

The meeting of the Douglass Township Board of Supervisors was called to order at 7:30 P.M. Attending were Chairman Fred Ziegler, Supervisors Tim Turner and John Stasik, Solicitor Charles Markofski, Robert Campbell, Cynthia O'Donnell, Pete Hiryak, Mike Heydt, Chief Templin, and 35 residents.

Mr. Ziegler led 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 July 18, 2011 meeting. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Chief Templin presented the Police Report

July 2011 Statistics: 418 incident reports, 6 vacation notices, 1,177 business checks, 3 reportable accidents, 10 non-reportable accidents, 23 criminal investigations, 4 criminal arrests, 92 traffic citations, 3 non-traffic citations, 4 parking tickets, 7,172 miles traveled, monies received \$6,939.18. Update on the County Commissioner's Radio Upgrade Proposal: of the 32 Municipalities that responded to the County Commissioners, 30 voted to support the upgrade, 10 voted to oppose the upgrade, and 2 were non-committals. A lot of municipalities did not respond. On August 31, 2011 the County Commissioners will have a meeting to discuss the project further before their vote in September. I will continue to keep the Board informed of any new developments. The individual officers' statistics for July have been given to the Board of Supervisors.

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

Garry Schmoltze presented the Ambulance Report

Mr. Schmoltze stated that for the month of July there were 104 calls: 78 patients were transported, 15 cancellations, 8 refusals, 2 care transferred to medivac. 41 calls for Douglass Township, 27 calls New Hanover, 1 Bally Boro, 1 Bechtelsville Boro, 9 Boyertown Boro, 4 Colebrookdale Twp, 1 East Greenville, 7 Pennsburg, 6 Pottstown, 4 Upper Frederick, 1 Upper Hanover, 1 Upper Pottsgrove. Four members of Gilbertsville Area Community Ambulance Association were awarded life saving citations from a cardiac arrest save in New Hanover Township. GACAS and Montgomery County Department of Public Safety presented plaques and lifesaving pins for their uniforms for the save. Those honored were: Assistant Chief Ian Hoffman, Captain/Paramedic Sean Haag, Lieutenant/EMT Matt Swanson and EMT Kevin Dugan. GACAS is forming a safety committee through guidelines provided by the Commonwealth of Pennsylvania. After the committee is established and approved and has six consecutive meetings GAGAS will save approximately 5% off their workmen's compensation costs. New estimates for workmen's compensation are being bid out now and pricing is running around \$54,000.00. Three more volunteers were brought onto the crew this month, so now we have a total of fifteen volunteers.

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

Mr. Haddad presented the Trustee's Report

WATER USE SETTLEMENT-I sent a message to the Township Manager on July 27, 2011 advising the insurance carrier, CHARTIS, for the water contamination problem is now asking the fire companies and township to request an amount of compensation for the water usage for the next 20 year period. It would actually be for a period on about 18 years as Chartis has been paying the water charges for GFC No.1 for 2 years. Previously, Chartis was working on an offer but they have changed the burden of determining a fair value for future use and compensation to the fire companies and township. Chartis is requesting that when an amount is agreed upon, a release be signed by GFC No.1; F&R, and Douglass Township. Since there are 2 parties involved from the user side, I suggest a meeting be held with a representative from GFC No.1, F&R, and Douglass Township to select an attorney to represent all interests since the

three parties do not have an adverse interest to each other. This should be done promptly, and asked for Manager Peter Hiryak's help to set up a meeting. **CHANGE OF MANAGERS AT GFC NO.1**-It has been recognized for some time that a business manager change was needed at GFC No.1. For the past 4 months, Phyllis Kerr has been the banquet and event manager and has done an excellent job. Accordingly, Phyllis Kerr has been appointed the business and general manager of GFC No.1 in addition to being in charge of booking banquets and special events. This change was effective as of Friday, August 12, 2011. In order to have GFC No.1 operate as a business should, it is requested that all day to day questions and issues of operation together with hall and event bookings be directed to Phyllis and that all matters of policy and procedure be directed to the President of GFC No.1, Terry Sacks. Following this chain of command will eliminate the confusion and misunderstandings that have been evident and experienced in the past. Everyone's cooperation in respecting this chain of command will be appreciated. Ron Ebert asked if I am out, Mr. Ziegler replied you are not out; please just let it settle down. In reference to the water contamination problem Mr. Theil asked why do you or everyone else have to put a money value on it. Mr. Haddad stated that we have to project the next 10-15 years of water use to bring this to a head for settlement. Mr. Markofski stated that there may be a Statute of Limitations where you may have a limited time to submit a claim, is this the case? Mr. Haddad replied that he did not know if there is a Statute of Limitations on the water claim, I have never seen anything on it. Mr. Markofski stated that it is not unusual to submit a set amount for compensation.

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

Terry Sacks presented the Gilbertsville Fire Co. No.1 Report

Mr. Sacks stated that July and August has been slow. Every weekend is booked in September and October. Phyllis was on the air about Bike Night and last year we started to have a car show and pig roast combined in October, flyers have been printed. Mr. Renninger questioned about the missing money. Mr. Sacks replied there was no missing money; there was an automatic withdrawal that was missed. The Treasurer stated that in the checkbook there was a math error in Excel that was found by the bookkeeper so there is no missing money. Mr. Sacks stated that there will be a road closure for Bike Night same as last year and the car show will be a judged car show, trucks are also allowed in the show. Mr. Theil commented that it was Mr. Ziegler who made the announcement at the last meeting that there was money missing, Mr. Ziegler replied that he stated that there have been rumors about missing money, he did not initiate the rumor. No other comments were made.

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 July 2011: 2 fire, 2 brush/trash fires, 5 fire alarms/CO2 alarms, 2 vehicle accident, 2 medivac landings, 1 fire police, and 4 assists to other departments for a total of 18 calls. The Fire Company was in service for 31 hours and 7 minutes. 3 members graduated (1 from Bucks Co. Fire Academy and 2 from Montco Fire Academy) for Firefighter 1 Certification. On September 13th we will provide water rescue training for Troop 36 in Gilbertsville. On September 10th we were invited to attend Honorfest at First Energy Stadium in Reading honoring Hometown Heros from 11:00am-3:00pm. On Sunday September 11th we were invited to attend the Boyertown Alumni Marching Unit's 911 Tribute at 2:00pm. We are replacing our 1999 Tahoe with a 2011 GMC Yukon Demo unit for \$32,000

A motion to accept the Gilbertsville Fire & Rescue report was made by Mr. Ziegler, 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) – Planning Agency supported the new plan concept for cluster development and open space. Request Supervisors authorize formal review of the proposed revised ordinance.
4. 400 Gilbertsville Road – Conditionally approved at the May 16, 2011 Supervisors meeting. Sewer Planning Module received. Final plans and financial security request have not been received.
5. Hoffman Subdivision – Received sketch plans for 114 lot subdivision, with 17 lots all or partially in Douglass and the remaining lots in Washington Township. Prepared review letter dated June 28, 2011, revised July 5, 2011. Planning Agency is evaluating zoning concerns and will offer an opinion to the Township at a future date.
6. Windemere Subdivision – Completed final stabilization. Received request for release of escrow. Currently being held. Construction is complete, but various administrative closeout items remain.
7. Cobblestone Crossing-Phase 3- Purchased by Beazer. Residential construction on-going.
8. Smith Road Bridge – Bridge is in and passable the guiderail is not up. Base course paving has been installed. Road elevations have been reviewed by the site surveyor prior to paving and will be reconfirmed. Grading & ponding from the recent storms needs to be fixed and Mr. Wildermuth’s driveway need to be taken care of.
9. Market Street – Discussed cost options at the last P/A meeting. P/A requested Supervisor’s allow for the consideration to allow Market Street intersection improvements to be added to the Act 209 Impact Fee. Mr. Ziegler said he would like to hear more about it. Mr. Markofski will look into the legalities of it. Mr. Campbell stated that we would have to update the Act 209 Impact Plan to include the intersections, it was last updated in 2009. The manager stated he will put this item on the agenda for the meeting next month.

Mr. Ziegler asked if there were any questions for the engineer, Chief Smith asked if there are any weight limitations on the Smith Road Bridge, the engineer replied there are no limitations. Mr. Theil commented will the Township have to come up with our share for the road improvements for Market Street; Mr. Campbell stated the Township has to contribute funds. Mr. Renninger asked if the Smith Road Bridge plaque will be put on the bridge, the Manager stated that in removing the plaque from the old bridge it was cracked, it is at the highway department we don’t know if it is repairable.

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

Mr. Markofski presented the Solicitor’s Report.

Smith Road Bridge/Cobblestone Crossing – A meeting was scheduled with Supervisor Stasik, Treasurer O’Donnell, Township Engineer Campbell, Developer Conti any myself on July 20, 2011. We discussed an invoice with Bursich Associates on the Smith Road Bridge project in the amount of approximately \$20,000 which the Township had advanced toward the final design plans for the bridge. This amount had not been earmarked in the Smith Road Bridge escrow. Mr. Conti objected that he had been overcharged by Bursich and wanted to contest the invoice. The Township agreed to give Stewart & Conti a reasonable opportunity to contest the invoice with Bursich and would, if requested, assign our interest in this matter with Bursich to Stewart & Conti. It was the case, nonetheless, that we required repayment from Stewart & Conti and we did finally agree on the following. Stewart & Conti agreed that the fee for this cost would be deducted from that portion of the escrow which represented the 10% contingency. An agreement to this effect was prepared on July 21, 2011, signed by all parties and the escrow release which was requested at that time by Stewart & Conti was approved and released.

Alburger-Blackmore Subdivision - I have had an opportunity to review the Alburger-Blackmore plan and speak to Mr. Aston, the engineer on this project. He has faxed me the description of the parcels and has advised that he advised his clients to have me handle the deed work for the transfer. This proposal to have me handle the conveyance was unsolicited. The plan appears to be in order and ready for signatures.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to approve the Alburger/Blackmore Subdivision and to have Solicitor Markofski handle the deed work for the transfer. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed

Hallowell Tract- This matter has been reviewed but not approved by the Planning Agency. A preliminary review has been tendered by Hannah Mazzaccaro of MCPC which strongly favors the proposed ordinance. The Township has not, however, formally requested a review at this time. It is my understanding that the Planning Commission could have the formal review to the Planning Agency prior to their September 8th meeting. we could schedule the formal hearing on this matter for September 19th or October 3rd, assuming that MCPC and the Planning Agency remain on track. If the Board is interested, the matter could be tentatively scheduled for a formal hearing tonight with the understanding that if a problem develops and the matter is rescheduled, the advertising costs would be borne by the developer.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to request a formal review by MCPC on the proposed amendment to part 7 of the Cluster Ordinance and to set a tentative public hearing date for October 3rd, 2011 assuming that MCPC and the Planning Agency remain on track. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Ziegler stated that Mr. Rosen and Mr. Kennedy were told that the Township is selling the proposed open space that they are looking to donate to the Township. This is another rumor that is not true, stated Mr. Ziegler. Mr. Theil commented that Ms. Mazzaccaro stated that we could rent out the property for farming or sell it. Mr. Ziegler stated that the Board of Supervisors make the final decisions. No other questions were asked.

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

Mr. Duncan presented the Recycling Report

Month of July/August: 1 load of cardboard was taken to Reading, 4 loads of light iron were taken to Pottstown. The Chipper was out to 2 residences for curbside chipping this month. For two weeks in July, I had followed the trash trucks through the neighborhoods and streets to see who was participating in our trash bag program and who was not. Also, I was interested to see if there was any way to make things easier or more efficient for the program. I did learn that 456 residences did not have trash out two weeks in a row. Out of 3,800 residential homes, only 3,344 homes are participating in our program. If each of the 456 homes would place 1 bag of trash out per week, the township recycling program would add an additional \$61,651.20 to our revenue. Mr. Ziegler asked what the white bags out on Congo Road were; Mr. Duncan replied that it was recycling that was put out. Several residents stated that some two person households go out to eat a lot and only have 1 bag of trash every two or three weeks, following the trash trucks is unheard of. A resident stated that it is not unusual for this, it helps see where problem areas are, he has seen this in many townships. Several residents were upset with the waste of fuel and manpower to survey the trash/recycling service. Mr. Ziegler stated that the Township will not follow the trucks anymore. No questions were asked.

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

Mr. Heydt presented the Highway Report

July 19, 2011-August 15, 2011 – Repaved Yoder Avenue. Milled along edges on Rhoads Avenue and repaved the road. Started roadside mowing for second cutting. Filled in low spots along new paving on Green Hill Road. repaired parking area for open space on Merkel Road. Mr. Heydt asked for approval to send out bids to pave Hoffmansville Road it would cost approximately \$250,000 out of Liquid Fuels. Mr. Ziegler stated that he didn't want it coming from taxpayers money, Mr. Heydt stated that it was out of State Aid (Liquid Fuels Money). Mr. Ziegler asked if we don't use this money do we lose it. Mr. Heydt stated that it will carry over to next year, however we budgeted to pave Hoffmansville Road this year, the sewer lines have settled and he would start in October 2011. Carl Hiryak asked if it wouldn't be better to postpone it until next year after the winter wear and tear on the road. Mr. Heydt said he has gotten many complaints on the condition of the road, Mr. Ziegler requested a copy of the list of complaints. Mr. Turner asked what is going on with Gilbertsville Road, the work hasn't been completed it's dangerous in the present condition. The manager stated that PennDot and the BMMA Inspector are letting it sit for 30-60 days to settle and then do half a lane overlay. Mr. Hunter stated can they mill it better, it's not done properly. The manager will make some calls and try to get something done about it. Mr. Ziegler told Mr. Heydt that next month he will have him do a daily activity report. No other questions were asked.

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

Mr. Heydt presented the Zoning Report

Mr. Heydt stated that 4 house permits for \$4,293.00, 8 large permits for \$1,853.00, and 11 small permits for \$812.05 were issued for July 2011 for a total of \$6,958.05. Beazer Homes is averaging 4 new house permits per month. No other questions were asked.

A motion to approve the Zoning Report was made by Mr. Stasik, seconded by Mr. Ziegler. 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 \$143,297.44. The unusual bills were Bechtelsville Asphalt, Metro Technology Services, Inc., Reid Paving Contractors, Inc., Signal Service, Inc.

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

Graber Letterin', Inc invoice for the completed plaque is \$3,289.00. Invoice will be paid with September bills, less \$1,500 deposit already paid. Mr. Turner stated that he will pay ½ and Mr. Markofski will pay ½ of the amount of the plaque, Mr. Ziegler added that he will put \$500.00 towards the plaque. The General Fund income for 2011 to date is 2.8%(\$60,754) ahead of last year's income to date. The increase is attributable to Local Enabling Taxes, specifically Real Estate Transfer Tax and Earned Income Tax, and also Building Permits. We received notification of two assessment appeals with a hearing date of August 24, 2011. The Gilbertsville Plaza Associates LP is appealing the \$4,000,000 assessment of 1050 E. Philadelphia Avenue; and Centro Saturn Boyertown Plaza, LLC is appealing the \$2,355,330 assessment of 801 E. Philadelphia Avenue. I did not receive an answer from the school district on whether they will be attending the hearing. Mr. Markofski stated that typically the school district handles this and attends the hearings. Our Recycling Performance Grant in the amount of \$43,164 for 2009 was received and deposited in to the Recycling Money Market account. However, funding for the 2010 grants is reduced. The funding formula is amended from that utilized in past years to reduce individual grants by 40%. The due date for the 2010 performance grant application is December 30, 2011. In previous years, the due date of the performance grants was September 30. Consideration will be given to this as we prepare the 2012 budget. Smith Road Bridge escrow: there are costs of \$1,000 legal fees, and \$4,427.75 engineering fees to be charged against the financial security. The financial security has \$1,105 remaining for legal fees, and \$18,509.38 remaining for engineering fees, before the above costs are deducted. Mr. Markofski

stated that these costs were expected and take it from the escrow. Old outstanding Account Receivable for developers: as of July 31, 2011 Kane Core, \$23,070.72- 2006-2009, statements are being returned "Moved left no address", recent transfer of property; Mr. Markofski and the Board stated that there is no one to file a suit against and to remove it from the books. Graterford Road Properties \$1,052.75, 6/24 invoice date due 7/24/11. Gambone Brothers \$9,576.92 from 2009 (\$1,018.45 escrow balance), Mr. Markofski stated that he will send a legal letter to Gambone. Cobblestone Commons \$87.50 6/22 invoice due 7/22/11 (\$102.07 escrow). Also the Treasurer gave a sample copy and advertisement for the new Earned Income Tax ordinance to the Board of Supervisors and Solicitor Markofski. The Treasurer gave each Supervisor a Budget Calendar for 2012 to review. Mr. Ziegler asked if many health insurance reimbursements have been received, the Manager replied that there has been very little submitted however it might be held for submittal at a later date. Mr. Ziegler stated that there should be a time limit for reimbursements and notices should be sent out. No other questions were asked.

A motion to accept the Treasurer's Report was made by Mr. Ziegler, 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 Tuesday, September 6th @ 7:30pm, Planning Agency Workshop, Rt.100 Corridor/Revitalization, Renters Ordinance Thursday, September 8th @ 6pm and Planning Agency Meeting @ 7pm. PMRPC Fiscal Impact Study Meeting/Job Creation Strategies Thursday, September 8th @ 7pm Pottstown High School, open to public.

The Manager stated that the plaque has been completed and the ceremony will be held on Tuesday, September 6th, 2011. We received two quotes for the sound system in the meeting room, both were over \$3000. Mr. Ziegler asked if the manager could look into getting a light up sign for on top of the Douglass Township sign with meeting dates and event listings, the manager will look into it. Also the manager received confirmation on Friday that the Road Closure Permit has been granted for Saturday's Bike Night.

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

Public Comment

Mr. Ebert stated that he came to the Board because he put a lot of money into the Hall and he would like to have a say in things. I want to know if I'm being pushed out – Mr. Ziegler replied absolutely not, you are not being pushed out. Mr. Sacks stated that no one voted them out. Mr. Ebert stated that he never starts something and gives up on it, I invested in this and I just want to have a say in it. Mr. Sell stated that he didn't know Ron however I have seen no one in this Township come forward like you. Mr. Ziegler stated to sit tight for a couple of weeks. Mr. Brumwell stated once again that there are too many rumors. No other public comment was made.

Old Business or New Business

There was no old business or new business.

A motion to adjourn the meeting at 9:25pm 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 Tuesday, September 6th, 2011 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler