

The meeting of the Douglass Township Board of Supervisors was called to order at 7:09 P.M. Attending were Chairman John Stasik, Vice-Chairman Tony Kuklinski, Supervisor Fred Ziegler, Solicitor Paul Bauer, John Sartor from Gilmore & Associates, Chief Templin, Andy Duncan, Bob Dries, Mike Heydt, Pete Hiryak and approximately 14 residents.

Mr. Stasik led us in the pledge of allegiance.

Solicitor Bauer announced that an Executive Session was held prior to this evenings Board of Supervisors meeting involving on-going litigation matters, no decisions or votes were taken.

Mr. Stasik asked if there were any changes, corrections, or comments on the minutes of February 2nd, 2015 Board of Supervisors Meeting, no changes or comments were given. Mr. Stasik asked for a motion to approve the minutes of February 2nd, 2015 as presented.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve the minutes of the February 2nd, 2015 Board of Supervisors Meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Stasik asked for a motion to approve the agenda for February 17th, 2015 as presented.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve the agenda for February 17th, 2015 as presented. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Gilbertsville Fire & Rescue – Rick Smith

Fire report for January 2015 – 2 fires, 2 fire alarm/CO2 alarms, 2 vehicle accidents, 4 EMS assists, 7 fire police, 6 assist to other depts., and 1 special service for a total of 24 calls. The Fire Company was in service for 18 hours and 7 minutes. Assists: 3 to Boyertown, 2 New Hanover, 1 Pennsburg. Fire & Rescue participated in first aid and AED refresher training. F & R also participated in a refresher class on 332's ambulance equipment locations. Chief Smith gave a brief overview of the 2014 Annual Report of the Gilbertsville Fire and Rescue Company. Fire Marshal Report – Chief Smith stated that on January 27, 2015 he met with Mr. Downey from DMB Construction at Tractor Supply to go over the Knox Box location, fire extinguisher placement locations, and also the signage for the fire extinguishers. Three visits were made to Tractor Supply to complete these tasks for a total of 4.5 hours. On January 27, 2015 he also met with Jim Knisley to go over the Knox Box location and the sprinkler system for a total of ½ hour. On February 3, 2015 he met with Mr. Downey again at Tractor Supply to put the keys in the Knox Box, we also checked the fire extinguisher mounting and reviewed the fire extinguisher mounting and reviewed the fire alarm system for a total of 1 hour. No questions were asked.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to accept the Fire & Rescue Report and the Fire Marshal Report. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Engineer's Report – John Sartor, Gilmore & Associates

Clover Hill – We reviewed the draft Settlement Agreement and discussed our findings with the P/A at their 2/12/15 meeting. We found the Settlement Agreement to be consistent with discussions held in September 2013 between the Township and the Applicant. As such, we have no major technical concerns and recommend that the Board of Supervisors approve the Settlement Agreement. Mr. Bauer stated that there is no plan and no vote should be taken until a plan is submitted and reviewed by Gilmore & Assoc, Mr. Bauer suggested that G&A contact Mr. Aston for a plan. The Board tabled the Settlement Agreement decision until a plan is submitted to G&A and a review of the plan is completed by Gilmore & Associates.

County Line Road Bridge – In accordance with DVRPC's request, we completed the Appendix B form and forwarded same to DVRPC via email on 2/9/15. A meeting with the structural engineer will be next week to begin working on the design.

Henry Road Bridge – Weather permitting there will be an on-site meeting to discuss repair/replacement and possible turnback to Douglass Township.

Highway Building – Mr. Hagadorn is working on a sketch plan and surveyors will be scheduled.

Township Park and Open Space Surveys and Concept Planning – We completed the opinions of probable construction cost estimates for the proposed site improvements for each of the three parks and forwarded same on 2/13/15 to the Pottstown Metropolitan Regional Planning Committee and the Township Manager for inclusion in the upcoming Public Meeting #3 discussions to be held prior to the 2/17/15 Board of Supervisors meeting. Plans will be put on Township website, the manager commented that the Treasurer should be included in any financial discussions with the park.

Traffic Impact Study Requirements – We continued to work with the Township's P/A and the MCPC over the last few weeks to refine the new traffic impact study requirements. The revised draft requirements were presented to the P/A at their 2/12/15 meeting.

Zern Tract (101 Jackson Road) – Nothing new to report.

Zoning Ordinance and SALDO Amendments – On 2/12/15 we provided the P/A with our suggested amendments to the Township's Zoning Ordinance for consideration and discussion at their March Meeting. Mr. Bauer stated that this is the first step in re-codification, the manager stated that we have budgeted money set aside for re-codification which is an expensive undertaking. No questions were asked.

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

Gilbertsville Ambulance Report – Garry Schmoltze

For the month of January 2015: 173 calls for service; 1 Bally Boro, 1 Bechtelsville Boro, 13 Boyertown, 6 Colebrookdale, 63 Douglass Township, 2 Earl Township, 1 Green Lane, 36 New Hanover, 1 Pennsburg, 14 Pottstown Borough, 4 Upper Frederick, 8 Upper Pottsgrove, and 1 Washington Twp. Covered by other EMS; 5 Plymouth Ambulance, 8 Goodwill, 2 Bally, and 8 Boyertown. Total Calls to date: 132 2013, 110 2014, 174 2015. 89 ALS calls, 62 BLS calls. Hospital Summary; 76 Pottstown, 11 Lehigh, Reading 6, Phoenixville 5, Einstein 1, Grandview 2, other EMS 1, St. Joseph's 1, and St. Lukes Quakertown 1. Transported 113, refusals 15, cancelled 10, 5 no patient found, 2 no treatment required, 5 fire scene standby, and 1 dead on scene. Chief Schmoltze stated that the Commonwealth of PA – State Fire Commissioners Grant was approved for a debt reduction of \$7,044.00. No questions were asked.

A motion was made by Mr. Stasik, seconded by Mr. Kuklinski to accept the Gilbertsville Area Community Ambulance Service (GACAS) Report. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Police Department Report – Chief Templin

Statistics for January 2015 – 366 incidents reported, 6 reportable accidents, 10 non-reportable, 24 criminal investigations, 13 criminal arrests, 97 traffic citations, 9 non-traffic citations, 0 parking tickets, money received by the Township \$6,825.66. Chief Templin thanked the road crew for their efforts in the snow removal. No questions were asked.

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

Solicitor's Report – Paul Bauer

Public Hearings – Public Hearings are scheduled for the MS-4 Ordinance #2015-01 and the Emergency Services Cost Recovery Ordinance #2015-02 on March 2nd, 2015 at 7pm.

Litigation Updates – Nothing new to report.

Cobblestone Commons, Stipulation & Settlement Agreement - Mr. Bauer stated that the Board was ok with the agreement provided that land development approval is given and they will need to pay all outstanding consultant fees. No questions were asked.

Applications which are pending but inactive:
Danny Jake – Hallowell inactive 2 years

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

Highway Department Report – Mike Heydt

Mr. Heydt said that the last two weeks the road crew was salting roads, plowing, fixed signs and potholes, and also pushed back drifts. Mrs. Stasik asked how the equipment was holding up, Mr. Heydt replied that the equipment is holding up although when the trucks are loaded with salt and it gets wet the salt freezes in the trucks because of being stored in an unheated garage. Mr. Stasik stated that the road crew does an excellent job with the roads. Mr. Heydt stated that Ricky Smith, Eric Bauer, and Dean Brumbach are a big help with the salting and snowplowing. Mr. Kuklinski commented that he was riding along with Andy Duncan during the snowstorm and it is imperative that cars are not parked on the roads, some residents in developments clear their driveways and park on the streets making it difficult and dangerous for the road crew to plow the roads. I am asking residents to show courtesy to the road crew and park their cars in their own driveways. Ms. Wills commented that when she was out of state they did not allow parking cars on the streets, Mr. Kuklinski stated that no one would want snow emergency signs in their front yard. Mr. Link stated that in Chandler's Crossing a contractor comes through at 6am to clear everyone's driveway and if you do not move your car he will not come back until the afternoon however they are supposed to park in the designated areas. Mr. Bauer stated that in new developments they are making the roads private so that the HOA's are responsible for maintaining interior roads and he suggested that a meeting should happen between the Board and the HOA and give them options of clearing the road. Mr. Kuklinski asked Chief Templin and Pete to meet with Mark Flanders to discuss issues. No other comments or questions were given.

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

Recycling Report – Andy Duncan

February 2015 – Commercial Hauler permits were issued to Waste Mgmt, Whitetail Disposal, and ADS. Violation notices will be sent to Diamond Waste Disposal, Diamond Waste LLC, A J Blosenski, Allied Waste, J P Mascaro, and D&L Disposal. Business recycling reports were sent on 01/02/2015, to date 95 reports have been returned out of 162 business reports that have been sent out. Businesses have until 3/02/2015 to return this to the Township. Mike and I are beginning to demo skidsteer machines from different manufacturers to find the machine that will best work for the Township's needs. We are looking at Case, Kubota, John Deere, Cat, and Bobcat. This machine is 100% funded by our 902 recycling grant. I have received the Montgomery County recycling report for trash and recycling tonnages for 2014. Douglass Township is required to report our trash and recycling tonnages to the County on an annual basis, which makes it very important for our businesses to return their reports on time. This report is due on March 23rd. Our trash and disposal contracts are due to expire in October of 2015, I would like to sit down with staff and figure out if we are looking for extensions or a brand new contract. Pennsylvania technical Assistance grant for Sustainability of Pay as you throw program – KRF Environmental has been assigned to our project. Mr. Duncan gave a brief overview of the recycling 2014 yearend report. A resident asked if Mr. Duncan issues citations to waste haulers, Mr. Duncan replied that he first sends a nice letter and that usually works. Mr. Ziegler asked Mr. Duncan how many outside of the Township try to use the recycling center, Mr. Duncan stated that they make people show their I.D. and if they are not residents they turn them away. No other questions were asked.

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

Treasurer's Report – Peter Hiryak

The manager stated that the unpaid bills for February 2015 amounted to \$112,488.69 and pointed out the list of account balances from the Treasurer's packet of information. Mr. Hiryak asked for authorization to pay the unpaid bills for February 2015.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize payment of the February 2015 unpaid bills. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Hiryak stated that a letter was received by the Township from the Ches-mont Emergency Response Team (CMERT) thanking the Supervisors for the contribution to repaint the SWAT truck from camouflage to black in an effort to downplay the attention of the truck. No questions were asked.

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

Manager's Report - Pete Hiryak

1. The Manager reviewed the upcoming meetings as follows: Wednesday February 25th Pottstown Health & Wellness @ 5pm and PMRPC @ 7pm at Pottstown Borough Hall, the manager will be attending both meetings. Monday March 2nd Agenda Meeting @ 6:30pm, BOS Meeting @ 7pm, Monday March 2nd Emergency Services Board @ 6pm.
2. Fire Police Assistance Request – Gilbertsville Elementary School, the manager stated that authorization is needed by the Board.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize Fire Police Assistance for Gilbertsville Elementary Schools Grandparents Day function. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

3. Emergency Operations Plan – update every two years for BOS review, needs resolution approval next meeting.
4. Add Deputy Chief Kris Hammill to Fire Police, the manager noted that he received the background check. A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve the addition of Deputy Chief Kris Hammill to the Fire Police list. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

5. Zern Tract Review Extension Request for 60 days, the manager stated approval is needed for the extension. A motion was made by Mr. Stasik, seconded by Mr. Kuklinski to authorize a 60 Day Plan Review Extension for the Zern Tract. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

There were no questions on the manager's report.

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

Public Comment

Mr. Don Orner of Hoffmansville Road gave the Solicitor and each Supervisor a copy of a Municipal Alert that stated "The Pennsylvania Commonwealth Court in Tinicum Township V. Nowicki has held that a mulching operation is not considered a normal agricultural operation protected by the Right to Farm Act or the Pennsylvania Municipalities Planning Code (MPC). Such mulching operations are subject to municipal zoning ordinances and are not entitled to special protection as "Agricultural" uses." Also The Commonwealth Court further held that the mulching operation was not protected as a "normal agricultural operation" under the Right to Farm Act. The Court reasoned that mulching operations do not constitute "agricultural operations," especially where none of the raw materials for the operation are produced on the property and none of the resulting mulch is used for agricultural commodities on the property. The Court clarified that the Right to Farm Act requires some connection between the use and employment of the land itself. Mr. Keiser was concerned that Mountain Mulch is

running out of time with only 30 working days left on their extension to truck all the mulch off the property, is there a plan to expedite or enforce this issue. Mr. Bauer stated that he will send a letter to the attorney tomorrow that the deadline is approaching and ask what the plan is for the existing material. The residents are concerned that they will vacate the site leaving all the piles of existing materials at the site. Mr. Bauer stated that the Board could also authorize him to take action by: 1. We could clean it up and bill Mountain Mulch or 2. We could go to Court and make them clean up the site. Ms. Orner was concerned that if we would clean it up what would happen if we would not be able to find their relocation in order to bill them. Mr. Bauer stated that he if we would have the site cleaned up he would have to get a quote from a contractor, however he is leaning to a court order for Mountain Mulch to clean up the site. Chief Smith was concerned with a fire issue with the amount of material still at the site, there is only a 2 inch water line to supply water to fight any fire on the site. Mr. Orner was concerned that Mountain Mulch got a variance to have a mulching facility on that property what if someone new moved in and took over the business, Mr. Bauer stated that the property will be deed restricted. Ms. Orner & Ms. Keiser stated that Farmland Preservation was confused with the Pennsylvania Commonwealth Court case, whoever takes over the property now would also own the material that is not allowed on the property. Mr. Bauer stated that hopefully the attorney for Mountain Mulch is telling them to clean out the property. Mr. Link asked if any roads in Village Green are Township roads, the manager replied that none of the roads in Village Green are Township roads, there are speed bumps in Village Green and the Township will not take over the roads cause of speed bumps. Mr. Link asked what the code department is doing about all the portable trailers on Swinehart Road, Mr. Dries replied that zoning is looking into the situation.

Old Business/New Business

No old business or new business was given.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to adjourn the meeting at 8:23pm. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, March 2nd, 2015 @ 7:00 pm.

Respectfully submitted by,
Marcy Meitzler