

The meeting of the Douglass Township Board of Supervisors was called to order at 7:37 P.M. Attending were Chairman John Stasik, Vice Chairman Fred Ziegler and Supervisor Anthony Kuklinski, Solicitor Paul Bauer, Engineer John Sartor, Cynthia O'Donnell, Chief Templin, Andy Duncan, Mike Heydt, Pete Hiryak and approximately 43 residents.

Mr. Stasik asked everyone in the room to please be aware of all exits and place their cell phones on silent during the meeting and led us in the pledge of allegiance.

Mr. Jeff Haring announced that he would be taping the meeting.

Mr. Stasik asked if there were any changes, corrections, or comments on the minutes of November 4th, 2013 Board of Supervisors Meeting, no changes or comments were given.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve the minutes of the November 4th, 2013 Board of Supervisors Meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Gilbertsville Ambulance Report – Warren Moser

Call volume for October 2013: There were a total of 90 calls for service; 70 patients were transported, 9 cancellations, 6 refusals, 2 no patient found, 2 no treatment needed, and 1 expired on scene. The breakdown is 45 from Douglass Township, 16 New Hanover Township, 12 Boyertown Borough, 2 Earl, 1 East Greenville, 4 Colebrookdale, 6 Pottstown Boro, 2 Upper Frederick, and 2 West Pottsgrove. ALS-56, BLS-34. Hospitals Transported to: 9 Lehigh Valley-Cedar Crest, 56 Pottstown Memorial, 3 Reading, 1 St. Lukes Allentown, and 1 Grandview. Total calls to date: 2012 – 1091, 2013 – 1106. No questions were asked.

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

Gilbertsville Fire & Rescue – Rick Smith

Fire report for October 2013 – 2 fires, 1 wires, 4 fire alarm/CO2 alarm, 2 vehicle accidents, and 2 fire police for a total of 11 calls. The Fire Company was in service for 4 hours and 22 minutes. October was Fire Prevention Month; we were at YMCA Growing Dreams, Little Faces, Boyertown Children's Center, Goddard School. Members were at the Gilbertsville Elementary School all day. Chief Smith recognized the firefighters that responded to the Sassamansville Fire. No questions were asked.

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

Engineer's Report – John Sartor, Gilmore & Associates

Berwind II Subdivision – On 11/08/13 we received a revised preliminary/final plan submission, which is currently under review by our office.

Provo Pinegood Grosser Road, LP/Wawa Land Development – On 11/8/13 we issued our third review letter regarding the preliminary subdivision and land development plan. On 11/14/13, the P/A recommended that preliminary plan approval be granted based on numerous conditions; the P/A also recommended that 8 waivers be granted and Preliminary Plan Approval with conditions.

Beazer Homes Cobblestone Crossing III – Bond reduction request. Mr. Sartor stated that Beazer Homes is requesting a release of \$326,629.82; the balance remaining is \$538,363.30. Mr. Sartor recommends the release of this amount and confirmed that the balance remaining is sufficient for the remainder of the project.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve a bond reduction release in the amount of \$326,629.82 to Beazer Homes as recommended by Mr. Sartor. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

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

Police Department Report – Chief Templin

Statistics for October 2013 – 384 incidents reported, 10 reportable accidents, 11 non-reportable, 18 criminal investigations, 9 criminal arrests, 134 traffic citations, 10 non-traffic citations, 8,665 miles traveled, money received by the Township \$7,281.36. Chief Templin stated that he wanted to thank everyone who participated in the Sixth National Drug Take Back Initiative held on Saturday, October 26, 2013 from 10am-2pm at the Giant Food Stores. People were able to turn in their unwanted, unused, or expired medications. Over 140lbs. were turned in almost doubling our take in from events of the past. Also we do have our own drop off site for the residents here at the Douglass Township Municipal Building main entrance area available Monday to Friday 8am-4pm, except for legal holidays.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to accept the Police Department Report. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Recycling Report – Andrew Duncan

For the month of November 2013: Leaf collection began on October 21st and will run through Friday, December 6th. We will not be collecting leaves on Thanksgiving or Black Friday. The stats are: 44 loads of leaves collected, collected leaves for 19 days, 361.34 gallons of fuel at a cost of \$1,381.07 for all of the fuel. If you have campaign signs from last Tuesday, Montgomery County has set up a drop off site for your political signs at our recycling center. We will be accepting the signs until November 20, 2013. Mr. Duncan stated that he has started a face book page for the recycling department as an additional tool to get information out to our residents; I have been slowly adding information as time allows.

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

Solicitor's Report – Paul Bauer

Wayside Chapel – A resolution to the outstanding violations has been reached. Attached is a letter which had previously been forwarded to counsel for Wayside Chapel which outlines the terms of the resolution. At this time the Fire Chief must schedule a time to drive around the property with a fire truck. Once completed, the Township will then inspect the interiors of the buildings. An offer has been made to pay back the attorney fees. Mr. Bauer stated that a settlement proposal has been submitted if the Board of Supervisors would be in favor of the settlement. Mr. Sell asked how is this school allowed, it is not safe, Mr. Bauer replied that it is allowed by the State for alternative learning.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik to authorize Mr. Bauer to accept the Settlement Proposal that was submitted. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Ziegler asked if Mr. Adams on Mill Street has cleaned up his property, it is going on two years now, Mr. Heydt said he is still cleaning up the smaller items. The Board agreed to have Supervisor Kuklinski visit the site and review the situation before the Board directs Mr. Bauer to pursue any action.

Cable Franchise Agreement/Comcast – An ordinance to adopt a new Cable Franchise Agreement has been advertised in the Pottstown Mercury for adoption at tonight's meeting if the Board so chooses to vote on it. The term of the agreement is for 15 years and will have gross revenue set at the maximum rate allowed by law which is 5% of subscribers within the municipality and will generate \$160,000 per year. The Township will also receive a one-time franchise grant of \$25,000.00.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adopt the new Cable Franchise Agreement Ordinance. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mountain Mulch – I anticipate the filing of an injunction by Wednesday, November 20th at the earliest and Friday, November 22nd at the latest, to shut down the operation until they supply a land development plan. Mr. Kuklinski suggested that Mr. Bauer work with co-counsel to help with anything Mr. Bauer would need, Mr. Bauer stated that he would work with co-counsel. Mr. Bauer stated that the Court will schedule a hearing at County Court in Norristown 30-40 days after the injunction. Mr. Bauer informed the public that there was an Executive Session held tonight before the meeting on potential litigation; no decisions and no actions were taken by the Board. Mr. Stasik asked if there were any questions on the Solicitor's Report. Ms. Keiser asked what would a land development plan do, Mr. Bauer stated that a land development plan is required when you have traffic and storm water issues, if the Court agrees with the Township then Mountain Mulch would have to go before the Planning Agency and go through the land development process. Ms. Keiser reminded the Board and public that this is on a preserved farm. Mr. Volpe stated that usually internet service is granted to ambulance and fire companies through the cable franchise agreement, the Board replied it is granted in this agreement. Mr. Stouch asked where we are with the car wash cleanup; Mr. Bauer stated that the last he heard was Mr. Heydt was working with Mr. Markofski with that issue. The Board agreed to get Mr. Bauer involved with the Gilbertsville Car Wash cleanup.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize Mr. Bauer to pursue the Gilbertsville Car Wash cleanup process. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Applications which are pending but inactive:

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

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

Highway/Zoning Reports – Mike Heydt

Highway - The following work was done by the road crew: resurfacing of County Line Road, worked on highway equipment for the upcoming winter.

Zoning – no report was given. Mr. Stasik asked if there were any questions for Mr. Heydt, no one replied

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

Treasurer's Report – Cynthia O'Donnell

The Treasurer stated that the unpaid bills amounted to \$214,238.54, the unusual bills were; Bechtelsville Asphalt (paving Lone Pine, Smith, and Congo Niantic Roads), Bergey's Commercial Tires (tires for recycling equipment), Carl Clemko (reimbursement for rifle sites for police dept), Great Eastern Mgmt (purchase of Certificate of Deposit), Kriebel Security Inc (grant purchase of new card system door locks for Township Bldg), and National Business Furniture (desk for Det. Evans). No questions were asked on the bills. The workers compensation audit for the period 6/2012-6/2013 resulted in an additional premium due of \$3,953.00, I have contacted our insurance agent and he will be doing further investigation of the calculation with EMC. We have been advised by our agent, to write a letter to EMC contesting the audit amount, this letter should stop the process of having to pay the premiums by 12/6/13; I will prepare the letter on Wednesday. We received an Office of Justice Grant in the amount of \$425.00 on November 6, 2013; this money is the reimbursement for bullet proof vests purchased by the police department. We also received \$700 for the remaining grant submitted for changing traffic lights to LED. The money was for the light at the Gilbertsville Shopping Center. Year to date income for the General Fund is

\$213,379.58 or 7.4% ahead of the 2012 year to date income. The biggest increase is with Earned income Tax. Transfer Tax, Fines, and Protective Inspection Fees are lagging 2012 income levels. Year to date income for the Recycling Fund is even with 2012. The Treasurer reviewed the 2014 budget summary and supplied copies to the Board. The 2014 proposed expenses are \$3,100,630.77, the budgeted income is \$3,311,247.00 leaving a surplus of \$210,616.23. A transfer of \$200,000.00 will be made to the Employee Benefit Fund for future police retirees and a transfer of \$10,000.00 will be made to Capital Reserve for a future police car leaving a Net Surplus of \$616.23. The Treasurer also noted that a new bond will be needed for the Tax Collector at \$470.00 and if the Board decides to contribute \$500.00 to New Hanover for use of the Hickory Park Pool this would put the Township in a deficit. A motion was needed for adoption of the tentative budget and authorization to advertise. No questions were asked.

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

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

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski for the Adoption of the 2014 Tentative Budget and Authorization to Advertise. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Pete Hiryak presented the Manager's Report.

1. The Manager reviewed the upcoming meetings as follows: BOS meeting Monday, December 2nd @ 7:30pm, Supervisors Agenda Session 7pm, P/A Workshop Thursday, December 12th @ 6pm (Riparian Corridor), P/A Meeting @ 7pm.

2. Provco Pinegood LLC Staff Meeting Request – the manager stated that the P/A gave Wawa Preliminary Plan Approval with conditions on their November 14th meeting. Provco is requesting a staff meeting, the Board suggested to hold an internal meeting before the staff meeting.

A motion was made by Mr. Stasik, seconded by Mr. Ziegler to approve a Staff Meeting Request by Provco Pinegood LLC after an internal staff meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

3. Hallowell Tract Cluster Development – Plan Review Extension Request. The manager stated that Mr. Rosen has submitted a 90 day Plan Review Extension Request for the Hallowell Tract Cluster Plan.

A motion was made by Mr. Kuklinski, seconded by Mr. Stasik to approve a 90 day extension request for the Hallowell Tract Cluster Development Plan Review. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

4. EOC Training Exercise – the manager stated that the EOC Training Exercise will be held tomorrow, Tuesday November 19th, 2013 approximately 5pm-8pm.

5. Schlegel Road Bridge Weight Limit Postings – the manager asked for authorization to post new weight limits for the Schlegel Road Bridge of 12 Tons, Combination 11 Tons per the latest PennDot inspection.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize the new weight limit postings for Schlegel Road at 12 Tons, Combination of 11Tons. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Stasik asked if there were any questions on the managers report, Chief Smith stated that the fire company vehicles are over the weight limit for the bridges, Mr. Kuklinski asked for the manager to forward a written request for exemption of weight limitations to PennDot for emergency vehicles to have access on all bridges in Douglass Township.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler to authorize the manager to make a written request to PennDot for exemption of weight limitations for emergency vehicles on all bridges in Douglass Township, Montgomery County. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Gibson asked to have the Board authorize Mr. Bauer to draft a development agreement for the Berwind II Subdivision Plan, Mr. Bauer stated that typically this happens after Final Plan Approval and he also does not have

the information needed, this is premature. Mr. Sartor agreed with Mr. Bauer and stated that he does not have the information necessary. Mr. Gibson stated that his engineer Mike Sodl has the information and you already know what type of agreement is necessary and again asked to begin to draft the agreement for Mr. Sartor to review and agree with so there would be no further delays, he also suggested having a staff meeting to discuss this. Mr. Bauer again stated he gave his opinion to the Board; this never was done before final plan approval. Mr. Gibson stated that he did not think that his request was unfair; this process has taken longer than in other Townships. Mr. Bauer replied that there has been no delay caused by this Board, this is the process that must be followed, the Planning Agency did not recommend final plan approval and he asked the Board to follow protocol. Mr. Kuklinski asked Mr. Gibson if he is crystal clear on what Mr. Sartor needs and stated that we will stay the course. No other questions were asked.

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

Old Business/New Business

Open Space Report – Mr. Romig stated that there were new people sitting in on the open space meeting tonight, and welcomed the public to attend the meetings. Ms. Garner from New Hanover Township attended tonight's meeting in reference to the Hickory Park Pool and the number of Douglass Township residents that used the discounted joiner fee last year that was offered by New Hanover. The committee was concerned that the offer of the joiner fee discount was not advertised enough to get the attention of the residents. The manager stated that last year pool flyers were placed in the Township Building lobby and the discounted pool fees were advertised on the Township's website. Ms. Garner stated that New Hanover is asking for a donation of \$500.00 from Douglass Township for the upkeep of the Hickory Park Pool for 2014. The Open Space Committee is asking for the Board to make a motion on that request. The Board wanted New Hanover to provide the number of Douglass Township residents that take advantage of joining Hickory Park Pool up to Memorial Day of 2014 before the Board will commit to any donation to the upkeep of the pool. Mr. Romig stated that the 2014 Trout Rodeo will be held on Saturday, May 3rd. Mr. Hagadon is working on an updated map and photos of open space areas for the website. No other questions were asked.

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

Thomas – Aspen Lane drainage issues with Suburban Water - No one was present.

Firehouse Issue Pending – Mr. Bauer announced that there was an Executive Session held on the feasibility of Douglass Township taking over the firehouse property to relieve Mr. Haddad as Trustee.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler to authorize Mr. Bauer to petition the Court to transfer the fire company property located at 1456 E. Philadelphia Avenue, Gilbertsville PA 19525 from Charles Haddad Trustee over to Douglass Township. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Public Comment

Ms. Fitzcharles was concerned that Mountain Mulch is now selling salt for the roads, the manager stated that he hasn't seen any salt on the site. She also stated that she was pressure washing her patio furniture and showed pictures of moldy debris on furniture, the Board asked her to forward them to Mr. Mullaney's office. Mr. Orner said \$15,000 of roadwork was done and legal work and all Mountain Mulch has paid back to the Township was \$500 another resident added that Mountain Mulch wrote donation on that check. The manager stated that it is his understanding that there was no written agreement. Ms. Keiser stated that \$500 per month payment plan is not enough. Mr. Bauer outlined two scenarios to resolve this issue; the improvements done to the road are improvements for everyone. Mr. DeCicco stated that the berm is still at 13 acres are you assessing fines and have we collected any fines or are we going to fine, Mr. Bauer replied no and no, the injunction has more bite to shut them down. Ms. Keiser thanked the Board for adding the Sassamansville Today link to the website. Carl Hiryak

asked if the Township would be subject to lawsuits if the Township is named as owner of the firehouse, Mr. Bauer replied that legal lawsuits are paid by liability insurance. Chief Smith stated that we are two separate organizations headed in the same direction there are no squabbles. Mr. Kuklinski stated that the Township would be simply owning facilities, Chief Smith stated that it is a win win situation. It was suggested by a resident to create an Emergency Service Board, Mr. Kuklinski stated that we should get over one hurdle at a time. No other comments were given.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adjourn the meeting at 9:08pm. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, December 2nd, 2013 @ 7:30 pm.

Respectfully submitted by,
Marcy Meitzler