mr. Templin, granting the requested time extension to February 12, 2008. Upon roll call, all Supervisors present voted affirmatively. A letter was received by the Planning Commission stating that the reason for the request was out of the control of the applicant; namely, DEP and the Conservation District approval of the E&S Control Plan.

**Chapman Greenhouse – Waiver of Land Development:** The Planning Commission recommended that the Board of Supervisors grant a waiver of land development for construction of a 15,000 square foot greenhouse on a 10-acre property, located at 101 Forrest Drive, with conditions. However, following discussion the Supervisors agreed they had insufficient information, and a motion was made by Mr. Dettra, second by Mr. Kreider, to delay their decision for two weeks. Upon roll call, all Supervisors voted affirmatively.

**Lamar Advertising:** As recommended by the Sign Committee, a motion was made by Mr. Dallas, second by Mr. Templin, amending the locations of two of the three billboards approved in the executed Stipulation and Agreement with Lamar Advertising, as follows: the sign at location No. 10 is to be shifted approximately 225 feet to the south, and the sign at location No. 8 is to be shifted approximately 150 feet to the north. Upon roll call, all Supervisors present voted affirmatively.

**Township of Spring – Municipal Campus – Waiver Request:** As recommended by the Planning Commission, a motion was made by Mr. Kreider, second by Mr. Dettra, granting the requested waiver of **Section 503 (C)(B)(2)**, permitting a scale of 1” = 40’ (showing greater detail) rather than the specified scale of 1” = 50’. Upon roll call, all Supervisors present voted affirmatively.

**Road Services Department/WWTP:**

**Ziegler/Brightbill Stormwater Drainage Easement Agreement:** As recommended by the Director of Public Works, a motion was made by Mr. Dettra, second by Mr. Kreider, authorizing the execution of the Ziegler/Brightbill Stormwater Drainage Easement Agreement and allow for construction of the necessary facilities. Upon roll call, all Supervisors present voted affirmatively. Mrs. Ziegler acknowledged that the proposed improvements will remedy drainage problems, which may have been caused by PennDOT's construction of Deer Creek Road and Deer Creek Court.

**Conditional Offer of Employment:** As requested by the Director of Public Works, a motion was made by Mr. Dettra, second by Mr. Templin, granting permission for the Director of Public Works to offer conditional employment to three (3) applicants for employment, within the Public Works Department, due to retirement, resignation and to fill an additional position in the roads department. Upon roll call, all Supervisors present voted affirmatively. Conditions for employment will be successful completion of a background check, drug and alcohol testing and physical examination.

**Infrastructure Committee:**

**Vinemont Sewage Treatment – Proposal for Design:** As recommended by the Infrastructure Committee, a motion was made by Mr. Kreider, second by Mr. Templin, authorizing Gannett Fleming to provide professional engineering services for the design and bidding process associated with a community treatment system in the Vinemont area, at a cost not to exceed \$56,500.00. Upon roll call, all Supervisors present voted affirmatively with the exception of Mr. Dettra, who voted no.

**Old Lancaster Pike:** Mr. Mazurie advised the Board that as of November 18, 2007, the Old Lancaster Pike Sewer Project will begin. A notice will be posted on the website.

**Introduction of Supervisors-Elect:** Vice-Chairman Dallas introduced newly elected Supervisor, Patti Smith, who was in the audience.

**PUBLIC SAFETY DEPARTMENT:**

**Officer Keiser – Patrol Person First Class:** Lt. Shivers advised the Board that Officer Keiser will have completed 36 months of uninterrupted service with the Township on November 18, 2007. As requested by Chief Messner, a motion was made by Mr. Dettra, second by Mr. Templin, designating Officer Keiser as Patrol Person First Class. Upon roll call, all Supervisors present voted affirmatively.

**Barry Wayne Keller – Resolution #2007-28:** As requested by Chief Messner, a motion was made by Mr. Kreider, second by Mr. Dallas, authorizing the appropriate official to execute and sign Resolution #2007-28 allowing Barry Wayne Keller (recently hired) to attend the required municipal police training in January, 2008. Upon roll call, all Supervisors present voted affirmatively.

**Township of Spring Volunteer Fire Department:**

Fire Commissioner Schach submitted the October Monthly Activity Report and Training Bulletin. Mr. Schartel reviewed highlights from the activity report. He, also, reported that BCTV will air a program regarding the sign language class, which is a program offered only by the TSVFD (Township of Spring Volunteer Fire Department).

**SOLICITOR:**

**Local Services Tax – Ordinance #348:** As a result of changes in the statute by the General Assembly, Township Ordinance #348 will change the name of the Emergency and Municipal Services Tax to Local Services Tax, and levy \$47.00 for the Township and \$5.00 for the Wilson School District (maximum of \$52.00) against Township residents. Solicitor Lillis included the following language change from the advertised Ordinance: ***In the event that the Wilson School District should eliminate or reduce such tax, the Township reserves the right to increase the Township's rate, accordingly, up to such maximum as may be permitted by law.*** A motion was made by Mr. Dettra, second by Mr.

Kreider, to enact Ordinance #348, as prepared by the Solicitor, with changes as noted. Upon roll call, all Supervisors present voted affirmatively.

**Lincoln Park Fire Company Lease:** The fire department has proposed a lease agreement with the Lincoln Park Fire Company for one (1) year to house the Kids Safety House only, essentially rent free (\$1.00 consideration). A motion was made by Mr. Templin, second by Mr. Kreider, authorizing the Vice Chairman or Chairman to execute said lease. Upon roll call, all Supervisors present voted affirmatively. Mr. Dallas commended the parties involved for a job well done.

**Tapping Fee Resolution #2007-29:** In order to resolve confusion with regard to imposition and calculation of tapping fees for commercial developments, this Resolution clarifies that Tapping Fees for all commercial development shall be imposed and calculated in accordance with the per gallonage basis as established in **Section 404 (a) and (b), No. 5.,** Present Value Unit Cost Calculation. A motion was made by Mr. Kreider, second by Mr. Templin, adopting Resolution #2007-29. Upon roll call, all Supervisors present voted affirmatively. Rates will not be affected. Subsequently, a motion was made by Mr. Dettra, second by Mr. Dallas, authorizing the Solicitor to advertise and prepare the Ordinance for adoption at the next meeting. Upon roll call, all Supervisors present voted affirmatively.

**Tax Exoneration – Vinemont Road Property:** A motion was made by Mr. Kreider, second by Mr. Dallas, approving exoneration of the Tax Collector from requirement to collect taxes for the Vinemont Road property, which has been acquired by the Township, but has not, as yet, been declared tax exempt. Upon roll call, all Supervisors present voted affirmatively.

**NEW BUSINESS:** No new business to report.

**OLD BUSINESS:** No old business to report

**WORKSHOPS/TRAINING REQUESTS:** A motion was made by Mr. Templin, second by Mr. Kreider, approving the following workshop/training requests:

- J. Moll – Sunshine Act/Right to Know Workshop, November 15, 2007 - \$40.000
- Lt. Shivers, Lt. Troutman and Sgt. Van Etten – POLEX, December 3-14, 2007 – no charge
- J. Bensinger and A. Wozniak, Fire Inspector I Training, December 4, 6, 11, 13, 2007 - \$141.00

Upon roll call, all Supervisors present voted affirmatively.

There being no further business, Vice Chairman Dallas adjourned the meeting at 8:53 p.m.

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Sheryl Kressler, Township Secretary