

The meeting of the Douglass Township Board of Supervisors was called to order at 7:34 P.M. Attending were Chairman Fred Theil, Supervisors John Stasik & Fred Ziegler, Solicitor Paul Bauer, Engineer John Sartor, Cynthia O'Donnell, Chief Templin, Andy Duncan, Mike Heydt, Pete Hiryak and approximately 20 residents.

Mr. Theil led us in the pledge of allegiance.

Mr. Theil asked for a Moment of Silence for the victims and families involved in the Boston Marathon tragedy.

Mr. Theil stated that the Board of Supervisors held an Executive Session on April 5th about Mountain Mulch, they discussed complaints and the overall business operations, it was a very productive meeting no decisions or votes were made. Also on April 10th the Board of Supervisors held an Executive Session on site at the newly acquired open space property at 210 Smith Road. In attendance were Supervisors Theil and Stasik, Manager Pete Hiryak, Road Master Mike Heydt and the adjacent property owner Mr. Lindsay. We discussed surveying the property and other issues, no decisions or votes were made.

Mr. Theil asked if there were any changes, corrections, or comments on the minutes of April 1st, 2013 Board of Supervisors Meeting, no changes or comments were given.

A motion was made by Mr. Stasik, seconded by Mr. Theil to approve the minutes of the April 1st, 2013 Board of Supervisors Meeting. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Trustee's Report – Charles Haddad

The affairs of GFC proceeded along well for the first three months of 2013. The manager Phyllis Kerr, together with the officers, have taken over the business operations during the medical absence of President Terry Sacks. The proceeds from the settlement for the water contamination have been invested in a mutual equity fund account with VANGUARD. The interest, dividends and capital gains are being reinvested in additional shares for the time being as the cash flow for GFC remains positive. Several meetings with representatives from GFC and F&R were held and I prepared a memorandum of understanding that is being reviewed by Atty. Bernie Heinze for F&R. I have scheduled a meeting with the Township Solicitor, Paul Bauer, For Thursday, April 18, 2013 for the purpose of planning the procedure to get the matter before Judge Del Ricci. Even though Atty. Heinze has not commented on the memorandum I prepared, my recommendation is we schedule the hearing so we get on the docket. It is my hope the document filed with the Court will be an agreed upon stipulation to transfer the title for the real estate from my name to GFC with a lease from GFC to F&R. I believe the issues that were present to cause the trusteeship to be created are not now present. To their credit, the current officers and member of GFC and F&R are cooperating to provide the best possible fire protection and social hall for the residents of Douglass Township. I thank them for this new attitude of cooperation.

Gilbertsville Fire Company No.1 – Phyllis Kerr

Ms. Kerr stated that they finished up a successful yard sale season, Easter was busy, several sports fundraisers and a Cystic Fibrosis fundraiser were held at the social hall. There will be a Mother's Day Buffet; there is an upcoming boat inspection scheduled, golf outing, and Bike Night which is August 17th. The manager stated that he will start the application process for the PennDot road closure permit for bike night.

Gilbertsville Fire & Rescue – Rick Smith

Fire report for March 2013 – 1 fire, 1 brush/trash fire, 3 fire alarms/CO2 alarms, 1 vehicle rescue, 1 misc rescue, 2 EMS assists, 2 fire police, 2 Assist to other departments, 1 special service, and 2 investigations. The Fire Company was in service for 12 hours and 13 minutes. Fire & Rescue received training on vehicle air bags, ropes & rigging, and the new radio template. April 22nd our radios are going to be reprogrammed to the new template. The fund drive to date received \$15,800. Chief Smith thanked everyone that contributed. Chief Smith noted that Fire & Rescues radios are not compatible to Berks County's new system. Pennsburg is looking into a grant for the radios.

A motion was made by Mr. Stasik, seconded by Mr. Theil to accept the Trustees Report, Gilbertsville Fire Company No. 1 Report, and Fire & Rescues Report. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Police Department Report – Chief Templin

Statistics for March 2013 – 350 incidents reported, 6 reportable accidents, 0 non-reportable accidents, 24 criminal investigations, 12 criminal arrests, 136 traffic citations, 7 non-traffic citations, 1 parking ticket, 9,218 miles traveled, money received by the Township \$5,034.51. Kevin Mengel, who is currently attending Alvernia University, completed his internship in March with our police department. Mr. Mengel thanked the Board for allowing him to complete his internship with Douglass Township. Tyler Zilen, a senior at the Boyertown Area Senior High School, completed his senior project with our police department in March and also extended his appreciation to the Board. The Bureau of Justice Assistance announced the Fiscal year 2013 application funding for bullet proof vest purchases. I filed for the grant on April 11th, 2013. Grant application deadline is May 20, 2013. This grant will pay for 50% of the total cost of a bullet proof vest. I would like to seek the Board's approval to create a Facebook page for our police department. Surrounding police departments have already taken advantage of this social media outlet and it's an excellent way to reach more residents and get more information out to the public about various events taking place in our Township, our own police activities, road closures, alerts, etc. Mr. Stasik asked if we would still have the Township Website, Chief Templin replied yes this would just be another source for the Township's use; this would be a police department facebook page. Mr. Bauer asked if it would be monitored, Chief Templin replied that he would monitor the facebook page.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to approve the creation of a facebook page for the Douglass Township Police Department and Chief Templin will monitor the facebook page. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

As our Board is already aware, our police department already participates in the Drug Take Back Program through the D.E.A. The Montgomery District Attorney's Office has a program for a more permanent solution to dispose of unwanted prescription medications and that is to have permanent disposal sites throughout Montgomery County. The Montgomery District Attorney's Office is doing this because children are becoming addicted to prescription drugs which they are getting from medicine cabinets inside their homes. It's time to address a growing problem. I would like our police department to participate in the program by purchasing a Med-Return II box so we can have a permanent drop off site for our residents and the surrounding community. The Montgomery County District Attorney's Office will pick up half the cost of the box. I am seeking the Board's approval to participate in the program and purchase the Med-Return II box.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler for approval to participate in the Montgomery County District Attorney's Office program by purchasing a Med-Return II box for prescription drug collection at the Township Office. Chief Templin will be in charge of the Med-Return II box and storage of the collected materials. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Solicitor's Report – Paul Bauer

Bui/Jordan – Mr. Bauer stated that at the request of Township Staff, I reviewed an old subdivision plan. The Bui/Jordan was a simple two lot subdivision with a shared driveway. The current plan, had an existing single family home, and the plan called for the creation of a second lot. Each of the two lots is to be served by BMMA. The plan has previously received conditional plan approval from the BOS. At this point, it appears as if the conditions have been met, the requisite fees paid to the Township and the Engineering issues seem to be addressed to the satisfaction of the Township engineer, therefore, I recommend the Township BOS, approve the resolution for the plan, allowing it to be recorded at the County. Mr. Sartor stated that he is fine with the plan. No questions were asked.

A motion was made by Mr. Theil, seconded by Mr. Ziegler to approve the Final Subdivision Resolution for the Bui/Jordan plan. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

County Line Road Bridge Update – With assistance of State representative Toepel’s office, a meeting has been set with representatives of PennDot District 5, for Friday, April 19th, at 11:00am. The meeting will be held at the Township building. At our request, a representative of the engineering firm who conducted the last bridge inspection will be present, as will the Township’s consultant, Thomas Ziegler. The meetings purpose will be to hopefully get a consensus from the professional engineers on whether the bridge needs to be replaced or whether repairing it is appropriate. The Township did hear from State Representative Toepel’s office that she needs information from the Township in order to get the proposed funding for any repairs/replacement on the ten year plan for PennDot as soon as possible.

Trustee Meeting – At the direction of the BOS and at the request of Charles Haddad, a meeting has been scheduled for Thursday, April 18th at 8:00am. The purpose of the meeting is to strategize on the best way to terminate the Trustee of Mr. Haddad and to return the deed back to the appropriate entity.

Comcast Agreement – Since our last BOS meeting we received a new proposal from Comcast. The proposal is looking to replace our current Cable Franchise Agreement which terminates at the end of this year. At this point I am simply looking for either written comments from the BOS on the latest proposal or dates in which to schedule another meeting with Brian Jeter from Comcast. Mr. Theil asked the manager to set up a meeting with the Board. Mr. Theil asked if there were any questions on the Solicitor Report, no one replied.

Applications which are pending but inactive:

Danny Jake – Hallowell	inactive 2 years
Cobblestone Commons	inactive 1 year

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

Engineer’s Report – John Sartor, Gilmore & Associates

Floodplain Ordinance – Mr. Sartor requested authorization from the Board of Supervisors to attend a staff meeting with the Township Manager, the Township Planning Agency Solicitor, and the Township Planner to discuss our findings to date concerning the draft floodplain ordinance.

A motion was made by Mr. Stasik, seconded by Mr. Theil to authorize Mr. Sartor to proceed with the draft Floodplain Ordinance and approval to schedule a staff meeting regarding the proposed ordinance. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Sketch Plan Requirements Analysis – We started our review and analysis of the Township’s Sketch Plan requirements in comparison to other municipalities’ requirements for Sketch Plan submissions. Upon completion, we anticipate providing our preliminary findings to the Township Manager, the Township P/A Solicitor, the Township Planner, and Planning Agency members within the next week or so for their review prior to discussion at the P/A meeting in May.

Trench Restoration Specification Review – We completed and emailed our findings, recommendations, and summary spreadsheet to the Township Manager on 4/10/13. A meeting will be scheduled in May between representatives of Douglass Township and BMMA to review and discuss our findings and recommendations. Mr. Theil asked if there were any questions on the engineer’s report, no one replied.

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

Recycling Report presented by Andrew Duncan

Month of March/April 2013 – 1 load of cardboard (12 bales) to Reading and 2 loads of light iron to Pottstown. We now have mulch available for sale. \$10.00 per scoop, ½ off with your trash bag insert coupon. The Montgomery County Correctional Facility provided our Township with a cleanup crew of inmates for roadside trash pickup. The majority of the roads involved in the clean up are in and around the village of Gilbertsville which included Rt.100 and Rt. 73. The inmates will be back on April 25th and 26th to finish up the road list that I had provided to them. The Montgomery County Recycling Department has released its 2013 Hazardous Materials drop off schedule. Many of the locations on the schedule are within 10 minutes of Douglass Township this year. For a list of items that are acceptable, please visit the Township Website and take a look at the flyer provided. Additionally, hard copies can be obtained at the Recycling Center and at the Administration Office. Due to new Pennsylvania mandates, electronic items can no longer be placed curbside for trash pickup. All electronic items need to be taken to the recycling center during normal business hours for drop off free of charge to Douglass Township residents. I am just wrapping up the 2012 recycling tonnage numbers for the 2013 DEP 904 recycling grant. There are about two dozen businesses that have not returned the annual recycling report. I will personally be making a visit to these businesses to remind them that they are in violation of our ordinances. I will also be serving second notices to the trash companies that have not returned their annual permit fee for commercial trash pickup. Only three companies have returned their permit fees, all other trash companies are currently in violation. Mr. Theil asked if there were any questions on the recycling report, no one replied.

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

Highway/Zoning Report

Mr. Heydt stated that the highway crew cleaned up all the salting equipment and stored it for the season. Fixed the dirt roads, replaced signs, and did tree trimming on Oberholtzer, Jackson, Congo, and Rick roads. Inlets were cleaned, covered salt bins and put plows in the County's salt bin for the season. Mr. Heydt asked for authorization from the Board to sell the 1994 dump truck, highway truck #4 on U.S. Municipal Bid, he would like to try and sell it for \$7,000. We have very good success selling items and cars on this site. The manager asked if a plow and salt spreader would be sold with truck #4, Mr. Heydt replied that only the salt spreader would be sold with truck #4. Mr. Bauer and Mr. Ziegler questioned if it would be sold as is because of liability issues, Mr. Heydt replied yes, it would be sold on an "as is" basis. Mr. Ziegler asked Mr. Heydt how many trucks do you have for the highway department, he replied that he has 6 trucks for highway department use and 2 used only by the recycling department. Mr. Theil asked if there were any other questions on the highway report, no one replied.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize Mr. Heydt to sell the 1994 highway department truck #4 on U. S. Municipal Bid on an "as is" basis. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mr. Heydt stated that he is working with the owner of the collapsed garage on E. Philadelphia Avenue, the car has been pulled out of the garage, awaiting demolition of the structure. Violation notices were mailed out to the garage owner and the Gilbertsville Car Wash regarding their roof. Mr. Theil asked if there were any questions on the zoning report, no one replied.

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

Treasurer's Report – Cynthia O'Donnell

The Treasurer stated that the unpaid bills amounted to \$149,360.04, and asked the Board for authorization to pay the bills.

A motion was made by Mr. Theil, seconded by Mr. Ziegler for authorization to pay the bills. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The Liquid Fuels Tax payment in the amount of \$252,550.08 was received on April 1, 2013. This amount is \$5,848.84 higher than the amount budgeted for 2013. Additionally, \$57,720 was received for turnback maintenance. This is the amount that was budgeted. We received a \$1,032 grant from First Energy for changing traffic signal lights to LEDs at E. Philadelphia Avenue & Congo Road. We are waiting for \$820 for Rt. 100 & Grosser Road, and will be applying for the intersection paid for in this month's bills – Rt.73 & Gilbertsville Shopping Center. On April 8th we met with the Auditors to review the Financial Statements for Douglass Township for the year ended December 31, 2012, and for Rebecca Zern, Tax Collector for Douglass Township for the year ended December 31, 2012. Copies of both reports are available in the Township office for public inspection. Year to date income for the General Fund is \$6,962.21 or 1% ahead of the 2012 year to date income. The biggest increase is with Earned Income Tax, Local Enabling Taxes. Transfer taxes and building permits are lagging 2012 income levels. Year to date income for the Recycling Fund is \$1,536.47 or 1.2% ahead of the 2012 year to date income, the increase is with trash bag sales. The Treasurer asked for a budget amendment for hiring a highway department worker. Mr. Theil stated that he and Mr. Stasik were informed by staff that we have two people budgeted for as seasonal workers and instead of advertising for and hiring a highway worker we will utilize one of these workers who has the qualifications needed to help out the highway staff and therefore Mr. Theil made a motion to rescind the motion of advertising for a part time highway worker. The Treasurer stated that the part time seasonal workers wages are \$13.50 per hour with no benefits. Mr. Theil asked for any questions on the Treasurer's report, no one replied.

A motion was made by Mr. Theil, seconded by Mr. Stasik to rescind the motion of advertising for a part time highway worker. Stasik-Aye, Theil-Aye, Ziegler-Abstain. Motion passed.

A motion was made by Mr. Stasik, seconded by Mr. Theil to make an amendment to the highway budget of \$7,243 to add a part time highway worker. Stasik-Aye, Theil-Aye, Ziegler-Abstain. Motion passed.

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

Pete Hiryak presented the Manager's Report.

1. The Manager reviewed the upcoming meetings as follows: Friday, April 19th @ 11:00am, County Line Road Bridge Meeting. Monday, May 6th @ 7pm BOS Agenda Meeting, 7:30pm BOS Public Meeting, Thursday, May 9th @ 7pm Planning Agency Meeting.
2. Zoning Hearing Board Meeting Tuesday, May 7th @ 7:30pm – Morrison appeal, 155 Cobblestone Drive, for a dimensional variance for front, side and rear yard setbacks and 18% gross lot building coverage in the R-2 Cluster Zoning District, for an aboveground pool, deck, and pad, they are over coverage by about 100 square feet. The Planning Agency did not have a problem with this variance.

Mr. Stasik was reviewing the appeal and stated that he has concerns on the impervious coverage and he wanted the manager to send a letter to the Zoning Hearing Board and read into the transcript that the variance shall only be granted if they comply with the 18% coverage maximum coverage allowed in the R-2 Cluster District. Supervisors Theil and Ziegler agreed with Mr. Stasik's input.

3. Representative Marcy Toepel will visit Douglass Township Monday May 20th, 2013 for the Board of Supervisors Meeting; Ms. Toepel will provide resident outreach service from 6pm-7pm.
4. Bike Night, road closure permit and traffic control – the manager stated that he will be working on PennDot's Road Closure Permit Application and he will work with Chief Smith on attaining additional help for traffic control from the fire police.
5. Relay For Life/Car Show, use of Douglass Park – the manager stated that Relay For Life has booked the Douglass Township Park for Saturday, May 11th, 2013 for the Relay For Life Car Show fundraiser for Cancer. Douglass Township will close the park for this event and the manager asked for the Board's authorization to waive the rental fee for use of the park, this fundraiser is for an excellent cause benefitting many individuals and families.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to waive the park rental fee for the Relay For Life/Car Show Fundraiser. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The manager stated that he has just received a call from Michael Gambone and he requested a meeting with the Board of Supervisors and Solicitor to discuss the possibility of rezoning his property located at 151 Holly Road, this parcel is 52 acres and is situated next to the Giant Supermarket.

A motion was made by Mr. Theil, seconded by Mr. Stasik to authorize the manager to arrange a meeting between Mr. Gambone, the Board of Supervisors, Township Solicitor, and staff members. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

Mr. Theil asked if there were any questions for the manager, Mr. Sell asked if he could have some brochures for the Car Show, they manager replied that he would get the information to him. No other questions were asked.

A motion was made by Mr. Stasik, 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

Mr. Kuklinski stated that the Trout Rodeo will be held on Saturday, May 4th, 2013, we will need volunteers to setup at 6:30am. There will be prizes for the kids. For the May meeting Mr. Kuklinski requested that the committee members meet here at the Township first then head out to the new open space property located at 210 Smith Road. Mr. Kuklinski stated that there will be no open space meetings for June, July, or August. Mr. Ziegler asked Mr. Kuklinski how many volunteers does he have, Mr. Kuklinski replied that he has about 10 people. He is going to ask kids to volunteer as part of a community service project. Carl Hiryak stated that he hung a rodeo flyer up at Saville's Diner and Rita Saville donated a \$25.00 gift certificate for a prize. Mr. Theil mentioned that Mr. Lindsay is present tonight, he owns the property next to the new open space property and he has graciously allowed the Township to use his property for future fish rodeos. Mr. Sell added that Mr. Mashintonio has allowed us to use his property for many years and we should send him a thank you note, the manager stated that everyone that donates or contributes in some way receives a gratitude letter from the Township which they can use for tax purposes. Mr. Theil asked Mr. Kuklinski if he has secured a food cart for use at the rodeo, Mr. Kuklinski replied that it is being repaired, hopefully it will be ready in time, the manager stated that Township has a large grill that can be used at the rodeo and there will be additional trash cans placed around the pond. Mr. Kuklinski thanked the Manager and staff for all their help and going above and beyond their duties at the Township. No other questions or comments were given.

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

Public Comment

Mr. Sell commented that Mr. Theil came to his house and made several statements that he feels should be discussed in front of the Supervisors and general public. Mr. Theil told him that Mr. Ziegler and the Solicitor crossed the line by threatening people to withdraw their election applications to run for Township Supervisor. Mr. Sell commented that these statements are unethical and may be criminal violations. Mr. Theil stated that he never used Paul Bauer's name in the conversation. Mr. Theil stated that he told Mr. Sell that there is a rumor going around of how Township Officials are getting people off the ballot; just ask Josh Stouch why he withdrew from running. Mr. Ziegler asked Mr. Stouch if any of this was true, Mr. Stouch replied that he withdrew from running for office because it was not the proper time for me to run. Mr. Ziegler stated that there were names on a petition that were not residents of the Township and some other misinformation that he questioned. Mr. Bauer asked Mr. Theil what alleged unethical thing do you think I did, Mr. Ziegler has every right to challenge signatures which I did on his behalf. This is not an uncommon practice for candidates to check whether resident's signatures are valid or not. Mr. Bauer stated to Mr. Theil that you are crossing the line into something that could require legal action with these accusations. Mr. Sell also stated Mr. Theil told him that we are \$4.8 million in debt presently and in ten years could be bankrupt because of the police retirement benefits. Mr. Theil said that bankruptcy was an option; he was just stating different options of resolutions which one option was bankruptcy. Mr. Sell also stated that Mr. Theil said we need to break retirement contracts, Mr. Theil stated that I was giving an option, I was giving options. Mr. Sell also stated that he was embarrassed at one of our open space meetings when we had a guest from another Township sitting in on our meeting and Mr. Theil dropped the f-bomb several times during that meeting, Mr. Theil stated that he knows the person very well and that person is aware of the way I sometimes express myself, Mr. Sell stated, that there is no excuse for an elected Township Official to use that kind of language in public and Mr. Theil has been asked to refrain from that type of language before, Mr. Theil said that he only used that word once and he thanked Mr. Sell for his comments and added that he will try to watch his language in the future. Mr. Stouch added that he works between 60-80 hours a week as constable; I was applying for any opening within the Township and heard that Mr. Ziegler was not sure, at that time, if he was going to run again for Supervisor. I was not threatened by anyone, I decided not to run. Mr. Ziegler stated that he submitted Mr. Stouch's name for an appointment to the Planning Agency and he was told by the Chairman that if Mr. Stouch got appointed to the Planning Agency that the entire Township Planning Agency would quit. Mr. Stouch stated that he was not aware of that nor does he know the reasoning behind that remark. Carl Hiryak stated that after hearing all of these events tonight we should be considering removing Mr. Theil from the Board of Supervisors. Chief Smith changed the topic by asking about Fire Police help for Bike Night, he stated that it would be best for the Township send out letters for help with traffic control, the manager stated that he will work on the letters. Mr. Ziegler asked if the road closure permit is difficult to get, the manager stated that the application is totally different from past years, Mr. Theil added that it now requires 6-8 weeks notice, the manager replied yes it does require more information and more notice. Mr. Theil stated that he does not anticipate traffic problems or issues because Virmay Drive was not a detour route. No other public comment was given.

A motion was made by Mr. Ziegler, seconded by Mr. Theil to adjourn the meeting at 9:00pm. Stasik-Aye, Theil-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, May 6th, 2013 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler