

MEETING MINUTES
JULY 23, 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 and Vaughan were present. Mr. Templin did not attend. Also present were: James Lillis, Esquire, Leon Mazurie, Chief Messner, James Moll, Sheryl Kressler, James Zerr, Stanley Blankenbiller, Jolene Weeks-Schwartz, Pat Konopelski, Karen Krater, Eric Bachman and Troop 473 West Lawn Boy Scouts (observing for badge), Andrew DiNunzio, Jed Kerns, John Roland, Gregg Bogia, John Forde and David Kostival of the Reading Eagle.

OPEN TO THE FLOOR:

Jolene Weeks-Schwartz, 132 W. Wyomissing Boulevard (Sunshine & Stars): For the Board's information, and with reference to the new Township Zoning Ordinance, Mrs. Weeks-Schwartz presented Chairman Vaughan with a recent Reading Eagle news article regarding the growing need for child care facilities.

Andrew DiNunzio – Senator Folmer's Office: Mr. DiNunzio requested a change in location for a meeting later in the week. Chairman Vaughan will contact him with a response.

James Zerr - Public Gathering Permits: Mr. Zerr, a member of Sinking Spring Borough Council, asked for dialogue between Township and Sinking Spring representatives prior to granting public gathering permits for Shocktoberfest and Jingle Bell Fest. The Borough has concerns since these events occur mainly in Sinking Spring. Mr. Konopelski, the applicant, was agreeable to deferring action to the next Board of Supervisors meeting. Chief Messner will schedule a meeting with Sinking Spring. Mr. Dettra offered to chair said meeting, and suggested Mr. Konopelski should, also, be included.

A motion was made by Mr. Dettra, second by Mr. Kreider, to defer action on the public gathering permits for Shocktoberfest and Jingle Bell Fest to the next meeting and resolve the matter at that time, keeping in mind that the applicant has fulfilled all of the conditions set forth in the Public Gathering Ordinance of the Township of Spring. Upon roll call, all Supervisors present voted affirmatively with the exception of Mr. Dallas, who voted no.

MINUTES: A motion was made by Mr. Dallas, second by Mr. Kreider, approving Minutes dated July 9, 2007. Upon roll call, all Supervisors present affirmatively.

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 - \$200,413.33
Street Lighting Tax Fund - \$22,386.00
Fire Hydrant Tax Fund - \$6,247.94
Refuse Tax Fund - \$133,066.04
Park Capital Outlay Fund - \$2,627.80
Sewer District #2 Fund - \$431.38
Sewer District #3 Fund - \$113,829.87
Traffic Impact Fund – 256.00
Fire Protection Fund – \$13,110.00
Capital Fund Account - \$3,950.00
Recreation Fund - \$39,777.59

Upon roll call, all Supervisors present voted affirmatively.

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

Host Exchange Solution Proposal (IT): The warranty on the Township’s current server, which houses e-mail, expires in November, 2007. Mr. Mazurie reviewed the Pricing Exchange Outright and Host Exchange Solution proposals. As recommended by Mr. Mazurie, a motion was made by Mr. Dettra, second by Mr. Dallas, accepting the Host Exchange Solution Proposal from Omega Systems, at a total cost for three (3) years of \$38,720.00. Upon roll call, all Supervisors present voted affirmatively. Solicitor Lillis will review the contract.

Township Insurance Program Proposal: As recommended by Mr. Mazurie, a motion was made by Mr. Dallas, second by Mr. Kreider, accepting the insurance proposal, submitted by Richard I. Hart, Inc., for coverage by EMC Insurance Company, at a cost of \$114,443.00 (\$2,148.00 less than the current cost). Upon roll call, all Supervisors present voted affirmatively. Mr. Dettra requested copies of the quotes obtained by Mr. Hart.

Resolution #2007-23 – Section 125 Internal Revenue Code: A motion was made by Mr. Kreider, second by Mr. Dallas, adopting Resolution #2007-23 establishing a Section 125 plan for the Township for payment of employee contributions to the employer’s welfare benefit plan(s) through pre-tax payroll deductions. Upon roll call, all Supervisors present voted affirmatively with the exception of Mr. Vaughan, who abstained. Mr. Dallas will sign the Resolution as Vice-Chairman.

Zoning/Building Codes Department:

Authorization to Amend Ordinance #307: As recommended by the Director of Operations, a motion was made by Mr. Kreider, second by Mr. Dallas, authorizing the Solicitor to advertise an amendment to Ordinance #307, reflecting replacement of the 2003 Property Maintenance Code with the 2006 Property Maintenance Code and revisions to the Uniform Construction Code (International Building Code), 2006 Edition. Upon roll call, all Supervisors present voted affirmatively.

PUBLIC WORKS:

Engineering/Planning Department:

Mogel/Kerns – Waiver Request and Preliminary Plan Approval: Following Mrs. Krater’s review of the waiver request, and as recommended by the Planning Commission, a motion was made by Mr. Dallas,

second by Mr. Kreider, permitting the applicant to defer the design and construction of the individual, on-site stormwater management facilities until the time of building permit application. Upon roll call, all Supervisors present voted affirmatively, with the exception of Mr. Dettra, who voted no. Chairman Vaughan requested that notes appear on the plans and that prospective owners be advised of their stormwater management responsibilities. Mr. Moll added the Engineering Department would be reviewing the building permit applications and a fee will be incurred.

As recommended by the Planning Commission, a motion was made by Mr. Dallas, second by Mr. Kreider, granting conditional approval of the Preliminary Plans with the condition that the applicant determines the costs for necessary improvements along Chapel Hill Road and signs a statement agreeing to post financial security for such costs. Upon roll call, all Supervisors voted affirmatively, with the exception of Mr. Dettra, who voted no.

West Wyomissing – Drainage Study: As recommended by the Infrastructure Committee, a motion was made by Mr. Kreider, second by Mr. Dettra, authorizing Great Valley Consultants to perform a limited drainage study on a portion of the existing storm sewer in the West Wyomissing area (Reading Boulevard to the alley between Garfield Avenue and Cleveland Avenue), at a cost not to exceed \$6,000.00. Upon roll call, all Supervisors present voted affirmatively.

Land Use Assumption Report – Resolution # 2007-24: A public hearing was held by the Traffic Impact Fee Committee on the Land Use Assumptions Report, prepared by Mr. Moll and Great Valley Consultants. As recommended by the Traffic Impact Fee Committee, a motion was made by Mr. Dallas, second by Mr. Kreider, approving the Land Use Assumption Report, Resolution #2007-24. Upon roll call, all Supervisors present voted affirmatively.

Fee Schedule Amendment: As recommended by the Township staff, a motion was made by Mr. Dallas, second by Mr. Kreider, to amend the Fee Schedule as follows: (1) Cost for Purchase of Zoning Ordinance reduced from \$75.00 to \$25.00, (2) Property Maintenance Appeals Board Hearing fee increased from \$250.00 to \$750.00, and (3) Miscellaneous Hearings and Court Costs fee increased from \$500.00 to \$750.00. Upon roll call, all Supervisors present voted affirmatively.

Infrastructure Committee:

Old Lancaster Pike Sewer Extension – Award Contract: As recommended by Gannett Fleming, Inc., a motion was made by Mr. Kreider, second by Mr. Dallas, to award the contract for the Old Lancaster Pike Sewer Extension to Tru-Line Contractors, Inc., Perkasie, Pennsylvania, in the amount of \$454,593.50. Upon roll call, all Supervisors present voted affirmatively.

Purchase Order #01419 – Root Cutting: As recommended by the Infrastructure Committee, a motion was made by Mr. Kreider, second by Mr. Dallas, approving Purchase Order #01419, to Pipe Services Corporation, West Chester, Pennsylvania, for root cutting in various 8” terracotta sanitary sewer lines within the Township (\$150.00 per hour), at a cost not to exceed \$10,000.00. Upon roll call, all Supervisors present voted affirmatively. Three quotes were obtained, as required.

Wastewater Treatment Plant – NPDES Part 1 Permit Application: As recommended by the Director of Public Works, a motion was made by Mr. Dallas, second by Mr. Kreider, authorizing Systems Design Engineering to file for a NPDES Part 1 Permit with the Pennsylvania Department of Environmental Protection to establish effluent criteria for potential expansion at the current site of the Township’s Wastewater Treatment Plant, at a cost not to exceed \$3,500.00, and that the complete application be reviewed by the Infrastructure Committee prior to submittal. Upon roll call, all Supervisors present voted affirmatively.

PUBLIC SAFETY DEPARTMENT:

Police Department:

Handicapped Parking Space - 611 Lawrence Avenue: As recommended by Chief Messner, a motion was made by Mr. Dallas, second by Mr. Vaughan, approving a handicapped parking space for 611 Lawrence Avenue. Upon roll call, all Supervisors present voted affirmatively.

SOLICITOR:

Tapping Fee Ordinance #344: A motion was made by Mr. Vaughan, second by Mr. Kreider, amending Tapping Fee Ordinance #344, which will adjust tapping fees as listed below, and allows for future adjustments to the Tapping Fee Ordinance to be made by Resolution:

Spring WWTP Basin	\$3,370.10 for capacity	\$394.58 for collection
Reading-Tulpehocken Basin	\$197.01 for capacity	
Reading-Wyomissing Basin	\$1,265.65 for capacity	\$2,805.26 for collection

Upon roll all, all Supervisors present voted affirmatively.

Park Hours Ordinance No. 345: A motion was made by Mr. Dallas, second by Mr. Vaughan, to adopt Ordinance No. 345 amending hours of operation of the Township parks as follows:

No person shall be permitted within the Park System between 7:00 p.m. and sunrise between November 1st and February 28th, and 9:00 p.m. and sunrise between March 1st and October 31st, unless otherwise approved by the Board of Supervisors or their designee

No person shall be permitted within the Cacoosing Meadows Recreation Area or Red Caboose Park between 7:00 p.m. and sunrise between November 1st and February 28th, and 11:00 p.m. and sunrise between March 1st and October 31st, unless otherwise approved by the Board of Supervisors or their designee.

Upon roll call, all Supervisors present voted affirmatively.

Reading Hospital Zoning Stipulation: The Board of Supervisors previously approved the Conditional Use request of Reading Hospital to develop and operate a Post Acute Care Hospital along Paper Mill Road, with several conditions. It has since been determined that testimony regarding one of the conditions, limiting the numbers of employees on each shift at the hospital, was inadvertently erroneous.

A motion was made by Mr. Dettra, second by Mr. Kreider, approving a Stipulation confirming the previous decision in all respects, with the exception of Condition #8, that the number of employees at the Post Acute Care Hospital will be limited to: Daytime Shift – no more than 280; 2nd Shift – no more than 140; 3rd Shift – no more than 139, and that the Stipulation be filed at some time in the future after the parties who have standing, at the court level, have their full 30 days to intervene if they choose to do so. Upon roll call, all Supervisors present voted affirmatively.

According to Mr. Dallas, the number of employees will be discussed further during the land development process.

Pennsylvania American Water Company – Agreement Amendment: Regarding billing and revenue collection, correspondence has been received from PAWC asking the Township to amend the agreement to state that partial payments, unless otherwise designated by the customer in writing, will be applied to PAWC

customer accounts, the remaining funds will then be applied to the wastewater customer account. In addition, if PAWC receives an overpayment, unless the customer designates otherwise in writing, it shall first be applied to any outstanding balance on the PAWC customer accounts. Any remaining overpayment will then be applied to any outstanding balance on the wastewater account, and any further remaining payment shall be credited to PAWC customer account. PAWC set a deadline of August 5, 2007.

A motion was made by Mr. Kreider, second by Mr. Dallas, authorizing Township staff and the Solicitor to review the above in more detail and correspond with PAWC. Upon roll call, all Supervisors present voted affirmatively.

Property Transfer Ordinance – Effective August 1, 2007: It was pointed out at the Property Transfer Ordinance meeting that the Ordinance does not put a “sunset” on the property clearance certificate once it is approved. Solicitor Lillis suggested six (6) months would be appropriate. Discussion followed. A motion was made by Mr. Dallas, second by Mr. Kreider, directing the Township staff to make a recommendation to the Board for the August meeting. Upon roll call, all Supervisors present voted affirmatively.

Workshops/Training Requests:

A motion was made by Mr. Dallas, second by Mr. Kreider, approving the follow workshop/training requests:

Officer Hlavac	3 days	Use of Force Instruction	Kulpsville, PA	\$725.00
Officers Fedorowich and Lake	3 days	National Law Enforcement Conference	Seven Springs, PA	\$470.00
Kevin Bitz		DEP Course – Inflow and Infiltration	Schuylkill Haven, PA	

Upon roll call, all Supervisors present voted affirmatively.

OLD BUSINESS:

Snyder Road – Landscaping in Right-of-Way: A motion was made by Mr. Dallas, second by Mr. Kreider, directing that property owners, whose properties abut Snyder Road and front on Carman Drive, be notified their trees should be pruned to a height of 12-feet from the surface of the road, 7-feet above the sidewalk (as stated in the Ordinance – there are no sidewalks at this time) and back to a point 2-feet behind the curb. The Board of Supervisors has determined that these low hanging limbs are a threat to the safety of the driving public and constitute an obstruction. Upon roll call, all Supervisors present voted affirmatively. The Solicitor and Zoning Officer will prepare the notice.

NEW BUSINESS: No new business to report.

There being no further business, Chairman Vaughan adjourned the meeting at 8:40 p.m.

Sheryl Kressler, Township Secretary