

The meeting of the Douglass Township Board of Supervisors was called to order at 7:32 P.M. Attending were Chairman Fred Ziegler, Supervisors Tim Turner and John Stasik, Solicitor Charles Markofski, Representative Marcy Toepel, Robert Campbell, Former Supervisor Walter Hiriak, Pete Hiryak, Mike Heydt, Chief Templin, and approximately 70 residents/guests.

Mr. Ziegler introduced all the Former Supervisors and Solicitors and invited them to lead us in the Pledge of Allegiance.

Mr. Ziegler welcomed all the guests and introduced the Guest of Honor, Former Supervisor Walter Hiriak. Mr. Ziegler introduced PA State Representative Marcy Toepel of the 147<sup>th</sup> Legislative District. Representative Toepel presented Mr. Hiriak with a Certificate of Appreciation for 31 years of public service from the Pennsylvania House of Representatives. Mr. Ziegler, on behalf of the Board of Supervisors and the residents of Douglass Township, presented Mr. Hiriak with a bronze plaque that will be permanently displayed at the Township Building in appreciation of 31 years of public service to Douglass Township, Montgomery County. Mr. Hiriak gave a brief speech thanking everyone for attending and thanked the Board of Supervisor for bestowing him with such an honor.

Mr. Ziegler announced that everyone should help themselves to the refreshments supplied by Gilbertsville Fire Company #1 and stated that the regular Board of Supervisors meeting would continue in the Meeting Room.

Mr. Ziegler asked if there were any additions or corrections to the minutes of August 15<sup>th</sup>, 2011, no changes were made.

On motion by Mr. Stasik, seconded by Mr. Ziegler, the Board approved the minutes of the August 15<sup>th</sup>, 2011 Board of Supervisor's meeting. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

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

1. Update on the County Commissioner's Radio Upgrade Proposal: Tom Snyder, from the Montgomery County Commissioner's Office, reported that a "Request for Information" proposal was issued by the County to communication vendors asking for prices to upgrade the present system and/or install an entirely new system. A total of 19 vendors may participate in the process. The proposals must be returned to the County by September 12, 2011. As of this date, Tom Snyder is scheduled to make a presentation to the Commissioners at their September 28, 2011 meeting. The Commissioners are scheduled to make a recommendation at this meeting. 2. Karl Hainsey, Jr. is a senior at the Boyertown Area Senior High School and a resident of Douglass Township who has completed his senior project here at Douglass Township Police Department by using our internship program. Karl's project was to job shadow Detective Boughter and to experience all that goes into criminal investigations. 3. Gilbertsville Fire & Rescue is having an open house scheduled for September 8, 2011 (Thursday) 1830 hrs. We will be attending. Questions or comments were asked for, no one replied.

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

#### **Engineer's Report – Mr. Robert Campbell**

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 Commission supported the new plan for cluster development and open space.  
Request Supervisors authorize formal review of the revised ordinance by MCPC.
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 Commission 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. Inspected sidewalk installation last week.
8. Smith Road Bridge – Bridge is open. Final paving and striping completed on Thursday, September 2, 2011. Creek has very quickly developed a large gravel bar just upstream of the bridge. We recommend removal of gravel bar and construction of rock vanes within the creek to slow development of the gravel bar. This would require an Army Corps of Engineers' Joint Permit. The Board recommended that Beazer run their construction equipment off of Congo Road instead of using Smith Road Bridge to save wear and tear on the bridge. Mr. Ziegler referred the gravel bar issue to Mr. Turner. Supervisor Turner was of the opinion that it is a maintenance issue, there was hurricane Irene that contributed extreme water to this problem, not something that happens all the time so the roadcrew will have to maintain this from time to time. The Board concurred.
9. Market Street – Memo from Traffic Engineer to be provided for discussion regarding potential use of Act 209 to fund intersections. Also see Solicitor's Report. Mr. Turner asked shouldn't the Act 209 Committee meet on this. Mr. Link stated that the Act 209 fees were last evaluated in 2009. Mr. Turner suggested that the Act 209 Committee meet, one of the Supervisors is required to head the committee. Supervisor Stasik will attend the meetings when scheduled.

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

**Solicitor's Report – Mr. Charles Markofski**

**Request for variance of Tom Lorah Auctions, LLC**– You may recall that the Board requested myself to voice the Board's opposition to a use variance requested by Tom Lorah Auction, LLC where the applicant was proposing a public auction business be moved into an existing non-conforming commercial building located at 429 Hoffmansville Road (formerly Pine Tree Deli). The hearing took place on June 28<sup>th</sup> at 7:00pm. The variance was approved with many conditions. A letter was received on or about August 22, 2011 from Tom Lorah which indicated that because of those conditions, he will no longer pursue his intended use at 429 Hoffmansville Road, Bechtelsville, PA. He has been released from the lease agreement between himself and the owner.

**Market Street/Act 209 fees**. – A fair reading of 53 .S. 10504-A (2011), Transportation Capital Improvements Plan, provides that a plan may be prepared by the municipality to implement comprehensive road improvement through the use of assessed impact fees. There are no limitations as to what road or roads may be part of that plan. It would be my opinion that Act 209 fees could be used to help fund the construction of Market Street, assuming Market Street was part of our capital improvements plan.

**Hallowell Tract** – This matter has been reviewed by Hannah Mazzaccaro of MCPC and officially approved in her correspondence dated September 1, 2011. MCPC favors cluster subdivisions whenever possible. They found that our proposal to amend the ordinance would have a minimal impact on the R-1 areas in the Township because it would only affect those areas already designated for sewer service. They did, however, caution that any major residential subdivision could have significant impacts on traffic, schools, and other community services. This matter is tentatively scheduled for a hearing on October 3. The Manager stated that the Planning Agency will go over the official MCPC review on Thursday, September 8<sup>th</sup>, 2011 and then make an official recommendation to the Board of Supervisors. Mr. Ziegler asked if there were any questions or comments, no one replied.

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.

Mike Heydt was not available to present the Highway Department Report due to some flooding problems in the Township. The Manager stated that approval was needed to get advertising specs for the Hoffmansville Road paving project.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to proceed with the Hoffmansville Road paving project. The next step will be to have the Township Engineer draw up the specs for advertising. The specs include milling and overlay of Hoffmansville Road from the New Hanover/Douglass line to Oberholtzer Road. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

**Pete Hirvyak reviewed the Manager's Report.**

1. The Manager reviewed the upcoming meetings as follows: **Planning Agency Workshop Thursday, September 8<sup>th</sup> @ 6pm Revitalization and Renters Ordinance, Planning Agency Meeting following at 7pm. PMRPC Meeting Thursday, September 8<sup>th</sup> @ 7pm in the Pottstown High School Cafeteria. Board of Supervisors Meeting Monday, September 19<sup>th</sup> @ 7:30pm.**
2. The Board received the revised 2012 Budget Calendar. A motion is needed, if there are no objections, to approve the dates.

A motion to approve the revised 2012 Budget Calendar was made by Mr. Ziegler, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

3. The Manager stated that Jacob Rulli with Troop 363 from Pottstown PA finished an Eagle Scout Project at the Libor Open Space Property located at 475 Congo Road. He has water proofed and cleaned the basement, seal coated the basement walls, hooked up a sump pump, dug a trench, and installed piping directing water away from the house. The manager presented Jacob Rulli with a plaque to show Boy Scout Troup 363's appreciation for completion of his Eagle Scout project. Mr. Rulli thanked the other Scouts in his Troop for help in this project. The manager also stated that another Eagle Scout project, a walking trail, was completed. Proposed projects are benches, picnic tables, and proposed construction of a handicap accessible deck at the front door of the house. We are happy to have the Scouts help out with the open space property.
4. Superior Water Update – The manager stated that Superior Water will not seek a rate increase from the PUC for 3 years. They will seal and cap the existing well head along Grosser Road at the Summer Hill open space. If the Danny Jake Project at the Hallowell farm would proceed, a satellite water system including a tank & well would have to be installed. A water pipeline from Middle Creek Road would probably not be cost effective.
5. The Township has received a resignation letter from the EOC Coordinator John Ambrusch and we need a motion to approve the resignation.

A motion to approve the resignation of EOC Coordinator John Ambrusch was made by Mr. Ziegler, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Ziegler asked the manager to contact the Assistant EOC Coordinator, David Myers, and ask him if he is interested in the position. The manager has already asked him to submit a letter to the Board of Supervisors. Mr. Ziegler asked if there were any questions from the manager, no one replied.

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

**Public Comment**

Mr. Brumwell commented about a letter put out by Paradise Watchdogs/Ban the Quarry about a State Senate Bill that was introduced in March, proposing new legislation that would invalidate most local ordinances affecting quarries. If this bill passed, it would eliminate the ability of local municipalities to regulate quarries in the entire state of Pennsylvania. Copies were made for anyone interested. Carl Hiryak stated that his neighbors were very upset after receiving letters from BMMA pertaining to the sewer authority inspecting basement drains and other illegal hookups to the sewer system. Mr. Stasik stated that there has been a high overflow to the sewer plant and BMMA legally must seek out the source of the increased overflow, it is designed for wastewater not storm water flow. The terracotta pipe that was installed in the 60's is deteriorating in many areas. Mr. Hiryak stated that maybe BMMA should have repaired these lines before now, why did they wait so long. Mr. Stasik continued that the fees coming in to BMMA have been the lowest in the area and the money was used to upgrade the plant and maintain lines to keep ahead of development with upgrades to the sewer plant. There is no way to fix terracotta pipe, it must be replaced. Mr. Campbell stated that BMMA has no control of what you do in your house, the plumbing inspector was supposed to inspect that. The manager stated that illegal hookups cause sewage backups into homes on Swamp Pike during heavy rains. Mr. Brumwell commented that in Birdsboro it costs \$400.00 for sewer, Mr. Stasik stated that BMMA has recently increased the fee to \$125.00 quarterly. No other comments were made.

**Old Business or New Business**

The manager stated that the beams from the salt bins have been saved to be used in the schoolhouse, and asked if Mr. Stasik with his engineering background would help in the interior structural design renovations of the schoolhouse. Mr. Stasik stated that he would help in the structural design aspect. Mr. Turner questioned if DEP has been monitoring the plume from the dry-cleaning business in the Rhoads Avenue section of Gilbertsville where approximately 23 homes were affected. The manager replied that they are monitoring the situation however we have not heard any news; Mr. Turner asked the manager to check into it because he would rather be proactive instead of reactive. No other business was discussed.

A motion to adjourn the meeting at 8:30pm was made by Mr. Turner, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, September 19<sup>th</sup>, 2011 @ 7:30 pm.

Respectfully submitted by,  
Marcy Meitzler