



TOWNSHIP OF SPRING

BERKS COUNTY, PA
2850 WINDMILL ROAD
SINKING SPRING, PA 19608
Tel. (610) 678-5393
Fax. (610) 678-4571
www.springtwpberks.org

BOARD OF SUPERVISORS MEETING MINUTES

January 24th, 2022

OPENING OF MEETING: A regular business meeting of the Board of Supervisors was called to order by Chairperson Stuck at 7:04 p.m. on Monday, January 24th, 2022 in the Public Meeting Room of the Township of Spring Administration Building, located at 2850 Windmill Road, Spring Township, Berks County, Pennsylvania.

ROLL CALL: Upon roll call, Supervisors Stuck, Kocher, Smith, Wertz and Royer were present. Also present were: Mary Burkholder, Jen Bensinger, Judy Houck, Jim Moll, Aaron Wozniak, Chief Powell, Daniel Becker Esq; Barry Ulrich, Robert Myer, Liz Smith, Lillian Cramsey, Kevin Cramsey, Tom Cramsey, Sue Cramsey, Meg Cramsey, Flynn Cramsey, Bryan Ross, Stephen Gibbs, Jeanette Gibbs, Tori Galluccio, and Nathan White. John Groller, Paul Darrah, Chief Hackman, Doug Wolfe, Chris Riggle, Sara Werner Esq; Steve Skrocki, 484-653-7034 cell, Tess Croy, and Francisco Hernandez attended via teleconference.

OPEN TO THE FLOOR: None

ACTION ITEMS FOR APPROVAL: All items requiring action by the Board are listed below. Comments and discussion points are listed under the corresponding item.

1. Resolution # 2022-08- Barry Ulrich
Chairman Stuck read Resolution 2022-08 publicly recognizing Mr. Ulrich's 11.5 years of service to the Township of Spring as a Supervisor and his many years of service on various committees.
2. Resolution # 2022-09- Robert Myer
Chairperson Stuck read Resolution 2022-09 publicly recognizing Mr. Myer's 6 years of service to the Township of Spring as a Supervisor and his years of service on various committees.
3. Resolution # 2022-10-Stephen Gibbs
Chairperson Stuck read Resolution 2022-10 publicly recognizing Mr. Gibbs's 30+ years of service to the Township of Spring on the Planning Commission and years of service on various committees.
4. Resolution # 2022-11-Lillian Cramsey
Chairperson Stuck read Resolution 2022-11 publicly recognizing Lillian Cramsey's 44 years of service to the Township of Spring as Tax Collector.

ACTION ITEMS FOR APPROVAL: (Continued)

Ms. Cramsey thanked Chairman Stuck and the Board of Supervisors for recognizing her forty-four (44) years of service as Tax Collector. Ms. Cramsey stated her goal was to always perform her duties with honesty, integrity, and convenience for the more than 10,000 property owners of the Township. Ms. Cramsey noted that she had collected more than \$22,000,000.00 this year. Ms. Cramsey said she appreciates the support of this Board and previous Boards of Supervisors throughout the years, noting it has been a pleasure to work with the many dedicated employees of the Township of Spring.

5. Resolution # 2022-12- Brian Ross

Chairman Stuck read Resolution 2022-12 publicly recognizing Brian Ross's 14 years of service to the Township of Spring as Police Chief of the Spring Township Police Department.

Motion to approve Resolution 2022-08 thru Resolution 2022-12 was made by Ms. Smith, seconded by Mr. Wertz. Upon roll call, all Supervisors voted affirmatively.

MOTION CARRIED

6. Meeting Minutes – January 3rd, 2022 Re-Organizational and Regular Meeting Minutes

7. List of Bills for Approval

1. **General Fund - \$604,151.37**
2. **Street Lighting Tax Fund- - \$10,442.73**
3. **Refuse Tax Fund- \$59, 343.76**
4. **Sewer District #3 Fund-\$663,732.13**
5. **Fire Protection- \$80,189.49**
6. **Capital Fund-\$4,425.50**
7. **Developer-Escrow- \$8,450.00**

8. Reinstatement of the COVID-19 Disaster Declaration

Mr. Groller reported that reinstating the COVID-19 Disaster Declaration will allow the Township to apply for funding if it were to become available through the Federal Government.

9. Appointment of Deputy Tax Collector

Mr. Groller stated that the Township's newly elected Tax Collector, Stephen Skrocki, has appointed Sharon Boyer as the Deputy Tax Collector for the Township. Ms. Boyer is currently serving as the Lower Heidelberg Tax Collector and the current Deputy Tax Collector for the Township under Lillian Cramsey.

10. Sergeant Promotion-Police Department

Chief Powell requested approval to promote Criminal Investigator Robert Long to the rank of Sergeant, effective January 30th, 2022 . CI Long ranks at the top of the promotional unit, with an aggregate score of 89.22/100 on the written and oral examinations.

ACTION ITEMS FOR APPROVAL: *(Continued)*

11. Wilson School District Land Development Plans-Time Extension
Mr. Moll reported that the Land Development Plans for the existing high school building and improvements to the athletic facilities have a current expiration date of January 26th, 2022. The Planning Commission has recommended that the Board of Supervisors accept the extension of the time request until March 26th, 2022.
12. Zoning Hearing Board Alternate- Emily McNulty
Mr. Groller reported Emily McNulty had been recommended to serve on the Zoning Hearing Board, which will give the Zoning Hearing Board two (2) alternates.
13. 2022 Public Meeting Restrictions
Mr. Groller requested that the Board of Supervisors continue with the current restrictions that are in place for the Administration Building and review at the February 28th, 2022 meeting.
14. Payment Application #3 -PSI Pumping Solutions, Inc.
Entech Engineering recommends payment #3 for the Spring Ridge Pump Station Project in the amount of \$5,700.00 to PSI Pumping Solutions, Inc.
15. Final Payment Application #2 H & K Group, Inc. -2021 Roadwork
Great Valley Consultants recommends the final payment of \$12,454.02 to the H&K Group, Inc. for the 2021 Streets Construction Project.
16. Parks and Recreation-COVID Policy Recommendation
Ms. Houck reported that the Parks and Recreation Board recommends that the Township continue the current COVID policies for programs and facility rentals through February 28th, 2022.
17. 2022 Summer Playground Program Recommendation
Ms. Houck provided the Board of Supervisors with a memo from the Parks and Recreation Board with their recommendations for the 2022 Summer Playground Program. The Parks and Recreation Board is requesting a decision from the Board of Supervisors on the recommendations. Mr. Stuck and Mr. Kocher asked for clarifications about the revisions in salary. Ms. Houck reported that the Board of Supervisors had previously recommended that the starting rate for new employees be \$15.00 per hr. The recommendation from the Parks and Recreation Board is that new staff members would start at \$12.50 per hr. and returning leaders would start at \$15.00 per hr. The new salary affected the rates as the costs were reduced, which lowered the registration rate. In addition, the Parks and Recreation Board is recommending that the Township continue with offering a 7-week program. The memo highlighted the data used for the Parks and Recreation Board to base their assumptions on; if any of the data changes, then it will affect the final costs.
18. Approval-Handicapped Parking Spot-2000 Block of Spring Street in West Lawn
Chief Powell requested approval for a handicapped parking placard in the 2000 Block of Spring Street. The application has met all criteria, and Sergeant McCreary recommends approval.

ACTION ITEMS FOR APPROVAL: (Continued)

Motion to approve Action Items #6-#18 was made by Mr. Kocher, seconded by Ms. Smith. Upon roll call, Ms. Smith abstained from voting on payment # 105653, Mr. Wertz abstained from voting on payments for the Fire Protection Fund #14. All Supervisors present voted affirmatively. MOTION CARRIED.

TOWNSHIP DIRECTORS

A. Zoning/Building Codes Department –

Mr. Wozniak reviewed his monthly report for December 2021. Ninety-seven (97) permits were issued, thirty-three (33) pre-settlement inspections were completed, and one (1) enforcement notice was issued. The value of construction added to the Township was \$2,187,159.00. A notable project approved was for the Western Berks Ambulance Association (WBAA) to restore their building. Mr. Wozniak said he added a new feature to the report to list resolved complaints. Mr. Stuck asked when the work on the WBAA building would start. Mr. Wozniak said that the WBAA is currently having discussions with their insurance company.

B. Parks and Recreation Department –Penn State Trail Proposal

In December, Ms. Houck reported that staff met with Representatives from Penn State Berks. Mr. Moll will be submitting two (2) applications to Mr. Mark Dawson, Assistant Director of Operations at Penn State Berks. The first application is for Trail Section #3, the section along Tulpehocken Road, along the grass strip, connecting the driveway that comes out by the Tulpehocken down to the connection at Gring's Mill. The second application will be for the Trail Section #1, which connects the Reserve at Gring's Mill with the Wertz Bridge across to the Berks County Heritage Center.

Mr. Stuck asked for a status on the Township's Comprehensive Plan's RFP. Ms. Houck stated she had it just about finished and should be out by Monday, January 31st, 2022.

C. Engineering/Planning Department –

1) Alcon Land Development Plans- Conditional Approval

Mr. Moll reviewed the submittal for the proposed parking lot expansion of the existing lot at Alcon's facilities along Fritztown Road. The need for additional parking is due to the expansion of Alcon's operations. The Planning Commission has reviewed the proposal and recommended approval of the Final Land Development Plan with conditions. The conditions are as follows:

- a) Appropriate notations added to the plan regarding sewage capacity
- b) Approval of DEP Sewage Facilities Planning Module
- c) Erosion & Sediment Pollution Control Plan Approval
- d) Executing a Municipal Improvements Agreement and posting the necessary financial security
- e) Execution of Stormwater Management Agreement and financial contribution for future inspections
- f) Satisfaction of the Fire Marshall's review comments
- g) Addition of signatures, seals, and notarizations to plans.

TOWNSHIP DIRECTORS (Continued)

C. Engineering/Planning Department – (Continued)

1) Alcon Land Development Plans- Conditional Approval (Continued)

Ms. Smith asked if Alcon could use a pervious blacktop due to the flooding in that area. Mr. Moll said that type of blacktop is not commonly used and that the applicant is not required to use that type, and they opted not to. Mr. Stuck questioned if the stormwater facility would be underground. Mr. Moll confirmed that it is underground.

Ms. Smith asked about the total capacity of the stormwater facility. Mr. Moll said that the stormwater facility meets Township regulations, requiring the applicant to hold back the water to a level below what is currently coming off the property. Ms. Smith asked how the stormwater is drained. Mr. Moll stated the stormwater is drained by gravity.

Mr. White of 3016 Grandview Boulevard stated that impervious surfaces had come a long way, noting that other Townships are using it and that the Township should look into using stormwater runoff as a way to generate power.

Ms. Smith asked for clarification on where the stormwater will flow. Mr. Moll stated the stormwater would be permitted to discharge where it currently discharges off the property.

Mr. Wertz asked if the stormwater discharge would affect the homes on Bainbridge Circle. Mr. Moll stated it should not.

Motion to conditionally approve Alcon's Land Development Plan was made by Mr. Kocher, seconded by Ms. Smith. After roll call, Mr. Royer voted no. All other Supervisors present voted affirmatively. MOTION CARRIED

2) Learning Experience Day Care

Mr. Moll reviewed the proposed project, a 10,800 square foot daycare facility built within the Spring Ridge Planned Residential Development (PRD) along Meridian Boulevard. Due to the location within Spring Ridge, the project is subject to provisions of the PRD ordinance, rather than the Zoning and Subdivision and Land Development Ordinance and regulations. The ordinance requires a Tentative Plan for the PRD and Final Plans. The Tentative Plan approved for this property was for a bank. The applicant proposes an amendment to the Tentative Plan and a revision to the Final Plan. The Board of Supervisors must hold a public hearing to amend the Tentative Plan. The Planning Commission recommends that the Board of Supervisors authorize scheduling a public hearing to amend the Tentative Plan on March 14th, 2022. The Planning Commission also recommends extending the time on the Final Plan until April 28th, 2022.

Motion to authorize the advertisement to schedule a public hearing on March 14th, 2022, and grant an extension of time to the Final Plan revision for the Learning Experience Daycare until April 28th, 2022 was made by Ms. Smith, seconded by Mr. Kocher. Upon roll call vote, Mr. Wertz voted no. All other Supervisors voted affirmatively. MOTION CARRIED

TOWNSHIP DIRECTORS (Continued)

C. Engineering/Planning Department – (Continued)

3) Chick-fil-A-Land Development Plan

Mr. Moll reviewed the Planning Commission's recommendations for the Chick-fil-A-Land Development project. The applicant is proposing to replace the existing building with a new building with a slightly different configuration and allow them to incorporate a double drive-through at the facility.

The Planning Commission recommends the approval of several waivers, including:

1. Waiver of the Preliminary and Final Plans to allow for a single-stage submission
2. Waiver of scale requirements
3. Waiver of the requirement of a property survey of the entire property

The Planning Commission recommends Conditional Plan Approval with the following conditions:

1. Resolution of all issues raised by the Fire Marshall/Fire Code Official
2. Execution of a Municipal Improvements Agreement and posting of the necessary financial security
3. Resolution of sewer generation on the site and procurement of additional capacity, if necessary
4. Approval from the water company
5. Resolution of any remaining stormwater management issues, including the execution of a stormwater management agreement and financial contribution for future inspections

The Planning Commission recommends an extension of time to the applicant until February 28th, 2022 if the Board of Supervisors is not in a position to take action at this evening's meeting.

A motion to approve the waiver requests as outlined and conditional plan approval with conditions 1 thru 5 was made by Ms. Smith, seconded by Mr. Wertz. Upon roll call, the vote was Ms. Smith-yes, Mr. Wertz-yes, Mr. Stuck-yes, Mr. Kocher-no, Mr. Royer-no. Approved by a vote of 3-2 MOTION CARRIED

4) 95 Chapel Hill Road-Zoning Request for Proposed Dwelling

Mr. Moll reported that the owner of two (2) adjoining parcels of land along Chapel Hill Road between Gelsinger and Fritztown Roads had requested zoning relief to construct a single-family detached dwelling on one of the parcels. Mr. Moll explained that the applicant needs relief because of the Township's Zoning Ordinance. The Zoning Ordinance states that if a property owner owns two (2) or more adjoining parcels, each with frontage along the roadway, and either of them does not meet the lot size or the width requirements, the Township is to consider it a single lot. If the Township considered them this way, the applicant would be building a second home on that lot, and they need relief to do that. The applicant has applied for a variance, a special exception, or "whatever relief would be applicable" in order to obtain a building permit for the proposed dwelling.

TOWNSHIP DIRECTORS (Continued)

C. Engineering/Planning Department – (Continued)

4) 95 Chapel Hill Road-Zoning Request for Proposed Dwelling (Continued)

Mr. Moll showed on the exhibit where the proposed dwelling would be located and the existing dwelling on 95 Chapel Hill Road. The Fire Marshall/Fire Code Official has grave concerns about the current property as it is not up to code. The Fire Marshall/ Fire Code Official and the Planning Commission made the following recommendation to the Zoning Hearing Board: If the request is approved, the approval should be with the condition that before issuing a building permit for the proposed dwelling on 95A Chapel Hill Road , the applicant must bring the existing home on 95 Chapel Hill Road up to code.

The Board of Supervisors agreed not to make a recommendation on this request. The applicant will be presenting their case before the Zoning Hearing Board.

D. Finance Department – No Report

E. Human Resources – No Report

F. Public Works – No Report

PUBLIC SAFETY

A. Police Department

Chief Powell submitted the monthly report for December 2021

B. Township of Spring Fire Rescue Services

Chief Hackman submitted the monthly report for December 2021, reporting 290 responses. The total responses for 2021 were 3,038 calls. The report is broken down to show what calls were in the Township, Wyomissing Borough, mutual aid, and outlines what each department ran out of those 3,038 calls.

C. West Side Regional EMA – No Report

SOLICITOR –

ARP Funding Update

Mr. Becker stated the Township had received funds through the American Rescue Plan (ARP). The final rules and regulations for the way municipalities can use the money have been determined. Mr. Becker reported that the good news is that now the permitted use of the funds has been broadened, creating a \$10,000,000.00 exemption. If municipalities receive less than \$10,000,000.00 in ARP funding, municipalities can claim a standard exemption. The money can be put in the general fund and used for most standard governmental services.

Mr. Kocher asked if the Township has access to bridge funding from the federal government at this time. Mr. Becker stated not at this time, and he will keep an eye on when those funds are available with upcoming legislation.

Sara Werner Esq, representing Chick-fil-A, said that her audio went out when action was taken on the Land Development Plan and asked for clarification on what action was taken. Mr. Moll said that the Board of Supervisors approved the Conditional Plan and waivers as recommended by the Planning Commission.

OLD BUSINESS: No Report

NEW BUSINESS: No Report

ANNOUNCEMENTS:

1. An Executive Session was held prior to this meeting to discuss matters of personnel, real estate, and litigation.
2. Next meeting will be held at 7:00 p.m. on Monday, February 14th 2022.

ADJOURNMENT:

There being no further business, Chairperson Stuck adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Mary L Burkholder
Township Secretary