

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, Khal Hassan, Cynthia O'Donnell, Pete Hiryak, Mike Heydt, Chief Templin, and 25 residents.

Mr. Ziegler asked Chief Templin lead the Pledge of Allegiance.

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 September 6<sup>th</sup>, 2011 meeting. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

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

August 2011 Statistics: 335 incident reports, 6 vacation notices, 1,701 business checks, 3 reportable accidents, 11 non-reportable accidents, 19 criminal investigations, 6 criminal arrests, 165 traffic citations, 1 non-traffic citation, 8 parking tickets, 7,116 miles traveled. Once again the Douglass Township Police Department will be participating in the Drug Take Back Initiative Program. This is an opportunity for public to surrender their expired, unwanted, or unused medications. Our police department held this event back in April 2011 at the Giant Food Store and we had a great turn out with 67.5 pounds of unwanted, expired or unused medications being turned in to be disposed of properly. We had received a lot of positive feed-back and the public was asking when our next collection was going to take place. Our next event will take place on October 29, 2011 (Saturday) 10:00am until 2:00pm at the Giant Food Store. A resident inquired if cream medications will be accepted, the Chief replied yes and also liquid medications. Mr. Ziegler told Chief Templin it was decided at the Board's executive session tonight that starting in the month of October he is to give Corporal Werner 39 hours per week Monday through Sunday. The Chief stated that Corporal Werner will be away for three weeks but as soon as he returns to work he will schedule him out. Mr. Turner stated that if he is working 39 hours we should pay his supplemental insurance cost, the Board concurred. No other questions or comments were given.

A motion was made by Mr. Turner, seconded by Mr. Stasik to pay Corporal Werner's supplemental insurance cost when he works 39 hours per week. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

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.

### **Julie Kastle presented the Ambulance Report**

Mr. Schmoltze stated that for the month of August there were 99 calls: 69 patients were transported, 17 cancellations, 1 no EMS required, 10 refusals, 1 standby with fire department, and 1 care transferred to medivac. 39 calls for Douglass Township, 35 calls New Hanover, 6 Boyertown Boro, 3 Colebrookdale Twp, 1 Earl Twp, 1 East Greenville, 1 Limerick, 2 Pennsburg, 3 Pottstown, 4 Upper Frederick, 2 Upper Pottsgrove, 1 Washington Twp, 1 West Pottsgrove. Chief of Operations met with David Myers the Assistant Emergency Management Coordinator for Douglass Township. Our resource list along with our available equipment was reviewed with Mr. Myers. During hurricane Irene the career and volunteer members staffed 3 advanced life support trucks for a period of 36 hours. The crews responded on five advanced life support calls, there were 3 in Douglass, 1 New Hanover, and 1 in Upper Frederick. Gilbertsville F&R did respond as a QRS on the calls in Douglass. Reimbursement has been submitted to FEMA at the Federal Government Rate for a total of \$280.00. GACAS has applied for one grant from Boyertown Community Initiative for purchase of 3 IO Drills; the IO Drills are part of an Intraosseous Infusion System for use with patients with difficult vascular access. We are also applying for a grant through American Fire Grant/EMS. We are applying for another Stryker Power Litter to reduce back injuries which are so prevalent in EMS. We are also applying for a state grant for a Stryker Power Litter. Then all three trucks will be equipped with these units in our hopes to avoid back injuries. GACAS crews will be attending their yearly hazard materials operations course at Ringing Hill Fire Company. GACAS along with F&R and Ringing Hill Fire Company will be sponsoring a class on Chemical Assisted Suicides. We are training alongside F&R and a ride along program is up and running where members of F&R ride on our trucks for familiarization of our duties. Our crews that are Fire II certified will attend a live burn/rescue class at the Montgomery County Fire Academy.

GACAS and F&R attended a joint award presentation by the Boy Scouts for observance of Patriots Day. GACAS and F&R also attended a joint presentation to the Boy Scouts for water rescue awareness. GACAS and F&R engineering staff are working together to develop a preventative maintenance program for our trucks. The F&R staff will be donating their time to help with our trucks and help us reduce operating/maintenance costs for our fleet. Liberty Fire Company Rehab unit (Berks Station 17) will be added as an automatic response should GACAS need help doing rehab at major fire scenes or other incident's that warrant it. This was discussed and agreed to by Fire Chief Rick Smith. GACAS and F&R are continually working together to form a strong relationship/bond between both companies. We are striving to have a great team for any public safety issue that might arise in Douglass Township or surrounding communities. No questions were asked.

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

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

Mr. Sacks stated that they are moving forward in booking the hall. The month of October is booked every weekend. The carnival had a \$4000 profit. The totals for Bike Night will be in for next meeting. Mr. Ziegler told Mr. Sacks that he wants to hold a public forum at GFC on October 12<sup>th</sup>, 2011 in the large hall in the evening at 6pm to discuss newspaper articles pertaining to him and a former candidate, they will be addressing all articles in the newspaper and Mr. Markofski would be present. Mr. Turner stated that he doesn't have a problem with the forum however would Mr. Markofski be billing the Township, Mr. Markofski stated that it would be no cost to the Township, he would not bill. Mr. Ziegler stated he would be putting out flyers and a newspaper advertisement for the event. Mr. Ziegler asked Mr. Sacks about the concrete for GFC. Mr. Sacks stated that the price is signed with Berks Products, and the later in the year the better for pouring the concrete. No other comments were made.

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.

The Manager stated that Mr. Haddad was not present this evening however he commented that there was nothing new to report and he will be attending the next meeting.

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

Fire report for August 2011: 3 brush/trash fires, 1 vehicle fire, 4 wires, 3 fire alarms/CO2 alarms, 1 vehicle accident, 2 hazardous materials, 1 medivac landing, 4 fire police, 2 assists to other departments, 3 special service, and 1 investigation for a total of 25 calls. The Fire Company was in service for 25 hours and 19 minutes. On August 26, 2011 Tom Sullivan held a conference call with all the Fire Chiefs in Montgomery County. At that time he was urging all Chiefs to try and have their fire stations manned at 6pm on August 27, 2011 for the duration of hurricane Irene. He also wanted all local EOC's to be manned for the same time. We were able to keep a crew of 18 personnel for the 18 hours that we were in station. We had 12 calls in that time period. Chief Smith thanked GFC#1 for providing meals for the guys that stayed over and for breakfast the next day. 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. Khal Hassan 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 for cluster development and open space. Planning Agency recommended revisions per Supervisor’s comments and has resubmitted to the Supervisor’s.
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. Inspected sidewalk installation last week.
8. Smith Road Bridge – Bridge is open. Final paving and striping completed on Thursday, September 2, 2011. Recommendation for Release of Escrow #3 is provided. The Treasurer deducted the Bursich bill, Engineer fee, and Solicitor fee from the recommended escrow release for the amount of release to be \$222,166.31. Mr. Conti, Mr. Markofski, Mr. Hassan, and the Board were in agreement of this amount. Mr. Hassan stated that Brian Keveaney will be attending October’s Act 209 meeting. No questions or comments were made.

A motion was made by Mr. Turner, seconded by Mr. Stasik to approve escrow release #3 in the agreed upon amount of \$222,166.31.

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.**

**Gambone Invoice** – There is currently a balance \$9,657.09 due and owing from Gambone Brothers. Invoices from a traffic study conducted by McMahan Engineers in 2009 total \$4,857.92. the finance charge on this debt equals \$1,311.46. the Gambone organization was also charged for the cost of the Township’s solicitors in the Summer Hill controversy. At the time of Summer Hill’s complaint against Gambone, Gambone was no longer providing any services as a developer. Summer Hill requested meetings with the Township and the Gambone organization. The Township billed the Gambone organization for our legal services at these meetings and for related letters and telephone calls. The Township was concerned that the claim might develop into a lawsuit by Summer Hill against the Township, but, as it turned out; nothing was ever filed or is likely to be. I question whether our legal fees would end up being the obligation of the Gambone organization. The Summer Hill legal costs equaled \$2426.00 from Mr. Sager and \$1582.00 from myself. The finance charges are \$476.95. we could file suit but I believe that there is a question as to whether the corporate entity in question is possessed of assets. It remains the case, however, that the Gambone organization may wish to resolve this matter. I propose that we ignore the Summer Hill legal costs, the finance costs and offer the Gambone organization the opportunity to settle this matter for the cost of the traffic study of \$4,857.92 if paid within thirty days. Mr. Turner’s opinion was that the Summer Hill problem was not Gambone’s doing, Summer Hill drug the Township into it and the Corporation probably has no assets.

A motion was made by Mr. Turner, seconded by Mr. Ziegler to authorize Solicitor Markofski to direct a letter to Gambone Brothers instructing them to pay \$4,857.92 to Douglass Township within 30 days or Douglass Township will file suit with District Justice Saylor with the addition of unpaid finance charges of \$476.95. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

**Thanhauser vs. Jackson** –This lawsuit was filed by former Douglass Township police officer Kevin Thanhauser and his wife seeding damages for injuries from a vehicular accident. On or about September 12, 2011, I was

made aware of a motion filed in this matter by Defendant Jackson to compel the production of employee records from Douglass Township. After briefly conferring with Plaintiff's counsel, it was clear that no objections were going to be filed by the Plaintiff. I advised the Defendant's agent, Litigation Solutions, Inc. that the requested records would be available for inspection or on-site copying. I received no response from Litigation Solutions. I am filing an answer to the motion and sending a letter to Defendant's counsel. Chief Templin stated that the original paperwork was sent to the police department. He also stated that this is non police incident, a private incident.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize Solicitor Markofski to send a letter stating that any and all records copied here at the Township will be under close supervision and will be copied at a cost. Any future records copied or reviewed will be under close supervision. Stasik-Aye, Ziegler-Aye, Turner-Aye.

**Market Street/Act 209 fees**- The Douglass Township Impact Fee Advisory Committee is planning to convene on October 3<sup>rd</sup>, 2011 at 6pm in order to consider using Act 209 fees for funding the construction of the proposed Market Street connection and other intersection improvements along the Rt. 100 corridor.

**Hallowell Tract – Ordinance change** –The ordinance change as proposed by the owners of the Hallowell tract has been approved by MCPC and the Douglass Township P/A. a public hearing is being advertised for October 3, 2011. Mr. Theil commented that Superior Water stated that a waterline from them is not feasible, if water is drawn from a deep well it could dry up neighboring wells, a study should be done on the effect of water being drawn, from a deep well, on neighboring wells. Mr. Markofski stated that this development has not been approved; this should be addressed down the road. 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. Turner, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

**Mr. Duncan presented the Recycling Report**

Month of August/September: 1 load of cardboard was taken to Reading. August check amount \$746.20. 2 loads of light iron were taken to Pottstown. Abitibi Paper Dumpster – 4.97tons of paper recycled in August for \$74.45. The Chipper was out to 8 residences for curbside chipping this month; all were exempt from chipping fee. There is plenty of mulch available. Leaf collection will start on Monday, October 24, 2011 and will run through Friday, December 2<sup>nd</sup>, 2011. A rough draft of the 2010 904 grant is completed and will be forwarded to Cindy for review. Mr. Ziegler asked Mr. Duncan if he had a plan for reviewing the trash/recycling pick up process, Mr. Duncan stated that he is working on one. No other questions were asked.

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

**Mr. Heydt presented the Highway Report**

August 16, 2011-September 19, 2011 – Finished roadside mowing. Finished weed whacking all bridges. Removed old salt building. Fixed potholes. Cleaned up rain and hurricane damage. Repaired three inlets in the township. cleaned blacktopped swales along Hoffmansville Road. repaired dirt roads that were washed out. Andy mowed open space areas and the park several times. Replaced stop signs. Mr. Heydt personally thanked all the volunteers from F&R for helping during Hurricane Irene and thanked GFC#1 for the food that they served to the volunteers. Mr. Heydt also

thanked Chief Smith for his volunteers. The Board asked Mr. Heydt for an update on paving Hoffmansville Road. Mr. Heydt stated that he will put the bid out for October 2011. No other questions were asked.

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

**Mr. Heydt presented the Zoning Report**

Mr. Heydt stated that there were 3 house permits for \$4,293.00, 3 small permits for \$220.85, and 2 driveway permits for \$100.00 issued for August 2011 for a total of \$4,613.85. No questions were asked.

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 \$181,232.93. The unusual bills were Bechtelsville Asphalt, American Casualty Services, Berks County TCC, EMC Insurance Companies, Fred Beans Ford, Graber Letterin'.

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

Donations have been received to cover the full cost of the plaque. Many thanks for the generous donations. The General Fund income for 2011 to date is 3.7 % ( \$82,538) ahead of last year's income to date. The increase is attributable to Local Enabling Taxes and Building Permits. Omega Systems performed quarterly maintenance on our server. The Metro Alert program was migrated over from our old server to the new one installed late December, 2010. The old server was no longer under warranty as of September 8, 2011 so we thought it was prudent to migrate the program now rather than waiting for the grant which will allow us to upgrade to version 2 of the software. I worked with the Douglass Township Firefighter's Relief Organization to resolve an IRS filing issue. The incorrect Form 990 was filed for the Organization. I will be filing the correct form along with correspondence concerning the organization. Department head budget meetings will start tomorrow and continue throughout the week. Meeting dates need to be scheduled for the budget committee between the dates of Monday, October 10<sup>th</sup> to Friday, October 21<sup>st</sup>. The Manager stated that the dates will be October 11<sup>th</sup>, October 14<sup>th</sup>, October 19<sup>th</sup>, and October 21<sup>st</sup>. The Board preferred late afternoon meetings so the times will be from 3pm to 5pm. The Manager stated that these meetings will be advertised for the public. No questions were asked.

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

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

1. The Manager reviewed the upcoming meetings as follows: Act 209 Advisory Committee Meeting Monday, October 3<sup>rd</sup> @ 6pm. Board of Supervisors Meeting Monday, October 3<sup>rd</sup> @ 7:30pm. Public Hearing for Amending the R-1 Cluster Dev. Ordinance (Hallowell Tract) Monday, October 3<sup>rd</sup> @ 7:30pm.
2. DEP-Rhoads Avenue – PADEP stated that testing of well water is continuing and results are very good. 100 tons of contaminated soil was removed from the former dry cleaning business area. The next testing will be Nov/Dec 2011.

The manager stated that David Myers is very interested in taking over the EOC Coordinator position and he is taking the required courses for his certification. The manager also stated that the EOC office was open here at the Township on Sunday during Hurricane Irene

A motion was made by Mr. Turner, seconded by Mr. Ziegler to approve Assistant EOC Coordinator David Myers as the new EOC Coordinator. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The Manager stated that he is working on getting a meeting date/event sign for the front of the Township building. This will be included in the 2012 budget discussions. No questions were asked.

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**

Robert Barnes of Oberholtzer Road asked the Township for help regarding his neighbor that refuses to get rid of his rubbish, brush, and plastic that he placed next to Mr. Barnes' property. We have the best recycling program around why can't he recycle it. His neighbor promised to clean it up as has not done anything to the pile, rodents live in it. Runoff comes through the properties from Hoffmansville Road and the neighbor's pond is leaking, the overflow is not functioning. The spillway trench overflowed and debris broke loose and plugged our driveway drain. Please consider from a legal standpoint to have Mr. Shank remove the brush pile and make him fix the pond and stop the leaking. The Board advised the roadmaster, manager, and solicitor to check out the situation with the pond but also to look into where the other neighbor that installed 24" pipes diverting water onto another property and report back to the Board and we will report back to Mr. Barnes.

Ron Ebert stated that he has been asked by 4 people in this room to run for Supervisor. Mr. Theil recently asked him if he was running for Supervisor and if he was he would hire a private detective to get information on him or at least create something on him if it was true or not. Mr. Ebert stated that he would not run for Township office because of this. Mr. Turner interrupted and asked Mr. Theil if he indeed made that remark. Mr. Theil answered; well I said something to that effect and Mr. Turner restated no no Mr. Theil, did you say that yes or no, Mr. Theil responded yes. Mr. Turner exclaimed that's pretty low, that's bullying, and I'm sick of it – you are a bully, that's the way you are and its bullcrap, I don't know why everyone is afraid of you cause I'm not. Mr. Theil thanked Mr. Turner. Mr. Ziegler asked Mr. Ebert if he filed a police report regarding the incident, Mr. Ebert replied no I did not. Mr. Sell added that you put false things in the newspaper, you are a liar and disgusting and you should remove yourself from the ballot. Mr. Theil stated that he did not say false things. Mr. Stasik interrupted and pointed out that I am not one to make public outbursts however many people came to me and told me the many lies that you have said about me. Mr. Turner added that when I leave office; if you come after me, you better bring it hard. Mr. Ziegler stated that this will all come out at the public forum and closed public comment.

### **Old Business or New Business**

Open Space Committee – Bob Dodge commented that the committee is trying to get a table for the Tri-County Fund Days event on October 22<sup>nd</sup>. No other business was discussed; Mr. Ziegler closed old business/new business.

A motion to adjourn the meeting at 9:00pm was made by Mr. Turner, seconded by Mr. Ziegler. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, October 3<sup>rd</sup>, 2011 @ 7:30 pm.

Respectfully submitted by,  
Marcy Meitzler