



# TOWNSHIP OF SPRING

**BERKS COUNTY, PA**

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## **BOARD OF SUPERVISORS MEETING MINUTES APRIL 8, 2024**

**OPENING OF MEETING:** Vice-Chairperson Stuck called a regular business meeting of the Board of Supervisors to order at 7:07 p.m. on Monday, April 8, 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 Stuck and Kocher were present. Supervisor Royer attended via teleconference, and Supervisor Wertz joined at 7:11 p.m. Also present were John Groller, Dean Murray, Mary Rossi, Jen Bensinger, Jeremy Baez-Reyes, Judy Houck, Aaron Wozniak, Chief Powell, Jim Moll, Jason Reichert, Daniel Becker; Esq, Chris Snyder of Snyder Engineering, Travis Odom of 7 Brew, Brynn Shaeffer of Carta Engineering, Pam VanOstenbridge and Matt Shirk of the Lincoln Park Swimming Association, Kelly Ryan; Stenographer, and Al Tucci (arrived at 7:10). Paul Darrah, Chief Hackman, Mark Koch; Esquire, Courtney Odom of 7 Brew, Rob Lewis; Esquire and Mike Kegerise attended via ZOOM.

### **ANNOUNCEMENTS:**

Mr. Stuck stated that there was an executive session regarding litigation before the meeting.

### **AGENDA AMENDMENTS:**

Mr. Groller said that Action Item #8 will be tabled this evening.

**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 March 25, Regular Business Meeting
2. List of Bills for Approval
  1. **General Fund - \$124,115.09**
  2. **Street Lighting Tax Fund - \$26,815.60**
  3. **Fire Hydrant Tax Fund - \$7,648.22**
  4. **Refuse Tax Fund-\$26,915.10**
  5. **Sewer District #3 Fund- \$29,770.04**
  6. **Fire Protection- \$16,616.17**
  7. **Capital Fund- \$62,171.61**
3. Resolution 2024-13-Disposition of Records

**ACTION ITEMS FOR APPROVAL** (Continued)

4. West Lawn Park-Accessible Paths Contract Award  
Ms. Houck stated that upon reviewing the bids received for the West Lawn ADA Improvements Project, Great Valley Consultants recommends that the project be awarded to the low bidder, J. Phillips Excavating & Hauling LLC of Hamburg, PA, with a bid of \$100,859.81.
5. 2408 Jefferson Ave-Extension of Time  
Mr. Moll stated that the Planning Commission, at the regular public meeting held on April 4, 2024, recommended that the Board of Supervisors approve the applicant's request for an extension of time for the Minor Subdivision Plan for 2408 Jefferson Ave. The expiration date will be June 6, 2024.
6. Wilson School District Request-Parade & Fireworks  
Mr. Groller stated that the Wilson School District is requesting permission to hold a parade and a fireworks display in conjunction with the Graduation Ceremony on the evening of Friday, May 31, 2024, with a rain date of Saturday, June 1, 2024. The District is also requesting that the Township consider waiving the permit fees.
7. Final Payment Application Approval-Police Building Repairs  
Chief Powell stated that Entech Engineering, Inc. reviewed the payment application and recommended approval of Final Payment No. 7 to Purcell Construction Company, Inc. in the amount of \$43,908.49. Chief Powell stated that the project was complete, and the contractor submitted a certification of completion and warranty.
8. Approval of Telco, Inc. Quote-Preemption System-Van Reed & Snyder Road  
Item Tabled

*Motion to approve Action Items #1-7 was made by Mr. Kocher and seconded by Mr. Royer. Upon roll call, All Supervisors present voted affirmatively, with Mr. Wertz abstaining from voting on payment of Fire Fund#14 and Mr. Stuck abstaining from voting on payment of check # 111164. MOTION CARRIED*

**OPEN TO THE FLOOR:**

Al Tucci, 804 Evergreen Drive, addressed the Board, requesting that his road be paved. Mr. Darrah stated that PA American Water will be replacing water mains in that area.

*Mr. Stuck recessed the Board of Supervisors Meeting and reconvened the 7 Brew Public Hearing.*

Mr. Becker stated that the 7 Brew Public Hearing is reconvened for the modification request for the PRD location at 2700 Paper Mill Road. Mr. Becker read the procedural exhibits to show compliance with the PA Municipalities Planning Code and that the hearing was advertised properly.

### **7 Brew Public Hearing (Continued)**

*At the conclusion of the hearing, a motion to approve the request from 7 Brew for modifications of the PRD location at 2700 Paper Mill Road with the conditions as recommended by Township staff and as outlined by Mr. Becker, including that all testimony binds the applicant, compliance with all the rules and regulations in ordinances that are applicable to the plan, the applicant will use and develop the property in accordance with all Federal, State, and Local laws, rules, and regulations, the applicant will apply, obtain, and pay for all permits that are necessary for the project, and the applicant will commence construction no later than one (1) year from date of approval was made by Mr. Kocher and seconded by Mr. Royer. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

*Mr. Stuck reconvened the regular meeting at 7:50 p.m.*

### **TOWNSHIP DIRECTORS:**

#### A. Zoning/Building Codes Department

##### 1) Mr. Wozniak submitted the Monthly Report for March.

Mr. Stuck noted that the chicken coop mentioned in the report has been moved from the driveway to the yard. Mr. Wozniak confirmed the complaint and status of ducks in a residential area for Mr. Kocher.

##### 2) Apple Dumpling Festival

Mr. Wozniak stated that an application was received for a public gathering at Willow Glen Park, operated by Konopelski Catering. The application proposes that the annual Apple Dumpling Festival occur Thursday, May 9, through Saturday, May 11. The hours of operation are 5:30 p.m. to 10:00 p.m. on Thursday and Friday and 2:00 p.m. to 10:00 p.m. on Saturday, noting that peak attendance is 750 people. No rain dates are proposed for the festival. The Fire Marshall and Mr. Wozniak reviewed the application and recommended approval, noting that he and Mr. Hatt will inspect the site before the start of the event.

*Motion to approve the Public Gathering Permit for the annual Apple Dumpling Festival at Willow Glen Park was made by Mr. Kocher and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

#### B. Parks and Recreation Department. Ms. Houck stated that the Township's Night at the Reading Fightin Phils is this Saturday, April 13; the game starts at 5:15, and tickets are available. Ms. Houck said the Youth and Senior Fishing Rodeos are next Saturday, April 20<sup>th</sup>. Ms. Houck confirmed for Mr. Stuck that the RFP for the Master Site Plan for Kline's Creek Park should go out at the end of the month and confirmed the approximate timing of the process.

#### C. Engineering/Planning Department

##### 1) 3024A Penn Avenue- Authorization to advertise a hearing for a request for a liquor license transfer. Mr. Reichert stated that Morning Fuel Wyomissing, LLC is proposing to develop a restaurant at the location of the former Friendly's restaurant within the Adelpia shopping center along Penn Avenue. The applicant has applied for approval to transfer a restaurant liquor license from an existing business (Deluxe Diner) in Cumru Township. Mr. Reichert stated that the request requires a hearing before the Board of Supervisors and a resolution approving an inter-municipal transfer.

**TOWNSHIP DIRECTORS:** *(Continued)*

C. Engineering/Planning Department *(Continued)*

- 1) 3024A Penn Avenue- Authorization to advertise a hearing for a request for a liquor license transfer *(Continued)*

*Motion to authorize advertising a hearing for a liquor license transfer request for Morning Fuel Wyomissing, LLC on May 13, 2024, or if an extension is required, on June 6, 2024, was made by Mr. Kocher and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

- 2) Mixed Use Regulations Amendment

Mr. Moll stated on March 25, 2024, the Board of Supervisors authorized the advertisement for a hearing for zoning changes and amendments to the Mixed-Use Regulations but did not specify a date for the hearing. Mr. Moll said that staff will review the regulations with the Planning Commission at the next Workshop Meeting, and they will be sent out to the Berks County Planning Commission for review. The hearing will be on May 28, during the regular Board of Supervisors Meeting.

- 3) Lilyfield Mini-Warehouse

Ms. Bensinger reviewed the proposal submitted for Preliminary Conditional Plan approval for a 40-unit self-storage unit facility on one (1) of the two (2) commercial lots in the former Lilyfield Development. On October 11, 2023, the applicant was granted conditional approval from the Zoning Hearing Board for several variance requests; including side yard setbacks, non-residential setbacks, building heights, and building contents. Ms. Bensinger stated at the April 4, 2024, Planning Commission Meeting discussion included the following recommendations from the Township Greenways and Trails Committee:

1. a) The developer must install a sidewalk along Wernersville Road to the point where the curb radius begins at the intersection with Fritztown Road.  
  
b) The Township corresponds with PennDOT to determine the feasibility of extending the sidewalk to the intersection and what other facilities would be required if the sidewalk were extended to the intersection.  
  
c) If the Township determines it is feasible, the developer should install a sidewalk and all required facilities to provide pedestrian access to Fritztown Road.
2. The Township's Traffic Engineer has been asked to contact PennDOT to determine if ADA ramps and crosswalks would be required.

After review, Ms. Bensinger noted comments from the Planning Commission's (PC) review, including the clear site triangle along Fritztown Road, which the applicant needs to show on the Preliminary Plan. The Erosion and Sediment Pollution Control Plans need to be submitted, Stormwater Plans need to be signed, sealed, and recorded, and the execution of the Municipal Improvements Agreement will need to be completed. The PC recommended that the Board of Supervisors approve the Preliminary Plan with conditions noted in the Township's Engineering Department's review letter dated April 3, 2024.

**TOWNSHIP DIRECTORS:** *(Continued)*

C. Engineering/Planning Department *(Continued)*

3) Lilyfield Mini-Warehouse *(Continued)*

Mr. Moll confirmed the PC and Greenways and Trails Committee recommendations for Mr. Kocher.

*Motion to approve the Lilyfield Mini-Warehouse Preliminary Plans with conditions noted in the Township's Engineering Department letter dated April 3, 2024, was made by Mr. Kocher and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively.*

**MOTION CARRIED**

D. Finance Department –No Report

E. Human Resources – No Report

F. Public Works –Mr. Darrah said that PA American Water will start the Main Replacement Project and begin the project on Snyder Road.

**PUBLIC SAFETY**

A. Police Department-No Report

B. Township of Spring Fire Rescue Services – Chief Hackman submitted a monthly report for March.

C. West Side Regional EMA – No Report

**SOLICITOR** – No Report

**OLD BUSINESS:** None

**NEW BUSINESS:** Mr. Stuck stated that Lincoln Park has old tennis courts on the property. Ms. Vanostenbridge and Mr. Shirk requested to come before the Board to discuss if there would be a use in the community for that area.

The president of the Lincoln Park Swimming Association (LPSA), Matt Shirk, stated that the space is approximately 90'x 110', which could fit basketball courts or a playground. Mr. Shirk noted that there is space to develop and excavate to enlarge the area. Mr. Shirk stated that the existing park will be removed when the new Lincoln Park Elementary School is built and the community will have no public playground.

Pam VanOstenbridge, Vice President of the LSPA, stated that they are requesting a discussion with the Township and the Wilson School District regarding possibilities for that space. Ms. VanOstenbridge noted that the LSPA supports the community, including but not limited to National Night Out, Thon, and Breast Cancer Awareness, and provides free use for members of the community who need to use the facility for Scout Swim Tests. Ms. VanOstenbridge reiterated Mr. Shirk's request to look into use for this space.

After discussion, the Board suggested that Mr. Shirk and Ms. VanOstenbridge attend a Parks and Recreation Board Meeting to discuss their idea. Mr. Stuck requested that Ms. Houck and Mr. Murray orchestrate the request for discussion at the next Parks and Recreation Board Meeting, which is scheduled for April 18.

**ANNOUNCEMENTS:**

1. PennDOT invitation-Mr. Groller stated that there is a meeting for public officials with PennDOT regarding the Corridor Safety Improvement Project on State Hill Road, located in the Township and Borough of Wyomissing, between Colony Drive and US 422 westbound/US 222 southbound entrance ramp. The meeting will be held Wednesday, April 24, at 5:30 p.m. at the Wyomissing Hills Elementary Center Cafeteria, 110 Woodland Rd, Wyomissing.

Mr. Kocher stated that he resigned from the Reading Area Transportation Study Coordination Committee due to scheduling conflicts. He confirmed for Mr. Royer that submitting a letter of interest is part of the process for being chosen to serve on the Committee.

**Lilyfield Mini-Warehouse (Continued)**

Michael Kegerise, 100 S. Cacoosing Drive, stated he represents approximately ninety (90) homes in the 55+ Lilyfield community. Mr. Kegerise noted that it is his understanding that there will be an extension at Krick Lane in South Heidelberg to Wernersville Road, which ends up in the Township. Mr. Kegerise stated there is an issue for residents concerning the speeds driven on Wernersville Road, noting that it will increase when the connection is made, along with heavy truck traffic. Mr. Kegerise asked if the Township would speak to PennDOT about traffic control on their end of Wernersville Road, at the north or south side of Cacoosing Drive.

**ANNOUNCEMENTS: (Continued)**

2. Next meeting will be held at 7:00 p.m. on Monday, April 22, 2024.

**ADJOURNMENT:**

There being no further business, Vice-Chairperson Stuck adjourned the meeting at 8:25 p.m.

Respectfully submitted,



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Mary L Rossi  
Township Secretary