

The meeting of the Douglass Township Board of Supervisors was called to order at 7:36 P.M. Attending were Chairman Fred Theil, Supervisors John Stasik & Fred Ziegler, Solicitor Paul Bauer, Robert Campbell, Mike Heydt, Chief Templin, Pete Hiryak and approximately 17 residents.

Mr. Theil led us in the pledge of allegiance. Mr. Theil stated that he would like to have a moment of silence for fallen Officer Bradley Fox after Chief Templin's brief statement.

Chief Templin stated that on September 13th, 2012 Plymouth Township Police Officer, Officer Bradley Fox was fatally shot and his canine partner Nick was wounded while trying to apprehend a fleeing suspect during a foot pursuit. Officer Bradley Fox is a New Hanover Township resident who is survived by his wife, his daughter, and his unborn child. Officer Bradley Fox was a United States Marine who served two (2) tours of duty in Iraq and would have turned thirty-five (35) on September 14, 2012. This tragedy really hit home with our own police officers in that many of our police officers had met Officer Bradley Fox on July 18, 2012 when he assisted our police department in a search of a wooded area off of 880 Congo Road for a mentally disabled subject who had wandered off. Officer Bradley Fox displayed nothing but true professionalism in the performance of his duties on a very humid and hot day where temperatures surpassed the 100 degree mark. I ask that we keep Officer Bradley Fox and his family in our thoughts and prayers. Officer Bradley Fox was a true hero in every sense of the word. Mr. Ziegler asked if they are setting up a contribution for the children, Chief Templin replied that several foundations are going on for Officer Fox's family.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize Douglass Township to make a contribution in the amount of \$300.00 to the Bradley Fox family. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mr. Theil asked for a Moment of Silence for fallen Officer Bradley Fox.

Mr. Theil asked if there were any changes, corrections, or comments on the minutes of September 4th, 2012 Board of Supervisors Meeting, no changes or comments were given.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to approve the minutes of the September 4th, 2012 Board of Supervisors Meeting. Stasik-Abstain, Theil-Aye, Ziegler-Aye. Motion passed.

BMMA

Mr. Theil stated, let it be known that the roads are in disarray from sewer projects that are not finished properly or in a timely fashion, there has been erroneous information given by BMMA staff on missed meetings by appointees to the authority Board, and there is little response from Mr. Moser at BMMA. We have to file Right-To-Know papers in order to get any information, and then they must get approval by their Solicitor before they supply the information. Mr. Theil made a motion to have Solicitor Bauer look into dissolving BMMA or to take over BMMA. Mr. Ziegler asked if Mr. Seroski was paid for the meetings that he missed, the manager replied that he believes Mr. Seroski was paid for his membership on the authority, not for attending those meetings he missed due to an illness. Mr. Bauer tried to intervene between the Board and BMMA, he does not want to take action on the last right to know request because emails suggest that the manager stated that he would follow up with a right to know request, although Mr. Bauer believes that the information should be forthcoming without needing a right to know request. If we do not receive the information then we can chose to follow another path. Mr. Dries stated that there is an Executive Session scheduled on Monday, September 24th, 2012 at 6pm at BMMA to discuss Douglass Township's concerns. Mr. Theil stated that he will rescind his motion. Mr. Ziegler agrees with Mr. Bauer to wait for the information if given in a timely fashion. Information was requested on how many rate payers are from Douglass Township compared to Colebrookdale, the manager stated that this information will take a little time to gather. Mr. Bauer stated that things have gotten better and he asked Mr. Dries to convey the Board's concerns to BMMA we do not want this headed to litigation. Mr. Dries stated that information on businesses, four other municipalities, and New Hanover Township are needed in order to attain a rate payer count. Mr. Stasik stated that he has been criticized because he did not speak up at the last BMMA Board meeting. I was heavily

sedated because of a leg injury and did not wish to address anything in a sedated condition. No other questions or comments were given.

Ambulance Report – Garry Schmoltze

The total number of calls for the month of August 2012 was 97; 54 calls were from Douglass Township. 70 patients were transported, 13 cancellations, 8 refusals, 2 no treatment required, 1 DOA, 1 transfer care to air medical service, and 2 Fire scene standby. The licensure inspection was done on Friday September 14, 2012 by Mr. Tim Dunigan of Montgomery County EMS. GACAS passed licensure requirements and will have the license renewed for another three (3) years. Mr. Schmoltze stated that he participated in the candlelight vigil for Officer Fox. Mr. Theil stated that he attended the Board meeting for GACAS on Tuesday and it seems that GACAS is short in funding; Mr. Schmoltze replied the shortage is due to vehicle repairs. Mr. Theil stated that the Board of Supervisors would like to meet with the GACAS Board of Directors to discuss the Ambulance Service wants and needs. Mr. Theil also asked Mr. Schmoltze for a head count for first responders wanting to attend the dinner in October, Mr. Schmoltze responded 10 people. No other questions were asked.

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

Fire & Rescue Report presented by Chief Smith- Fire report for August 2012: 3 brush fires, 1 vehicle fire, 1 wire, 4 fire alarm/CO2 alarms, 1 misc rescue, 1 fire police, 2 assists to other departments, 1 special service, and 1 investigation for a total of 15 calls. The Fire Company was in service for 9 hours and 50 minutes. Chief Smith commented that the fund drive letter went out to 3,731 taxpayers. To date we received 447 returns for \$23,580 for a 12% return. The company received training on Trench Rescue Awareness. We also participated in Water Rescue Training with the Boy Scouts and Bike Night. Mr. Theil asked Chief Smith if he had a number of how many First Responders will be attending the October dinner, Chief Smith replied 30 people. No other questions were asked.

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

Police Department Report – Chief Templin

Statistics for August 2012 – 377 incidents reported, 6 reportable accidents, 10 non-reportable accidents, 16 criminal investigations, 13 criminal arrests, 261 traffic citations, 12 non-traffic citations, 8,935 miles traveled, money received by the Township \$8,927.53. Chief Templin stated that on Saturday, September 29, 2012 from 10:00am – 2:00pm we 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. Information can also be found on the Township's website. Mr. Stasik stated that it is his understanding that you will not accept sharps at this collection site, Chief Templin replied that they will not be accepting needles, they can be turned in at the Ambulance building or at the Hospital. Chief Templin thanked Gilbertsville Fire & Rescue for providing the lighting and the Salvation Army for providing water for the Police Departments past road check detail over the weekend. No other questions were asked.

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

Recycling Report presented by Andrew Duncan

For the month of August/September 2012: 1 load of cardboard to Reading and 2 loads of light iron to Pottstown. The chipper was out to 5 residences for curbside chipping this month; four were exempt from the chipping fee. Mulch and leaf compost is available; the pile of brush was tub ground last Tuesday. The cost is \$10.00 per scoop, and if you bring in the coupon from your trash bag inserts the cost will be \$5.00 per scoop. One coupon is required per visit. The DEP 904 grant will be submitted in the next week or two. This year we will be a collection point for the Montgomery County Political Sign Collection event. We will be collecting political signs and posts for the Montgomery County Recycling Coordinator for a one month period, and they will be picked up by the end of the event by Montgomery County. I do not have dates yet, and I do not know if our collection site will be at the recycling center, or at the administration building. I will keep the Board posted. Leaf collection is scheduled to start on Monday, October 22, 2012 and will end on Friday, December 7, 2012. Leaves will not be collected on Thursday, November 22, and Friday November 23, 2012. Also, leaves cannot be collected on days that it is raining. Please be patient, we will get everyone's leaves. Mr. Theil commented that the current trash collection company, Interstate Waste, is charging us for an extraordinary amount of houses. They will be doing a house count; we will also have Andy provide a count. No other questions were asked.

A motion was made by Mr. Stasik, seconded by Mr. Theil to approve the Recycling Report. Stasik-Aye, Theil-Aye, Ziegler-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 that 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.
9. Wawa; Rt.100 and Grosser Rd. – Received concept plan approval at the September 4, 2012 Supervisor's meeting.
10. Cobblestone Crossing-Phase 3- Beazer. Residential construction on-going.
11. Market Street/Act 209 – Meeting with PennDot, Developers, County Planning Commission, and Township scheduled for October 1, 2012.

Mr. Theil asked Mr. Stasik if he will be attending this meeting, Mr. Stasik replied that he would like to attend if it would be accessible due to his leg injury; Mr. Theil stated that the building does have elevators. All three Supervisors will attend the PennDot meeting on October 1st, 2012. No questions were asked.

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

Solicitor's Report – Paul Bauer

Zoning/Code Violations – A court hearing will be scheduled for September 19th for the Wayside Chapel appeal. As you know we successfully litigated before District Justice Saylor and Mr. Kulp and the Wayside Chapel were convicted on all four citations. Normally a defendant has 30 days to file an appeal to the County Court. In this case Mr. Kulp filed an untimely appeal, which necessitated him filing a nunc pro tunc petition with the County court. This Petition simply requests that the Court allow him to file a late appeal. If the court denies this request, we will then begin enforcing the conviction by collecting the fines and costs. If the Court allows the late appeal, we will then be scheduled for a different date to argue the merits of the appeal. I spoke with James Markofski today, regarding following up with the outstanding items regarding William Friel. I am awaiting proof that a meeting between the neighbors has been set. The point of the meeting was to openly discuss the issues, complained of, so that we as the Township can address same. I will keep you posted. Resolution for Hartford Giant – At Pete's request, I prepared a Resolution for tonight's meeting. The Resolution in summary form, is acknowledging the fact that all of the public improvements for this project have been completed and the 18 month maintenance guarantee has been performed, and has expired. Mr. Dries from BMMA stated that Hartford Giant has supplied As-Built plans to the authority. Mr. Bauer stated that although this is a separate issue it may be of use to withhold the release of this Resolution until the time that BMMA is satisfied that Giant has completed all the necessary plans and paperwork.

A motion was made by Mr. Theil, seconded by Mr. Stasik to authorize Mr. Bauer to release the Resolution executing the release of the 18 month maintenance guarantee provided by Hartford Giant pending that Hartford Giant address issues pertaining BMMA. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Local Services Tax – At the Board's request, I have prepared an Ordinance for the adoption of a Township Ordinance enacting a Local Service Tax. As you know this tax replaces our current Occupational Privilege Tax. Pursuant to the Local Tax Enabling Act, Douglass Township has to advertise their intention of adopting this Ordinance for three successive weeks. It is the intention of the BOS to schedule this for a public hearing on October 15, 2012. The Board gave approval to advertise the public hearing for the proposed Local Services Tax Ordinance for three consecutive weeks; September 24th, October 1st, and October 8th, 2012.

Township Manager Contract – At the request of the Chairman of the Board of Supervisors, I have prepared a draft Township Manager Contract. I have circulated the draft via email, and look forward to hearing feedback from the Board and/or Pete. Mr. Theil asked if there were any questions. Mr. Ziegler stated that he will make sure that the Attorneys for Bay Ridge are present at the Wednesday, September 19th staff meeting. Carl Hiryak commented what is Mr. Friel in violation of, Mr. Bauer replied that nothing has been filed no official determination has been made. There have been several variance hearings that have to be gone over to see if there is a violation and which variance is it a violation of. Mr. Hiryak also stated that if legal issues are satisfied why we are getting involved in issues between neighbors, let them get lawyers and fight it out and stop using taxpayer's money. Mr. Bauer stated that there are certain conditions that must be looked into however Mr. Friel is cooperating. Mr. Hiryak stated that there is only one neighbor complaining, Mr. Bauer commented that we have received another complaint as well. Mr. Theil said that Sunday activity and truck traffic from the mulch grinding business are issues, the roads can't handle it and neither can the people. Mr. Bauer stated that the Board wanted me to work with Mr. Friel; we want a delicate balance between what was granted and what he is doing, we are working with him not running him out of business. Mr. Hiryak asked what the status is on the Quigley Bus situation; when he last looked there was still 30 acres of corn on that lot. Mr. Bauer replied that there are issues with land development that might be too

costly for them to proceed with the project. Mr. Theil stated that one issue was the cost of sewer and Mr. Campbell added that traffic and zoning relief were also issues with this project. Mr. Bauer stated that he would like to be present when discussions of the Act 209 fees are held. No additional comments were given.

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. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mike Heydt presented the Highway Report – (August 21, 2012 – September 17, 2012) Fixed potholes on dirt roads. Blacktopped Virmay Drive. Cleaned ditches along Miller Road. Started roadside mowing. Cut keys for blacktopping Werstler Avenue. Re-blacktop Werstler Avenue. Repaired bad spots on N. Werstler Avenue and Ammon Drive. Repaired bridge on Countyline Road and welded rusted beams underneath bridge. Added rock to fill in score holes at Sassamansville Road bridge. Started weed whacking bridge areas, they cleaned the dirt out of the ditch caused by water running through the fields. Mr. Heydt stated that he had to get a certified welder to repair the beams at Countyline Road bridge for the inspection requirements. The manager stated that the spacers in the structure were rotting away. A resident asked when will the Gilbertsville Road bridge get fixed, Mr. Heydt replied that PennDot is in charge of that bridge and it does need repairs. A resident asked if Grosser Road got milled and paved, Mike replied yes it is finished. Mr. Dries commented that he wants Mr. Heydt to be involved with paving approvals for BMMA projects. Mr. Heydt stated he would like permission to get our engineer involved with paving inspections for approvals. Mr. Stasik stated that BMMA is having trouble with the Gilbertsville Road contractor; he wants more money for redoing the road. Mr. Dries invited the public to attend the BMMA meetings to see what they have to deal with and see where your money is going; Mr. Hunter attends regularly, the meetings are held the fourth Monday of every month on Municipal Drive. No other comments were given.

Mike Heydt presented the Zoning Report – Mr. Heydt stated that clean up is continuing at 1407 E. Philadelphia Avenue. He also looked at two property complaints; one about old vehicles and the other about a stagnant pool. He talked to both property owners about the complaints and they are willing to work with us. No other comments were given.

A motion was made by Mr. Stasik-Aye, seconded by Mr. Theil to accept both the Highway Report and the Zoning Report. Stasik-Aye, Theil-Aye, Ziegler-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, October 11th @6pm, P/A Meeting @7pm – Property Maintenance/Renters Ordinance. Board of Supervisors Meeting Monday, October 1st @ 7:30pm, Supervisors Agenda/Executive Session 7pm. Staff Meeting with Bay Ridge Properties, Wednesday, September 19th @ 10:30am at the Township Building, the manager extended the invitation to Mr. Brumwell and the public. Mr. Bauer and Mr. Campbell will be attending. The Rt.100 Corridor Meeting with PennDot is scheduled for Monday, October 1st @ 9:00am in King of Prussia.
2. Treasurer's Report – the manager stated that the unpaid bills amounted to \$123,993.28, the unusual bills were Colebrookdale Township for the school zone study and drawing for Boyertown Elementary School, Signal Service for LED Traffic Signal Modules at Rt.73 & Rt. 100 Ramps. The manager asked for authorization to pay the bills.

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

3. Budget Calendar Approval – The manager asked for the Board to approve the 2013 Budget Calendar and also stated that there will be public meetings advertised in October/November for the 2013 Budget process.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to approve the 2013 Budget Calendar meetings. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

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

Old Business/New Business

Open Space/Recreation Committee Report – Mr. Kuklinski stated that the committee is discussing the Fish Rodeo and he thanked Mr. Ziegler for the secured finances for that function. Also the committee discussed the consideration of an additional parcel of land for open space, no decision was made we will discuss this further. Ms. Landes discussed the possibility of coordinating seven municipalities for the creation of a Parks & Rec Director – a questionnaire was given to go over at the next meeting. Copies of an article involving uses of open space will be handed out at the next meeting. Keller Woods Open Space was discussed and Ms. Landes suggested looking at the open space Master Plan for some direction. The manager stated that the Eagle Scouts contacted him about constructing a deck, railing, steps, and handicap ramps at the Congo Road open space property, he is waiting for drawings.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to accept the Open Space/Rec Committee Report. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Public Comment

Mr. Ziegler commented that the flag should be lowered for Officer Fox; the manager stated that it has already been taken care of. Mr. Sell asked if Mr. Duncan will drive around the Township to get the figures on residential trash service, can't you get the figures from the tax rolls. Mr. Theil stated that Andy will use the Tax Duplicate records but we have to deduct the apartment complexes and the HOA's that supply their own trash service, the figures from the tax rolls is how we got into this fix because we are overpaying. Mr. Kuklinski mentioned that if we contact Marcy Toepel's office or Senator Rafferty's office, on behalf of Officer Fox, they will fly the flag over the State Capitol and present it to the family. No other comments were given.

A motion to adjourn the meeting at 8:58pm was made by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, October 1st, 2012 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler