

The meeting of the Douglass Township Board of Supervisors was called to order at 7:31 P.M. Attending were Chairman John Stasik, Vice Chairman Anthony Kuklinski, Supervisor Fred Ziegler, Solicitor Paul Bauer, Josh Hagadorn from Gilmore & Associates, Meredith Curran from MCPC, Chief Templin, Mike Heydt, Pete Hiryak and approximately 20 residents/developers.

Mr. Stasik led us in the pledge of allegiance. Mr. Stasik asked the public to please turn off all cell phones, no texting during the meeting, and reminded the public of the available exits.

Mr. Stasik turned the meeting over to Solicitor Bauer for the Public Hearing portion of the meeting. Solicitor Bauer gave an overview of the proposed 2014-01 Susquehanna Municipal Trust –Workers Compensation Ordinance & Agreement. Mr. Bauer stated that this proposed ordinance was advertised on September 22<sup>nd</sup> and September 29<sup>th</sup>, 2014 in the Pottstown Mercury and he has received the Proof of Publication notice from the Pottstown Mercury. This Trust involves other Municipalities and Authorities who have a low-risk rating and could provide substantial savings in workers compensation insurance for Township employees. Mr. Bauer opened the hearing for public comment, no comments or questions were given. Mr. Bauer closed the public hearing for the proposed Susquehanna Municipal Trust Ordinance. Mr. Bauer stated that at this time the Board could act on this proposed ordinance if they so choose to do so.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adopt the Susquehanna Municipal Trust, Workers Compensation Ordinance & Agreement. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Solicitor Bauer gave a brief overview of the proposed 2014-02 Animal Control Ordinance prescribing the authority of the Animal Control Officer, the governance of animal activity in Douglass Township and the penalty for the violation of the governance of the proposed ordinance. Mr. Bauer stated that the proposed ordinance was advertised in the Pottstown Mercury on September 22<sup>nd</sup> and September 29<sup>th</sup>, 2014 and he has received the Proof of Publication notice from the Pottstown Mercury. Mr. Bauer opened the public hearing comment period to the public, no comments or questions were given. Mr. Bauer closed the public hearing for the proposed Animal Control Ordinance and advised the Board that at this time they could act on this proposed ordinance if they choose to do so.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adopt the Animal Control Officers Authority Governing, and Penalties for Violations Ordinance. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Stasik asked if there were any changes, corrections, or comments on the minutes of September 15<sup>th</sup>, 2014 Board of Supervisors Meeting, no changes or comments were given. Mr. Stasik asked for a motion to approve the minutes of September 15<sup>th</sup>, as presented.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to approve the minutes of the September 15<sup>th</sup>, 2014 Board of Supervisors Meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Stasik asked for a motion to approve the agenda for October 6<sup>th</sup>, 2014 as presented.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to approve the agenda for October 6<sup>th</sup>, 2014 as presented. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

#### **Meredith Curran MCPC – Updates from P/A**

**Sign Ordinance-** Ms. Curran gave a brief update on the proposed Sign Ordinance stating that the P/A started working on this last winter. The County completed a sign ordinance and Ms. Curran and the P/A used this ordinance as a model for revisions to the Douglass Township sign ordinance. Concerns with the Township's existing ordinance include organization, definitions, signs exempt from permits, prohibited signs, temporary signs, and illuminated signs. The proposed ordinance includes standard sign regulations for all zoning districts

and will apply to all sign types. The standards include location of signs, size and height of signs, illumination of signs, and applications & permits and for signage violations. Ms. Curran stated that the P/A has recommended, the proposed Sign Ordinance, to the Board of Supervisors for review. Mr. Bauer stated that the proposed Sign Ordinance can be authorized by the Board of Supervisors for advertisement for a future public hearing. Mr. Brumwell stated, so yard sale signs are prohibited, Ms. Curran replied no they are temporary signs and are allowed on a limited amount of time. Ms. Curran stated that she will supply the County with a clean copy of the proposed Sign Ordinance and also to Solicitor Bauer.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize Solicitor Bauer, based on the recommendation of the P/A, to advertise the proposed Sign Ordinance for a public hearing. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed. Solicitor Bauer and the Township Manager will get together on possible dates for advertisement in the Pottstown Mercury.

Mr. Kuklinski announced that he was not feeling well and apologized for leaving the meeting at 7:58pm.

### ***Traffic Impact Study Ordinance***

Ms. Curran stated that traffic impact studies measure the roadway congestion and overall traffic circulation impact of new developments. Impact studies are calculated by traffic engineering firms during the preliminary planning process. The purpose of an impact study is to insure that proposed developments do not adversely affect the transportation network and to delineate solutions to any potential problems. A review of the existing zoning and subdivision and land development ordinances indicated that there is currently no requirement for traffic impact studies in the Township. The proposed ordinance would become part of the SALDO requirements with applicability/triggers set in place. Ms. Curran stated that the P/A recommended that the proposed ordinance be reviewed by the Board, Solicitor Bauer, and the Engineer. Mr. Stasik tabled this matter until it is reviewed by the Solicitor and Engineer. Mr. Bauer commented that use variances could be added to the applicability/trigger section of the proposed ordinance and this proposed ordinance would have been useful with the Mountain Mulch situation, Mr. Curran agreed. The Board thanked Ms. Curran for the updates.

### **Engineer's Report – Josh Hagadorn, Gilmore & Associates**

***Berwind II Subdivision (Douglass Estates Phase I)*** – This project is proceeding through construction. We completed the field survey of the Stafy property's rear yard area and have evaluated additional grading and drainage improvements to alleviate storm water from backing up onto the Stafy property. We met with the contractor to discuss our recommendations. The contractor will be implementing our recommendations. We have reviewed Letter of Credit Reduction request #3 as received on 9/4/14 via e-mail from the developer and have determined that no Township-escrowed items were included with this request. Therefore, there is nothing for the Board to consider concerning this reduction request. (Note G&A's most recent letter of recommendation revised 9/3/14 concerning Letter of Credit Reduction #2 in the amount of \$135,076.14; please note that \$498,898.00 is the currently remaining financial security).

***County Line Road Bridge*** – We completed the DVRPC 2014 Municipal Bridge Retro-Reimbursement Program Application and e-mailed it to DVRPC on 10/1/14.

***Minister Creek Mixed Use Land Development*** – We attended a Scoping Application meeting on 9/23/14 with representatives of the Township, MCPC, the Developer, and PennDot to discuss the scope of the traffic impact study for the proposed development.

***Provco Pinegood Grosser Road, LP/Wawa Land Development*** – We have completed our review of the construction cost estimate, Financial Security Agreement and Improvement and Maintenance Agreement, Highway Occupancy Permit Condition Statement form, and Applicant's Authorization for Agent to Apply for Highway Occupancy Permit form and have provided our review comments to Pete Hiryak and Paul Bauer. We are currently reviewing the revised Highway Occupancy Plan submission and expect to have our review memorandum completed within the next week. At this time Mr. Stasik asked for a motion to approve the Wawa Agreements (Land Development, Financial Security, Master Plan, and the Highway Occupancy Permit Condition & Drainage Agreements).

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to authorize approval of the Wawa Land Development Plan, Financial Security, Master Plan Agreement, and Highway Occupancy Permit Condition & Drainage Agreements for Wawa. Stasik-Aye, Ziegler-Aye. Motion passed.

***Township Park and Open Space Surveys and Concept Planning*** – We met with Pete Hiryak and Justin Keller, Recreation and Parks Coordinator for the Greater Pottstown Region, and will be incorporating their review comments into our improvements plans for Douglass Park, Smith Road Park, and Libor Tract Open Space.

***Traffic Impact Study Requirements*** – We are reviewing the MCPC’s recommended ordinance amendment regarding traffic impact study requirements for subdivisions and land developments, and will provide our review comments and recommendations to the P/A for their consideration.

***Virmay Drive Storm water Investigations*** – We met with Pete Hiryak and explained our recommendations to reduce storm water flooding along the rear yards fronting on Virmay Drive. We understand that the Township will implement our recommendations.

***Zoning Ordinance and SALDO Amendments*** – At their 9/11/14 meeting, the P/A requested that G&A review the summary of proposed ordinance amendments/updates as prepared on 9/5/14 by Meredith Curran of the MCPC. We met with Pete Hiryak, Bob Dries, and Mark John to discuss some proposed ordinance amendments and will be providing further recommendations in coming months. Revisions are needed. No questions were asked.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to accept the Engineer’s Report. Stasik-Aye, Ziegler-Aye. Motion passed.

**Solicitor’s Report – Paul Bauer**

***Wawa Agreements – Land Development, Financial Security, and Master Plan***

Mr. Bauer stated that this was addressed under the Engineer’s Report.

***Summer Hill Open Space*** – Mr. Bauer stated that he reviewed the information given to him and his advice to the Board is that this is an issue between the Summer Hill HOA and the owner of the property and recommends that the Township not be involved.

Mr. Bauer also stated that the documents involving the Fire Company have been prepared and are waiting for signatures. Mr. Stasik asked if there were any questions, Mr. White from Summer Hill asked are you telling me that there are no issues at the tot lot, the manager stated that he saw a few slats missing from the fence, Mr. White replied there are more issues then that, it should be kept up with as far as maintenance and he wanted a copy of the codes. Mr. Caruso also of Summer Hill asked where do we go from here, what about the maintenance of the basins, we are going to get stuck with the water issue. Mr. Bauer said that if the HOA believes that the owners of the property should be liable than the HOA should sue the property owner, all I can offer is to write a letter to both parties requesting that you get together for a meeting. Mr. Bauer recommends that the HOA take legal action against the property owner and the court will determine if any action is needed. No other questions were asked.

Applications which are pending but inactive:

Danny Jake – Hallowell	inactive 2 years
Cobblestone Commons	inactive 1 year

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

**Highway Department Report – Mike Heydt**

Mr. Heydt stated that in the last two weeks the road crew did edge work on Moyer Road, repaired potholes, graded Stone Road, and paved the ditch on Oak Street. Mr. Heydt stated that there is soil available for residents at the highway building from the Cobblestone III site. No questions were asked.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to accept the Highway Department Report. Stasik-Aye, Ziegler-Aye. Motion passed.

**Manager's Report- Peter Hiryak**

1. The Manager reviewed the upcoming meetings as follows: P/A Meeting Thursday, October 9<sup>th</sup> @ 7pm, No Workshop in October, BOS Meeting Monday, October 20<sup>th</sup> @ 7:30pm, Agenda Meeting @ 7pm, Open Space/Rec Meeting @ 6pm.
2. 2015 Budget Meetings – Authorization to Advertise – The manager stated that the following dates are for the 2015 budget meetings: Tuesday, October 14<sup>th</sup> @ 3pm Police Dept, Wednesday, October 15<sup>th</sup> @ 3pm Recycling /Park, Tuesday, October 21<sup>st</sup> @ 3pm, Highway/State Aid, Friday, October 24<sup>th</sup> @ 3pm, Administration/Zonings, Tuesday, October 28<sup>th</sup> @ 3pm, If Necessary. The manager asked the Board for authorization to advertise the 2015 Budget Meeting Dates.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler authorizing the 2015 Public Budget Meeting Notice to be advertised in the Pottstown Mercury. Stasik-Aye, Ziegler-Aye. Motion passed.

3. Authorization for Fire Police to assist Boyertown Rotary Club in a 5K Run at the Boyertown Community Park on October 11<sup>th</sup>, 2014 from 8am to 10am.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik authorizing the Fire Police to assist the Boyertown Rotary Club in a 5K Run at the Boyertown Community Park on October 11<sup>th</sup>, 2014 from 8am to 10am.

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

**Public Comment**

Mr. Brumwell commented that rules and regulations apply but it seems like we always have problems with the Gambone Company and the Solicitor should be very careful dealing with them. Mr. Stasik responded that the P/A sees everything first in the planning stages and there are checks and balances in place, once we have an ordinance we can control issues, we have a good zoning officer and have the tools available for some control. Mr. Wydrzynski asked if the Township has an open records policy, his question was never answered at the last meeting. Mr. Stasik stated that it was answered at the last meeting, the Township has an open records policy, its recommended that you fill out the right to know form and be specific with your request and the Township has 5 working days to respond, Mr. Wydrzynski stated the right to know act does not mean open records, Mr. Bauer and Mr. Stasik both advised him that it is the same thing. Mr. Wydrzynski said I know for a fact that records are kept that you don't know what to ask for, what about the Oath of Office for a Solicitor, Mr. Stasik stated we have already been through this at the last meeting, we are done with this, the issue is done and the Chairman called for order.

**Old Business/New Business**

No old business or new business was discussed.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to adjourn the meeting at 8:36pm. Stasik-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, October 20<sup>th</sup>, 2014 @ 7:30 pm.

Respectfully submitted by,  
Marcy Meitzler