



# TOWNSHIP OF SPRING

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## **BOARD OF SUPERVISORS MEETING MINUTES JULY 8<sup>TH</sup>, 2024**

**OPENING OF MEETING:** Chairperson Smith called a regular business meeting of the Board of Supervisors to order at 7:10 p.m. on Monday, July 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 Smith, Stuck, Kocher, Wertz, and Royer were present. Also present were John Groller, Dean Murray, Mary Rossi, Jen Bensinger, Jeremy Baez-Reyes, Aaron Wozniak, Judy Houck, Chief Powell, Jim Moll, Jason Reichert, Dan Becker, Esq, Gary Ulrich, Devin Tuohy; Concordia Group, Mark Koch; Esq, Karen Krater; Hoffert Surveyors, Andrei Rodriguez, and Kelly Ryan; Stenographer. Chief Hackman, William Collins; Concordia and two unidentified telephone numbers, (610)733-9398 and (475) 558-9505, attended via ZOOM.

**AGENDA AMENDMENTS:**-None

### **OPEN TO THE FLOOR:**

Gary Ulrich, 160 Heather Lane, thanked the Board for their service. Mr. Ulrich reported that the Stone Hill Farms Complex residents must deal with vehicles running red lights in both directions, going towards Berkshire Blvd & Broadcasting Rd on a daily basis. Mr. Ulrich asked the Board to consider lengthening the green light segment for residents to be able to pull out and consider installing a left turn arrow for both left lanes at the Stone Hill Farms Complex and across the street at Colony Park. Mr. Ulrich said that he believes the plates to trigger a left turn signal are already under the street in both directions, indicating that the wiring is probably already done. Mr. Moll confirmed for Mr. Stuck that Papermill Road is a state road, and PennDOT would have to approve any changes. Mr. Ulrich suggested that the Board may want to consider red light cameras or even the appearance of cameras with signs to help make the area safer for the approximately two hundred twenty residents living in that area.

*7:15 p.m.-Ms. Smith recessed the Public Meeting to start the Public Hearing*

### **Public Hearing: Amendment to Mixed-Use Regulations**

Mr. Becker stated the Public Hearing is for the Township to consider an amendment to the Township's Zoning Ordinance, which is required under Local Agency Law to hold a Public Hearing.

Mr. Becker stated that this matter has been discussed and reviewed by the Planning Commission (PC) over the last several months and in general discussions with the Board of Supervisors.

Public Hearing: Amendment to Mixed-Use Regulations (Continued)

Mr. Becker explained that now is the opportunity for the public to ask questions or comment on this matter. Mr. Becker reviewed the procedural documents (exhibits) that must be followed during the hearing pursuant to the Pennsylvania Municipalities Planning Code. Mr. Moll gave a brief overview of the changes to the Zoning Ordinance that will be considered this evening, noting, for the most part, dealing with the Mixed-Use Development Regulations.

*Ms. Smith concluded the hearing and reconvened the regular Board of Supervisors Meeting.*

*Motion to approve the amended Mixed-Use Ordinance as presented this evening was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively.*  
**MOTION CARRIED**

**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 June 24<sup>th</sup>, 2024 Regular Business Meeting
2. List of Bills for Approval
  1. **General Fund - \$151,781.07**
  2. **Fire Hydrant Tax Fund- \$7,944.86**
  3. **Refuse Tax Fund- \$118,676.55**
  4. **Sewer District #3 Fund- \$26,449.50**
  5. **Fire Protection- \$22,326.61**
  6. **Capital Fund-\$684.05**
3. Authorization to Bid Trash & Recycling  
Mr. Groller stated that the bid specs will have three (3) different options, including the Township's rural areas as an alternate, following the Township's current pick-up schedule, and proposing a schedule from the hauler. The Township will hold a pre-bid meeting in September, and the bid will be awarded in October. Mr. Groller confirmed that the Solicitor reviewed the bid specs.
4. Resolution 2024-20 Grant Application for Harvard Boulevard  
Mr. Murray stated that a resolution is required for the grant application.
5. Wyomissing Interceptor Project-Change Order #1  
Mr. Groller stated that Entech Engineering, Inc. has reviewed the Change Order #1 Request for the upsizing of the West Lawn Interceptor Alternate to increase the size of the pipe being replaced as part of the West Lawn Interceptor Alternate #1 and recommends approval of the change order at the cost of \$5,303.80. Ms. Rossi noted that the Wyomissing Borough will reimburse the Township for the cost of the change order.
6. Authorization to Advertise Position  
Ms. Houck requested authorization to advertise for the position of Recreation Program Coordinator.

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

7. Sewer Ordinance Amendment

Mr. Moll stated that Entech Engineering, Inc. has been authorized to prepare low-pressure sewer specifications for the Township. Currently, the Township defines where the Township's responsibility is on a lateral, noting that the Township is responsible for the main in the street; generally speaking, where the trap occurs on that property is where that responsibility changes from the Township to the property owner. Mr. Moll stated that it would not work with a low-pressure system, so the Township needs to make changes; there will be apparatuses that are part of that system for which the property owner should be responsible. Mr. Moll requested authorization for staff and the Solicitor to work on the appropriate changes to the Sewer Ordinance and advertise it when completed, confirming for Ms. Smith the Board will see the ordinance before it is advertised and that this is a recommendation from the Infrastructure Committee.

*Motion to approve Action Items #1-7 was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively, with Mr. Wertz abstaining from voting on payment of Fire Fund #14, Mr. Stuck abstaining from voting on payment of check #111810 & Mrs. Smith abstaining from voting on payment of check #111810.*

**MOTION CARRIED**

**TOWNSHIP DIRECTORS:**

A. Zoning/Building Codes Department – No Report

B. Parks and Recreation Department –No Report

C. Engineering/Planning Department–

1. Lenosky Subdivision Annexation Mail Route Rd

Ms. Bensinger reviewed the proposal, an approximately 18-acre property off Mail Route Rd east of Fritztown Road and the Lancaster Northern Railway. The Lenosky applicants propose subdividing 8.5 acres and annexing it onto their parcel on 118 Mail Route Road. Ms. Bensinger explained it is a simple subdivision and annexation where the applicant wishes to break this off and add to the existing lot where they reside. The remaining lot will be approximately 10 acres, is an existing buildable lot, meets lot size requirements, and has access to Mail Route Road via an existing 53-foot right-of-way, traversing an adjoining property to the north. No construction is proposed with this plan. The applicant has satisfied all the review notes on the engineering review letter, and the Planning Commission recommended approval of the Lenosky Annexation Plan at their public meeting on June 27, 2024.

*Motion to approve the Lenosky Subdivision Annexation Plan was made by Mr. Royer and seconded by Mr. Stuck. Upon roll call, All Supervisors present voted affirmatively.*

**MOTION CARRIED**

2. 2408 Jefferson Ave Subdivision-Item Tabled by request of applicant

3. Sunoco Pentane Blending Project

Mr. Reichert reviewed the proposal for the applicant to begin construction under the existing permit while the applicant simultaneously applies for the required permit amendment. Emergency access is an issue at the site, and Mr. Reichert said that, as requested by the Fire Marshal, the plan shows a proposed access drive leading from Mountain Home Road onto the property. The applicant has received the required Berks County Conservation approval and NPDES permit for the Erosion and Sediment Control Plan.

**TOWNSHIP DIRECTORS:** (Continued)

3. Sunoco Pentane Blending Project (Continued)

The access drive is not on the plan, so it requires an amendment, which could take several months to process. As part of the applicant's request, the Township Solicitor has compiled a series of comments that should appear on the plans. The Planning Commission, at the June 27, 2024, regular meeting, recommended that the Board of Supervisors approve the plans and allow the applicant to move forward under the existing NPDES permit while applying for the permit amendment required by the addition of the emergency access drive. The approval is to be conditioned upon the following;

- 1) Applicant to meet the conditions as spelled out by the Township Solicitor
- 2) Satisfy the items listed in the Engineering Review letter dated 06/25/2024
- 3) Enter into a Municipal Improvements Agreement

Mr. Kocher asked about the applicant maintaining the proposed gravel road in winter conditions, especially if it is significantly iced over. Mr. Reichert said that it should drain naturally, as it is not a packed mixed stone gravel but a larger stone gravel, noting the conditions list that they must maintain that area.

*Motion to approve permit site construction to begin under the existing permit for the Sunoco Pentane Blending Project. At the same time, the applicant simultaneously applies for the required permit amendment and the applicant meets all noted conditions by the Township Solicitor, the Engineering Review letter dated June 25, 2024, and enters into a Municipal Improvements Agreement with the Township was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, the Board voted the following: Mr. Stuck (Yea), Mr. Wertz (Yea), Ms. Smith (Yea), Mr. Kocher (Yea), Mr. Royer (Ney) MOTION CARRIED 4-1*

- D. Finance Department –No Report
- E. Human Resources – No Report
- F. Public Works– No Report

**PUBLIC SAFETY**

- A. Police Department-No Report
- B. Township of Spring Fire Rescue Services-Chief Hackman submitted a monthly report for June. Chief Hackman reported the Township had six (6) building fires in June.
- C. West Side Regional EMA- No Report
- D. Western Berks Ambulance Association-Monthly Report

**SOLICITOR:** Mr. Becker updated the Board on Concordia's plans on filing, advertising, and meeting requirements.

**OLD BUSINESS:**

Library Discussion-Mr. Groller updated the Board on the Library being approached by the property owner of the shopping center to see if they were still interested in acquiring space connected to their property, which has been empty for several years. Mr. Groller reviewed the current rent and proposed rent costs, noting that the rent and utilities cost increase does not include staffing or upfitting the space.

**OLD BUSINESS:** (Continued)

Library Discussion (Continued)

Mr. Groller reported that the library is running at a 51/49 percent township vs. non-Township. Mr. Royer explained that the numbers are circulation numbers that track items checked out. Key Discussion Points included: The library should negotiate the rent and obtain actual costs, the Township should reach out to the County for support, determine what the extra phone service costs are for, obtain additional stats for a letter to the County showing high usage from non-residents, and ask if the library is planning on fundraising.

**NEW BUSINESS:** None

**ANNOUNCEMENTS:**

1. An Executive Session was held prior to this meeting to discuss potential litigation
2. The next regular BOS Meeting will be held at 7:00 p.m. on Monday, July 22, 2024.

**ADJOURNMENT:**

There being no further business, Chairperson Smith adjourned the meeting at 8:15 p.m.

Respectfully submitted,

  
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Mary L. Rossi, Township Secretary