

The meeting of the Douglass Township Board of Supervisors was called to order at 7:31 P.M. Attending were Chairman Fred Ziegler, Supervisors John Stasik and Fred Theil, Solicitor Paul Bauer, Robert Campbell, Pete Hiryak, Chief Templin, and approximately 24 residents.

Mr. Ziegler led us in the pledge of allegiance.

Mr. Ziegler asked if there were any additions or corrections to the minutes of January 17th, 2012, no one replied.

On motion by Mr. Stasik, seconded by Mr. Theil, the Board approved the minutes of the January 17th, 2012. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Bill Cherkasky from the Boyertown High School gave a brief overview of the proposed Education Access Channel to be implemented next school year and he is appealing to the Township to make a written request to Comcast for the Educational Access Channel. Mr. Ziegler asked if our Solicitor reviewed the letter, Mr. Bauer stated that he did review the letter and the Township under our current contract is also allowed to have a Governmental Channel. Mr. Bauer recommended requesting the education channel, the Board was in agreement with this recommendation. Mr. Cherkasky stated that this would not affect PCTV, this is an entirely different channel. A resident asked if the other cable providers are providing this, Mr. Bauer stated that newer providers are looking to also allow this channel however this will be a few years down the road. Mr. Sell asked if this would cost the tax payers money, Mr. Cherkasky stated that it does not get billed.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to authorize the manager to send a letter to Comcast requesting the Educational Access Channel. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed. The manager commented that our current contract expires on December 31, 2013.

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)-Staff meeting on November 15, 2011 to review layout and discuss potential concerns prior to developer going ahead with engineered plans.
4. 400 Gilbertsville Road – Conditionally approved at the May 16, 2011 Supervisors meeting. Sewer Planning Module received. Received revised plans and storm water calculations for relocation of outfall on January 31, 2012. Pennon is reviewing revisions.
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. Berwind II – Received preliminary plans for 71 residential units. Prepared review letter dated December 5, 2011. Met with the developer's engineer on December 22, 2011 to review Storm water design. Will be discussed at the next Planning Commission meeting.
7. Clover Hill – Staff meeting held on January 11, 2012 for project originally submitted in 2004. Property spans Washington Township and Douglass Township with 17.5 acres in Douglass Township. Douglass Township portion is Zoned R-1 and was originally submitted as a 13 lot subdivision. Developer now proposing to resubmit as a 3 lot subdivision with 2 lots as flag lots and a single access driveway off Niantic Road. to be presented at the next Planning Commission meeting.
8. Cobblestone Crossing-Phase 3- Beazer. Residential construction on-going.
9. Smith Road Bridge – Received as-built drawings from Wilkinson Associates. Provided comments and currently awaiting resubmission addressing comments.

10. Hartford Retail – Douglass Town Center – Performed site inspection for maintenance. Prepared letter dated February 6, 2012.
11. East Philadelphia Avenue and Congo Road – PennDot has offered to perform traffic count and prepare recommendations for retiming provided the Township implement the recommendations. We support retiming of the light in order to improve traffic flow on Philadelphia Avenue. The cost would be minimal.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to authorize the manager to send a letter to PennDot to perform a traffic count and prepare recommendations for retiming the traffic signal at E. Philadelphia Avenue and Congo Road. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

12. Market Street/Act 209 Committee meeting tonight. Brian Keaveney, Traffic Township Engineer, to present summary and discuss as requested.

Mr. Ziegler asked if there were any questions for Mr. Campbell, a resident commented that at Giant and Hollenbach Home Center there is a bank that blocks your view, Mr. Campbell stated that he will look into it. A resident wanted clarification on the problem with the sanitary sewer at 400 Gilbertsville Road; Mr. Campbell stated that he felt the language “exclusive sanitary easement” should not be on the plans. Mr. Bauer added that the words “multi use” instead of exclusive will resolve the issue. No other questions were asked.

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

Solicitor’s Report – Mr. Paul Bauer

Gregory Burns – At the last BOS meeting, Gregory Burns, of 93 Estate Road, was present and spoke about significant water problems he was experiencing at his property. Mr. Burns presented various photographs of his property showing the extent of the water problems he is experiencing. After a brief discussion with the Board last meeting, Mr. Burns advised us that he was going to be attending the next Boyertown Area School District Meeting to raise his concerns with them. On Tuesday, January 31, 2012, Mr. Burns emailed both the manager, and David Szablowski, Business Manager for the School District, to advise us that the School District was looking for a formal position from the Township. In my opinion, your response that same day adequately outlined the Township’s position. At this time, no further action will be taken by my office unless directed otherwise by the Board of Supervisors.

Traffic Signal Retiming Study at E. Philadelphia Avenue and Merkel/Congo Road – In response to several complaints from residents, Penndot contacted the Township offering to undertake a traffic study of the affected area to determine if the traffic light at East Philadelphia Avenue and Merkel Road, needs to be retimed. At the last BOS meeting, there was some concern expressed as for the costs, if any, to the Township. Since the last meeting I reviewed several documents you supplied to my office. At this time, I do not believe the Township would be obligating itself to any significant expenditures, by allowing Penndot to undertake the traffic study. I will be happy to answer any other questions that BOS may have on this issue.

Retired Officer Health Care Plan – As you know, we received written communication from a retired officer, regarding the Township’s decision to change health care plans, effective January 1, 2012. In short, the retired officer believes he is entitled to a specific health insurance plan that was in effect at the time of his retirement. Although this exact plan still exists, the wording of the contract gives the Township the right to offer comparable health insurance plans, and more importantly, the Township has twice switched the health insurance plan with the consent of the uniform officers. At this time, I believe all of the appropriate actions have been taken by the Township, and I am not recommending any further action.

Gambone Invoices – I received the Township’s file with respect to outstanding monies owed the Township. After reviewing same, I sent a letter to Michael Gambone, attaching a copy of a Civil Complaint, that I was prepared to file. At the BOS meeting on November 17th, they authorized the previous solicitor to pursue legal action to collect these monies. In response to my letter, I received, several phone calls from Mr. Gambone,

advising me that he intends to pay at least half of the amount of the invoices on Monday, and that there was a good chance he may be able to bring the entire amount thereby resolving this matter. I will keep the Board informed of our progress. Supervisor Theil updated this report by noting that a check was received from the Gambone Group in the amount of \$4,857.92 to settle the outstanding balance due. The Board of Supervisors agreed to consider the outstanding debt resolved. Supervisor Ziegler thanked Mr. Bauer for his efforts in resolving this issue in such a timely manner. As always, should there be any questions about my report, please do not hesitate to contact me.

Applications which are pending but inactive:

Danny Jake – Hallowell	inactive 2 years
Cobblestone Commons	inactive 1 year
Bui Jordan Drive	inactive 1-1/2 years

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

Pete Hiryak presented the Manager's Report.

1. The Manager reviewed the upcoming meetings as follows: P/A Workshop Thursday, February 9th @ 6pm to discuss the Rt100 Corridor and Renters Ordinance, P/A Meeting on Thursday, February 9th @ 7pm. Board of Supervisors Meeting Tuesday, February 21st @ 7:30pm because of President's Day Holiday.
2. Revitalization Plan Approved – On January 24th, 2012 at 8:00am I presented our Revitalization Plan to the Montgomery County Revitalization Committee and received notice that it was approved however with the budget restraints this was postponed by the committee. The Manager thanked Mr. Heydt for his assistance in presenting the plan to the County.

Mr. Ziegler asked the manager to give a brief overview of the Rt.100 Corridor Meeting that was held this evening prior to the Board meeting. The manager stated that the Board, Committees, Agencies, and Developers got together tonight for the common purpose of finalizing an ordinance that would encourage commercial growth along Rt100. It was a good turnout with productive ideas and it looks like everything will be moving forward, we are making progress. The Planning Agency starting Thursday will continue their work on the ordinance.

3. Boyertown Multi-Service – The manager spoke with the Executive Director for Multi-Service, Dana Eichart, and she is asking if the Board would consider increasing their contribution. The manager commented that over the last 10 years the Township has contributed \$70,000 to Multi-Service which is by far the most that has been contributed by any Township in Montgomery or Berks County. Our Township is second with units of service totaling over 27,000, first is Borough of Boyertown with over 30,000 units of service. Multi-Service also provides transportation to the center for our residents, they are asking to reconsider increasing the \$6000 contribution. Mr. Ziegler asked for the manager's recommendation, the manager stated that he recommends waiting until fall and take another look at it, we have completed the budget and an increase now is not within the budget at this time. The Board agreed with the manager's recommendation.

Mr. Hiryak asked the Board to reconsider the service and if there is extra money coming in maybe you can increase the contribution in the fall. Montgomery County contributes to social services not to multi-service. Another resident commented that things were cut in order to stay within the budget, if there is extra money we should not find ways to spend it. No other comments or questions were given.

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

Public Comment

Mr. Ziegler asked Chief Smith to update the Board regarding the reorganization of bingo night. Chief Smith stated that 3 weeks ago they were informed that the bingo ladies would be leaving Gilbertsville and setting up a new operation in New Hanover Township. Gilbertsville No.1 & F&R hastily put

together a bingo committee to handle the weekly event. Approximately 53 people attended, there were free bingo packs given out, extras were paid. We received good reviews of our bingo night. Chief Smith thanked Mr. Ziegler for contributing towards the jackpot and announced that Mr. Theil will be contributing towards the jackpot for the next time. Mr. Ziegler stated that it was good to see F&R and No.1 working together, we are going in the right direction. Mr. Heydt stated that food was available and he received compliments on how polite everyone was and it was better than before. Mr. Duncan commented that bingo volunteers are welcome to attend to enable the firefighters to return to their Thursday night training classes. A resident asked about the meeting sign for the front of the building, the manager replied that in the spring he will be able to provide some pictures of what the sign would look like. Chief Smith suggested staying away from the signs that have removable letters because the wind tends to make the letters fly all over the place. The manager stated that we are progressing with the website, the minutes and the meeting schedules are now up and working and we are looking at improving the site with an event calendar in the near future. Mr. Carl Hiryak asked why the public wasn't informed of the names of the new police officers; Chief Templin stated that the names are in the minutes. He also asked if the public could be told why the Markofski firm left the Township, Mr. Ziegler stated that Mr. Markofski advised the Chairman to sign some documents that were to be forwarded to the County, the paperwork contained a misrepresentation of certain facts and should not have been signed and that the Township has been under a Grand Jury investigation and he could not make any further comment. Mr. Kuklinski asked, bearing in mind that Markofski is no longer here, do we still need a conflict attorney, Mr. Ziegler replied that Joe Hylan is our conflict attorney and will be retained on an as needed basis only. No other comments were made.

Old Business or New Business

Mr. Ziegler wanted it known that as far as hiring police officers; his son was passed over the first time on the list of qualified candidates. Mr. Theil stated that Brent Ziegler is a good officer and is well liked by his fellow officers. No other old business or new business was discussed.

A motion to adjourn the meeting at 8:38pm was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Tuesday, February 21st, 2012 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler