

BOARD OF SUPERVISORS
December 19, 2011

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, Mike Heydt, Pete Hiryak, Chief Templin, and approximately 39 residents.

Mr. Ziegler led us in the pledge of allegiance.

Mr. Theil announced that he will be taping this evenings proceeding.

Mr. Markofski stated that there was an executive session prior to tonight's meeting involving employee compensation and pending litigation.

Mr. Ziegler asked if there were any additions or corrections to the minutes of December 5th, 2011, no one replied.

On motion by Mr. Stasik, seconded by Mr. Turner, the Board approved the minutes of the December 5th, 2011. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Chief Templin announced that last Wednesday I had a chance to sit down and speak with a remarkable young lady, Sabrina Piotrowski. Sabrina is here tonight with her family and friends to receive a Citizen's Commendation for her actions on October 19, 2011. What is most remarkable is that Sabrina is only eleven (11) years old. Cpl. Steffie brought this incident to my attention and it immediately touched my heart. The bravery this young lady displayed was remarkable. Chief Templin read from the commendation, and along with Cpl. Steffie presented the Citizen's Commendation to Sabrina Piotrowski.

Chief Templin conveyed to Sabrina that our thoughts and prayers continue to go out to you and your family and I am sure your mother is smiling down on you on this special day. You are truly an example to be followed.

Police Department Report – Chief Templin

Statistics for November 2011 – 325 incidents reported, 6 reportable accidents, 17 non-reportable accidents, 21 criminal investigations, 6 criminal arrests, 207 traffic citations, 20 non-traffic citations, 7 parking tickets, money received by the Township \$6,711.30. On December 4, 2011 (Sunday) we participated in the Shop with a Cop Program sponsored by the Berks-Montgomery CBER's Club. It was our hope to put some smiles on the faces of some underprivileged children in the Township and I think we have accomplished that goal. The speed limit signs along Rt73 from Middle Creek Road to Smith Road in Douglass Township have been installed by Penn Dot last week. The new speed limit is now 45 mph along the stretch of Rt 73. The Pennsylvania Law Enforcement Accreditation Program on-site review and re-assessment for our police department is scheduled for February 9 & 10, 2012. We are making every preparation to be ready for that date. I was looking to the Board for clarification on Officer Poux. The police contract has been settled so I would take it that there is no longer a need for a conditional offer of full-time employment letter to be sent to Officer Poux and that Officer Poux can begin his full-time employment status starting January 1, 2012. Mr. Ziegler stated that the budget should be passed before this can be agreed upon. I want to take the time to thank the Board and the

residents of Douglass Township in allowing me to serve all of you in the capacity I do and I look forward in continuing to do so. I hope everyone has a safe and enjoyable holiday season. 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.

Ambulance Report – Garry Schmoltze

November 2011 – there were a total of 97 calls for service, 66 patients were transported, 13 cancellations, 15 refusals, 3 fire scene stand-by. Douglass Township 40, New Hanover 27, Boyertown Borough 10, Pennsburg 2, Pottstown 4, Lower Frederick 2, Upper Frederick 2, Colebrookdale 3, Lower Pottsgrove 1, East Greenville 1, Bally 1, Red Hill 1, Upper Hanover 1, and Washington Township 2. Applied for grant through Homeland Security waiting to hear if we will get the grant – total applied for \$32,000.00 for two new power litters- in progress. Applying for grant through Pennsylvania State Fire Commissioner's Office. We are applying for three EZ-IO gun kits. Grant was approved waiting to see how much funding we do receive from the state – in progress. Montgomery County Ambulance Association applying for professional development grant. Grant will be written by firehouse grants of Cheltenham PA. the cost would be \$150.00 per squad, so far besides GACAS, 11 other Montgomery County EMS agencies are interested – in progress. Received application to apply for EMSOF Grant funding for 2011-2012 must be submitted on/before December 28, 2011 – in progress.

Boyertown Lions Club has been down to one ALS truck 24/7 and we have increased staff on days needed, tracking progress of the program. Our second truck program will continue into January 2012 we have a second ALS truck three (3) days a week which is correlated with Boyertown's calls for service. The program will be reevaluated the end of January 2012. On Sunday December 18, 2011 we participated in a Haz-Mat Operations refresher at 332. On line training has been set up with EFIS through General Insurance, course outline to be completed will be posted in the next few weeks.

Mr. Schmoltze commented that he will be in the hospital the first week in January for heart surgery. The Board wished Mr. Schmoltze the best regarding his operation.

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

Trustee's Report by Mr. Haddad- Budgets – Fire & Rescue has prepared their work copy of a budget which will meet their expenses for 2012 and permit a transfer of a small surplus to their equipment reserve fund. I note that F&R is now working through me as trustee for their budgeting and financial reporting and Cindy O'Donnell and Brenda will assist in preparing quarterly financial statements. Using the trustee and Cindy will save the outside accounting fees paid in the past. I have worked on the budget for GFC and I am returning to a monthly report and review will enable the officers and in particular the manager, Phyllis, to more closely monitor expenses and react more quickly to change.

Phyllis is working with Cindy on a regular basis and I feel she has a better understanding and control over the finances than was evident previously with other managers. Court Action – Since my accepting the trusteeship, there have been a vocal few at GFC that expressed interest in challenging the stipulation wherein the fire company was formally divided into a Fire-Rescue and a Social Quarters with the fire trucks and equipment being transferred to F&R and the real estate transferred to a Trustee.

This stipulation resulted in GFC being divested of the above property. Whether it was legal, a proper decision or stipulation, the fact remains it is the document currently governing the operation of F&R and GFC. Although neither GFC nor F&R were pleased with the stipulation, I am pleased to report

that F&R has fulfilled their mission and responsibility in maintaining a high level of fire protection and rescue services to Douglass Township. GFC has and continues to be the major challenge to me and perhaps the Township Supervisors. Although I have expressed my dissatisfaction with the cooperation between F&R and GFC, I am pleased to report a better relationship has surfaced. Upon seeing that relationship manifest itself with a possible resolution of whether GFC really wants or would be able to manage both the social side and fire fighting operation if the stipulation were dissolved or changed, I met with the officers of GFC and later the members attending the monthly meeting on Dec. 13, 2011. The Trustee will be giving quarterly reports starting in 2012.

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

Gilbertsville Fire Company #1 Report presented by Mr. Sacks – Mr. Sacks commented that the children's party went well with 50-60 children attending. We will be having a blood drive, pork & sauerkraut dinner, Pac10 Coaches Dance, Gun Show, yard sale, Pampered Chef Show, and a food drive for the Salvation Army. Mr. Ziegler asked if they will be doing Fundraiser Calendars, Mr. Sacks replied that they can look into that. No other questions were asked.

A motion to accept the Gilbertsville Fire Company #1 report was made by Mr. Stasik, seconded by Mr. Turner. Stasik-Aye, Ziegler-Aye, Turner-Aye.

Fire & Rescue Report presented by Chief Smith- Fire report for November, 2011. 1 fire, 1 brush/trash fire, 1 vehicle fire, 1 wire, 5 fire alarms/CO2 alarms, 1 vehicle rescue, 1 hazardous material, 2 EMS assists, 5 assist to other departments, 1 special service, and 3 investigations for a total of 22 calls. The Fire Company was in service for 13 hours and 1 minute. Chief Smith commented that he would like to have Sabrina's address so that when she is old enough in a few years he could ask her to join the crew. Chief Smith stated that Santa made his rounds through the Township on Sunday. Mr. Ziegler asked if there were any questions for Chief Smith, Ms. Norton asked the Chief how many firefighters he had, Chief Smith replied that there are 40 firefighters including the fire police. Chief Smith commented that everyone should have a safe Christmas. No other 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.

Engineer's Report – Mr. Khal Hassan

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. 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. Berwind II – Received preliminary plans for 71 residential units. Prepared review letter dated December 5, 2011. Pennoni meeting with Developer’s engineer on December 12, 2011 to review stormwater design.
 7. Cobblestone Crossing-Phase 3- Beazer. Residential construction on-going.
 8. Smith Road Bridge – Awaiting as-built drawings. Have been in touch with developer and the surveyor and we are hoping to get this finalized very soon. Were in contact with Wilkinson about the as-builts and will forward Township with this information. Mr. Ziegler asked if there were any questions for the engineer, no one replied. Mr. Hassan wished everyone Happy Holidays.

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

Solicitor’s Report – Mr. Charles Markofski

Appeal of Gilbertsville Plaza Associates – Gilbertsville Plaza Associates has appealed to the Court of Common Pleas from the decision of the Board of Assessment. I intend to file a Praecipe to Intervene and enter my appearance on behalf of the Township. The School District and Board of Assessment will continue to be the primary defenders of the Board of Assessment’s decision.

Resolution 050304 of May 3, 2004/Beaver Farm – I have prepared a new resolution incorporating an earlier resolution of May 3, 2004. This earlier resolution was not recorded at Montgomery County.

This earlier resolution incorporated the 34.43 acre Beaver farm tract, a 38.919 acre tract of Michael R. and Michele R. Libor, and an 81.380 acre tract of Louis P and Maureen R. Farrell in the Douglass Township Agricultural Security Area. As you may recall, Elizabeth Emlen, Senior Farmland Preservation Administrator for the Montgomery County Planning Commission requested that we record this earlier resolution of May 3, 2004. Mr. Ziegler requested that this resolution be tabled. No action was taken.

Smith Road Bridge “As-Built” Plan – In an effort to secure a deadline for the preparation of the “as-built” plans, I contacted our engineer, Robert Campbell, to see what type of commitment he could secure from Ed Wilkinson for the preparation of the plans. Mr. Campbell expressed concern that the winter months would make it impossible to do the actual measurements of the finished construction if we could not secure a commitment from Mr. Wilkinson in the near future. I learned today from Mr. Campbell that Mr. Wilkinson is looking into the matter and probably not getting back to us because

of money which may be owed to him for other aspects of this project. It certainly raises a concern.
I am hopeful that we can have this nailed down by the next meeting.

2012 Tax Resolution – I have reviewed the proposed tax resolution for 2012 and find no discrepancies for deficiencies. The resolution contains the same taxing structure which has been in place for 2011 and carries it over for the next calendar year

A motion was made by Mr. Turner, seconded by Mr. Stasik to approve the 2012 Tax Resolution. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Backenstone Property at Clover Hill, Niantic Road – I have been contacted by Jeffrey Karver, Esquire, attorney for Mr. Backenstose regarding the Clover Hill property in Douglass Township. According to Mr. Karver, an appeal was filed by Mr. Backenstose in 2004 from a decision by the Township to restrict development on this site. Mr. Karver would like to have a meeting with staff and a supervisor to discuss a new proposal to significantly reduce the project. Mr. Karver is simply seeking comments at this time. Mr. Karver agreed that Mr. Backenstose will pay any appearance fees associated with the meeting. I am requesting that a staff meeting be approved in this matter.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to approve a staff meeting for the Backenstose Property at Clover Hill, Niantic Road as long as it is scheduled in the evening. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The Manager was instructed to setup this staff meeting.

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

Andrew Duncan presented the Recycling Report

For the month of November/December 2011: took two loads of cardboard to Reading, 3 loads of light iron to Pottstown and 1 load of aluminum. Received a check from Abitibi Paper for \$71.06. The chipper was out to 5 residences for curbside chipping this month. All were exempt but one. We are still selling mulch at the Recycling Center on Wednesdays and Saturdays. Leaf Collection ran through Friday, December 2, 2011. Both leaf vacuums were operational this year. I will be soliciting bids for tub grinding for the pile of brush and the pile of leaves for the second meeting in January 2012.

Mr. Sell asked if we loaned our leaf vacuum to Boyertown Borough, Mr. Duncan replied yes we loaned the leaf vacuum to the Borough, they will be doing street sweeping for us sometime and they reimbursed us for the fuel used. No other questions were asked.

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

Mike Heydt presented the Highway Report – (December 6, 2011 to December 18, 2011) Working on bridges throughout Township replacing guiderail and signage per PennDot Engineers. Fixed dirt roads. Fixed potholes with cold patch. Cleaned up all leaf collection equipment. Replaced two windows in shop that were rotten. Changed oil in backhoe. Performed maintenance on grader. Cut ditch along Linsenbeidler Road. Cleaned up trees along Bartman Avenue.

Meeting with Mike Shaffer (BMMA Inspector) about the roads that will be refurbished next spring and to make sure that the patches will hold up for the winter. Mr. Ziegler asked if we could get this information out to the people who live on these roads. Mr. Ziegler asked about the progress on Mill Street, Mr. Heydt replied that he was going to revisit the site in January to check out the progress. Mr. Ziegler asked if he checked on Wayside Chapel, Mr. Heydt replied that he went past the Chapel and it didn't build up, it is about the same.

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

Mike Heydt presented the Highway Report – For the month of September: 2 house permits for \$2,300.05, 3 large permits for \$432.60, 2 small permits for \$93.00, 2 driveway permits for \$100.00 for a total of \$2,925.65.

Mr. Heydt stated that we will have 3 commercial permits in progress; 1 for Nova Care in the Giant Shopping Center, 1 for Big Lots in the former Ames Store in the Town Plaza, and also 1 for Dollar Tree in the same Plaza.

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

Cynthia O'Donnell presented the Treasurer's Report

The unpaid bills totaled \$274,411.24. The unusual bills were Bechtelsville Asphalt, Duane Moyer's Mechanical Services, Eckert Seamans Cherin & Mellott LLC, EMC Insurance, Goodyear Wholesale Tire Center, Hydrocon Services, Inc., Signal Service, PMRS, and TM Mayer LLC. In addition to the above, we are paying \$6,278 to Pennoni Associates for road engineering. The services are for site survey, design and plan preparation for culvert replacements/installation at the Gilbertsville Ambulance building along Jackson Road. We are also paying a 13th month of health insurance premiums in the fiscal year. This is a result of our billing period adjusting from the 15th of the month to the 1st of the month. I am currently working on securing our refund for the duplicate coverage billed for the overlap of billing periods. Mr. Turner suggested letting the insurance broker handle the problem.

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

The General Fund income for 2011 to date is 8.0% (\$226,667) ahead of last year's income to date. The increase is attributable to Local Enabling Taxes (\$107,571) and Building Permits (\$26,476), and State Shared Revenue (\$115,082).

A 2011 budget amendment is prepared to account for income received in excess of budget, and to address additional costs incurred over budget for certain line items.

A motion was made by Mr. Ziegler, seconded Mr. Stasik to approve the 2011 Budget Amendments as per the Treasurer's recommendations. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The 2012 budget as advertised, with revisions, is prepared for adoption. Ms. O'Donnell stated that the revisions do not require re-advertisement.

A motion was made by Mr. Stasik, seconded by Mr. Turner for adoption of the 2012 Budget with the agreed upon revisions. Stasik-Aye, Ziegler-Aye, Turner-Aye.

There was a brief discussion involving whether the new full time police officer should be required to sign a Letter of Understanding; Mr. Markofski preferred to have the new officer sign the Letter of Understanding as a precautionary measure.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to have Mr. Markofski draw up a Letter of Understanding and to have Officer Poux sign the form. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Pete Hiryak presented the Manager's Report.

1. The Manager reviewed the upcoming meetings as follows: Reorganization Meeting Tuesday, January 3rd, 2012 @ 7:30pm, Board of Auditors Meeting Wednesday, January 4th, 2012 @ 7:00pm, P/A Workshop Thursday, January 12th @6pm-(Renters Ordinance/Rt100 Corridor/Market St.), P/A Meeting on Thursday, January 12th @ 7pm.

2. 2012 Meeting Schedule – Approval for Advertisement.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to approve the 2012 Meeting Schedule and to authorize the Manager to advertise the meeting dates. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

3. Non-Uniform Wage & Holiday sheet. The manager asked for approval of the 2012 Non-Uniform Wage & Holiday Sheet. The manager stated that the increase would amount to 3% for all full time non-uniform personnel.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to approve the 2012 Non-Uniform Wage & Holiday Sheet. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

Mr. Ziegler stated that he wanted minutes taken at the Committee Meetings/Staff Meetings to be in compliance with the Sunshine Law.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize the Secretary to be present and take minutes at the Committee Meetings/Staff Meetings. Stasik-Aye, Ziegler-Aye, Turner-Aye. Motion passed.

The manager stated that our long time cleaning lady, Mary Anusiewicz, will be retiring at the end of the year, we wish to thank her for her many years of service and we wish her the best. Staff will be taking over the cleaning duties for the time being. The manager also stated that tonight is Mr. Turner's last meeting, we thank him for everything he has done for Douglass Township residents and for the Township Staff, and we will miss him.

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

Public Comment

Mr. Ziegler thanked Mr. Turner for his many years of service to Douglass Township. Mr. Stasik commented that he appreciates all the help and advice that Mr. Turner gave him when he came aboard as Supervisor and also commented that it is very different being on this side of the table as compared to being in the audience. Chief Smith also thanked Mr. Turner for his service to the Township. 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 8:53pm 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 Tuesday, January 3rd, 2012 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler