

**Douglass Township-Berks County
Board of Supervisors Meeting
October 7, 2008**

CALL TO ORDER

The October 7, 2008 meeting of the Douglass Township, Berks County Board of Supervisors, held at the Douglass Township Municipal Building, was called to order at 7:17 PM by Chairperson Dorothy Pulcher. Present were: Chairperson Dorothy Pulcher, Supervisors Douglass Rhoads and Rosemarie Bauman. Also in attendance were Toni Hemerka, Township Manager; Brenda Sturdevant, Township Treasurer; Joseph McGrory, Township Solicitor; Thomas Unger, Township Engineer and approximately 13 residents.

PLEDGE OF ALLEGIANCE

Ms. Pulcher announced that there was an executive session held prior to the meeting to discuss matters of real estate, litigation and personnel.

MINUTES

Ms. Pulcher motioned and Mr. Rhoads seconded to approve the minutes of the September 2, 2008 meeting as presented.

Dorothy Pulcher – Aye

Doug Rhoads – Aye

Rosemarie Bauman – Abstain

SOLICITOR'S REPORT

At 7:30 PM, Solicitor Joseph McGrory opened the Hearing to consider an Ordinance amending the Zoning Ordinance of 1999 and the Zoning Map to rezone certain properties from an R-1 to general Industrial I-2. Ms. Audry Leister, Stenographer was present to transcribe the Hearing.

Resident Jeanne Trivellini of Pine Forge Road asked the Solicitor if there is any reason he is not filing the Quarry Road Lot #17 covenant now, rather than later. Mr. McGrory responded by saying it will be filed thirty-one days from tonight's meeting that way the appeal period will have expired.

At 7:55 PM, the Hearing was adjourned and the regular meeting reconvened.

Douglass Rhoads motioned and Rosemarie Bauman seconded to adopt Ordinance 2008-6 amending the Township of Douglass Zoning Ordinance of 1999, as amended, and the zoning map of Douglass Township incorporated therein, to rezone certain property from Residential R-1 to General Industrial I-2.

Douglass Rhoads – aye

Rosemarie Bauman – aye

Dorothy Pulcher – nay

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VISITOR TO ADDRESS BOARD

Gary Von Stetina, Environmental Engineer for Waste Management discussed briefly the monthly, quarterly and yearly reports submitted to the DEP under Act 101 in reference to the landfills flow data, pretreatment qualities, gas migration report and macro invertebrate studies. There are forty-four monitoring wells around the landfill. Sixteen acres of the landfill is in Douglass Township. The macro invertebrate study of Goose Run Creek has shown no impact on the stream. The gas migration is tested below the surface around the landfill to make sure methane gas doesn't escape into the soil, there are forty-six probes tested quarterly.

TOWNSHIP MANAGERS REPORT

Ms. Hemerka reported that the remainder of the hunting season at Goose Run Park has to be determined. After some discussion the Board decided to extend the archery deer season to October 25, 2008. Small game will be for shotgun only and run from October 25th thru November 15, 2008. Deer season for shotguns and muzzleloaders will run from December 1st thru December 12, 2008.

A motion was made by Dorothy Pulcher, seconded by Rosemarie Bauman to approve established hunting seasons with the approval of the insurance company. The motion carried unanimously.

The tennis court fencing quotes were presented again with all the specifications in order. Montco Fence & Superior Structures \$3,200; J/M Fencing \$4,300 and Amity Fence \$3,985.

A motion was made by Dorothy Pulcher, seconded by Douglass Rhoads to except the bid from Montco Fence & Superior Structures for \$3,200.00 for the tennis court fencing. The motion carried unanimously.

A capital improvement that was discussed last year was to replace the four overhead garage doors on the garage. The doors are old and drafty and with the price of heating fuel they need to be replaced. Bids went out for four Clopay insulated doors. Vanguard Doors \$9,845; County Garage Door \$6,300 and Whitehall Doors \$7,430. A motion was made by Dorothy Pulcher, seconded by Rosemarie Bauman to award the bid for four insulated garage doors to County Garage Door Co. in the amount of \$6,300.00. The, motion carried unanimously.

Another item that was on the capital improvements list was a pole building for the storage of equipment, cars etc. Ms. Hemerka would like to know if the Board is still interested in pursuing that idea. The Board is okay with this but suggested the manager put together a master plan for public works to plan for needed space more globally.

The appraisals of the four properties adjacent to the Ganshawny Park have been completed. The total appraisals for the properties were \$14,789.00. That amount was included in a Grant application through the Fish and Boat Commission which included

the replacement of the remaining deteriorated boat ramp. Solicitor Joseph McGrory recommended that the Township has an environmental study done on the property if purchasing were a consideration. After a brief discussion with the Board, Ms. Hemerka was directed to contact the property owners to see if they would be interested in selling their parcels at the appraised price.

Resident Richard Stoudt feels as though applying for grant money for this project is not a good idea.

Ms. Hemerka welcomed Chief Franke back from his medical leave. She informed the Board that Sergeant Dzurek took on the Chief's responsibilities in his absence, and did an excellent job.

A motion was made by Douglass Rhoads, seconded by Rosemarie Bauman to approve a \$1,000.00 bonus to John Dzurek for assuming the Chief's position during his absence. The motion carried unanimously.

A discussion was held regarding changing the publishing of the newsletter from twice per year to quarterly. This will include the simplification of the newsletter to allow for keeping residents informed on a timely basis.

A motion was made by Dorothy Pulcher, seconded by Douglass Rhoads to amend the September meeting minutes to reflect a statement made by Mrs. Lloyd reporting an example of a call where Township police had to prioritize calls, not the State Police.

Dorothy Pulcher – Aye

Douglass Rhoads – Aye

Rosemarie Bauman – Abstain

The October 14th budget meeting has to be changed to October 23rd due to a conflict. The change will be advertised.

SOLICITORS REPORT – Joseph McGrory

Westwood's Attorney has granted an unlimited extension of time on the Module so no action has to be taken at this time. They are requesting that the Township issue a letter of request to continue the process to enter into an Intermunicipal Agreement with Berks Montgomery Municipal Authority for sewer and Boyertown Borough for water service to the subdivision. This is a move forward in the settlement of the Land Use Appeal.

A motion was made by Dorothy Pulcher, seconded by Douglass Rhoads to authorize the Solicitor to engage into an intermunicipal agreement with BMMA for sewer service and the Boyertown Water Authority for water service. The motion carried unanimously.

Mr. McGrory asked for consideration in vacating a portion of Squirrel Hollow Road in accordance with the terms of the settlement with H & K.

A motion was made by Dorothy Pulcher, seconded by Rosemarie Bauman to authorize the advertising of the Ordinance to vacate a portion of Squirrel Hollow Road in Douglass Township. The motion carried unanimously.

At the last Planning Commission meeting it was recommended to grant preliminary and final approval for the Innovative Machine Technology Land Development Plan. Since there was no representative present from IMT, it will be postponed until the November meeting.

H & K has officially withdrawn their Land Development Plan for driveway access to the Quarry.

Joseph McGrory would like the Board to entertain a motion to have a certain unnamed property appraised for the purpose of determining the value of development rights.

A motion was made by Dorothy Pulcher, seconded by Douglass Rhoads to pursue an appraisal for property X. The motion carried unanimously.

The Sunset Creek LLC appeal has been withdrawn. The cease and desist letter is now final. The property has to be put back into compliance. Mr. McGrory received a letter from Sunset Creek Attorney stating that some of the equipment has been removed and what is left will be used to bring the property back into compliance. If the Township feels they are not acting in good faith they can be fined under the cease and desist order.

PLANNING COMMISSION

No Report

ZONING HEARING BOARD

Sunset Creek LLC – Appeal has been withdrawn

ENGINEER'S REPORT – Thomas Unger

Mr. Unger gave the monthly report for SEO, Zoning and Engineering activity, the same is on file.

The Township Manager will monitor the progress for the tear down of the Pine Forge Chapel as they have been given formal notice of the condemnation.

Mr. Unger presented a letter of credit payment reduction request to the Board for Douglass Village Modular home park release application #14 in the amount of \$155,415.60 for work that has been completed.

A motion was made by Dorothy Pulcher, seconded by Douglass Rhoads to authorize a letter of credit reduction application release #14 in the amount of \$155,415.60. The motion carried unanimously.

Mr. Unger presented a letter of credit payment reduction request to the Board for Douglass Village Self Storage release application #4 in the amount of \$19,906.13 for work that has been completed.

A motion was made by Dorothy Pulcher, seconded by Rosemarie Bauman to authorize a letter of credit reduction application release #4 in the amount of \$19,906.13. The motion carried unanimously.

EJB Paving has completed the paving work on Gristmill Road and submitted invoice #200172 in the amount of \$160,128.10 for payment approval which included the escalation clause.

A motion was made by Dorothy Pulcher, seconded by Douglass Rhoads approving invoice #200172 in the amount of \$160,128.10 to EJB Paving. The motion carried unanimously.

The Comprehensive Plan chapters 1 thru 6 have been completed. Chapters 1 thru 4 have been reviewed at the September planning commission meeting. Chapters 5 thru 6 are to be reviewed at the October planning commission. Chapters 7, 8 and 9 are ready for distribution. Mr. Unger stated the plan should be completed by the end of the year.

Mr. Unger reported there has been a lot of soil work done on 899 Douglass Drive. Lots 2, 3 and 4 were successfully probed. Lot 1 was not successful. After some discussion with the Board they have decided to combine lots one and two.

Mr. Unger also reviewed with the Board a letter that was received in reference to Pottstown Borough Authority-Water Treatment Plant property survey. According to the Township Solicitor this transaction should just be a deed correction and he will speak to Mr. Garner in reference to this situation.

There has been a request by H & K to dedicate Quarry Road and pay Douglass Township for one year equivalent Liquid Fuels money since the dedication will take place after the cut off to get the road included in the 2009 Liquid Fuels subsidy. Solicitor Joseph McGrory requested a letter from Mr. Unger stating all items have been completed and all punch list items are done, also a bond for an 18 month maintenance period and a legal description. Mr. McGrory will prepare a Resolution and a Deed of Dedication.

POLICE REPORT- Chief David Frank

Chief Frank reported there were 52 service calls for the month of September, 90 traffic citations and 2 assists to other agencies. 4,250 total miles and 313.6 gallons of fuel used.

The Chief reminded the Board and residents about the etiquette of the upcoming Halloween night and also reminded everyone to check any candy received.

The Chief stated that all the Officers are now using their personal I phones for Township work because of the technology they provide. AT&T offered to provide free phones to the department which will be used to transfer calls to their I Phones. This will allow the

Officers to keep their personal cell phone numbers private, but update the technology. The Blackberries purchased by the Township can be sold for their purchase price. These changes will be a cost savings to the Township.

A motion was made by Dorothy Pulcher, seconded by Rosemarie Bauman to approve the selling of the Blackberry phones and to purchase new basic cell phones. The motion carried unanimously.

EMERGENCY MANAGEMENT COORDINATOR REPORT

None

PARK & RECREATION COMMITTEE

Ms. Pulcher stated that the Park & Rec Committee unanimously approved a motion in support of purchasing the land surrounding Ganshawny.

FINANCIAL REPORT

A motion was made by Dorothy Pulcher, seconded by Rosemarie Bauman to authorize the release of escrow funds for the Reinert Subdivision tree escrow in the amount of \$1,700.00. The motion carried unanimously.

Ms. Pulcher moved and Mr. Rhoads seconded to approve the financial report and to authorize payment of the accompanying list of bills and also the bill for Pine Forge Athletic Assoc. to be paid out of the recreation fee in lieu of account. The motion carried unanimously.

Township Manager Toni Hemerka reported that the budget report seems to be on track. The Police overtime is over budget. The additional overtime for the rest of the year will be at a minimum.

OLD BUSINESS

After the Glendale Pool presentation and the additional preparation of answers from Douglass Rhoads, he asked the Board to consider some needed financial assistance to the pool. They would be open to Township residents on a few occasions.

After a brief discussion with the Board Rosemarie Bauman motion and Dorothy Pulcher, seconded to motion to not provide financial support from township funds to Glendale Pool. Douglass Rhoads abstained.

NEW BUSINESS

Chairperson Dorothy Pulcher asked the Board if they want to go out on bids for engineering services. Douglass Rhoads and Rosemarie Bauman expressed their preference not to pursue new bids for these services.

PUBLIC COMMENTS

Sandra Lloyd asked if there is any movement on conservation easements. Mr. Rhoads indicated property "x".

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Richard Stoudt would like to thank the police department and Officer Daniels for his constant patrolling of Ironstone Park.

Supervisor Dorothy Pulcher reviewed a summary of the state police call at 203 Red Shale Road for a home alarm call on August 26, 2008. This call was raised as a concern by the homeowner at the September meeting. Ms. Pulcher reported out details provided from the State Police. In essence State Police prioritized this call based on the homeowner's response when they were called directly about the reported alarm. The homeowner reported that the alarm had gone off inappropriately in the past and that they did not hear anyone in their residence. Ms. Pulcher reported that three other false alarms were reported from this address over the past several years.

Supervisor Committee Assignments – Ms. Bauman requested that her committee assignment be swapped with Ms. Pulcher's. Ms. Bauman will cover the Park and Rec meetings moving forward and Ms. Pulcher will cover the Planning Commission meetings.

ADJOURNMENT

There being no further business Ms. Pulcher moved and Ms. Bauman seconded to adjourn the meeting at 10:12 PM.

Dorothy Pulcher, Chairperson

Toni L. Hemerka, Township Mgr/Sec.