



# TOWNSHIP OF SPRING

**BERKS COUNTY, PA**

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## **BOARD OF SUPERVISORS MEETING MINUTES MARCH 25<sup>TH</sup>, 2024**

**OPENING OF MEETING:** Chairperson Smith called a regular business meeting of the Board of Supervisors to order at 7:00 p.m. on Monday, March 25<sup>th</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, Wertz, and Royer were present. Also present were John Groller, Dean Murray, Mary Rossi, Jen Bensinger, Jeremy Baez-Reyes, Chief Hackman, Paul Darrah, Aaron Wozniak, Chief Powell, Jim Moll, Jason Reichert, Daniel Becker; Esq, Kelly Ryan; Stenographer, John Piscitelli and Mitch Hettinger of West Lawn Owls Sports Club, Brad Shade, and Anthony Capellan. Allen Shollenberger of Barley Snyder and Anthony Tucci of Western Berks Ambulance Association attended via ZOOM.

### **ANNOUNCEMENTS:**

Ms. Smith welcomed Dean Murray, the new Assistant Township Manager/Director of Facilities, to the Township.

**AGENDA AMENDMENTS:** None

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

Anthony Capellan, 2001 Reading Blvd, addressed the Board regarding fencing permits. Mr. Capellan stated he was informed by Township staff that he would not be permitted to install a six-foot fence on his corner property. Mr. Wozniak noted that a fence within 40 feet of the curb is limited to four feet tall and must be transparent. Mr. Wozniak indicated another option for Mr. Capellan would be to go before the Zoning Hearing Board to request relief through a Variance, explaining the Zoning Hearing Board's criteria and process. Mr. Wozniak said the code is in place as a safety feature to prevent surprise motions onto the street.

**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 11<sup>th</sup>, Regular Business Meeting

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

2. List of Bills for Approval
  1. **General Fund - \$131,969.83**
  2. **Fire Hydrant Tax Fund - \$7,944.86**
  3. **Refuse Tax Fund - \$31,154.68**
  4. **Sewer District #3 Fund- \$116,766.56**
  5. **Fire Protection- \$13,888.28**
  6. **Capital Fund- \$180,451.40**
3. Resolution 2024-09-Disposition of Records
4. West Lawn Owls Sports Club

Ms. Houck stated that the Parks and Recreation Board's recommendation for approval of the Owls Field Renovation Project is included with the West Lawn Owls Sports Club letter. Mr. Piscitellio and Mr. Hettinger are in attendance this evening if the Board has any questions or concerns. Mr. Piscitelli confirmed the renovations included in the Field Renovation Project for Mr. Stuck, noting that the last renovation was twenty-five (25) years ago. They are looking to move forward with the DCED Grant Application to help recoup the cost for their organization.
5. RFP's for Engineering & Construction of PSU Trails

Mr. Moll stated that the Township submitted a request to Penn State to extend the Township's Greenways and Trails System onto the Berks Campus. Penn State is requesting additional information from the Township. Therefore, Mr. Moll stated he is requesting authorization from the Board for Great Valley Consultants (GVC) to obtain costs for engineering design. Additionally, Mr. Moll would like approval to contact the developer of the Reserve at Gring's Mill (one of the trails was to serve that development), noting that the Township is holding funds for this trail and that the developer would like the option to do the design and construction themselves.
6. Revised Organizational Chart

Mr. Groller stated the revised chart reflects the recent additions to Township staff.
7. Assistant Manager Employment Agreement
8. West Wyomissing Park Master Site Plan

Ms. Houck stated that the Parks and Recreation Board recommends that the Board award the Contract to YSM Landscape Architects for \$48,355.00. She also stated that the Board distributed fourteen (14) Requests for Proposals, received four (4) back, and interviewed two (2) consulting firms. Ms. Houck confirmed for Mr. Stuck that the Township has utilized the services of YSM Landscape Architects in the past and has no complaints about their services.

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

9. Master Site Plan Committee Members

Ms. Houck stated that the State would like the governing body to appoint the members of the West Wyomissing Park Master Site Plan Steering Committee. The Parks and Recreation Board recommends that Richard Bashore and Keith Stamm be appointed to the Committee as Representatives of the Parks and Recreation Board, Ramon Borrero, Lisa Krockner, and Mike McLaughlin be appointed as neighborhood representatives, and Ms. Houck noted that Mr. Stuck and Mr. Wertz previously volunteered to serve on the Committee. Ms. Houck confirmed the process used to select the neighborhood committee members for Mr. Stuck.

10. Polling Place Agreements

Ms. Houck stated that the documents the Board received were sent to the fire station and the administration building. She requested authorization for the appropriate Township official to sign the agreements. Mr. Stuck noted concerns with the language in the agreements and asked for additional time to review the request. After discussion, the Board opted to table the request until the Township receives further information.

11. Injunction- 2732 Penn Avenue

Mr. Wozniak stated that he is seeking authorization to enforce an injunction against the property at 2732 Penn Avenue. The Township has been addressing this property for a few years. The Township has taken several actions against the property, noting that the Township currently has an injunction against the property at the County Court. The applicant applied to the Zoning Hearing Board for a Special Exception and was denied. Mr. Wozniak reviewed the photos of the property, which included eighteen (18) cars in a state of disrepair, noting that there are twenty-one (21) cars in total located on the property. Mr. Wozniak requested approval to work with the Solicitor's office to enforce the injunction at the County Court. Mr. Wozniak confirmed for Mr. Stuck that there were additional cars at the location since the previous action on the property.

7:15 p.m.

*Ms. Smith recessed the Regular Board of Supervisors Business Meeting to begin the 7 Brew Drive-Thru Coffee Shop Public Hearing.*

Mr. Becker stated that the advertised, scheduled PRD Hearing is to consider Travis Odem's application for the 7 Brew Drive-Thru Coffee Shop to go into the parking lot area of the Kohls Department Store. Mr. Becker stated that the Township received a request from Craig R. Lewis, the Attorney for the Applicant, requesting that the Hearing be continued until the next Board Meeting on April 8<sup>th</sup>, 2024.

*Motion to authorize the continuance of the Hearing and reconvene the PRD Hearing on April 8<sup>th</sup>, 2024, at 7:15 p.m. during the Board of Supervisors Meeting at the Township Administrative Building was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED.*

7:20 p.m.

*Ms. Smith recessed the Public Hearing and reconvened the Regular Board of Supervisors Meeting.*

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

12. Tyler Conference

Mr. Groller stated that the IT Director requested authorization to attend Tyler Technologies annual conference in Indianapolis, Indiana, from May 19<sup>th</sup> through May 22<sup>nd</sup>.

13. 2024 Roadwork

Mr. Darrah recommended approval to move forward and put the 2024 road work out to bid. Mr. Darrah confirmed for Mr. Stuck that the submittal included maintenance and construction. The total maintenance cost is \$137,699.86, and the total construction cost is \$1,011,784.00. Mr. Royer asked Mr. Darrah for clarification on "running out of roads to perform maintenance work, and after this year's proposed work, that has happened." Mr. Darrah stated that when HRG prepared the Plan five (5) years ago, they said that the Township would get caught up with the least expensive road work, noting this would be the last of the streets utilizing micro slurry. Mr. Darrah confirmed for Mr. Stuck that the roads will be re-scanned this year.

14. Screw Press Purchase

Mr. Darrah stated since the Screw Press Project began, the cost of the press has increased three (3) times, and the lead time to receive the press has gone to almost fifty-two (52) weeks. Mr. Darrah requested authorization to move forward with the press purchase, noting it is through Co-Stars at a cost of \$412,000.00. The purchase is covered by the grant the Township received. The Township will cover the installation of the press.

15. School Safety Program

Chief Powell stated this request is regarding the School Bus Camera Program the Wilson School District (WSD) looked into last year. Chief Powell said there were concerns regarding loss surrounding that and liability that could become a factor. The Law has been changed, and the WSD has re-approached the Police Department about participating in this Program. Chief Powell requested authorization for Mr. Becker to review the Agreement provided by the WSD and move forward once the WSD and the Township are satisfied with the terms of the Agreement.

Chief Hackman confirmed for Mr. Stuck that the purchase from Reading Bearing & Drive under Fire Fund #14 was for repairs for the Fire Department's generator.

*Motion to approve Action Items #1-9 & #11-15 were made by Mr. Kocher and seconded by Mr. Stuck. Upon roll call, All Supervisors present voted affirmatively with the following abstentions: Mr. Stuck abstained from voting on the payment of checks#111081, 111078, & 111090, Mr. Wertz abstained from voting on payment of Action Item #2-Fire Fund #14, and Ms. Smith abstained from voting on the payment of check# 111081. MOTION CARRIED*

**TOWNSHIP DIRECTORS:**

A. Zoning/Building Codes Department – No Report

B. Parks and Recreation Department- Ms. Houck submitted a monthly report and confirmed for Ms. Smith that Playground registration has been steady.

**TOWNSHIP DIRECTORS:** (Continued)

C. Engineering/Planning Department

- 1) Concordia Group LLC- Mr. Moll stated that the Concordia Group, LLC submitted a request to the Township to request changes to the Township's zoning regulations regarding Mixed-Use Developments. The Township Engineering Staff has completed the review of the proposed regulations and changes the Concordia Group would like to make. Mr. Moll stated after everything for the proposed project is completed to the satisfaction of the Township and the applicant, he is requesting authorization to advertise for a public hearing.

*Motion to authorize the advertisement for a public hearing to be held for the Mixed-Use Development Zoning Amendments proposal by the Concordia Group, LLC was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

- 2) Wheatfield Run-Financial Security Release

Mr. Moll stated that all the improvements for this development are complete. The Engineering Department recommends authorization of the release of the remaining funds being held as security by the Township. Mr. Moll noted that the applicant owes invoices to the Township, and they have agreed to pay the Township by allowing the Township to draw from the security balance. The remaining security balance is \$19,151.27, and the total owed to the Township is \$10,255.07.

*Motion to authorize Township staff to draw \$10,255.07 on Wheatfield Run's Security Balance and release the remaining balance to the developer was made by Mr. Kocher and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED*

- 3) Rosemont- Indemnification Agreement & Financial Security Release

Mr. Moll stated that the developer of Rosemont Development requested that the Township release the remaining funds held as financial security. The developer and the HOA entered a "Release, Indemnification, and Hold Harmless Agreement" with the Township. Mr. Moll stated that this Agreement states that the HOA and the developer will provide a release and indemnification for any claims they may assert against the Township.

*Motion to authorize the execution of the Release, Indemnification, and Hold Harmless Agreement, authorization of the release of the remaining \$241,838.20 financial security, and authorizing John Groller, Township Manager, as the signer was made by Mr. Stuck 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 –No Report

**PUBLIC SAFETY**

- A. Police Department – Chief Powell submitted a monthly report.
- B. Township of Spring Fire Rescue Services – No Report
- C. West Side Regional EMA – No Report

**SOLICITOR** – No Report

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**ANNOUNCEMENTS:**

1. Mr. Groller stated that Saint Luke's has their ribbon-cutting ceremony on April 11<sup>th</sup> at 11:00 a.m.
2. Before this meeting, an Executive Session was held to discuss potential litigation and personnel issues.
3. Next meeting will be held at 7:00 p.m. on Monday, April 8<sup>th</sup>, 2024.

**ADJOURNMENT:**

There being no further business, Chairperson Smith adjourned the meeting at 7:35 p.m.

Respectfully submitted,



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Mary L Rossi  
Township Secretary