



# TOWNSHIP OF SPRING

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## BOARD OF SUPERVISORS MEETING MINUTES

**January 22<sup>nd</sup>, 2024**

**OPENING OF MEETING:** Chairperson Smith called a regular business meeting of the Board of Supervisors to order at 7:05 p.m. on Monday, January 22<sup>nd</sup>, 2024, 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 Smith, Stuck, Kocher, Royer, and Wertz were present. Also present were John Groller, Mary Rossi, Paul Darrah, Jen Bensinger, Jeremy Baez-Reyes, Judy Houck, Jim Moll, Jason Reichert, Aaron Wozniak, Chief Powell, and Daniel Becker, Esq. Also in attendance were Chris Makosch, Mark Koch, Esq, Devin Toohey-Concordia Group, and Emmet Flynn-FastBridge Fiber. Chief Hackman attended via ZOOM.

**ANNOUNCEMENT:**

Ms. Smith stated that an Executive Session was held prior to this meeting on matters of personnel and potential litigation.

**AGENDA AMENDMENTS:** None

**OPEN TO THE FLOOR:**

Chris Makosch, 1601 Concord Road, addressed the Board to state his frustration with how the Township sponsored Volleyball Program was run. Mr. Makosch stated his displeasure that it took the Board's decision to start the program rather than the Parks and Recreation Department, the Department's billing process, and that the program had no advertising on the Township's website.

**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. Minutes from 2023 Vision Meetings
2. Minutes from January 2<sup>nd</sup> Re-Organization and Regular Business Meeting
3. List of Bills for Approval
  1. **General Fund - \$858,899.06**
  2. **Street Lighting Tax Fund - \$25,920.74**
  3. **Refuse Tax Fund- \$133,299.79**
  4. **Sewer District #3 Fund - \$791,179.49**
  5. **Fire Protection - \$213,253.49**
  6. **Capital Fund- \$57,589.90**
  7. **Developer Escrow- \$10,047.00**

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

4. Police Station Boiler Replacement Project- Payment Application #1  
Ms. Houck submitted the payment application from 3B Services, Inc. GVC recommends payment in the amount of \$51,040.00 for work completed. A 20% retainage will be held until the control portion of the project is complete.
5. Purchase Order PR-2024-016-Cacoosing Meadows Park Electrical Restoration  
Ms. Houck stated that the Department received three (3) quotes for the project. Ms. Houck requested the Board's approval of the purchase order from the lowest quote, H.B. Company in the amount of \$16,800.00.
6. Non-Uniform Association Memorandum of Understanding  
Mr. Groller stated the submittal is to clarify wording with revisions to the Collective Bargaining Agreement dated January 1<sup>st</sup>, 2023, set to expire on December 31<sup>st</sup>, 2025. Mr. Groller reviewed the amendments submitted to the Board.
7. Police Building Renovations -Payment Application #5  
Chief Powell stated that Entech Engineering, Inc. recommends approval of payment application #5 to Purcell Construction in the amount of \$61,554.37. The bulk of the renovation project is complete.
8. Accessible Parking Space Request for Approval in the 2600 Block of Belmont Avenue  
Chief Powell stated that the Traffic Unit reviewed the application, and approval is recommended for the request as the applicant does not have off-street parking.
9. Purchase Orders Approval for Witmer Public Safety Group, Inc.  
Chief Powell requested authorization to sign two quotes submitted by Witmer Public Safety Group, Inc. The first quote- 133748, is for the firearms upgrade in the amount of \$27,860.27. Chief Powell noted this is a budgeted item, and the quoted price includes a credit of \$7,200.00 for trade-in on the current firearms. Quote 133760 in the amount of \$5,434.39 is for holsters.
10. Request for Authorization to Begin Hiring Process for Deputy Fire Chief and Fire Fighter and EMT Eligibility List. Chief Hackman respectfully requested the Board's approval to start the advertisement and hiring process for a Deputy Fire Chief, noting it is a budgeted position for 2024. Chief Hackman requested authorization to begin the eligibility list for an entry-level firefighter-EMT.
11. Wyomissing Interceptor Project-Entech EWO Approvals  
Mr. Groller stated that Entech Engineering submitted two (2) engineering work orders for approval. Work Order 4644-EWO-11155.20 is for \$225,000.00 for construction observation. Work Order 4644-EWO-11155.30 is for \$85,000.00 for services during construction. Mr. Darrah confirmed for Mr. Stuck that the project is expected to start at the end of March or early April, weather permitting.

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

*Motion to approve Action Items #1 through # 11 was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. Mr. Wertz abstained from voting on Fire Fund #14 & Action Item #10. Ms. Smith abstained from voting on the payment of check #110637. Mr. Stuck abstained from voting on the payment of checks # 110637, #110634, and #110654. MOTION CARRIED*

**TOWNSHIP DIRECTORS**

A. Zoning/Building Codes Department – Mr. Wozniak submitted a monthly report for December and a 2023 Annual Report. Mr. Wozniak briefed the Board on a few highlights of the Annual Report, including;

- 946 permits were issued, the highest issued by the Township in one year
- The construction value for 2023 added to the Township was \$59,969,138.99
- Six new home permits were issued
- Six new apartment dwelling units were issued
- Eighty-four installations (higher than in previous years)
- Pre-settlement inspections were less than in prior years
- Complaints were up

Mr. Wozniak said objectives for 2024 are listed, which were covered in the Vision Meeting.

B. Parks and Recreation Department -Ms. Houck confirmed for Mr. Groller that a monthly report was not submitted due to the lack of a quorum at the Parks and Recreation Board Meeting.

C. Engineering/Planning Department

1) Aulenbach/Reid Annexation Plan

Mr. Reichert reviewed the request for a scale waiver from the 1"=50' requirement to a larger scale of 1"=40'. The Planning Commission recommended approval of the waiver at their January 4<sup>th</sup>, 2024 meeting.

*Motion to approve the waiver from the scale requirement of 1"=50' to 1"=40' for the Aulenbach/Reid Annexation Plan was made by Mr. Stuck and seconded by Mr. Kocher. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

2) Texas Road House PRD Sign Waiver

Mr. Reichert reviewed the waiver request submitted by Texas Roadhouse. The request is a waiver of the sign regulations in the Planned Residential Development (PRD) Ordinance to permit the installation of a proposed sign at 2803 Paper Mill Road within the Spring Ridge PRD. The proposed sign will replace the existing sign currently mounted on the "Homewood Suites" sign structure on the adjoining lot. Homewood Suites has decided to redesign its signage and will no longer provide advertising space for Texas Roadhouse on its sign structure.

*Motion to approve the PRD Sign Waiver for Texas Roadhouse was made by Mr. Kocher and seconded by Mr. Royer. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED.*

Mr. Royer asked if there were any deficiencies with the current sign. Mr. Reichert said that the application did not provide any additional information. Board members commented that construction is currently ongoing at the site.

**TOWNSHIP DIRECTORS** (Continued)

3) Hofmann Tract- Reserve at Iroquois-Plan Revisions

Mr. Reichert reviewed the request, noting that the Township was informed in early December that the Developer was interested in adjusting the landscaping buffer. During the approval process, there was a lot of community engagement. Therefore, the Engineering Department felt it necessary to bring this request before the Planning Commission before proceeding. The Developer is requesting to change the species of the trees. Based on the size and spread of the trees, the applicant is requesting a significant reduction in the number of trees. Mr. Reichert said that the Planning Commission reviewed the request and accepted the change. Ms. Smith asked what kind of tree they wanted to change it to.

Mr. Reichert said that when staff reviewed the revised Landscape Plan, they raised several questions due to inconsistencies with the Final Recorded Plans. Mr. Reichert displayed the issues, including:

- The revised landscape buffer
- A small fenced-in area for a proposed Dog Park (The Township's Zoning Ordinance does not have a definition for a "Dog Park.")
- The area in question is closer to the new apartments than the adjoining residential homes along Garfield Avenue.
- The area in question is small, which would limit the activities and possible nuisance.

Mr. Reichert stated that the Township requested a Final As-Built, representing changes made after the project completion. Mr. Reichert said that everything was reviewed with the Planning Commission (P.C.) at the last meeting. The P.C. did not act on these items aside from agreeing that As-Builts would be required.

Ms. Smith said that the only concern she had was with the buffer due to residents' concerns, noting as long as it is screening residents' properties so that they aren't looking directly into the area, it should not be an issue. Mr. Reichert said that the trees proposed are taller, so the multi-level apartments will be screened, noting that it is a denser tree. Mr. Moll stated that the proposed trees are Norway Spruce and confirmed for Ms. Smith that they must be at least 8' high within three years.

Mr. Kocher asked if the issue with the unit numbering was resolved. Mr. Wozniak said that the problem was for the first building, and the issue was resolved.

4) Concordia Group

Mark Koch, Esquire, and Devin Toohey of the Concordia Group were in attendance this evening. Mr. Koch said the goal this evening is for feedback from the Board regarding some of the highlights of the proposed amendments, based primarily on parking requirements.

Mr. Koch reviewed the proposal, stating the retail partner has developed approximately twenty-five (25) Whole Foods Mixed-Use Developments. Their retail partner's confidence level in parking calculations is significant that the proposal will work in the Township, even though there is a reduction in spaces.

**TOWNSHIP DIRECTORS** *(Continued)*

4) Concordia Group *(Continued)*

Mr. Koch stated that at the request of staff, Mr. Toohey provided documentation of two (2) existing developments and one (1) under construction with similar layouts.

Mr. Moll stated that the changes requested from the Township regulations are from the Township's Zoning Ordinance, which covers Mixed-Use Developments. Mr. Moll demonstrated the areas for the proposed changes, noting that the applicant indicated they are willing to provide reserved parking spaces for the apartment portion of the development. Mr. Koch said that the parking enforcement issues will be managed by a management company, negating the need for the Township's Police Department from being involved.

The Board members agreed with the concept and work done on the project. Mr. Toohey stated they wanted to do their due diligence and ensure there were no major red flags with the proposed changes. Mr. Toohey said they are looking forward to moving through the process.

Mr. Moll confirmed for Ms. Smith the area she questioned on the proposed plan is not a road but a drainage channel.

D. Finance Department - No Report

E. Human Resources - No Report

F. Public Works – Mr. Darrah stated that it had been a long couple of weeks due to the storms, with the rain and back-to-back nuisance snow storms.

G. IT Department-Mr. Reyes stated that the I.T. Department has met with all departments to obtain their feedback on their respective pages for the new website. Mr. Reyes and Ms. Bensinger submitted the changes and comments to the website designer. Next week, a meeting is scheduled with the website designer to review the changes and a redesigned Township logo. Mr. Groller said after the reviews, the Department will bring the proposal to the Board for comments and suggestions.

**PUBLIC SAFETY**

A. Police Department – Chief Powell submitted a Monthly Report and the Department's Annual Report put together by Ms. Correll.

B. Township of Spring Fire Rescue Services – Chief Powell submitted a Monthly Report.

C. West Side Regional EMA – No Report

**SOLICITOR** – No Report

**OLD BUSINESS:**

1) FastBridge Fiber-Mr. Emmett Flynn of FastBridge Fiber addressed the Board to reiterate their commitment to being a good long-term partner. Mr. Becker stated that the Township and FastBridge Fiber are very close to an agreement resolving issues. Mr. Flynn noted that in the last two weeks, the company has parted ways with its former CEO, and a new CEO is on board. The new leadership is committed to being a long-term collaborative partner. Mr. Flynn stated they are anxious to get back to work, saying they have residents and commercial customers pre-signed for services.

Mr. Stuck asked Mr. Flynn how much longer he anticipates construction to continue in the Township. Mr. Flynn stated that FastBridge Fiber has constructed close to a million feet and estimates approximately five thousand feet of installation remaining, noting they are close to 98% complete. The balance of the work is road crossings, and he pointed out that the permitting process has been going well, and he estimates they should be finished in approximately two (2) months, weather permitting.

Mr. Becker requested direction from the Board if they would like to give authorization to FastBridge Fiber to start with their roadcuts. Mr. Flynn confirmed for Mr. Becker that they would follow the Township's permitting process, noting work will be much less in the winter. Mr. Becker recommended that Mr. Darrah and Mr. Flynn meet to determine the next steps.

Mr. Flynn confirmed for Mr. Wertz that the road cuts would be cold patches and that they would come back after the asphalt plants re-open to complete road restoration. Mr. Becker recommended that Mr. Darrah and Mr. Flynn meet and work on an agreement to ensure clarity as to what is agreed to.

*Motion to authorize FastBridge Fiber, subject to an Approval Agreement to continue their project was made by Mr. Wertz and seconded by Mr. Kocher. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

2) Zoning Hearing Board Alternate Vacancy-Mr. Groller reminded the Board of the vacancy for a Zoning Hearing Board Alternate. Mr. Wozniak confirmed for Mr. Groller that the vacancy may be posted on the Township's website and through the Planning Commission.

Mr. Royer stated that he had a conversation with someone interested in serving.

Mr. Stuck said he would like the vacancy advertised to all residents. Ms. Smith agreed with residents submitting a letter of interest.

**NEW BUSINESS:** None

**ANNOUNCEMENTS:**

1. Next meeting will be held at 7:00 p.m. on Monday, February 12<sup>th</sup>, 2024.

**ADJOURNMENT:**

There being no further business, Chairperson Smith adjourned the meeting at 7:55 p.m.

Respectfully submitted,

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Mary L Rossi  
Township Secretary