

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 Paul Bauer, Robert Campbell, Pete Hiryak, Chief Templin, and approximately 22 residents.

Mr. Ziegler led us in the pledge of allegiance.  
Mrs. Theil announced that she will be taping tonight's proceedings.

Mr. Ziegler asked the Secretary to read a letter by Mr. Theil to be entered in the minutes. The Secretary read the letter to the public. See attached letter. There was a brief vague discussion in reference to this letter and Solicitor Bauer recommended that the Board follow tonight's agenda first and address this letter, if need be, under the Old Business/New Business.

Mr. Ziegler asked if there were any additions or corrections to the minutes of February 21<sup>st</sup>, 2012, no one replied.

On motion by Mr. Stasik, seconded by Mr. Theil, the Board approved the minutes of the February 21<sup>st</sup>, 2012. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

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

Chief Templin stated that we will be holding our Commercial Vehicle Class here at the Township on Thursday, March 15<sup>th</sup>, 2012 at 7:00pm. The class is free and is open to anyone wishing to obtain general knowledge in commercial vehicles. On Saturday, April 28, 2012 from 10:00am -2:00pm we will be participating in the National Drug Take Back Initiative in cooperation with the Drug Enforcement Agency. Giant Food Store will be hosting our collection site and anyone can bring in expired or unwanted medications to be destroyed. I would like the Board's approval to move forward with the purchase of our new police vehicle. This will be replacing 91-8, a 2006 Crown Victoria that currently has 95,000 miles on it. This vehicle was budgeted for and we will be actually saving approximately \$1,400.00 than originally thought due to the re-construction of the COSTARS contracts. I have the purchase orders ready to go. Mr. Stasik asked how long will it take to get the new vehicle, the Chief replied approximately 2-4 months, we will have to purchase new light bars which is also budgeted.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to approve the purchase of a new police vehicle. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Theil showed Chief Templin some documents and asked the Chief if he recalls what transpired? Chief Templin asked if he should reply to this question, Mr. Theil asked why charges were reduced to disorderly conduct, Chief Templin replied because no one wanted to testify. Mr. Theil asked why they didn't want to testify, Mr. Bauer commented that often times in domestic situations people do not want to testify, they don't want to get involved. Mr. Brumwell asked what was going on here because no one saw this document. Mr. Ziegler stated that this entire document should be read, it is from 1993. Mr. Bauer again stated to the Chairman, we are here for a public meeting tonight with an agenda; Mr. Theil can bring this up at Old Business/New Business, if he wishes. Mr. Ziegler asked the Chief to pull the archives on this issue, he wants this put to rest at this meeting, Chief Templin left to retrieve the original file. No other questions were asked.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to approve the Police Department Report. Stasik-Aye, Ziegler-Aye, Theil-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. Sewage Facilities Planning Module Resolution offered for approval.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to approve the Sewage Facilities Planning Module Resolution for the Bui/Jordan Drive Subdivision as recommended by the Township Engineer. Stasik-Abstain, Ziegler-Aye, Theil-Aye. Motion passed. Mr. Stasik explained that he has abstained from the vote because he serves on the Board at BMMA.

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 re-submission 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. Granted a 180 day extension.
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 Creed 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. Review letter dated March 1, 2012 for next planning commission meeting. Mr. Ziegler stated that Act 209 fees are applicable to this property. Mr. Campbell stated that the P/A is wanting a traffic study and road feasibility study. Mr. Bauer at this point it would be premature to ask for a traffic study, it would be best for the zoning hearing to make it a condition.
9. Wawa; Rt100 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.
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. Update cost estimates provided which define the phases differently. Met with Danny Jake to explain and discuss how the numbers were arrived at.

MS-4 Annual Report – Year 9 of the MS4 permit ends March 9, 2012. The new PADEP MS4 permit will become effective March 16, 2013. The Township has partnered with Perkiomen Watershed Conservancy to educate various audiences in the Township about responsible storm water management. Storm drain stenciling efforts are available for volunteer work. Stenciling has been performed by local Boy Scouts in the past. We encourage others to perform this work. Storm water information is also available on the Township’s website. The Township has screened 42 storm water outfalls twice in accordance with PADEP requirements and 21 storm water outfalls once. These 21 outfalls will need to be screened a second time. No illicit discharges were detected. Illicit discharges include chlorine, phenol, copper, detergents and fecal coliform. The Township has Operation and Maintenance procedures for storm water facilities as well as vehicle maintenance. Inlets were cleaned and

inspected by Township staff over the last few weeks. Public Participation opportunities: Perkiomen Watershed Conservancy-Annual Stream Clean-Up scheduled for April 21<sup>st</sup>, 2012.

Mr. Kuklinski stated that Mr. Stasik abstained from voting on the Bui/Jordan Sewage Facilities Planning Module Resolution and being a member of the Board of Auditors stated that a document needs to be filed reflecting this for the Board of Auditors records. Mr. Bauer advised that a Conflict Of Interest is only when there is a pecuniary benefit to someone by voting on the motion, Mr. Stasik did not have to abstain, however he has stated his reasons for abstaining. No other questions were asked.

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

**Solicitor's Report – Mr. Paul Bauer**

Met with staff and reviewed files on Wayside Chapel and Gilbertsville Car Wash and agrees with code & zoning violations for both properties. Mr. Bauer recommended going ahead and filing a violation letter and prosecuting, at the very least Wayside Chapel has safety and fire hazard issues.

A motion was made by Mr. Theil, seconded by Mr. Stasik to authorize Solicitor Bauer to file a violation letter to Wayside Chapel. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Gilbertsville Car Wash is being used as vehicle storage this is a change of use because it is zoned as a car wash. A change of use has not been filed with the Township and it is recommended to file for prosecution.

A motion was made by Mr. Theil, seconded by Mr. Stasik to authorize Solicitor Bauer to file a violation letter to the Gilbertsville Car Wash. Stasik-Aye, Ziegler-Aye, Theil-Aye. Motion passed.

Cobblestone Commons - A Notice of Intent to Proceed was filed by the developer. The P/A recommends the proposed all commercial development of this plan. Mr. Ziegler asked for this to be tabled until next meeting to allow for review time.

Clover Hill – The proposed change reduced the number of lots, P/A recommends the revised plans to the BOS.

A motion was made by Mr. Theil to approve the proposed change, no one seconded the motion. Mr. Ziegler asked to table this until next meeting to allow for review time. Carl Hiryak stated, shouldn't Cobblestone Commons be reviewed as a new plan, Mr. Bauer stated that with a land use appeal you can come to a resolution and attach it to the plan. 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. 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, March 8<sup>th</sup> @ 6pm to discuss the non-residential portion of Rt100 Corridor, P/A Meeting on Thursday, March 8<sup>th</sup> @ 7pm. Board of Supervisors Meeting Monday, March 19<sup>th</sup> @ 7:30pm. Open Space/Recreation Committee Meeting Monday, March 19<sup>th</sup> @ 6:30pm. Keller Woods Open Space on-site walk-thru Sunday, March 18<sup>th</sup> @ 12:30pm, the road crew will try to clear several pathways for that meeting.

2. Additional appointments to the Douglass Township Open Space/Recreation Committee: Tony Kuklinski, Lynne Schlesman, Farley & Deb Nester, Michael & Lori Coughlin, Bernard Sell, Randall Romig, and John Marmer.

A motion was made by Mr. Theil, seconded by Mr. Ziegler to approve the above additions to the Douglass Township Open Space/Recreation Committee. Stasik-Aye, Ziegler-Aye, Theil. Motion passed.

Mr. Ziegler asked if there were any questions for the manager, no one replied.

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

### **Public Comment**

Carl Hiryak made a statement referring to the Sunshine Act, implying that the person who was complaining about unlawful meetings is now partaking in them himself. Mr. Link asked at what P/A meeting was Cobblestone Commons approved with a vote from the members, the manager stated that the P/A approved the concept of all commercial and made a recommendation to the Board. He will research the minutes for the date. Mr. Kuklinski stated that he was in favor of Cobblestone Commons being all commercial because it fits the area better than partially residential. Mr. Link added that it is in the Act 209 area and impact fees will apply. No other comments were given.

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

Mr. Ziegler addressed some of the allegations of Mr. Theil's letter and wanted it known that documents were delivered to his office for signatures on the date they were due to Montgomery County; any delays and all funding would have been lost. Mr. Ziegler asked the manager if he was subpoenaed, the manager replied yes, for the Libor Tract files. Mr. Ziegler stated he has nothing further to say, he will answer questions privately. Mr. Theil stated that the Township was not under investigation. The Grand Jury found no wrong doing. Mr. Brumwell stated that this letter implies that the Township was under investigation when it was the County being investigated. Mr. Ziegler commented that we don't know what the Grand Jury is investigating. Mr. Bauer commented that this came about at a previous meeting by someone asking why the prior Solicitor resigned. Mr. Ziegler is correct in saying that we don't know what the Grand Jury is investigating and recommended to conclude this discussion and move on. Mr. Wynne commented that there is a lack of information on how this property was purchased. Mr. Ziegler stated that the Libor's made a \$60,000 contribution to the Township, Montgomery County gave \$688,000 towards the purchase, and the Township gave \$112,000. Mr. Ziegler asked to move on from this subject and asked Chief Templin if he had the entire set of documents that Mr. Theil brought up during the Police Department Report, the Chief replied yes but does the Board want this be read publicly, Mr. Theil stated that for the last four years this issue has been brought out as a threat most recently at a meeting last week. Mr. Ziegler stated to the manager, you were at that meeting did you hear a threat; the manager replied that there were some heated words by both parties however he did not hear or remember a threat. Mr. Theil asked Mr. Wynne if he had anything to say regarding certain meetings, Mr. Wynne replied I have nothing to say that wouldn't be hearsay. Mr. Ziegler stated that he did not want to embarrass anyone but he would leave it up to Mr. Theil if the Chief should read the documents out loud. Mr. Bauer interjected saying let us put the past in the past, I advise the Board to end this discussion. Mr. Theil announced that on the advice of Mr. Bauer he will withdraw his request for the documents to be read.

A motion to adjourn the meeting at 8:40pm 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 Monday, March 19th, 2012 at 7:30pm.

Respectfully submitted by,  
Marcy Meitzler

## Grand Jury Investigation or Personal Witch Hunt?

Reading the Grand Jury report dated Dec. 5<sup>th</sup> 2011, no mention of Douglass Township whatsoever. Why is a sitting Supervisor putting the Township in a bad light with his on the record statements? The same Supervisor claims he signed documents at the behest of Solicitor Markofski which misrepresented the facts. 35+ years of Law enforcement would teach him to actually read before signing. Pottstown Mercury Sat. March 4<sup>th</sup> 2012 front page, lying to Grand Jury charges dropped against Commissioner Matthew.

Recent comments made about Libor tract might be cause for aforementioned witch hunt, Grand Jury found County lacking any policy controlling multiple appraisals for open space acquisition, so once again found no wrongdoing by Township. On the record statements on Township Web-site only causes many Township residents to ask what is this all about. The record is clear, this purchase actually saved the Township part of its 20% co-pay requirement, Mr. Libor made a charitable contribution of \$60,000 towards the Township's share. Township actually paid less than it would have under its own appraisal. The Libor property must be some type of agenda for some with an axe to grind.

\$6,000 spent on conflict attorney, no accounting to date, what if anything did he discover, taxpayers have a right to know how their Taxes are spent. Jan. 3<sup>rd</sup> 2012 new conflict attorney hired, to date no rate of pay has been disclosed. What are his duties? Who is he answering to? Who is making the decisions?

I ran for office to move this Township forward, in the past mistakes were made and probably will again, to continue to dwell there is a sign of poor judgment and agendas. Years of no cooperation and outright hatred among Supervisors has caused this Township to become the laughing stock of the County and at State level. I will not sit quietly by and have the good name of this Township dragged thru the mud by some who have no regard for the impact of their on the record Statements.

Fred Theil