

BOARD OF SUPERVISORS



TOWNSHIP OF SPRING

BERKS COUNTY, PA
2800 SHILLINGTON RD.
READING, PA 19608
Tel. (610) 678-5393
Fax. (610) 678-4571
Website: springtwpberks.org

MEETING MINUTES

JULY 28, 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, Smith and Vaughan were present. Also present were: James Lillis, Esquire; Leon Mazurie, Chief Ross, James Moll, Sheryl Kressler, Thomas Derr, Kim Berry, Greg Ganikon, Mr. O'Hara (Weis Markets), Doug Wesner, of the Westside Weekly, and Erin Negley of the Reading Eagle.

OPEN TO THE FLOOR: No comments were received.

MINUTES: A motion was made by Mr. Collins, second by Mr. Vaughan, approving the Weis Markets, Inc. Public Hearing Notes, dated July 14, 2008, and the regular meeting Minutes of July 14, 2008. Upon roll call, all Supervisors present voted affirmatively with the exception of Ms. Smith, who abstained.

WEIS MARKETS, INC. – Liquor License Transfer Resolution #2008-14: A motion was made by Mr. Vaughan, second by Mr. Collins, approving the Weis Markets, Inc. intermunicipal liquor license transfer from Muhlenberg Township into Spring Township, with the condition that no alcohol will be available between the hours of 11:00 p.m. and 7:00 p.m., as amended.

Public Comment:

Thomas Derr, 145 Shearer's Road: Mr. Derr is the owner of West Lawn Beverage and voiced the opinion that if one liquor license is transferred, the Township will be opening the door to more transfers within the Township. He added there is an ample amount of liquor licenses to serve the residents of Spring Township and was concerned about enforcement problems and underage drinking, as well. He stated that Weis Markets intends to sell 12-packs of beer merely for off-premises consumption, and is not opening a legitimate restaurant. He asked that the Supervisors deny the transfer of the license.

Jack O'Hara, Weis Markets, Inc.: Mr. O'Hara verified with Solicitor Lillis that the record had been closed on the hearing. However, comments may be received from the public on a motion. He clarified that beer is being sold for both on-premises and off-premises consumption, within the parameters of the license. Weis Markets does not support or encourage underage drinking and will endeavor to employ cashiers in the facility 21 years old or older.

At the Solicitor's suggestion, Weis Markets agreed to refrain from transferring the liquor license within the Township for five (5) years, and the original motion was amended by Mr. Vaughan.

Upon roll call, all Supervisors voted affirmatively with the exception of Ms. Smith, who voted no.

OPERATIONS:

Business Office:

Bills for Approval: A motion was made by Mr. Vaughan, second by Mr. Kreider, approving payment of bills, from the following Township accounts, as listed by the Township Treasurer:

General Fund - \$195,784.94
Street Lighting Tax Fund - \$28,101.01
Fire Hydrant Tax Fund - \$3,451.43
Refuse Tax Fund - \$106,973.64
Sewer District #2 - \$17,288.80
Sewer District #3 Fund - \$186,173.28
Fire Protection Fund - \$3,330.51

Upon roll call, all Supervisors present voted affirmatively.

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

Parks and Recreation Department:

Shiloh Hills Park – Contract Award Recommendation: As recommended by Spotts, Stevens and McCoy, a motion was made by Mr. Collins, second by Ms. Smith to award the contract for Shiloh Hills Park, Phase I – Site Work, to H.L. Wiker, Inc., of Lancaster, Pennsylvania, in the amount of \$1,382,505.29. Upon roll call, all Supervisors voted affirmatively. Sufficient funds have been budgeted for this contract.

PUBLIC WORKS:

Road Services Department/WWTP/Infrastructure Committee:

Offer of Employment: As recommended by the Director of Public Works and the Engineering and Planning Manager, a motion was made by Mr. Kreider, second by Mr. Collins, that the Board of Supervisors offer employment to Alexis Ninfo to fill the position of Administrative Assistant/Engineering and Planning Services Department, at a rate of \$15.63 per hour, with a mandatory 180 day probationary period. Upon roll call, all Supervisors voted affirmatively. Ms. Ninfo has successfully completed all pre-employment conditions.

2009 Ford Ranger – Purchase Order #02079: As recommended by the Infrastructure Committee, a motion was made by Mr. Kreider, second by Mr. Collins, to approve the purchase of a 2009 Ford Ranger, from Hondru Fleet/Phillips Ford, at a cost of \$21,204.75. Upon roll call, all Supervisors voted affirmatively. This vehicle will be purchased through the State of Pennsylvania Co-Stars-13 Contract for use by the Wastewater Treatment Plant. (Budgeted Item)

Web-Based On-Lot Wastewater Permit Compliance Tracking System – Purchase Order #85: As recommended by the Infrastructure Committee, a motion was made by Mr. Collins, second by Mr. Kreider, approving Purchase Order #85, to Carmody, Inc., in the amount of \$2,500.00, for the aforementioned software system to manage the Township's On-Lot Management Program. Upon roll call, all Supervisors voted affirmatively. The software purchase will be charged to the Septage Management Program fees and will qualify for credit towards reimbursement by DEP.

420 Chapel Hill Road Property: The Township, in conjunction with the Berks Historic Preservation Trust, has exhausted all options in attempting to save the historic portion of the barn, located at 420 Chapel Hill Road. Their efforts were in vain due to the former owner's unwillingness to meet to discuss any possibility of saving a large portion of the barn. As recommended by the Roadmaster, a motion was made by Mr. Dallas, second by Ms. Smith, directing that the

Township continue the Eminent Domain process. Upon roll call, all Supervisors voted affirmatively.

PUBLIC SAFETY:

Police Department:

Public Gathering Permits: A motion was made by Mr. Collins, second by Ms. Smith, approving the following Public Gathering Permits, as requested: (1) Peach Festival, West Lawn Playground, August 16, 2008, West Lawn United Methodist Church, and (2) Italian Heritage Council, Cacoosing Meadows, August 17, 2008. Upon roll call, all Supervisors voted affirmatively.

Road Closure Application: A motion was made by Mr. Vaughan, second by Mr. Kreider, approving a road closure request for a block party, along Goddard Avenue, on August 23, 2008, between the hours of 3:00 p.m. and 9:00 p.m. Upon roll call, all Supervisors voted affirmatively.

Handicapped Parking Permits: A motion was made by Mr. Dallas, second by Ms. Smith, to grant handicapped parking permit requests as follows: 2409 Spring Street, 2151 Reading Avenue and 2120 Noble Street. Upon roll call, all Supervisors voted affirmatively.

Township of Spring Volunteer Fire Department:

Fire Relief Association – Funds Distribution Resolution: As recommended by the Director of Operations, a motion was made by Mr. Vaughan, second by Mr. Collins, directing the Township Solicitor to prepare a Resolution, relative to the distribution of Fire Relief funds (Act 205 of 1984) to the Fire Relief Association, as required by the Auditor General’s Office. Upon roll call, all Supervisors voted affirmatively.

Fire Relief Association Agreement: The Auditor General’s Office is, also, requiring the Township to enter into certain agreements with the Township of Spring Volunteer Firemen’s Relief Association with regard to the Relief Association purchasing safeguard equipment placed on Township fire fighting vehicles. Therefore, as recommended by the Director of Operations, a motion was made by Mr. Vaughan, second by Mr. Kreider, directing the Township Solicitor to work with a Relief Association representative for the purpose of drafting the appropriate agreements and authorizing the appropriate official to execute said agreements. Upon roll call, all Supervisors voted affirmatively.

Railroad Lease Agreement: Fire Commissioner Schach has received a lease agreement for parking lot encroachment at the Vinemont Fire Company, in the amount of \$750.00, from ReLTEK, LLC, on behalf of East Penn Railroad. As recommended by the Director of Operations, a motion was made by Mr. Collins, second by Mr. Kreider, directing the Township Solicitor to respond accordingly based on the decision by the Board, on the proposal submitted by the Fire Commissioner, regarding utilization of the Vinemont Fire Station. Upon roll call, all Supervisors voted affirmatively.

SOLICITOR:

Abandonment Request - Portion of Washington Avenue: During the Board of Supervisors meeting of July 14, 2008, Robert Reeser, 2300 Jefferson Avenue, requested that the Township officially abandon Washington Avenue from Jefferson Avenue to the end of the street at the Rt. 222 extension. His request was reviewed by the Chief of Police and the Engineering Department. The Township staff recommended that the Township continue to maintain this street to provide access to the residence at the rear of the public road and the second access point into the Stanford Avenue retention pond. A motion was made by Mr. Vaughan, second by Mr. Collins, to deny the request to vacate Washington Street from Jefferson Avenue to the end of the street. Upon roll call, all Supervisors voted affirmatively.

Authorization to Amend Traffic Ordinance: Deferred by Chairman Dallas.

OLD BUSINESS: No old business to report.

NEW BUSINESS:

Spring Township Library Lease Recommendation: Chairman Dallas read the following statement into the record:

As some of you may remember, at the May 27th Supervisor Meeting the Board voted affirmatively to consider utilizing the Township's property along Yerger Boulevard to build a new municipal campus over the next several years to include a Community Center/Library facility.

Since that time, the Township Staff have been working on a variety of plans as to how we will utilize the Township facilities to include the Credit Union Building for the foreseeable future while a master development plan for the Yerger Boulevard property is finalized and implemented.

Given that the Township of Spring Library current lease at Village Square will soon expire, options for potential movement of the library were also considered. Costs for demolition, renovation, movement and relocation for housing the library in a temporary location were evaluated.

Considering all the above, at this time, as the Board Library Liaison, I would like to make this motion:

We, the Township of Spring Board of Supervisors, recommend the Spring Township Library Trustees renegotiate a new three (3) year lease with the current owners of the Village Square Shopping center.

A second was made, to the motion, by Mr. Collins. Upon roll call, all Supervisors voted affirmatively.

Comment: In that the lease does not directly involve the Township Supervisors, the Board can only make a recommendation to the Spring Township Library Trustees.

Graffiti Abatement Ordinance: In response to a letter from the Graffiti Abatement Coordinator for the County of Berks, a motion was made by Mr. Vaughan, second by Ms. Smith, authorizing the Solicitor to create a Township of Spring Graffiti Abatement Ordinance. Upon roll call, all Supervisors voted affirmatively.

Clean Water Fund: A motion was made by Mr. Dallas, second by; Mr. Vaughan, to allow the Clean Water Fund to continue the process of preparing Ordinances for consideration by the Township in the future. Upon roll call, all Supervisors voted affirmatively.

EXECUTIVE SESSION:

Chairman Dallas announced that an Executive Session was held prior to the meeting to discuss matters of personnel.

There being no further business, Chairman Dallas adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Sheryl Kressler, Township Secretary