

The meeting of the Douglass Township Board of Supervisors was called to order at 7:33 P.M. Attending were Chairman Fred Ziegler, Supervisor Fred Theil, Solicitor Paul Bauer, Robert Campbell, Mike Heydt, Chief Templin, Pete Hiryak and approximately 19 residents.

Mr. Ziegler led us in the pledge of allegiance. Mr. Ziegler asked for a Moment of Silence for former employee Leon "Lucky" Groff who passed away on Thursday. Mr. Ziegler announced that Mr. Stasik is in the hospital and will not be attending tonight's meeting. Mr. Ziegler acknowledged former Supervisor Greg Lignelli and also Mr. Moser from BMMA who are attending tonight's public meeting.

Mr. Bauer announced that there was an Executive Session held tonight prior to the Board of Supervisors Meeting to discuss litigation matters and the potential litigation matter involving Berks Mont Municipal Authority (BMMA), no action was taken, no votes or decisions have been made.

Mr. Ziegler asked if there were any changes, corrections, or comments on the minutes of August 20th, 2012 Board of Supervisors Meeting, no changes or comments were given.

A motion was made by Mr. Theil, seconded by Mr. Ziegler to approve the minutes of the August 20th, 2012 Board of Supervisors Meeting. Ziegler-Aye, Theil-Aye. Motion passed.

Police Department Report – Chief Templin

1. Greenbriar – As instructed by the Board of Supervisors Chief Templin spoke to the resident on Hawthorne Avenue in reference to the parking issues and the traffic study. The Board has a copy of the incident report. this issue is resolved. As instructed by the Board Chief Templin did look into the crosswalks for the Greenbriar Development. The Manual on Uniform Traffic Control Devices (M.U.T.C.D.), instructs us on how to place our crosswalks. At locations controlled by traffic control signals or on approaches controlled by "stop" or "yield" signs, crosswalks should be installed where an engineering judgment indicates they are needed to direct pedestrians to the proper crossing paths. Crosswalks away from locations controlled by traffic control signals, such as mid-blocks, should have an engineering study done as well before being placed. Direction would be needed from the Board of Supervisors if there is interest. Chief Templin stated that it is his opinion that there is not enough traffic for the engineering study. Mr. Ziegler deferred the decision to Chief Templin. Chief Templin stated that he will keep monitoring this situation.
2. Virmay Drive – On August 24, 2012 our Township Road Crew placed two (2) "Watch Children" signs on Virmay Drive, one (1) in the eastbound direction and one (1) in the westbound direction. Our department conducted two (2) traffic surveys on Virmay Drive which is currently not posted; therefore, the speed limit is 34 mph in this urban district. On Tuesday, August 21, 2012 between 1600-1800 hours the total number of vehicles were 144, number of pedestrians 31, high speed 46 mps, low speed 22 mph, and the average speed was 32 mph. Saturday, August 25, 2012 between 1800-2000 hours the total number of vehicles was 76, pedestrians 26, high speed 46 mph, low speed 24 mph, and the average speed was 32 mph. The Chief stated that the Board would have to make changes to the Master Traffic Ordinance if it wishes to post Virmay Drive at the 25 mph speed limit. Virmay Drive is only 1,268 feet in length (less than ¼ of a mile) so at the most, you will need to place a begin sign and an end sign. Enforcement will become difficult in the conventional way because of the short length of the roadway, meaning we must allow at least 700 ft. from the beginning of Virmay Drive before we can start to enforce the new speed limit and then we need another 125 ft. – 150 ft. of enforcement distance. This would place our patrol vehicle 418 ft. away from the end of Virmay Drive. We will need to use our ENRADD device to squeeze into such a tight enforcement space for proper enforcement. You will have the same difficulties as well on Yoder Avenue (1,150 ft.), Mensch Lane from Merkel Road to Martin Avenue (387 ft.), and Mensch Lane from Martin Avenue to Virmay Drive (1,325 ft.). Direction would be needed from the Board if there is interest, Mr. Ziegler and Mr. Theil agreed that the Master Traffic Ordinance would not be changed.
3. On Saturday, September 29, 2012 from 10:00am – 2:00pm the police department will once again coordinate our efforts with the Drug Enforcement Agency in collecting unwanted, expired, or unused pharmaceutical controlled substances and other medications from our nation's medicine cabinets. This will be the fifth National

Take Back Initiative and collection amounts have grown each time our police department has held this event. Our collection site will be hosted once again by Giant Food Stores. No questions were asked.

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

Solicitor's Report – Paul Bauer

Zoning Updates – Mr. Bauer stated that Mr. Friel has been making progress; the next meeting will be set up before the next Board of Supervisors meeting on September 17, 2012. On August 28, 2012 there was a meeting at Wayside Chapel, progress has been made and the emergency travel route around the building has been cleaned up. The County Court hearing is on September 16th or 17th which is only to allow them to appeal the decision, the hearing will be held between the County and the applicant, Mr. Bauer will be attending the hearing. No 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. Theil, seconded by Mr. Ziegler. 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. Final plans submitted April 12, 2012. Met with the developer's engineer on May 17, 2012 to discuss requirements for recording plans.
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. Received resubmission on January 31, 2012. Developer needs to address sewer easement description (exclusive sanitary sewer).
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. Submitted request for additional 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 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. Review letter dated March 1, 2012. Received conditional approval by Zoning Hearing Board. Meeting with Developer's Engineer on August 29, 2012 on storm water and variance issues.
9. Wawa; Rt.100 and Grosser Rd. – Received concept plan approval at the August 9, 2012 P/A meeting.

10. Cobblestone Crossing-Phase 3- Beazer. Residential construction on-going.
11. Market Street/Act 209 – No additional comments received to plan. Awaiting meeting with PennDot.
12. Congo Road/Philadelphia Avenue Traffic Report – New timing devices have been installed at both the Congo Road and Gilbertsville Road intersections as recommended by PennDot. With school returning to session we should evaluate how the retiming affects traffic, a resident commented that the traffic is not backed up on E. Philadelphia Avenue however Merkel Road traffic usually has to wait on Congo Road traffic.
13. MS4-Renewal Application and Application for Waiver prepared for review by the Township staff. Renewal requires a \$500 application fee. No other questions or comments were given.

A motion was made by Mr. Theil, seconded by Mr. Ziegler to approve the renewal fee of \$500 for the MS4 Application and Application for Waiver. Ziegler-Aye, Theil-Aye. Motion passed.

A motion to approve the Engineer's Report was made by Mr. Theil, seconded by Mr. Ziegler. 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 Meeting on Thursday, September 13th @6pm, P/A Meeting @7pm – Property Maintenance/Renters Ordinance. Board of Supervisors Meeting Monday, September 17th @ 7:30pm, Supervisors Agenda/Executive Session 7pm. Open Space/Rec Committee – Monday, September 17th @ 6:30pm, Stan Moyer of Congo/Smith Road will be addressing the committee with a proposal to sell his 4 acre lot with pavilion for open space. Also Sue Landes will be addressing the committee on behalf of Pottstown Health and Fitness.
2. 2013 Budget Calendar for the Board's review- The manager stated that the Board will need to approve the budget calendar at the next Board of Supervisors meeting, there are several public meetings scheduled for October.

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

Mr. Ziegler asked Mr. Richard DeFalco to attend tonight's meeting to address some questions asked by residents at the last Board meeting pertaining to the Veteran's Assisted Living proposal. Mr. Bauer stated to Mr. DeFalco that you did not submit a formal plan to the Township is that correct, Mr. DeFalco replied correct, you have had no contact with New Hanover, Mr. DeFalco replied correct, and the Township has asked you to attend tonight to attest to these facts, Mr. DeFalco replied correct. No other questions were given to Mr. DeFalco. The Township is working to set up a public staff meeting regarding this Land Development proposal.

Public Comment

Mr. Yarnall stated that he thought the property that Mr. Moyer was offering as open space has public sewer, the manager stated that it is hooked up to public sewer, this property has a floodplain issue. Carl Hiryak stated that he wants to compliment the Republican Supervisors for the negative remarks directed to the Markofski Law Firm. The Markofski Law Firm has been voted the #1 law firm in the area. Mr. Bauer stated that what Mr. Theil referred to at the last meeting was that at the time Mr. Markofski was appointed Mr. Markofski listed on his resume that he had limited Municipal experience.

Old Business/New Business

Mr. Bauer stated that at the last meeting the Board voted to replace the OPT Tax with an Emergency Services Tax and a motion is needed for advertisement.

A motion was made by Mr. Theil, seconded by Mr. Ziegler to authorize advertisement of the Emergency Services Tax Ordinance. Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Bauer stated that the Board is not taking action with BMMA at the present time.

Mr. Ziegler announced that do to health reasons he has decided to step down as Chairman of the Douglass Township Board of Supervisors.

A motion was made by Mr. Theil, seconded by Mr. Ziegler to accept the resignation of Mr. Ziegler as Chairman of the Douglass Township Board of Supervisors. Ziegler-Aye, Theil-Aye. Motion passed.

Mr. Ziegler nominated Mr. Theil as Chairman, seconded by Mr. Theil.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to appoint Mr. Theil as Chairman of the Douglass Township Board of Supervisors to be effective at the next meeting September 17th, 2012. Ziegler-Aye, Theil-Aye. Motion passed.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to remove Clement Seroski from the Vacancy Board Chairman position and nominate Mr. Sam Hunter for Vacancy Board Chairman. Ziegler-Aye, Theil-Aye. Motion passed.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to appoint Mr. Sam Hunter as the Vacancy Board Chairman. Ziegler-Aye, Theil-Aye. Motion passed.

Carl Hiryak stated that this was a setup by the Republican Party; they should wait for Mr. Stasik to return before this is voted on, as part of Robert's Rules it is normal procedure to move the Vice Chairman to the Chairman position. Mr. Bauer stated that legally a two man Board can make these decisions. Mr. Hiryak asked is it not normal procedure to move the Vice Chairman to the Chairman position, Mr. Ziegler stated that Mr. Stasik is on the minority side of the Board, therefore the nominee would be of the majority side, Mr. Ziegler also pointed out that he is not appointing himself as Vice Chairman, he is taking the Member position. Mr. Bauer stated that the Vacancy Board Chairman's job is in the event of an opening on the Board if there is a disagreement over the appointee by the remaining Supervisors the Vacancy Board Chairman would be the deciding vote. Mr. Brumwell asked why this can't wait until Mr. Stasik returns; Mr. Ziegler stated that because of the majority vote the end result would remain the same, however Mr. Ziegler asked Mr. Theil what his opinion was. Mr. Bauer stated that this decision is completely up to the Board; however it is a legal vote. Mr. Theil stated that in his opinion we took a vote and with Mr. Ziegler's health being what it is the vote should stand. No other questions were asked.

Terry Sacks gave a brief update on the carnival and bike night. The carnival grossed \$10,542.50 with a profit of \$2600. Bike Night grossed \$19,722 after deducting the bike and expenses there was a profit of \$3,807.98 to be split between GACAS, GFC, and F&R. Mr. Sacks thanked the Board, the manager, and the police for the help with the road closure. The Car Show will be October 13th, 2012 from 12:00-4:00pm. No questions were asked.

A motion to adjourn the meeting at 8:15pm was made by Mr. Theil, seconded by Mr. Ziegler. Ziegler-Aye, Theil-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, September 17th, 2012 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler