

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-01

A RESOLUTION TO AUTHORIZE CERTAIN FIRE DEPARTMENT ACTIVITIES

WHEREAS, the Worcester Township Volunteer Fire Department has requested permission to engage in the following ancillary activities in 2016:

1. Fire Department picnics;
2. the Fire Department's annual 5K race and annual chicken barbecue;
3. the Fire Department Ladies Craft Show, and seasonal Santa visits and tours; and,
4. the provision of traffic control for the Montgomery County annual flu shot program and at community parades.


WHEREAS, the Board of Supervisors of Worcester Township recognizes the importance of these ancillary activities, authorization is also granted for the Fire Department and Fire Police to assist other Montgomery County Fire Departments and other community organizations in any traffic and crowd control needed at emergencies and civic activities. Special authorization for crowd control upon verbal approval of at least one Supervisor can be granted upon request of a Township business or resident as deemed necessary for emergency or safety situations. When doing any of the aforementioned duties, they shall be considered to have been done at the specific request of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, that the Worcester Township Board of Supervisors approved and authorizes the Fire Department to participate in the above activities in addition to those activities recognized and designated under 73 P.S., 601(a)(1) of the Pennsylvania Worker's Compensation Act; and further in accordance with this authorization the Fire Department may only participate in the above-approved ancillary activities through December 31, 2016, after which time the Worcester Township Board of Supervisors will review the ancillary activities.

BE IT RESOLVED THIS 4TH DAY OF JANUARY, 2016.


FOR WORCESTER TOWNSHIP

By:



Susan Coughlin, Chairman
Board of Supervisors

Attest:



Tony Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-02

**RESOLUTION TO SET VARIOUS FEES, ESCROWS AND OTHER PAYMENTS
CHARGED FOR CERTAIN TOWNSHIP SERVICES**


WHEREAS, various Township Ordinances and State Law provides for the establishment of fees for certain permits, reviews, inspections and/or other services, and as having said fees listed in a single document is of assistance and convenience to the general public;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED the fees and charges listed in the schedule attached hereto as Exhibit A shall be charged by Worcester Township effective this date, and until such time as so amended by the Board of Supervisors by resolution.

BE IT RESOLVED THIS 4TH DAY OF JANUARY, 2016.


FOR WORCESTER TOWNSHIP

By:



Susan Cayhan, Chairman
Board of Supervisors

Attest:



Tommy Ryan, Secretary

EXHIBIT A

Section I - RESIDENTIAL BUILDING PERMITS

new dwellings, per sf	\$	0.35
building additions & renovations, minimum \$50; per sf	\$	0.35
decks 30" or more above grade		
for the first 500 sf	\$	125.00
for each additional 100 sf or fraction thereof	\$	15.00
fire suppression or detection systems, standpipes & hose cabinets		
for the first \$1,000 of total cost	\$	75.00
for each additional \$1,000 of total cost or fraction thereof	\$	10.00
accessory structures 500 sf and greater		
for the first 100 sf of floor area	\$	75.00
for each additional 100 sf of floor area or fraction thereof	\$	10.00
miscellaneous construction		
for the first \$1,000 of total cost	\$	65.00
for each additional \$1,000 of total cost or fraction thereof	\$	20.00
generators	\$	60.00
<i>plus electrical and mechanical permit fee, as applicable</i>		
windows & doors requiring structural change		
for the first 5 windows and/or doors	\$	75.00
for each additional window/door	\$	10.00
driveway gates	\$	75.00
Use & Occupancy permit, temporary of permanent, new homes only	\$	100.00

Section II - NON-RESIDENTIAL BUILDING PERMITS

new buildings, per sf	\$	0.40
building additions & renovations		
for the first 500 sf of floor area	\$	275.00
for each additional 500 sf of floor area or fraction thereof	\$	200.00
accessory buildings 401 sf and greater, decks & porches		
for the first 200 sf of floor area	\$	150.00
for each additional 100 sf of floor area or fraction thereof	\$	10.00

Section II - NON-RESIDENTIAL BUILDING PERMITS *(continued)*

windows & doors requiring structural change; driveway gates	
for the first 5 windows and/or doors	\$ 75.00
for each additional window/door	\$ 10.00
driveway gates	\$ 75.00
fire suppression or detection systems, standpipes & hose cabinets	
for the first \$1,000 of total cost	\$ 100.00
for each additional \$1,000 of total cost or fraction thereof	\$ 25.00
generators, plus electrical and mechanical permit fee, as applicable	\$ 250.00
construction trailers, plus electrical and mechanical permit fee, as applicable	\$ 75.00
miscellaneous construction	
for the first \$1,000 of total cost	\$ 85.00
for each additional \$1,000 of total cost or fraction thereof	\$ 20.00
Use & Occupancy permit, temporary or permanent, new construction only	\$ 100.00
Use & Occupancy inspection, tenant change, resale, use change	\$ 250.00

Section III - MECHANICAL, ELECTRICAL & PLUMBING PERMITS

mechanical	
for the first \$1,000 of total cost	\$ 60.00
for each additional \$1,000 of total cost or fraction thereof	\$ 10.00
gas piping installation	\$ 75.00
electrical	\$ 50.00
plumbing	
up to three fixtures	\$ 60.00
each additional fixture	\$ 20.00
water service	\$ 50.00
sewer lateral	\$ 50.00
grinder pump	\$ 50.00
sewer tapping fee, per EDU	\$ 3,500.00

Section IV - OTHER BUILDING PERMIT & REVIEW FEES

retaining walls 4' or greater in height		
for the the first 500 lf	\$	65.00
for each additional 100 lf or fraction thereof	\$	10.00
fences 6' or greater in height		
for the the first 500 lf	\$	65.00
for each additional 100 lf or fraction thereof	\$	10.00
pools, spas & hot tubs		
above-ground	\$	100.00
in-ground	\$	200.00
signs		
building inspector review, if applicable	\$	100.00
zoning officer review	\$	65.00
flag poles	\$	50.00
cell & radio antennas 50 feet and greater in height	\$	275.00
demolition permit		
per building demolished or load bearing walls	\$	350.00
interior alteration that does not include load-bearing walls	\$	200.00
accessory structure up to 1,001 sf or greater	\$	100.00
accessory structure up to 1,000 sf		no charge
below-ground tank, installation or removal, non-propane	\$	75.00
plan review fees		
building plans, <i>minimum \$50; per sf</i>	\$	0.10
accessibility plans, <i>minimum \$50; per sf</i>	\$	0.05
mechanical plans, <i>minimum \$50; per sf</i>	\$	0.05
fire plans, <i>minimum \$50; per sf</i>	\$	0.05
plumbing plans, <i>per fixture</i>	\$	10.00

Section V - ZONING PERMITS

retaining walls up to 4' in height	\$	65.00
fences up to 6' in height	\$	65.00
driveway permit	\$	65.00
decks up to 30" above grade and patios	\$	65.00
moving or relocating existing accessory structures, up to 500 sf	\$	65.00
moving or relocating existing accessory structures, 501 sf and greater for the first 1000 sf of floor area	\$	100.00
for each additional 500 sf of floor area or fraction thereof	\$	10.00
general zoning permit	\$	65.00
solicitation permit, <i>per individual soliciting</i>	\$	50.00
yard sale, <i>per two event days</i>	\$	5.00
grading & excavation permit up to three inspections	\$	275.00
each additional inspection	\$	85.00

Section VI - PERMIT & INSPECTION PENALTIES

starting or performing work without required permit first offense	\$	50.00
second and subsequent offenses	\$	100.00
failure to provide 24 hours notice to cancel inspection cancellation	\$	50.00
not ready for inspection, per occurrence	\$	50.00
failure to correct deficiencies found after two inspections, <i>per occurrence</i>	\$	100.00
penalty fee for failure to obtain a permit, <i>in addition to permit fee</i>	\$	100.00
penalty for trash hauler failure to obtain annual permit	\$	100.00

Section VII - ZONING HEARING & UCC APPEAL BOARD FEES

application to the Zoning Hearing Board, residential use		
application fee	\$	750.00
fee to postpone or continue hearing, per occurrence	\$	250.00
application to the Zoning Hearing Board, non-residential use		
application fee	\$	1,500.00
fee to postpone or continue hearing, per occurrence	\$	250.00
appeal of Zoning Officer decision		
appeal fee	\$	2,500.00
fee to postpone or continue hearing, per occurrence	\$	250.00
Zoning Officer determination letter	\$	65.00
application to the UCC Board of Appeals		
application fee	\$	300.00
hearing fee	\$	450.00
fee to postpone or continue hearing, per occurrence	\$	250.00

Section VIII - BOARD OF SUPERVISOR FEES

application for Conditional Use Approval		
applicaton fee	\$	2,000.00
escrow	\$	3,000.00
Montgomery County Planning Commission fee		actual
fee to postpone or continue hearing, per occurrence	\$	250.00
application to amend the Zoning Map		
application fee	\$	1,500.00
escrow	\$	1,500.00
fee to postpone or continue hearing, per occurrence	\$	500.00
application to amend the Zoning Ordinance		
application fee	\$	1,500.00
escrow	\$	1,500.00
fee to postpone or continue hearing, per occurrence	\$	500.00
validity challenge to the Zoning Ordinance or Zoning Map		
application fee	\$	5,000.00
escrow	\$	5,000.00
fee to postpone or continue hearing, per occurrence	\$	500.00
application for a Curative Amendment		
application fee	\$	5,000.00
escrow	\$	5,000.00
fee to postpone or continue hearing, per occurrence	\$	500.00

Section IX - SUBDIVISION & LAND DEVELOPMENT FEES

Subdivision & Land Development, Residential or Non-residential, Sketch Plan	
application fee	\$ 100.00
escrow	\$ 500.00
Subdivision, Residential, 1 to 3 lots	
application fee	\$ 750.00
escrow	\$ 1,500.00
Subdivision, Residential, 4 to 20 lots	
base application fee	\$ 750.00
additional per dwelling unit fee	\$ 300.00
escrow	\$ 2,500.00
Subdivision, Residential, 21 to 50 lots	
base application fee	\$ 750.00
additional per dwelling unit fee	\$ 300.00
escrow	\$ 5,000.00
Subdivision, Residential, 51 or more lots	
base application fee	\$ 750.00
additional per dwelling unit fee	\$ 300.00
escrow	\$ 10,000.00
Land Development, Non-residential	
application fee	\$ 750.00
escrow	\$ 5,000.00
Transferable Development Rights	
application for 1 to 10 lots	\$ 1,000.00
application for 11 to 20 lots	\$ 1,500.00
application for 21 or more lots	\$ 2,000.00
Escrow Releases	
10% of total escrow release amount, not to exceed \$100 per request	as noted
Act 209 Traffic Impact Fee	
North Transportation Service Area, per peak PM trip	\$ 3,977.00
South Transportation Service Area, per peak PM trip	\$ 3,125.00

Section X - HIGHWAY & ROAD FEES

Highway/Road Occupancy permit		
application fee	\$	50.00
supplement fee	\$	10.00
emergency permit Fee	\$	10.00
Highway/Road Occupancy inspection fees, surface opening up to 40 sf		
cartway opening	\$	50.00
shoulder opening	\$	30.00
opening outside pavement and shoulder	\$	10.00
Highway/Road Occupancy inspection fees, surface opening 41 sf and greater		
\$50 base, pluse for each additional 100 sf in cartway	\$	20.00
\$30 base, pluse for each additional 100 sf in shoulder	\$	10.00
\$10 base, pluse for each additional 100 sf of area outside of pavement an shoulder	\$	5.00
Highway/Road Occupancy inspection fees, utilities pole, <i>per pole</i>	\$	20.00

Section XI - SEWER RENTAL FEES & CERTIFICATIONS

sewer rental fee		
quarterly fee, residential	\$	126.45
quarterly fee, commercial, per 1,000 gallons	\$	8.25
sewer certification		
certified letter fee	\$	20.00
property posting	\$	15.00
water shut off & turn on	\$	25.00
return check fee	\$	25.00
	\$	10.00
tax certification		
duplicate	\$	30.00
returned check fee	\$	5.00
	\$	10.00

Section XII - FALSE ALARM FEES

false alarm penalty		
failure to register	\$	50.00
first and second offenses per year		no fine
third offense per year	\$	100.00
fourth offense per year	\$	200.00
fifth and subsequent offenses per year	\$	300.00

Section XIII - PARK RENTAL FEES

Community Hall rental fee

per event, Township resident, *business or organization use only* \$ 50.00
 security deposits, *by separate check, must be submitted with application* 2X rental fee

pavilion rental fee, Township resident, business or organization

up to 25 individuals \$ 25.00
 26-50 individuals \$ 50.00
 51-75 individuals \$ 75.00
 76-100 individuals, *maximum 100 persons per event* \$ 100.00
 security deposits, *by separate check, must be submitted with application* 2X rental fee

pavilion rental fee, non-Township resident, business or organization

up to 25 individuals \$ 50.00
 26-50 individuals \$ 100.00
 51-75 individuals \$ 150.00
 76-100 individuals, *maximum 100 persons per event* \$ 200.00
 security deposits, *by separate check, must be submitted with application* 2X rental fee

field rental fee, single use, Township resident, business or organization

up to four fours \$ 25.00
 each additional hour \$ 5.00

field rental fee, single use, non-Township resident, business or organization

up to four fours \$ 50.00
 each additional hour \$ 5.00

field rental fee, Spring season use (March 1 to July 31)

one to two days per week, per field \$ 275.00
 three to four days per week, per field \$ 385.00
 five to seven days per week, per field \$ 550.00
 discount for minimum 65% Worcester resident participants 50%
 discount for minimum 90% youth participants 25%
discounts may be combined

field rental fee, Fall season use (August 1 to November 30)

one to two days per week, per field \$ 225.00
 three to four days per week, per field \$ 315.00
 five to seven days per week, per field \$ 450.00
 discount for minimum 65% Worcester resident participants 50%
 discount for minimum 90% youth participants 25%
discounts may be combined

Section XV - OTHER FEES AND CHARGES

credit card convenience charge, varies by credit card company

actual

Township-authorized services by Township Engineer, rates per hour

Township Engineer		
Assistant Engineer/Construction Manager	\$	118.00
Building Inspector/Tech Assistant/Inspector	\$	108.00
Administrative Assistant	\$	85.00
travel charge	\$	45.00
out-of-pocket expenses away from office		IRS rate
postage, reproduction, toll telephone charges		actual
		actual

Township-authorized services by Township Solicitor, per hour

Township Solicitor	\$	160.00
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Township-authorized services by Township Building Inspector, per hour

UCC Inspector, building construction		
UCC Inspector, plan review	\$	62.00
UCC Inspector, plumbing construction	\$	62.00
UCC Inspector, mechanical construction	\$	62.00
	\$	62.00

NOTES:

1 - Floor area. Floor Area is measured from outside wall to outside wall.

2 - New Residential SF Calculation. For new residential construction and additions to existing residential units, square footage shall include basements, attached garages & attics over six feet in height, and shall exclude crawl spaces.

3 - Total Cost Calculation. The total cost of all the construction portions of a project is generally based upon the sum of the construction contract(s) and other direct construction costs; this does not include the compensation paid to the engineer, architect and consultants or the cost of the land. The Township has the final determination in accepting the submitted cost of construction as provided on the permit application and may at its discretion require evidence to support said proposed cost of construction.

4 - Township Organization Status. For an organization to qualify as a Township-based organization, at least 65% of participants must reside in Worcester Township. Documentation that verifies participant residency must be furnished to the Township, and the Township has sole discretion in determining if the residency has been met.

5 - Past Due Invoices. Past due invoices are subject to interest rate charges as provided by law. Charges for services that involve a late fee as stated in this resolution are not subject to charges for interest.

6 - Omissions and Errors. The failure to list, in this Resolution, a fee that is properly listed elsewhere shall not obviate the responsibility to pay that fee.

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-03

A RESOLUTION TO ESTABLISH REFUSE & RECYCLABLE COLLECTION TIMES


WHEREAS, Worcester Township Code, Section 128-8, allows the Board of Supervisors to establish refuse and recyclable collection times for private haulers servicing properties in the Township;

NOW, THEREFORE, BE IT RESOLVED that the Worcester Township Board of Supervisors does establish said collection time between 6:00 AM and 7:00 PM, Monday to Saturday.

BE IT RESOLVED THIS 4TH DAY OF JANUARY, 2016.


FOR WORCESTER TOWNSHIP

By:



Susan Coughlin, Chairman
Board of Supervisors

Attest:



Tony Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-04

A RESOLUTION TO DISPOSE OF CERTAIN PUBLIC RECORDS

WHEREAS, Worcester Township (“Township”) declared its intent to follow the public records retention schedule and disposal procedures as set forth in the *Municipal Records Manual*, as last revised, and as published by the Pennsylvania Historical and Museum Commission; and,

WHEREAS, in accordance with Act 428 of 1968, as last amended, each individual act of public record disposition shall be approved by a resolution adopted by the governing body;


NOW, THEREFORE, BE IT RESOLVED: the Board of Supervisors hereby authorizes the Township Secretary to dispose of the following public records:

1. Personnel Records:
 - a. employee health insurance claim files, for claims settled on or before December 31, 2010;
 - b. employee personnel records, for employees without post-retirement benefits, for employees whose employment ended on or before December 31, 2010;
 - c. employee medical records, for employees without post-retirement benefits, for employees whose employment ended on or before December 31, 2010; and,
 - d. workers’ compensation records, for all settlements executed on or before December 31, 2011, or for employees who died on or before December 31, 2011.

2. Payroll Records:
 - a. payroll earnings and deduction registers, for 2008 and all prior years
 - b. quarterly returns of withholding of federal income tax, for 2011 and all prior years;
 - c. quarterly statements of state and local taxes withheld, for 2011 and all prior years;
 - d. time cards and attendance records, for 2011 and all prior years;
 - e. wage and tax statements (W-2 forms), for 2011 and all prior years; and,
 - f. withholding allowance certificates (W-4 forms), for 2011 and all prior years.

RESOLVED THIS 20TH DAY OF JANUARY, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-05

**A RESOLUTION TO APPOINT A LIAISON BETWEEN THE TOWNSHIP AND
BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR
THE TOWNSHIP, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL
TAX INFORMATION WITH THE TOWNSHIP FOR OFFICIAL PURPOSES**

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania (53 P.S. §6901 et seq.), enacted December 31, 1965, and effective January 1, 1966, authorizes certain political subdivisions, including Worcester Township (“Township”), to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and,

WHEREAS, the Township has entered into contractual agreement with Berkheimer, of Bangor, Pennsylvania, whereby and whereunder the Township appointed Berkheimer to collect certain local taxes; and,

WHEREAS, said Act 511 specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and,

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and,

WHEREAS, Berkheimer requires passage of a resolution by the Township’s Board of Supervisors specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;


NOW, THEREFORE, BE IT RESOLVED:


1. The Township hereby appoints Erica Lucey as its authorized representative to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for the Township, as desired and deemed necessary by the Township, to be used for official purposes only; and,

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the Township, upon request, to Erica Lucey as the authorized contact representative for it; and,
3. The Township hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

RESOLVED THIS 20TH DAY OF JANUARY, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-06

**A RESOLUTION TO PARTICIPATE IN A
REGIONAL BOARD OF APPEALS FOR BUILDING CODES**

WHEREAS, Article 9, Section 5 of the Pennsylvania Constitution and the Intergovernmental Cooperation Act of 1996 authorizes two or more local governments to jointly cooperate with each other in the exercise or performance of their respective governmental functions, powers and responsibilities; and,

WHEREAS, Worcester Township ("Township") desires to join a regional Board of Appeals that has been established for the purpose of hearing and deciding appeals of orders, decisions or determinations made by a building official or code official relating to the application and interpretation of municipal building codes encompassed by the Uniform Construction Code;

NOW, THEREFORE, BE IT RESOLVED:

1. The Township agrees to participate in the Board of Appeals in accordance with the terms and conditions as set forth in the Intergovernmental Cooperative Agreement dated February 9, 2005, attached hereto as Exhibit A.
2. The Chair of the Board of Supervisors is authorized to execute a Joinder Agreement, attached hereto as Exhibit B.
3. The Township hereby appoints George Marks to serve as its representative to the Board of Appeals, for a five-year term, in accordance with the Section 3.B of the aforementioned Intergovernmental Cooperative Agreement.

RESOLVED THIS 20TH DAY OF JANUARY, 2016.

FOR WORCESTER TOWNSHIP

By: _____

Susan G. Caughlan
Susan G. Caughlan, Chair
Board of Supervisors

Attest: _____

Tommy Ryan
Tommy Ryan, Secretary

EXHIBIT A

INTERGOVERNMENTAL COOPERATION AGREEMENT TO CREATE A BOARD OF APPEALS

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT is entered this 9th day of February, 2005, by and between:

SKIPPACK TOWNSHIP, a Township of the Second Class organized under the laws of the Commonwealth of Pennsylvania with an address of 4089 Heckler Road, P.O. Box 164, Skippack, Pennsylvania 19474 and

NEW HANOVER TOWNSHIP, a Township of the Second Class organized under the laws of the Commonwealth of Pennsylvania with an address of 2943 North Charlotte Street, Gilbertsville, Pennsylvania 19525-9718 and

THE BOROUGH OF ROYERSFORD, a Borough organized under the laws of the Commonwealth of Pennsylvania with an address of Hall and Church Streets, Royersford, Pennsylvania 19468 and

THE BOROUGH OF COLLEGEVILLE, a Borough organized under the laws of the Commonwealth of Pennsylvania with an address of 491 East Main Street, Collegeville, Pennsylvania 19426 and

THE BOROUGH OF TRAPPE, a Borough organized under the laws of the Commonwealth of Pennsylvania with an address of 4525 West Main Street, Trappe, Pennsylvania 19426 and

THE TOWNSHIP OF LOWER FREDERICK, a Township of the Second Class organized under the laws of the Commonwealth of Pennsylvania with an address of 53 Spring Mount Road, Spring Mount, Pennsylvania 19478 and

THE TOWNSHIP OF PERKIOMEN, a Township of the Second Class organized under the laws of the Commonwealth of Pennsylvania with an address OF 1 Trappe Road, Collegeville, Pennsylvania 19426.

The above-described parties shall hereinafter be referred to collectively as "Members" or individually as a "Member."

CONDITIONS OF AGREEMENT AND BACKGROUND:

WHEREAS, Article 9, Section 5 of the Pennsylvania Constitution and the Intergovernmental Cooperation Act of 1996, 53 Pa. C.S.A. § 2301 *et seq.* (The "Act") authorize two or more local governments to jointly cooperate with other local governments in the exercise or performance of their respective governmental functions, powers and responsibilities; and

WHEREAS, the Pennsylvania General Assembly adopted the Pennsylvania Construction Code Act on November 10, 1999, as Act 45 of 1999, which is codified at 35 P.S. § 7210.101 through 7210.1103, ("Act 45") in order to create a statewide building code which would provide uniform

standards for the protection of life, health, property and the environment and for the safety and welfare of the owners and occupants of buildings and structures; and

WHEREAS, Act 45 went into effect on April 9, 2004; and

WHEREAS, pursuant to Act 45, each Member has adopted an ordinance wherein the respective municipality elected to administer and enforce the statewide building code, which consists of the provisions of Chapters 2-29 and 31-35 of the International Building Code, 2003 Edition ("IBC 2003"), and its successor codes as published by the International Code Council, Inc. ("ICC") as the municipality's Building Code (the "Building Code") and

WHEREAS, contemporaneously with adopting the IBC 2003, each Member also enacted ordinances which adopted one or more of the following codes published by the ICC:
International Existing Building Code, 2003 Edition
International Residential Code, 2003 Edition
ICC Electrical Code, 2003 Edition
International Mechanical Code, 2003 Edition
International Plumbing Code, 2003 Edition
International Fuel Gas Code, 2003 Edition
International Energy Conservation Code, 2003 Edition
International Fire Code, 2003 Edition
Sections AE501-AE503 and AB601-AB605 of Appendix E of the International Residential Code
Appendix E of the International Building Code
Appendix H of the International Building Code
Appendix G of the International Building Code
(hereinafter referred to as the "ICC Codes"; and

WHEREAS, the IBC 2003 and ICC Codes contemplate the creation of a Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the respective municipality's building official or code official relating to the application and interpretation of the municipality's Building Code and related ICC Codes; and

WHEREAS, Act 45 and the regulations promulgated pursuant to Act 45 permit two or more municipalities to establish a joint Board of Appeals through an intergovernmental agreement adopted pursuant to the Act; and

WHEREAS, the parties hereto are desirous to form an intergovernmental Board of Appeals who shall act as the Members' Board of Appeals that will hear and decide appeals taken from the decisions of each of their municipal Code Official; and

WHEREAS, the Members desire to enter this Agreement to form the intergovernmental Board of Appeals (the "Board of Appeals") and to establish the framework, organizational structure and governing regulations under which the Board of Appeals shall operate, and to perform the functions described herein and in the Members' Building Code and related ICC Codes which have been adopted by the Members.

NOW THEREFORE, the Members hereto, intending to be legally bound, agree as follows:

1. **Formation of Intergovernmental Board of Appeals.** Pursuant to the authority granted in the Pennsylvania Constitution, the Act and in Act 45, the Members hereby form an intergovernmental Board of Appeals to be known as the Joint Board of Appeals (the "Board of Appeals"). The parties to this Agreement who are identified in the introductory paragraph shall participate in the Board of Appeals. Additional municipalities may join the Board of Appeals pursuant to the procedure in paragraph 8 herein.

2. **Jurisdiction of Board of Appeals.**

A. The Board of Appeals shall have jurisdiction over the following matters:

- (1) appeals of orders, decisions or determinations made by the respective Members' Building Official or Code Official relating to the application and interpretation of the Members' Building Code and any other related ICC Code that was duly adopted by the Member;
- (2) requests for a variance from a provision of the Members' Building Code and any other related ICC Code that was duly adopted by the Member; and
- (3) requests for extension of time.

B. The Board of Appeals shall consider the following factors when deciding an appeal which is filed under paragraph 2.A(1) above:

- (1) the true intent of the Member's Building Code or related ICC Code has been incorrectly interpreted by the Member's Building Official or Code Official;
- (2) the provisions of the Building Code or related ICC Code do not fully apply;
- (3) an equivalent or superior form of construction is proposed and should be permitted to be used in lieu of strict conformance with the Member's Building Code or related ICC Codes.

C. The Board of Appeals may consider the following factors when ruling on a request for an extension of time or a request for a variance which is filed pursuant to paragraph 2.A(2) or (3) above:

- (1) the reasonableness of the Building Code or ICC Code's application in a particular case;
- (2) the extent to which the granting of a variance or an extension of time will pose a violation of the Building Code or ICC Code or an unsafe condition.
- (3) the availability of professional or technical personnel needed to come into compliance;
- (4) the availability of materials and equipment needed to come into compliance;
- (5) the efforts being made to come into compliance as quickly as possible;
- (6) compensatory features that will provide an equivalent degree of protection to the Building Code or ICC Code.

D. The Board of Appeals shall not have jurisdiction over any appeal arising from the Member's Zoning Ordinance, Subdivision and Land Development Ordinances or any other ordinance enacted by the Members under the authority of the Pennsylvania Municipalities Planning Code.

3. **Organizational Structure/Qualifications of Board Members/Officers.**
- A. The Board of Appeals shall consist of five (5) representatives and two (2) alternate representatives. Each Member shall appoint one (1) representative who must have the qualifications and training described in paragraph 3.C below. After each Member has appointed one representative to serve on the Board of Appeals, the Members shall thereafter choose among the seven (7) representatives appointed to determine which representative shall serve as the alternate representative.
- B. The Members have agreed the terms of office for each representative shall be as follows:
- (1) New Hanover Township's member shall serve a five-year term;
 - (2) The Borough of Royersford's member shall serve a four-year term;
 - (3) The Borough of Collegeville's member shall serve a three-year term;
 - (4) The Borough of Trappe's member shall serve a two-year term;
 - (5) Skippack Township's member shall serve a one-year term.
- Thereafter, all newly appointed representatives on the Board of Appeals shall serve for a five year term or until the Members appoint a successor representative. When a vacancy occurs due to the expiration of the term, resignation, or removal of a representative, the vacancy shall be filled by appointment by the same Member which appointed the representative whose seat had been vacated. Any representative on the Board of Appeals once qualified and appointed may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other cause by majority vote of the governing body of the Member which appointed him or her, or by majority vote of all Members taken after the Member has received 15 days advance notice of the intent to cause such removal or to take such a vote. A hearing shall be held in connection with such vote if the Member requests it. An appointment made to fill a vacancy arising before the expiration of a representative's term shall be for the unexpired term.
- C. The representatives on the Board of Appeals must be qualified by experience and training to pass on matters pertaining to building construction and shall be from one of the following professions or disciplines:
- (1) Registered design professional who is a registered architect; or a builder or superintendent of building construction with at least ten (10) years experience, five (5) of which shall have been in responsible charge of work;
 - (2) Registered design professional with structural engineering or architectural experience;
 - (3) Registered design professional with mechanical or plumbing engineering experience; or a mechanical or plumbing contractor with at least ten (10) years experience, five (5) of which shall have been in responsible charge of work;
 - (4) Registered design professional with electrical engineering experience; or an electrical contractor with at least ten (10) years experience, five (5) of which shall have been in responsible charge of work;

- (5) Registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten (10) years experience, five (5) of which shall have been in responsible charge of work.
 - D. The representatives on the Board of Appeals shall not be elected officials or employees of the Members.
 - E. The Members shall strive to appoint representatives who are residents in the Member's municipalities, however, if the Members cannot find qualified residents to serve on the Board of Appeals, they shall be authorized to appoint a non-resident representative to the Board of Appeals.
4. **Officers/Term of Representatives/Disqualification.**
- A. The representatives on the Board of Appeals shall select one representative to serve as Chairman and one representative to serve as Secretary. The Chairman shall preside over all meetings and hearing of the Board of Appeals. The Secretary shall keep a detailed record of all proceedings before the Board of Appeals and shall provide copies of all written decisions rendered by the Board of Appeals to each Member.
 - B. The Chairman and Secretary shall serve for a term of one (1) year or until such time as the representatives on the Board of Appeals appoint a new Chairman or Secretary.
 - C. A representative or alternate representative on the Board of Appeals shall not rule on any appeal in which he or she has a personal interest in the outcome of the appeal.
5. **Term of Agreement.** This Agreement and the Board of Appeals created herein shall have an initial term of five (5) years, which term shall commence on the Effective Date of this Agreement (as defined in paragraph 25). At the expiration of the initial five-year term, this Agreement shall automatically renew for successive one (1) year terms unless a majority of the Members vote to terminate this Agreement and their Member's participation in the Board of Appeals.
6. **Member's Ability to Terminate Membership in Board.** Notwithstanding the provisions in paragraph 5 above, a Member may terminate its participation in the Board of Appeals provided that the governing body of the Member enacts a resolution authorizing such termination. If a Member's governing body enacts such resolution, the termination shall be effective immediately or a later date which is specified in the Resolution.
7. **Costs incurred by the Board of Appeals.** Each Member shall pay its own costs and expenses in processing a property owner's appeal to the Board of Appeals (for example, if a property owner in Skippack Township files an appeal to the Board of Appeals, Skippack Township shall pay for all costs and expenses associated with such appeal). Each Member shall

establish its own application fees for filing an appeal to the Board of Appeals, which fees shall be established from time to time by resolution of the governing body of each Member.

8. **Additional Members.** Other municipalities may join the Board of Appeals provided that a majority of the Members agree and the governing body of such municipality enacts a resolution approving its participation in the Board of Appeals and provided an authorized officer of such additional municipality(ies) executes a written Joinder agreeing to be bound by the terms of this Agreement and any By-laws adopted for the Board of Appeals.

9. **Functions of the Board.** It shall be the function of the Board of Appeals to rule upon:

- A. Appeals from decisions rendered by the code enforcement officers of the member municipalities regarding the meaning of Uniform Construction Code provisions or the applicability of such provisions to prospective building projects.
- B. Applications for variance from the provisions of the Uniform Construction Code or for extensions to the time extended, by either the Code or the code enforcement officer of a Member municipality, to an owner requiring that he take some required action.

10. **Rules and Procedures.** The Board of Appeals shall be authorized to establish policies and procedures necessary to carry out its duties provided that each Member approves the same by resolution of the Member's governing body.

11. **Appeals Procedure.**

- A. **Filing of Appeal.** Appeals to the Board of Appeals shall be filed in the Member municipality where the subject property is located on forms provided by each Member. All appeals from orders, decisions and determinations made by a Member's Building Official or Code Official must be filed within thirty (30) days of the date of the order, decision or determination which is being appealed.
- B. **Notice of Meeting.** The Board of Appeals shall hold a hearing within sixty (60) days from the postmark date or personal service of an appeal, unless the appellant agrees in writing to an extension of time within which to commence the hearing. Notice of the public hearing shall be sent by the Member's Manager or Secretary to all representatives of the Board of Appeals, the appellant landowner, the governing body of each Member, the Member's Building Official (if the appeal relates to the Member's Building Code) or Code Official (if the appeal relates to the ICC Codes). In addition, notice shall be advertised one in a newspaper of general circulation within the municipality where the subject property is located not less than seven (7) nor more than twenty-one (21) days prior to the date of the hearing. Where notices have been sent to any person entitled to receive notices under the terms hereof, the failure to receive such notice shall not be a basis for the invalidation of the hearing, nor deprive the Board of Appeals of jurisdiction, nor compel readvertising.

- C. **Public Hearing.** All hearings of the Board of Appeals shall be held in the Member municipality where the appeal was filed and shall be open to the public and transcribed by a stenographer. The hearing shall be conducted under and pursuant to the procedure designated in the Local Agency Law of the Commonwealth of Pennsylvania. The majority of the Board of Appeals shall constitute a quorum, and the majority of the representatives of the Board of Appeals present and voting may render a decision on any matter before the Board of Appeals. At the hearing, the appellant shall be entitled to be represented by counsel and those persons enumerated in paragraph 10. B, as well as any other persons authorized by the Board of Appeals, in its discretion, shall be permitted to intervene as parties.
 - D. **Adjourned Meeting.** When the necessary number to constitute a quorum of the Board are not present, if the testimony has not been concluded or for any other reason in the discretion of the Board of Appeals, the Board of Appeals may continue the hearing to a future date. If the hearing is not continued to a date certain, the hearing must be readvertised in accordance with the procedure in paragraph 10. B prior to the continued hearing.
 - E. **Legal Counsel.** Where legal counsel is desired, an attorney, other than the solicitor of the Member Municipalities, may be appointed to serve as counsel to the Board of Appeals.
12. **Rulings.** In ruling on an appeal, the board shall find for Appellant if it determines that:
- A. The true intent of the Uniform Construction Code, or the act which establishes it as a statewide code, was incorrectly interpreted by the code enforcement officer.
 - B. The provisions of the Pennsylvania Construction Code Act, Act of November 10, 1999, P.L. 491, 35 P.S. §7210.101 et. Seq., do not apply to the circumstances out of which arose the decision appealed from.
 - C. A form of construction, equivalent in the Uniform Construction Code, is to be used.
13. **Request for Extension of Time.** In ruling on a request for extension of time or variance, the board shall consider the following:
- A. The reasonableness of the Uniform Construction Code's applicability to a given set of circumstances.
 - B. The degree to which the variance or extension of time requested deviates from strict adherence to the requirements of the Uniform Construction Code.
 - C. The extent to which granting the variance or extension of time requested will create an unsafe condition.
 - D. The availability of professional or technical personnel needed to come into compliance.

- E. The availability of materials and equipment needed to come into compliance.
- F. The efforts of Applicant to come into compliance as quickly as possible.
- G. Compensatory measures that will provide an equivalent degree of protection to the community.

14. **Decisions.**

- A. Action of the Board of Appeals. The Board of Appeals shall affirm, modify or reverse the decision of the Building Official or Code Official by a majority vote of the representatives of the Board of Appeals hearing the appeal. The failure to obtain a majority vote shall constitute affirmance of the action of the Building Official or Code Official.
- B. Rendering of decision. The Board shall render a written decision within forty-five (45) days of the close of the hearings and shall make findings of fact relevant to said application and apply the applicable law to said findings of fact in the rendering of its decision. Copies of the decision shall be mailed by first class mail to each party before the Board of Appeals and to the governing body of each Member, provided, however, that failure to render a decision within the forty five (45) day period herein stated shall not constitute an affirmance or denial.
- C. Deny the request in whole or in part.
- D. Grant the request in whole or in part.
- E. Grant the request upon certain conditions being satisfied.
- F. Enforcement of decision. The Member's Building Official or Code Official shall take immediate action in accordance with the decision of the Board of Appeals.
- G. The Member, whether or not a party before the Board of Appeals, and any party before the Board of Appeals who is aggrieved by the decision of the Board of Appeals may appeal to the Court of Common Pleas of Montgomery County within thirty (30) days from the date of the rendering of the decision of the Board. The Court of Common Pleas shall review the record on certiorari to determine whether or not the Board of Appeals abused its discretion or committed an error at law.
- H. The Board of Appeals may not act upon appeals, requests for variances or for extensions of time relating to accessibility. Such appeals and applications are within the exclusive purview of the Accessibility Advisory Board under §403.142 of the Uniform Construction Code.

15. **Reorganization.** The Board of Appeals shall reorganize annually, at its first scheduled meeting, by selecting one of its Members as chairman and another as secretary. It shall be the function of the chairman to conduct meetings and preside at hearings before the Board. In the

chairman's absence, the secretary shall assume the chair with the third member substituting as secretary. In the absence of the secretary, the third member shall assume his role. It shall be the function of the secretary to prepare and publish public notice of board meetings, keep minutes of all Board proceedings, prepare all items of Board correspondence and draft and circulate the decisions of the Board. In all matters brought before the Board, the presence of two (2) of the Board's three (3) Members shall be sufficient to allow for the transaction of business.

16. **Compensation.** Each member of the Board of Appeals shall be entitled to compensation for his service in the amount \$ _____ per matter adjudicated.

17. **Fees.** Each Member municipality of the Board of Appeals shall establish a fee to be imposed upon those Appellant-Applicants who present a petition to the Board pertinent to construction within that municipality. The fee shall be used to defray the cost of public notice of any Board meetings held to hear or deliberate upon the matter raised in the petition, to compensate the Members of the Board and to cover any other costs incurred in the proceedings. Within thirty (30) days of the date of the written decision, the municipality shall forward to the Appellant an itemized statement listing all draws upon the fee paid at the outset of the appeal. The statement shall be accompanied by the municipality's check in the sum of the unused portion of the Appellant's fee.

18. **Location of Hearing.** When an appeal or application concerns construction within a particular Member municipality, all Board meetings pertinent to the petition shall be held at a facility within that municipality. The municipality, through its code enforcement officer, shall be a party to each proceeding pertinent to construction within its border.

19. **Application of Uniform Construction Code.** When an appeal or application concerns construction within a particular Member municipality, the Board of Appeals shall apply the Uniform Construction Code with such modifications to the Uniform Commercial Code as that municipality has enacted through its governing body.

20. **Notices.** Whenever a notice is required to be given to any Member, the addresses listed above shall be used unless a different address is specifically designated by such Member. The notices shall be addressed to each Member's manager. Notices given by certified mail will be considered to have been given two (2) business days after being deposited in the United States mail. Notices given by personal delivery shall be considered to have been given on the date of delivery. Notices given by overnight courier shall be considered to have been given on the first business day after the date deposited with such overnight courier. Notices given by telecopier shall be deemed given upon completion of transmission as evidenced by the confirmation sheet generated by the sending facsimile machine. Notices may be given on behalf of any party by its counsel.

21. **Governing Law.** This Agreement shall be interpreted and enforced in accordance with the law of the Commonwealth of Pennsylvania.

22. Severability. Should any sentence, clause, paragraph, term or provision of this Agreement hereafter be declared to be unconstitutional, illegal, invalid or unenforceable for any reason, such declaration shall not affect or impair the validity or enforceability of the remainder of this Agreement, it being the intention of the Members that this Agreement would have been made and entered into had not such unconstitutional, illegal or invalid provision been incorporated herein.

23. Entire Agreement. This writing constitutes the entire agreement among the Members. No modification of the terms of this Agreement shall be effective as to any Member unless approved in writing by such Member in a signed addendum to this Agreement.

24. Counterparts. This Agreement may be executed in any number of counterparts each of which when executed, shall be deemed to be an original but all such counterparts shall constitute one and the same instrument.

25. Effective Date. This Agreement shall be effective on _____, 2005 ("Effective Date") provided that an authorized representative of each Member has executed this Agreement and each Member has enacted an ordinance authorizing participation in the Board of Appeals.

IN WITNESS WHEREOF, the Members have caused these presents to be duly executed and attested with the seal of the respective Member as of the date first mentioned hereinabove.

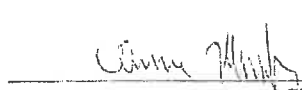
ATTEST: SKIPPACK TOWNSHIP:



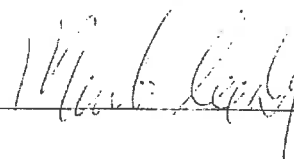
Mark Marino Chairman

By: 


ATTEST: NEW HANOVER TOWNSHIP:



Chairman

By: 

ATTEST: BOROUGH OF ROYERSFORD



Chairman

By: 

ATTEST: BOROUGH OF COLLEGEVILLE

Charles P. Parkes By: [Signature]
Chairman

ATTEST: BOROUGH OF TRAPPE

[Signature] By: [Signature]
Chairman

ATTEST: LOWER FREDERICK TOWNSHIP

[Signature] By: [Signature]
Chairman

ATTEST: PERKIOMEN TOWNSHIP:

William E. Patterson By: Carl M. Daniel
Chairman

EXHIBIT B

**JOINDER AGREEMENT OF WORCESTER TOWNSHIP
REGARDING INTERGOVERNMENTAL COOPERATION AGREEMENT**

WHEREAS, Skippack Township, New Hanover Township, Royersford Borough, Collegeville Borough, Trappe Borough, Lower Frederick Township and Perkiomen Township duly executed a certain Intergovernmental Cooperative Agreement dated February 9, 2005 ("Intergovernmental Agreement"); and,

WHEREAS, the Intergovernmental Agreement authorized the aforementioned municipalities to jointly cooperate with other local governments in the exercise of their respective governmental functions, powers and responsibilities, and specifically authorized the formation of an Intergovernmental Joint Board of Appeals ("Board") pursuant to Act 45 of 1999; and,

WHEREAS, the Intergovernmental Agreement provides for the joinder of other municipalities to the Board by the adoption of a resolution by the governing body of the municipality, and by the execution of a written joinder by which the municipality agrees to be bound to the terms of the Intergovernmental Agreement and the by-laws of the Board;

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Worcester Township, intending to be legally bound, agrees as follows:

1. Worcester Township shall be bound by the terms and provisions of the aforementioned Intergovernmental Agreement; and,
2. Worcester Township further agrees to be bound by the by-laws duly adopted by the Board as and when they are issued.

IN WITNESS WHEREOF, Worcester Township has caused this joinder to be duly executed and attested as of this 20th day of January, 2016.

FOR WORCESTER TOWNSHIP

By: _____

Susan G. Caughlan, Chair
Board of Supervisors

Attest: _____

Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-07

**A RESOLUTION TO AUTHORIZE REIMBURSEMENT OF PRIOR
EXPENDITURES FOR THE CONSTRUCTION OF THE HICKORY HILL
SEWER PROJECT FROM THE PROCEEDS OF BONDS TO BE ISSUED**

WHEREAS, Worcester Township ("Township") has undertaken the construction of an extension of its sanitary sewer system, known as the Hickory Hill Sewer Project ("Project"); and,

WHEREAS, the Township intends to finance some or all of the costs of the Project by the issuance of its bonds, notes or other obligations ("Bonds") and intends to use a portion of the proceeds of the Bonds to reimburse itself for original expenditures made for the Project prior to the date of issuance of the Bonds; and,

WHEREAS, no portion of the Project to be financed with proceeds of the Bonds has yet been placed in service; and,

WHEREAS, this Resolution is intended to constitute a statement of "Official Intent" pursuant to United States Treasury Regulations §1.150 2, T.D. 8476 ("Treasury Regulations").

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township that:


1. In accordance with the Treasury Regulations, the Township hereby states its intention that a portion of the proceeds of the Bonds will be used to reimburse itself for expenditures paid for costs of the Project prior to the date of issuance of the Bonds. All capitalized terms used herein and not otherwise defined have the meanings given to them in the Treasury Regulations. All original expenditures to be reimbursed will be capital expenditures (as defined in the Treasury Regulations) and other amounts permitted to be reimbursed pursuant to the Treasury Regulations. The Township intends to reimburse the original expenditures through the Township's incurrence of debt to be evidenced by the Bonds. The estimated maximum principal amount of the Bonds to be issued to reimburse the costs of the Project paid prior to their issuance and to complete the Project is \$1,250,000, including the costs of issuance of the Bonds.
2. Once the Bonds are issued, the Township shall allocate Bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the Bonds; provided that such costs to be reimbursed were paid not more than sixty days prior to the date hereof, except to the extent that such costs constitute preliminary costs within the meaning of the Treasury Regulations, or as otherwise permitted by Treasury Regulations. Such allocation shall specifically identify the actual original expenditure to be reimbursed.

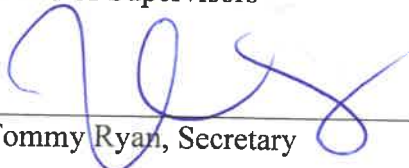
Such allocation shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

3. The Bond proceeds used to reimburse the Township for original expenditures will not be used within one year after the allocation in a manner that results in the creation of replacement proceeds (as defined in the Treasury Regulations) for the Bonds or for other bonds.
4. The Township will not use the proceeds of the Bonds to reimburse, refinance or refund an original expenditure paid by another obligation (either tax exempt or taxable).
5. This Resolution shall be effective immediately.
6. All resolutions heretofore adopted to the extent the same are inconsistent herewith are hereby repealed.

RESOLVED THIS 20TH DAY OF JANUARY, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-08

**A RESOLUTION TO AUTHORIZE INTERMUNICIPAL COLLABORATION
TOWARD THE DEVELOPMENT OF AN INTERGOVERNMENTAL AGREEMENT FOR
THE PURPOSE OF DEVELOPING AN ALTERNATE PLAN FOR THE EPA TOTAL
MAXIMUM DAILY LOAD FOR THE WISSAHICKON CREEK WATERSHED**

WHEREAS, municipalities, when not inconsistent with State or Federal Law, are authorized to oversee and regulate trade, commerce, and the use of public streets, ways, utilities and property within their jurisdictions; and,

WHEREAS, the Intergovernmental Cooperation Act (Act of July 12, 1972, P.L. 762, as amended, 53 P.S. §481, et seq.), permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and,

WHEREAS, municipalities, as well as the provisions of Pennsylvania's Intergovernmental Cooperation Law, provide for intergovernmental cooperation between and among municipalities in the performance of their respective governmental functions, powers and responsibilities and authorize joint agreements as may be deemed appropriate for such purposes; and,

WHEREAS, the Wissahickon Creek has been designated as "impaired" under Section 303(d) of the Clean Water Act, and has been assigned a Total Maximum Daily Load (TMDL) per (40 CFR 130.2 and 130.70) and individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources; and,

WHEREAS, the municipalities located in the Wissahickon Creek watershed (0.62% of the total land area of Worcester Township is located in the Wissahickon Creek watershed) are obligated under the PADEP's MS4 and NPDES programs to develop and implement a stormwater management plan, and comply with their Sewage Facilities Plan, including TMDL limits, which contain the strategies to meet the municipality's MS4, NPDES and TMDL obligations, and as it is recognized that the municipal plans will have greater effectiveness and efficiencies if they are coordinated with and incorporated into an Alternative TMDL plan; and,

WHEREAS, the United States Environmental Protection Agency's (EPA) New Long-Term Vision for the 303(d) Program allows for alternative methodologies to the proposed TMDL that incorporates broader, more comprehensive and adaptive management strategies that are tailored to this watershed's specific circumstances, and whereas counties, municipalities and wastewater treatment operators have considered that developing an Alternative TMDL Plan to satisfy the overall intent of the proposed EPA TMDL pollutant reductions to improve the biological integrity of the watershed is a justified and necessary action; and,

WHEREAS, the impacted municipalities in Montgomery County and Philadelphia County recognize that watersheds cross municipal boundaries and a coordinated planning effort is to the benefit of all municipalities, and that it is in their best interest to cooperate in the development of an Alternative to the proposed EPA TMDL through participation in a collaborative effort; and,


WHEREAS, the municipalities recognize that the coordination of services and the sharing of information will enable each municipality to minimize the costs of the administration and implementation of an Alternative Plan;

NOW THEREFORE, BE IT RESOLVED, Worcester Township desires to authorize its appropriate officers to work to advance a collaborative partnership with other municipalities located in the Wissahickon Creek watershed, so to advance the development of an Alternative TMDL Plan, with terms of said partnership be formalized in a future Intergovernmental Agreement that may be then considered by the Board of Supervisors.

RESOLVED THIS 17TH DAY OF FEBRUARY, 2016.

FOR WORCESTER TOWNSHIP

By:



Susan G. Caughlan, Chair
Board of Supervisors

Attest:



Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-09

A RESOLUTION TO SET COMPENSATION FOR THE TOWNSHIP MANAGER

WHEREAS, Worcester Township employs a Township Manager, pursuant to Township Code Chapter 15; and,


WHEREAS, the compensation paid to the Township Manager shall be established by resolution, as per Section 1301 of the Second Class Township Code.

NOW, THEREFORE, the Board of Supervisors does hereby establish the compensation paid to the Township Manager at one hundred and thirty five thousand dollars (\$135,000.00) per year.


RESOLVED THIS 17TH DAY OF FEBRUARY, 2016.

FOR WORCESTER TOWNSHIP

By: _____


Susan G. Caughlan, Chair
Board of Supervisors

Attest: _____


Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-10

A RESOLUTION TO RATIFY A SNOW EMERGENCY DECLARATION

WHEREAS, beginning on Friday, January 22, 2016 a significant snowstorm threatened to cause injury, damage and suffering to the persons and property of Worcester Township, and,

WHEREAS, the Worcester Township Emergency Management Coordinator, in consultation with the Township Manager, did declare a snow emergency, so to marshal and coordinate the resources needed to respond to the snowstorm, in order to reduce the severity of this event, and to protect the health, safety, and welfare of affected persons and property in the Township; and,

WHEREAS, the snow emergency declaration was established for a period beginning at 6:00 PM on Friday, January 22, 2016 and ending at 6:00 PM on Sunday, January 24, 2016;

NOW, THEREFORE, the Board of Supervisors, pursuant to the provisions of the Pennsylvania Emergency Management Services Code, Section 7501, as last amended, does hereby ratify said declaration;

AND FURTHER, the Emergency Management Coordinator and Township Manager are hereby directed to take any actions required to seek and obtain relief funds that may become available to reimburse the Township for the cost of expenses incurred and damages affiliated with the snowstorm.

RESOLVED THIS 17TH DAY OF FEBRUARY, 2016.

FOR WORCESTER TOWNSHIP

By: _____

Susan G. Caughlan
Susan G. Caughlan, Chair
Board of Supervisors

Attest: _____

Tommy Ryan
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-11

**A RESOLUTION TO AUTHORIZE THE TOWNSHIP MANAGER
AND THE TOWNSHIP'S PROFESSIONAL ADVISORS TO UNDERTAKE, FOR
CONSIDERATION BY THE BOARD OF SUPERVISORS, PREPARATION OF A BOND
ISSUE TO FUND THE COST OF THE TOWNSHIP'S CAPITAL PROGRAM,
CURRENTLY REFUND AN OUTSTANDING BANK LOAN AND PAY THE COST OF
ISSUANCE OF SAID BONDS; AUTHORIZING INCIDENTAL ACTION AND
REPEALING ANY INCONSISTENT PRIOR RESOLUTIONS**

WHEREAS, Worcester Township ("Township") desires to consider the incurrence of nonelectoral debt for the purpose of: (a) financing the cost of the Township's Capital Program, (b) eliminate variable interest rate exposure of the Township by currently refunding and prepaying its outstanding Bank Loan, and (c) financing the costs of issuing the Bonds (collectively, "Project"); and,

WHEREAS, that intent makes it appropriate for the Board of Supervisors ("Board") of the Township to authorize the Township Manager and certain professional advisors to undertake actions to prepare a proposal for consideration by the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

SECTION 1. The Board authorizes and requests the Township Manager, the Township Solicitor, Lamb McErlane PC in its capacity as Bond Counsel, and Boenning & Scattergood, Inc. as Underwriter ("Underwriter") to take the necessary actions and to prepare appropriate documentation for consideration by the Board either at its meeting on March 16, 2016 or such other date as is recommended by the Underwriter depending upon market conditions, to authorize the incurrence of debt for the Project involving upgrading, improving and extending the Township's sewer collection and transmission system ("Capital Program") and current refunding of outstanding indebtedness, through the issuance and sale by negotiation of general obligation bonds to cover the costs of that Project.

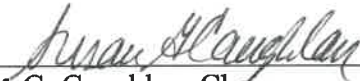
SECTION 2. The proper officers of the Township are hereby authorized and directed to take such further action as may be necessary in connection with the preparation for incurrence of indebtedness as described herein, including submission of a form of preliminary official statement and other documentation to appropriate rating agencies and bond insurance companies for consideration in the marketing of such bonds and preparation of all documentation necessary to incur debt under the Local Government Unit Debt Act of the Commonwealth of Pennsylvania.


SECTION 3. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

SECTION 4. This Resolution shall be effective immediately.

RESOLVED THIS 17TH DAY OF FEBRUARY, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

Secretary's Certificate

I hereby certify that the foregoing is a true copy of a resolution adopted by a majority vote of the Board of Supervisors of Worcester Township a meeting of said Board duly and regularly called and held on February 17, 2016; that public notice of said meeting was given in the manner provided by law; and that said resolution has been duly recorded upon the minutes of the Board, has not been amended or rescinded and is in full force and effect on the date of this Certificate.

(TOWNSHIP SEAL)


Tommy Ryan, Secretary

dated: February 17, 2016

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-12

**A RESOLUTION TO APPOINT AN
ALTERNATE MEMBER TO THE PLANNING COMMISSION**

WHEREAS, pursuant to Act 42 of 2015, a municipality may appoint an Alternative Member to serve on its Planning Commission, in accordance with the provisions of said Act; and,

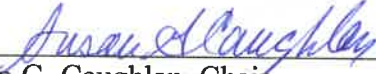
WHEREAS, the Board of Supervisors desires to appoint an Alternate Member to the Worcester Township Planning Commission; and,

NOW, THEREFORE, the Board of Supervisors does hereby appoint Richard DeLello to the position of Alternate Member of the Worcester Township Planning Commission, for the balance of a four-year term that shall expire on December 31, 2019.

**APPROVED BY MOTION OF THE BOARD OF SUPERVIORS ON THE 17TH DAY OF
FEBRUARY, 2016.**

FOR WORCESTER TOWNSHIP

By:



Susan G. Caughlan, Chair
Board of Supervisors

Attest:



Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-13

A RESOLUTION TO AMEND THE 2016 FEE SCHEDULE

WHEREAS, various Township Ordinances and State Law provide for the establishment of fees for certain permits, reviews, inspections and/or other services, and having said fees listed in a single document is of assistance and convenience to the general public; and,

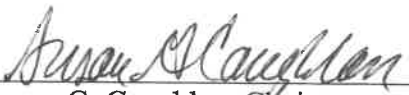
WHEREAS, the Board of Supervisors did adopt the 2016 Fee Schedule as Resolution 2016-02 on January 4, 2016; and,


WHEREAS, the Board of Supervisors now desires to amend the 2016 Fee Schedule so to revise the sanitary sewer tapping fee charged for connections to the Worcester Township public sewer system;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED the sewer tapping fee as noted in the 2016 Fee Schedule, Exhibit A, Section III, is hereby revised to \$1,900.00 per EDU.

RESOLVED THIS 16TH DAY OF MARCH, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary



RESOLUTION PAGE

COMMONWEALTH OF PENNSYLVANIA

www.dcnr.state.pa.us/grants

DCNR-2015-C2P2-16

Application Information (*Indicates required information)

Applicant/Grantee Legal Name:* Worcester Township

Web Application ID:* 1101211

Project Title:* Defford Road Park

WHEREAS, Worcester Township

("Applicant") desires to undertake the following project

Defford Road Park

(Project Title)

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of Township Manager
2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the TITLE specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the

Board of Supervisors, Worcester Township

(identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of the applicant this 16 day of March, 2016

[Signature]
Secretary (Signature of the Secretary of the governing body)

DCNR USE ONLY

Project Number: _____

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-15

**A RESOLUTION TO GRANT PRELIMINARY/FINAL APPROVAL
OF A PLAN OF SUBDIVISION AT 2119 BERKS ROAD**

WHEREAS, Rhoads Real Estate Ventures (“Applicant”) has submitted a plan of subdivision of property at 2119 Berks Road (“Plan”) to the Worcester Township Board of Supervisors (“Board”), for the Board’s consideration, in accordance with the applicable provisions of the Pennsylvania Municipalities Planning Code and the Worcester Township Code; and,

WHEREAS, the Plan was first reviewed by the Worcester Township Planning Commission, Montgomery County Planning Commission, and Township staff and consultants; and,

WHEREAS, the Board now desires to take action on the Plan;


NOW THEREFORE, BE IT RESOLVED that the Board hereby grants Preliminary/Final approval of the Plan, as prepared as prepared by Woodrow & Associates, Inc., sheet 1 of 1, dated December 18, 2015, with no revisions, subject to the following:

1. the granting of those waivers as listed on the Plan, in specific:
 - a. Section 130-16, requiring road frontage improvements;
 - b. Section 130-18.A, requiring sidewalks at street frontages;
 - c. Section 130-18.B, requiring curbs at street frontages;
 - d. Section 130-28.G(5), requiring perimeter buffers;
 - e. Section 130-28.G(9), requiring individual lot landscape requirements;
 - f. Section 130-33.C(1), requiring the showing of existing features within 400' of the property boundaries; and,
 - g. Section 130-33.G, requiring a Natural Resource and Protection Plan;
2. the Plan shall be revised to satisfy, and the Applicant shall otherwise resolve, all items noted in the February 12, 2016 review letter issued by CKS Engineers, Inc.;
3. the Plan shall be revised to satisfy, and the Applicant shall otherwise resolve, all items noted in the February 9, 2016 review letter issued by the Montgomery County Planning Commission;
4. the Applicant shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation;

5. the Applicant shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation;
6. the Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation; and,
7. the Applicant shall pay to Worcester Township a Traffic Impact Fee for one (1) PM peak hour trip for each lot, to be paid at the time a building permit is issued at each lot, in the amount in effect at this time, and if either or both of the lots are further subdivided the Applicant shall pay a Traffic Impact Fee for each new lot created, even if the number of PM peak hour trips attributable to the new lot is below any fee payment exemption threshold in effect at that time.

RESOLVED THIS 20TH DAY OF APRIL, 2016.

FOR WORCESTER TOWNSHIP

By: 
 Susan G. Caughlan, Chair
 Board of Supervisors

Attest: 
 Tommy Ryan, Secretary

ACCEPTANCE OF APPROVAL CONDITIONS BY APPLICANT

By: _____
 name

title

signature

date

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-16

**A RESOLUTION TO GRANT PRELIMINARY/FINAL APPROVAL
OF A PLAN OF SUBDIVISION AT 2568 SKIPPACK PIKE**

WHEREAS, Worcester Township seeks to subdivide a property that it owns, situated at 2568 Skippack Pike (“Property”), so to affect a sale of a lot, publically bid, and as approved by the Board of Supervisors in Resolution 2015-35; and,

WHEREAS, the Township Engineer has prepared a plan of subdivision of the Property (“Plan”) in accordance with the applicable provisions of the Pennsylvania Municipalities Planning Code and the Worcester Township Code, for the consideration by the Board of Supervisors; and,

WHEREAS, the Plan was first reviewed by the Worcester Township Planning Commission, Montgomery County Planning Commission, and Township staff and consultants; and,


WHEREAS, the Board now desires to take action on the Plan;

NOW THEREFORE, BE IT RESOLVED that the Board hereby grants Preliminary/Final approval of the Plan, as prepared as prepared by CKS Engineers, Inc., sheet 1 of 1, dated December 28, 2015, last revised March 17, 2016, subject to the following:

1. the granting of the following waivers:
 - a. Section 130-16, requiring road frontage improvements;
 - b. Section 130-18.A, requiring sidewalks at street frontages;
 - c. Section 130-18.B, requiring curbs at street frontages;
 - d. Section 130-26.B(2)(c), allowing an on-lot sewage disposal system to be setback ten feet from a property line;
 - e. Section 130-28.G(4), requiring street trees at the street frontages;
 - f. Section 130-28.G(5), requiring perimeter buffers;
 - g. Section 130-28.G(9), requiring individual lot landscape requirements;
 - h. Section 130-33.C(1), requiring the showing of existing features within 400' of the property boundaries; and,
 - i. Section 130-33.G, requiring a Natural Resource and Protection Plan;

RESOLVED THIS 20TH DAY OF APRIL, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-17

**A RESOLUTION TO AUTHORIZE THE AMENDMENT AND RESTATEMENT OF
RETIREMENT PLAN VIA ADOPTION OF VALIC RETIREMENT SERVICES
COMPANY RETIREMENT PLAN FOR GOVERNMENTAL EMPLOYERS**

WHEREAS, Worcester Township (“Employer”) previously established the Township of Worcester 401(a) Plan (“Plan”) for the exclusive benefit of its employees and their beneficiaries, which Plan was originally effective as of January 1, 2012; and,

WHEREAS, the Employer retained the power to amend and/or terminate the Plan; and,


WHEREAS, the Employer now desires to amend and restate the Plan by adopting the VALIC Retirement Services Company Retirement Plan for Governmental Employers document;

NOW THEREFORE, BE IT RESOLVED that the Employer hereby amends and restates that Plan, effective January 1, 2016, by adopting the document titled “VALIC Retirement Services Company Retirement Plan for Governmental Employers,” in the form and substance as the document heretofore presented to the governing body of the Employer; and,

BE IT FURTHER RESOLVED, that the Township Manager is hereby authorized and directed to: (i) execute the adoption agreement to the VALIC Retirement Services Company Retirement Plan for Governmental Employers document as approved; (ii) execute all other documents and to do all other things as may be necessary or appropriate to make the VALIC Retirement Services Company Retirement Plan for Governmental Employers document effective January 1, 2016, including the execution of any amendments required by the Internal Revenue Service in order to continue and maintain the qualified and exempt status of the Plan; and (iii) execute any other documents required to obtain reliance on advisory letters issued to the VALIC Retirement Services Company Retirement Plan for Governmental Employers by the Internal Revenue Service.

RESOLVED THIS 20TH DAY OF APRIL, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

Secretary's Certificate

I hereby certify that the above resolution was unanimously adopted by the governing body of the Employer at a meeting duly held on the 20th day of April, 2016.

(TOWNSHIP SEAL)


Tommy Ryan, Secretary

dated: April 20, 2016

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-18

**A RESOLUTION TO APPOINT DELEGATES TO THE
MONTGOMERY COUNTY TAX COLLECTION COMMITTEE**

WHEREAS, Act 32 of 2008, §505(b), requires the governing bodies of school districts, townships, boroughs, and cities that impose an earned income tax to appoint one voting delegate and one or more alternate delegates to be their representative to serve on a county-wide tax collection committee; and,

WHEREAS, the Worcester Township Board of Supervisors desires to appoint such delegates to the Montgomery County Tax Collection Committee (MCTCC);

NOW THEREFORE, BE IT RESOLVED, the following individuals are appointed to the MCTCC, to the positions noted:


1. Tommy Ryan, Voting Delegate
2. Erica Lucey, First Alternate Voting Delegate

AND BE IT FURTHER RESOLVED, that if the Voting Delegate cannot be present for a MCTCC meeting, the First Alternate Voting Delegate shall be the Township's representative at said meeting.

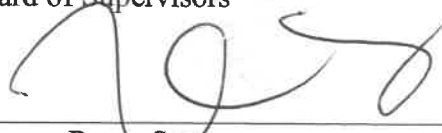
AND BE IT FURTHER RESOLVED, the appointments are effective immediately, and all delegates shall serve at the pleasure of the Board, until successors are appointed by the Board.

RESOLVED THIS 20TH DAY OF APRIL, 2016.

FOR WORCESTER TOWNSHIP

By: 

Susan G. Caughlan, Chair
Board of Supervisors

Attest: 

Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-19

**A RESOLUTION TO AUTHORIZE SUBMISSION OF A GRANT APPLICATION FOR
THE 2016 ROUND OF THE MONTCO 2040 IMPLEMENTATION GRANT PROGRAM**

WHEREAS, Montgomery County has established the Montco 2040 Implementation Grant Program as a competitive funding program to assist municipalities in implementing the goals of Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*; and;

WHEREAS, Montgomery County is accepting applications for projects that support and advance one or more of the comprehensive plan's three themes: Connecting Communities, Sustainable Places, and a Vibrant Economy; and,

WHEREAS, applications and projects must meet all stated requirements within the Montco 2040 Implementation Grant Program Guidebook; and,


WHEREAS, Worcester Township wishes to obtain funding from the Montco 2040 Implementation Grant Program to provide for the construction of a pervious and green parking area to be constructed at Heebner Park, which serves as Worcester Township's primary community park; and,

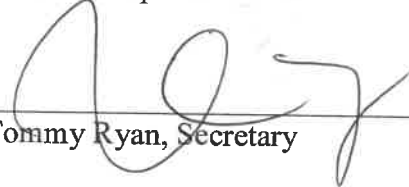
WHEREAS, (1) the project has the full support of both the Worcester Township Board of Supervisors, (2) Worcester Township shall earmark and provide the required local match, in cash, and (3) Worcester Township shall comply with all applicable conditions of the grant program;

NOW THEREFORE, BE IT RESOLVED, the Board of Supervisors does authorize the submission of the above-noted grant application to the Montco 2040 Implementation Grant Program.

RESOLVED THIS 20TH DAY OF APRIL, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-20

**A RESOLUTION TO REQUEST AN AMENDMENT TO THE STERLING ACT
TO REQUIRE THAT UP TO ONE PERCENT OF PHILADELPHIA WAGE TAX
PAID BY NON-RESIDENTS OF PHILADELPHIA BE REMITTED
TO THE MUNICIPALITY IN WHICH THE TAXPAYER RESIDES**

WHEREAS, Worcester Township has enacted an earned income tax (“EIT”) in accordance with the Pennsylvania Local Tax Enabling Act; and,

WHEREAS, Worcester Township relies on the revenue generated by the EIT to provide essential services to its residents and taxpayers; and,

WHEREAS, the City of Philadelphia, pursuant to the Sterling Act of 1932, enacted an income tax, also known as a wage tax, on both Philadelphia residents and Philadelphia non-residents who are employed in Philadelphia; and,

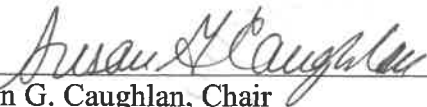
WHEREAS, the Sterling Act, unlike the Pennsylvania Local Tax Enabling Act, does not require Philadelphia to remit any portion of the wage taxes paid by Philadelphia non-residents to the municipality in which the taxpayer resides; and,

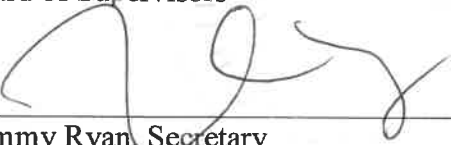
WHEREAS, as a result of this inequity in the Sterling Act, Worcester Township is deprived of EIT revenue;

NOW THEREFORE, BE IT RESOLVED, the Board of Supervisors of Worcester Township does hereby request that the Governor of the Commonwealth of Pennsylvania, and the Senators and Representatives of the General Assembly of Pennsylvania, amend the Sterling Act to require that an amount up to one percent of the wage taxes paid by Philadelphia non-residents to be remitted to the municipality in which the taxpayer resides.

RESOLVED THIS 20TH DAY OF APRIL, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

Township of Worcester
Montgomery County, Pennsylvania
Resolution 2016-21

PEMA-DAP -2

DESIGNATION OF AGENT RESOLUTION

FOR: Worcester Township
(Enter Name of Disaster or Number)

BE IT RESOLVED BY the Board of Supervisors OF Worcester Township
(Governing Body) (Public Entity)

THAT Tommy Ryan, Township Manager & Secretary
(Name of Applicant Agent) (Title)

IS HEREBY AUTHORIZED TO EXECUTE FOR AND IN BEHALF OF
Worcester Township, Montgomery County,
(Public Entity) (County)

a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

Passed and approved this 9th day of May, 2016.

<u>Susan G. Caughlan</u> (Name)	<u>Chair</u> (Title)	<u><i>Susan G. Caughlan</i></u> (Signature)
<u>Stephen C. Quigley</u> (Name)	<u>Vice Chair</u> (Title)	<u><i>Stephen C. Quigley</i></u> (Signature)
<u>Arthur C. Bustard</u> (Name)	<u>Member</u> (Title)	<u><i>Arthur C. Bustard</i></u> (Signature)
_____ (Name)	_____ (Title)	_____ (Signature)
_____ (Name)	_____ (Title)	_____ (Signature)

CERTIFICATION

I, Tommy Ryan, duly appointed and Township Manager & Secretary
(Name) (Title)

of Worcester Township, do hereby certify that the above is a true and correct copy of
(Public Entity)

a resolution passed and approved by the the Board of Supervisors
(Governing Body)

of Worcester Township on the 9th day of May, 2016.
(Public Entity)

Tommy Ryan Township Manager & Secretary May 9, 2016
(Signature) (Official Position) (Date)

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-22

A RESOLUTION TO AMEND THE 2016 FEE SCHEDULE

WHEREAS, various Township Ordinances and State Law provide for the establishment of fees for certain permits, reviews, inspections and/or other services, and having said fees listed in a single document is of assistance and convenience to the general public; and,

WHEREAS, the Board of Supervisors did adopt the 2016 Fee Schedule as Resolution 2016-02 on January 4, 2016; and,


WHEREAS, the Board of Supervisors now desires to amend the 2016 Fee Schedule so to provide for a stucco repair permit fee;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the 2016 Fee Schedule, Exhibit A, Section IV, is hereby revised to add a stucco repair permit fee in the amount of \$40.00.

RESOLVED THIS 18TH DAY OF MAY, 2016.

FOR WORCESTER TOWNSHIP

By:



Susan G. Caughlan, Chair
Board of Supervisors

Attest:


Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-23

**A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT
APPROVAL OF THE 2750 MORRIS ROAD – ADVANCE REALTY
MANAGEMENT, INC. PLAN**

WHEREAS, Advance Realty Management, Inc. (hereinafter referred to as “Applicant”) has submitted a land development plan to Worcester Township and has made application for preliminary/final plan approval of a plan known as 2750 Morris Road Land Development Plan. The Applicant is manager for the owner, Div-Ar Property, LP, of an approximate 87.0147 acre tract of land located at 2750 Morris Road, Worcester Township, Montgomery County, Pennsylvania in the LI – Limited Industrial Zoning District of the Township, being Tax Parcel No. 67-00-02512-004 as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and,

WHEREAS, the property was subject to a previous Land Development Application which was granted preliminary and partial final approval by the Worcester Township Board of Supervisors on September 21, 2011. Subsequent to that approval, revised plans were submitted and reviewed by the Township Engineer on August 7, 2012 and a portion of the work on the plan was completed by the previous owners; the work completed was referenced as Phase 1A and 1B on the plan; and,

WHEREAS, the Applicant now proposes to complete Phase 1C which includes a loading dock addition at Building E, additional parking area adjacent to Building B, partial loading area for trucks adjacent to Building D, additional area for vehicle parking in front of the building, additional stormwater facilities and additional modifications to Stormwater Basin B; and,

WHEREAS, said plan has received a recommendation for preliminary/final plan approval by the Worcester Township Planning Commission at their regularly scheduled meeting on May 26, 2016; and,

WHEREAS, the preliminary/final plan for the proposed land development, prepared by Irick, Eberhardt & Mientus, Inc. titled, “2750 Morris Road Land Development Plan” consisting of 26 sheets, dated June 17, 2011, and last revised April 22, 2016, is now in a form suitable for preliminary/final plan approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan.** The preliminary/final plan prepared by Irick, Eberhardt & Mientus, Inc. as described above, is hereby approved, subject to the conditions set forth below.

2. **Conditions of Approval.** The approval of the preliminary/final plan is subject to strict compliance with the following conditions:
- A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of May 6, 2016.
 - B. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission review letter of May 18, 2016.
 - C. The approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.
 - D. Prior to recording the Plans, Applicant shall enter into a Land Development and Financial Security Agreement ("Agreement") with the Township. The Agreement shall be in a form satisfactory to the Township Solicitor, and the Applicant shall obligate itself to complete all of the improvements shown on the Plans in accordance with applicable Township criteria and specifications, as well as to secure the completion of the public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.
 - E. Although the maintenance of all detention basins and surface stormwater drainage easements shall be the responsibility of the Applicant, or his successor or assigns at the Property, Applicant shall, prior to the Township executing the Plans, execute a declaration to reserve easements in favor of the Township so that the drainage facilities may be maintained by the Township, at the Township's sole discretion, with all expenses being charged to the Applicant, in the event said maintenance responsibilities are not fulfilled by the Applicant after the Township provides reasonable notice to the Applicant to do so. The declaration shall be satisfactory to the Township Solicitor and shall be recorded simultaneously with the Plans.
 - F. The Applicant shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation.
 - G. The Applicant shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation.
 - H. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation.


- I. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Resolution.
 - J. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, and the Agreement shall be borne entirely by the Applicant, and shall be at no cost to the Township.
 - K. Applicant shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hour notice prior to the initiation of any grading or ground clearing, whether for the construction of public improvements or in connection with any portion of the Development.
 - L. Applicant understands that it will not be granted Township building or grading permits until the record plan, financial security, and all appropriate development and financial security agreements, easements, and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.
3. **Waivers.** The Worcester Township Board of Supervisors hereby grants the following waivers requested with respect to this Plan:
- A. Section 130-17.D.7 & D.11 of the Worcester Township Subdivision and Land Development Ordinance - parking space size;
 - B. Section 130-28.G.(6)(b) of the Worcester Township Subdivision and Land Development Ordinance - parking lot row size; and
 - C. Section 130-28.F.(6)(d) of the Worcester Township Subdivision and Land Development Ordinance - slopes exceeding twenty-five percent (25%) must be stabilized with Rip-Rap.
4. **Acceptance.** The conditions set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.
5. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plans shall be considered to have received final approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording

with the Montgomery County Recorder of Deeds. Applicant shall provide the Township with executed final plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 15th day of June, 2016 by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors


Attest: 
Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and owner of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

ADVANCE REALTY MANAGEMENT, INC.

Date: 6/30/2016

By: 
Property Manager - Advance Realty
Management, Inc. as Manager for DIV-AR
Property LP. Doreen S. Horne
(PRINT NAME AND TITLE)

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RECEIVED
JUN 27 2016

RESOLUTION NO 2016-24

**A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT
APPROVAL OF THE IBEW TRAINING FACILITY, 3455 GERMANTOWN PIKE PLAN**

WHEREAS, Trustees of the Local Union No. 126 Occupational Safety, Health & Education Trust Fund (hereinafter referred to as "Applicant") has submitted a land development plan to Worcester Township and has made application for preliminary/final plan approval of a plan known as IBEW Training Facility Land Development Plan. The Applicant is the owner of an approximate 5.168 acre tract of land located at 3455 Germantown Pike, Worcester Township, Montgomery County, Pennsylvania in the AGR - Agricultural Zoning District of the Township, being Tax Parcel No. 67-00-01366-007 as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and,

WHEREAS, the Applicant proposes the expansion of the existing training facility, including two new building additions of 7,873 square feet and 8,274 square feet to serve as additional classroom, training and office space as well as expansion of the existing parking lot; and,

WHEREAS, said plan has received a recommendation for preliminary/final plan approval by the Worcester Township Planning Commission at their regularly scheduled meeting on May 26, 2016; and,

WHEREAS, the preliminary/final plan for the proposed land development, prepared by D. L. Howell & Associates, Inc., titled, "IBEW Training Facility at 3455 Germantown Pike" consisting of 14 sheets, dated August 28, 2015, with latest revisions dated May 31, 2016, is now in a form suitable for preliminary/final plan approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan.** The preliminary/final plan prepared by D. L. Howell & Associates, Inc. as described above, is hereby approved, subject to the conditions set forth below.
2. **Conditions of Approval.** The approval of the preliminary/final plan is subject to strict compliance with the following conditions:
 - A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of June 3, 2016.
 - B. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission letter of May 18, 2016.


- C. Compliance with all conditions set forth in the Decision and Order of the Worcester Township Zoning Hearing Board entered on July 23, 2013, and extended by the Decisions and Orders entered on January 28, 2014 and December 22, 2015.
- D. The approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.
- E. Prior to recording the Plans, Applicant shall enter into a Land Development and Financial Security Agreement (“Agreement”) with the Township. The Agreement shall be in a form satisfactory to the Township Solicitor, and the Applicant shall obligate itself to complete all of the improvements shown on the Plans in accordance with applicable Township criteria and specifications, as well as to secure the completion of the public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.
- F. Although the maintenance of all detention basins and surface stormwater drainage easements shall be the responsibility of the Applicant, or his successor or assigns at the Property, Applicant shall, prior to the Township executing the Plans, execute a declaration to reserve easements in favor of the Township so that the drainage facilities may be maintained by the Township, at the Township’s sole discretion, with all expenses being charged to the Applicant, in the event said maintenance responsibilities are not fulfilled by the Applicant after the Township provides reasonable notice to the Applicant to do so. The declaration shall be satisfactory to the Township Solicitor and shall be recorded simultaneously with the Plans.
- G. Applicant shall pay to the Township a Transportation Impact Fee in the amount of \$21,875.00, for seven (7) weekday afternoon peak PM trips at \$3,125.00 per trip. Said payment is to be payable prior to the recording of the preliminary/final plan.
- H. Execution of an Intermunicipal Agreement between the Township of Worcester, the Township of Lower Providence and the Lower Providence Township Sewer Authority, in form satisfactory to the Worcester Township Solicitor, prior to recording of the preliminary/final plan.
- I. Execution of a Sewer Service Agreement in form satisfactory to the Worcester Township Solicitor, which shall be recorded at the time of recording of the preliminary/final.

- J. The Applicant shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation.
 - K. The Applicant shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation.
 - L. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation.
 - M. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Resolution.
 - N. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, and the Agreement shall be borne entirely by the Applicant, and shall be at no cost to the Township.
 - O. Applicant shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hour notice prior to the initiation of any grading or ground clearing, whether for the construction of public improvements or in connection with any portion of the Development.
 - P. Applicant understands that it will not be granted Township building or grading permits until the record plan, financial security, and all appropriate development and financial security agreements, easements, and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.
3. **Waiver.** The Worcester Township Board of Supervisors hereby grants the following waiver requested with respect to this Plan:
- A. Section 130-24.B.(4)(e)[2] of the Worcester Township Subdivision and Land Development Ordinance to allow dewatering time to be greater than twenty-four (24) hours.
4. **Acceptance.** The conditions set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.
5. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plans shall be considered to have received final approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording with the Montgomery County Recorder of Deeds. Applicant shall provide the Township with executed final plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 15th day of June, 2016 by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors


Attest: 
Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and owner of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

**Trustees of the Local Union No. 126
Occupational Safety, Health & Education
Trust Fund**

Date: 6-23-2016

By: 
Steven W. Lutz, Director
(PRINT NAME AND TITLE)



Date: July 20, 2016

Resolution No. 2016-25

Recorded in Court Docket Book

No. _____ Page No. _____

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
ENGINEERING DISTRICT 6-0
7000 GEERDES BOULEVARD
KING OF PRUSSIA, PA 19406-1523

MD2154/16

Gentlemen:

We, the undersigned Board of Township Supervisors of Worcester Township,
Montgomery County, hereby certify that the following described road has been in use by the
Public and has been maintained by the expenditure of township funds for a period of twenty-one (21)
years or more: _____

Length: see Exhibit A attached
Width: _____
Right-of-Way: _____
Type: _____
Location: _____

CLERK OF COURTS
OFFICE
MONTGOMERY COUNTY
PENNA.
2016 JUL 21 AM 11:17

Seal

Supervisors Signature:

[Signature]
Secretary Signature

Amanda Zimmerman
Stephen C. Feigley

Subscribed and sworn to before me this 20th day of July, 2016

My commission expires January 5, 2020

Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Amanda Zimmerman, Notary Public
Worcester Twp., Montgomery County
My Commission Expires Jan. 5, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

[Signature]

EXHIBIT A

street name	length (LF)	width (LF)	ROW (LF)	type	location
Artmar Road	763	20	50	tertiary	225' north of the intersection of Valley Forge Road and Griffith Road
Beyer Lane	548	28	50	tertiary	1,270' west of the intersection of Bean Road and Whitehall Road
Ernest Lane	900	24	60	tertiary	605' south of the intersection of Skippack Pike and Cedars Road
Ethel Avenue	718	20	50	tertiary	735' east of the intersection of Valley Forge Road and Artmar Road
Fieldcrest Way	674	28	50	tertiary	325' south of the intersection of Valley Forge Road and Water Street Road
Hogarth Lane	1,250	30	50	tertiary	780' south of the intersection of Stump Hill Road and Hollow Road
Little Creek Lane	1,384	30	50	tertiary	1,370' west of the intersection of Kriebel Mill Road and Stump Hill Road
Nicole Drive	1,044	30	50	tertiary	355' east of the intersection of Valley Forge Road and Artmar Road
Old Orchard Road	560	24	50	tertiary	1,090' west of the intersection of Skippack Pike and Berks Road
Overhill Drive	1,955	28	50	tertiary	620' north of the intersection of Berks Road and Bean Road
Reiner Road	3,297	26	50	tertiary	at terminus of Spring Hill Road
Shearer Road	1,988	20	60	secondary	1,970' east of the intersection of Valley Forge Road and Skippack Pike
Spring Hill Road	1,703	26	50	tertiary	425' north of the intersection of Trooper Road and Woodlyn Avenue

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-26

**A RESOLUTION TO AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT
WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

WHEREAS, Worcester Township submitted a grant application to the Pennsylvania Department of Transportation Green Light-Go Program, for preventative maintenance improvements at thirteen traffic signals throughout the Township; and,

WHEREAS, the Pennsylvania Department of Transportation has awarded this grant application in the amount of \$4,725; and,


WHEREAS, in order to implement the improvements the Township must first execute a Grant Agreement with the Pennsylvania Department of Transportation, and likewise process other documents required to properly effect the grant award.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Township Manager is authorized to execute Grant Agreement No. 2015GLG087, and any other documents required to properly effect the grant award.

RESOLVED THIS 20TH DAY OF JULY, 2016.

FOR WORCESTER TOWNSHIP

By:



Susan G. Caughlan, Chair
Board of Supervisors

Attest:



Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-27

**A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT
APPROVAL OF CHURCH OF THE NAZARENE OF FAIRVIEW VILLAGE**

WHEREAS, Church of the Nazarene of Fairview Village (hereinafter referred to as "Applicant") has submitted a Land Development plan to Worcester Township and has made application for Preliminary/Final plan approval of a plan known as Building Addition, - Fairview Village Church Plan. The Applicant is the legal owner of an approximate 19.274 acre tract of land located at 3044 Germantown Pike, Worcester Township, Montgomery County, Pennsylvania in the AGR – Agricultural Zoning District of the Township, being Tax Parcel Nos. #67-00-01585-00-4 and #67-00-01585-10-4, as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and

WHEREAS, the Applicant proposes to construct a 2,100 square foot addition to the existing church building; and

WHEREAS, said plan has received a recommendation for preliminary/final plan approval by the Worcester Township Planning Commission at their meeting on July 28, 2016; and

WHEREAS, the preliminary/final plan for the proposed land development, prepared by Woodrow and Associates, Inc., titled, "Building Addition – Fairview Village Church" consisting of 4 sheets, dated May 13, 2016 with no revisions, and a document entitled, "Post Construction Stormwater Management Report" dated May, 2016, is now in a form suitable for preliminary/final plan approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan.** The preliminary/final plan prepared by Woodrow and Associates, Inc. as described above, is hereby approved, subject to the conditions set forth below.
2. **Conditions of Approval.** The approval of the preliminary/final plan is subject to strict compliance with the following conditions:
 - A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of June 28, 2016.
 - B. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission review letter of July 5, 2016.

- C. Compliance with the Decision and Order of the Worcester Township Zoning Hearing Board entered on May 20, 2016 regarding Application No. 16-04.
- D. The approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.
- E. Prior to recording the Plans, Applicant shall enter into a Land Development and Financial Security Agreement ("Agreement") with the Township. The Agreement shall be in a form satisfactory to the Township Solicitor, and the Applicant shall obligate itself to complete all of the improvements shown on the Plans in accordance with applicable Township criteria and specifications, as well as to secure the completion of the public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.
- F. Although the maintenance of all detention basins and surface stormwater drainage easements shall be the responsibility of the Applicant, or its successor or assigns at the Property, Applicant shall, prior to the Township executing the Plans, execute a declaration to reserve easements in favor of the Township so that the drainage facilities may be maintained by the Township, at the Township's sole discretion, with all expenses being charged to the Applicant, in the event said maintenance responsibilities are not fulfilled by the Applicant after the Township provides reasonable notice to the Applicant to do so. The declaration shall be satisfactory to the Township Solicitor and shall be recorded simultaneously with the Plans.
- G. The Applicant's obligation to install sidewalks pursuant to Section 130-18.A of the Worcester Township Subdivision and Land Development Ordinance is deferred until such time as directed by the Township.
- H. The Applicant shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation.
- I. The Applicant shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation.
- J. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation.


- K. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Resolution.
 - L. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, and the Agreement shall be borne entirely by the Applicant, and shall be at no cost to the Township.
 - M. Applicant shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hour notice prior to the initiation of any grading or ground clearing, whether for the construction of public improvements or in connection with any portion of the Development.
 - N. Applicant understands that it will not be granted Township building or grading permits until the record plan, financial security, and all appropriate development and financial security agreements, easements, and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.
3. **Waivers.** The Worcester Township Board of Supervisors hereby grants the following waivers requested with respect to this Plan:
- A. Section 130-16.C. of the Worcester Township Subdivision and Land Development Ordinance – Road frontage improvements;
 - B. Section 130-18.B. of the Worcester Township Subdivision and Land Development Ordinance – curbing to be installed along each side of every residential, secondary or commercial street;
 - C. Section 130-23.A. & C. of the Worcester Township Subdivision and Land Development Ordinance – Setting monuments along right-of-way and permanent markers on all property corners;
 - D. Section 130-23.B. of the Worcester Township Subdivision and Land Development Ordinance – Benchmarks to be on Township Sewer and/or USGS Datum;
 - E. Section 130-28.G. (4) of the Worcester Township Subdivision and Land Development Ordinance – Street trees to be planted;
 - F. Section 130-28.G. (5) of the Worcester Township Subdivision and Land Development Ordinance -Perimeter buffers;

- G. Section 130-28.G. (6) of the Worcester Township Subdivision and Land Development Ordinance - Parking lot buffering;
 - H. Section 130-28.G. (7) of the Worcester Township Subdivision and Land Development Ordinance – One shade tree per 50 LF of basin perimeter;
 - I. Section 130-33.C. of the Worcester Township Subdivision and Land Development Ordinance - Proving existing features within 500 feet of any part of the land development being subdivided;
 - J. Section 130-33.G. of the Worcester Township Subdivision and Land Development Ordinance – Providing a natural resource protection plan; and
 - K. Section 130-24.B.(4)(e)[2] of the Worcester Township Subdivision and Land Development Ordinance – seepage bed to drain within 24 hours.
4. **Acceptance.** The Conditions of Approval set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.
5. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plans shall be considered to have received final approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording with the Montgomery County Recorder of Deeds. Applicant shall provide the Township with executed final plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 17th day of August, 2016 by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: 
 Susan G. Caughlan, Chair
 Board of Supervisors

Attest: 
 Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and owner of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

**CHURCH OF THE NAZARENE OF
FAIRVIEW VILLAGE**

Date: Sept 13th 2016

By: J. A. Ginter
Jerry A. Ginter Executive Director
(PRINT NAME AND TITLE)

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-28

**A RESOLUTION TO DISPOSE OF CERTAIN PUBLIC RECORDS
IN ACCORDANCE WITH THE MUNICIPAL RECORDS ACT AND
THE MUNICIPAL RECORDS MANUAL, AS AMENDED**

WHEREAS, Worcester Township (“Township”) declared its intent to follow the public records retention schedule and disposal procedures as set forth in the *Municipal Records Manual*, as last revised, and as published by the Pennsylvania Historical and Museum Commission; and,

WHEREAS, in accordance with Act 428 of 1968, as last amended, each individual act of public record disposition shall be approved by a resolution adopted by the governing body;


NOW, THEREFORE, BE IT RESOLVED: the Board of Supervisors hereby authorizes the Township Secretary to dispose of the following public records:

- AL-1(2)** General correspondence files and housekeeping records - 2010 and prior
- AL-8(1)** Bids, Proposals, Price Quotes and Qualified Contractor Memos - 2002 and prior
- AL-8(2)** Bid Contracts and Agreements - 2002 and prior
- AL-12(4)** Ethics Commission Statements of Financial Interest - 2010 and prior
- AL-17** Insurance Policies - 2010 and prior
- AL-20** Liquid Fuel Tax Records - 2008 and prior
- AL-24(2)** Recordings of Public Meetings - 2015 and prior
- AL-35** Public Meeting/Hearing Notices and Proof of Publications - 2005 and prior
- AL-46** Right to Know Requests - 2012 and prior
- FN-2** Accounts Payable Files and Ledgers - 2008 and prior
- FN-3** Accounts Receivable Files and Ledgers- 2008 and prior
- FN-8** Balance Sheet - 2008 and prior
- FN-9** Bank Statements and Reconciliations - 2008 and prior
- FN-10** Cancelled Checks - 2008 and prior

- FN-11** Check Registers - 2008 and prior
- FN-13** Deposit Slips - 2008 and prior
- FN-18** Purchase Order Files - 2008 and prior
- PS-10** Job Descriptions and Announcements - 2013 and prior
- TA-6** Tax Ledgers and Related Records - 2000-2006
- TA-13** Tax Collector's Reports - 2000-2006

RESOLVED THIS 17TH DAY OF AUGUST, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

2016-29



RESOLUTION PAGE

COMMONWEALTH OF PENNSYLVANIA www.dcnr.state.pa.us/grants

DCNR-2015-C2P2-16 Application Information (*Indicates required information) Applicant/Grantee Legal Name: Worcester Township Web Application ID: 1102047 Project Title: Zacharias Creek Riparian Buffer Project

WHEREAS, Worcester Township

("Applicant") desires to undertake the following project Zacharias Creek Riparian Buffer Project; and (Project Title)

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

- 1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of Township Manager. 2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing. 3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement. 4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the TITLE specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the Worcester Township Board of Supervisors (identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of the applicant this 17th day of August 2016

Secretary (Signature of the Secretary of the governing body)

DCNR USE ONLY

Project Number:

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-30

**A RESOLUTION TO CERTIFY THE WORCESTER TOWNSHIP
AGRICULTURAL SECURITY AREA, WITH MODIFICATIONS**

WHEREAS, the Worcester Township Board of Supervisors wishes to conduct a seven year certification of its Agricultural Security Area ("ASA"), in accordance with the Agricultural Area Security Law, Act of June 30, 1981, P.L. 128, No. 43, §2, as revised ("Act"), and,

WHEREAS, the Board of Supervisors has complied with and completed the procedures and considerations set forth in Sections 5, 6 and 7 of the Act; and,

WHEREAS, after a duly advertised Public Hearing, and after consideration of the factors noted in Section 7 of the Act, the Board of Supervisors desires to certify certain properties currently enrolled in ASA, and to approve the deletion of one property currently enrolled in the ASA, as noted on Exhibit A attached hereto.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 21st day of September, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

EXHIBIT A

PROPERTIES TO BE RETAINED

OWNER OF RECORD	ADDRESS	TAX PARCEL NO(s)	ACRES
BRYANT	1809 VALLEY FORGE ROAD	67-00-01075-00-1	51.0
BURGOON	1440 KRIEBEL MILL ROAD	67-00-01951-00-7	15.0
BURKEY	1743 GREEN BRIAR DRIVE	67-00-02808-00-5	25.0
CHAMBERS	1570 CHURCH ROAD	67-00-00608-00-9; 67-00-00610-00-7	97.0
CROSSROADS REALTY COMPANY	WHITEHALL ROAD; 1600 POTSHOP ROAD	67-00-04102-00-7; 67-00-02797-00-7	116.1
CUCE	WENTZ CHURCH ROAD; BARLEY LANE	67-00-00116-60-9; 67-00-04024-01-3; 67-00-04024-02-2; 67-00-04021-11-2; 67-00-04024-20-2; 67-00-04026-00-2; 67-00-00116-68-1; 67-00-00116-70-8; 67-00-04006-00-4	38.0
DELAWARE VALLEY COLLEGE	606 DEKALB PIKE	56-00-08830-00-6; 56-00-3679-00-9; 56-00-8806-00-3; 56-00-3607-00-9; 56-00-0012-00-6	124.4
D'LAURO	1415 VALLEY FORGE ROAD	67-00-01024-00-7	30.4
FARMS, INC	VALLEY FORGE ROAD	67-00-01022-40-5	2.2
FIRST NIAGARA BANK	3090 GERMANTOWN PIKE	67-00-01579-00-1	30.0
FMS DEVELOPMENT LLC	1607 WHITEHALL ROAD	67-00-04099-00-1	29.0
GLS / SMITH	1415 KRIEBEL MILL ROAD	67-00-02011-00-1	24.0
GRAHAM	1515 VALLEY FORGE ROAD	67-00-00892-50-8	20.0
HARRIS	1133 KRIEBEL MILL ROAD	67-00-02002-00-1	59.0
WILLOW CREEK FARMS	3220 HEEBNER ROAD	67-00-01360-00-4	134.0
KRANICH	3461 GERMANTOWN PIKE	67-00-01369-00-4	25.0
M.B. INVESTMENTS	3001 MILL ROAD	67-00-02350-00-4	29.2
M.B. INVESTMENTS	1224 VALLEY FORGE ROAD	67-00-00871-00-7	38.5
M.B. INVESTMENTS	3229 GERMANTOWN PIKE	67-00-01399-00-1	17.5
M.B. INVESTMENTS	3243 GERMANTOWN PIKE	67-00-01397-00-3	9.9
MARKEL	1125 MERRYBROOK ROAD	67-00-02173-00-1	42.0
MARKLEY REVOC TRUST	2325-2407 CHESTNUT STREET	63-00-01108-00-8	44.0
MCGRANE	3025 STUMP HALL ROAD	67-00-03550-00-1	16.4

MCKEOWN	2365 HICKORY ROAD	49-00-08092-00-4; 49-00-08083-00-4; 49-00-04936-00-1	27.4
MED-O-VIEW LLC	2119 SCHULTZ ROAD	67-00-03014-00-6	33.0
MONTGOMERY COUNTY	2851 SKIPPACK PIKE	67-00-03238-20-5	15.0
SOUTHFIELD FARMS	HOLLOW ROAD	67-00-01270-00-4; 67-00-30539-00-3	27.6
OCELUS	2815 SKIPPACK PIKE	67-00-03241-00-4	29.0
PALMER	2920 SKIPPACK PIKE	67-00-03223-00-4; 67-00-03427-00-7; 67-00-03424-00-1	55.2
PERGOLESE	1152 VALLEY FORGE	67-00-00865-00-4	10.0
RAPOZA	1857 BERKS ROAD	67-00-00283-50-5	7.0
RIEGER	1443 HOLLOW ROAD; 3239 WATER STREET ROAD	67-00-01322-03-3; 67-00-03850-00-7	20.8
ROTHENBERGER FAMILY PARTNERSHIP	2222 VALLEY FORGE ROAD	67-00-00946-00-4; 67-00-02491-00-7	120.0
RUPP, INC.	501 HANCOCK ROAD	56-00-03685-00-3	108.0
SCARLETT	2064 SHEARER ROAD	67-00-03097-55-3	54.0
SMITH	3120 FISHER ROAD	67-00-01190-00-3	10.0
SMITH	3102 FISHER ROAD	67-00-01195-00-7	22.5
STEIGERWALT	1028 GRANGE AVENUE	67-00-01642-00-1	11.0
STUMP HALL ROAD ASSOCIATES LLC	CHURCH ROAD	67-00-00661-00-1	56.0
TAGUE	2162 SCHULTZ	67-00-02986-00-7	17.3
TOWNSHIP	VALLEY FORGE ROAD	67-00-03826-23-8	46.0
VALERI	2015 BERKS ROAD	67-00-00280-50-8	6.0
MANDERLEY LARMS LLC	250 PENLLYN BLUE BELL PIKE	66-00-05410-00-5; 66-00-05410-00-4	72.2
WOOD FARMS LLP	1416 KRIEBEL MILL ROAD	67-00-01948-00-1	30.0

PROPERTY TO BE REMOVED

OWNER OF RECORD	ADDRESS	TAX PARCEL NO(s)	ACRES
SPRANGO LAND PARTNERSHIP III LP	2806 SKIPPACK PIKE	67-00-03448-00-4	4.0

2016-31



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

DEP Code No.
1-46962-184-3s

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of WORCESTER
(TOWNSHIP) (BOROUGH) (CITY), MONTGOMERY COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS DAVID BURNS has proposed the development of a parcel of land identified as
land developer

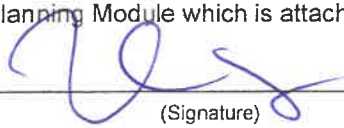
VALLEY FORGE RD TREATMENT FACILITY, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify). SMALL FLOW TREATMENT FACILITY (SFTF)

WHEREAS, WORCESTER TOWNSHIP finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of WORCESTER hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I , Secretary, Worcester
(Signature)

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 2016-31, adopted, September 21, 20 16.

Municipal Address:

WORCESTER TOWNSHIP
1721 VALLEY FORGE ROAD
WORCESTER, PA 19464
Telephone 610-584-1410

*Seal of
Governing Body*

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-32

A RESOLUTION TO DESIGNATE A DEPOSITORY FOR TOWNSHIP FUNDS


WHEREAS, Section 708 of the Commonwealth of Pennsylvania Second Class Township Code requires the Board of Supervisors to appoint a depository for Township funds; and,

WHEREAS, First Niagara Bank, a Township-appointed depository for Township funds, will transition to Key Bank on or about October 11, 2016;

NOW, THEREFORE, BE IT RESOLVED: the Board of Supervisors hereby appoints Key Bank to serve as a depository of Township funds, effective at the time of the above-noted transition.

RESOLVED THIS 21ST DAY OF SEPTEMBER, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-33

**A RESOLUTION TO APPROVE THE ISSUANCE BY THE
HATFIELD TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY
OF ITS ISSUANCE OF A TAX-EXEMPT BOND FOR A FACILITY
LOCATED IN THE TOWNSHIP; AND AUTHORIZING THE TAKING
OF ALL SUCH ACTS NOT INCONSISTENT WITH THIS RESOLUTION**

WHEREAS, the Hatfield Township Industrial Development Authority (“Authority”) has approved the application (“Application”) of the Church of the Nazarene of Fairview Village (“Applicant”) for aid in financing a project, as described below; and,

WHEREAS, the project consists of financing of all or a portion of a project (“Project”) comprising the (i) refunding of certain outstanding debt, the proceeds of which were used to improve the Applicant’s property and finance certain capital expenditures related thereto, (ii) to refinance certain bond issuance costs, and (iii) construction of certain improvements to the church facility; and,

WHEREAS, the Authority and the Applicant have requested Worcester Township to approve the issuance by the Authority of the Authority’s bond in the amount not to exceed \$3,200,000.00, pursuant to Sections 103 and 147(f) of the Internal Revenue Code of 1986, as amended (“Code”), to provide funds, together with other available funds, which will be used to finance the costs of the Project; and,

WHEREAS, pursuant to public notice, the Authority has conducted a hearing on said Application at which hearing all interested persons were invited to attend and comment.


NOW, THEREFORE, the Board of Supervisors of Worcester Township hereby resolves, as follows:

1. The issuance by the Authority of its bond in the amount not to exceed \$3,200,000 to assist Applicant in the financing of the Project, is hereby approved.
2. The Board of Supervisors of Worcester Township is authorized and directed to deliver this Resolution on behalf of Worcester Township and to do all other acts as may be necessary to carry this Resolution into effect, provided, however that Worcester Township shall incur no liability hereunder.
3. The Chairman of the Board of Supervisors is hereby appointed and directed as the applicable representative of the Board of Supervisors of Worcester Township for the purposes of signing a certification of applicable representative pursuant to the Act and the Code. The said applicable representative is authorized to execute all such approvals, applications, and/or other documents necessary or convenient to facilitate the project contemplated herein.

4. Nothing contained herein shall cause Worcester Township to incur any liability, general or otherwise, by reason of the Project or the obligation of the Authority to finance the same, nor shall the same be deemed to pledge the credit or general taxing power of Worcester Township.
5. This approval is for the exclusive purposes of designating the applicable representative of Worcester Township and providing the approval of the development of the project by the governing body of the location of the project as required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), and the Act. It does not constitute any zoning, land use, land development or other approval.
6. All prior resolutions or parts thereof inconsistent herewith, are hereby repealed.

RESOLVED THIS 19TH DAY OF OCTOBER, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

Appendix II – Authorized Official Resolution

Be it RESOLVED, that the Worcester Township (Name of Applicant) of Montgomery Co. (Name of County) hereby request an PA Small Water and Sewer Program grant of \$ 73,203.00 from the Commonwealth Financing Authority to be used for Adair Area Sewer System and Pumping Station.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Tommy Ryan (Name and Title) and Township Manager (Name and Title) as the official(s) to execute all documents and agreements between the Worcester Twp. (Name of Applicant) and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Tommy Ryan, duly qualified Secretary of the Worcester Twp. (Name of Applicant), _____ (Name of County) Montgomery County PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Board of Supervisors (Governing Body) at a regular meeting held 10/19/16 (Date) and said Resolution has been recorded in the Minutes of the Worcester Township (Applicant) and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Worcester Twp (Applicant), this 19 day of 10, 2016.

Worcester Township
Name of Applicant

Montgomery
County


Secretary

TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 2016-35

A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL
OF A PLAN OF THE SPANG PROPERTY MINOR SUBDIVISION PLAN

WHEREAS, Kenneth and Diana Spang ("Applicants") have submitted a Plan of subdivision to Worcester Township and have made application for Preliminary/Final Plan Approval of the Plan known as Spang Property Minor Subdivision Plan ("Plan"). The Applicants are owners of the property located at 1849 and 1853 Green Hill Road, Worcester Township, Montgomery County, Pennsylvania in the LPD - Land Preservation District of the Township being Tax Parcel Nos. 67-00-01732-317 and 67-00-01732-426 ("Property") as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and

WHEREAS, Applicants propose a lot line adjustment at the Property to realign the flag portion of the lot in order to provide a better location for the access driveway to the proposed house, as shown on the Plan prepared by Holmes Cunningham LLC, sheet 1 of 1, dated October 11, 2016, with no revisions; and

WHEREAS, the Plan has received a recommendation for Preliminary/Final Plan Approval by the Worcester Township Planning Commission at their regularly scheduled meeting on November 10, 2016; and

WHEREAS, the Plan has received a recommendation for approval by the Montgomery County Planning Commission by letter dated November 7, 2016, the Montgomery County Lands Trust by letter dated October 28, 2016 and Township Engineer by letter dated October 21, 2016; and

WHEREAS, the Preliminary/Final Plan for the proposed land development is now in a form suitable for Preliminary/Final Plan Approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW THEREFORE, IN CONSIDERATION OF THE FOLLOWING

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan.** The Preliminary/Final Plan prepared by Holmes Cunningham Engineering as described above, is hereby approved, subject to the conditions set forth below.

2. Conditions of Approval. The approval of the preliminary/final plan is subject to strict compliance with the following conditions:

A. the Applicants shall install permanent boundary monuments as noted in the letter of the Montgomery County Lands Trust addressed to Applicants, dated October 28, 2016;

B. the Applicants shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation;

C. the Applicants shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation;

D. the Applicants shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation;

E. the Applicants shall execute and record such Deeds of Confirmation necessary to effectuate the lot line change, in form satisfactory to the Township Solicitor and Township Engineer. Such Deeds shall be recorded simultaneously with the Plans;

F. the cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, and this Resolution, shall be borne entirely by the Applicants, and shall be at no cost to the Township;

G. Applicants understand that it will not be granted Township building or grading permits until the record Plan, and all appropriate development and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.

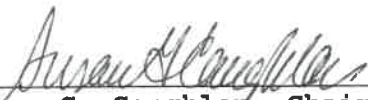
3. Acceptance. The conditions set forth in paragraph 2 above shall be accepted by the Applicants, in writing, within ten (10) days from the date of receipt of this Resolution.

4. Effective Date. This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicants in writing.

BE IT FURTHER RESOLVED that the Plan shall be considered to have received final approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording with the Montgomery County Recorder of Deeds. Applicant shall provide the Township with executed final plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 16th day of November, 2016 by the Worcester Township Board of Supervisors.

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

By: 
Susan G. Caughlan, Chair

Attest:


Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicants and owners of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicants and the owners and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.


APPLICANTS

Date: 11/30/16



Kenneth Spang

Date: Nov. 30, 2016



Diana Spang

TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 2016-36

A RESOLUTION TO GRANT PRELIMINARY APPROVAL
OF 3130 SKIPPACK PIKE MINOR SUBDIVISION PLAN

WHEREAS, Sparango Land Partnership II, LP ("Applicant") has submitted a plan of subdivision to Worcester Township and has made application for Preliminary Plan Approval of a plan known as "3130 Skippack Pike Minor Subdivision Plan". The Applicant is owner of an approximate 11.7474 acre tract of land located at 3130 Skippack Pike, Worcester Township, Montgomery County, Pennsylvania in the LPD Land Preservation District of the Township, being parcel no. 67-00-03380-009 as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and

WHEREAS, the Applicant proposes to subdivide the property into two lots, with no proposed dwelling units; and

WHEREAS, said Plan has received a recommendation for Preliminary Plan Approval by the Worcester Township Planning Commission at its regularly scheduled meeting on November 10, 2016 and received a letter of support from the Montgomery County Planning Commission by letter dated November 7, 2016; and

WHEREAS, the preliminary plan for the proposed subdivision was prepared by Joseph M. Estock Consulting Engineers & Land Surveyors, titled, "3130 Skippack Pike Preliminary Minor Subdivision Plan" consisting of 2 sheets, dated October 17, 2016 with no revision (the "Preliminary Plan"); and

WHEREAS, the Preliminary Plan is now in a form suitable for Preliminary Plan Approval by the Worcester Board of Supervisors, subject to certain conditions.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township as follows:

1. Approval of Plan. The Preliminary Plan prepared by Joseph M. Estock Consulting Engineers & Land Surveyors as described above is hereby granted Preliminary Approval, subject to the conditions set forth below.
2. Conditions of Approval. The approval of the Preliminary Plan is subject to strict compliance with the following conditions:
 - A. The Applicant shall obtain a variance from the Zoning Hearing Board to allow a lot width less than 250 feet at the street line at Lot 2, prior to the submission of a Final Plan of subdivision;
 - B. The Applicant shall comply with all comments and conditions set forth in the CKS Engineers, Inc. letter of October 24, 2016, prior to the approval of a Final Plan of subdivision;
 - C. Following approval of the Final Plan, the Applicant shall provide to the Township for signature that number of Final Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Final Plans to be retained by the Township, and the Applicant shall have all Final Plans recorded, and the Applicant return the three (3) Final Plans to the Township within seven (7) days of Plan recordation;
 - D. The Applicant shall provide a copy of the recorded Final Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of recordation;
 - E. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Final Plan recordation;
 - F. The Applicant shall execute and record such Deeds of Confirmation necessary to effectuate the minor subdivision, in form satisfactory to the Township Solicitor and Township Engineer. Such Deeds shall be recorded simultaneously with the Final Plan;
 - G. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plan, notes to the Plan, this Resolution, the Final Approval Resolution and any required agreements shall be borne entirely by the Applicant, and shall be at no cost to the Township;
 - H. Applicant understands that it will not be granted Township building or grading permits until the Final Plan, and all appropriate development agreements, easements, and other

required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.


3. **Acceptance.** The conditions set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.

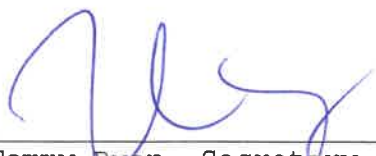
4. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plan shall be considered to have received Preliminary Approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff. This approval **DOES NOT** represent nor constitute Final Plan Approval. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of November, 2016.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

ACCEPTANCE

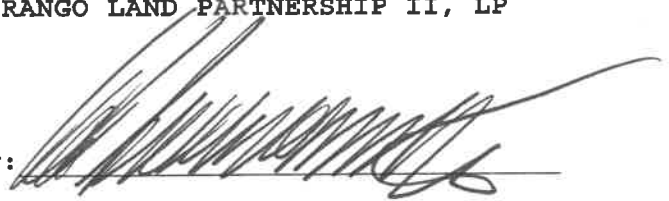
The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and owner of the property which is the subject matter of this Resolution, that he/she has reviewed the

Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

SPRANGO LAND PARTNERSHIP II, LP

Date: 12/1/16

By:



PAT SPRANGO PRESIDENT

(PRINT NAME AND TITLE)

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-37

**A RESOLUTION TO GRANT PRELIMINARY APPROVAL OF
A PLAN OF SUBDIVISION AND LAND DEVELOPMENT FOR WHITEHALL ESTATES**

WHEREAS, Whitehall Development Partners, LP ("Applicant") has submitted a Plan of Subdivision and Land Development to Worcester Township and has made application for Preliminary Plan Approval of the Plan known as Whitehall Estates. The Applicant is the owner in equity of three parcels totaling approximately 117.10 acres, situate between Whitehall Road and Potshop Road, in the AGR-Agricultural Zoning District, said parcels being Tax Parcel Nos. 67-00-04102-00-7, 67-00-02797-00-7 and 67-00-04099-00-1, as more fully described in Deeds recorded in the Montgomery County Recorder of Deeds Office; and,

WHEREAS, the Applicant proposes the development of a total of 39 lots. Proposed are 38 single-family detached lots, including 36 lots to build new single-family detached units, to be located on two new public roadways extending from Whitehall Road, one lot fronting on Whitehall Road (Parcel A) and one large estate lot (Parcel B) on Potshop Road. A 39th lot (Parcel C) is a remnant of land located on the westerly side of Potshop Road and is proposed as a future building lot; and

WHEREAS, the Plan received a recommendation for Preliminary Plan Approval by the Worcester Township Planning Commission at their meeting on November 10, 2016; and

WHEREAS, the Preliminary Plan of Subdivision and Land Development was prepared by Graf Engineering, LLC, sheets 1 to 41, inclusive, dated December 3, 2015 and last revised October 19, 2016, known as Whitehall Estates ("Preliminary Plan"); and

WHEREAS, the Preliminary Plan is now in a form suitable for Preliminary Plan Approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. Approval of Plan. The Preliminary Plan proposed by Graf Engineering, LLC as described above is hereby granted Preliminary Approval, subject to the conditions set forth below.
2. Conditions of Approval. The approval of the Preliminary Plan is subject to strict compliance with the following conditions:
 - A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of October 12, 2016, relative to the Planning Module.
 - B. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of November 7, 2016, relative to the Plan.
 - C. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission review letter of January 8, 2016.
 - D. Payment to the Township of a Traffic Impact Fee, in the total amount of \$125,000, which shall be paid on a per lot basis and at the time of submission of a building permit application for each of the dwellings to be built on 37 lots, in the amount of \$3,378.37 per lot.
 - E. The approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.
 - F. Prior to recording the Final Plan, Applicant shall enter into a Land Development and Financial Security Agreement ("Agreement") with the Township. The Agreement shall be in a form satisfactory to the Township Solicitor, and the Applicant shall obligate itself to complete all of the improvements shown on the Plans in accordance with applicable Township criteria and specifications, as well as to secure the completion of the public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.
 - G. Following approval of the Final Plan, the Applicant shall provide to the Township for signature that number of Final Plans required for recordation and filing with the various

Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation.

- H. The Applicant shall provide a copy of the recorded Final Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation.
 - I. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Final Plan recordation.
 - J. The Development shall be constructed in strict accordance with the content of the Final Plan, notes on the Plan and the terms and conditions of this Resolution and the Resolution of Final Plan Approval.
 - K. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, the Final Approval Resolution, and any required agreements shall be borne entirely by the Applicant, and shall be at no cost to the Township.
 - L. Applicant shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hour notice prior to the initiation of any grading or ground clearing, whether for the construction of public improvements or in connection with any portion of the Development.
 - M. Applicant understands that it will not be granted Township building or grading permits until the Final Plan, financial security, and all appropriate development and financial security agreements, easements, and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.
3. **Waivers.** Unless stated otherwise in this Resolution, this Preliminary Plan Approval shall not constitute the granting of any additional waivers or deferrals except as set forth herein. All additional requested waivers and deferrals will be considered at the time of Final Plan Approval. If the Final Plan is not

compliant with the Zoning or Subdivision and Land Development Ordinance of the Township, then this approval does not grant permission for said noncompliance because at the time of Final Plan Approval, the Township will either permit the noncompliance by additional waivers or will deny the additional waiver request and, possibly, deny the Final Plan.

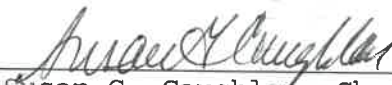
The Worcester Township Board of Supervisors hereby grants the following waivers requested with respect to this Plan:


- A. § 130-16.B.2.a of the Worcester Township Subdivision and Land Development Ordinance - minimum centerline radius of 150 feet;
 - B. § 130-16.B.4.d and Section 130-16.E.7 of the Worcester Township Subdivision and Land Development Ordinance - maximum street grade of three percent within 50 feet of an intersection to a main thoroughfare, at Road B;
 - C. § 130-16.C.1.a.4 of the Worcester Township Subdivision and Land Development Ordinance - minimum roadway width;
 - D. § 130-17.B.2. of the Worcester Township Subdivision and Land Development Ordinance - minimum 40 feet between a driveway and a street intersection, at Lot 34;
 - E. § 130-24.B.3.j of the Worcester Township Subdivision and Land Development Ordinance - minimum three feet of cover for storm sewer pipes, at Storm Systems C3-C4, A9-A12, A9-A10 and A10-A11;
 - F. § 130-28.G.5 of the Worcester Township Subdivision and Land Development Ordinance - minimum softening buffers along the property boundary; and,
 - G. § 130-33.B.1 of the Worcester Township Subdivision and Land Development Ordinance - show all features within 2,000 feet of the property boundary.
4. **Acceptance.** The Conditions of Approval set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.
 5. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plan shall be considered to have received Preliminary Plan Approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff. This approval **DOES NOT** represent nor constitute Final Plan Approval. Any changes to the approved site Plan will require the submission of an amended site Plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 16th day of November, 2016 by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors


Attest: 
Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and equitable owner of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the equitable owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

WHITEHALL DEVELOPMENT PARTNERS, LP

Date: 11/17/2016

By: 
Brennan Marion, VP
(PRINT NAME AND TITLE)

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2016-38

**A RESOLUTION TO AUTHORIZE SUBMISSION OF A GRANT APPLICATION
TO THE PECO GREEN REGION OPEN SPACE PROGRAM**

WHEREAS, the Township of Worcester ("Township") desires to undertake the Heyser Field Improvement Project; and,

WHEREAS, the Township desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and,

WHEREAS, the Township has received and the Township understands the 2016 PECO Green Region Open Space Program Guidelines.

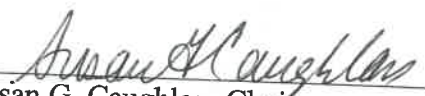
THEREFORE, BE IT RESOLVED THAT the Township Board of Supervisors hereby approves this project and authorizes an application be made to the PECO Green Region Open Space Program in the amount of \$10,000; and,

BE IT FURTHER RESOLVED, THAT, if the application is granted, the Township commits to the expenditure of matching funds in the amount of \$10,000 necessary for the project's success.

RESOLVED THIS 21ST DAY OF DECEMBER, 2016.


FOR WORCESTER TOWNSHIP

By:



Susan G. Caughlan, Chair
Board of Supervisors

Attest:



Tommy Ryan, Secretary