

The meeting of the Douglass Township Board of Supervisors was called to order at 7:32 P.M. Attending were Chairman John Stasik, Vice Chairman Anthony Kuklinski, Supervisor Ziegler, Solicitor Paul Bauer, Engineer David Leh, Chief Templin, Mike Heydt, Pete Hiryak and approximately 27 residents.

Mr. Stasik led us in the pledge of allegiance and reminded the public where the emergency exits were and to turn off any cell phones.

Mr. Stasik asked if there were any changes, corrections, or comments on the minutes of April 21<sup>st</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 April 21<sup>st</sup>, 2014 Board of Supervisors Meeting. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Mr. Jeff Haring announced that he would be recording tonight's meeting and also stated that he had letters of intent for each Supervisor and the Solicitor. Board Chairman Stasik stated that whatever letters he had should be given directly to Solicitor Bauer for review. Mr. Bauer stated that letters of intent must be served to the Supervisors by the Sheriff's Department.

#### **Superior Water Company Annual Update – General Manager Louise Knight**

Capital Project – Ms. Knight announced that Superior Water will be installing a waterline transmission station to increase water pressure for the water main from Bow Lane to Gilbertsville Road. There will be no mandatory hookup but residents of that area are welcome to hookup if they wish. Also there will be no hookup fee; the only cost will be for a plumber to hook up to the house. Mr. Bauer asked if we could refer any questions on the hookups to her office, Ms. Knight replied yes. Ms. Knight stated that they are looking for a new well site in Douglass Township and they are currently working on the New Hanover/DEP Project on Layfield Road and will be completed in 60 to 90 days. Ms. Knight stated that there has been a slight decrease in water use and with high fixed costs Superior Water refinanced our debt and reduced our expenses that will allow our rates to remain the same this year however it is possible that there might be an increase next year. Superior Water is now a Pandemic Training Site, we have backup generators in case of power failure and we are on the natural gas list. Chief Smith asked for two additional fire hydrants at Bow Lane and Arrow Drive and could you boost the water pressure in Cobblestone Phase III, Ms. Knight responded that if Wynstone goes through we will be able to pump water from that area to increase water pressure. No other questions were asked.

#### **BMMA – Bob Dries**

Report from the April 28, 2014 meeting – Mr. Dries stated that the March meeting minutes are in the lobby. The Board heard the report on the BMMA 457 Pension Plan and approved addition of new fund option to the plan. Rate relief was authorized for water leak that did not enter sewer system at Martin Stone Quarries. A reimbursement agreement for Michael Hartman for the sewer extension built in 2011 was approved. The Board authorized an EDU for connection of 1433 County Line Road in Washington Township. The Board authorized use of a low pressure grinder pump system for portions of the Hallowell Project and the Douglass Estates project. SDE was authorized to develop bid specifications and bid the planned 2014 Plant 1 media replacement project, estimated cost \$200,000 to \$250,000. A one year payment plan was authorized for an additional EDU at 1493 E. Philadelphia Avenue for a second commercial use. The next BMMA meeting is Tuesday, May 27<sup>th</sup> because of the Memorial Day Holiday. No questions were asked.

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

**Zoning Report – Bob Dries**

On Tuesday, April 29, 2014 Mr. Hiryak and I visited 1532 E. Philadelphia Avenue to ask if the homeowner would remove abandoned vehicles and other debris from his property. The following day the homeowner called the office and spoke with Mr. Hiryak about our visit, the homeowner said he would comply with our request and will begin the process of removing non complying debris and vehicles from his property; we will follow up on the progress. On Wednesday, April 30<sup>th</sup>, 2014 Mr. Hiryak, Mr. Heydt and I were called to several properties about excessive water that they claim was coming from their neighbor's property. It was an excessive rain event. Over time these drainage swales need to be modified due to freezing and thawing. Thursday, May 1<sup>st</sup>, 2014 – we have completed our investigation on a property at 1053 E. Philadelphia Avenue concerning zoning and will be forwarding information to Mr. Bauer for his review. No questions were asked.

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

**Engineer's Report – David Leh, Gilmore & Associates**

***Provo Pinegood Grosser Road, LP /Wawa Land Development*** – We have received revised final plans on April 30, 2014 and have completed our review. We will be providing our review to the Township early next week.

***Township Park and Open Space Surveys*** – We are completing the field surveying work for the three properties (Douglass Park, Smith Road Park, and Libor Tract) and will be preparing the existing features base plans within the next month.

***Wynstone Subdivision*** – We are meeting regularly with the developer discussing issues involving Douglass Township and New Hanover Township for the Phase I portion of 150 units. No questions were asked.

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 – Paul Bauer**

***Mountain Mulch*** – Received Court Order Settlement however did not receive copies from Judge Del Ricci.

***Civil Complaint Update*** – a rough draft of a civil complaint against a former Supervisor was given to the Board of Supervisors pertaining to additional costs to the Township involving Mountain Mulch. Mr. Bauer stated that he would like to file on Friday; this complaint is to cover costs for allowing expansion of Mountain Mulch beyond his Supervisor capacity. Civil Complaint – Police Retirees, Mr. Bauer reached out to Mr. Dunbar to discuss particulars of the complaint. Mr. Sell asked what would be the chances of receiving money from a former Supervisor, Mr. Bauer felt that we could get a judgment in our favor, for a greater dollar amount it would have to go to the Court of Common Pleas. Some residents heard that the former Supervisor is running for re-election but thought it was part of an agreement with the Township that he could not seek re-election, Mr. Bauer replied that the agreement do not involve running for office. Mr. Brumwell said that the residents should be informed of these lawsuits; Mr. Bauer stated that the residents are given as much information as is allowed in lawsuit situations. Mr. Haring stated that the letters given to Mr. Bauer is to give notice that a lawsuit is forthcoming to the Board of Supervisors, he was directed by his attorney to give them to the Supervisors, Mr. Bauer stated that the letters that Mr. Haring wanted to give to the Supervisors must be served by the Sheriff's Department and gave them back to Mr. Haring. Mr. Sell asked what Supervisor is being investigated by Montgomery County; Mr. Bauer stated that he cannot comment on that situation. Ms. Orner asked who would cover the insurance if a former Supervisor had a lawsuit filed against them, Mr. Bauer stated that in this situation he acted outside of the Board of Supervisors and was not covered under Sovereign Immunity. Ms. Orner felt that the residents should be able to be more involved in these decisions, that there should be more information available, Mr. Bauer replied that he reports on all legal issues during his report. No other questions were asked.

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.

**Highway Department Report – Mike Heydt**

Mr. Heydt said that the last two weeks the road crew has repaired potholes, fixed the Merkel Road traffic signal loop, prepared for the fish rodeo, graded dirt roads, and cleaned up debris/washouts after the rainstorm. The basketball court is bad and needs to be replaced, the manager asked Mr. Heydt to get an estimate of work and maybe we can submit it with the mini grant in June 2014. Ms. Norton said they need to fix the pothole in the parking lot, Mr. Heydt replied that he will repair it. Mr. Brumwell asked why it cost so much to repair the Kubota, Mr. Heydt replied that the tractor needed transmission work and the clutch had to be replaced, it was the first major repair for that piece of equipment. No other questions were asked

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski 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: P/A Meeting Thursday, May 8<sup>th</sup> @7pm, Workshop @ 6pm – Signage. BOS Meeting Monday, May 19<sup>th</sup> @7:30pm, Agenda Mtg @ 7pm, Open Space Mtg @ 6:60pm. Rezoning hearing Monday, June 2<sup>nd</sup> for Municipal Drive BMMA & Township Properties R-2 to Institutional.
2. 2014 Annual Trout Rodeo – held Saturday May 5<sup>th</sup>, 120 children attended. The manager thanked Tony & Pete Mashintonio for allowing the Township use of their property for the rodeo and thanked everyone involved with the rodeo.
3. Zoning Hearing Board – 2 Zoning Hearings for June 2014 – King Drive inground pool dimensional variance for setbacks and Wawa for a signage variance.

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 commented that he was amazed at the participation of the different age groups at the fish rodeo on Saturday. Mr. Mashintonio said that the excitement he witnessed from a child that caught a 10" fish was priceless; the child was jumping up and down with excitement. No public comment was given.

**Old Business/New Business**

Ms. Keyser gave a brief overview of a letter about farmland preservation and the 13Points (deed restrictions) for the Agricultural Conservation Easement conditions. She stated that this information does not go to homeowners until purchase of the property. Douglass Township is the leader in farmland preservation with over 2000 acres of preserved land at a lower rate of taxes. Over half of preserved farms changed hands last year. Ms. Keyser stated that she has been in contact with Elizabeth Emlen of the Montgomery County Land Preservation Board and Ms. Emlen will compile a list of these preserved farms on a pdf file for the Township. Businesses purposely look for preserved land to operate a business at a lower cost. Mr. Bauer suggested amending the Zoning Hearing Appeal the SALDO applications to include a line asking if this property preserved farmland.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler to amend the Zoning Hearing Appeal application and the Subdivision and Land Development application to include a line on the forms asking if this property is a preserved farm. Kuklinski-Aye, Stasik-Aye, Ziegler-Aye. Motion passed.

Ms. Keyser stated that Mountain Mulch is for sale and she found an Allstate Real Estate notice listing this property as preserved land available for a variety of uses and currently houses a wholesale nursery and mulching business. Mr. Bauer stated that the mulching operation must be vacated as agreed to in the settlement agreement. Mr. Bauer strongly advised not to address this at this time. No other comments were given.

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

The next Board of Supervisor's meeting will be held on Monday, May 19<sup>th</sup>, 2014 @ 7:30 pm.

Respectfully submitted by,  
Marcy Meitzler