

February 21<sup>st</sup>, 2012 Page 1

The meeting of the Douglass Township Board of Supervisors was called to order at 7:30 P.M. Attending were Chairman Fred Ziegler, Supervisors John Stasik and Fred Theil, Solicitor Bauer, Robert Campbell, Chief Templin, Cynthia O'Donnell, Mike Heydt, Pete Hiryak and approximately 27 residents.

Mr. Ziegler led us in the pledge of allegiance.

Mr. Ziegler announced at 7:31pm that the Supervisors will convene for an Executive Session.

Mr. Ziegler reconvened at 7:55 and announced that issues concerning the Police Contract were discussed.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to adopt a six year extension of Chief Templin's contract starting June 1<sup>st</sup>, 2012, annual wage increases will be equal to the Collective Bargaining Agreement of the Police Department and the Township shall make available the Deferred Retirement Option Program (DROP) when approved by the Pennsylvania Municipal Retirement Systems (PMRS) contract with Douglass Township. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Ziegler asked if there were any changes, corrections, or comments on the minutes of February 6<sup>th</sup>, 2012 Board of Supervisors Meeting, Carl Hiryak noted that Mr. Ziegler's remarks about Mr. Markofski having Mr. Ziegler sign some papers that should not have been signed are not mentioned in the minutes and should be. Mr. Ziegler instructed the Secretary to add the statement to the minutes. No other corrections were given.

On motion by Mr. Stasik, seconded by Mr. Theil, the Board approved the minutes of the February 6<sup>th</sup>, 2012 with the addition of the statement, "Mr. Markofski advised the Chairman to sign documents that were to be forwarded to the County, the paperwork contained a misrepresentation of certain facts and should not have been signed", on page 4, line 16. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Ziegler asked if there were any changes, corrections, or comments on the minutes of February 6<sup>th</sup>, 2012 Rt.100 Corridor Public Meeting, no one replied.

A motion by Mr. Theil, seconded by Mr. Stasik, the Board approved the minutes of February 6<sup>th</sup>, 2012 Rt.100 Corridor Public Hearing. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

#### **Ambulance Report – Warren Moser**

Mr. Moser presented the Ambulance Report for Chief Garry Schmoltze who is resting after his surgery. The total number of calls for the month of January was 100, 40 calls were from Douglass Township. The Grant application through Homeland Security for two new power litters was Denied. Application for grant through PA State Fire Commissioner's Office for three EZ-IO Gun Kits was Granted for \$4,085.91. Submitted the application for EMSOF Grant through the State of Pennsylvania GACAS applied for funding for Med-Media and two new Stryker Litters. Total amount applied for was \$13,000.00. We continue to have joint in-service training with Gilbertsville Fire Rescue. Matt Swanson has been presenting several courses to their firefighters so they are familiar with our equipment. Dr. Steve Spencer our medical command doc will be putting on a training seminar on February 28, 2012 from 1800-2000hrs; the topic will be advances in emergency room medicine. Mr. Sell asked how Mr. Schmoltze is doing; Mr. Moser replied that he is coming along well. No other questions were asked. Mr. Moser expressed his thanks to everyone for the continued support of the Gilbertsville Ambulance Company.

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

**Fire & Rescue Report presented by Chief Smith-** Fire report for January 2012: 4 fires, 2 brush/trash fire, 1 fire alarm/CO2 alarm, 2 vehicle accidents, 1 medivac landing, 2 EMS assist, and 2 assist to other departments for a total of 14 calls. The Fire Company was in service for 9 hours and 26 minutes. The 2011 Annual Report has been supplied to the Township, 194 calls were for Douglass Township. The donation letter went out three weeks ago and we have

received \$13,000. Mr. Theil asked how bingo was going, Chief Smith stated that the last three weeks we were holding our own, averaging 51-54 people each week. No.1 is working the food and doing real well, we have had good feedback from the people attending. No other questions were asked.

A motion to accept the Gilbertsville Fire & Rescue report was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

### **Police Department Report – Chief Templin**

Statistics for January 2012 – 333 incidents reported, 4 reportable accidents, 12 non-reportable accidents, 17 criminal investigations, 6 criminal arrests, 140 traffic citations, 3 non-traffic citations, 5 parking tickets, 8,915 miles traveled, money received by the Township \$6,522.37. Chief Templin stated that the Pennsylvania Chiefs of Police Association introduced the Pennsylvania Law Enforcement Accreditation Program to the Commonwealth in July 2001. Since then, over 300 agencies have enrolled and 76 agencies currently have attained accredited status. On February 9<sup>th</sup> & 10<sup>th</sup>, 2012 assessors conducted their on-site inspection of our police department and have found our police department to be in compliance with these standards. The next step in the process is to have the Commission approve our re-accreditation status. This meeting is scheduled for April 4, 2012 in Harrisburg, PA. I will be attending this meeting. I would like to thank all the officers for their hard work in accomplishing this task. I would especially like to thank Cpl. Brian Steffie, our Accreditation Manager, who put all the files together and was very instrumental in accomplishing this task. With the Board's approval, I would like to use the meeting room on Thursday, March 15, 2012 to put on an educational seminar for our local commercial vehicle operators. The topic will consist of general knowledge in the area of commercial vehicles. Instructor will be Officer Dalbey. The seminar will be free. The seminar will start at 7:00pm. I would like to get the information for the class up on the Township's website as well. Mr. Stasik stated that if the room is available it can be used; no motion is needed for this. Mr. Price asked if this is for CDL drivers, Chief Templin stated that it can be for anyone. Mr. Brumwell asked about the assault rifles and if you get training in using them, the Chief replied that a certified instructor will be teaching and you must qualify. He also asked if it is necessary for the rifles in this small community, Mr. Ziegler stated that he'd rather have them and not use them than not have them and need them someone is going to get hurt, crime is up and he instructed the Chief to release criminal incidents to the newspaper so that the residents are aware of the increase in criminal acts. Mr. Theil asked the Chief if he is attempting to recoup the costs of the tasers and rifles, the Chief stated that he received a generous anonymous donation and several other donations to recoup the costs. Mr. Ziegler mentioned that he would like to do something to honor fallen firefighters.

A motion to accept the police department report was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

### **Recycling Report presented by Andrew Duncan**

Mr. Duncan announced that the tub grinding has just been completed and there is mulch available. Many recycling forms have not been returned from the businesses in Douglass Township, this directly affects the recycling grant. Mr. Duncan asked for approval from the Board to send out a Second Notice to the businesses that did not respond before we decide to fine them for not responding. No questions were asked.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to approve sending a Second Notice to the area businesses who did not return the required recycling information. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

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

### **Engineer's Report – 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. Recently submitted Sewage Facilities Planning Module.
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 17, 2012. Received resubmission on January 31, 2012. Developer needs to address sewer easement description. Currently labeled “Exclusive Sanitary Sewer Easement” when there are storm water facilities within those easements. Comment submitted via e-mail from Township Solicitor on February 8, 2012.
  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 – 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. discussed at February 9, 2012 Planning Meeting. planning Commission responded favorably. No plan submission received to date. Zoning issues will need to be addressed.
  8. Quigley Bus Service – 290 Middle Creek Road – Presented before the Planning Commission meeting on February 9, 2012 and the main concern is traffic and logistics of moving a high volume of school buses from the location. Received plans dated January 2, 2012. Currently under review for next Planning Commission meeting.
  9. Wawa; Rt.100 and Grosser Rd. – Presented to Planning Commission at the February 9, 2012 meeting. planning Commission responded favorably. No plan submission received to date.
  10. Cobblestone Crossing-Phase 3- Beazer. Residential construction on-going.
  11. Smith Road Bridge – Received as-built drawings from Wilkinson Associates. Provided comments and currently awaiting resubmission addressing comments.
  12. Hartford Retail-Douglass Town Center – Performed site inspection for maintenance. Prepared letter dated February 6, 2012. Hartford indicated that they will address the comments. Mr. Stasik stated that regarding the bank on that property, he looked at it and it is a concern. Mr. Bauer noted that any concerns should be given asap as we get closer to the end of the maintenance bond. The manager also stated that there is a sign that fell down that belongs to the Gambones and he will call them and have it removed. Mr. Campbell stated that he will have the bank issue addressed.
  13. Market Street/Act 209 – Continuing to work toward identifying economically feasible solution to construct Market Street without using Act 209 funds or public funding.
  14. Rt.100 Corridor Ordinance – See Solicitor’s Report.

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 – Paul Bauer**

**Zoning Appeals** – Since the last BOS meeting, I was supplied with two new Zoning Appeal Applications, filed by Quigley Bus Service and Hansen Nursery. Going forward I would like to establish a policy on how the Township staff, and our office are to handle zoning applications. Each of these two matters were briefly reviewed by the Douglass Township Planning Agency, which supplied a recommendation to the Board. This recommendation was contained in a letter from Charles D. Garner, Esquire, and was provided to you in your Board packet. The planning agency, as well as our Township staff, was generally in support of the applications, provided that various safeguards were enacted and incorporated into any relief granted by the ZHB. Without listing all of the concerns for the Planning Agency, the main concerns can be classified as safety concerns, either

environmental safety or traffic safety. At this point my recommendation to the BOS would be to authorize our office to attend these hearings in support of the proposed applications, provided that the safeguards are established.

**Clover Hill Project** – At the last Planning Agency meeting, the Agency discussed the sketch plan submitted by John Backenstose, the owner of the project. The Planning Agency, recommended to the BOS to begin settlement discussions with the owner to resolve the outstanding Land Development Appeal. I would recommend to the BOS that we schedule a meeting with the owner and his attorney to begin these discussions. I will be happy to answer any additional questions that the BOS may have on this issue; but since this is a litigation matter, would defer such discussions for executive session.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to have Solicitor Bauer attend the Zoning Hearings for Hansen Nurseries and Quigley Buses to represent the Township's concerns. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

**Rt. 100 Overlay** – P/A looking for direction from the Board, changes have been made to the ordinance. Copies of revisions to ordinance have been given to the Board for review and recommendations for next meeting, if the Board agrees with the changes it should go through the review process and schedule a public hearing. Mr. Brumwell questioned some of the wording in the revised ordinance.

The manager asked if we can go ahead and schedule a zoning hearing for Hansen and Quigley Buses, Mr. Bauer replied yes it should go through the normal process. Carl Hiryak asked why does Mr. Bauer need to attend the zoning hearing when you have a zoning hearing board solicitor present, Mr. Bauer replied it is to ensure that the concerns of the P/A and Board of Supervisors are represented. No other questions were asked.

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

**Mike Heydt presented the Highway Report** – (January 18, 2012 – February 21, 2012) Fixed potholes with cold patch. Started construction of new storage building. Cut down dead tree along Buchert Road. Salted roads. Maintained salt trucks. Helped with tub grinding. Cleaned and inspected inlets south of E. Philadelphia Avenue. Replaced guiderail at Countyline Road and Swamp Creek Road per Bridge Inspection requirement. Trimmed in development off of Miller Road. Trimmed at corner of Lone Pine and Paper Mill Roads. Replaced a couple of signs that faded. Replaced all hazard signs and warning signs on Jackson Road. Mr. Ziegler asked Mr. Heydt to fix the farm preservation sign on Henry Road. No questions were asked.

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

**Mike Heydt presented the Zoning Report** – Mr. Adams on Mill Street has been doing a good job on removing junk. Mr. Ziegler asked about Wayside Chapel, Mr. Heydt replied that he went to see him again and he was sick. Mr. Ziegler stated that the car wash on Philadelphia Avenue looks terrible; Mr. Heydt stated he has asked them to paint the roof several times and they refuse. Mr. Ziegler stated to get with Mr. Bauer and discuss the next step and review files.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to have the manager, zoning officer, and Solicitor Bauer review the files on Mr. Adams, the car wash, and the Wayside Chapel in order to discuss what action should be taken on the car wash and Wayside Chapel. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed. Mr. Heydt was asked to fix the potholes on Jackson Road near Rt.100 at the train store. No other comments were given.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to accept the Zoning Report. Stasik-Aye, Ziegler-Aye, Theil-Aye.

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

1. The Manager reviewed the upcoming meetings as follows: Board of Supervisors Meeting Monday, March 5<sup>th</sup> @ 7:30pm, Planning Agency Workshop Meeting Thursday, March 8<sup>th</sup> @ 6pm, P/A Meeting Thursday, March 8<sup>th</sup> @ 7pm.
2. The traffic study has been completed regarding the retiming of the traffic signal at E. Philadelphia Ave & Congo Road. Recommendations on the retiming will be forthcoming from the PennDot Office, Mr. Campbell asked for a copy of the traffic study.
3. School Warning Device – Second Street – The School District has informed Presidential Estate residents that children living in close proximity to Boyertown Elementary School will not be provided bus service and now must walk to school, therefore PennDot has agreed to do a traffic study at Second Street for a school zone safety traffic warning device. A meeting was held last month attended by the School District, PennDot, Chief Templin, the Manager, Mike Heydt, Colebrookdale Township, and Mr. Stasik to discuss the safety issue of children walking to the Elementary School. The School District agreed at Mr. Stasik's insistence to pay 50% of the engineering study for the warning device costs, with Colebrookdale Township and Douglass Township each to pay 25% of the costs since Second Street is located in both municipalities. A letter is needed from the Township to PennDot acknowledging this agreement.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to authorize the manager to send a letter to PennDot agreeing to pay 25% of the engineering study costs involved to put a School Warning Device at Second Street. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

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

**Cynthia O'Donnell presented the Treasurer's Report**

The unpaid bills totaled \$156,713.73. The unusual bills were Bergey's Commercial Tire for truck tires, Hess Embroidery & Uniforms LLC for new police hirees, Blue Ribbon Masonry, Ches-Mont Emergency Response Team, EJ Breneman LP, Fleetwood Building Block, Hopewell Nursery for tub grinding, Hydrocon Services, International Salt Co, K&G Property Maintenance, Microbac Laboratories, PMRPC, Ridgidply Rafters, Witmer Public Safety Group.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to authorize the payment of the bills. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Transfer tax of \$71,047.19 was received on February 3, 2012. \$64,000.00 was from the sale of real estate owned by Cabot Corporation. Our 2012 annual budget for transfer tax is \$125,000.00, and for the first two months we have received \$77,051.29. The field work for our audit was completed by Herbein & Co. They were at the Township office last week. We should be receiving our audit report by the end of March. W-2's and 1099's were issued. The following DCED reports have been filed: Municipal Tax Information Form, Municipality Report of Elected and Appointed Officials, Survey of Financial Condition. PURTA tax receipts form was filed. Liquid Fuels reporting was completed, and was accepted by PennDot. We received a proposal from Catapult Web to redevelop the existing website incorporating a Content Management System, and to also provide a Calendar tool.

The cost is \$3,200 and the timeline is 2 weeks. We would also need to change our website hosting to Catapult Web, as our current host cannot support this type of website. The hosting fee with Catapult Web is \$59.95 per month. Our current host charge is \$20 per month.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize the Treasurer to contract Catapult Web as our website host and also to have Catapult Web redevelop the existing website incorporating a Content Management System. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Brumwell questioned why we reimburse the materials used by the Tax Collector because we are already paying her monthly. Mr. Bauer stated that every Township does this; Mr. Moser stated that it is under the Tax Payer Law.

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

### **Old Business/New Business**

Mr. Ziegler stated that the Open Space Committee is looking for a chairman to oversee the meetings and will continue to work with the installation of waking trails on the Keller Woods open space property.

### **Public Comment**

No comment was given.

A motion to adjourn the meeting at 9:12pm 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 Monday, March 5<sup>th</sup>, 2012 @ 7:30 pm.

Respectfully submitted by,  
Marcy Meitzler