



TOWNSHIP OF SPRING

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BOARD OF SUPERVISORS MEETING MINUTES JULY 22ND, 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 22, 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 Dean Murray, Mary Rossi, Jen Bensinger, Jeremy Baez-Reyes, Deputy Fire Chief Johnathan Fritz, Aaron Wozniak, Paul Darrah, Judy Houck, Chief Powell, Jim Moll, Jason Reichert, Dan Becker, Esq, Peter Kostick & Demetrios Thermenos; representing the Lions Club, Thomas Rothermel, Esquire and Chuck Frantz of C2C Design.

AGENDA AMENDMENTS:-None

OPEN TO THE FLOOR:

Tom Rothermel, Esquire representing Alcon, addressed the Board, stating that the parking lot expansion was completed in May 2024 and that he is formally requesting that the Board approve adding the release of the remainder of the bond on the next Board Meeting's agenda. Mr. Rothermel noted that his client's bond is up for renewal in September, and if the bond is not released, his client will need to renew it and incur unnecessary costs.

Mr. Moll indicated that the Township would need a final statement from Great Valley Consultants indicating that all the necessary work was completed.

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 July 8th, 2024 Regular Business Meeting
2. List of Bills for Approval
 1. **General Fund - \$306,107.03**
 2. **Street Lighting Tax Fund- \$26,261.21**
 3. **Refuse Tax Fund- \$79,560.38**
 4. **Sewer District #3 Fund- \$380,665.98**
 5. **Fire Protection- \$70,496.75**
 6. **Capital Fund-\$16,723.51**

ACTION ITEMS FOR APPROVAL (Continued)

3. Wexcon Payment Application #3-Wyomissing Interceptor Project
Entech Engineering reviewed Wexcon 's Payment Application #3 and found it accurate and reflective of work completed to date for the Wyomissing Interceptor Project and recommended payment in the amount of \$297,000.81.
4. Wyomissing Interceptor Project- Change Order#2
Mr. Darrah stated that an issue required installing a drop manhole so that one of Wyomissing's pipes could go under the new 30" line. The total cost of the change order is \$18,175.54.
5. EWO PPC Plan for Sewer Treatment Plant
Entech Engineering submitted an Engineering Work Order (EWO) for professional services to update the Township's Preparedness, Prevention, and Contingency (PPC) Plan for the Township's NPDES Permit. Mr. Darrah stated the Township is required to update the permit every five (5) years. The total cost of the EWO is \$5,700.00
6. Lion's Club Halloween Parade
Ms. Houck stated that she spoke with Chief Powell and Chief Hackman, and they all recommend that the Board approve their request of a waiver of all the fees associated with the 2024 Halloween Parade, pending receipt of the Certificate of Insurance.

Chief Powell requested that the approval include a motion by the Board authorizing the closure of streets for the event.

7. Police Station Boiler Replacement Project
Ms. Houck stated that Great Valley Consultants (GVC) recommends the final payment of \$12,760.00 to 3B Services for the Police Station Boiler Replacement Project.
8. Kline's Creek Park Master Site Plan Contract
Ms. Houck stated that the Parks and Recreation Board recommends that the Board of Supervisors award Johnson, Mirmiran, and Thompson, Inc. (JMT) the contract for Kline's Creek Park Master Site Plan in the amount of \$48,685.00. JMT is partnering with Ann Toole of Toole Recreation Planning on this project.
9. Kline's Creek Park Master Site Plan Steering Committee
Ms. Houck presented the Board with a memo with the names of individuals the Parks and Recreation Board is recommending to be appointed to serve on the Kline's Creek Park Master Site Plan Steering Committee. Ms. Houck said that there are two (2) representatives from the Parks and Recreation Board and that the Parks and Recreation Board is requesting that one (1) Supervisor serve on the committee. After discussion, Mr. Royer volunteered to serve as a Board of Supervisor representative.
10. Camelot Inn
Ms. Bensinger stated that the applicant had submitted Land Development Plans for the property located at 665 Fritztown Road, formerly known as the Camelot Inn. The applicant intends to renovate and reopen the restaurant and improve the parking lot. The applicant requested a waiver for the plans to be drawn at 1"=20' rather than the specified 1"=50' scale. The Planning Commission (PC) recommended approval of the waiver at their July 11, 2024 public meeting.

ACTION ITEMS FOR APPROVAL (Continued)

11. Hofmann Industries Scale Waiver Request

Ms. Bensinger stated that the applicant is in the process of subdividing the office at the main industrial property located at 3145 Shillington Road into two (2) lots. Ms. Bensinger said due to the fact the lot is relatively large, 15.91-aces, the applicant would need to draw the Subdivision Plan to a scale of 1"= 60', rather than the specified scale of 1"=50'. The applicant has submitted the waiver request of Section 503(C)(B)(2). The PC recommended approval of the waiver request at their July 11, 2024 public meeting.

12. Hofmann Industries Waiver of Section 502

Ms. Bensinger stated that the plan that was submitted is a simple subdivision. The proposed plan does not meet the definition of a minor subdivision because it is an industrial property, so the applicant must go through the Preliminary and Final Plan submittal process. Ms. Bensinger explained that because of the familiarity with the property and the fact that it is a simple subdivision, the applicant is requesting a waiver of Section 502(A) of the SALDO and is asking for a single-stage review process. At the July 11, 2024, public meeting, the PC recommended approval of the waiver request.

13. Hofmann Industries-Extension of Time Request

Ms. Bensinger stated that the deadline for the Township to take action on the Hofmann Industries Plans will expire on July 31, 2024. At their July 11, 2024, public meeting, the PC recommended that the Board grant the applicant an extension until October 30, 2024.

14. Approval of Job Descriptions

Mr. Murray requested approval of the following job descriptions: Crew Leader for the Township garage, Crew Leader/Lead Operator for the WWTP, and Environmental Waste Coordinator for the WWTP.

15. Approval of Job Descriptions-Codes Department

Mr. Murray requested approval of the following job descriptions for the Codes Department: Zoning Assistant, Permit Technician, and the open Code Enforcement Officer position.

16. Approval of Conditional Offer-Zoning Assistant

Mr. Murray requested the Board's approval for the Township to authorize a conditional offer to an individual for the Zoning Assistant position.

17. Authorization to Advertise -Zoning Assistant

Mr. Murray requested Board approval for the Township to advertise for the open Codes Enforcement Officer position.

18. Authorization to interview for Crew Leader Position

Mr. Murray requested authorization from the Board to start interviewing for the Crew Leader positions.

19. Authorization to Post for the position of Environmental Waste Coordinator

Mr. Murray requested authorization to post the position of Environmental Waste Coordinator.

ACTION ITEMS FOR APPROVAL (Continued)

Motion to approve Action Items #1-19, including adding approval of the closure of streets to Action Item #6, was made by Mr. Wertz and seconded by Mr. Stuck. Upon roll call, All Supervisors present voted affirmatively, with Mr. Wertz abstaining from voting on payment of Fire Fund #14 and Mr. Stuck and Ms. Smith abstaining from voting on payment of check#111898. MOTION CARRIED

TOWNSHIP DIRECTORS:

- A. Zoning/Building Codes Department - Mr. Wozniak submitted a monthly report for June. Mr. Wozniak confirmed compliance with Mr. Wertz and the Board on the fill dumped on a property on Miller Road, noting that the DEP controls what is considered clean fill. Staff did go out to the location several times to observe and document, and Mr. Wozniak stated that he did not see anything that would not be permitted, noting that final grading is complete, the area is seeded, and it appears that they have met all conditions of the Erosion, Soil, & Control Plan. Mr. Wozniak noted that the Township does not have any regulations specific to the grading that was done, and calls were directed to the Conservation District. He added that he spoke to the inspector from the Conservation District who issued the permit. Mr. Wozniak did state that it might be a challenge in the future if anyone wishes to build a home on the lot, as it would now require an Engineering Report on the stability of the soil.

Mr. Wertz raised concerns about using asphalt for fill, which could break down and erode if any of the oils enter streams. Mr. Wozniak confirmed for Mr. Wertz that DEP standards allow asphalt (spent, not new), which is a valid clean-fill material.

B. Parks and Recreation Department

- 1) Ms. Houck submitted a monthly report for June and the fifth draft of the Township Parks and Recreation Comprehensive Plan, noting the Parks and Recreation Board received it last week.
- 2) Gring's Hill Estates -Section 5 Preliminary Subdivision Plan-Access Recommendation
Ms. Houck stated that the Parks and Recreation Board is recommending that the Board of Supervisors enforce Great Valley Consultants recommendation for a 30' wide access easement at the eastern corner of proposed lot #7 and that the applicant install a 20' driveway apron at the entrance of the easement.

Chuck Frantz of C2C Design addressed the Board, stating that he spoke with the applicants, whose only concern was a preference to treat this as more pedestrian access vs. vehicular access. He noted the existing access easement that comes down from Gring's Mill Road, with a stone driveway that goes back to Kline's Park. The applicant hesitates about vehicles using that area and going over lot 7 when an easement is already in place along the property line. which is like a stone driveway that goes back to the park if you return to Kline's Creek. The applicant hesitates about vehicles using that area and going over lot 7 when an easement is already in place along the property line.

After a lengthy discussion, Mr. Frantz asked for confirmation that the request was to install the apron and the bollards, and in terms of physical improvements, that would be the extent of what he would need to do. Mr. Reichert said the contractor or the Parks and Recreation Department may install the bollards. Ms. Houck confirmed that the Department would like the bollards to match the existing bollards. Mr. Stuck suggested leaving all options open so that we leave that easement to do whatever the Township may need at that park, including public access.

TOWNSHIP DIRECTORS: (Continued)

A motion to go with Great Valley Consultant's recommendation for a 30' wide access easement at the eastern corner of proposed lot #7 and that the applicant install a 20' driveway apron at the entrance of the easement was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

C. Engineering/Planning Department

1. Gring's Hill Estates-Section 5 -Conditional Preliminary Plan Approval

Mr. Reichert reviewed the proposed plan and the most recent review by Great Valley Consultants. Mr. Reichert noted that the plans addressed the Fire Marshall's concerns about an apparatus turning radius due to no parking on the entire left side of the road; this will not be an issue. Mr. Frantz confirmed that the intent is only to allow parking on one side of the street.

Another issue brought up at the Planning Commission Meeting was whether or not to provide a crosswalk location at the intersection of Gring's Hill and Hearthstone Lane. The PC recommended providing that crosswalk in that location. The applicant shared that he supported that, which is included as a condition for a recommendation from the PC. Mr. Reichert stated that the recommendation from the PC is Conditional Preliminary Plan approval, conditioned upon the final remaining comments in the GVC letter; the crosswalk and cul-de-sac shape and easement issues are resolved.

Motion to approve the Conditional Preliminary Plan conditioned upon satisfying the comments in the review letter dated July 10, 2024, by GCC, as well as conditional upon providing a pedestrian crosswalk at the intersection with Gring's Hill Road, and an access easement from the cul-de-sac turnaround to the Kline's Creek Park was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

2. Hofmann Industries Variances

Mr. Moll stated that the applicant submitted an application to the Zoning Hearing Board for several variance requests. The applicant's proposal to divide the office building from the rest of the property will create a new lot line between the office building and the current warehouse building. Mr. Moll reviewed the following variance requests submitted by the applicant in detail.

- §318(G) Side Yard The creation of the lot line between the two lots would result in Lot 1 violating the minimum side yard setback to the industrial building. The required setback is 20 feet, and the proposed side yard is 16.3 feet.
- §704(B)(1) Access Drive Width- The required width for an access drive with two-way traffic is 24 feet wide; the existing driveway is only 20 feet.
- §706 Parking Lot Landscaping- The applicant is seeking relief from the requirement to provide landscaping islands within the existing parking lot.
- §704(B)(5) Access Drive Offsets from Intersections- The applicant requests dimensional relief from this requirement since the current drive is located within the intersection of Iroquois and Hillvale Avenues but at an offset.

Mr. Moll stated that at its July 11, 2024, public meeting, the PC decided not to make a recommendation to the Zoning Hearing Board on the proposed variance requests.

TOWNSHIP DIRECTORS: (Continued)

C. Engineering/Planning Department (Continued)

2. Hofmann Industries Variances (Continued)

Mr. Moll explained that during further staff review, they discussed the issue of the driveway alignment, noting that with the generation of traffic anticipated from the approaching completion of the Reserve at Iroquois Development, the smooth flow of traffic at this intersection will be essential. Mr. Moll stated that if the ZHB grants the variance for the access drive to 20 feet, staff recommends that approval be contingent upon the applicant making the entire width of the drive 20 feet and recommending a minor realignment of the driveway. After discussion, the Board agreed with this recommendation.

Motion to recommend to the ZHB, if they choose to grant Hofmann Industries the requested variances, that they make it conditioned upon a minor realignment of the driveway and the full width of the drive be 20 feet was made by Mr. Stuck and seconded by Mr. Kocher. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

3. 2408 Jefferson Avenue Conditional Final Plan Approval

Ms. Bensinger reviewed the proposed plan, a four (4) lot subdivision at 2408 Jefferson Avenue in West Wyomissing. An existing residue lot contains an existing single-family detached dwelling and an accessory structure that must be relocated. The proposal is to divide three(3) lots off of that, with two (2) of the lots being semi-detached and one (1) single-family detached property. Ms. Bensinger stated that the applicant has complied with all the items on the engineering review letter.

Ms. Bensinger explained that now that there will be four (4) lots with different timing of construction, the applicant shall note on the plans that lot 1-3 sidewalks will be installed at the time of construction and by August 1, 2027. The installation of the sidewalk on the residue lot shall occur at the earliest of the construction of either lots 1, 2, or 3. The PC recommended Conditional Plan Approval at their June 27, 2024, public meeting conditioned upon the comments in the June 26, 2024, Engineering letter, as well as approval of the Sewage Planning Module and revising note number 7 on the plans regarding the installation of the sidewalks and a note on the plans stating that the sidewalk requirement shall run with the land and shall be binding upon the current owner and their successors and assigns. Ms. Bensinger confirmed for Mr. Wertz that lots 2 & 3 will be semi-detached properties.

Motion to approve the Conditional Final Plan for 2408 Jefferson Avenue was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

4. Reserve @ Iroquois LLC Request for Zoning District Change from POB to Urban

Mr. Moll explained that the Metropolitan Development Group formally requested that the Township consider a zoning map change to the area within the Reserve at Iroquois that had been intended for a commercial office building. The applicant wishes to erect a 16-unit apartment building on this lot. It is currently zoned as the Planned Office Business (PO/B) District, so it does not permit Garden Apartments. The remainder of the property was rezoned in 2017 to be within the Urban (U) District to allow for the development of apartments. The applicant is requesting that the subject lot also be rezoned to Urban.

TOWNSHIP DIRECTORS: (Continued)

C. Engineering/Planning Department (Continued)

4. Reserve @ Iroquois LLC Request for Zoning District Change from POB to Urban

Mr. Moll explained that the requested zoning change would require review by the Township and County Planning Commission and that the Board of Supervisors would need to conduct a duly advertised public hearing. If the Board wishes to consider this request, the Engineering Staff should be authorized by the Board to begin this process.

Mr. Frantz confirmed that the Metropolitan Development Group has yet to obtain an interest in office use. However, regarding apartments, the interest and occupancy have been going very well, and they should be able to fill the apartments.

Mr. Becker said that this type of request is consistent with the requests the Township has been receiving, including the lot right next to the Township building.

After review and discussion, the Board decided they would like to table the request at this time.

5. Mohns Hill Road Meeting Request

Mr. Reichert stated that Township staff was recently approached regarding a request from a developer to discuss a proposed project located along Mohns Hill Road. The developer had previously met with Township staff in 2022 to discuss zoning changes for a possible warehouse project at the SR222 interchange at Mohns Hill Road. At that time, the Board had not indicated any interest in meeting with the applicant; however, the applicant has again requested a meeting with the Township staff.

Mr. Reichert confirmed for Mr. Royer that there have been no changes since the last request. *After discussion, the Board agreed there was no interest in meeting with the developer.*

6. Klinger-Beacon Avenue Low-Pressure Sewer Design

Mr. Moll stated the applicant is proposing to construct a low-pressure sewer system. The Klingler's, two (2) brothers, own three (3) parcels of land. The installation will occur along a paper street, which currently exists as a driveway.

The Infrastructure Committee (IC) has recommended that the Township approve the proposed project with the conditions that the applicant execute an Easement Agreement with the impacted properties, noting the sewer will not be turned over to the Township, but remain private, and a maintenance and ownership agreement between the applicant, any adjoining properties intending to connect, and the Township as a party to the agreement for access and the right, not duty to maintain the line as necessary.

Mr. Moll stated that Mr. Wozniak reviewed this from a zoning standpoint, and for the applicant to use all three (3) of the lots as building lots, it did not comply with the lot area when the applicant was not proposing a water line. The applicants have now decided to change their proposal with a water line coming up from Fritztown Road, which will take care of that issue.

TOWNSHIP DIRECTORS: (Continued)

C. Engineering/Planning Department (Continued)

Motion to approve the Klinger's Beacon Avenue Low-Pressure Sewer Design conditional upon the applicant executing the appropriate Easement Agreement and Sewer Line Ownership Agreement for the Private Low-Pressure Force Main was made by Mr. Stuck and seconded by Mr. Kocher. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

D. Finance Department –No Report

E. Human Resources – No Report

F. Public Works– Roadwork- Mr. Darrah stated that staff met with Scott Anderson, the Township Road Engineer, and a representative from H&K. Mr. Darrah updated the Board on construction for Reading Boulevard, stating that Reading Boulevard is going to be reconditioned, which means a contractor comes in and mills it up and re-lays it with a chemical like cement. The process will be delayed as the contractor does not have the material list to obtain the proper strength to do the work properly, which will delay the work on Reading Boulevard. Due to the deadline, the Township gave the contractor of August 26, 2024, they asked if the Board of Supervisors would consider approving, if needed, approval to pave through the night (not the milling; Mr. Darrah explained that the milling part is separate as when you start the reconstruction it has to sit for fourteen (14) days to cure). Mr. Darrah stated the work totals three (3) blocks.

After discussion, Ms. Smith and the Board determined that if the contractor was having an issue with the approaching deadline, they preferred the contractor work through the night on weekend evenings, not a weeknight, for the paving work on Reading Boulevard.

Mr. Darrah reported that AMS is delaying the start of the maintenance roadwork from July 15, 2024, to the first week of August 2024, stating that they are to have the work completed by the deadline of August 26, 2024. Mr. Darrah confirmed for Mr. Stuck that the delay is due to confusion in paperwork on AMS's part.

Storm Damage- Mr. Darrah updated the Board on recent storm damage in the northern part of the Township. The Township road crew was in for approximately four (4) hours assisting in cleaning up multiple knocked-down trees throughout the Township, and as of today, the tree cleanup continues. One of the biggest problems during the storm is the main telephone pole that goes into the sewer plant that holds four (4) transformers blew over. It took several days to get it back up and running and off of using generator power.

Mr. Darrah expressed appreciation to Andy Zimmerman, who came in and ran the sewer plant, which required 24-hour coverage for two (2) days. Mr. Darrah said when the transformers fell over, they fell onto the ground and leaked oil everywhere. PP&L is responsible for this environmental cleanup and had their contractor be at the site within two (2) hrs., describing the work involved. The Township is waiting for the phone line to be repaired through the POTS line. Mr. Darrah explained that this safety net line runs for SCADA, which always has three (3) backups, so we always know that the sewer plant is running properly. We are also waiting for a Comcast line to be repaired and put back up.

Goose Lane Yard Waste Site Update: Mr. Darrah said that the site was closed for a week for grinding, the first grinding since December 1, 2023, at a total cost of \$15,160.00.

PUBLIC SAFETY

- A. Police Department Chief Powell submitted a monthly report for June.
- B. Township of Spring Fire Rescue Services -Deputy Fire Chief Fritz updated the Board on two (2) significant items since the last Board Meeting.
 - 1) The Fire Department had the opportunity to partner with the Parks and Recreation Department staff to provide fire prevention opportunities at summer camp. On-duty fire personnel and volunteer staff conducted essential fire prevention and apparatus displays, noting that the kids seemed to benefit from the opportunity.
 - 2) Structure Fire- Deputy Chief Fritz stated that there was a structure fire on July 17, 2024, in the 2300 Block of Monroe Avenue. Although the fire was minor, the Command Staff, specifically Chief Hackman and the office of the Fire Marshall, spent extra hours with the residents affected by the fire as they had issues communicating with their insurance companies. As they are elderly, there has been some difficulty working through the process. Chief Hackman and Fire Marshall Hatt ensured that the residents could stay in their home after a third-party contractor completed some remediation.
- C. West Side Regional EMA- No Report
- D. Western Berks Ambulance Association-No Report

SOLICITOR: *No Report*

OLD BUSINESS:

Lake Discussion-

Mr. Darrah confirmed for Ms. Smith that the temporary orange fencing had been repaired. Mr. Murray said that the Township is waiting for the cost estimate for Stage 1 for the fencing along Yerger Boulevard.

Ms. Smith questioned if the Township could use the top flat area on the sewer plant side for the yard waste site. Mr. Darrah said that staff currently uses that area for road waste and stated his concern about keeping it for possible mandatory sewer expansion requirements and regulations including PFAS.

Mr. Royer asked Deputy Chief Fritz about the PFAS, noting that it is also in firefighting foam and questioned if there are any changes to its use. Deputy Chief Fritz confirmed that, in the past, the Department mostly used foam for training opportunities, but, due to the PFAS, it has stopped using the training concentrate and simulating foam by using Dawn. It is permissible to use the foam under Emergent Response where, perhaps in the past, a structure completely burned down and to smother it so the fire does not restart, but that is no longer the method of operation because of the PFAS, and the Department tries not to use it at all.

NEW BUSINESS: None

ANNOUNCEMENTS/COMMUNICATIONS

1. NPDES Permit Renewal
2. An Executive Session was held prior to this meeting to discuss potential litigation
3. The next regular BOS Meeting will be held at 7:00 p.m. on Monday, August 12, 2024.

ADJOURNMENT:

There being no further business, Chairperson Smith adjourned the meeting at 8:28 p.m.

Respectfully submitted,



Mary L. Rossi, Township Secretary