

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 40 residents.

Mr. Ziegler asked Sam Hunter to lead us in the Pledge of Allegiance.  
Mr. Theil announced that he will be recording tonight's proceedings.

Mr. Ziegler announced that the scheduled Executive Session has been postponed until next Board meeting when more information is gathered. Mr. Ziegler asked if there were any changes or corrections to the minutes, no one replied.

On motion by Mr. Turner, seconded by Mr. Stasik, the Board approved the minutes of the May 2, 2011 meeting. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

### **Chief Templin presented the Police Report**

April 2011 Statistics: 385 incident reports, 5 vacation notices, 1,029 business checks, 4 reportable accidents, 11 non-reportable accidents, 33 criminal investigations, 7 criminal arrests, 105 traffic citations, 12 non-traffic citations, 4 parking tickets, 7,323 miles traveled, \$10,689.39 money received by the Township. Individual statistics were given to the Board. JNET (Pennsylvania Justice Network) is an online site where our police department can access driving records, registration records, criminal history information, and look up wanted subjects through C.L.E.A.N. (Commonwealth Law Enforcement Assistance Network) and through N.C.I.C. (National Crime Information Center). C.L.E.A.N. is in the process of upgrading to a web browser interface. This change will allow existing JNET users access to CLEAN/NCIC through JNET through a direct connection. Since agencies will now directly connect to CLEAN, the FBI mandates that specific administration policies be followed. This will require our police department enter into an agreement with the Pennsylvania State Police, requiring signatures from the Chief of Police and a Township Supervisor before any conversion/upgrade takes place. This conversion/upgrade is at no cost to the Township. Failure to do so will jeopardize our police department's access to CLEAN/NCIC as all current connections through JNET to CLEAN will be converted to the new web browser. I have provided a copy of the agreement to our solicitor for his review and if there are no problems, I would need a Township Supervisor's signature. This packet would then need to be sent to the Pennsylvania State Police for Lt. Rivera's signature and approval.

A motion was made by Mr. Stasik, seconded by Mr. Turner to approve an agreement between the Douglass Township Police Department and the Pennsylvania State Police for use of C.L.E.A.N. (Commonwealth Law Enforcement Assistance Network). Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

As I had informed the Board before, I narrowed our search for a part-time officer to one candidate and three alternates. I prepared packets for each supervisor on April 19, 2011 to review. Summer is almost upon us and the addition of this part-time officer is greatly needed. I was looking for permission to proceed, barring any input from the Board. Mr. Ziegler tabled this for discussion possibly at the next Board meeting. No other questions were asked.

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

### **Mr. Haddad presented the Trustee's Report**

**Financial Report To Residents** – The Trustee will meet with those members of Township that want to learn more about the financial operation of Fire & Rescue and GFC No. 1. I have prepared summaries that are easier to understand than the accountant prepared financial statements and I shall be meeting with interested parties at 7:00PM on Monday, May 16, 2011 at the Township Building.

**Financial Statements of F&R** – I received the financial statements for F&R as prepared by Maillie Falconiero (M&F) on Sunday evening, May 15, 2011. I find the statements lacking in the detail that any operating organization would need to understand their performance. Although the statements may meet the standards of generally accepted

accounting principles, the lack of detail in specific areas such as contributions, bingo operation, rent expense and donation to and from GFC No. 1 is of concern.

**Future Accounting Services for F&R** – The accounting fees for F&R for 2010 were \$9,901. I had recommended to F&R for 2 years to permit the same bookkeeper that assists GFC No.1 with Cindy O’Donnell’s supervision, prepare the budgets and financial statements for F&R. The members of F&R have agreed to the change and the Township Supervisors have approved Cindy’s assistance. I shall work with Cindy and the treasurer of F&R to put this transition into effect ASAP. Reinhart & Co. CPA’s will prepare the annual form 990 for F&R as they do for GFC No. 1.

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

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

Mr. Ebert commented that they are starting to see the light without asking for any handouts. Breakfast is packed. The banquet hall manager is aggressive and is already booking the hall for 2013. We are starting to make some money. We are working on two pads and the roof for bingo. Come in and check us out. Mr. Ziegler commented that he has been in there and Ron and the staff are doing a wonderful job and the food is good. Mr. Ebert stated that they are trying to work together. No questions were asked.

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

**Chief Smith presented the Gilbertsville Fire & Rescue Report**

Fire report for April 2011: 2 fires, 4 brush/trash fires, 2 fire alarms/CO2 alarms, 1 vehicle rescue, 1 Medivac Landing, 3 Fire Police, 3 assists to other departments, and 4 special services for a total of 20 calls. The Fire Company was in service for 17 hours and 53 minutes. On April 30<sup>th</sup>, 2011 members helped at the fish rodeo making sure everything was safe. Two weeks ago the two back garage doors were installed. Mr. Ziegler stated that the Fire Chief was doing an excellent job. No questions were asked.

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

**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 – Met on April 27, 2011 to discuss comments from the Board at the April 18, 2011 meeting. Submitted revised plans dated May 5, 2011 to incorporate Board Comments. See Solicitor’s Report.
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- Purchased by Beazer.
8. Smith Road Bridge – Demolition is complete. Concrete sub footers have been poured for half the bridge. Footers to be installed this week. Bridge components to be installed beginning Wednesday, May 18, 2011.
9. Berwind II was presented before the Planning Agency development. The Planning Agency did not recommend full buildout at a proposed 77 lots and was not willing to consider acceptance of the

proposed unimproved open space for dedication to the Township. Suggested the developer pursue the by-right option with a 58 unit development, plus agreed to additional units in lieu of the existing house. P/A also requested consideration for active recreation both within the development and outside the development.

10. St. Luke Knolls – Presented a plan to subdivide into a lot containing the accessory buildings(New Lot)and a primary residential unit lot. The existing property is a non-conforming lot which would remain non-conforming. No additional non-conforming features would be created by the subdivision. We recommend an easement be provided through the existing St. Luke Knolls to the New Lot. Existing structures are proposed for demolition; therefore parking would not be required in accordance with zoning code. Developer wishes to change zoning on the New Lot from R-2 to Institutional. Planning Agency recommended approval of the subdivision of the lot contingent upon resolving the comments in letters from the Engineer and MCPC. We have no objections. Mr. Aston presented the plan to the Board. Mr. Markofski stated that since Mr. Stasik is on the Board at St. Luke Knolls he will be abstaining from any decision in this matter. Mr. Stasik stated that St. Luke Knolls owns the property and wants to subdivide the house area with its own access for resale to recoup some of the costs for purchasing the property. Mr. Turner commented that why don't we vote tonight on the subdivision and a zoning map change instead of making Mr. Aston return, the Board was in agreement.

A motion was made by Mr. Ziegler, seconded by Mr. Turner to approve the subdivision plan for St. Luke Knolls. Stasik-Abstain, Ziegler-Aye, Turner-Aye. Motion passed.

A motion was made by Mr. Turner, seconded by Mr. Ziegler to advertise a public hearing notice for a zoning map change for St. Luke Knolls. Stasik-Abstain, Ziegler-Aye, Turner-Aye. Motion passed.

11. Cobblestone Commons-Planning Agency recommended change of zoning from a split zoned lot to all commercial.

Mr. Campbell also stated that he has the Market Street cost estimate draft for the Board's review; however he will be revising some things. Mr. Ziegler asked if there were any other questions for the Engineer, Mr. Schreiner asked about the proposed Berwind II, that now it will have no construction on the other side of the creek and open space must be active open space, Mr. Campbell stated that is correct. No one else replied.

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

**Mr. Markofski presented the Solicitor's Report.**

**400 Gilbertsville Road** –The plans for the 400 Gilbertsville Road Subdivision have been revised as of May5, 2011 with a revised waiver request letter of the same date. On sheet 1 of the revised plan, notes 12 and 13 have been added. Note 12 provides “the stormwater management basins located on lots 4 and 5 and the street light adjacent to lot 1 shall be perpetually maintained by an established homeowners association”. Note 13 provides “no pools shall be permitted on lots 4 and 5.” On sheet 3 of the revised plans, a sidewalk and street light has been added to the plan. On Sheet 8 of the revised plans the BMP Maintenance Notes have been revised to indicate that a homeowners association will maintain the stormwater basins. On Sheet 15 of the revised plans, the sidewalk details have been added to the plan. Our engineer has had an opportunity to review the revised plans and approve the changes. In the event the Board votes favorably on this proposed development, I have a revised resolution for the Board's consideration. Counsel for the developer has requested a staff meeting. It has been requested that this meeting take place prior to the next scheduled Supervisor's meeting.

A motion was made by Mr. Turner, seconded by Mr. Stasik to approve the revised plans and resolution for the 400 Gilbertsville Road Subdivision. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

**Regional Police Study** – We received a letter from New Hanover Township Manager, Edward C. Wagner, dated May 10, 2011 indicating that the Board of Supervisors in New Hanover Township came to the conclusion on May 9, 2011 that the Regional Police Study should be placed on hold for one (1) year. Mr. Wagner advised that this action was taken in order to provide time for their newly hired Chief of Police to get acclimated to running the department as well as the community at large. The Board concluded that by giving Chief McKeon time to evaluate the inner operations of the Department, the overall process of the Regional Police Study would be enhanced. It is my understanding that if the study is discontinued at any time and for any reason, we would be forced to start from scratch in the future. All the information which we have provided to date will have to be updated and revised. Mr. Brumwell commented that we are wasting our time and money with this; we already have a very competent Police Chief. Mr. Markofski stated that all the officers and both police chiefs would have to apply as an independent process. Mr. Ziegler stated that from start to finish it would take 4-5 years.

**Cobblestone Crossing/Smith Road Bridge** – On Wednesday, May 11, 2011, I attended the real estate settlement between Stewart & Conti Development Company and Beazer Home Development which included the transfer of Cobblestone, Phase III. Land Development Agreements were finalized after extensive consultation with Pennoni and Associates and the parties. I am presenting copies of the Land Development Agreements for your consideration and approval. One of the Agreements pertains to the completion of Smith Road Bridge by Stewart & Conti. The other agreement pertains to Cobblestone, Phase III with Beazer. Stewart and Conti posted a cash escrow in the amount of \$801,640.81 which I obtained at settlement and paid the outstanding engineering fees which exceeded \$17,000. Beazer Homes Corporation posted a Performance Bond in the amount of \$910,492.58 which I have also delivered to the Township. Mr. Markofski presented the Board with the completed & executed agreements.

A motion was made by Mr. Ziegler, seconded by Mr. Turner to approve and sign the completed and executed Land Development Agreement for Cobblestone Phase III with Beazer Homes Corporation and the Smith Road Bridge Completion Agreement with Stewart & Conti Development Company. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Heydt asked for the Board's approval to allow Beazer to now take out building permits, the Board was in agreement to allow Beazer to take out building permits to construct houses in Cobblestone Phase III now that settlement has taken place and the developers agreement has been completed, executed, and signed. Mr. Markofski stated that we have learned that an improperly located UGI pipeline was found in the bed of Smith Road and must be relocated. UGI has offered to relocate the pipe and Stewart and Conti has pledged to take care of this matter without involving the Township. In this regard, I received a written notification from Mr. Stewart advising that the gas line will not be the responsibility of Douglass Township. I have a copy of that letter for the Board's perusal.

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. Ziegler, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

**Mr. Duncan presented the Recycling Report**

Month of April 2011 – 2 loads of cardboard were taken to Reading, 3 loads of light iron were taken to Pottstown. The chipper was out to 10 residences for curbside chipping this month. All 10 residences were exempt from payment. We

need to re-evaluate the chipping program and see if any changes need to be made to make the program more successful. We are now selling mulch at the recycling center on Wednesdays and Saturdays. Please pay inside before getting loaded. We are just about out of the wood mulch. I would like to start calling for bids to have our current pile of brush chipped up in the next month or so. I believe we will only need a machine for 1 day, which the going rate is usually \$2,500.00. Mid June would be my target date for grinding. First Energy/Met-Ed sent a notice out stating that they will purchase old refrigerators that are still working for \$50 with stipulations, so if you interested give FirstEnergy/Met-Ed a call. Mr. Ziegler stated that he stopped in at the recycling center and told Mr. Duncan that he and his men are doing a great job, it is apparent that you take great pride in the keeping of the recycling center. Mr. Duncan stated that they will be pouring two pads at the center with the help of Mr. Heydt and the highway department, Mr. Heydt added that PennDot will be giving us some millings that we will be adding to these areas. Mr. Brumwell commented that it appears that with the amount of curbside chipping being done some residents are running a business from their home. Mr. Carl Hiryak commented that the burn ban brought this all on. No other questions were asked.

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**

May 3, 2011-May 16, 2011: Finished grading dirt roads, patched potholes, repaired inlet on Mill Street and Buchanan Drive, cleaned out ditch along Hallowell Road, dug out and repaired some bad spots on Swamp Creek Road, doing maintenance on roadside mower to start mowing on Wednesday, patched Papermill Road on the northeast side. We are regrading the parking lot with millings from PennDot. Mr. Ziegler asked Mr. Heydt to provide the Board with a report of his proposed maintenance plans per month. Mr. Heydt stated that he will provide the Board with a report. No other questions were asked.

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

**Mr. Heydt presented the Zoning Report**

Mr Heydt stated that 4 large permits and 14 small permits were issued for April totaling \$3,095.10. There will be 4 commercial business permits for next month. Mr. Ziegler asked if there were any questions, Mr. Ebert asked if Mr. Heydt sent the engineer out to his property yet, Mr. Heydt replied not yet but probably next week. Mr. Sell asked who was running the grader, parked it and went home; Mr. Heydt stated he will look into it. Mr. Heydt commented that he was thinking about doing some dirt roads with the millings from PennDot and using the blacktop box to make it nice. Mr. Schreiner from Cronrath Road commented that he is very happy with what Mike Heydt and Peter Hiryak are doing with a business related issue on Cronrath Road. Mr. Walsh addressed the Board stating that he owns the business on Cronrath Road that Mr. Schreiner is referring to and he is doing his best to resolve these issues and complaints on his property, however is it going to satisfy Mr. Schreiner or is this going to drag on with more complaints. Mr. Hiryak stated that Mr. Walsh has been operating a home occupation for approximately 10 years; he has expanded with number of workers, machines, etc. Mr. Schreiner came to the Township questioning this business, there has been much progress with the clean up process and we talked to Mr. Schreiner earlier today and he is satisfied with the clean up and just came tonight to comment on the progress. No one else replied.

A motion to approve the Zoning Report was made by Mr. Stasik, seconded by Mr. Turner. 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 \$124,979.90. These included invoices for Bergey's Tires for \$2,406.24, Boyertown YMCA for the first Summer Rec Program payment of \$1,507.00, Michael Conrad for trout rodeo fish \$501.00, and National Patent Analytical Sys Inc. for \$518.39.

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.

Expenses to date for Market Street are \$5,982.25 in engineering fees. The General Fund income for 2011 to date is 1.0% (\$15,201) behind last year's income to date. However, our 2011 budgeted income of \$2,777,030 is 2.0% less than the 2010 actual income of \$2,835,883. Certificate of Deposit Investments are earning a weighted average of 2.42% for the General Fund. The weighted average is dropping slightly; as CDs mature they are replaced by CDs earning a lower rate. We do have several longer term CDs earning between 3% and 4%. Revenue is being received for the baseball field sign fees. There is room for an additional 22 signs on the fence. We received additional escrow monies of \$35,000 from Beazer Homes Corp. The financial security escrow for the Smith Road Bridge was received in the amount of \$801,641 and the escrow account has been opened. The Douglass Township Fish Rodeo was held on Saturday, April 30. Total donations received are \$3,481.85, including \$206.85 received the day of the fish rodeo in the donation jar. Total expenses are \$2,947.29. The net remaining is \$534.56. The money is tracked separately in our accounting records, so that the net can be carried over to future community events.

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, June 6<sup>th</sup>, 2011 @ 7:30pm, Planning Agency Meeting Thursday, June 9<sup>th</sup>, 2011 @7pm/Revitalization Committee/Market Street Meeting @ 6:15pm prior to P/A Meeting.
2. Planning Agency Meeting –May 12<sup>th</sup>, 2011
  - a. Berwind II – Incorporate changes to be presented to future P/A Meeting.
  - b. Paper Mill Road Annexation – Annexation creates conforming lots.
  - c. Cobblestone Commons, Rt73 – Proposing all commercial zoning.

The office has received numerous calls about manure that was put in fields on Smith Road. DEP and the Soil Conservation District have looked into the matter and it was determined that it was composted pig manure.

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

**Public Comment**

Ms. Disanti from Wren Road stated that she talked with Mr. Heydt about mowing an abandoned property on Thrush Drive; Mr. Heydt commented that the grass is too high for our park mower to do the job properly, how should he proceed. Mr. Link suggested contracting it out to a mowing company, the Board agreed to have Mr. Heydt contract a private mowing company to mow the yard and bill the property owner for the work. Also Ms. Disanti complained about parked cars and junk covered with tarps at 401 Thrush Drive. Mr. Heydt stated that he will check into this matter. Mr. Link commented that new residents in the area are mowing the grass into the streets clogging drains causing underground water runoff problems, aren't there any regulations against this? Mr. Ziegler stated that we will take a look at this. No other comments were made.

**Old Business or New Business**

Mr. Dodge stated that the open space committee is examining the 5 year old plan making sure that we are allocating our land as soon as possible. We are getting signage up to comply with the County. Mr. Carl Hiryak asked what benefits or returns do the residents get for spending money to put up signs. Mr.

Turner stated that it is an unfunded mandate. Mr. Brumwell commented that the County required us to have the signs installed. No other comments were made.

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

Mr. Stasik commented that on a number of occasions, I have witnessed a resident entering a number of staff offices, speaking loudly and disrupting Township business. A resident came to my home and shared a similar experience where a resident was in the Township conference room shouting at the Township Manager. The manager was not shouting back. In light of this the following motion was proposed.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler that residents and guests shall remain in the Douglass Township foyer, they shall not enter any of the Douglass Township staff offices, conference room, or Board Room, unless there is a scheduled meeting and the resident is a member of that group, or has been invited to join the meeting, or it is a public meeting. Should the resident or guest become unruly, loud, boisterous, and does not refrain from said actions when asked by staff members, the Chief or available officer shall escort the resident from the premises. A "Police Incident Report" shall be completed and filed for possible future action. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

A motion to adjourn the meeting at 8:58pm was made by Mr. Ziegler, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, June 6<sup>th</sup>, 2011 @ 7:30 pm.

Respectfully submitted by,

Marcy Meitzler