



TOWNSHIP OF SPRING

BERKS COUNTY, PA

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BOARD OF SUPERVISORS MEETING MINUTES JUNE 10TH, 2024

OPENING OF MEETING: Chairperson Smith called a regular business meeting of the Board of Supervisors to order at 7:06 p.m. on Monday, June 10, 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, Wertz, and Royer were present. Supervisor Kocher was absent. Also present were John Groller, Dean Murray, Mary Rossi, Paul Darrah, Jen Bensinger, Jeremy Baez-Reyes; Chief Hackman, Aaron Wozniak, Judy Houck, Chief Powell, Jim Moll, Dan Becker; Esq, Rick Schartel, Brian Weidenhammer, Scott L Sweigart; C2C Design Group, Jennifer Barney; Tower Health Trauma, Craig & Michele Morrissey, Braeden Connor and additional family members, Pete & Nicole Bennett, standing room only crowd of the Spring Township Fire & Rescue Department & Family Members, Police officers of the STPD, STPD Officer Chris Laird and family, and Francisco Carreno-Garcia & family. Attending via Zoom- Ronald's iPhone.

AGENDA AMENDMENTS:

Mr. Groller stated that the agenda will include three (3) additions and one (1) deletion.

- 1- Police Hiring Reconsideration Request
- 2- Engineering-Adding a 4th item-Variance Request on Goose Lane
- 3- Delete Action #5
- 4- West Wyomissing Chapel Road Closure Request

Motion to amend the agenda was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

VOLUNTEER DEPUTY CHIEF RECOGNITION:

Chief Hackman thanked Rick Schartel for his many years of service, stating that volunteer Rick Schartel was pivotal in the Spring Township Fire Department, serving over 50 years, starting at West Lawn. Mr. Schartel went through the ranks, holding multiple positions, including fire chief at West Lawn, and was involved in the merger process between the four (4) departments in the Township as to what we are today, the Spring Township Fire and Rescue Services. Chief Hackman said that Mr. Schartel was one of the original deputy chiefs when this organization was created, and now, Mr. Schartel is retiring from the role as deputy chief but is still going to play an essential role, as he is transferring to volunteer as the public information officer of the organization.

VOLUNTEER DEPUTY CHIEF RECOGNITION: *(Continued)*

Ms. Rossi read the following:

Resolution 2024-18

Resolved, that the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania, recognizes Rick Schartel for his 50 years of Volunteer Service with the West Lawn Fire Company holding numerous positions, including fire chief and deputy fire chief of the Township of Spring Fire & Rescue Services. Resolved that the Township of Spring Board of Supervisors, staff, and residents acknowledge his years of community service with appreciation. Be it further resolved that this resolution, and, therefore, official verification of his years of service to the Township, will become a permanent record of this municipality, and a copy shall be forwarded to Mr. Schartel. Duly enacted by the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania, meeting in public session on this 10th day of June, 2024.

Motion to approve Resolution 2024-18 recognizing and honoring Rick Schartel for his many years of service was made by Mr. Stuck and seconded by Mr. Royer. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

POLICE AWARDS:

Citizen Award-Braeden Connor

Chief Powell introduced Braeden Connor to the Board of Supervisors. Chief Powell stated that the Spring Township Police Department (STPD) was dispatched for a report of a missing child with special needs who wandered away from his family. Braeden Connor and some of his friends were able to locate the missing boy and return him to his family. As a result of his thoughtful and kind actions, a distraught family was reunited with their missing son safely. Chief Powell stated that he is very pleased and proud to award Braeden Connor a Citizen Award on behalf of the STPD and the Township of Spring Board of Supervisors.

Police Award- Officer Chris Laird

Jennifer Barney of Tower Health Trauma recognized Spring Township Police Officer Chris Laird for his exceptional effort to stop a severe accident victim's bleeding for the Trauma Department, stating that the accident and injury were very severe. Ms. Barney said that without Officer Laird's bravery and commitment, the patient would not be doing as well as they are currently doing. Ms. Barney presented Officer Laird with a Certificate of Appreciation from the Tower Health Trauma Unit and Emergency Department. Chief Powell stated that they believed Officer Laird had saved the individual's life due to his actions.

Police Officer of the Year- Officer Chris Laird

Chief Powell stated that Office Laird has been employed by the Spring Township Police Department since 2012 and, during this time, has established himself as one of the top officers. Chief Powell said that in 2023, Officer Laird handled 478 service calls. Chief Powell summarized a few of the major incidents Officer Laird was instrumental in solving with arrests with tact, consideration, and professionalism. Officer Laird volunteers as one of the Department's training officers for new hires as a field training officer and firearms instructor and is president of the Township of Spring's Police Union. Chief Powell stated he is very pleased and proud to honor Officer Chris Laird with the Township of Spring Police Officer of the Year Award.

Citizen Award-Franciso Carreno Garcia

Chief Powell stated that Mr. Francisco Carreno-Garcia witnessed a vehicle crash and observed an elderly gentleman with a leg injury trapped in his vehicle that caught fire. Mr. Francisco Carreno-Garcia assisted the gentleman out of his vehicle before it became fully engulfed. Due to his heroic and selfless actions, Mr. Francisco Carreno-Garcia saved the driver from further injury or worse. Chief Powell stated that on behalf of the STPD and the Board of Supervisors, he is very pleased and proud to award Francisco Carreno-Garcia the Spring Township Police Department's Citizen's Award.

OPEN TO THE FLOOR:

Brian Weidenhammer, 419 Beacon Avenue, addressed the Board with issues of PP&L using Beacon Avenue rather than their right of way. Mr. Weidenhammer stated it is a safety hazard and an annoyance to all residents who live on Beacon Avenue. Mr. Weidenhammer said his dog barks constantly; the contractor blocked the lane for 2 ½ days, and residents could not get in or out or receive mail or packages. Mr. Weidenhammer showed the Board additional means they could utilize with their vehicles, stating that they park directly in the middle of Beacon Avenue. Last year, there was a fire back the lane, and Mr. Weidenhammer stated he had never seen a fire truck leave the ground before.

After a discussion & review of the area, Mr. Becker stated that Beacon Avenue is private property. Still, if the Board agrees, someone from the Township can contact PP&L and discuss the issue, suggesting that they use their easements or that additional action may be taken, explaining that further action would need to be initiated from the property owner. The Board agreed that staff will reach out to PP&L on behalf of the residents of Beacon Avenue.

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 May 28, Regular Business Meeting & May 31, BOS Vision Meeting
2. List of Bills for Approval
 1. **General Fund - \$239,043.95**
 2. **Street Lighting Tax Fund- \$26,577.89**
 3. **Fire Hydrant Tax Fund- \$7,945.64**
 4. **Refuse Tax Fund- \$119,324.15**
 5. **Sewer District #3 Fund- \$809,637.17**
 6. **Fire Protection- \$12,141.98**
 7. **Capital Fund-\$31,010.32**
3. Kline's Creek Park- Property Survey
Ms. Houck requested approval of Purchase Order PR-2024-061 for Great Valley Consultants in the amount of \$16,000.00 to perform the topographic and property surveys for Kline's Creek Park, which is part of the Master Site Plan Project.
4. Automotive Fuels Contract
Ms. Houck stated that after reviewing the two (2) bids the Township received this year for the annual Automotive Fuel Contract, she believes it is in the best interest of the Township to award Contract No. 2024-05 to Petroleum Traders of Fort Wayne, Indiana. Ms. Houck stated that the other company wrote on their bid that they would add 0.12 cents per gallon to the daily RACK price.

ACTION ITEMS FOR APPROVAL: *(Continued)*

4. Automotive Fuels Contract *(Continued)*

Ms. Houck said that the Township has an escalator clause in the bid, noting that if fuel costs go up, our price will go up, but if the price goes down, our price will go down, and Petroleum Traders will adhere to that.
5. Reserve of Iroquois-Release of Security-Removed from the agenda
6. Garfield Avenue Road Closure Application- Chief Powell stated the road closure request is to close the road from the corner of West Wyomissing Blvd to the alleyway on Garfield Avenue for a block party for three(3) homes on Saturday, July 6th from 3: 00 p.m. to 8:00 p.m. After discussion, Chief Powell requested approval pending receipt of the applicant's insurance.
7. 2408 Jefferson Avenue-Waiver Requests

Ms. Bensinger stated the applicant had submitted two (2) waiver requests. The revised 4-lot subdivision, which was initially 2-lots, no longer meets the definition of a minor subdivision. The applicant submitted a waiver request from SALDO Section 502, which would allow for a single-stage Preliminary/Final Review Process and a waiver of Section 1005(C) pertaining to the lot depth-to-width ratio. At their public meeting on Tuesday, June 6, 2024, the Planning Commission recommended approval of both waivers.
8. Lenosky Annexation-Scale Waiver Request

Ms. Bensinger reviewed the subject property, an 18-acre parcel located on Mail Route Road. The applicant proposes subdividing 8 ½ acres and annexing it onto the property east at 118 Mail Route Road. Ms. Bensinger stated that since the lot is so large, it was necessary to draw the plan at 1=100' rather than the required 1=50'. The applicant requested a waiver of Section 402. The Planning Commission recommended approval of the waiver request.
9. Extension of Time- 665 Fritztown Road

Mr. Moll stated that Land Development Plans for the property at 665 Fritztown Road, formerly the Camelot Inn, have been submitted to the Planning Commission. The time to take action on the plans expires on July 3rd. The Planning Commission reviewed the request for an extension of time and recommended that the Board approve an extension until October 15, 2024.
10. Wheatfield Rd- Emergency Repairs

Mr. Darrah requested that the Board approve Scott Anderson of Kraft Municipal Group's recommendation for Schlouch Incorporated to perform emergency repairs on Wheatfield Rd. Mr. Darrah confirmed the work that will be done and stated he is working with the DEP to expedite the required permits.
11. Police Hiring List

Chief Powell stated that he received a written official notification from a disqualified applicant requesting reconsideration as a potential hire for the Police Department. Mr. Becker stated that the Police Committee and Chief Powell reviewed the request and recommended that reconsideration be denied.

ACTION ITEMS FOR APPROVAL: (Continued)

11. Police Hiring List (Continued)

Motion to deny the request for reconsideration for hire in the Spring Township Police Department was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED

12. West Wyomissing Chapel-Road Closure Request

Chief Powell said that West Wyomissing Chapel is requesting closure of the alley behind West Wyomissing Chapel to be closed on Friday, June 21, from 4:45 p.m. to 8:30 p.m. for the kick-off of their Vacation Bible School, and they also requested the fees are waived as well. Ms. Smith stated that because the Township does not own the alley, they must speak to the homeowners.

Motion to approve Action Items #1-4 & 6-10 was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively, with Mr. Stuck abstaining from voting on payment for Checks 111601, 111583, 111599, and 111616, Mr. Wertz abstained from voting on payment for Fire Fund #14, and Ms. Smith abstained from voting on payment of check 111601. MOTION CARRIED

TOWNSHIP DIRECTORS:

- A. Zoning/Building Codes Department -Mr. Wozniak submitted a monthly report for May. Mr. Wozniak said that the Department is in their heavy permit season and high grass and weed complaints. Mr. Wozniak confirmed with Mr. Stuck that the Department is closely monitoring the property on Miller Road.

Mr. Wozniak confirmed for Mr. Royer that the Reserve of Iroquois did not meet the required setbacks for pickleball courts.

- B. Parks and Recreation Department-No Report

- C. Engineering/Planning Department

1. Juliana's Restaurant -Variance Requests

Mr. Moll reviewed the applicant's proposal for variance requests with regard to the outdoor dining and bar area they created during the COVID-19 pandemic. The applicant would like to get permanent permits. Mr. Moll reviewed the variances requested by the applicant, including;

- 1) Section 322(H), which requires a minimum 20-ft side yard; the previously submitted Land Development Plans appear to show the edge of the dining area as being between 3 and 4 feet from the lot line.
- 2) Section 405(I) requires nonresidential uses abutting residential uses to provide a 20-foot buffer yard containing an adequate planning screen. The applicant is asking for a variance from this section to keep the area as part of the outdoor seating area. Mr. Moll stated that the Planning Commission reviewed the variance requests last week and recommended that the Zoning Hearing Board (ZHB) approve them if the following conditions are met.

TOWNSHIP DIRECTORS: *(Continued)*

C. Engineering/Planning Department *(Continued)*

1. Juliana's Restaurant -Variance Requests *(Continued)*

1. The adjoining neighbor provides a written letter or direct testimony to the ZHB in support of the variance request.
2. All outstanding violation notices must be resolved, including stormwater controls.
3. Final approval of the Land Development Plans, including all changes since the original submittal.

Motion to recommend approval of the waiver requests submitted by the applicant for Juliana's Restaurant after the conditions outlined by the Planning Commission are met was made by Mr. Stuck and seconded by Mr. Royer. Upon roll call, All Supervisors present voted affirmatively.
MOTION CARRIED

2. 2137 Penn Avenue-Waiver of Land Development Request

Mr. Moll reviewed the proposal for a waiver request concerning a change in use for the former Wells Fargo Bank building at 2137 Penn Avenue. The applicant is proposing a hair salon and a few changes, including removing the drive-thru facilities and canopy and altering parking and driving lanes. The applicant is requesting a waiver of the Land Development Process and have the project processed through the Codes Department.

Mr. Moll confirmed for Mr. Stuck that the only real physical change at the location is the removal of the canopy; any other structural changes will be inside the building, noting that the Planning Commission recommended that the Board of Supervisors grant the requested waiver.

Motion to approve the Waiver of the Land Development process for the property at 2137 Penn Ave was made by Mr. Wertz and seconded by Mr. Stuck. Upon roll call, All Supervisors present voted affirmatively. MOTION CARRIED.

3. 7 Brew Coffee- PRD Sign Waiver Request

Mr. Moll reviewed the request from the sign regulations in the Planned Residential Development (PRD) Ordinance to permit the installation of multiple wall-mounted signs at the proposed coffee shop on Kohl's parking lot at the intersection of Paper Mill Road and Meridian Boulevard. Mr. Moll stated that the Planning Commission recommended that the Board of Supervisors approve the waiver request as requested.

Motion to approve the PRD Sign Waiver Request for 7Brew Coffee was made by Mr. Stuck and seconded by Mr. Wertz. Upon roll call, All Supervisors present voted affirmatively.
MOTION CARRIED

4. 131 Goose Lane-Variance Requests

Ms. Bensinger reviewed the waiver requests submitted by the applicant, proposing to raze the existing dwelling and garage and construct new, larger buildings. Ms. Bensinger reviewed the existing nonconformities and impacts of the proposed plan. Mr. Bensinger stated at the PC Meeting held on June 6, 2024, that the PC chose not to make a recommendation to the ZHB.

The Board of Supervisors unanimously agreed not to make a recommendation to the ZHB.

TOWNSHIP DIRECTORS: (Continued)

- D. Finance Department –No Report
- E. Human Resources – No Report

F. Public Works-Mr. Darrah gave the following updates:

- 1. Wyomissing Interceptor Project-The Wyomissing Interceptor Project has started.
- 2. Swale Repair -The swale repair and bank replacement at the WTP are complete.
- 3. Screw Press Project is in the review process.
- 4. Street Sweeper- New fuel pump installed.
- 5. Chapel Hill Road- Darrah reported that Chapel Hill Road has been repaired by staff, including redoing the shoulder and base repair, and New Enterprise milled and repaved it. The invoices will be turned in to the trash company involved in the accident.

PUBLIC SAFETY

- A. Police Department -Chief Powell reported that the traffic study was completed near the new park.
- B. Township of Spring Fire Rescue Services -Chief Hackman submitted a monthly report for May.
- C. West Side Regional EMA- No Report
- D. Western Berks Ambulance Association-Monthly Report

SOLICITOR : No Report

OLD BUSINESS: None

NEW BUSINESS:

- 1. Shred Event- The Township received a request from State Representative Johanny Cepeda-Freytiz's office looking to host a shred event along with Senator Schwank's office for the community from 9 a.m.-2 p.m. on Saturday, September 28, 2024 at the Township's administration building's parking lot.
- 2. Trash Bid—The Board confirmed for Mr. Groller that they would like the trash bid to include an alternate that consists of the Township's rural areas.

ANNOUNCEMENTS:

- 1. Ms. Smith announced that there was an Executive Session before the meeting to discuss personnel matters.
- 2. The Board received information from PSATS.
- 3. Next regular BOS Meeting will be held at 7:00 p.m. on Monday, June 24, 2024.

ADJOURNMENT:

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

Respectfully submitted,



Mary L Rossi
Township Secretary