

The meeting of the Douglass Township Board of Supervisors was called to order at 7:31 P.M. Attending were Chairman Fred Ziegler, Supervisors Tim Turner and John Stasik, Solicitor Charles Markofski, Brian Keaveney, Mike Heydt, Pete Hiryak, Chief Templin, and approximately 29 residents/developers.

Mr. Ziegler led us in the pledge of allegiance. Mr. Theil announced that he will be taping this evenings proceeding. Janet Bauer announced that she will also be taping tonight's proceedings. Mr. Markofski announced that there have been two Executive Sessions involving negotiations between the Board and the Police Bargaining Unit. One session was held on November 2nd, 2011 and the second session was held tonight prior to the Board of Supervisors Meeting.

Mr. Ziegler asked if there were any additions or corrections to the minutes of October 17th, 2011, no changes were made.

On motion by Mr. Stasik, seconded by Mr. Turner, the Board approved the minutes of the October 17th, 2011 Board of Supervisor's meeting. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Chris Kasmin the Montgomery County Recycling Coordinator presented the Township with the 2011 Waste Watchers Award from the Professional Recycling Coordinators of America for exemplary recycling efforts. This year the award is made from recycled circuit boards. Mr. Kasmin informed the Board of two new recycling programs; one is for Election Day – tomorrow they will offer to recycle campaign signs. The second program is called Rogo – Recycling on the go which consists of collapsible containers to collect recyclables at public events.

Chief Templin presented the Police Department Report

Chief McKeon of the New Hanover Twp. Police Department and I submitted a joint letter requesting a traffic study be done by PennDot along the portion of Rt.73 between Boyertown Junior High East entering into our Township where the speed limit is not posted; therefore, the speed limit is currently fifty-five (55) mph. This was done in hopes to reduce the speed limit from fifty-five (55) to forty-five (45) mph. An evaluation of traffic conditions on this section of roadway has been made by PennDot. Based on available engineering parameters and judgment, the un-posted fifty-five (55) mph speed zone will be lowered to forty-five (45) mph. A work order has been submitted to PennDot's Montgomery County Maintenance Office for the installation of speed limit signs in the near future. We received verification by way of a letter from the PennDot offices dated October 18, 2011. On October 29, 2011 we held our 2nd Drug Take Back Initiative. This is where the public turns in un-wanted/expired medications. We did not have the best weather that day but we did turn in 43lbs. of un-wanted/expired medication to the Drug Enforcement Agency to be disposed of properly. You may remember in April we ran this same program and we turned in 67.5lbs. of un-wanted/expired medication to the Drug Enforcement Agency to be disposed of properly. This will bring our total to 110.5lbs. of un-wanted/expired medications that were disposed of properly. Because of the great response to this program we will continue to participate in this program in the future. On October 31, 2011 we ran our Trick-or-Treat Bag Program for the children of our Township. The Officers donated the candy for the trick-or-treat bags and over 100 trick-or-treat bags were given out in various neighborhoods in the Township. We received a lot of positive feedback from the community by way of e-mails and phone calls to the station. I want to thank the Officers for participating in the program and for donated the candy for the trick-or-treat bags. Mr. Ziegler asked the Chief to put together a list of the patrol cars and the mileage on each car for the Board to review. Mr. Turner asked if Officer Perretta could go over each car and list what would be needed on each car and the safety issues of each car. Ms. Norton asked when the letter will go out to the part time officer informing him to go full-time; Mr. Ziegler stated that the letter will be ready to go when the budget is ready. Mr. Theil asked how many miles over the speed limit must we allow and what can we do to change that, Chief Templin replied we must allow 11 miles over the speed limit and the only thing that you can do is to write your State Legislature asking to allow us to use radar. No other questions were asked.

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.

New Developments -Mr. Kerns gave a brief review of the proposed Wawa at Rt100 & Grosser Road, stating that the development would be in several phases; the first being the construction of Wawa, the second would be installing the gas pumps and the third would be developing the rest of the property with other businesses or restaurants. Mr. Turner asked if it is really conceivable that the State will give assess off of Rt. 100. Mr. Kerns stated that he believes that the State understands that the way the present economy is that they will promote development to invite more jobs. Mr. Stasik had safety concerns with the divided highway. Mr. Turner asked if they have plans to redo the intersection, Mr. Kerns stated that everything is on the table at this point; we have a very good traffic engineer who will be working on this. Mr. Sell asked if this would be a go without right of way. Mr. Kerns stated that without it would be more difficult. A resident added that this would kill Grosser Ease and it would be a dead corner, Mr. Kerns commented that development would invite other businesses; it would not be a dead corner. Mr. Brumwell asked what would be the proposed time frame; Mr. Kerns replied that it would probably be three-five years. Mr. Theil suggested to the Act 209 Committee to put money into Grosser Road. Mr. Duncan stated his concerns with a divided highway especially at the hill at northbound 100. Mr. Turner commented that with Officer Werner's patrol car at Rick Road they will slow down. The Board thanked Mr. Kerns for his time and asked him to present this to the Planning Agency. Mr. Backenstose was not present to discuss the Clover Hill Subdivision.

Engineer's Report – Mr. Brian Keaveney

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. Public Hearing scheduled for Ordinance Revisions for October 3, 2011.
4. 400 Gilbertsville Road – Conditionally approved at the May 16, 2011 Supervisors meeting. Sewer Planning Module received. Expecting to receive plans showing a revision to storm water piping locations. Should not be necessary to be returned for another Board review.
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. Cobblestone Crossing-Phase 3- Purchased by Beazer. Residential construction on-going.
7. Smith Road Bridge – Bridge is open. Awaiting as-built drawings. Should receive in the next week or two.
8. Act 209 – Act 209 Committee reorganized and met tonight with the Township Traffic Engineer. Discussed different adjustments to impact fee, will put results together for a proposal.

No questions were asked.

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

Solicitor's Report – Mr. Charles Markofski

Sewer Line Project Paving/BMMA– Paving appears to be on schedule for the first week of November. Gilbertsville Road is completed and paving is underway on Jackson, Gilbert, Third, Second, and Virmay Drive.

Gambone Invoice – As you may recall, I proposed that the Gambone Group settle its outstanding debt with Douglass Township by submitting payment in the amount of \$4,857.92. I received a response dated October 25, 2011 from the Gambone Group, signed by Michael A. Gambone, indicating that the portion of the traffic study which we were asking the Gambone Group to pay exceeded the original agreed upon price for the study. The Gambone Group has indicated that they originally agreed to contribute \$10,000 toward the study which they advised they did, in fact, pay. It was my understanding that the \$10,000 number was more of a projected cost for

the project. I will investigate further. Gambone Group proposed that they not dispute the invoices but, rather, pay them after their requested zoning amendments for the Route 100 corridor are approved and they are able to secure financing for the project and the related road improvements that were the subject of the traffic study. Does the Board wish me to pursue collection or make this payable when approvals are given? Mr. Ziegler asked for Mr. Markofski's recommendation, Mr. Markofski stated that being a lawyer he would pursue collection but the Board has to determine if it is worthwhile. Mr. Turner stated that we should pursue collection because we have set the president with other developers, to change would not send the right message to the developers.

A motion was made by Mr. Turner, seconded by Mr. Stasik to authorize Solicitor Markofski to pursue collection of the outstanding debt incurred by the Gambone Group (\$4,857.92) with penalty fees added monthly until payment is satisfied. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Sunshine Law – At an earlier board meeting, a member of the public inquired as to an Executive Session which was undertaken to review the collective bargaining negotiations involving the Police Department. For the record, the Sunshine Act, Section 708, Executive Sessions, provides: (a), Purpose – An agency may hold an executive session for one or more of the following reasons: ... (2) To hold information, strategy and negotiation sessions related to the negotiation or arbitration of a collective bargaining agreement or, in the absence of a collective bargaining unit, related to labor relations and arbitration. It is the case, however, that under Section 708 (c), Limitation – Official action on discussion pursuant to Subsection (a) shall be taken at an open meeting... Any official action regarding the police contract will be announced and voted upon at a meeting which shall be advertised and open to the public. Mr. Markofski stated that he was preparing citations to be served for the violation continuing at a property on Mill Street. The owner of the Mill Street property, Mr. Adams, was present and stated to the Board that he is cleaning up the property and has receipts showing that he is indeed cleaning up the property; he is working everyday to clean it up. The manager stated that certainly he has cleaned up but he has a long way to go, he also stated that he probably has a year of progress to go. Mr. Markofski stated that he could really clean it up in one week, especially the cars. The manager stated that it is important to keep your receipts and progress continues. We appreciate you working with us to get this cleaned up, you are acting in good faith and we will work with you. 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.

Mike Heydt presented the Highway Report – (October 18, 2011 – November 7, 2011) Replaced guiderails on bridge at Papermill Road. Prepared for snowstorm. Plowed roads. Cleaned up brush for the roadside. We are currently chipping up brush from storm damage for residents that have too much to bring to the recycling center. Cut ditches along Hill Road, Papermill Road, and Henry Road. Cut ditch on Hoffman Road. Repaired gutters on Woodland Road. Removed trees at office as instructed. Leaf Collection began Monday, October 24th, 2011.

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

Cynthia O'Donnell presented the 2012 Budget Review- Ms. O'Donnell gave an overview of the 2012 Budget stating that we are facing a deficit of \$77,000.00. The Board received copies of the 2012 Budget so they could make suggestions on where to make more spending cuts. Some of the topics discussed were eliminating a new police car that was budgeted for approximately \$36,000, eliminating a building addition at the highway

department for \$15,000, eliminating a lighted sign and sound system for the administration building, and cuts to improvements to the Township Park. Mr. Ziegler stated that he knows where he wants to make cuts and will forward his suggestions to the Treasurer. The Board of Supervisors instructed the various department heads to re-examine their numbers and make suggestions to decrease the projected deficit.

A motion was made to hold a Final Budget Meeting on Monday, November 14th, 2011 at 6:00pm by Mr. Ziegler, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed. The manager will advertise the meeting.

Pete Hiryak presented the Manager's Report.

1. The Manager reviewed the upcoming meetings as follows: COG Meeting for November 8th has been canceled due to Election Day. **Planning Agency Workshop/Revitalization Thursday, November 10th @ 6pm, Planning Agency Meeting following @ 7pm.**
2. Police Contract Executive Session held on Wednesday, November 2nd at 6pm. The next Executive Session is tentatively scheduled for Tuesday, November 22nd @ 6pm.
3. Earned Income Tax Ordinance advertised for public hearing on Monday, November 21st at 7:30pm.
4. Hallowell Tract – Staff Meeting Request concerning Engineering and Layout issues. The manager was asked to schedule the staff meeting with the understanding that the cost for the meeting be borne by Danny Jake. Mr. Theil asked if the staff meeting was open to the public, the Board responded yes.
5. National Alert for the Emergency Broadcast Network – Thursday 11/10/11 @ 2pm (National Drill), notification will be over television.

No other 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. Motions passed.

Public Comment

Mr. Yarnall thanked everyone involved for removing the trees at the Township entrance. Mr. Ziegler stated that the trees were in rough shape, they needed to go so he, Mike Heydt, and the Manager decided to get rid of them, there will be improvements to the Township Building entrance in the future. No other comments were made.

Old Business or New Business

No old business or new business was discussed.

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

The next Board of Supervisor's meeting will be held on Monday, November 21st, 2011 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler