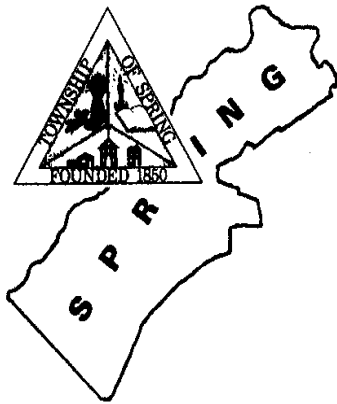


# BOARD OF SUPERVISORS



## TOWNSHIP OF SPRING

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### MEETING MINUTES NOVEMBER 24, 2008

**OPENING OF MEETING:** The regularly scheduled bi-monthly meeting of the Board of Supervisors was called to order by 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, Supervisors Collins, Dallas, Kreider and Smith were present. Mr. Vaughan did not attend. Also present were: James Lillis, Esquire; Lt. Shivers, James Moll, Sheryl Rowan, John Groller, Judy Houck, Andrew Sandridge and parents, Greg Ganikon, Deborah and Al Moatz, Jason Muller, the stenographer and participants in the Conditional Use Hearing, and Steve DeLucas of the Reading Eagle.

#### **RECOGNITION:**

**ANDREW SANDRIDGE – EAGLE SCOUT PROJECT (Resolution #2008-21):** Mr. Sandridge was presented with a copy of Township of Spring Resolution #2008-21 in which he is commended for completion of his Eagle Scout project at the Municipal Building. He designed and installed perennial landscape beds around the building together with securing and coordinating a corps of volunteers to assist him. Chairman Dallas, also, presented him with the Community Citizen's Award.

**DEBORAH MOATZ – RESIGNATION FROM PARKS & RECREATION BOARD (Resolution #2008-22):** A copy of Township of Spring Resolution #2008-22 was presented to Deborah Moatz, which commends Mrs. Moatz for her unselfish and dedicated community service during her terms of office as a member and Secretary of the Parks and Recreation Board. The Community Citizen's Award was presented to her, as well, by Chairman Dallas.

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

**Jason Muller, 2223 Reading Avenue:** Mr. Muller addressed the Board of Supervisors explaining his concern that access is being blocked to the alley in the rear of his home by Troutman Industries. Dumpsters were placed in the alley today further blocking the access. For the record, he informed the Supervisors that Troutman Industries became uncooperative following noise complaints directed to the owners during the summer.

**Tom Rakowiecki, 2225 Reading Avenue:** Mr. Rakowiecki emphasized that parking is a problem, and voiced his concern that fire trucks would not be able to enter the alley. He asked the Supervisors for help in removing the dumpsters from the alley.

Chairman Dallas acknowledged receipt of a letter signed by neighbors in the area. Solicitor Lillis stated that the Troutman Industries property is private property; and they have, apparently, chosen to not allow neighbors to cross their private property for access. As there is an alternate access onto Reading Avenue, the Township is unable to assist in this matter.

**MINUTES:** A motion was made by Mr. Collins, second by Ms. Smith, approving the Meeting Minutes of November 10, 2008 and the Budget Meeting Minutes of November 18, 2008. Upon roll call, all Supervisors present voted affirmatively.

**OPERATIONS:**

**Business Office:**

**Bills for Approval:** A motion was made by Ms. Smith, second by Mr. Collins, approving payment of bills, from the following Township accounts, as presented by the Township Treasurer:

General Fund - \$182,179.91  
Street Lighting Tax Fund - \$28,101.01  
Fire Hydrant Tax Fund - \$6,686.60  
Refuse Tax Fund - \$108,142.13  
Sewer District #3 Fund - \$595,894.99  
Fire Protection Fund - \$17,789.09  
Capital Fund Account - \$1,897.85

Upon roll call, all Supervisors present voted affirmatively.

**Financial Reports:** The Supervisors received copies of the current financial report for review.

**Proposed 2009 Budget and Tax Structure:** Mr. Groller read an excerpt from the 2009 Budget Summary stating, in part, that a proposed tax increase is a difficult and trying decision to make especially in these economic times. However, the recommended increase of .4 mills (from 1.5 mills to 1.90 mills) is fair and just and will help continue to both maintain the level of public service that Township residents have come to expect and fund two new police public service initiatives.

The overall proposed budget for all Township funds for 2009 has been set at \$25,935,413.00, which is an overall increase of \$504,458.00 from the previous year.

The Business Office Staff recommended the following: (memorandum attached)

**Real Estate Tax** – 1.9 mills (increase of .4 mills – the first increase since 2002 for general Township operations.)

**Real Estate Transfer Tax** – ½ of 1% of the evaluation of the taxable real estate transfer. (no change)

**Street Lighting Tax** - \$.75/front foot improved (increase of \$.15/front foot) and \$.375/front foot of unimproved (increase of \$.075/front foot unimproved). It is, also, recommended that all school and church properties be removed from a tax exempt status for this tax category.

**Fire Hydrant Tax** - .1 mill (no change)

**Earned Income Tax** – ½ of 1% of all taxable earned income tax. (no change)

**Business Privilege Tax** – no change.

**Mercantile Tax** – no change.

**Local Service Tax** – \$47.00 (no change)

**Fire Protection Tax** - .75 mills (no change)

A motion was made Mr. Collins, second by Ms. Smith, to lay the proposed budget on the table, and tentative adoption of the 2009 budget has been scheduled for the December 22, 2008 public meeting. Upon roll call, all Supervisors present voted affirmatively. The Supervisors commended Mr. Groller and Mrs. Daniels on their outstanding work on the

proposed budget.

**Pension Plans – Document Authorization:** A motion was made by Mr. Kreider, second by Mr. Collins, authorizing Conrad Siegel, Actuaries, to prepare formal plan documents for the Township pension plans, as required by the IRS. Upon roll call, all Supervisors present voted affirmatively.

**Parks and Recreation Department:**

**2009 Playground/Tot Lot Procedure Recommendation:** As recommended by the Department staff and the Parks and Recreation Board, a motion was made by Mr. Collins, second by Mr. Kreider, approving the recommendations for the summer playground tot lot program, provided by the Parks and Recreation Manager (and attached to these Minutes). Upon roll call, all Supervisors present voted affirmatively with the exception of Ms. Smith, who voted no.

**Woodcarpet – Purchase Order #01735:** A motion was made by Ms. Smith, second by Mr. Kreider, approving Purchase Order #01735, to General Recreation, in the amount of \$3,350.00, for 200 cubic yards of Woodcarpet, safety surfacing for playgrounds. Upon roll call, all Supervisors present voted affirmatively. (COSTARS)

**Holiday Tree Lighting:** The Community is invited to the Holiday Tree Lighting event held on Sunday, November 30, 2008, at 6:00 p.m., on the front porch of the Municipal Building.

**PUBLIC WORKS:**

**Engineering/Planning Department:**

**Sign Regulations Update – Authorization to Advertise:** As recommended by the Planning Commission, a motion was made by Mr. Kreider, second by Ms. Smith, authorizing the Solicitor to advertise the hearing date for adoption of the proposed sign provisions during the Board of Supervisors meeting on January 12, 2008. Upon roll call, all Supervisors present voted affirmatively.

**Reading Hospital – Conditional Use Application – Authorization to Advertise:** A motion was made by Ms. Smith, second by Mr. Collins, authorizing the Solicitor to advertise a Conditional Use Hearing for Reading Hospital and Medical Center – Tulpehocken, Ltd., for a proposed hospital and shopping center at the intersection of Broadcasting and Paper Mill Roads, on Thursday, December 18, 2008, at 7:00 p.m., in the Municipal Building. Upon roll call, all Supervisors present voted affirmatively.

**Spring Ridge West – Escrow Release Request:** As recommended by Great Valley Consultants, a motion was made by Mr. Kreider, second by Mr. Collins, authorizing the release of escrow in the amount of \$157,666.52 (retainage of \$4,000.00) for Spring Ridge West, with the following conditions:

1. \$14,896.20 must be posted by the applicant for the 18-month maintenance period.
2. Deeds of Dedication, complete with acceptable easement descriptions, must be prepared for the portion of the sanitary sewer that is to be dedicated.
3. All outstanding Township invoices must be paid.

Upon roll call, all Supervisors present voted affirmatively.

**Prospectus Group Home – Land Development Plans:** As recommended by the Engineering and Planning Services Manager, a motion was made by Mr. Collins, second by Ms. Smith, that land development plans not be required for the Prospectus Group Home to be constructed at 1800 Reading Boulevard. Upon roll call, all Supervisors present voted affirmatively.

**Administrative Assistant - Conditional Offer of Employment:** A motion was made by Ms. Smith, second by Mr. Kreider, to make a conditional offer of employment for an Administrative Assistant in the Engineering and Planning Services Department, conditioned upon successful completion of the standard background checks, physical and drug and alcohol tests. Upon roll call, all Supervisors present voted affirmatively.

**Road Services Department/WWTP/Infrastructure Committee:**

**BOD Incubator – Purchase Order #02082:** As recommended by the Infrastructure Committee, a motion was made by Mr. Collins, second by Ms. Smith, approving Purchase Order #02082, to Thomas Scientific, in the amount of \$3,160.43, for the purchase of a BOD Incubator. Upon roll call, all Supervisors present voted affirmatively. The existing incubator is 19 years old and not working properly. (There are funds in the WWTP lab budget for this purchase.)

**2009 Ford F-250 Pickup Truck (Purchase Order #01733) and Up-Fit (Purchase Order #01734:** As recommended by the Infrastructure Committee, a motion as made by Mr. Collins, second by Ms. Smith, approving Purchase Order #01733, to Hondru Fleet, in the amount of \$24,816.00, for the purchase of a 2009 Ford F-250 pick-up truck, and Purchase Order #01734 , to Reading Equipment & Distribution LLC, in the amount of \$11,863.00, for the up-fit of the truck. Upon roll call, all Supervisors present voted affirmatively. (Budgeted Item)

**LB Industries (Payment Request #1) and Triple H Construction (Payment Request #2):** As recommended by Systems Design Engineering and the Infrastructure Committee, a motion was made by Mr. Collins, second by Ms. Smith, approving Payment Request #1 to LB Industries, in the amount of \$115,922.00 for work performed as part of the 0.8 MGD Wastewater Treatment Plant Upgrade Project, and Payment Request #2 to Triple H Construction, in the amount of \$66,605.81 for work performed as part of the Canopy Project at the Wastewater Treatment Plant. Upon roll call, all Supervisors present voted affirmatively.

**PUBLIC SAFETY:**

**Police Department:**

**Donate Abandoned Bicycles:** A motion was made by Ms. Smith, second by Mr. Kreider, authorizing the Police Department to donate approximately 30 abandoned bicycles to Wood to Wonderful. Upon roll call, all Supervisors present voted affirmatively.

**CEDAP Grant Award:** Lt. Shivers informed the Supervisors of receipt of a CEDAP grant award for a thermal vision camera (\$12,000.00 - \$13,000.00 to purchase). Delivery should be in early February, 2009.

**SOLICITOR:**

**Fire Prevention Code Ordinance #363:** A motion was made by Mr. Collins, second by Mr. Kreider, to adopt Ordinance #363 modifying the 2006 International Fire Code to serve as the Township of Spring Fire Prevention Code. Upon roll call, all Supervisors present voted affirmatively.

**OLD BUSINESS:** Nothing to report.

**NEW BUSINESS:** Nothing to report.

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

*Sgt. Van Etten – POLEX Advanced, December 8 through December 19, 2008, no cost.*

*Sgt. Van Etten – LCB Grant Application Workshop, December 5, 2008, no cost.*

Upon roll, call, all Supervisors present voted affirmatively.

Subsequent to review of correspondence by Chairman Dallas, a recess was called to prepare for the David A. Greth Subdivision Conditional Use Hearing.

**CONDITIONAL USE HEARING  
DAVID A. GRETH SUBDIVISION**

Solicitor Lillis opened the hearing at 8:20 p.m. It was determined that Mr. Greth was not present for the hearing. Todd Babcock, a surveyor with Forino Company appeared on behalf of the applicant. Parties to the proceedings included Carl

Fiedler, Job Van Leusden, Diane Knox and Charles Knox. A motion was made by Mr. Collins, second by Mr. Kreider, accepting the aforementioned parties to the proceedings, as recommended by the Solicitor. Upon roll call, all Supervisors present voted affirmatively.

The proceedings recessed at 8:25 p.m. to allow the Supervisors to discuss the issue that Mr. Babcock did not have a Power of Attorney to act on behalf of Mr. Greth nor was there an attorney present.

Solicitor Lillis reconvened the hearing at 8:30 p.m., and suggested to the representatives of the applicant that without either the applicant, or an attorney present, or some specific written authorization that they are authorized to take actions on behalf of the applicant, that this matter could not proceed at this time.

A motion was made by Ms. Smith, second by Mr. Kreider, that the hearing be continued until December 8, 2008, at 8:15 p.m., at the Township Municipal Building, second floor, that a letter agreeing to the continuance be submitted by the applicant within five (5) days of this evening to the Secretary of the Board, that if such letter is not received that this conditional use application be dismissed for lack of evidence and failure to proceed. Upon roll call, all Supervisors present voted affirmatively.

This Conditional Use Hearing was recessed until December 8, 2008.

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.

There being no further business, Chairman Dallas adjourned the meeting at 8:35 p.m.

Respectfully submitted,

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Sheryl Rowan, Township Secretary