

BOARD OF SUPERVISORS



TOWNSHIP OF SPRING

BERKS COUNTY, PA

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MEETING MINUTES

January 11, 2010

OPENING OF MEETING: The regularly scheduled bi-monthly meeting of the Board of Supervisors was called to order by Chairman Smith, at 7:30 p.m., in the Meeting Room of the Administration Building, located at 2850 Windmill Road, Spring Township, Berks County, Pennsylvania.

The meeting opened with the Pledge to the Flag.

Upon roll call, Supervisors Bosold, Collins, Hummel, Smith and Vaughan were present. Also present were: James Lillis, Esquire, Leon Mazurie, Chief Ross, James Moll, Sheryl Rowan, Judy Houck, John Groller, Alan Kreider, James Oswald, Ron and Kathy Keating, Greg and Linda Ganikon, Harold and Tina Buck, Michael Hartman, Brian Kobularcik, Chris Reber of the Reading Eagle, and Mark Koch, Esquire, together with witnesses and parties interested in the CVS Pharmacy Conditional Use Hearing, including the stenographer.

NATIONAL NIGHT OUT AWARD: Chief Ross announced that the Township was awarded a National Award, for National Night Out 2009, presented by the National Association of Town Watch. The Township is one of 50 recipients across the country and has won the award for the past 4 years. The Supervisors extended their thanks to Sgt. Barry Marchut for a job well done.

OPEN TO THE FLOOR: There were no comments or questions from the floor.

MINUTES: Solicitor Lillis recommended that the Minutes of December 28, 2009 be entered into the record as approved by the two Supervisors who were present for the meeting, namely, Mr. Collins and Mr. Vaughan, although the Minutes were not officially approved. A motion was made by Mr. Collins, second by Mr. Vaughan, approving the Reorganization Meeting Minutes of January 4, 2010. Upon roll call, all Supervisors voted affirmatively.

TOWNSHIP MANAGER:

Business Office:

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

General Fund - \$248,498.86
Fire Hydrant Tax - \$6,604.26
Refuse Tax Fund - \$21,504.86
Sewer District #3 Fund - \$37,759.63
Fire Protection Fund – \$15,987.92
Capital Fund Account - \$166,758.60

Upon roll call, all Supervisors voted affirmatively. Mr. Vaughan abstained on Check No. 072602.

Financial Reports: The Supervisors received copies of the current financial report for review. There were no questions.

Berks County Solid Waste Authority Donation: As recommended by the Township Manager, a motion was made by Mr. Vaughan, second by Mr. Collins, to continue assistance to the Berks County Solid Waste Authority for spring and fall collections of household hazardous waste, electronics, tires, pharmaceuticals and paper shredding. Upon roll call, all Supervisors voted affirmatively.

Visiting Nurses Donation: This matter was tabled, and the Supervisors directed Mr. Mazurie to contact other municipalities with regard to their donations to Visiting Nurses.

Amend 2009 Budget: In anticipation of the annual audit by Reinsel Kuntz Leshner, and as recommended by the Director of Financial Services, a motion was made by Mr. Collins, second by Mr. Vaughan, approving an amendment to the 2009 budget to incorporate the actual results of the Township's 2009 financial performance, reflecting a net revenue increase of \$1,191,850.00 and a net expense decrease of \$3,026,689. Upon roll call, all Supervisors voted affirmatively. Mr. Groller and his staff were commended for a fine job in this regard.

Parks and Recreation Department:

Mowing Contract Authorization: A motion was made by Mr. Vaughan, second by Mr. Hummel, authorizing the Director of Parks, Recreation and Public Facilities to advertise, accept and open bids for the 2010-2011 Mowing Contract. Upon roll call, all Supervisors voted affirmatively. The contract covers the same sites as last year and could be separated into more than one contract.

PUBLIC WORKS:

Engineering/Planning Department:

One Meridian Boulevard – Withdrawal of Phase II Final Plan: The final plan for One Meridian Boulevard, Phase II, consisted of two (2) restaurants and a bank (located at the intersection of Paper Mill Road and Meridian Boulevard). According to the applicant, there are no perspective clients due to the economic climate, and a letter of withdrawal was submitted. A motion was made by Mr. Vaughan, second by Mr. Collins, accepting withdrawal of the One Meridian Boulevard, Phase II, final plan. Upon roll call, all Supervisors voted affirmatively.

Craig Manufacturing Corp. – Extension of Time: As recommended by the Planning Commission, a motion was made by Mr. Vaughan, second by Mr. Collins, approving a time extension for Craig Manufacturing through April 30, 2010. Upon roll call, all Supervisors voted affirmatively. This project is a proposed manufacturing and warehouse building located on Lot 4 of the Cacoosing Industrial Park.

Hofmann Tract Offices:

Sewage Conveyance Agreement: A motion was made by Mr. Vaughan, second by Mr. Collins, authorizing the appropriate Township official to execute the Hofmann Tract Sewage Treatment Capacity Reservation Agreement for conveyance of sewage through the Township sanitary sewer system to the City of Reading. Upon roll call, all Supervisors voted affirmatively with the exception of Mr. Hummel, who voted no. The conveyance fee is \$2,580.00.

Waivers – Drainage Pipe Material and Slope: As recommended by the Planning Commission, a motion was made by Mr. Vaughan, second by Mr. Collins, granting the requested waivers to the provisions of the Stormwater Management Ordinance as follows:

- (1) **Section 310(c)(6)(ii)** - Requires a minimum pipe slope of 0.50%; the applicant proposes certain pipe runs with slopes of 0.4%.
- (2) **Section 310(c)(6)(iv)** – Permits corrugated polyethylene pipe up to a diameter of 36”; the applicant proposes this pipe material for diameters up to 48”.

Upon roll call, all Supervisors voted affirmatively.

PUBLIC SAFETY:

Police Department:

Handicapped Parking Permit: A motion was made by Mr. Vaughan, second by Mr. Collins, approving a handicapped parking permit for 2106 Penn Avenue, contingent upon approval by PennDOT. Upon roll call, all Supervisors voted affirmatively.

SOLICITOR:

9-1-1 Records Agreement: This agreement was previously approved by the Board of Supervisors, subject to any changes recommended by the Solicitor. The suggested amendments to the agreement were not accepted by the County. Therefore, a motion was made by Mr. Vaughan, second by Mr. Hummel, authorizing the appropriate Township official to sign the 9-1-1 Records Agreement, as is. Upon roll call, all Supervisors voted affirmatively with the exception of Mr. Collins, who voted no.

NEW BUSINESS:

Berks County Transportation Committee Appointment: The Berks County Transportation Committee will meet January 15, 2010 at 8:00 a.m. Supervisor Collins volunteered to serve on this Committee, and made the motion, second by Mr. Vaughan. Upon roll call, all Supervisors voted affirmatively to appoint Mr. Collins to the Berks County Transportation Committee.

Berks County Municipal Officials Dinner: The first Berks County Municipal Officials Dinner, sponsored by Albright College Center for Community Leadership, will be held on February 25, 2010. Mr. Mazurie asked that the Supervisors advise him if they would like to attend by January 22, 2010.

Vinemont Community Fire Station: The Vinemont Community Fire Station building is deteriorating rapidly. Supervisor Vaughan requested that the Board consider demolition of the building by Township staff and asked that they contact him with any questions.

EXECUTIVE SESSION: Chairman Smith announced an Executive Session was held prior to the meeting for matters of personnel.

There being no further business, Chairman Smith recessed the meeting at 8:10 p.m. in preparation for the CVS Pharmacy Conditional Use Hearing. The hearing convened at 8:15 p.m.

PENNSYLVANIA CVS PHARMACY, LLC
c/o Summit Realty Advisors, LLC
CONDITIONAL USE
PUBLIC HEARING

Solicitor Lillis opened the proceedings and noted that all Board members were present for the commencement of the hearing. The Conditional Use application seeks approval to use the property, located at 3100 Shillington Road, for a pharmacy facility, including a drive-through. Said property is located in the POB Zoning District, where a pharmacy is permitted as being within retail store use and is permitted by conditional use under **Section 316 (D)(10)** of the Zoning Ordinance. For the record, on January 7, 2010, the Planning Commission of the Township of Spring adopted a motion recommending that the Board of Supervisors consider granting a favorable decision in this matter.

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 Administration Building.

Subsequent to completion of testimony by the witnesses, an Executive Session was called by Chairman Smith at 9:45 p.m.

At the conclusion of the Executive Session, a motion was made by Mr. Vaughan, second by Mr. Collins, to continue this matter for possible acceptance of additional testimony on February 8, 2010 at 8:15 p.m. Upon roll call, all Supervisors voted affirmatively.

Chairman Smith adjourned the regular meeting of the Board of Supervisors at 9:55 p.m.

Respectfully submitted,

Sheryl Rowan, Township Secretary