

The meeting of the Douglass Township Board of Supervisors was called to order at 7:00 P.M.

Attending were Vice-Chairman Fred Ziegler, Supervisor Alan Keiser, Solicitor Robert Brant, Josh Hagadorn from Gilmore & Associates, Bob Dries, Andy Duncan, Pete Hiryak, Cynthia O'Donnell and approximately 24 residents/developers.

Mr. Ziegler asked for a Moment of Silence for Fallen Police Officers across the Country.

Mr. Ziegler led us in the pledge of allegiance and announced that tonight's meeting will be recorded in the absence of the Township Secretary, he also congratulated Mr. Sell on his 50th Wedding Anniversary and said Mr. Sell's daughter and son-in-law put on a very nice family celebration. Mr. Ziegler asked if there were any changes, corrections, or comments on the minutes of June 20th, 2016 Board of Supervisors Meeting, no comments, changes, or corrections were given.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to approve the minutes of June 20th, 2016 Board of Supervisors Meeting. Keiser-Aye, Ziegler-Aye. Motion passed.

Mr. Ziegler asked if there were any changes, additions, or corrections to the July 18th, 2016 Agenda, no changes were given.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to approve the Agenda of July 18th, 2016 as presented. Keiser-Aye, Ziegler-Aye. Motion passed.

Public Hearing – Ordinance 2016-03 Berks Earned Income Tax Bureau Collection of Delinquent Tax Payments. Mr. Brant stated that this is a public hearing for the Board to consider the adoption of the ordinance for the fee of any collection agency engaged by the Berks County Earned Income Tax Collection Bureau for delinquencies in Earned Income Tax Payments. This is an ordinance that was requested by the School District. The Board authorized advertisement at the June 20th meeting, the Legal Notice appeared in the Pottstown Mercury, and the letter to Montgomery County Law Library stating the required submission of the proposed ordinance. Mr. Brant stated that this is a simple ordinance and read the important section that is relevant part of the ordinance: the Taxing Authority acknowledges the Collector may engage one or more third-party collection agencies to pursue and collect delinquent Tax in situations where the amount of delinquent Tax owed is relatively small and it is therefore cost-prohibitive for the Collector to dedicate the upfront resources necessary to pursue such delinquent Tax. The Taxing Authority hereby approves of the imposition on and collection of a fee from any delinquent Taxpayer by any third-party collection agency engaged by the Collector, provided such fee does not exceed twenty-five percent (25%) of the amount of Tax collected from any such Taxpayer. Mr. Brant stated that essentially the Township is authorizing a third-party collection agency to collect delinquent taxes, this is an enabling ordinance that the School District has asked the Township to pass, the Treasurer is very familiar with this and other Townships have done the same, the Treasurer agreed with Mr. Brant's statement. Mr. Brant asked if anyone had any questions or input, Mr. Brumwell stated that 25% is a little bit on the high side, Mr. Brant and Ms. O'Donnell stated that as part of the Berks Tax Collection Committee for Earned Income Tax collection in Berks County Upper Frederick, New Hanover, and Douglass Township have been asked to adopt this ordinance for the Boyertown School District. Basically if you are in the rears \$100.00 you would pay a \$25 penalty at time of collection. Mr. Hunter stated that he knows people who have tried to call Berks Earned Income Tax Office and can't get through and if you get through to someone they don't speak English. Mr. Ziegler thanked everyone for their comments. No other questions or concerns were given. Mr. Brant closed the public hearing and asked if the Board chooses to make a motion to adopt Ordinance 2016-03.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to adopt Ordinance 2016-03 Berks Earned Income Tax Bureau Collection of Delinquent Tax Payments. Keiser-Aye, Ziegler-Aye. Motion passed.

Gilbertsville Ambulance Report – Garry Schmoltze

For the month of June 2016 GACAS handled 123 calls for service: 14 Boyertown, 1 Colebrookdale, 53 Douglass, 1 Earl, 33 New Hanover, 1 Pottstown, 1 Upper Frederick, 15 Upper Pottsgrove, 1 Lower Pottsgrove, 1 Upper Hanover, 1 Lower Frederick, 1 Red Hill Borough, and 1 West Pottsgrove Twp. Transports 90, 17 refusals, 12 no patient found, 8 cancellations, 1 no treatment required, and 1 transported by Law Enforcement. 79 ALS calls dispatched, 44 BLS calls dispatched. Admission Summary Report: Lehigh 14, 6 Phoenixville, 57 Pottstown, 4 Reading Hospital, 2 Grandview, and 1 Quakertown. 2016 calls to date: 739, Truck 332-2 has 43 responses with mileage of 867, Truck 332-4 has 81 responses with mileage of 1,752. Employee hours covered – 1,522. Cornerstone settlement (May 2016) - \$24,126.64. Awards/Recognitions: New Hanover Township Presented Life Saving Awards, Chief Garry R. Schmoltze Sr. – 2 awards, Battalion Chief Chad Quinter – 1 award, Paramedic Barb Fisch – 1 award, and EMT Kim Gennaria – 1 award. No questions were asked.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to accept the GACAS Report as given. Keiser-Aye, Ziegler-Aye. Motion passed.

Fire & Rescue Report – Chief Ricky Smith

June 2016 calls for service (25): 2 fires, 1 vehicle fire, 2 brush/trash fires, 3 fire alarms/CO2 alarms, 1 hazardous material, 2 EMS assists, 4 vehicle accidents, 2 investigations, 4 fire police, 4 assist to other departments. Assists: 2 Boyertown, 1 Upper Frederick, and 1 Pennsburg. Refreshed our Attack and Backup lines for firefighting, gave annual water rescue awareness training to the Boy Scouts, attended 332's flag ceremony, and attended the Boy Scout's flag ceremony. The old Rescue Truck is sold for \$49,500 to a North Carolina fire company and the new Rescue Truck is almost ready for service. Mr. Ziegler stated that the Emergency Service Crews keep the vehicles and equipment well maintained. No questions were given. Fire Marshal Report: Chief Smith reported that on June 1st he secured the Knox box, checked the signage on the rear door, and discussed key access to the rear door at the PLCB Store in the Gilbertsville Shopping Center (1 hour). On June 4th he investigated an unauthorized burn at 106 Shirey Court (1 hour), and on June 11th he investigated an unauthorized burn at 1421 E. Philadelphia Ave (1 hour). No questions were given.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to accept the Fire & Rescue Report & Fire Marshal Report as given. Keiser-Aye, Ziegler-Aye. Motion passed.

Gilbertsville No. 1 Report – Wannita Kollar

No report given.

Police Department Report – Sgt. Swavely

Statistics for June 2016: 368 incidents reported, 7 reportable accidents, 14 non-reportable, 26 criminal investigations, 9 criminal arrests, 83 traffic citations, 4 non-traffic citations, 1 parking ticket. Monies received by the Township \$9,980.59. Mr. Ziegler asked, in light of all the police shootings throughout the United States is our Police Department taking the necessary steps for safety concerns, Sgt. Swavely stated that we have a Police Department Meeting coming up to take steps to ensure that we are all safe, Mr. Ziegler added to wait for backup to arrive before heading out, safety is the important part.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to accept the Police Report as presented. Keiser-Aye, Ziegler-Aye. Motion passed.

Disposal of Records Resolution – Mr. Brant stated that the Police Chief put together a list of records that can be disposed of as defined under the Municipal Records Manual, Records Retention and Disposition Schedule, and the Administration Office put together a list of records available for disposition. Complaints, Incident Reports/Offense Reports/Initial Activity Reports if not part of Criminal History Case File prior to 2007; Incident reports – 1987-2003; Hearing Notices from District Court – 2007-2013; Officers Duty Activity Logs 1990,1991, 2011, 2012; timesheets 1990, 1991, 2011, 2012; Schedules 189, 1990, 1991, 1993; Accident Reports dated 2008-

2009; Abandoned Vehicle Forms – 1981-2008; Vacation House Checks 1990, 1991, 1993, 1996, 2001; Other: Warning Notices – 1999; Gun Permit Chicks 2008, 2009. The Township Administrative Office Records: 2005 GF Bank Statements, 2004 General Ledgers, 2005, 2006, 2007, 2008 GF Bank Accounts, 2006, 2007, 2008 Paid Invoices, 2006, 2007, 2008, Treasurers Reports, 2004 Checks, 2005 General Correspondence, 2010-2011 Timesheets, 2001 State Aid Turnback Road Receipts, and 2005, 2006, 2007 Paid receipts. A motion is needed to approve the Resolution.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to approve Resolution 071816-01 Declaring its intent to follow the schedules and procedures for the disposition of original copies of records as specifically provided for by the Municipal Records Act, 53 PA. C.S.A. 1381, Et.Seq., and in accordance with the Municipal Records Manual Approved on December 16, 2008. Keiser-Aye, Ziegler-Aye. Motion passed.

Engineer's Report – Josh Hagadorn, Gilmore & Associates

Zern Tract (101 Jackson Road) – G&A submitted review letter on July 6, 2016.

Douglass Township Highway Maintenance Building – A utilities coordination meeting was held on June 28, 2016. We are awaiting plans from the water company showing the new water main extension and work is being coordinated with the gas, telecommunications, and electric companies. We prepared revised site layout plans that were submitted.

Quigley Bus Service – We are coordinating with the developer's new traffic consultant on revisions to the Traffic Impact Study.

Sealstrip Building Addition – We submitted our review letter on July 5, 2016.

1500 E. Philadelphia Avenue – We are reviewing the revised traffic impact study submitted on July 5, 2016. We just submitted our traffic review memo. Mr. Brumwell asked how far along has the Quigley Bus Service Plan gotten, Mr. Hagadorn stated that we are still waiting for the traffic plan, how they are routing traffic, they have made progress and they are trying to address our concerns in a more timely fashion, the new traffic engineer might help that process. We are still trying to make sure that everything that was in the Zoning Hearing Board decision is going to be carried out so they do not increase the traffic along Middle Creek Road more than what is currently there except in an emergency situation, and the same goes with Wilson Avenue, the buses must go out Swamp Creek Road to County Line Road. Mr. Brumwell had concerns that the roads aren't wide enough for the busses and the cars, and what happens when it floods, Mr. Hagadorn said that would fall under the emergency conditions set by the Zoning Hearing Board, then the busses would be allowed to use Middle Creek Road. We are making sure that Quigley follows the conditions set by the Zoning Hearing Board. Mr. Sell said that at first the plan was denied, now they got an extension, how long is the extension? They got a 30 day extension, Mr. Sell said we have to be well past that, Mr. Brant stated that they filed a Land Use Appeal, in Montgomery County Court, we are trying to work with them instead of litigate in court, the biggest issue is the bus traffic and what Roads and intersections they will be using. Mr. Sell stated that it is his understanding that 90% of the residents don't want this so why are we getting it shoved at us. Mr. Brant stated that the Use is permitted because the Zoning Hearing Board granted the Use in 2012 with certain conditions which need to be adhered to, after they were granted the Use that entitled them to go through the Land Use planning stage. The Township's position is that they need to comply with the standards for the conditions set by the zoning hearing board and that is what is being worked on right now, Mr. Ziegler stated that there is still time for the Board to act, Mr. Brant stated that the Land Development Plan has not been approved. Mr. Stasik asked what was going on at Swamp Creek Road Bridge, he saw someone drilling holes in the concrete structure, Mr. Hagadorn said he did not know of anything but he will look into it.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to accept the Engineer's as presented. Keiser-Aye, Ziegler-Aye. Motion passed.

Solicitor's Report – Robert Brant

Extinguishment of Restrictive Covenant – Douglass Estates, Mr. Brant announced that an Extinguishment Agreement has been prepared on behalf of the Developer (Berwind Subdivision a/k/a/ Douglass Estates a/k/a/

Preserve at Douglass) to provide clarification for the Courthouse that the subdivision was changed from 52 lots to 72 lots and the Courthouse records should reflect the 72 approved building lots, a motion of approval is needed from the Board.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to approve an Extinguishment Agreement for The Berwind Subdivision a/k/a Douglass Estates a/k/a Preserve at Douglass for clarification to the Courthouse that the subdivision was changed from 52 lots to 72 lots and should be reflected as such in the Courthouse records. Keiser-Aye, Ziegler-Aye. Motion passed.

Accessory Building Coverage in R-2 Proposed Zoning Amendment – Staff has suggested to have more building coverage on lots for homeowners in the R-2 Zoning District for balconies, unenclosed porches, decks, pools, sheds, entranceways and similar buildings. The Planning Agency is reviewing the suggestions and will be discussing possible changes with the Zoning Department.

1001 Swinehart Road R-1, to Zoning Hearing Board for Change of Use – Mr. Brant received a letter from Jeff Karver asking for a change of use for this property, Mr. Brant replied to Mr. Karver advising that an application should be made to the Douglass Township Zoning Hearing Board with regard to a change of use for the property.

Applications which are pending but inactive:

Danny Jake – Hallowell inactive 2 years

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to accept the Solicitor's Report. Keiser-Aye, Ziegler -Aye. Motion passed.

Recycling Department Report – Andrew Duncan

Mr. Duncan stated that we are still waiting for the tub grinder to come in at the end of July so we will have more mulch and leaf mulch shortly. Trash Survey pamphlets should be in the mail by the end of the month. The trash contract expires at the end of October unless we extend it, we need to meet and decide what to do. The 904 Grant Application has been prepared and is due in September, I will give it to the Treasurer for review. Still have not heard back on the grant for the radios for the fire company. Bike Night will be held on August 20th, 2016 and asked for authorization from the Board for the Manager to write a letter requesting fire police help from neighboring municipalities. Vice-Chairman Ziegler stated that authorization is granted. Montgomery County provided first responder guidance books for emergency service personnel.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to accept the Recycling Report as presented. Keiser-Aye, Ziegler-Aye. Motion passed.

Treasurer's Report – Cynthia O'Donnell

The total bills to be paid for July 2016 are \$181,660.75. The unusual bills were Carstar Fred Beans Boyertown (2013 Ford Explorer repairs), DCED (building permit UCC fees), Duane Moyers Mechanical (2005 Freightliner repairs), EMC Insurance, Intoximeters (police supplies), Metro Tech (police Metro Alert license fee), Phoenix Loss Control (Specht Road cable repair), PMRPC (Circuit Rider fee), Susquehanna Trust (Workers Comp), TRM Communications (hwy new truck lighting). No questions given on the bills.

Budgeted transfer of \$200,000 was made to Employee Benefits Fund from General Fund. \$100,000 was invested in a CD, 3 years at 1.45%. Due to changed timing of road building and bridge replacement, a CD was purchased with General Funds. \$200,000 was invested in the CD, 1 year at 1.13%. Income for the General Fund is 12% ahead of 2015. The increase is due to an extra month of Earned Income Tax payments received in 2016, and increased Real Estate Transfer Tax. Building permits are also ahead of 2015. Income for the Recycling Fund, trash bag sales continues to be 14% ahead of last year due to both the bag price increase and additional sales. Bulk sticker sales and recyclable sales are also ahead of last year. There is also additional revenue for electronics

recycling. The only recycling fund income line below 2015 is mulch sales. During August I will begin my preparation of budget worksheets and 2017 MMO, as the budget process for 2017 gets started. I will also analyze changes that have occurred for 2016 so that I can prepare any necessary budget amendments for 2016. The Auditor General's Office will be auditing the 2013, 2014, 2015 Pension on Friday, July 29th. No comments were given.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to authorize payment of the bills for July 2016. Keiser-Aye, Ziegler-Aye. Motion passed.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to accept the Treasurer's Report as given. Keiser-Aye, Ziegler-Aye. Motion passed.

Manager's Report - Pete Hiryak

1. The Manager reviewed the upcoming meetings as follows: Monday, August 15th, 2016 ESB @ 6pm, BOS Agenda Mtg @ 6:30pm, BOS Mtg @ 7pm. Thursday August 11th P/A Meeting @ 7pm, no workshop scheduled for the summer.
2. Meeting with Montgomery County Roads & Bridges – Re: Henry Road Bridge, Tuesday July 26th @10am, at the Norristown office for discussion on repairs and also update on Paper Mill Road Bridge.
3. New Hanover Town Center Staff Meeting @ New Hanover Township, Thursday July 28th @ 9:30am. No questions were given.

No questions were give on the manager's report.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to accept the Manager's Report as given. Keiser-Aye, Ziegler-Aye. Motion passed.

Public Comment

Mrs. Sell commented how he drove down E. Philadelphia Avenue and saw all the weeds growing up through the sidewalks and asked who is responsible for the sidewalks, Mr. Ziegler replied that PennDot and the homeowners are responsible for upkeep. Mr. Ziegler commented that in the past he would have the road crew start at the E. Philadelphia Avenue Bridge and weed whack the sidewalks back toward the Township building, the manager stated that he will look into it. Ms. Norton said instead of paying our road crew to do it why can't you send letters out to the homeowners, Mr. Ziegler stated that you would spend more on the letter and postage than it would cost to do the Avenue in several hours. There is also a public safety issue to consider when working on Philadelphia Avenue. Greg Burns, a resident on Second Street, asked for speed bumps to slow down the speeding on that stretch of road where the kids have to walk to school at Junior High West and Boyertown Elementary Schools. The manager stated that after a lengthy process with PennDot, Colebrookdale Township, and the School District we were able to install School Zone speed signs at that area now there is the question of a speeding problem at this area, the problem is that Douglass Township, Montgomery County has a portion of that road and the other portion is Colebrookdale Township, Berks County. The manager suggested that Chief Templin and the Police Department monitor the situation first, then put the speed buggy in that area to record the amount of traffic and speed through Second Street, this will have to be calculated during the school year, Mr. Burns asked why can't we just put a speed bump there, the manager stated that the police must be involved first to see if there is a speeding problem, you can not just install a bump without assessing the situation. There must be cooperation between the municipalities. Mr. Burns still thought it was ridiculous not to just put a bump in the road. Mr. Brant asked Mr. Burns to let the manager finish answering his questions before he starts new questions. Mr. Burns wanted a timeframe for the solution, no one could give a timeframe but Mr. Ziegler stated that it would be before January 2017. The Manager, Sgt. Swavely, and Chief Templin will meet and discuss solutions to any traffic enforcement issues in the area.

Old Business/New Business

Mr. Brumwell continued the speed bump conversation and said it is not that difficult to plow bumps, you plow to the bump left the plow up go over bump put plow down and continue plowing. Mr. Ziegler stated that we will work on a solution to this issue and he will get back to Mr. Burns.

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A motion was made by Mr. Keiser, seconded by Mr. Ziegler to adjourn the meeting at 8:15pm. Keiser-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, August 15th, 2016 @ 7:00 pm.

Respectfully submitted by,
Marcy Meitzler