



TOWNSHIP OF SPRING

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BOARD OF SUPERVISORS MEETING MINUTES REGULAR MEETING NOVEMBER 12, 2024

OPENING OF THE MEETING: Vice Chairperson Stuck called the Regular Business Meeting of the Board of Supervisors to order at 7:00 p.m. on Tuesday, November 12, 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, Kocher, Wertz, and Royer were present. Supervisor Smith attended the meeting via teleconference. Also present were Dean Murray, Mary Rossi, Jen Bensinger, Jeremy Baez-Reyes, Judy Houck, Paul Darrah, Chief Hackman, Chief Powell, Jason Reichert, Dan Becker, Donald Haas of Bogia Engineering Inc., Chuck Frantz of C2C Design, and John Rathfon of Metropolitan Management Group. Larry Buchinski, Ashley Jensen, and William Koch Jr. attended via ZOOM.

ANNOUNCEMENT

The Board of Supervisors met in an Executive Session to discuss personnel matters before the meeting.

AGENDA AMENDMENTS: None

OPEN TO THE FLOOR: None

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 the October 28th Meeting
2. List of Bills for Approval
 1. **General Fund - \$402,792.36**
 2. **Street Lighting Tax Fund- \$23,292.00**
 3. **Fire Hydrant Tax Fund- \$11,136.66**
 4. **Refuse Tax Fund- \$93,321.94**
 5. **Park Capital Outlay Fund- \$102,007.77**
 6. **Sewer District #3 Fund-\$1,075,619.11**
 7. **Fire Protection-\$121,500.93**
 8. **Capital Fund-\$11,249.02**

ACTION ITEMS FOR APPROVAL: *(Continued)*

3. J. Phillips Excavating Payment Application
Ms. Houck stated that Great Valley Consultants had recommended approval of Payment Application #1 from J. Phillips Excavating and Hauling in the amount of \$97,516.91 for the installation of the ADA Paths at West Lawn Park.

4. 1430 Fieldstone Road- Stormwater O & M Agreement
Mr. Reichert requested authorization to execute a typical Stormwater Operations and Maintenance Agreement for minor improvements at 1403 Fieldstone Road, including an in-ground pool, covered porch, and a shed.

5. Klinger Agreements
Mr. Reichert requested authorization to execute the following:
 - Sewer Agreement for a low-pressure force main along Beacon Avenue
 - Sewer Maintenance Agreement for the proposed Force Main
 - Typical Stormwater Operating & Maintenance Agreements for two proposed homes.

6. Wilson Southern Middle School- Extension of Time
The deadline for the applicant to act on the current Land Development plans is December 24th, 2024. Mr. Reichert stated that the Planning Commission, at their regular meeting on November 7th, 2024, recommended that the Board of Supervisors grant an extension of time until February 28th, 2025.

7. Wilson Lincoln Park Elementary School
The deadline to act on the current Land Development plans for Wilson Lincoln Park Elementary School is December 24th, 2024. Mr. Reichert stated that the Planning Commission, at their regular meeting on November 7th, 2024, recommended that the Board of Supervisors grant an extension of time until February 28th, 2025.

8. Deputy Tax Collector
Mr. Murray requested approval from the Board to authorize the Township Manager to sign the DCED paperwork for the appointment of a Deputy Tax Collector.

9. Tax Collector Fee Resolution and Ordinance
Authorization to amend the Tax Collector Ordinance and to prepare a Resolution to increase the fee for tax certifications.

10. PA American Access Agreement
Mr. Murray stated that the agreement on the table this evening was an Access Agreement from PA American Utilities for the Shoener Lake area. The agreement authorizes PA American to access Township property within a limited area, with provisions that the Township is held harmless for their safety. If damage occurs, they must make the repairs at their expense. Mr. Murray confirmed for Mr. Royer that they will be using a drill to test soil and water in the ground area, however, they will not be going directly into the lake.

ACTION ITEMS FOR APPROVAL: (Continued)

10. PA American Access Agreement (*Continued*)

Mr. Becker stated that the agreement is for PA American to perform testing to determine if there is water in that location. They believe that the lake is the water table and that there is likely available water in groundwater. The work will require some drilling and other work, which could potentially damage the property, and the agreement states they must restore the property to the condition it was before after their testing is completed. Mr. Becker confirmed for Ms. Smith that he had reviewed the agreement, and this agreement is only to allow PA American access to do the requested testing.

11. Accessible Parking

Chief Powell stated the Traffic Unit reviewed the request and recommended approving the request from a resident for accessible parking in the 2100 Block of Cleveland Avenue.

12. Approval to Accept Ownership of Federal Government-Owned Weapons

Chief Powell stated this was approval for the transfer of a firearm. The Department has eighteen (18) Ruger Mini-14s on loan from the Federal Government GSA. They are offering to transfer ownership to the Township at no cost.

13. Street Sweeper Purchase Quote

Mr. Murray stated this demo model is available for purchase at a price considerably less than a brand-new model. After reviewing the available funds and confirming that the sweeper is a CO-Stars Contract, he requested approval of the purchase.

14. Resolution 2024-25 LSA Grant

Mr. Murray stated that the request to approve the resolution is to apply for an LSA Grant for an additional street sweeper to get the Township up to standards and to effectively handle the MS4 requirements mandated by the State.

15. Updated Administration Building Evacuation Plan

The Safety Committee updated the administrative building's Evacuation Plan and presented it to the Board this evening for approval.

A motion to approve Action Items #1-15 was made by Mr. Wertz and seconded by Ms. Smith. After the roll call, All Supervisors present voted affirmatively on Action Items #1-15, with Mr. Wertz abstaining from voting on payment of Fire Fund #14, Ms. Smith abstaining from voting on payment of check # 112677, and Mr. Stuck abstained from voting on payment of check # 112692.
MOTION CARRIED

TOWNSHIP DIRECTORS:

A. Zoning/Building Codes Department – Mr. Wozniak submitted a monthly report for October.

B. Parks and Recreation Department – Ms. Houck said that next Thursday evening, November 21st, there will be a public meeting for the Comprehensive Plan at 7:00 p.m. The meeting will be held in the meeting room of the Township's Administration building.

TOWNSHIP DIRECTORS: (Continued)

C. Engineering/Planning Department-

1) Reserve Iroquois Zoning Change Request

Mr. Reichert reviewed the Zoning Map change request submitted by the Metropolitan Development Group (MDG). John Rathfon of MDG thoroughly reviewed exhibits to demonstrate visually to the Board how the new proposed apartment building (previously intended for a commercial office building) would fit into the community. Mr. Reichert stated that the request to the Board this evening is for authorization for Township staff to begin the review process regarding the request, noting that the applicant will reimburse costs incurred by staff.

Motion to authorize the Township Engineering staff to begin the review process to prepare an engineering analysis recommendation to the Board of Supervisors was made by Mr. Royer and seconded by Mr. Wertz. After the roll call, the votes were as follows:

Mr. Royer (yea), Mr. Wertz (yea), Mr. Kocher (yea), Ms. Smith (yea), and Mr. Stuck (nay)

MOTION CARRIED 4-1-0

2) Former Camelot Inn-Preliminary Final Land Development Plan

Mr. Reichert stated that the former Camelot Inn (now known as the Black Sheep Tavern) is being renovated and re-developed. Through the Township Land development process, staff was looking for a much more controlled entrance and exit and parking layout from the property, which the applicant provided. Mr. Frantz stated that they have an adequacy letter from the Conservation District, received an initial review from PennDOT, and are waiting for the final evaluation. Mr. Reichert stated that the Planning Commission, at their November 7th, 2024, meeting, recommended to the Board that the Plans be granted final approval conditioned upon addressing comments in the Engineering letter dated November 6th, 2024.

Motion to conditionally approve (Addressing conditions in Engineering letter dated November 6th, 2024) the Preliminary Final Land Development Plan for the former Camelot Inn (Black Sheep Tavern) was made by Mr. Wertz and seconded by Mr. Royer.

Upon the roll call, the votes were as follows:

Mr. Wertz (yea), Mr. Royer (yea), Mr. Kocher (yea), Ms. Smith (yea), and Mr. Stuck abstained.

MOTION CARRIED 4-0-1.

3) 833 Redwood Avenue

Ms. Bensinger stated that the property owners of 833 Redwood Avenue submitted an application to the Zoning Hearing Board to allow a shed in the front yard. Ms. Bensinger noted that the applicant recently revised their application for relief of the rear yard setback as the applicant wishes to move their shed, which is in the way of a proposed addition. Ms. Bensinger reviewed the details submitted by the applicant, noting that while reviewing the proposed addition on the plans, staff discovered that the applicant would need to seek additional relief for the rear yard setback requirement. The applicant had formally requested this relief from the Zoning Hearing Board, and the Zoning Hearing Board Attorney accepted the request. Ms. Bensinger said that at their public meeting on November 7th, 2024, the Planning Commission chose not to make a recommendation to the Zoning Hearing Board.

The Board of Supervisors agreed this evening to refrain from making a recommendation to the Zoning Hearing Board.

TOWNSHIP DIRECTORS: (Continued)

C. Engineering/Planning Department- (Continued)

4) 3333 Penn Ave

Service Electric Cable Vision Inc. submitted an application to the Zoning Hearing Board for a Special Exception Request proposing to use existing buildings on their property at 3333 Penn Avenue as an Internet utility service facility. The property is the former E.G. Smith property; the site has an existing office building and garage, parking facilities, and is served by public sewer and water. Ms. Bensinger reviewed the exhibits for the proposed projects, showing the proposed installation of sidewalks on Stevens Avenue and the installation of fencing and landscaping around the perimeter. The proposed improvements include adding a 1,100-square-foot addition to the existing garage building in the property's rear corner and renovating the office building.

Ms. Bensinger reviewed the request in detail, noting that due to the steep slope along Stevens Avenue, the applicant proposes installing a retaining wall and fence along the public sidewalk. The proposed wall and fence will be located within the existing right-of-way (walls and fences are not permitted within a public right-of-way.) Ms. Bensinger said that at the November 7th, 2024, Planning Commission meeting, the applicant amended their request to include a Special Exception request for a wall exceeding four (4) feet.

Mr. Haas stated that waiver requests have been submitted to allow the plan to go through as a Preliminary/Final and to allow a larger plan scale. The rear building will be what Service Electric calls its fiber hub, and lines will come into that area and go out into the community for faster internet service. Service Electric is anticipating using the front building as a warehouse to store the supplies they need as they build their network. The very front portion of the building is tentatively planned to be used as a customer service substation. Mr. Haas confirmed for Mr. Stuck that the fiber will be above ground in areas with existing poles. If it goes to a neighborhood where it is underground, it will be done underground.

Mr. Reichert stated that there are two (2) different Special Exception requests to act on: the request for the proposed wall height and the public utility request for the building.

Motion to recommend approval to the Zoning Hearing Board for Service Electric's Special Exception requests for the wall height and the use was made by Ms. Smith and seconded by Mr. Royer. Upon the roll call, All Supervisors present voted affirmatively. MOTION CARRIED

D. Finance Department- No Report

E. Human Resources-No Report

F. Public Works Department- Mr. Darrah submitted a monthly report. Mr. Darrah stated that the fence construction for Yerger Boulevard is scheduled to start Monday morning, November 18th.

PUBLIC SAFETY

A. Police Department-No Report

B. Township of Spring Fire Rescue Service-Chief Hackman submitted a monthly report for October.

C. West Side Emergency Management Agency-No Report

D. Western Berks Ambulance Association-No Report

SOLICITOR-No Report

OLD BUSINESS: None

NEW BUSINESS: Mr. Murray stated the Board received an invitation to a Ribbon Cutting Ceremony for the Berks County Veteran Affair Association Friday, November 22nd at 11:30 a.m. at 20 Commerce Drive in Wyomissing.

Mr. Wertz stated he has an issue that he would like the Codes Department to investigate, noting that at the Dominos on Fritztown Road, there are four (4) wrecked electric vehicles sitting on the property.

Mr. Stuck stated he would like the Codes Department to check the agreement that the Township has with the Zorbas Subaru Dealer at 2700 Penn Avenue to see if limits the number of cars they can store in the rear of the property.

ANNOUNCEMENTS/COMMUNICATIONS

1. The next meeting will be a Budget Meeting on Tuesday, November 19th at 5:30 p.m.
2. The next regular Board of Supervisors Meeting will be on Monday, November 25th, 2024, at 7:00 p.m.

ADJOURNMENT:

There being no further business, Vice-Chairperson Stuck adjourned the Meeting at 8:27 p.m.

Respectfully submitted,



Mary L Rossi, Township Secretary