



# TOWNSHIP OF SPRING

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## BOARD OF SUPERVISORS MEETING MINUTES

August 22<sup>nd</sup>, 2022

**OPENING OF MEETING:** A regular business meeting of the Board of Supervisors was called to order by Chairperson Stuck at 7:10 p.m. on Monday, August 22<sup>nd</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, Smith, Royer and Wertz were present. Also present were: John Groller, Mary Rossi, Paul Darrah, Aaron Wozniak, Jen Bensinger, Jim Moll, Judy Houck, Police Chief Powell, Dan Becker; Solicitor, and John Lehr. Fire Chief Hackman attended via ZOOM.

**AGENDA AMENDMENTS:** There were no additions to the agenda. One item was tabled- Item VI-Public Hearing to Vacate Alley.

**OPEN TO THE FLOOR:** Action Item #13-Halloween Parade was moved to the beginning of the meeting to accommodate Mr. John Lehr, who was in attendance.

John Lehr, Co-Chair of the Halloween Parade with the Spring Township Lions Club, stated that this year is the 46<sup>th</sup> annual Halloween Parade. Mr. Lehr said he has contacted Ms. Correll and Ms. Houck and has submitted all the necessary paperwork. Mr. Lehr stated that the Lions Club had established a 501(c)(3) status. The Lions Club will serve refreshments at the Red Caboose Park during the event, including boxed drinks and soft pretzels. The former bank area across the street from the police station is the staging area for the parade. Mr. Lehr said that retired Reverend Jeff Raffauf would be the parade's, Grand Marshall.

*Motion to waive the fees for the cost incurred by the Spring Township Lions Club for the 2022 Halloween Parade was made by Ms. Smith, seconded by Mr. Wertz. Upon roll call vote, all Supervisors voted affirmatively. MOTION CARRIED.*

Mr. Lehr questioned the status of a request from Lions Club Member Russ Sweinhart for a Christmas tree pick-up fundraiser. Mr. Groller said that the Township is waiting on a response from the DEP to ensure that the fundraiser would not affect the Township's Recycling Grant.

**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 – Regular Business Meeting –August 8<sup>th</sup>, 2022 & Special Meeting- August 12<sup>th</sup>, 2022.
2. List of Bills for Approval –
  1. **General Fund - \$254,348.19**
  2. **Street Lighting Tax Fund - \$914.22**
  3. **Fire Hydrant Tax Fund - \$6,844.97**
  4. **Refuse Tax Fund - \$58,779.44**
  5. **Sewer District #3 Fund - \$109,965.59**
  6. **Fire Protection Fund - \$42,588.19**
3. Ordinance #450-Amendment to Firefighters Pension Plan  
Mr. Groller stated the Ordinance reflects the recent negotiations with the firefighters' contract.
4. Aggregates & Bituminous Material Contract Award  
Mr. Groller reported the bids are summarized and documented in the recommendation.
5. Authorization to Fill Vacant Public Works Position  
Mr. Groller requested approval of a conditional offer of employment for the open Public Works position. The starting rate will be \$22.62, which is 70% of the top rate, and the offer is contingent upon the individual completing the required background check and screenings.
6. Formal Offer of Employment-Part-Time Assistant-Parks and Recreation Department  
Ms. Houck requested approval to extend a formal offer of employment to Jessica Nieves for the part-time Administrative Assistant Position in the Parks and Recreation Department at a starting salary of \$20.00 per hour.
7. Formal Offer of Employment- Police Officer  
Chief Powell requested approval to fill an open budgeted position to appoint Christopher L. Belles to the full-time position of Police Officer Trainee. The requested start date is Monday, September 12<sup>th</sup>, 2022 at a starting rate of \$39.42 per hour.
8. Recreation Program COVID Policy  
Ms. Houck stated that the Parks and Recreation Board is recommending that the Parks and Recreation Department continue with the current COVID regulations until September 30<sup>th</sup>, 2022, unless recommendations from the CDC, The Department of Health, or the Township Supervisors would override the current regulations.

Mr. Stuck asked what the Township's Parks and Recreation Department's COVID policy is. Ms. Houck said there is no limit on the number of participants for outdoor programs, indoor programs practice social distancing, masks are not required, and participants are no longer screened. The Board discussed current CDC regulations and if the Supervisors need to approve the COVID policy every month.

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

8. Recreation Program COVID Policy *(Continued)*

Ms. Houck said that the Parks and Recreation Board would like to continue monitoring the situation. If things change drastically or recommendations from the CDC would change, then the Department will follow those recommendations. Mr. Groller suggested that the Board approve the request at this meeting and, in September, modify the language in the policy depending on the status of the pandemic and look into creating a more permanent policy.
  
9. Reserve at Gring's Mill-Release of Financial Security

Mr. Moll stated that Great Valley Consultants recommends releasing the remaining financial security posted with the Municipal Improvements Agreements by the owners of the Reserve at Gring's Hill Apartment Complex, totaling \$380,010.10. Mr. Moll noted a few conditions for the applicant to release the funds. The conditions are listed as follows:

  - a) The preparation and approval of as-built plans for the utilities installed on the site.
  - b) The resolution of the ownership and maintenance responsibility for the pump station and force main, subject to the following:
    - 1) If the pump station and force main are dedicated to the Township, the applicant must execute any appropriate documents and provide the Township with the required maintenance security.
    - 2) If the pump station and the force main are in the applicant's name, the provisions of the Pump Station and Force Main Operations and Maintenance and Perpetual Easements Agreement must be met by the applicant. The maintenance procedures must be agreed upon between the applicant and the Township.
  - c) The payment of any outstanding invoices owed to the Township.

One of the main things to be agreed upon to the Township's satisfaction involves the pump station. Mr. Moll said that the applicant had indicated their intent (as permitted in the Improvements Agreement) to request that DEP put the pump station in their name rather than the Township.

A lengthy discussion ensued with key points such as whether the applicant will maintain the pump station to the Township's satisfaction and dedication. ( The Township is currently monitoring and maintaining the pump station) Mr. Becker confirmed for Mr. Stuck that DEP monitors their paperwork. The applicant has received informal approval from the DEP to make the transfer. DEP will still monitor the site and notify the Township of any issues.

Mr. Darrah stated that his concern is that the Township has a pump station three-hundred (300) yards up the pipeline, and if the pump station is not cleaned correctly, it will cause an issue, such as recently as last week when grease clogged up the floats and the pumps were unable to turn on. Mr. Darrah said that there had been a lot of problems with the pump station in the two (2) years that the Township has been maintaining it.

Ms. Smith suggested that staff review issues at the pump station issue before moving forward. The Board decided to table the request until the next meeting.

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

10. **Broadcasting Square East-Execution of Improvements Agreement**  
Mr. Moll stated that Township staff has been reviewing the progress of the proposed project to ensure conditions set by the Board of Supervisors have been satisfied. The project is in the Broadcasting Square Shopping Center, where the former M&T Bank was located, and will be replaced with two (2) restaurants. One (1) of the requirements was regarding parking and the need for a proposed electronic crosswalk. The applicant provided the Township with the Sign Improvements Agreement to install the crosswalk facilities and provided the Township with the financial security for the agreement. Mr. Moll stated that he is requesting authorization for the appropriate official to sign and execute the agreement on behalf of the Township.
  
11. **Learning Experience Day Care -DEP Planning Module Authorization**  
Mr. Moll stated that one of the conditions of approval of the Final Plans for the Learning Experience Day Care was to demonstrate adequate sewage capacity for the project. Entech Engineering Inc. has determined that the original developer has not reserved sufficient capacity to accommodate additional flows generated by the daycare facility. The applicant must purchase transportation capacity from the Township and treatment capacity from the City of Reading. Representatives from the City of Reading have requested an updated Sewage Facilities Planning Module. Mr. Moll requested that when the Township receives the new planning modules, the Board authorize the appropriate Township official to fill out the capacity portion and approve the resolution allowing the Township to submit the paperwork to the DEP.
  
12. **Penn Avenue Property Maintenance Proposal**  
Mr. Groller reported the estimated cost for a property maintenance review of Penn Avenue from the 1900-3300 block by Great Valley Consultants, as requested by the Board of Supervisors, is approximately \$10,608.00. Mr. Wozniak confirmed for Mr. Stuck and Ms. Smith that the review will include the front and rear areas of properties, including alleys parallel to Penn Avenue, and will include both residential and commercial properties.

Mr. Stuck asked about the status of the sidewalk across from Redner's. Mr. Wozniak said that he & Scott Anderson met with the contractor and that he will check to make sure the work is complete. Mr. Stuck mentioned that big trees have fallen in that area, and the pointy stumps remain. Mr. Kocher noted that there are many temporary signs along Penn Avenue.

Mr. Wozniak stated that the approximate cost is conservative; when you get into enforcement issues, the costs will increase. Mr. Kocher asked if this property maintenance proposal was in the budget. Mr. Wozniak said it was not, which is why he submitted this proposal. Mr. Stuck pointed out that the Township is saving money by not using Kraft Code Services, LLC. Mr. Kocher said that the Township has money budgeted and not spent on Parks and Recreation. The fall event was not held, and a full-time employee left the Township. Mr. Kocher noted that he would like to see money spent on a Playground Program next year, perhaps a more significant contribution from the Township, making it more affordable for families and consider offering the program to a lower age group.

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

12. Penn Avenue Property Maintenance Proposal (Continued)  
Ms. Smith said that perhaps the Township should install a sign on each end of Penn Avenue stating you are in the Township. Mr. Moll noted that the Penn Avenue Study included signs in the recommendations. Ms. Smith suggested looking to add the signs to next year's budget. Mr. Kocher stated that he is in favor of voting for the Penn Avenue maintenance proposal with a commitment from the Board to give more than 25% than the Township typically earmarks for a potential playground program next year if that is the direction the Township decides to go. Mr. Stuck said he favors reviewing the Parks and Recreation programming. Mr. Kocher noted that a Comprehensive Study is scheduled.
  
13. Halloween Parade-Moved to the beginning of the meeting.

*Motion to approve Action Items # 1-8 & 10- 12 was made by Ms. Smith, seconded by Mr. Kocher. Upon roll call, Ms. Smith abstained from approval of the August 8<sup>th</sup> minutes and voting on payment of check # 107162. Mr. Wertz abstained from voting on payment for Fire Fund #14 and approving Ordinance # 450-Amendment to Fire Fighters Pension Plan. All Supervisors voted affirmatively. MOTION CARRIED.*

**TOWNSHIP DIRECTOR**

- A. Zoning/Building Codes Department – No Report
  
- B. Parks and Recreation Department – No Report
  
- C. Engineering/Planning Department –
  1. 517 West Wyomissing Blvd-Height Variance  
Mr. Moll reported that the Township received a variance request from the 517 West Wyomissing Boulevard owner. Mr. Moll reviewed the sketch of the property, including all the existing buildings on the property. The building coverage on the property is approximately 41%, and they are permitted 50%. The impervious coverage of roughly 63%, and they are allowed 70%. The variance submitted to the Zoning Hearing Board is since the proposal to construct a second-floor addition on the garage exceeds the height limitation (15 ft.) for a detached structure that is an accessory to residential use. The applicant is requesting to build this addition at 19ft.  
  
Ms. Smith asked if the addition would block the neighbors' view. Mr. Moll stated the rear of the property is along an alley and should not impede the sight of anything. Mr. Stuck asked what the use for the addition would be. Mr. Moll said the applicant told the Codes Department that the intended use for the upper floor is a play area for his grandchildren. After review and discussion, the Board of Supervisors decided not to make a recommendation.

**TOWNSHIP DIRECTOR** (Continued)

C. Engineering/Planning Department – (Continued)

2. Harold's Hill Road-Response to Filing of Civil Action –

Mr. Moll stated that the Township had received notice from the Lancaster County Court of Common Pleas that the Township had been named in a lawsuit. This issue concerns an existing private drive called Harold's Hill Road, which extends across the county line into East Cocalico Township. Mr. Moll reviewed the matter, and the plaintiffs wish to subdivide a portion of their property. After discussion, Mr. Becker stated the Board's action request is authorization to move forward with defending the Township's position.

*Motion to authorize Mr. Becker to defend the Township's position was made by Ms. Smith, seconded by Mr. Wertz. Upon roll call, all Supervisors in attendance voted affirmatively, MOTION CARRIED.*

3. Stanford Ave. Dam–

Mr. Moll stated that the Wyomissing Creek Watershed Collation, of which the Township is a member, has a few requests regarding the basin. The Collation would like to do some surface investigation to determine if is viable to use as a pollution reduction facility to address the requirements of DEP for Wyomissing Creek.

Mr. Becker said the Government mandates that each municipality in the Commonwealth has to mitigate stormwater issues created in watersheds, with the deadline in 2024.

The Board discussed the matter in detail, critical points including costs, cooperation, and DEP requirements. The Board of Supervisors decided not to make any changes at this time.

D. Finance Department – No Report

E. Human Resources – No Report

F. Public Works – Mr. Stuck asked for the status of the crack sealing schedule. Mr. Darrah said he would meet with Mr. Stuck.

**PUBLIC SAFETY**

A. Police Department –Police Chief Powell submitted a Monthly Report for July. Chief Powell confirmed for Mr. Stuck that the loose puppies in West Lawn were found and returned to their owner.

B. Township of Spring Fire Rescue Services – No Report.

C. West Side Regional EMA – No Report.

**SOLICITOR** – Mr. Becker – No Report

**OLD BUSINESS:** None

**NEW BUSINESS:**

Mr. Royer stated that on multiple occasions, he has gone into the Township kitchen and filled his water beverage container with water in the fridge in a water filtration container. He appreciates whoever keeps the container filled.

**ANNOUNCEMENTS:**

1. An Executive Session was held prior to this meeting to discuss matters of real estate and personnel.
2. Next meeting will be held at 7:00 p.m. on Monday, September 12<sup>th</sup>, 2022.

**ADJOURNMENT:**

There being no further business, Chairperson Stuck adjourned the meeting at 8:30 pm.

Respectfully submitted,

  
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Mary L Rossi, Township Secretary