

MEETING MINUTES
APRIL 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, Chief Messner, Leon Mazurie, James Moll, Sheryl Kressler, Charles Balthaser, Jim Balthaser, Shirlene Foltz, Agnes Sweigart, Robert Carpenter, Jerry Corcoran, Dorothy Balthaser, Doris Balthaser, Penny Brubaker, Dennis Brubaker, John Roland, Richard Mable, Doug Wessner of the Westside Weekly, a reporter for the Reading Eagle and a court stenographer.

OPEN TO THE FLOOR:

Robert Carpenter – 915 Connor Court: Mr. Carpenter resides in Autumn's Edge and is aware that corrective measures are being taken with regard to stormwater management and erosion control. He questioned (1) the involvement of the Township as far as calculations of stormwater and pipe size are concerned, (2) will his property be affected by these measures, and (3) will the driveway access, servicing Lots #37 and #38 (which encroaches on his property) be moved from his property? Chairman Vaughan advised Mr. Carpenter that Township staff had met with Forino representatives, and he was reluctant to comment pending receipt of a marked-up plan from Forino.

Charles Balthaser - 572 Mohn's Hill Road: Continuing concerns were voiced by the Balthaser family on drainage problems associated with construction of Stor-4-You. The Township has asked the developer for his recommendations regarding resolution of these issues and, also, asked if he would accelerate the construction process in order that full-time stormwater measures could be put into affect. Solicitor Lillis emphasized that the Township is attempting to be of assistance in resolving this problem between the Balthasers and the developer. The developer's permit records will be investigated.

Jim Balthaser – 317 Chapel Hill Road: In addition to the above comments, Mr. Balthaser indicated that a 20-foot wide strip of alfalfa, growing on his land, has been damaged by water. He requested compensation for his losses from the developer of Stor-4-You.

Shirlene Foltz (2053 Old Lancaster Pike) and Agnes Sweigart (2049 Old Lancaster Pike): Mrs. Foltz explained that water is being pumped from a sump pump in the basement of a home under construction, and the water is flowing from a hose through her yard and that of Mrs. Sweigart. They questioned if this was legal and why a building permit was issued, since the sump pump water is destroying their wells and septic systems. Mrs. Sweigart stated that the owner of the new home has asked for right-of-way through her

property, but she will not grant him the right-of-way. According to Mr. Mazurie, the Township Codes Department has been involved in this matter since July, 2006. Mrs. Foltz and Mrs. Sweigart were advised to call Mr. Mazurie for further information.

MINUTES: A motion was made by Mr. Kreider, second by Mr. Dettra, accepting the minutes of March 26, 2007, and WalMart Conditional Use Hearing Minutes of March 8, 2007. Upon roll call, all Supervisors voted affirmatively with the exception of Mr. Templin, who abstained on the WalMart Hearing Minutes.

OPERATIONS:

Business Office:

Bills for Approval: Mr. Dallas made a motion, second by Mr. Kreider, approving payment of bills, excluding Check #064128, from various Township accounts, as listed by the Township Treasurer:

General Fund - \$188,463.49
Street Lighting Tax Fund - \$400.00
Fire Hydrant Tax Fund - \$100.00
Refuse Tax Fund - \$17,541.73
Sewer District #3 Fund - \$170,442.93
Fire Protection Fund – \$21,197.28
Recreation Fund - \$15,584.46

Upon roll call, all Supervisors voted affirmatively.

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

Section 125/Premium Only Plans: As recommended by Mr. Mazurie, a motion was made by Mr. Dettra, second by Mr. Templin, directing Township staff to investigate Section 125/Premium Only Plans (POP) for those Township employees who presently pay a partial premium towards their health insurance. Upon roll call, all Supervisors voted affirmatively. This plan allows employees to make contributions for their health insurance costs before taxes are calculated, saving tax money on health insurance deductions with each paycheck. The Township may be eligible for savings on FICA matches, as well.

Parks and Recreation Department:

Zero Turn Mower Tractor – Purchase Order: A motion was made by Mr. Dallas, second by Mr. Templin, to approve the purchase of a Zero Turn Mower, 54” cut with bagger, from Manor Equipment, Inc., at a cost of \$5,327.30, with trade-in. Upon roll call, all Supervisors voted affirmatively. This mower is being purchased in anticipation of the development of Shiloh Hills Park, through the state contract program.

PUBLIC WORKS:

Engineering/Planning Department:

Evergreen Hill Estates – Planning Module – Resolution No. 2007-17: A motion was made by Mr. Dettra, second by Mr. Kreider, to adopt Resolution No. 2007-17 for the Planning Module to be submitted to DEP and authorization for the Township Secretary to sign the necessary forms. Upon roll call, Supervisors Dettra, Kreider and Templin voted yes. Supervisors Dallas and Vaughan voted no. Motion passed.

3047 Van Reed Road – Release of Improvement Agreement Funds: As recommended by Great Valley Consultants, a motion was made by Mr. Dallas, second by Mr. Kreider, approving release of funds in the amount of \$13,403.68, leaving a remaining balance of \$2,365.35, to be rolled over into the 18-month Maintenance Agreement. The motion included the condition that the applicant pays all outstanding invoices to the Township, prior to release of the funds, and authorization to execute the Maintenance Agreement. Upon roll call, all Supervisors voted affirmatively.

Royal Oaks – Escrow Release: As recommended by Great Valley Consultants, a motion was made by Mr. Dallas, second by Mr. Kreider, to approve Escrow Release #1 for the Royal Oaks Subdivision in the amount of \$39,554.39, leaving a remaining balance of \$1,078,070.06. Upon roll call, all Supervisors voted affirmatively.

Hafer Intervilla Minor Subdivision: As recommended by the Planning Commission, a motion was made by Mr. Kreider, second by Mr. Templin, to approve the Final Plan for Hafer Intervilla Minor Subdivision, as revised. Upon roll call, all Supervisors voted affirmatively.

Overlook Mountain Annexation Plan: As recommended by the Planning Commission, a motion was made by Mr. Dallas, second by Mr. Kreider, to re-approve the Overlook Mountain Annexation Plan, with minor changes. Upon roll call, all Supervisors voted affirmatively.

Weis Store #175 – Final Plan – Extension of Time: A motion was made by Mr. Kreider, second by Mr. Dallas, to grant a 60-day extension of time, for Weis Store #175, to July 4, 2007. Upon roll call, all Supervisors voted affirmatively.

Infrastructure Committee:

Purchase Orders: A motion was made by Mr. Dallas, second by Mr. Templin, to approve the following Purchase Orders:

- (1) PO #02065, in the amount of \$3,950.00, for the purchase of a new Ultrasonic flow meter for the .45 mgd. plant from LRM, Inc. This is a budgeted item.
- (2) PO #04221, in the amount of \$9,789.00, for the purchase and installation of a Model TPA50-98AB-SW Classic II Service Body from Reading Equipment & Distribution, LLC. The upfit of the existing Ford F250 Super Duty Pickup Truck is a budgeted item and will be facilitated through the PACC contract.
- (3) PO #04227, in the amount of \$9,145.00, for the purchase of a Flow-Dar Sensor, flow logger, cables and portable mount from Northeast Technical Sales, Chicago, Illinois. This purchase is through a state contract and is a budgeted item.
- (4) PO #04228, for the purchase of two (2) single user licenses for the GIS system. The cost of each license is \$1,500.00 for a total of \$3,000.00. Funds are available in the budget to purchase these licenses.

Upon roll call, all Supervisors voted affirmatively.

Penn State Pump Station By-Pass Proposal: As recommended by the Infrastructure Committee, a motion was made by Mr. Dettra, second by Mr. Dallas, authorizing Systems Design Engineering, Inc. to perform a preliminary feasibility study with regard to upgrade options for the Penn State Pump Station compared to the installation of a sewage bypass along portions of SR 222 in Spring Township. This would be a feasibility study only, at a cost of \$5,750.00. Upon roll call, all Supervisors voted affirmatively.

HOP Applications for PennDOT: As recommended by the Infrastructure Committee, a motion was made by Mr. Dettra, second by Mr. Kreider, authorizing the appropriate Township official to execute the application for a Highway Occupancy Permit for State Hill Road (2007 Rehabilitation and Repair Project) and for Furlow Road (Old Lancaster Pike Sewer Project). Upon roll call, all Supervisors voted affirmatively.

Sinking Spring Yard Waste Request: As recommended by the Public Works Director, a motion was made by Mr. Kreider, second by Mr. Dettra, to enter into a cooperative yard waste recycling site agreement, with the Borough of Sinking Spring, effective for both the Reedy Road and Goose Lane yard waste recycling sites for the calendar year 2007, establish a rate of \$5.00 per capita for Borough residents and that the Public

Works Director and Solicitor prepare said agreement. Upon roll call, all Supervisors voted affirmatively with the exception of Mr. Dallas, who voted no.

Maintenance Garage Specifications and Bidding: A motion was made by Mr. Dallas, second by Mr. Templin, authorizing preparation of specifications and bidding documents for the renovations and expansion of the Municipal Maintenance Garage, including authorization to advertise said specifications and bidding documents when completed. Upon roll call, all Supervisors voted affirmatively.

Seasonal Requirements: A motion was made by Mr. Dettra, second by Mr. Kreider, authorizing preparation of specifications for seasonal requirements and the advertising of those specifications. Upon roll call, all Supervisors voted affirmatively. The seasonal requirement bid includes specifications on aggregate, bituminous material, utility cut restoration, fuel products and high performance cold patch.

PUBLIC SAFETY DEPARTMENT:

Township of Spring Volunteer Fire Department:

Sale of Traffic 85 (1969 Step Van): A motion was made by Mr. Dettra, second by Mr. Templin, permitting the Fire Commissioner to sell Traffic 85 at the Berks County Cooperative Purchasing Council Auction, on June 11, 2007. Upon roll call, all Supervisors voted affirmatively.

**READING HOSPITAL LONG TERM ACUTE CARE FACILITY
CONDITIONAL USE HEARING
8:40 P.M.**

Upon roll call, Supervisors Dallas, Dettra, Kreider, Templin and Vaughan were present. Also present were: James Lillis, Esquire, Township Solicitor, and a court stenographer.

Testimony and evidence were entered into the stenographic records. A copy of the transcript will be incorporated, by reference, into these Minutes when completed and available for inspection in the Engineering and Planning Services Department of the Township of Spring Municipal Building.

The Supervisors set the next Conditional Use Hearing date for May 10, 2007, at 6:30 p.m., in the second floor Meeting Room of the Township of Spring Municipal Building. This will give the Township staff adequate time to review the recent plan submission.

SOLICITOR:

Traffic Ordinance #337: Having been duly advertised, a motion was made by Mr. Dallas, second by Mr. Templin, adopting Ordinance #337 restricting parking (no parking) on Snyder Road between Van Reed Road and Yerger Boulevard, on the west side of Yerger Boulevard between Brian Lane and Snyder Road, approximately 235 feet from the center of Snyder Road, west towards the Glad Tidings rear driveway. Upon roll call, all Supervisors voted affirmatively.

Police Services Ordinance #338: Having been duly advertised, a motion was made by Mr. Vaughan, second by Mr. Templin, adopting Ordinance #338, authorizing the Township to enter into an agreement with the Boroughs of West Reading, Wyomissing and Sinking Spring for cooperation providing police protection throughout the Township of Spring and the aforementioned municipalities. Upon roll call, all Supervisors voted affirmatively. The Solicitor added that the agreement is basically for mutual aid in the event of emergencies.

OLD BUSINESS: No old business to report

NEW BUSINESS:

New Employee: A motion was made by Mr. Dallas, second by Mr. Templin, to employ James Moll in the position of Engineering and Planning Manager, at a probationary salary of \$97,500.00. Upon satisfactory completion of the 180 day probationary period, his salary will increase by \$2,500.00. Upon roll call, all Supervisors voted affirmatively. Mr. Moll has satisfied all of the conditions of the Board's conditional offer of employment and will begin employment with the Township immediately.

Job Description – Engineering and Planning Manager: A motion was made by Mr. Dallas, second by Mr. Templin, to approve the job description for the Engineering and Planning Manager. Upon roll call, all Supervisors voted affirmatively.

Workshops/Training Requests: A motion was made by Mr. Kreider, second by Mr. Templin, approving the following training requests, as reported by Mr. Dallas:

Officer Williams – Arson Case Management, 3 days beginning May 7, 2007, at a cost of \$250.00

John Schach – Practical Fire/Arson Scene, Search and Evidence Recovery, April 26th and 27th, 2007, at a cost of \$250.00, plus lodging, and Arson Case Management, May 5th, 6th, and 7th, 2007, at a cost of \$250.00.

Kevin Bitz – Pennsylvania GIS Conference (GIS panel) at no charge.

Activity Reports: Chairman Vaughan reported that activity reports were received from the Police and Fire Departments.

There being no further business, Chairman Vaughan adjourned the meeting at 9:20 p.m.

Sheryl Kressler, Secretary