



# TOWNSHIP OF SPRING

BERKS COUNTY, PA

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## BOARD OF SUPERVISORS MEETING MINUTES February 14<sup>th</sup>, 2022

**OPENING OF MEETING:** A regular business meeting of the Board of Supervisors was called to order by Chairperson Stuck at 7:16 p.m. on Monday, February 14<sup>th</sup>, 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, and Royer were present. Supervisor Smith attended via teleconference. Also present were: John Groller, Mary Burkholder, Paul Darrah, Jen Bensinger, Judy Houck, Jim Moll, Aaron Wozniak, Chief Powell, Chief Hackman, Daniel Becker Esq, Steve Brock, Jim Matthews, Shea Nolan, Josh Knoblauch, Bob Long, Johnathan Zaun, Kate Perkins, and Sam Dewer. Tess Croy, Rich Bona, and Gia Raffaelli attended via ZOOM.

### **POLICE OFFICER PROMOTION:**

Chief Powell introduced Sergeant Bob Long. Sergeant Long started his career with the STPD in 2004, becoming a CI, and has been employed by the STPD for the last seventeen (17) years. Sergeant Long will remain in the Criminal Investigation Unit as a sergeant assisting with all major casework. He has hit the ground running, doing a great job with a couple of major investigations. Chief Powell said that he looks forward to working with Sergeant Long in the future. Chief Powell stated it is his pleasure to present Sergeant Long to the Board of Supervisors and wish him continued success with his career with the STPD.

**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. Meeting Minutes-January 24<sup>th</sup>, 2022
2. List of Bills for Approval
  1. **General Fund - \$377,133.89**
  2. **Street Lighting Tax Fund-\$25,829.71**
  3. **Fire Hydrant Tax Fund- \$8,637.75**
  4. **Refuse Tax Fund- \$109,815.73**
  5. **Sewer District #3 Fund-\$122,271.37**
  6. **Fire Protection- \$60,737.90**
  7. **Capital Fund-\$180.00**

**ACTION ITEMS FOR APPROVAL:** (Continued)

3. Audio Visual Equipment Upgrade- Conference Room C  
Mr. Groller stated that Ms. Houck obtained a quote through the CoStars Program for updated equipment for Conference Room C. The proposal includes replacing the projector with one that allows for more accessibility, a receiver, and a new projector screen. The cost of the 2022 budgeted project is \$14,834.00.
4. Bid Administration for Replacement of 3 HVAC Rooftop Units  
Ms. Houck stated that the Township has been saving money to replace the three (3) HVAC Rooftop Units in the Township Administration Building. Ms. Houck requested authorization to utilize the services of Great Valley Consultants (GVC) at a quoted cost of \$5,552.00, which will include developing the bid specifications, administration of the bid, and construction observation.
5. Zero Turn Mower Replacement  
Ms. Houck requested approval to purchase a 72" Deck ExMark Laser Z- Zero Turn Mower for \$14,422.38 from Lawn Equipment Parks Company. The Township will purchase the mower through the CoStars Program. This purchase was a budgeted item in the 2022 budget.
6. Resolution 2022-13-Disposition of Public Records  
Mr. Groller reported that Ms. Burkholder had been diligently cleaning out files. The files may be disposed of by Resolution.
7. Montello Residences-Plan Waivers.  
Mr. Moll reviewed this project and presented the Planning Commission's recommendation that the Board of Supervisors grants the following waivers of the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance to the applicant:
  - 1) Subdivision and Land Development
    - a. §503 & 603 Single-stage review process-The applicant has requested not to be required to submit separate Preliminary and Final Plans.
    - b. §503(C)(B)(2) Plan scale-The plan has been drawn at 1'=20', rather than the specified scale of 1'=50'. The chosen scale provides greater detail.
    - c. §1005(C) Lot depth-to-width ratio-Dividing the property in two results in lots that do not conform to the recommended ratio, which is between 1 to 1 and 2.5 to 1. The actual ratio will be approximately 3.5 to 1.
  - 2) Stormwater Management Ordinance-Great Valley Consultants recommended approval of the waivers requested due to the small size of the basin and the fact that it will remain privately owned and maintained.
    - a. §310(B)(8)(a) Minimum required berm width- The minimum berm width for a detention basin is specified as 8'; however, the proposed width is 3'.
    - b. §310(B)(8)(b) Minimum required pipe diameter- The minimum pipe diameter for a detention basin outlet pipe is specified as 12"; however, the proposed diameter is 4".
    - c. §310(B)(12) Emergency spillway minimum freeboard-The emergency spillway does not provide the required 1' minimum freeboard. The applicant has provided spillway calculation as requested.

**ACTION ITEMS FOR APPROVAL:** (Continued)

8. Eberly/Fox Annexation-Waiver

Mr. Moll reviewed this project and presented the Planning Commission's recommendation that the Board of Supervisors grants the requested waiver for this project. The plan has been drawn to scales of 1" =200' and 1" = 20, which provides greater detail for the project site. The requested waiver is from the requirement of Specified scale of 1"=50', Section 704(B)(9).

9. PC Member Appointment to Transportation Advisory Committee

Mr. Moll requested that the Board of Supervisors appoint Brad Weisman of the Planning Commission to fill the open spot on the Transportation Advisory Committee.

10. Payment Application-Maintenance Project from Asphalt Maintenance Solutions, LLC. (AMS)

Mr. Groller reported that Great Valley Consultants (GVC) has reviewed the payment request and recommends approval of the Final Payment Application for the 2021 Streets Improvements Project-Contract 2-Maintenance to AMS in the amount of \$46,674.81.

11. Authorization to Bid 2022 Streets

Mr. Darrah reported that he and the new road engineer for the Township compiled a list of streets for paving following the HRG Plan. The 2022 proposal is below the \$1,200,000.00 estimate. The Township will finish a spot on Linda Lane that was missed by the previous engineer and then will continue to follow the HRG recommendations moving through the Township. Mr. Darrah stated that UGI would be finishing repairs to more roadways than expected; and that the Township would complete the slurry seal in 2023.

Ms. Smith asked if the Township has looked at Belmont Avenue lately and if Belmont Avenue was on the schedule. Mr. Darrah said that the Township would complete the repair work on Belmont Avenue in-house. Mr. Darrah reported that the country roads had been completed in the last 3 ½ years, and now the Township will begin paving on Reading Boulevard, the first three (3) blocks towards Wyomissing, and will start to do spot repairs to prepare to slurry seal in 2023.

Mr. Stuck questioned the conditions of the 2400 Block of Spring. Mr. Darrah believes UGI is currently doing work at that location and that UGI will be responsible for the repairs.

Mr. Kocher asked about the CoStars program and how the Township would know that they receive the best quote without itemized information included in the report. Mr. Becker explained that state laws are followed during that process; therefore, the low bidder is selected.

*Motion to approve action items #1-11 was made by Ms. Smith, seconded by Mr. Kocher. Upon roll call, Ms. Smith abstained from voting on Payment # 8202, #8204, thru #8207. Mr. Kocher voted no on Action Item #9, Mr. Stuck abstained from voting on Payment # 105770. Upon roll call, all Supervisors present voted affirmatively. MOTION CARRIED*

## TOWNSHIP DIRECTORS

### A. Zoning/Building Codes Department –

#### 1.) 2021 Yearly Report

Mr. Wozniak presented his yearly report for 2021. The Township has seen a resurgence in permits, with a new record of 1,112 permits issued. The result was \$18,000,000.00 in construction throughout the Township, including six (6) new homes. 499 pre-settlement inspections were completed, the 2<sup>nd</sup> highest that the Township has recorded. In 2021 the Township received the lowest number of complaints on record at 143. The property at 2438 McKinley Avenue is currently in the blight process. The temporary outdoor seating process that operated last year was successful, and no restaurants are known to have closed during the pandemic. A notable goal for 2023 is to re-start the Township's Sewage Management Program as required by the DEP.

#### 2) January 2022 Report

Mr. Wozniak presented his monthly report for January 2022. 56 permits were issued, totaling \$1,220,968.00 in construction. St. Luke's Primary Care Facility is coming to the Township in the Spring Ridge area. The West Lawn United Methodist Church is renovating offices. Quite a few enforcement activities were for lack of snow/ice removal from sidewalks. Tickets were issued, with half of the tickets issued resulting in citations. The Township received 13 complaints in January.

Mr. Kocher asked about the outcome of the complaint regarding snow removal at the Reserve at Gring's Mill. Mr. Wozniak said that the Township informed the complainant that the roads and parking spaces are privately owned and that the Township does not have any enforcement authority in that location.

Mr. Stuck asked to discuss the restaurant issue listed in the monthly report. Mr. Wozniak reported a meeting is scheduled for March 3<sup>rd</sup>, 2022. The operator is expected to update the Township with their plan and confirm that they hired a licensed architect.

### B. Parks and Recreation Department

Mr. Stuck asked if the Comprehensive Parks, Recreation, and Open Space Plan RFP was completed and sent out. Ms. Houck said it went out on January 31<sup>st</sup>, 2022, and that are RFPS are due February 28, 2022.

### C. Engineering/Planning Department

#### 1. Broadcasting Square (East) - Waiver of Land Development

Mr. Moll reviewed this project and presented the Planning Commission's recommendation that the Board of Supervisors grants the waiver of the Township's Land Development process for the project. If the requested waiver is granted, the project would be processed through the Codes Department as a building permit, rather than through the Planning Commission and the Board of Supervisors. The proposed project would include the following changes to the project area:

- The demolition of the former 3,144-square foot M&T Bank Building
- The construction of a new 5,040-square foot building to serve two (2) unspecified tenants
- The reconstruction and realignment of the existing parking lot to conform to the proposed building changes

**TOWNSHIP DIRECTORS** (Continued)

C. Engineering/Planning Department (Continued)

1. Broadcasting Square (East) - Waiver of Land Development (Continued)

The Planning Commission recommended that the approval of the requested waiver be conditioned upon the following:

- 1) The applicant should ensure that the proposed tenants will not be restaurants or similar uses of high parking demand. Otherwise, at the time such a use is proposed, the applicant must demonstrate compliance with the Zoning provisions of Section 324(B)(90)(t), which require a parking lot layout immediately adjacent to such use that provides the greater number of off-street parking spaces required under Table 7.1.
- 2) "No U-Turn" signs shall be installed by the applicant at the existing traffic signal at the intersection of North Meridian Boulevard and the main shopping center access drive between Wendy's and the Vitamin Shoppe.
- 3) An evaluation should be performed of any changes to the collection and conveyance of stormwater resulting from the proposed project.
- 4) The plan should be reviewed by the Department of Public Safety, a truck turning plan should be provided, if required.
- 5) The applicant must demonstrate that there is adequate reserved sewage capacity.
- 6) Any proposed changes to the existing lighting facilities must be in compliance with the Township standards.
- 7) Upon completion of the project, the applicant must record "As-Built" plans of the proposed improvements.

Mr. Kocher asked that condition 1 include crosswalks if a use is proposed to require a high parking demand as outlined.

Mr. Royer asked if the Codes Department has the resources for this type of project in-house and questioned the possibility of issues that may arise without a complete analysis of the project. Mr. Wozniak and Mr. Moll stated they would be working together on the project, and Mr. Moll said that the Township is very familiar with the shopping center and has numerous plans that have been previously submitted. Mr. Becker noted that this plan is considered a relatively minor proposal.

*Motion to approve the waiver request of the Broadcasting Square East Land Development Plan with noted conditions and the addition to add crosswalks to condition 1 was made by Ms. Smith, seconded by Mr. Kocher. Upon roll call, all Supervisors voted affirmatively.*  
**MOTION CARRIED**

2) Hofmann Tract Apartments

Mr. Moll reported that the applicant of the Hofmann Tract Apartments is requesting to begin some of the construction activities before the recording of the approved plans. The applicant is requesting a Pre-Plan Approval Construction Agreement with the Township. The site construction operations proposed to be covered by this agreement include the following:

- Installation of Erosion and Sedimentation Controls
- Tree Removal, including removal of stumps
- On-Site blasting after proper notifications and in accordance with all State regulations. This item would include the removal of the soil materials over the blasting area.

**TOWNSHIP DIRECTORS** (Continued)

C. Engineering/Planning Department (Continued)

2) Hofmann Tract Apartments (Continued)

Mr. Moll recommends that the agreement clearly indicate what is expected in the blasting process. Mr. Becker noted that the state regulates blasting notifications and that the Developer has agreed to submit to the Township \$15,000,00 in escrow. The Developer has agreed to increase the blasting amount if everything else is completed per the agreement.

*Motion to authorize the appropriate Township Official to execute the Pre-Plan Approval Construction Agreement for the Hofmann Tract Apartments was made by Ms. Smith, seconded by Mr. Royer. Upon roll call, all Supervisors present voted affirmatively.*

MOTION CARRIED

D. Finance Department – No Report

E. Human Resources – No Report

**TOWNSHIP DIRECTORS** (Continued)

F. Public Works

Mr. Darrah reported that the Public Works has been working many hours with the minor storms that the Township has been experiencing. There has been a lot of icing, and the Township has gone through quite a bit of salt. Mr. Stuck said that Public Works has been doing a good job.

**PUBLIC SAFETY**

A. Police Department

1) Chief Powell reported that on January 11<sup>th</sup>, 2022, staff discovered water in the basement near the front of the police building. An internal broken pipe had water flowing to one of the spigots in the front of the building, which caused water to settle underneath the front porch. The roof flaked in the basement, and some concrete shelving fell off. As a result, the front porch had to be closed off to foot traffic. Entech's structural engineer checked the damage, reporting that the porch has sagged somewhat in the middle, and determined that the porch should remain closed. Chief Powell reported contracting with Burkey Construction on an emergency basis to shore up the porch at the cost of \$5,458.00.

2) Chief Powell requested approval to sign the quote submitted by Building Envelope Consultants and Scientists (BECS) to investigate and determine the cause of the water infiltration and damage that occurred before the January 2022 event. The proposal is \$7,5000.00 and would be part of the renovation repair project.

3) Chief Powell requested authorization for payment for lodging for an Officer attending a State Police Course: Accident Reconstruction in Williamsport. The class runs 10-days, the course is free, and the room is \$96.00 a night, for a total not to exceed \$1,000.00.

**PUBLIC SAFETY (Continued)**

**B. Police Department (Continued)**

*Motion to authorize approval to contract with Burkey Construction in the amount of \$5,458.00, and to authorize Chief Powell to sign the quote with BECS at the cost of \$7,500.00, was made by Mr. Kocher, seconded by Mr. Royer.*

*Mr. Kocher amended his motion to include the payment of lodging at a cost not to exceed \$1,000.00. Mr. Royer seconded the amended motion. After roll call, all Supervisors voted affirmatively. MOTION CARRIED*

Mr. Groller questioned if the Board would like to continue to approve overnight travel for the staff or follow the purchasing policy that permits Directors to approve up to a certain amount of expenses. Mr. Stuck said that the Board would like to continue authorizing expenditures for overnight travel.

**C. Township of Spring Fire Rescue Services**

Chief Hackman presented his monthly report for January 2022. There were 304 responses for January. One (1) fire resulted in \$16,700.00 in damages in the Berkshire Hills Apartment Complex.

**D. West Side Regional EMA – No Report**

**SOLICITOR – No Report**

**OLD BUSINESS:**

Mr. Groller reported that the Goose Lane Yard Waste Site is progressing nicely and that the Township is currently waiting on information on the final permitting process from the DEP.

**NEW BUSINESS:**

Mr. Stuck said that he had received correspondence from a vendor questioning the Township's printing bid requirements. Mr. Groller and Mr. Becker received the information late in the day and could not address the issue today in preparation for this evening's meeting. Mr. Groller stated that the Township would respond to the vendor noting that the Township follows the requirements determined by the State Code and the Solicitor's guidance. Mr. Becker said that the Township had not had issues in the past. Mr. Becker explained the 2<sup>nd</sup> Class Township's Code and the possibility of adding escalator language into the specs, noting issues of pricing and supply. Mr. Stuck requested that Mr. Groller and Ms. Houck contact the vendor tomorrow to discuss the vendor's issue.

**ANNOUNCEMENTS:**

1. An Executive Session was held prior to this meeting to discuss matters of potential litigation.
2. Next meeting will be held at 7:00 p.m. on Monday, February 28<sup>th</sup>, 2022.

**ADJOURNMENT:**

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary L Burkholder". The signature is written in dark ink and is positioned above a horizontal line.

Mary L Burkholder  
Township Secretary