

The meeting of the Douglass Township Board of Supervisors was called to order at 7:05 P.M. Attending were Chairman Alan Keiser, Vice Chairman Joshua Stouch, Supervisor Tony Kuklinski, Solicitor Robert Brant, Josh Hagadorn of G&A, Pete Hiryak, Andrew Duncan, Cynthia O'Donnell, Chief Templin, and approximately 40 residents.

Mr. Keiser led in the Pledge of Allegiance. A reporter was present at this evenings meeting. Mr. Keiser asked for a Moment of Silence for the Vera/Knarr families.

Mr. Keiser asked if there were any additions, corrections, or comments to the minutes of the June 17<sup>th</sup>, 2019 Board of Supervisors Meeting, none were given.

A motion was made by Mr. Stouch, seconded by Mr. Kuklinski to approve the minutes of the June 17<sup>th</sup>, 2019 Board of Supervisors Meeting. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

Mr. Keiser asked if there were any questions, comments, or corrections to the July 15<sup>th</sup>, 2019 Board of Supervisors Agenda, none were given.

A motion was made by Mr. Kuklinski, seconded by Mr. Stouch to approve the July 15<sup>th</sup>, 2019 Board of Supervisors Agenda. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

#### **Gilbertsville Area Community Ambulance- Rochel Morrell**

Ms. Morrell presented the June 2019 GACAS Report. 69 patients transported, 2 public assists, 2 Unit Assists, 15 cancelled, 2 patients evaluated no treatment/transport required, 5 patient refusals, 3 patients treated and released, and 1 fire standby for a total of 99 calls for service. Service by Municipality: 28 Douglass Twp, 20 New Hanover, 16 Upper Pottsgrove, 1 East Greenville, 5 Pottstown, 1 Red Hill, 1 Upper Hanover, 1 West Pottsgrove, 13 Boyertown Borough, 5 Colebrookdale, 3 Douglass Berks, 2 Earl, and 3 Washington Twp. Admissions: 42 Pottstown, 1 Grand View, 14 Lehigh, 4 Phoenixville, 7 Reading, 1 St. Luke's Quakertown. Ms. Morrell stated that the Ambulance Service was on standby for PAL Carnival, Street Fair Boyertown with United Way, a Lacrosse Tournament at Junior High East, and Touch a Truck with New Hanover Township. No questions were asked.

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

#### **Fire & Rescue Report – Chief Rick Smith**

Chief Smith gave the Fire & Rescue Report for June 2019: 1 fire alarms/CO2 alarm, 1 EMS Assist, 1 vehicle accident, 1 special service, 3 fire police, and 7 assist other departments for a total of 14. Chief Smith stated they completed a class on traffic incident management. Chief Smith read a timeline of the July 11<sup>th</sup>, 2019 flooding dispatches. There were 14 calls, 15 people and 1 dog were rescued safely. Chief Smith was very proud of the efforts put forth by the Douglass Township Police, Roadcrew, F&R, and all first responders. Residents asked if F&R has water rescue equipment, Chief Smith responded that we do not have a boat but we are certified in water rescue. Some rescues are safer with a wheel loader rather than a boat because a boat can capsize. No other questions were given.

A motion was made by Mr. Stouch, seconded by Mr. Kuklinski to accept the Fire & Rescue Report as presented. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

#### **Police Department-Chief Barry Templin**

Chief Templin stated that on July 4<sup>th</sup> this police department participated in the Pottstown Borough's 4<sup>th</sup> of July Parade. On July 11<sup>th</sup> our Township was pounded with over 5" of rain causing rapid and severe flooding throughout the Township. I just wanted to take the time to thank the Douglass Township EOC, Gilbertsville Fire

& Rescue, GACAS, Douglass Township Roadcrew, Gilbertsville Auto Body, and all of the officers that were out late this past Thursday night in the down pours and severe flooding. The cooperative effort this past Thursday night was very much appreciated. Eight cars were towed, there were no injuries or fatalities. Chief Templin stated that he was proud of Douglass Township and how smoothly efforts transpired. June Statistics: 340 incidents reported, 3 reportable accidents, 8 non-reportable accidents, 17 criminal investigations, 7 criminal arrests, 68 traffic citations (paper), 42 e-citations, 5 non-traffic citations, and 1 parking ticket. No questions or comments were given on the police report.

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

**Zoning Hearing Board – Peiffer Corn Maze on Schlegel Road**

The zoning hearing has been rescheduled for Monday July 29<sup>th</sup>, 2019 at 6pm.

**Engineer's Report – Josh Hagadorn, Gilmore & Associates**

Mr. Hagadorn thanked the emergency services for handling the flooding issues on July 11<sup>th</sup>, 2019, and also stated that data showed that 5.47 inches of rain fell in 147 minutes which is greater than 1000 year flood statistics.

*538 Congo Road–O&M Agreement for on-site septic system, received Sewage Facility Planning Module for review* – Mr. Hagadorn stated that he is waiting for revised plans.

*Stafy Tract II – Storm Water Easement Agreement* – Residents looking for finalization of agreement which is still being reviewed.

*Hallowell Tract* – Original Plan (92 units) to proceed. Rick Mast stated that this development will be called Country View and they are seeking preliminary plan approval for two phases (Phase I will be for 23 homes and Phase II will be for the builder, Keystone Homes, to determine with the Township). Mr. Brant stated that he was under the impression that you came here tonight seeking approval for the original plan without phasing. At a meeting two months ago you wanted a Staff Meeting for something different which is scheduled for July 29<sup>th</sup>. Mr. Mast stated that there is multiple timing issues with this and Mr. Rosen needs to move forward. Mr. Brant said it wouldn't make sense to do this, why would we modify this plan and have a staff meeting for something different. This plan is approved for 92 units. Mr. Kuklinski stated that Mr. Rosen not making money is not our concern. Mr. Brant said what if the BOS aren't interested in doing this. Mr. Rosen said we will do the Planning Agency recommended plan as is and let Keystone Builders approach the Township for any changes. Mr. Brant recommends to the BOS that there be no phasing or changing of the Original 92 unit Hallowell Tract proposed development. Authorization is needed to have the Solicitor prepare Final Plan Resolution and all documentation for the original 92 unit plan.

A motion was made by Mr. Kuklinski, seconded by Mr. Stouch to authorize Solicitor Brant to prepare a Final Plan Resolution and all documentation for the original Hallowell Tract Plan consisting of 92 units without phasing or any changes to the original plan. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

*Douglass Estates/Berwind II Letter of Credit Reduction #8 Phase I (\$7,719.08)* - G&A recommends Letter of Credit Reduction #8 in the amount of \$7,719.08 with the amount of \$40,955.27 remaining in the Letter of Credit.

A motion was made by Mr. Kuklinski, seconded by Mr. Stouch to approve, based on the recommendation by Gilmore & Associates, the Letter of Credit Reduction Request #8 for Douglass Estates/ Berwind II Phase I in the amount of \$7,719.08 with \$40,955.27 remaining in the Letter of Credit. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

*Douglass Estates Phase II & III Letter of Credit Reduction #4* – G&A recommends Letter of Credit Reduction #4 for Douglass Estates Phase II & III in the amount of \$242,389.17 with \$63,121.35 remaining in the Letter of Credit.

A motion was made by Mr. Stouch, seconded by Mr. Keiser to approve, based on the recommendation by Gilmore & Associates, Letter of Credit Reduction #4 for Douglass Estates Phase II & III in the amount of \$242,389.17 with \$63,121.35 remaining in the Letter of Credit. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

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

The residents from the Preserve at Montgomery asked how can you take dedication of this development when the street lights aren't finished and there are drainage issues, Mr. Hagadorn explained that the releases that were just approved are for the amount of work completed to date this is not dedication. Manager Hiryak explained that after dedication there is still an 18-month maintenance bond in place for certain repairs, however we have not gotten to the dedication stage we are still working on punchlist issues, however grading is not part of the 18-month maintenance bond, those issues should be addressed by the developer (Mr. Gibson) and the builder (Ryan Homes). Mr. Brant asked Mr. Hagadorn to reach out to Ryan Homes about drainage and/or grading issues. Ms. Gillyard from Fox Hollow Drive said that Ryan Homes told her they are released from all liability and that everything falls on the Township. Mr. Brant asked if he could speak without being interrupted. Mr. Brant again stated that Mr. Hagadorn is going to talk with Ryan Homes. Ms. Gillyard said that she wants copies of all the plans with the development, Mr. Brant stated that you have the right to see the information however you need to fill out a Right-To-Know form. The manager stated that he cannot hand out copies of full size plans but you can view the plans at the Township Building. A digital copy can be made available. The manager advised scheduling a time to review the plans at the office. The residents complained that the Township is allowing more development to come in here and you can't solve our issues. Mr. Brumwell commented that this Township should take responsibility for this issue, you need to turn around and look at these developments. The manager stated that he realizes that everyone is frustrated and there is a lot of miscommunication, the developer blames the builder and the builder blames the Township and nothing gets accomplished. A resident claimed that Ryan Homes offered to fix their grading/drainage issues but wanted the homeowner to sign an agreement that he would not tell the other homeowners that Ryan Homes performed the work, so the resident would not sign the agreement. A resident said that Mr. Gibson told her that he wanted to raise the houses higher but the Township wouldn't let him and blames the Township, Mr. Stouch said Jim Gibson is sitting in the back of the room, Mr. Gibson did you tell the residents that? Mr. Gibson stated, I said that I wanted to raise the houses but Mr. Dries told me that I could not raise the houses higher, the manager replied that Mr. Dries would not have had anything to do with raising or not raising the homes that would require an engineering change. Mr. Gibson said that many things have been fixed in that development. Mr. Kuklinski asked Mr. Gibson what are you going to do for these people, Mr. Gibson replied that it is a builder problem (Ryan Homes). Mr. Kuklinski told the residents to talk to the press, Town & Country Newspaper is here and I'm sure she will take your information. The reporter said she would gladly take their information however it is not up to her as to what stories get approved for publication. A resident asked if the Stafy II development will have their own drainage or retention basin, Mr. Hagadorn replied yes and that they must conform to Conservation & Township NPDES storm water requirements. Mr. Keiser said that Mr. Gibson should commit to meeting with the residents and work with the builders. A resident stated that Mr. Gibson has put sod down but was 20ft away from our property, the flood lines have changed and adjustments need to be done to the flood zone. Mr. Frantz complained about Oak Street stating that his Granddaughters house flooded and it was not covered by flood insurance, if you put big drains in the water will flow. Mr. Stouch asked if we are able to go to larger pipe, Mr. Brant replied if we have a required minimum you can't. Several residents talked at the same time and Mr. Brant stated that this is getting unorganized please keep it to one person at a time. Mr. Frantz stated to double the size of the minimum pipe size, Mr. Brant commented that if our drainage doesn't allow water to flow maybe we should look at the minimum size of pipes but that is only one issue that has to be considered before making any changes to the regulations.. Residents of the Preserve at Montgomery said 9 out of 11 homes flooded. Mrs. Hazewski was concerned about the Stafy Development and said a pipe was put in at my neighbor's property and my yard is always flooded. She added that there is no timeframe to fix this problem, her yard is wet and filled with mosquitos, it's a bad situation. The manager stated that we are working with the Stafy

Developer to extend the pipe with an easement into an existing inlet on Mrs. Hazewski's property. Mr. Brant stated that we will look into a timeframe for you. Ms. Bauer asked if there is anything that the Planning Agency and Board of Supervisors can do to stop the amount of homes that a developer can put on a property, Mr. Brant replied that each Zoning District has minimum lot sizes and density that is enforced. Ms. Bauer said a 20 acre development will donate open space and cram house on 5 acres, can we re-think what the ordinance allows, Mr. Brant replied that this Board hasn't modified an ordinance to increase the amount of homes allowed. She also asked if the Board would be willing to rent an auditorium to hear more residents, Mr. Brant said if the Board would like to it is up to them but with qualified staff present to answer questions. The residents said that the Township allowed homes to be built there so you are also partly at fault. Mr. Kuklinski mentioned that the plan discussed tonight was approved by a previous Board according to the current zoning at the time. This Board is conservative with building. Mr. Stouch said that he also serves on the Planning Agency Board and residents should come to those meetings as developments go through the long planning and review process. A resident stated that Ryan Homes dug up our yards and changed pipes didn't they need permits or tell the Township, the manager stated that it is not unusual for a builder to go back onto properties to help resolve drainage issues without Township input. A resident stated that the retention basin overflows and is inadequate for the amount of water runoff and it has gotten worse since the roads in the development were paved. They tell me the flood zone has changed. The manager asked if the residents could email their issues and concerns to the builder and also to the Homeowners Association because the HOA should be representing and assisting the residents with these issues. Mr. Keiser asked if Mr. Gibson was willing to meet with the HOA and Ryan Homes on July 22<sup>nd</sup>, 2019 at 10am with Mr. Brant and Mr. Hagadorn also to sit in on the meeting. Mr. Gibson stated that he paid \$200,000.00 to get rid of ground, even if this issue gets fixed some will still get flooded out, the water table is high and comes up through the ground. A resident asked why did you build on the property, Mr. Gibson replied that he didn't realize the water table raises until they dug basements and built the homes on it. Mr. Link mentioned that he told Gibson to donate the back 20 acres to the Township for open space. Mr. Houseknecht (former PennDot District 6 Supervisor) stated that you can't double the size of the pipes, all you do is push water to your neighbors. Mr. Houseknecht had concerns with the Gilbertsville Veterinary Hospital Expansion Project stating that the water runoff floods out his property across the street, the roadcrew had to fix the issue after the contractor installed it. The roadcrew did a fabulous job and I would put them next to any PennDot crew however now the contractor for the job paved the whole parking lot and put belgin block out to E. Philadelphia Ave. The water runs right into my house, the water coming off the Vet's office runs down Ammon Avenue into my garage. Mr. Houseknecht made it known that if this does not get fixed he will be at the property tomorrow before the next storm on Wednesday with his own backhoe and will tear up the blacktop to fix it and Chief Templin can just arrest him, the Board instead suggested that Mr. Hagadorn will have a discussion with the developer, he will do an as-built, the developer did not use Township Specs for the driveway and corrective work will need to be done. No other discussion was given.

#### **Solicitor's Report – Robert Brant**

Mr. Brant stated that he submitted a written report to the Board. No questions were asked.

Applications which are pending but inactive:

Danny Jake – Hallowell - inactive 2 years

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

#### **Storm Damage Report – Andrew Duncan**

Mr. Duncan gave a brief overview of the storm from 7/11/19 in Douglass Montgomery stating that there were 0 reported injuries, 0 reported fatalities, 0 displaced residents, and 0 evacuated residents. Emergency Personnel: 23 Gilbertsville Fire & Rescue, 6 Douglass Township Police, and 7 EMS (Gilbertsville 332). Douglass Township EOC Activated: Staffed by EM91, Chief 67, Chief 91, and Chief 332.

Berks Station 97 and Douglass Township Public works assisted with Water Rescue Operations.

Road Closures – High Water (Sassamansville Road, Congo Road, Middle Creek Road, and Swamp Creek Road.

Road Closure – Damage (damaged roadway with exposed storm water pipes, PaperMill Road @ West Branch Road. Mr. Brumwell asked Mr. Duncan if the Township has sandbags, Mr. Duncan replied no we do not. Mr. Brumwell stated that it would have helped him out. Mr. Duncan stated that they used the wheel loader with a basket on it that worked better than a boat for rescues. Ms. Bauer thanked Mr. Duncan for his monthly EOC meetings that helped to coordinate all the emergency services.

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

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

Mr. Duncan stated that the gates and fencing were installed at the Recycling Center and we purchased new recycling bins. The gates, fencing, and recycling bins were covered under our 902 Grant money. Advanced Disposal was bought out by Waste Management, the transition should be in place by December. In January 2020 our Trash/Recycling Contract will expire however we have a 3 year extension clause in the contract which will be discussed at a later date. No questions were given.

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

#### **Treasurer's Report – Cynthia O'Donnell**

The Treasurer stated that the total bills to be paid for June 2019 totals \$300,943.00. Ms. O'Donnell announced that the Financial Reports are in the lobby. Herbein & Company will be at the Township on Wednesday July 17<sup>th</sup>, 2019 at 4pm to go over the Audit. No questions were asked.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser for authorization to pay the June 2019 Unpaid Bills in the amount of \$300,943.00. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

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

#### **Manager's Report - Pete Hiryak**

1. The Manager reviewed the upcoming meetings as follows: Monday, August 19<sup>th</sup>, 2019 BOS Agenda Meeting @ 6:30pm, BOS Meeting @ 7pm. Thursday August 8<sup>th</sup>, 2019 P/A Workshop T.B.D., P/A Meeting @ 7pm. July Meeting was canceled due to flooding.
2. BMMA Projects – August & September 2019 replacing older pipe laterals (Bow Lane, Hemlock Drive, Hawthorne Ave, and Spruce St).
3. BSC Soccer Club, Field Mowing – Eric from Boyertown Soccer Club asked if the soccer fields could be mowed later in the week so the fields would be ready for weekend games, Manager Hiryak stated that he would contact the contracted landscaper to see if this request fits within his work schedule.
4. Miller Road Bridge (1890) – PennDot has closed this bridge indefinitely pending engineer reviews.
5. PennDot Bridge Inspections Due to Flooding – (Hoffman, Middle Creek, and Sassamansville).

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

#### **Public Comment**

Mr. Rhoads who lives at 70 Oak Street stated that he got 5' of water and structural damage from the storm and someone needs to be held accountable I only own the home 46 days, Mr. Brant remembered that the previous owner installed dirt mounds around the home causing water to be diverted on other properties. Mr. Brant asked he could speak without being interrupted. Mr. Brant asked Mr. Rhoads if he asked the previous owner about flooding issues, Mr. Rhoads said no I didn't, did you ask the previous owner when you bought your house – Mr.

Brant replied yes I did. Mr. Rhoads said that Mr. McLean told him he flooded once, Mr. Brant thought he remembered him attending a meeting complaining about water 2-3 different times. The manager stated that he, the Township Engineer, Mr. Heydt, and Mr. John looked at the situation and followed the drainage flow to New Hanover and back tracked to see what could be done, the silt and overgrowth needs to be cleaned out in New Hanover Township behind Oak Street. Mr. Gambone cleaned out some of this area when he built the Townhomes and installed the waterlines in New Hanover Township however the current wetlands restrictions could prevent them from clearing that area again. Site elevations will be required to determine if the water flow can be improved at the Douglass/New Hanover boundary. Mr. Hagadorn will evaluate the situation with the engineer from New Hanover Township. Mr. Frantz asked if we had a Noise Ordinance because a neighbor across the street is constantly revving up cars, he has notified the police but the problem continues, Mr. Kuklinski stated that we do not have a noise ordinance but can be handled as Disorderly Conduct they should continue to notify the Police Department.. No other comments were given.

**Old Business/New Business**

No old business or new business was given.

A motion was made by Mr. Stouch, seconded by Mr. Keiser to adjourn the meeting at 9:23pm. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

**The next Board of Supervisor's Meeting will be held on Monday, August 19<sup>th</sup>, 2019 @ 7 pm.**

Respectfully submitted by,  
Marcy Meitzler