

The meeting of the Douglass Township Board of Supervisors was called to order at 7:30P.M. Attending were Chairman Fred Theil, Supervisors John Stasik & Fred Ziegler, Solicitor Paul Bauer, Peter Hiryak, Mike Heydt, Andy Duncan, Chief Templin, and 16 residents.

Mr. Theil led the Pledge of Allegiance to the flag.

Mr. Bauer opened the public hearing for the adoption of the ordinance for Delinquent Real Estate Taxes. This ordinance authorizes a penalty, interest, and fee schedule for collection of delinquent real estate taxes. Mr. Bauer stated that the advertisement for this hearing was placed in the Pottstown Mercury on December 17<sup>th</sup>, 2012. Mr. Bauer opened the floor for public comment, no comments were given. Mr. Bauer opened the floor for comment by the Supervisors, no comment was given. Mr. Bauer closed the public hearing and advised the Board that if they choose to vote on this ordinance this would be the time to do so.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to adopt Ordinance No. 2013-01 Approving the Penalty, Interest, and Fee Schedule for Collection of Delinquent Real Estate Taxes. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

#### Reorganization Meeting for the Year 2013

The meeting was turned over to Solicitor Bauer as temporary Chairman to conduct the nominations for Chairman and Vice-Chairman of the Board of Supervisors.

Mr. Ziegler nominated Fred Theil as Board of Supervisor Chairman, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mr. Ziegler nominated John Stasik as Board of Supervisor Vice-Chairman, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mr. Theil took his role as Chairman and proceeded with Reorganization.

A motion to appoint Mr. Paul Bauer of Bauer & Associates, Attorneys At Law as Board of Supervisor Solicitor was made by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion was made by Mr. Ziegler to appoint Mr. Charles Garner of Wolf, Baldwin and Associates as Planning Agency Solicitor, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Gilmore & Associates as Township Engineer was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Gilmore & Associates as Township Traffic Engineer was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Marcy Meitzler as Township Secretary was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Cynthia S. O'Donnell as Township Treasurer was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to set the Treasurers Bond at \$2,500,000 (2.5 million with H. A. Thomson, Travelers Insurance) was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Peter J. Hiryak as Township Manager was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Mike Heydt as Township Roadmaster/Zoning Officer was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Mark John as Building Inspector for both Residential & Commercial/Assistant Zoning Officer and approve his Letter of Understanding Regarding Payment was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Scott Groff as Road Foreman was made by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Barry Templin as Police Chief was made by Mr. Theil, seconded Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Ricky Smith as Fire Marshal was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Betty Musser as Police Secretary/Enumerator/Community Activities Director was made by Mr. Stasik, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Andrew Duncan as the Solid Waste & Recycling Coordinator was made by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed

The manager stated that typically the Chairman of the Board of Supervisors signs all paperwork involving the pension funds.

A motion to appoint Chairman Fred Theil as the Chief Administrative Officer for the Pension Funds was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint the Montgomery County Health Department as the Sewage Enforcement Officer for all on-site septic systems was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Berkheimer Associates as the Delinquent Per Capita Tax Collector was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint the Berks EIT Bureau as the Earned Income Tax Collector was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint the Boyertown Area EIT office as the Occupational Privilege Tax Collector was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Mr. Theil as the Representative to Pottstown COG was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil, Ziegler-Aye. Motion passed.

A motion to appoint Fred Theil as the Representative to Pottstown Metro Regional Planning was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint John Stasik as Representative to the Agricultural Secure Board was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

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

A motion to appoint Harvey Price, Captain, Al Rettew, Lt., Lawrence Bandura, Troy Yingling, Judy Rettew, Roger Beury, Jim Scott, and James Mains as Special Fire Police after the manager confirmed that their background checks were completed and on file, was made by Mr. Theil seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Dave Myers as the Emergency Coordinator for Douglass Township was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint any of the Supervisors, Manager, and Treasurer as Township Delegates to the State Supervisors Convention was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint First Niagara Bank, PLIGIT, and Great Eastern Management as Township Depositories was made by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint John Sartor, Sam Hunter, Ed Reitz, Tom Wynne, Bill Friel, and Bernard Sell to the ICC (International Construction Code) Appeals Board was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Carl Hiryak to the Zoning Hearing Board for a three year term was made by Mr. Stasik, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint James Acito to the Zoning Hearing Board as an Alternate for a three year term was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The Manager stated that Planning Agency members Mr. Reitz and Mr. Zern have each completed their four year terms and expressed their wishes to be considered for re-appointment.

A motion to re-appoint Ed Reitz and Bill Zern to the Planning Agency, each to have a four year term, was made by Mr. Stasik, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The manager stated that Mr. Casper has opted not to complete his term due to personal reasons and we need to appoint someone to the Planning Agency to fill out a one year term.

A motion to appoint Debie Pishock to the Planning Agency for a one year term was made by Mr. Stasik, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to Establish the Standard Mileage Rate at (Federal Rate 56-1/2 cents per mile) was made by Mr. Stasik, seconded by Mr. Theil in order to follow the Federal Guidelines. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Fred Ziegler, Sandy Yanisko, Fred Theil, Judith Wills, Ronald Davidheiser, Linda Theil, Deb & Farley Nester, Tony Kuklinski, Randall Romig, Kurt Davidheiser, Jennifer Mossholder, Bernie Sell, and Kevin Morrison to the Open Space Committee was made by Mr. Theil, seconded by Mr. Ziegler, with the understanding that only one Supervisor will be allowed to vote, the other must Abstain from voting at the committee meetings. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Fred Ziegler, Bill Zern, Tom Wynne, John Sartor, Tim Miller, Scott Moyer, Tom Link, David Leh, and Tom Yarnall to the Revitalization Committee was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint John Stasik, Carl Hiryak, Peter Hiryak, and Mike Heydt to the Oberholtzer Schoolhouse Committee was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Gary Carpenter, Sam Hunter, Tom Link, Al Turchanick, Tom Wynne, Tom Yarnall, and John Sartor to the Act 209 Committee was made by Mr. Theil, seconded by Mr. Ziegler. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

A motion to appoint Sam Hunter to the Berks-Mont Municipal Authority Board was made by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mr. Theil asked if there was any public comment before the reorganization portion of the meeting is closed, no one replied. Mr. Theil closed the reorganization portion of the meeting.

A motion was made to approve the minutes of December 17<sup>th</sup>, 2012 Board of Supervisors meeting by Mr. Theil, seconded by Mr. Stasik. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The Manager reviewed the schedule of upcoming meetings as follows:

- a. Tuesday, January 8<sup>th</sup> @ 7pm – Elected Board of Auditors Meeting, Reorganization - The Manager will be attending.
- b. Thursday, January 10<sup>th</sup> @ 7pm-Planning Agency Mtg. (Reorganization, no workshop)
- c. Tuesday, January 22<sup>nd</sup> @ 7:30pm – Board of Supervisors Mtg
- d. Meeting with New Hanover Township – To be determined, looking at 2/11/13 6:30pm. Discussing issues important to both Townships – such as recycling & joint highway work.
- e. Tuesday January 8<sup>th</sup>, 2013 C.O.G. @ 7pm, West Pottsgrove Township – Mr. Theil will attend.

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

The manager stated that we have revised the Township Fee Resolution involving building permits and other fees that requires the Board's approval.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to approve the Township Fee Resolution as presented. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The manager stated that we need approval of the Board for the Non-Uniform Wage Sheet, the non-uniform employees got a 3% wage increase across the board, the Police Secretary, Township Secretary, and Recycling Coordinator received an additional increase for all the additional work and responsibilities that they perform for the Township.

A motion to approve the Non-Uniform Wage Sheet at a 3% across the board increase for the Non-Uniform employees, and an additional increase for the work performed by the Police Secretary, Township Secretary, and Recycling Coordinator was made by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

#### Public Comment

Don Orner, from 266 Hoffmansville Road, stated that his property adjoins Mountain Mulch and he has concerns about the hours of operation and the height of the mulch piles. They operate before 8am and end after 6:30pm, the height of the mulch piles is not in compliance with the variance, the Township has been out to see Mountain Mulch however nothing has changed. Mr. Theil stated that Ms. Keiser complained of large mulch piles that are very visible from her back yard and she told the Supervisors that Mountain Mulch can knock down the piles in the spring. Mr. Theil stated that the Township will meet with Mountain Mulch again regarding these concerns. Mr. Orner commented that there is no berm; Mr. Theil stated that DEP determined that because of the slope of the land Mountain Mulch did not need a berm so they are complying with DEP regulations. Mr. Ziegler stated that Mountain Mulch needs to operate within the conditions of the variance. Mr. Theil said that Chief Templin had officers monitor the trucks at the site for two weeks from 4am-6am and there were no incoming trucks. Mr. Orner stated that loaders are operating before 8am and the backup alarms on the equipment are very loud. Carl Hiryak said that the hours of operation were supposed to be 8am-5pm and they should comply with the variance, also neighbors should not determine the

height for mulch piles, Mr. Theil stated that Ms. Keiser was the neighbor with the complaint of the height of the mulch piles and she compromised by allowing Mountain Mulch to knock down the piles in the spring. We will have to tighten up restrictions on variances; Mr. Friel also has issues that we are addressing. Mr. Orner also stated that it looks like they are using over the 7 acre limit in this operation. Mr. Bauer stated that DEP controls storm water issues, if they are complying with DEP there is nothing we can do, we are addressing all of these concerns and we will try to address the concerns that we have control over.

Mr. Adams was present and stated that he has been cleaning up his property and there is a big difference, however it is taking longer because of years of accumulation and asked the Board for more time asking for an extension until August. Mr. Bauer suggested giving Mr. Adams until the end of April 2013 and if there is continued progress the Board will consider granting an extension until August 2013. The Board agreed to give Mr. Adams until the end of April 2013 under the recommendation of Mr. Bauer. Carl Hiryak stated that Mr. Adams has been working hard in cleaning up his property and you play hard ball with him, however the Board leaves Mountain Mulch get away with violating their variance when they should be shut down. Mr. Bauer stated that the Zoning Hearing Board should be asking specific questions during the hearing like what the sound level disciplines are on a grinder in mulching operation not just an idling grinder, there is a big difference as we witnessed at Mr. Friel's site. Mr. Bauer stated that the right questions need to be asked at the zoning hearings to alleviate future problems.

Mr. Theil stated that this is his one year anniversary on the Board of Supervisors and thanked Mr. Stasik and Mr. Ziegler for working with him, and hopefully we will continue to work together as a Board. Mr. Stasik and Mr. Ziegler thanked him for his comments.

The manager stated that he got a phone call from PennDot announcing that they have secured Federal funding to replace the small Middle Creek bridge on Congo Road. They would like to meet with the Board at 6:30pm on January 22, 2013. PennDot plans to bid out the job later this year for replacement in 2014, the job will take approximately 6 – 8 months at no cost to the Township or taxpayers. No other comments were given.

Old Business/New Business

There was no comment given.

A motion was made to adjourn the meeting at 8:20pm by Mr. Ziegler, seconded by Mr. Theil. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Respectfully submitted by,  
Marcy Meitzler