

The meeting of the Douglass Township Board of Supervisors was called to order at 7:03 P.M. Attending were Chairman Tony Kuklinski, Vice-Chairman Fred Ziegler, Supervisor Alan Keiser, Solicitor Paul Bauer, Josh Hagadorn from Gilmore & Associates, Chief Templin, Bob Dries, Mike Heydt, Andy Duncan, Pete Hiryak, and approximately 14 residents.

Mr. Kuklinski led us in the pledge of allegiance. Mr. Kuklinski asked if there were any changes, corrections, or comments on the minutes of February 1st, 2016 Board of Supervisors Meeting, no comments, changes, or corrections were given.

A motion was made by Mr. Keiser, seconded by Mr. Ziegler to approve the minutes of February 1st, 2016 Board of Supervisors Meeting. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Mr. Kuklinski asked if there were any changes, additions, or corrections to the February 16th, 2016 Agenda, no changes were given.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to approve the agenda of February 16th, 2016 as presented. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Public Hearing – FEMA Floodplain Ordinance 2016-02

At 7:04pm Manager Hiryak opened the public hearing and stated that this proposed ordinance is an Ordinance of Douglass Township, Montgomery County repealing in its entirety existing chapter 8, Floodplains, of the code of ordinances of Douglass Township, as amended, and in its place enacting a new Chapter 8, Floodplain Management Ordinance, consisting of Articles I through IX to establish new Floodplain Management regulations within Douglass Township. The Planning Agency along with Solicitor Garner, and the Montgomery County Planning Commission have been working on the revision process since 2013 along with the PA DCED and FEMA's floodplain map revisions dated March 2016. The P/A recommended approval to the Board of Supervisors and this proposed ordinance was advertised on February 1st and February 8th, 2016, a copy of this proposed ordinance has been sent to the M. C. Law Library. In addition, copies of the adopted ordinance will be sent to the PA DCED and FEMA for their records and review. The Manager asked if there were any questions pertaining to the ordinance, hearing none the manager closed the public hearing at 7:08pm and he asked for the Board's approval. Mr. Kuklinski asked Mr. Bauer if he reviewed the proposed ordinance and is comfortable with it, Mr. Bauer replied that he did review it and is comfortable with the ordinance and he recommended adoption.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to adopt the FEMA Floodplain Ordinance 2016-02. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Gilbertsville Ambulance Report – Garry Schmoltze

For the month of January 2016 GACAS handled 136 calls for service: 15 Boyertown, 5 Colebrookdale, 59 Douglass, 1 Earl, 41 New Hanover, 1 Pennsburg, 6 Pottstown, 2 Upper Hanover, and 6 Upper Pottsgrove. Transported 40, 8 refusals, 1 public assist, 2 DOS, 2 cancelled, 3 fire scene standby, 2 no patient found, and 1 transfer to medivac. Unit Responses: 332-2 111, 332-4 24, and Chief's Vehicle 1. Admission Summary Report: Einstein 1, Grand View 2, Lehigh 6, 1 Medevac2, 66 Pottstown, 2 St. Luke's, and 8 Reading Hospital. No questions were asked.

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

Fire & Rescue Report – Chief Ricky Smith

January 2016 calls for service 34: 1 fire, 3 vehicle fires, 2 brush/trash fires, 4 fire alarms/CO2 alarms, 1 hazardous material, 4 EMS assists, 1 vehicle accident, 1 vehicle rescue, 1 misc rescue, 6 investigations, 5 fire police, 5 assist to other departments. Assists: 2 Boyertown, 2 New Hanover, 1 Eastern Berks. 332 had training

for CPR and First Aid refresher. Took delivery of our 2016 GMC pickup truck, will be getting fire line modifications for estimated delivery mid-March. No questions were given.

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

Gilbertsville No.1 Report – Regina Taylor

Ms. Taylor stated that the next event will be the indoor yard sale on February 28th, tables are \$9 each, and there will also be an indoor yard sale on March 13th. Other events include the Bucks/Mont Horse Club Function, a Train Show, and we will be holding an Easter Buffet this year. No questions were asked.

A motion was made by Mr. Keiser, seconded by Mr. Kuklinski to accept the Gilbertsville Fire No.1 Report. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Police Department Report – Chief Templin

Statistics for January 2016: 359 incidents reported, 8 reportable accidents, 14 non-reportable, 33 criminal investigations, 0 criminal arrests, 74 traffic citations, 3 non-traffic citations, 2 parking tickets. Monies received by the Township #3,349.77. Montgomery County Radio Update: the radios and accessories that municipalities and agencies ordered under the one time bulk purchasing agreement negotiated with Motorola have been delivered to the Montgomery County Department of Public Safety; however, a considerable amount of work needs to occur before the equipment can be put in the hands of first responders. This will occur in four phases from now until delivery to the various municipalities and agencies. Delivery (Phase IV) will occur sometime between June-August of 2016. Mr. Kuklinski asked if this included installation, Chief Templin replied that our guy will install them. No other questions were asked.

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

Engineer's Report – Josh Hagadorn, Gilmore & Associates

Quigley Bus Service Land Development – We have reviewed the plans, the P/A recommended a 30 day plan review extension be granted contingent upon that a traffic impact study covering the number of all vehicles and their routes must be supplied. Gilmore & Associates recommends a staff meeting to tell the developer exactly what is expected from them. Mr. Bauer asked Mr. Hagadorn how many staff meetings have we had already, Mr. Hagadorn stated that since he has been involved there was one in mid-December, but there was no dialog about traffic and he does not know how many staff meetings there have been prior to that. Mr. Bauer stated we have requested this information on a number of occasions that are documented in meeting minutes. In 2012 at the Zoning Hearing for Quigley Bus Service it was brought up as a condition that a traffic study must be supplied, and all through the land development plan process this has been asked for and have you ever received this information, Mr. Hagadorn replied no I have not received the information. Mr. Bauer stated that in 2014 Mr. Quigley requested another extension, Mr. Hagadorn replied yes, the manager stated that this project seems to stall in June 2015 with a 3 to 3 split vote with the Planning Agency. Mr. Bauer stated that later in June 2015 Mr. Quigley came before the BOS with another review extension request without a P/A recommendation. In September 2015 Mr. Dimmerling, Quigley's Traffic Consultant, Mr. Quigley, Mr. Aston, the engineer, and Mr. Quigley's Attorney Ms. Rodden were here at the Board meeting – does the Board recall discussing that the #1 concern was the traffic issue, the Board replied that yes they do recall that discussion with the #1 issue being traffic, and do the minutes reflect this conversation, the Board replied yes they do reflect that conversation. By December 1st the traffic study was supposed to be submitted to Mr. Hagadorn and now at the last meeting you asked for another extension. Mr. Quigley you stated at the last P/A meeting that you did not know that the traffic study was required, Mr. Quigley responded that he does not recall what he said, Mr. Bauer asked Manager Hiryak if he heard Mr. Quigley say that at the P/A meeting, the manager replied yes I did.

Mr. Bauer asked Mr. Hagadorn was there any other request, did the traffic engineer ask for a staff meeting, Mr. Hagadorn replied not until just before the P/A meeting. Mr. Bauer asked Mr. Quigley if there was anything anyone did (engineer, P/A, or Board) to hold you up, we granted an extension after extension. Mr. Quigley stated that it is very involved that is why we needed extensions, Mr. Bauer responded, an extension for what? At this point Mr. Kuklinski stated that we will come back to this, he will convene for an executive session at the end of Mr. Hagadorn's report.

Zern Tract (101 Jackson Road) – We had a very productive staff meeting. A 90 day plan review extension has been recommended by the Planning Agency.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser to approve a 90 day plan review extension for the Zern Tract. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Donnelly Tract – a list of waiver requests was submitted, the P/A was in favor of waiver approval pending a site visit. The Planning Agency recommended a 90 day plan review extension for the Donnelly Tract.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser to approve a 90 day plan review extension for the Donnelly Tract. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Main Street Financial – We are moving along, there is nothing new to report. A 90 day plan review extension has been recommended by the Planning Agency.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser to approve a 90 day plan review extension for the Main Street Financial plan review. Kuklinski-Aye, Keiser-Aye, Ziegler-Aye. Motion passed.

Act 209 Roadway/Intersection Analysis and Capital Improvement Plan Proposal from G&A – G&A offers the following professional services agreement to update the Douglass Township Act 209 documents for submission to the MCPC as required and according to the PA Municipalities Planning Code, Act of 1968, P.L. 805, No.247, Article V-A-Municipal Capital Improvement (P.L.1343, No. 209) for final adoption by the Douglass Township Board of Supervisors. The formal documents required for compliance and adoption by resolution for updating the Act 209 are as follows:

1. Establishment of Transportation Impact Fee Advisory Committee – this committee has been established By Douglass Township.
2. Revised Land Use Assumptions Report – assumed to be provided the MCPC.
3. Updated Roadway Sufficiency Analysis – Traffic Data Collection, traffic count studies during peak pm hours of 4pm-6pm of 18 intersections and 5 intersections from unrelated projects, obtain 23 hour daily traffic volumes at 9 locations within the township.
4. Updated Capital Improvements Plan
5. Transportation Impact Fee Ordinance.
6. Conditions – Gilmore & Associates Inc. shall provide the services outlined in the proposal for a total fee of \$59,250 subject to conditions outlined referenced in the Professional Services Agreement proposal letter dated February 16, 2016.

It was recommended that Mr. Hagadorn meet with Ms. Dobbs from MCPC to discuss any possible grants available to decrease costs. Mr. Brumwell asked Mr. Kuklinski what roads will be studied, Mr. Kuklinski stated that he will give the list of roads to him to look over while the Board is in Executive Session, Mr. Brumwell said the people are using detour routes to avoid traffic and traffic is getting worse. Mr. Hagadorn stated that the previous engineer had 14 intersections studied and we have added 9 more. Grosser Road & Rt.100 can be taken off the list because there have been significant improvements on those roads due to Wawa. Mr. Brumwell wanted to continue on the Quigley Bus situation stating that at the very first meeting involving the Quigley Bus Service Land Development Plan there were significant concerns with traffic, Mr. Sell added, we know that Wynstone will

be an impact on Douglass Township. Mr. Hagadorn commented that PennDot and Montgomery County have the most input on the roads involved with Wynstone. Mr. Sell stated that hopefully this will work out for our residents, please keep our residents in mind. Ms. Wills asked where is the proposed Quigley Bus Service going, Mr. Kuklinski responded between Middle Creek Road, Swamp Creek Road, and Schlegel Road.

The Board convened at 7:42pm for an Executive Session, with Manager Hiryak, Mr. Hagadorn, and Mr. Bauer, involving the Quigley Bus Service plan review extension. The Board reconvened at 8:03pm - Mr. Kuklinski stated that no votes were taken at the executive session and asked Mr. Quigley if he had any other comments, Mr. Quigley stated that we made a lot of progress with the land development plan and we need more time with the traffic portion. Mr. Brumwell stated that he agrees with Mr. Bauer, and the biggest concern was traffic, 30 or 40 residents realized that buses would cause a problem going through this area. Middle Creek does flood so how would the buses get through, also the buses run on diesel and it gives off an odor, and there were concerns regarding the noise of idling buses. Mr. Bauer stated that at the zoning hearing the zoning hearing board heard testimony in June of 2012 that a petition was signed by 72 residents against this proposal, and out of 13 comments 12 opposed the plan due to traffic and related concerns.

On June 15th, 2012 the Zoning Hearing Board granted approval based on certain conditions, the conditions have not been followed. The applicant was supposed to show that the traffic would not have a negative impact on the Township. At the 2012 zoning hearing Mr. Dimmerling testified that the proposed development will have no impact on either road however the zoning hearing board wanted proof, now four years later have they proved this, Mr. Hagadorn replied, no they have not. Mr. Bauer stated to Mr. Quigley that in 2015 you requested an extension, the engineers were here along with your attorney and they were asked one by one if they could comply with supplying the requested information within the requested extension time and each one answered yes, based on this you have decided to request an addition 30 days, I do not think the P/A knows the lack of progress and Mr. Bauer recommends **not** to have the BOS approve the extension. Mr. Ziegler commented that the people in that area do not want this development, no 30 day extension. Mr. Bauer announced to the Board that you must make a decision based on the G&A letter, traffic engineer comments, and all comments in the minutes.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to deny a 30 day plan review extension for the Quigley Bus Service Development Plan based on not complying with the conditions set forth from the Zoning Hearing Board. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

A motion was made by Mr. Ziegler, seconded by Mr. Keiser to deny the Quigley Land Development Plan based on the G&A plan review dated 2/4/16 and the G&A Transportation Impact Study Review dated 2/5/16. Keiser-Aye, Duklinski-Aye, Ziegler-Aye. Motion passed.

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

Solicitor's Report – Paul Bauer

Ordinance 2009-01 Land Waste Management Act 38 – The legal notice for the ordinance to repeal Ordinance 2009-01 has been submitted to the Pottstown Mercury for advertisement for approval by the Board at its March 7th, 2016 meeting.

Police Contract – The neutral arbitrator has been selected and the date for arbitration is tentatively set for May 9th, 2016. Mr. Brumwell asked when the public will know the details, Mr. Bauer said once there is an impasse a neutral arbitrator must be named and then basically a trial will begin and a decision will be made within 60 days of the trial.

Applications which are pending but inactive:

Danny Jake – Hallowell inactive 2 years

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

Highway Department Report – Mike Heydt

In the last two weeks we worked through the blizzard, fixed potholes, fixed snow fence, and performed roadside trimming before the storm. No questions were asked.

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

Recycling Report – Andy Duncan

We will be receiving \$23,989 for the 2013 904 Recycling Grant. Best Buy no longer accepts TV sets for recycling. Mr. Duncan stated that he will be performing a trash study, there are many violators that do not use trash bag program but use the recycling. Mr. Brunwell asked how do you enforce it, Mr. Duncan said that he is researching it now. Carl Hiryak stated what am I gonna do, I live alone and I go out to eat a lot so I don't have a lot of trash – so are you going to fine me? Mr. Duncan stated that he does a lengthy study to see how often violators do not place trash curbside and then look into each situation. No other questions were given.

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

Open Space Report – Randy Romig

Mr. Romig said that the committee discussed the date for the trout rodeo and agreed on May 14th, 2016, he will contact Mr. Mashintonio to ask if he is willing to host the event again. Regina Taylor from Fire Company No.1 has agreed to cook the hamburgers and possibly donate some of them and has also offered to let us use their hot dog maker. Food will be served from 10:00am until 12 noon. Prizes will be limited to a rod & reel for the largest trout caught by a boy and the largest trout caught by a girl, Ron Davidheiser has offered to donate these prizes again. Greg Gress, Randy Romig, and Bernie Sell will park cars in the morning. Roger Updegrave has volunteered to call township businesses to solicit donations. We will stock the same number of trout as last year which was about half of what we stocked in prior years. We also talked about the possibility of placing donation jars in some of the bigger stores in the Township. The next meeting is Monday, March 21st, 2016 @ 6:00pm.

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

Treasurer's Report – Cynthia O'Donnell

The total bills to be paid for February 2016 is \$196,908.12. The unusual bills were Bartman's Plumbing, Ches-Mont Emergency Response Team, Conrad Siegal Actuaries, Eckert Seamans Cherin & Mellott Inc, H.A. Thomson Co, MCATO, Merkel's Shoes, Morton Salt, Personal Protection Consultants, Inc, PSATS, and Stratix Systems.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to authorize payment of the bills for February 2016. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

Herbein + Co will be at the Township office on Monday, February 22 to begin the 2015 audit. All required filings have been made to DCED, and PennDot has received and accepted the Liquid Fuels report for 2015. PURTA report was filed. 1099s were issued to all vendors providing services to the Township. We had a large receipt of Transfer Tax in January, 2016. The Plaza at 801 E. Philadelphia Avenue changed ownership and remitted \$45,000 in transfer tax. Grant money was received for Bullet Proof Vest program, \$575.00. The 2013 Recycling Performance Gant should be received within the next 4-6 weeks, in the amount of \$23,989. This grant is received annually based on the tonnage of recycling collected in Douglass Township. The 2013 grant would normally have been received in 2015. Theoretically, we should also be receiving the 2014 grant in 2016. No questions were asked. Ms. O'Donnell asked for the Board's approval of the All Fund Accounts Resolution.

A motion was made by Mr. Kuklinski, seconded by Mr. Ziegler for approval of the All Fund Accounts Resolution. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

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

Manager's Report - Pete Hiryak

1. The Manager reviewed the upcoming meetings as follows: Monday, March 7th ESB Meeting @ 6pm, BOS Agenda Meeting @ 6:30pm, BOS Meeting @ 7pm. Thursday, March 10th P/A Workshop @ 6pm, P/A Meeting @7pm.
2. MCPC will attend the next BOS Meeting for an update on Act 209 and to discuss the various grants that are available. .
3. We received the deed for the Summer Hill Open Space, the manager will send to the Solicitor for review.

No questions were given.

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

Public Comment

No comments were given.

Old Business/New Business

It was announced that Mr. Duncan and Mr. Dries got the siren tower relocated at the highway building at no cost to the Township.

A motion was made by Mr. Ziegler, seconded by Mr. Kuklinski to adjourn the meeting at 8:40pm. Keiser-Aye, Kuklinski-Aye, Ziegler-Aye. Motion passed.

The next Board of Supervisor's meeting will be held on Monday, March 7th, 2016 @ 7:00 pm.

Respectfully submitted by,
Marcy Meitzler