

April 7<sup>th</sup>, 2014 Page 1

The meeting of the Douglass Township Board of Supervisors was called to order at 7:34 P.M. Attending were Chairman John Stasik, Jr, Vice Chairman Anthony Kuklinski, Supervisor Fred Ziegler, Solicitor Paul Bauer, Engineer Dave Leh, Andy Duncan, Chief Templin, Robert Dries, Mike Heydt, Pete Hiryak and approximately 23 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 during the meeting.

Solicitor Bauer announced that earlier this evening there was an Executive Session to discuss Fire Company financial issues, no votes or decisions were given.

Mr. Stasik asked if there were any changes, corrections, or comments on the minutes of March 17<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 March 17<sup>th</sup>, 2014 Board of Supervisor meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

#### **Police Department Report – Chief Barry Templin**

Update Police Officer Position – We received 55 applications for our full-time police officer position and we are currently in the oral interview phase of the search for our new police officer. I will keep the Board updated as we continue on. We have found a person to fill the part-time secretary position and with the Board's approval I would like to start her as soon as possible working her 25 hours per week. Allison Bednar has received a B.S. degree in Criminal Justice from Bloomsburg University; she completed an internship of 120 hours here at Douglass Township and is currently working for an insurance company. A background check was completed and she will give two weeks notice to her current employer.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve the hiring of Allison Bednar for the part-time secretary position for the Douglass Township Police Department starting as soon as possible for 25 hours a week. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

On April 3, 2014 Chief Templin attended the Community Safety Conference held at the Friendship Hook & Ladder Fire Company, hosted by Senator Bob Mensch. Representatives from the Office of the State Fire Commissioner and PADEP were on hand. On Saturday April 26, 2014 from 10am-2pm our police department will be coordinating with the Drug Enforcement Agency in their National Drug Take Back Initiative. People will be able to turn in their unwanted, unused, or expired medications. Our drop site will be inside the Giant Food Stores, 173 Holly Rd, Gilbertsville, PA 19525. We also have a drop off location inside the Douglass Township Municipal Building, open Monday through Friday 8am-5pm, except Holidays. Syringes and inhalers are not accepted. On April 26, 2014 at 10am New Hanover Township is holding its Run 4 Fun 5K & 1 Mile Walk. The starting line will be at the New Hanover Township Community Park at 2766 Gail Drive, Gilbertsville. The course will traverse New Hanover and Douglass Townships. Registration forms can be picked up at the New Hanover Township Municipal Building or you can register on-line at [www.pretzelcitysports.com](http://www.pretzelcitysports.com). Mr. Stasik asked if there were any questions or comments, Mr. Stouch thanked Chief Templin again for his help on a drug bust several weeks ago.

#### **BMMA Report – Bob Dries**

Mr. Dries gave a brief overview of the BMMA Meeting for March 24, 2014. February meeting minutes are in the lobby. BMMA Board reviewed two uses for commercial property at 1493 E. Philadelphia Avenue. The Board accepted dedication of the new public line on County Line Road between the Douglass Town Center and the Royer complex. Authority manager presented reports on excess annual consumption for commercial accounts, pump station operating costs, 2013 update on inflow and infiltration activity, and 2014 bond offering. The BMMA Board recognized Stanley Richards for 25 years of service and James Brady for 35 years of service. Authority Engineer presented an extensive

review and report on COMag, a process that could be used in lieu of the equalization tanks currently planned to control excess infiltration. The next meeting is April 28<sup>th</sup>, 2014. No questions were asked.

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

**Zoning Department Report – Bob Dries**

3/28/14 – Mr. Hiryak, Mr. Stasik, and I met with Mr. Garner about the rezoning of BMMA's property on Municipal Drive from R-2 Residential to IN Institutional. The paperwork is being prepared and a tentative date of 6/2/14 has been set for the Rezoning Hearing. 3/31/14 – Mr. Hiryak and I set up a visit to 11 Aspen Lane to give the Thomas's our view of the information gathered pertaining to their claim that Suburban Water Technology has increased water runoff to the Thomas Property. Our reception was not received well by Mr. Thomas, after threats from Mr. Thomas we were asked to leave the property which we did. The Township has completed its work on this complaint. 4/1/14 – We investigated complaint in Summer Hill about a neighbor dumping yard waste behind their property. 4/5/14 – Started a file review of the Gilbertsville Car Wash Property. Questions were asked about the car wash; Mr. Bauer stated that there will be no comments by the Board or Staff on this situation, the Zoning Officer is reviewing the file and we will discuss the legal aspects of this situation. Mr. Sell asked if we did not pass a new ordinance to deal with this issue, Mr. Bauer stated that an ordinance was put in place to help settle issues pertaining to property problems, not specifically for the car wash situation. Mr. Dries stated that he was hired to handle these situations and he took an oath for the Zoning Officer position and will address these issues. No other questions were asked.

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

**Engineer's Report – Mr. Dave Leh**

*Provo Pinegood Grosser Road LP/Wawa Land Development* – On 3/26/14 we received the final plan submission which is currently under review by this office.

*Suburban Water Technology* – On 3/20/14 we performed a site inspection to determine the approximate drainage area to the Thomas property. On 3/26/14 we emailed our findings to Mr. Hiryak which stated that the portion of the Suburban Water Technology property that is paved or has stone surface cover and which contributes runoff to the Thomas property is approximately 0.525 acres in comparison to the entire drainage area to the catch basin in the rear yard of the Thomas property which comprises approximately 5.225 acres.

*Zern Tract (101 Jackson Road)* – On 3/17/14 we emailed our draft review letter to the applicant and their engineer for their evaluation and assistance in revising the submitted plan set and providing a cleaner review letter for the upcoming Planning Agency meeting in April. On 4/3/14, we met with the applicant's engineer to discuss the contents of our draft review letter. On 4/4/14 we finalized and issued our first review letter for the Planning Agency's consideration. No questions were asked.

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

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

*Mountain Mulch* - Mr. Bauer announced that the Settlement Agreement with Mountain Mulch has been signed and delivered to all parties. The proposed Court Order was agreed to by all parties and is expected to be signed by the next Board of Supervisors Meeting.

*Berwind II* – Mr. Bauer asked for authorization for the Execution of Financial Security Documents for Berwind II Phase I, Mr. Kuklinski asked if the site plans were received and all documents have been received, the manager replied that Gilmore & Associates have received some site plans and documents that were requested for public improvements, and will keep the manager informed if there is a problem.

A motion was made by Mr. Kuklinski, seconded by Mr. Stasik for authorization for Mr. Bauer to perform the Execution of Financial Security Documents for Berwind II, Phase I development with public improvements. Kuklinski-Aye, Stasik-Aye, Ziegler-Abstain. Motion passed.

*Hallowell Cluster Development- Preliminary Plan Approval, Revised Resolution, and Execution of Documents.* The Board of Supervisors previously approved the resolution and authorized signing the preliminary resolution for the Hallowell Cluster Development.

Mr. Stouch thanked Mr. Bauer for his efforts in handling the Mountain Mulch situation, Mr. Sell added that there was another attorney involved in the process that should also be thanked. Mr. Bauer agreed and stated that he worked with Bob Brant's office to resolve this with the help of residents directly affected by the situation.

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. Stasik to accept the Solicitor's Report. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

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

For the month of March 2014 – The Annual Montgomery County Recycling Report was submitted. Second notices were sent out to the commercial trash haulers in the Township for their required permit fees for the year. Two companies have not paid their required fees and now are in violation of our ordinance (AJ Blosenski and Allied Waste). Second notices were also sent out to the businesses last month for the annual recycling report that must be submitted to the Township per our ordinance. There were approximately 40 businesses in the Township who did not comply with our requirements. Mulch is available for \$10.00 per scoop at the Recycling Center or half off with your trash bag insert coupon. Tub grinding bid was awarded to Hopewell Trucking and Excavating at a cost of \$4,900.00 and should be completed in the next week or two. Leaf compost will also be produced at that time in addition to the mulch. I have started a Recycling Department facebook page to add an additional tool to residents to get information to them faster and easier, so please take a look. Mr. Stasik thanked Mr. Duncan for the orderly way that he keeps the Recycling Center.

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 they completed the demolition of the Township owned building located at 1330 E. Philadelphia Avenue. It has been filled in and we will be adding grass seed, this property was bought by the Township 10-12 years ago to expand and improve the entrance way to the Township Building, it was rented out until we were ready to start work on this revitalization project. Mr. Heydt asked for the Board's authorization to purchase an extra bucket, in the amount of \$5,891.00, for the newly purchased wheel loader to be used to scoop salt out of salt bin.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to approve spending \$5,891.00 for a new bucket for the wheel loader to be used for scooping salt out of salt bin. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

A motion was made by Mr. Ziegler, seconded by Mr. Stasik 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, April 10<sup>th</sup> @ 6pm(Signage), P/A Meeting @ 7pm. Board of Supervisors Meeting Monday, April 21<sup>st</sup> @ 7:30pm, Agenda Meeting @ 7pm, Open Space/Rec Committee Meeting, Monday April 21<sup>st</sup> @ 6:30pm.
2. Zoning Hearing Board – Trinity E C Church, sign relief granted with conditions – no commercial or political advertisements.
3. Gilbertsville Elementary School – Fire Police Request for Annual Grandparents Day. The manager stated that due to new regulations and insurance requirements the Board must give authorization for the Fire Police assistance at this event.

A motion was made by Mr. Ziegler, second by Mr. Kuklinaki for authorization for the Fire Police to provide assistance for Grandparents Day at the Gilbertsville Elementary School. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

The manager announced that we received the check from Advanced Disposal Systems for the purchase of the trout for the 2014 Annual Trout Rodeo and the fish have been ordered. No questions were given.

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. Brumwell wished to thank everyone that helped him while he was ill, he stated that several people helped plow his driveway and other acts of kindness and he greatly appreciates their help. Mr. Stouch thanked the Board for their professionalism during some difficult meetings and also thanked the manager and staff. No other comments were given.

**Old Business/New Business**

Mr. Kuklinski asked the Board to consider a motion to give direction to Mr. Bauer for litigation towards the person who granted <sup>old time</sup> permission to Mountain Mulch to expand their business and accept additional materials and file a lawsuit to recoup the costs incurred to the Township for these non-approved Board of Supervisors decisions.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler to direct Mr. Bauer for litigation towards the person who granted <sup>assistance</sup> permission to Mountain Mulch to expand their business and accept additional materials and file a lawsuit to recoup the costs incurred to the Township. Kuklinski-aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Yarnall stated that the Berwind II property has always been wet; the field was a swamp and was never farmed at that end of the property. The manager stated that Gilmore & Associates have their site inspector Owen Schierenbeck looking at the situation as this project moves forward and his time is billable to the developer. Mr. Brumwell mentioned that on Middle Creek Estates there are two retention ponds but one of them never worked properly, the manager stated that Mr. Heydt and Mr. Dries will take a look at it and try to find the problem.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adjourn the meeting at 8:14pm. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, April 21<sup>st</sup>, 2014 @ 7:30 pm.

Respectfully submitted by,

Marcy Meitzler