

The meeting of the Douglass Township Board of Supervisors was called to order at 7:10 P.M. Attending were Chairman Tony Kuklinski, Vice-Chairman Fred Ziegler, Supervisor Alan Keiser, Solicitor Robert Brant, Josh Hagadorn from Gilmore & Associates, Maggie Dobbs from MCPC, Bob Dries, Chief Templin, Pete Hiryak, Mike Heydt, Cynthia O'Donnell and approximately 17 residents/developers.

Mr. Kuklinski led us in the pledge of allegiance. Mr. Kuklinski asked for a moment of silence for all the fallen police officers and their families.

Mr. Brant announced that there was an Executive Session at 6:30pm on pending litigation matters. Tony Sherr from Mayer, Mennies & Sherr, legal counsel to the Township's Elected Officials Liability Insurance Policy, was present to announce the settlement agreement proposal between Mr. Theil and Douglass Township. Mr. Sherr stated that the Township sought to recoup costs incurred to the Township involving the Mountain Mulch matter. This is to settle the matter and end all exposure to the Township or other individuals. Mr. Sherr stated that it is a monetary settlement, Mr. Theil will be reimbursed some of his legal fees by the Township's insurance company. Mr. Sherr stated that it was determined that there was no merit in Mr. Theil's counter claim against the Township. A resident asked for the amount of the monetary settlement, Mr. Sherr replied \$18,000.00. The Township is responsible for the policy's \$2500 deductible cost. Mr. Brant stated that the Board needs to make a motion to execute the document.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to Execute the Settlement Agreement Document between Mr. Theil and Douglass Township. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

The document will be public after all parties have signed the document. Mr. Brumwell said, how much Mr. Theil is getting for all the damage he did to Douglass Township, Mr. Sherr replied that it will probably amount to about half of his attorney fees. Mr. Sell asked if no stipulation was given that he cannot run for office, Mr. Sherr replied that you cannot have that stipulation. No other questions were given.

Mr. Kuklinski asked if there were any changes, corrections, or comments on the minutes of November 7th, 2016 Board of Supervisors Meeting, no comments, changes, or corrections were given.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to approve the minutes of November 7th, 2016 Board of Supervisors Meeting. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Mr. Kuklinski asked if there were any changes, additions, or corrections to the November 21st, 2016 Board of Supervisors Agenda, no changes were given.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to approve the Agenda of November 21st, 2016 as presented. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Gilbertsville Ambulance Report

Mr. Kuklinski read the GACAS Report into the minutes as follows: For the month of October 2016 GACAS handled 118 calls for service: 8 Boyertown, 5 Colebrookdale, 41 Douglass, 3 Earl, 43 New Hanover, 4 Pottstown, 9 Upper Pottsgrove, 1 Upper Frederick, 1 Hereford, 1 East Greenville Boro, 1 Pennsburg, and 1 Red Hill. Transports 78, 19 refusals, 4 no patient found, 14 cancellations, 3 expired on scene. 79 ALS calls dispatched, 39 BLS calls dispatched. Admission Summary Report: Lehigh 13, 9 Phoenixville, 46 Pottstown, 7 Reading Hospital, Quakertown/St Lukes 2, 1 Grand View. Truck 332-2 had 32 responses with mileage of 546, Truck 332-4 had 57 responses with mileage of 1269, 332-1 had 29 responses with mileage of 615 miles. 2016 calls to date: 1215. No questions were asked.

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

Fire & Rescue Report – Chief Ricky Smith

No report was available due to a fire call.

Gilbertsville No. 1 Report

Not represented.

Zoning Hearing Board

Berks-Mont Trading Co – requires zoning relief for expanding a non-conforming use, adding indoor/outdoor auction & flea market (P/A recommended approval, BOS comments/recommendation required). Mr. Brant stated that Mr. Keiser is recusing himself due to Mrs. Keiser being a member on the Zoning Hearing Board. The Board has concerns with traffic, noise, and other adverse impacts on the townhomes behind this property, they are not in favor of the proposal. The Board authorized Mr. Brant to attend the zoning hearing to oppose the proposal. Mr. Brant stated that the applicants are not present this evening so he will reach out to Mr. Becker with a courtesy call involving the matter. The hearing is set for December 1st, 2016.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler to **oppose** the Berks-Mont Trading Co variance request for expansion of a non-conforming use, adding an indoor/outdoor auction & flea market and authorize Mr. Brant to attend the zoning hearing on their behalf on December 1st, 2016. Keiser-Abstain, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Dolansky – County Line Road, expansion of non-conforming garage. (P/A recommended approval, BOS comments required). Mr. Picardi represented the Dolansky's stating that the property is located at 550 County Line Road with floodplain issues and the owner would like to enlarge his existing shed. Two variances are needed to expand the shed and setbacks. Mr. Picardi stated that the P/A recommended approval and we are also asking for the Board's recommendation. Mr. Brant stated that the Engineer and Board have been working on replacing the County Line Road Bridge which an easement is needed in order to construct a new bridge, the project is currently on hold however would your clients be in favor of providing the easement for the bridge, Mr. Picardi replied that his clients would be in favor of the easement for the bridge.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize Mr. Brant to send a letter to the Zoning Hearing Board stating the Board/s approval for the Dolansky variance requests under the stipulation that the Dolansky's would be in favor of providing an easement needed to construct a new bridge on County Line Road. Keiser-Abstain, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Police Department Report – Chief Templin

Statistics for October 2016: 380 incidents reported, 6 reportable accidents, 8 non-reportable, 23 criminal investigations, 9 criminal arrests, 73 traffic citations, 6 non-traffic citations, 0 parking ticket. Monies received by the Township \$7,427.80. Montgomery County Radio Project Update: Chief Templin stated that Motorola decided to scrap the portable radios in need of repair and replace these with brand new portable radios. The ship date is scheduled for December 15, 2016. These portable radios will be shipped out with the templates already installed making the time getting all the radios out to the municipalities in early January. The new portable radios will also have a GPS capability that the previous ones did not have. Chief Templin stated that CMERT is dissolving and asked the Board's authorization to meet with Solicitor Brant to dissolve the Ches-Mont Emergency Response Team (CMERT) Ordinance and create a new Ordinance under the Montgomery County Swat Western Region. The Board was in agreement with this request. No questions were given.

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

Open Space/Recreation Committee – Randy Romig

Mr. Romig said that the committee finalized a list of the purchases needed for the trout rodeo and discussed the number of fish needed. Ms. Wills stated that Junior High East should also be given flyers. Mr. Romig will make a list of schools that will receive the flyers. No other comments were given.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to accept the Open Space/Recreation Committee Report as given. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Engineer's Report – Josh Hagadorn, Gilmore & Associates

Mr. Hagadorn stated that Gilmore & Associates is reviewing revised plans for Holly Road and the Zern Tract. G&A is overseeing construction of the sidewalks at Cobblestone Crossing and Douglass Estates. Mr. Hagadorn asked for permission to work with Mr. Dries on the highway maintenance building construction for bid in January. Mr. Kuklinski asked how much money is remaining in the budget for this, Ms. O'Donnell replied that there is \$6,000.00 remaining. The Board was in agreement for Mr. Dries and Mr. Hagadorn to work together on the new highway maintenance building to prepare for bid in January. Mr. Sell said that the County Line Road Bridge is on hold but is all this engineering going to be good until it is actually built, Mr. Hagadorn replied that this falls under a general permit good for five years. Mr. Brant stated that remediation is required by DEP and that at this point it has not been acceptable to their standards however we do not know the timeframe for remediation, Mr. Hagadorn has sent out notices that we are in a holding pattern. Mr. Hagadorn stated that we would have to redo the engineering if they change the spec requirements. Mr. Brumwell asked how much is the cost for the maintenance building, Mr. Hagadorn said I am not involved in the cost of the highway building, Mr. Kuklinski stated that we do not know the cost of the building yet. Mr. Kuklinski commended Mr. Hagadorn for keeping costs in check. No other questions were given.

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

Solicitor's Report – Robert Brant

Oberholtzer Road – BMMA Sewer Line – Mr. Brant received an email from Mr. Karver as Solicitor to BMMA, advising that in the case of the Oberholtzer Road extension to serve one property with a failing on-lot sewer system, the Authority will agree, in writing, that it will not request that the Township require other neighboring properties located within 150 feet of the County Line Road line to connect. Should other abutting property owners request to connect, either now or in the future, the Authority will accommodate them and will allow owner connection to the line. The Oberholtzer Road property owner would be connecting to the BMMA line using a grinder pump and low pressure system. The Board has concerns that DEP will not consider this a long term solution and suggested that Mr. Brant convey their concerns to Mr. Karver.

Emergency Services Board Ordinance Amendment – The amendments to the ESB Ordinance are scheduled for advertisement on November 23, 2016 and for a public hearing to consider adoption on December 5th, 2016.

MCPC Planning Assistance Agreement – Maggie Dobbs from the County was present with the original contract for MCPC Planning Assistance that would renew January 2017, it is a three year contract. The P/A has recommended that this contract be renewed by the Board. The cost to the Township is \$33,610.50 for three years, 50% is of the cost comes from the County.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve the renewal of the MCPC Planning Assistance 3-year Contract. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

The Board asked if there were any questions for the Solicitor, Mr. Brumwell asked what outstanding litigations are there, Mr. Brant stated that there is only one pending which is the Quigley Bus Plan and that is moving through the P/A process. Mr. Brant stated that the Theil case and the Backenstose case have been settled. No other questions were given.

Applications which are pending but inactive:

Danny Jake – Hallowell inactive 2 years

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

Recycling Department Report – Andrew Duncan

Mr. Duncan was not present due to a fire call. In regards to the trash bids, the manager reported that all bidders were notified that the original bids were rejected and a simplified bid package was put together and advertised. A pre-bid meeting will be held Friday December 2nd, 2016, the bids need to be submitted by Friday December 16th, 2016, and the bid award will be December 19th, 2016. The Township intends to start the new contract on January 1st, 2017.

Highway Report – Mike Heydt

Mr. Heydt reported that Industrial Drive and Diehl Drive have been repaired. The road crew performed roadside mowing, helped with leave collection, cleaned Oberholtzer and Weller Road inlets, and are preparing for winter. We are still blacktopping. Mr. Stouch stated that some Townships are painting blue lines on the roads in remembrance of the fallen Law Enforcement Officers, could we paint blue lines on the sidewalk in front of the Township Building. Mr. Heydt stated that next year we will be tearing out the sidewalks in front of the building and replacing it as part of our parks program, Mr. Kuklinski stated that we will revisit this possibility next year. Mr. Heydt reminded everyone that leaves will be collected early this week because of the Holiday. No other comments were given.

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

Treasurer's Report – Cynthia O'Donnell

The total bills to be paid for November 2016 amount to \$477,298.11, the unusual bills were for A-1 Traffic for line painting, Bechtelsville Asphalt for blacktopping, G&B Shed for park/police storage, Highway Maintenance for paving supplies, ODB for the leaf vacuum repairs, Omega for the new fire wall, Solvency Fee, PMRS for MMO Obligations, we refunded PMRPC the balance of unused mini grant money, Waste Zero for trash bags, Radio Maintenance for highway radios, and Susquehanna Trust for workers comp insurance. Ms. O'Donnell handed the Board copies of the 2017 Budget worksheets for review and stated that hopefully a final budget review meeting will be on November 28th, 2016. Discussions have been very productive at the preliminary budget meetings. Mr. Brumwell said that in looking at the bills he thinks that \$7,000.00 is excessive for the Treasurer's fees for one month, not to mention her helper that was slid in there unnoticed, Ms. O'Donnell replied that she has always stayed within her approved budget. Mr. Ziegler stated that Ms. O'Donnell put a lot of work into the budget, also Mr. Kuklinski stated that Ms. O'Donnell does a very good job for the Township and Fire Company books and is confident in her abilities. Mr. Kuklinski asked for a motion of support by the Board for the Treasurer.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler for a vote of support by the Board of Supervisors for the Township Treasurer, Cynthia O'Donnell, to alleviate any fears the residents may have regarding the finance department. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser for authorization to pay the November 2016 invoices in the amount of \$477,298.11. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser to authorize advertisement of an additional budget meeting to be held on Monday, November 28th, 2016 at 5:30pm. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

No other comments or questions

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

Manager's Report - Pete Hiryak

1. The Manager reviewed the upcoming meetings as follows: Monday, December 5th, 2016 ESB @ 6pm, BOS Agenda Mtg @ 6:30pm, BOS Mtg @ 7pm. Thursday December 15th P/A Meeting @ 7pm, No Workshop.
2. 2017 Meeting Dates & Employee Holiday Schedule – the manager gave the Board a list of the proposed 2017 Meeting Dates & Employee Holiday Schedule for review.
3. 2017 Committees, Agencies, or Boards – the manager stated that any persons interested in serving on any Committees, Agencies, or Boards are to contact him at the office before we hold our Reorganization meeting in January. No questions were asked.

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

Public Comment

Mr. Stouch commented that the development off of Moyer and Cross Roads is talking about putting up low income housing bordering our Township this will have an impact on our roads and schools. Evan Brant, a Pottstown Mercury Reporter who has been covering the project for the newspaper, stated that it is 50 units in the Pottsgrove School District set for workforce housing. Mr. Stouch stated that he has concerns of the truck traffic with this proposal. It was noted that Cross Road in Upper Pottsgrove Township is unpaved at the development site. No other comments were given.

Old Business/New Business

No comment given.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adjourn the meeting at 8:10pm. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

The next regular Board of Supervisor's meeting will be held on Monday, December 5th, 2016 @ 7:00 pm.

Respectfully submitted by,
Marcy Meitzler