

The meeting of the Douglass Township Board of Supervisors was called to order at 7:34 P.M. Attending were Chairman Fred Ziegler, Vice Chairman John Stasik, Supervisor Tim Turner, Solicitor Charles Markofski, Robert Campbell, Cynthia O'Donnell, Pete Hiryak, Mike Heydt, Chief Templin, and 25 residents.

Mr. Ziegler asked Mr. Dodge to lead us in the Pledge of Allegiance.

Mr. Theil announced that he will be recording tonight's proceedings.

Mr. Ziegler asked if there were any changes or corrections to the minutes, no one replied.

On motion by Mr. Stasik, seconded by Mr. Ziegler, the Board approved the minutes of the March 7th, 2011 meeting. Stasik-Aye, Ziegler-Aye, Turner-Abstain. Motion passed.

Chief Templin presented the Police Report

February 2011 Statistics: 294 incident reports, 3 vacation notices, 1,502 business checks, 5 reportable accidents, 8 non-reportable accidents, 25 criminal investigations, 5 criminal arrests, 102 traffic citations, 11 non-traffic citations, 9 parking tickets, 8,306 miles traveled, \$6,296.50 money received by the Township. On March 15, 2011 we finished and sent out our Law Enforcement Survey in order to proceed in the next step of the Regional Police Study between New Hanover Township and Douglass Township.

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

Ron Ebert presented the Gilbertsville Fire Co. No.1 Report

Mr. Ebert stated that they are getting more breakfast business with the buffet, Sunday is busier than Saturday, and they are raising more money already. Mr. Ebert stated that #1 is going to try to repair the cement in front of Fire & Rescue, finish painting the trim outside, and improve the landscaping out front; we are getting a lot better than we were. Phyllis the new banquet hall manager is frequently showing the hall and is booking very well, parking is full. Mr. Ebert stated to come in and see what we are doing, check us out. Ms. Norton asked what days is breakfast served, Mr. Ebert replied Saturdays and Sundays. Mr. Brumwell asked for the breakfast times, Ron replied that now breakfast is from 8:00am until 12:00noon and they might possibly start opening at 7:00am depending on the turnout. Mr. Ziegler asked what times are the dinners, Ron replied that the dinners are Tuesdays, Wednesdays, Fridays, and Saturdays 5:00pm – 9:00pm and if we can get it going real good maybe we can open up for lunch and maybe breakfast but we want to take it step by step. No other questions were asked.

A motion to accept Gilbertsville Fire Co. No. 1 report was made by Mr. Ziegler, seconded Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Chief Smith presented the Gilbertsville Fire & Rescue Report

Fire report for February 2011: 2 fires, 3 brush/trash fires, 4 wires, 3 fire alarms/CO2 alarms, 5 Fire Police, 3 assists to other departments, and 4 special services for a total of 24 calls. The Fire Company was in service for 18 hours and 2 minutes. Members received Haz-Mat operations refresher. Mr. Ziegler asked if there were any questions for Chief Smith, Mr. Sell asked if anything more happened with the letter, Chief Smith stated that he thought we weren't discussing that anymore it's over, Mr. Ziegler stated that it is a dead issue. No other questions were asked.

A motion to accept the Gilbertsville Fire & Rescue report was made by Mr. Stasik, seconded by Mr. Turner. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Ziegler noted that Mr. Haddad just arrived from a previous commitment, would he like to add anything, Mr. Haddad replied that he had no report for tonight and that #1 and Fire & Rescue each gave their reports and he had nothing to add.

Mr. Robert Campbell presented the Engineer's Report

1. BUI/Jordan Drive Subdivision – Conditionally approved at the September 15, 2008 meeting. Resolution approved at October 6, 2008 meeting. Resubmission received October 21, 2008. Review letter dated November 3, 2008.
2. Hollenbach – Warehouse Expansion – Conditionally approved at the May 5, 2008 Supervisors meeting. Final plans and financial security request have not been received.
3. Hallowell (Danny Jake) – Received latest plan revision dated September 2008 along with the list of improvements. The list of Improvements has been finalized.
4. 400 Gilbertsville Road – Received Conditional Preliminary/Final approval from the Planning Agency. Outstanding items are administrative and permitting.
5. Windemere Subdivision – Need to complete final stabilization in the spring.
6. AAA – Dunkin Donuts – Met on Thursday, July 22, 2010 and discussed outstanding items including overall site clean-up, mulching, and guide rail.
7. Cobblestone Crossing-Phase 3- Project currently on hold during pending sale of development.
8. Smith Road Bridge – See Solicitor's Report.
9. Gambone Property presented a plan before the Planning Agency on March 10, 2011.

Mr. Ziegler asked if there were any questions for the Engineer, Mr. Dodge asked if the surrounding strip malls were taken into consideration with the Gambone property sketch. The Engineer stated that Mr. Gambone's input was just one scenario in the beginning of a long process. Mr. Link commented that Centro Properties has been bought out by Blackrock and that maybe now something can be done with the Boyertown Plaza. The Engineer stated that the issues with that property are traffic lights and turning lanes. No other questions were asked.

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

Mr. Markofski presented the Solicitor's Report.

Smith Road Bridge/Cobblestone Crossing – I had a conference call on March 18, 2011 with the attorneys for Beazer and Stewart & Conti. I was once again, asked to agree and recommend to the Board that the Developer's Agreement which would bind Beazer not include the Smith Road Bridge project and that Stewart & Conti remain solely liable for the bridge's construction. I opposed this position. Although I recognize that funds would be escrowed to complete the bridge if Stewart & Conti failed to do so, we could find ourselves in the unenviable position of dealing with a potential work stoppage on the bridge while Beazer finished out Phase III. In that Stewart & Conti would no longer have any holdings in the profitable aspect of the development, we would be left with little or no leverage to compel Stewart & Conti to complete the bridge. The argument that we would have access to the funds would really just leave us with the hardship of having to complete the bridge ourselves or having to find another developer to do so. Litigation to secure the escrowed funds, especially in a bankruptcy situation, could take months, if not years, to complete. The apparent reason for this deadlock, according to the attorney for Beazer, is that Mr. Conti believes that he can construct the bridge for less than the estimates which Beazer had put on the Bridge's construction in the proposed sale. Beazer proposed that there be an assignment of the developer's agreement from Stewart & Conti to Beazer and a substitution of bond/escrow. I reserved judgment on the arrangement until I reviewed the proposed assignment which they agreed to produce expeditiously. The parties also requested a staff meeting to discuss the matter before the April 4th, meeting. One of the topics would be the extending of some project deadlines. Mr. Pizonka & Mr. Conti were present to ask the Board for a separate developer's agreement to allow Mr. Conti to build the bridge. Mr. Conti is in the process of selling the remainder of Phase III to Beazer and is unsure when settlement will take place, the present developer's agreement is for Stewart & Conti to do the bridge and finish phase III. Beazer will have to agree to a new developer's agreement with the Township for phase III. Mr. Markofski's opinion was not to make a separate agreement. Mr. Turner expressed his concerns regarding Mr. Conti's request, that Mr. Markofski will be present

at the settlement table to represent the Townships interest in the agreement regarding the bridge, and that there is enough cash escrow in the bank account to complete the bridge if the construction portion is not finished before settlement. He asked Mr. Conti for his word that he has the money available to build this bridge and that he is not counting on the sale to Beazer to finance this bridge, Mr. Conti replied, "yes, I have the money for the bridge available to be drawn from the bank". Mr. Pizonka, Mr. Conti's attorney, stated that there will be an irrevocable escrow set up in the bank account. Mr. Turner also asked Mr. Campbell for his word that we have enough held in escrow to build this bridge, Mr. Campbell replied, "yes the money is in escrow". Mr. Turner stated I am holding both of you at your word. Mr. Conti stated that Terre Hill should complete the bridge fabrication in five weeks and he is hopeful that the bridge can be completed in June 2011. The Manager stated again that he wants to give the school district as much notice as possible before the road is closed. The Treasurer asked who would be paying the pending invoices for engineering and solicitor fees, Mr. Turner stated Mr. Conti will you be taking care of these invoices, Mr. Conti asked how much money is it, the Treasurer replied \$16,000.00. Mr. Conti stated that he will draw the fees for the engineering and solicitor out of the bridge money that he has available at his bank. The Treasurer will supply Mr. Conti with the invoices. Mr. Markofski was instructed to set up a staff meeting with Beazer, Supervisor Turner, and Mr. Conti to iron out details.

A motion was made by Mr. Turner, seconded by Mr. Ziegler to approve a separate developer's agreement for Stewart & Conti to widen the road and build the Smith Road Bridge with the deck cover to be asphalt, a bond must be posted for the balance and the engineer will figure out the costs including Mr. Campbell's time, Mr. Conti will pay the pending invoices for engineering and solicitor fees involving the Smith Road Bridge. Stasik-Aye, Ziegler-Aye, Turner-Aye

Applications which are pending but inactive:

Danny Jake – Hallowell	inactive 2 years
Cobblestone Commons	inactive 1 year
Weis Markets	inactive 6 months
Bui Jordan Drive	inactive 1-1/2 years

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

Mr. Duncan presented the Recycling Report

Month of February/March 2011 – 2 loads of cardboard were taken to Reading, 1 load of light iron, 1 load of aluminum, and 1 load of stainless steel. We are now selling mulch at the recycling center on Wednesdays and Saturdays. Please pay inside before getting loaded. Montgomery County Community Service completed a roadside trash cleanup on the first week of March on all the main roads in the front end of the township including Route 100. I will be looking to schedule another cleanup in the fall. We have received the check for our 2008 904 recycling grant in the amount of \$44,482.00.

A motion to accept the recycling report was made by Mr. Stasik, seconded by Mr. Turner. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Heydt presented the Highway Report

March 8, 2011 – March 21, 2011: Started to clean up snow equipment on rainy days, fixed pipe along Congo Road, fixed various potholes, trimmed on Swinehart Road, covered salt bins at highway department, started mowing brush along road, Andy cleaned up outside of Administration building and mulched, started cleaning out inlets for MS4 report, and repaired all truck chains for next year. No questions were asked.

A motion to accept the highway report was made by Mr. Ziegler, seconded Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Heydt presented the Zoning Report

Mr Heydt stated that two large permits were issued, one for a finished basement and one permit for an addition. Two small permits were issued, one for solar panels and one for a large sign. Mr. Heydt stated that at the last meeting he was instructed to write a letter notifying a resident to move a shed that was in violation of setbacks, he did send the letter and the resident has indeed moved his shed to be in compliance with the setbacks. Mr. Heydt stated that he had a meeting involving the billing of permits for electric, and plumbing. The State is going to be increasing their fees in the near future. Mr. Turner asked what is PennDot doing with stone and mulch at the Rt. 100 ramps, Mike stated that he will contact Mr. Houseknecht and ask him. Mr. Hiryak informed Mr. Heydt that there are some potholes that need to be fixed on Yoder Avenue. Mr. Brumwell asked if someone damaged their vehicle in the Township parking lot, Mr. Heydt and the Manager replied that a couple of years ago someone drove over the cement barriers but nothing happened recently. Mr. Ziegler asked if there were any questions, no one replied.

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

Cynthia O'Donnell presented the Treasurer's Report.

1. Authorization to pay the bills. The unpaid bills totaled \$140,730.11. This included invoices for American Rock Salt - \$22,464.65 out of liquid fuels, H.A. Thomson Co. for \$1,225.00, PMRPC for \$3,000.00, Signal Service for \$4,214.61, and Stratix Systems for \$1,640.00. Road salt total expense to date is \$59,871.33, with a \$50,000/00 budget. Now that we are one quarter through the year, I will try to meet with each department head to review their actual vs. budget to date and have for next month any budget amendments that may be necessary.

A motion for authorization to pay the bills was made by Mr. Turner, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The Treasurer also stated that Omega was at the Township on March 4, 2011. Installation of internet access in the emergency response room has been completed. Email was set up for Andy Duncan, and web email was setup for the EOC coordinator. Also, two shared network drives were set up, one for the police and one for the Township office. Betty's desktop computer was replaced after it became non operational. The software we previously used for maintaining the website is no longer available, so we will need to obtain training on the new software. The form AG-385 certification form and personnel roster will be filed with the Auditor General before March 31, 2011. This report must be filed to receive the state aid for pension plans and to receive the foreign fire insurance tax. We received our Recycling Program Performance Grant in the amount of \$44,482.00 and the money was deposited in the bank on March 18, 2011. Regional police study financial data was completed and submitted. Invoicing for baseball field signs for the 2011 season will be done within the next month. We budgeted for 16 signs at \$150 for a total of \$2,400. The Treasurer stated that we need to set up an escrow account with Beazer Homes, the Board stated that Mr. Markofski will inform Beazer of the escrow fees needed, the Manager will prepare the costs for Mr. Markofski to forward to Beazer Homes. The Treasurer commented that the trash bag sales usage at this point in time is the same as last year at this time. Mr. Ziegler asked if there were any questions for the Treasurer, Mr. Sell asked why we only got the 2008 grant money now, the Treasurer stated that it is always two years behind. Mr. Hiryak asked if all the developers are paid up to date, the Treasurer replied that the only problems are a disagreement in billing with the Gambone Organization and open invoices for Kane-Core and she mentioned that Kane-Core is out of business. Mr. Conti will be paying his fees. No other questions were asked.

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

Pete Hiryak reviewed the Manager's Report.

1. The Manager reviewed the upcoming meetings as follows: **Board of Supervisors Meeting Monday, April 4th, 2011 @ 7:30pm. Planning Agency Meeting Thursday, April 14th, 2011 @7:00pm, Renters Ordinance 6:30pm. Mainstreet Revitalization Committee – next meeting April/May.**
2. Traffic Ordinance Amendment (RV Parking), Public Mtg Monday, April 4th, 2011, will be advertised.
3. 400 Gilbertsville Road – Presentation of 9-lot subdivision plan & resolution Monday, April 4th, 2011.
4. Rt. 100 Corridor – Planning Agency started review of non-residential properties, 4/14/11 packet for BOS to review.
5. 2010 Census Numbers – 10,195 – there will be more information in the next few months.
6. 2011 BMMA Projects – Copies to Board of Supervisors.
7. Special Fire Police – Larry Bandura – the Manager stated that the required background checks were returned and we need an approval from the Board. Mr. Ziegler asked if everything came back alright, the Manager stated yes. No other questions were asked.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to approve the addition of Lawrence Bandura to the list of available Special Fire Police for Douglass Township, Montgomery County. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

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

Public Comment

Mr. Brumwell asked Mr. Haddad if we shouldn't get a spreadsheet on the Fire Companies finances, Mr. Haddad replied that #1 has been finalizing theirs and Fire & Rescue are completing their report now. No other public comment was given.

Old Business or New Business

Mr. Dodge was present to give the Open Space Committee report- Mr. Dodge stated that they still need funding and volunteers for the trout rodeo it is from 8:00am – 2:00pm on Saturday, April 30th, 2011. Mr. Mashintonio reminded Mr. Dodge that port-a-potties need to be scheduled for the rodeo. No other business was brought up.

A motion to adjourn the meeting at 8:40pm was made by Mr. Stasik, seconded by Mr. Ziegler. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, April 4th, 2011 @ 7:30 pm.

Respectfully submitted by,

Marcy Meitzler