

The meeting of the Douglass Township Board of Supervisors was called to order at 7:35 P.M. Attending were Chairman John Stasik, Jr, Vice Chairman Anthony Kuklinski, Supervisor Fred Ziegler, Solicitor Paul Bauer, Senator Bob Mensch, Chief of Staff Lisa Walter, Engineer Dave Leh, Mike Heydt, Pete Hiryak and approximately 25 residents.

Mr. Stasik led us in the pledge of allegiance.

Chairman Stasik asked the public to be aware of all exits, place all cell phones on silent, and please refrain from texting.

Mr. Stasik introduced Senator Bob Mensch and Chief of Staff Lisa Walter of Pennsylvania's 24<sup>th</sup> Senatorial District. Senator Mensch briefly gave an overview of the State Budget Hearings, the budget is 29.4 billion. 40% of the budget goes to education (33-1/2% K -12, 66% goes to upper education), 40% goes to public welfare (75% to human services, 25% to entitlements), 7% for Corrections, 9% to Government (Courts, Administration, PennDot, Finance) and 4% to debt reduction. There is a 50 billion dollar unfunded deficit in the Pension funding, the design of the pension fund must be changed; we do not want to pass this debt onto our children or grandchildren. Property Tax Reform is still being discussed in the Congress but is proving difficult to make the numbers work in the budget. 90% of Pennsylvania's Government is run off of only 9% of the annual budget. The Board of Supervisors thanked Senator Mensch and his Staff for attending tonight's meeting.

Mr. Stasik asked if there were any changes, corrections, or comments on the minutes of February 18<sup>th</sup>, 2014 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 February 18<sup>th</sup>, 2014 Board of Supervisor meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

#### **Riparian Corridor Conservation District Ordinance – Meredith Curran**

Ms. Curran gave a brief review of the proposed Riparian Corridor Conservation District Ordinance. The buffer ordinance would provide natural erosion and sediment control along the waterways in Douglass Township by providing setbacks and restrictive uses near the banks of streams, creeks, and wetlands. The ordinance would also provide water quality protection by maintaining existing vegetation and would also provide shade trees for habitat protection. This ordinance would protect all six of the Township's existing watersheds of which currently only Swamp Creek is protected under the Act 167 Plan. The P/A has recommended adoption of the model ordinance that would create a riparian corridor conservation district for all parts of the Township. The Board of Supervisors thanked Ms. Curran for her input on the proposed ordinance.

#### **BMMA Report – Bob Dries**

Mr. Dries gave a brief overview of the BMMA meetings for January/February. There will be no rate increase for 2014. BMMA Board authorized proceeding with the \$6,000,000 borrowing to complete the corrective action plan. BMMA Board authorized proceeding with sheriff sale to recover late sewer charges for 830 Ungers Lane in Colebrookdale Township. They owe 4 ½ years of sewer charges (16 payments) the owners were given many options to resolve payment but they refuse to pay. Work has been completed as planned on the Digester Maintenance Program that is done on a ten year cycle. Final site cleanup is required as soon as the snow melts. Mr. Kuklinski asked what is the status on Wayne Rosen; Mr. Dries replied that Mr. Rosen has not come back to a BMMA meeting. No other questions were asked.

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

**Engineer's Report – Mr. Dave Leh**

*Berwind II Subdivision* – We attended the pre-construction meeting on 2/19/14 with representatives of the Township, BMMA, and the Developer. Mr. Bauer stated that the plans must be signed, notarized, and recorded at Montgomery County and copies returned to the Township office prior to any construction.

*Cobblestone Crossing Phase III* – On 2/24/14 and 2/26/14 we received requested items to address our questions. We have no technical objection to the basin modifications required for the NPDES permit.

*Rt. 100 Corridor Study* – On 2/6/14 we received a copy of the PA 100 Modified Point of Access Study, dated November 2013 as prepared by Johnson, Mirmiran & Thompson, which is currently under review by this office.

*Zern Tract (101 Jackson Road)* – On 1/30/14 we received the preliminary land development plan submission and supporting documentation, which is currently under review by this office to be presented to the P/A.

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.

**Solicitor's Report – Mr. Paul Bauer – Litigation Updates**

Mr. Bauer announced that an Executive Session this evening prior to the Board of Supervisors meeting involving litigation matters, no decisions or votes were given.

*Trusteeship – GFC#1 and Fire & Rescue* – On 2/19/14 Supervisor Kuklinski, the Manager, Mr. Markofski, Steven Shelley, myself, and members of GFC#1 were in court for the petition for trusteeship. Mr. Bauer stated that in his opinion the Court was forced to accept the Townships petition as the only reasonable position to temporarily resolve this matter, by next BOS meeting he expects to have the Court Order.

*Police Retirees* – Retirees arguing that health insurance has changed twice since they have retired. The Manager sent out notices inviting retirees to the meeting explaining the new health plan, the complainants did not respond. Mr. Bauer is waiting for a response from their attorney.

*Rita Tarmin vs. Douglass Township* – this involves a fall on the firehouse property and she is seeking compensation on injuries incurred, this suit was originally filed against the wrong Township. Douglass Township is seeking to be removed from the lawsuit.

*Mountain Mulch* – a hearing was scheduled for Friday on the proposed settlement agreement. All parties were satisfied with the content of the proposed settlement; however Mr. Kennan is requesting a continuance of the Friday hearing because there were a few things that needed tweaking. Mr. Bauer requested the Chairman to authorize to approve the proposed settlement agreement tonight, as agreed by all concerned parties, due to the fact that the next Board of Supervisors meeting would not be until March 17<sup>th</sup>, 2014.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize the Chairman of the Board of Supervisors to approve the settlement agreement for Mountain Mulch as agreed upon by all concerned parties. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Sell asked if they are still allowed to operate, Mr. Bauer stated that Mountain Mulch is looking to get rid of the materials they have on site. Mr. Sell also asked if Mountain Mulch would be paying the Township the \$25,000 for road improvements. Mr. Bauer stated that much of the road improvements made were needed for safety reasons and will recommend to the BOS that it is better them gone than going after the \$25,000. Mr. Sell added that the road crew could have been doing something else with their time than improving the roads for Mountain Mulch. The manager stated that the majority of the costs were engineering and legal expenses, the road improvements were done by our road crew however the bills as they come in are being forwarded to Mountain Mulch. Mr. Bauer added that the Court will not make them pay the bills. Mr. Sell suggested that in the future we should take a better look at variance requests before allowing this situation again. Ms. Bauer asked what the length of time would be to implement a new ordinance for a tract of land under farm preservation to provide a clear guideline for the zoning hearing board to use in making future decisions. Mr. Bauer stated that as part of the settlement proposal the variance on the property is to be abandoned therefore you could not have a mulching operation on this property; the Solicitor will research and advise the Board on the issue of restrictive variances on preserved farmland properties.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize Solicitor Bauer to look into a possible ordinance to protect land in farm preservation areas. 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 by Mr. Kuklinski to accept the Solicitor's Report. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

#### **Recycling Report – Andrew Duncan**

Mr. Duncan reviewed the 2013 Douglass Township Annual Residential Recycling Report and the Highlights of 2013. Mr. Duncan asked if everyone could be patient, with all the snow we have had trash is still being uncovered. Mr. Stasik asked if there were any questions, Mr. Theil asked if the trash hauler contributed \$2,250 for the 2014 Trout Rodeo, the manager stated that he will follow up on the contribution with Advanced Disposal.

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

#### **Highway Report – Mike Heydt**

Mr. Heydt stated that the road crew has been plowing roads, fixing plows, and repairing potholes when possible. Mr. Stasik asked Mr. Heydt to give him a list of how many tons of salt was used this year for the next meeting and said that Douglass Township does an exceptional job on the roads. Ms. Norton asked why we don't use snow fence anymore, Mr. Heydt replied that the last couple of years we have not needed the snow fence, it is labor intensive (3 weeks to put up, 2 weeks to take down). Mr. Theil had concerns on CountyLine and Montgomery Ave and a drainage issue on 8<sup>th</sup> Street, Mr. Heydt stated that the drain on 8<sup>th</sup> Street is in Berks County and they would have to address that issue. Mr. Theil told Mr. Heydt to get in touch with Colebrookdale to fix it, Mr. Kuklinski stated that you do not tell a Township employee what to do, you address the Board; Mr. Theil asked the Board if we could reach out to Colebrookdale on the drainage issue, Mr. Stasik said we will have to address it. Mr. Heydt suggested that he could ask Mr. Sartor, the Township Engineer, to look at the issue; Mr. Sartor is also the Engineer for Colebrookdale.

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

#### **Pete Hiryak presented the Manager's Report**

1. The Manager reviewed the upcoming meetings as follows (open to public): P/A Workshop, Thursday, March 13<sup>th</sup> @ 7pm, P/A Workshop @ 6pm – Signage, Board of Supervisors Meeting Monday, March 17<sup>th</sup> @ 7:30pm, Agenda Meeting @ 7pm, Open Space/Rec Committee Meeting, Monday March 17<sup>th</sup> @ 6:30pm, COG Meeting – Tuesday, March 11<sup>th</sup> @7pm, Pottstown Borough – the manager or Mr. Kuklinski will attend.
2. Zoning Officer – the manager stated that we have received 3 applications for the zoning officer position. The manager recommended that the position be part-time at first, 20-24 hours per week and based on education, building codes background, and Township knowledge the manager recommended to hire Bob Dries at \$20.00 per hour.

A motion was made by Mr. Ziegler; seconded by Mr. Stasik to; based on the Manager's recommendation, hire Bob Dries as the Part-Time Zoning Officer to work 20-24 hrs per week at \$20.00 per hour. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

The manager stated that zoning car #11 is currently having major repairs at Patriot and should be up and running shortly. Mr. Stasik asked if there were any questions on the Manager's Report, no one replied.

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

**Public Comment**

Mr. Stasik asked if there was any public comment, Mr. Theil stated that the building next door is horrible the gutters are hanging off the house, the windows are open no one is repairing anything on the house, Mr. Heydt replied we were in the process of tearing the building down but the winter held us up. Mr. Stasik stated that the building is structurally not worth restoring, it is soft brick. Mr. Theil stated that we could have sold the property and used the money for Revitalization. Ms. Keiser thanked the road crew and recycling for doing a fantastic job, it has been a tough winter on everyone. Ms. Wills asked if branches from her neighbor's trees fall onto her property who would be responsible, Mr. Bauer replied that it would be her neighbor's responsibility. No other comments were given.

**Old Business/New Business**

No old business or new business was given.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adjourn the meeting at 8:55pm. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, March 17<sup>th</sup>, 2014 @ 7:30 pm.

Respectfully submitted by,

Marcy Meitzler