

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS
REORGANIZATION MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, JANUARY 3, 2011 at 11 A.M.**

CALL TO ORDER by Arthur Bustard at 11:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[X]
SUSAN CAUGHLAN	[X]

INFORMATIONAL ITEMS

The Annual Organization Meeting of the Elected Auditors will take place on Tuesday January 4, 2011 at 8:00 A.M., at the Worcester Township Community Hall, Fairview Village, PA.

The Department of Defense is soliciting public comments on the environmental assessment conducted by the U.S. Army concerning the potential environmental and socioeconomic effects of the disposal and reuse of the North Penn Memorial United States Army Reserve Center on Berks Road. The 30-day comment period began on December 20, 2010 and ends on January 18, 2011. A copy of the EA will be available for review at the Montgomery County - Norristown Public Library. A link to the EA and further information will also be placed on the Township's website.

1. **Motion to Appoint a Temporary Chairperson:** Supervisor Caughlan moved to appoint Supervisor Bustard as Temporary Chairman. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.
2. **Motion to Appoint a Temporary Secretary:** Supervisor Caughlan moved to appoint David Burman as Temporary Secretary. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.
3. **Motion to Appoint a Chairperson for Calendar Year 2011:** Supervisor Caughlan moved to appoint Supervisor Bustard as Chairman for calendar year 2011. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.
4. **Motion to Appoint a Vice-Chairperson for Calendar Year 2011:** Supervisor Quigley moved to appoint Supervisor Caughlan as Vice-Chairperson for calendar year 2011. Supervisor Bustard seconded the motion. There were no comments from the public. The motion passed unanimously.
5. **Consideration and Adoption of Resolution 11-01 Entitled "Reorganization":** Chairman Bustard stated that the Board will consider adoption of the Reorganization Resolution as a single motion, which is traditionally the way it has been. Chairman Bustard stated that the

Board would have a public discussion and then open it up to public comments.

Supervisor Caughlan offered the name of David Burman as Township Manager and Supervisor Quigley and Chairman Bustard concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that the Township Manager has normally also filled the position of Secretary. Supervisors Caughlan and Quigley concurred that Dave Burman should fill the role of Secretary. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that Eunice Kriebel has filled the role of Assistant Township Manager in the past. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that Eunice Kriebel has filled the role of Treasurer, as well. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that Eunice Kriebel has filled the role of Assistant Secretary, as well. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Supervisor Caughlan offered the name of Thomas Bookheimer as Roadmaster. Supervisor Quigley and Chairman Bustard concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard indicated that Tiffany Loomis has been serving as Zoning Officer. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that Joseph Nolan of CKS Engineers has been serving as Township Engineer. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that Joseph Nolan of CKS Engineers and Russ Davis of Keystone Municipal Services have been serving as Assistant Zoning Officers. Supervisor Caughlan asked whether the Township Manager should be appointed Assistant Zoning Officer, as well. Chairman Bustard disagreed and Supervisor Quigley stated he had no problem with Chairman Bustard's approach. Based on the discussion, Mr. Burman entered the names of Joe Nolan and Russ Davis on the screen in the front of the room.

Supervisor Bustard indicated that Russ Davis of Keystone Municipal Services has been serving as Building Code Official. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that James Garrity of Wisler Pearlstine has been serving as Solicitor. Supervisor Caughlan concurred. Supervisor Quigley disagreed. Based on the discussion, Mr. Burman entered James Garrity's name on the screen in the front of the room.

Chairman Bustard noted that the Zoning Hearing Board Solicitor has been Bob Brant of Robert L. Brant & Associates. Supervisor Caughlan concurred. Supervisor Quigley asked if

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that was separate from the Township Solicitor. Chairman Bustard stated that it was. Supervisor Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard offered the name of Gordon Todd for Vacancy Board Chairman. Supervisors Caughlan and Quigley concurred. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that the Delegates to the Annual Convention of the Pennsylvania State Association of Township Supervisors are typically the three Supervisors and the Township Manager. Supervisors Caughlan and Quigley concurred. Mr. Burman indicated such on the screen in the front of the room.

Supervisors Quigley and Caughlan offered the name of Chairman Bustard as the voting delegate to the Annual Convention of the Pennsylvania State Association of Township Supervisors. Mr. Burman entered the name on the screen in the front of the room.

Chairman Bustard noted that a number of applications have been received for the position of Zoning Hearing Board member. Supervisor Caughlan offered the name of Michael Libor. Supervisor Quigley asked if this was going to be discussed. Chairman Bustard indicated that is what the Board is doing. Supervisor Quigley offered the name of Jim Phillips for the position of Zoning Hearing Board member. Chairman Bustard concurred with Supervisor Caughlan's name of Michael Libor. Supervisor Quigley noted that Mr. Libor's work involved building, and historically Worcester has tried to stay away from appointing builders to the Zoning Hearing Board. Supervisor Caughlan stated that Mr. Phillips was a builder. Supervisor Quigley noted that Mr. Phillips was an airplane pilot, by trade, noting the distinction that Mr. Phillips' wife is a builder. Chairman Bustard noted that this discussion did not sway his favor for appointing Mr. Libor as a Zoning Hearing Board member. Based on the discussion, Mr. Burman entered the name of Michael Libor on the screen in the front of the room.

Chairman Bustard noted that Caesar Gambone is the current alternate to the Zoning Hearing Board, and that Mr. Gambone has indicated that he is still interested in serving, although a number of other residents have expressed their interest in serving in this capacity. Supervisor Caughlan offered the name of Caesar Gambone, citing his experience with the trades. Supervisor Quigley offered the name of Jim Phillips to serve as Zoning Hearing Board alternate. Chairman Bustard concurred with the name of Caesar Gambone. Supervisor Caughlan expressed concern with Mr. Phillips' affiliation with builders, citing the potential for future conflicts. Supervisor Quigley expressed his confusion regarding Supervisor Caughlan's comments, given the earlier nomination by Supervisor Caughlan of someone who is involved with people who build homes to the Zoning Hearing Board. Chairman Bustard disagreed with Supervisor Quigley's characterization of Mr. Libor's affiliations, citing that Mr. Libor is an attorney who specializes in lots of different types of law. Supervisor Quigley stated that Mr. Libor represents builders. Chairman Bustard noted that Mr. Libor represents lots of other people besides builders. Supervisor Caughlan noted that she did not see any of Worcester's builders on Mr. Libor's client list. Supervisor Caughlan inquired as to whether Mr. Gambone's nomination was accepted. Chairman Bustard stated that he had seconded the nomination. Based on the discussion, Mr. Burman entered the name of Caesar Gambone on the screen in the front of the room.

Chairman Bustard noted that several people had expressed interest in serving on the Planning

Commission. Supervisor Caughlan offered the name of Paul Ziegler to serve on the Planning Commission, citing his experience with "on-the-ground" building and his ability to read building plans. Supervisor Quigley nominated Rick DeLello to serve on the Planning Commission, citing Mr. DeLello's involvement in the Township for the past several years. Chairman Bustard noted that Paul Ziegler has expressed his interest in becoming more involved, citing Mr. Ziegler's experience in the road paving business. Based on the discussion, Mr. Burman entered the name of Paul Ziegler on the screen in the front of the room.

Chairman Bustard noted the holiday schedule presented on the screen in the front of the room, as follows:

New Year's Day	(Observed) Friday, December 31, 2010
Presidents' Day	Monday, February 21, 2011
Good Friday	Friday, April 22, 2011
Memorial Day	Monday, May 30, 2011
Independence Day	Monday, July 4, 2011
Labor Day	Monday, September 5, 2011
Thanksgiving Day	Thursday, November 24, 2011
Day after Thanksgiving	Friday, November 25, 2011
Christmas Day	Monday, December 26, 2011
New Year's Eve	No Holiday Observed This Year
New Year's Day	Monday, January 2, 2012

Chairman Bustard asked whether there were any problems with any of the dates listed. Supervisor Caughlan asked Mr. Burman whether there were any potential conflicts. Mr. Burman reported that staff had gone through the list carefully and did not foresee any conflicts with anything that the Board had planned.

Chairman Bustard noted the Board of Supervisors meeting schedule presented on the screen in the front of the room, as follows:

<u>Regular Meetings - 7:30 PM</u>	<u>Worksessions - Time TBD</u>
Wednesday, January 19, 2011	
Wednesday, February 16, 2011	Monday, February 7, 2011
Wednesday, March 16, 2011	Monday, March 7, 2011
Wednesday, April 20, 2011	Monday April 4, 2011
Wednesday, May 18, 2011	Monday, May 2, 2011
Wednesday, June 15, 2011	Monday, June 6, 2011
Wednesday, July 20, 2011	Tuesday, July 5, 2011
Wednesday, August 17, 2011	Monday, August 1, 2011
Wednesday, Sept 21, 2011	Tuesday, September 6, 2011
Wednesday, Oct 19, 2011	Monday, October 3, 2011
Wednesday, Nov 16, 2011	Monday November 7, 2011
Wednesday, Dec 21, 2011	Monday, December 5, 2011

Supervisor Caughlan asked whether the Wednesday meetings had been reviewed for any potential conflicts. Mr. Burman reported that staff had gone through this list carefully and did not foresee any conflicts.

Chairman Bustard noted that the start-time for the meetings Monday meetings is marked

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“TBD” (to-be-determined) on the screen in the front of the room. Chairman Bustard noted that the Monday meetings have historically started at 8:00 AM, but the Board may consider moving that time back a little. Mr. Quigley noted that there had been discussion at meetings concerning the difficulty that most people have in attending the morning meetings due to job related commitments. Mr. Quigley stated that he would rather see a nighttime meeting so that residents of the Township, who have to work, but want to come to meetings, can make it, rather than take time off from work. Supervisor Caughlan noted that there are a considerable number of residents who cannot make night meetings. Supervisor Caughlan went on to note that the Home and School Association at Methacton alternate their meetings month-by-month, one in the morning and the next one at night, to accommodate parents with children who are unable to attend night meetings. Supervisor Caughlan noted that if we try this new schedule and it does not work, the Board can always change it. Supervisor Caughlan noted that it may be worthwhile to start the meetings at 9:00 AM, rather than 8:00 AM, to accommodate those who may be unable to make the 8:00 AM meetings due to dropping their children at the bus stop or at school, the goal being to allow more residents to attend the meetings. Chairman Bustard stated that he is willing to move the start time to 9:00 AM as well, although he does understand Supervisor Quigley’s point of view on this matter, noting that if it doesn’t work acceptably, it can be changed. Based on the discussion, Mr. Burman entered 9:00 AM as the start-time for the Monday meetings.

Chairman Bustard noted the need to designate depositories for Township Funds, as follows:

First Niagara Bank
 Union National Bank – Uninvest
 PLGIT
 TD Bank

Chairman Bustard asked whether approval of the Treasurer’s Bond is included in the Reorganization Resolution. Mr. Burman reported that the Reorganization Resolution concludes with designation of depositories, and that a motion is necessary in order for the Resolution to be adopted by the Board.

Supervisor Caughlan moved to adopt Reorganization Resolution #11-01, as discussed. Supervisor Quigley seconded the motion. Chairman Bustard opened the floor to comments from the public.

Maeve Vogan, Dell Road, commented on the outgoing members of the Planning Commission and Zoning Hearing Board.

Philip Burke, Grange Avenue, commented on the appointment of Mr. Gambone to the Zoning Hearing Board.

Jim Mollick, Country View Lane, commented on the procedures followed by the Board relative to the Reorganization Resolution, on the replacement of Harris Gramm on the Zoning Hearing Board, on the appointment of Michael Libor to the Zoning Hearing Board, on the reappointment of Caesar Gambone as an alternate on the Zoning Hearing Board, on the validity of the appointment of the Zoning Hearing Board Solicitor by the Board of Supervisors, on the appointment of the Township Solicitor.

Mr. Garrity advised that the MPC says that the Township Zoning Hearing Board has the final word on selecting the Zoning Hearing Board Solicitor. However, the Township has to pay

the Zoning Hearing Board Solicitor, so generally speaking, the Zoning Hearing Board Solicitor is passed upon by the Board of Supervisors of the governing body.

Jim Phillips, North Wales Road, commented on the appointment of the Township Secretary.

Chase Kneeland, Berks Road, commented on the replacement of Harris Gramm on the Zoning Hearing Board.

Chairman Bustard called the question on adoption of the Reorganization Resolution 11-01, and the motion passed by a vote of two to one, with Supervisor Caughlan and Chairman Bustard voting in favor of the Resolution and Supervisor Quigley opposed.

6. **Motion to Approve the Treasurer's Bond in the Amount of Ten-Million Dollars:** Supervisor Caughlan moved to approve the Treasurer's Bond in the amount of \$10 million. Supervisor Quigley seconded the motion. There were no comments from the Board or the public. The motion passed unanimously.
7. **Consideration and Adoption of Resolution 11-02 Entitled "Approval of Fire Department Activities":** Supervisor Caughlan moved to adopt Resolution 11-02, approval of Fire Department Activities for 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public. The motion passed unanimously.
8. **Consideration of Request from Applicant for Waivers of the Township's Subdivision and Land Development Ordinance. (Central Schwenkfelder Church).**

Mr. Burman reported that in May of 2009, the Board of Supervisors granted a waiver of the land development process, but did indicate that the applicant needed to comply with the Subdivision and Land Development Ordinance. Although the Board waived the land development process, the plans currently reflect twelve waivers from the Subdivision and Land Development Ordinance that have not specifically been considered by the Board.

Attorney J. Edmund Mullin, representing Central Schwenkfelder Church, introduced himself along with Tim Woodrow, of Woodrow Associates. Mr. Mullin presented a memo from Township Engineer Joe Nolan, indicating that the plan was acceptable with the exception of the twelve waivers. Mr. Woodrow presented a plan for the new community center that the Church would like to build. Mr. Woodrow explained each of the twelve requested waivers.

Mr. Nolan, Township Engineer, reported that there are no technical issues with any of the waivers that have been requested. A lot of them have typically been granted in the past. The stormwater waivers don't really apply to this type of facility. The stormwater waivers seem to be moving towards a recharge type system, which appears to be a positive thing. The other waivers represent non-technical issues upon which the Board needs to make a decision.

Mr. Mullin added that the rain garden is a more advanced BMP than the Township currently requires by ordinance. Mr. Woodrow added that the watershed runs into the Zacharias Creek, through wetlands that the applicant is proposing to enhance and preserve.

Supervisor Caughlan asked whether the current design protects those downstream of the runoff from storms like the one that recently affected the region. Mr. Woodrow reported that the wetlands are downstream of the rain garden, which provides a double layer of protection.

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Supervisor Caughlan moved to grant the twelve waivers, as requested. Supervisor Quigley seconded the motion. Chairman Bustard opened the floor to public comment.

Oliver Smith, Fisher Road, commented on the procedure for waiving the land development process, on the sale of development rights, and on the location of the proposed new structure relative to neighboring properties.

Mr. Woodrow provided information concerning the location of the proposed structure relative to the neighboring properties.

Jim Mollick, Country View Lane, asked for the rationale behind the potential waivers in this situation. Mr. Garrity reported that the land development process had been waived in 2009, but that the Board would require the applicant to otherwise comply with the Subdivision and Land Development Ordinance. Mr. Garrity further reported that the applicant's argument appears to be that the twelve waivers don't otherwise add anything to the public health, safety and welfare, nor to the desirability of the design, but do add to the applicant's unnecessary expense.

Chairman Bustard called the question and the motion passed unanimously.

9. **Consideration of Request from Applicant for Waiver from Sewage Facilities Planning and Associated Exemption to Requirement to Revise the Township's Official Act 537 Plan (Rhoads Subdivision).**

Mr. Nolan reported that the Rhoads Subdivision is a 3-lot subdivision off Weber Road. No action is required of the Board, but the application does need to be executed by a municipal official. The only action needed is execution of the application. Mr. Garrity reported that a motion to that effect, although not necessary, would not hurt. Supervisor Quigley asked whether the three smaller lots could be subdivided further in the future, under the "Growing Greener Ordinance". Mr. Nolan reported that the Ordinance does have certain provisions that would be necessary, and there are physical features on the lot(s) that might preclude them from doing that in the future. Supervisor Caughlan moved to authorize the execution of the application. Supervisor Quigley seconded the motion. There was no public comment and the motion passed unanimously.

10. **Ratification of Interim Agreement with Miller Environmental Services, Inc. for Operation and Maintenance of the Township's Sanitary Sewer Systems, Pursuant to the Board's Action at the December 15, 2010 meeting.**

Mr. Burman reported that Miller Environmental has come on board and is doing a fine job. The interim agreement states that the work will be performed in accordance with the RFP process. The interim agreement has been reviewed by the Solicitor's office and executed. Supervisor Caughlan moved to ratify execution of the interim agreement with Miller Environmental Services, Inc. Supervisor Quigley seconded the motion. There was no public comment and the motion passed unanimously.

11. **Approval of the minutes of December 6, 2010.**

Supervisor Caughlan noted a correction in the minutes. Under Engineer's Report, the minutes should state that Susan Caughlan inquired about Meadowood relocating their current driveway. Supervisor Caughlan moved to approve the minutes as corrected. Supervisor

Quigley seconded the motion. Chairman Bustard opened the floor to public comments.

Jim Mollick, Country View Lane, commented on the minutes, citing alleged problems with comments under the SRO discussion. Chairman Bustard stated that he would ask staff to check the tape. Dr. Mollick further cited alleged problems relative to the discussion under the Moran property and under Public Comments.

Jim Phillips, North Wales Road, commented on preparation and review of the minutes.

Chairman Bustard called the question and the motion passed unanimously.

12. Supervisor Caughlan made a brief announcement, noting that the Moran Conservation Easement closed in late December, and the Township is pleased to have 81 more acres under easement. The easement is held by Montgomery County Lands Trust and by the Township. There is also a trail easement along with a commitment to build a trail in the future which was established earlier in 2010. Supervisors publicly thanked Mr. Moran, who was present, for his cooperation and patience during the process.

13. **Public Comments**

Gordon Todd, Bustard Road, spoke on behalf of the Planning Commission with regard to the schedule for Joint Meetings between the Board of Supervisors and Planning Commission. Chairman Bustard and Supervisor Quigley stated that they would prefer the Joint Meetings, which take place 3 or 4 times a year, to take place in the morning before the Monday meetings of the Board of Supervisors. Chairman Bustard asked Mr. Todd to discuss it at the next meeting of the Planning Commission, and advise the Board of Supervisors regarding the discussion.

Philip Burke, Grange Avenue, commented on the meeting times for the Monday morning meetings, and the need for transparency. Mr. Burke also commented on the appointments to the Zoning Hearing Board.

Jim Mollick, Country View Lane, commented on an affidavit from Solicitor Garrity's office relative to a Right-to-Know Request and Appeal, the definition and institution of non-criminal investigations, and the appointment of the Zoning Hearing Board Solicitor.

Jim Phillips, North Wales Road, commented on conflicts of interest, the Sunshine Act, and non-criminal investigations.

14. **Adjournment**

Supervisor Caughlan moved to adjourn the meeting. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

Respectfully submitted:



David R. Burman, Recording Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 WEDNESDAY, JANUARY 19, 2011, 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
 STEPHEN C. QUIGLEY [X]
 SUSAN CAUGHLAN [X]

INFORMATIONAL ITEMS

A reminder that the Board of Supervisors has changed the time of the meetings on the first Monday of each month from 8:00 AM to 9:00 AM.

1. TREASURER'S REPORT

The Treasurer's report for December, 2010 net change on cash basis:

December, 2010 Report:

General Fund	\$361,079.69
State Fund	(\$30,357.01)
Capital Reserve Fund	\$287,504.01

Chairman Bustard noted a minor correction on the preprinted packets, stating that the expenditures listed in the State Fund should be categorized as Road Maintenance Expense, rather than Park & Culture Expense. Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley second the motion. There were no comments from the Board or the public, and the motion passed unanimously.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$539,266.52. Supervisor Quigley second the motion. There were no comments from the Board or the public, and the motion passed unanimously.

3. MANAGER'S REPORT

a. Request for Consideration and Adoption of Ordinance No. 2010-228, Entitled "Delaware Valley Health Insurance Trust – Township Manager Burman introduced this item and reported that this Ordinance is required in order for the Township to participate in an Intermunicipal Agreement for the purpose of procuring the health care benefits for its employees. Mr. Burman reported that the Delaware Valley Health Insurance Trust is comprised of about 70 municipalities and other governmental entities for the sole purpose of providing high quality health benefits to employees of those entities. By adopting this Ordinance and joining the Trust, the Township's health care plans, which are currently

insured by Blue Cross and Keystone Healthcare, would be insured directly by the Delaware Valley Health Insurance through the Aetna network, with no other changes to the underlying plans and coverage. This would result in cost savings to the Township. Mr. Burman asked Mr. Garrity to lead the public hearing, which is required in order for the Board to adopt the Ordinance. Mr. Garrity re-introduced the topic and described the proposed Ordinance and Intermunicipal agreement. Mr. Garrity opened the floor to questions from the Board. Seeing none, Mr. Garrity opened the floor to questions from the public. As part of the public hearing, Bill Kazimer of Germantown Pike asked how many employees would be covered by the proposed agreement. Mr. Burman stated that there were approximately fourteen individuals and families covered by the policies. Mr. Kazimer asked what the anticipated savings would be. Mr. Burman reported that the anticipated annual savings would be 5% below the current rates. Mr. Kazimer asked who is handling the insurance currently. Mr. Burman reported that the benefits are currently provided through "the Blues" and that the Township does use a broker. Seeing no further questions, Mr. Garrity closed the public hearing and provided the Board with the opportunity to adopt the Ordinance, if it is the Board's pleasure to do so. Supervisor Caughlan moved to adopt Ordinance 2010-228. Supervisor Quigley seconded the motion and it passed unanimously.

- b. **Request for Authorization for Chairman to execute the Intergovernmental Agreement with the Delaware Valley Health Insurance Trust** – Supervisor Caughlan moved to authorize the Chairman to execute the Intergovernmental Agreement with the Delaware Valley Health Insurance Trust. Supervisors Quigley seconded the motion. There were no comments from the Board. Jim Mollick, Worcester, commented on the procedure for adopting a motion and taking an official action of the Board. Chairman Bustard called the question and the motion passed unanimously.
- c. **Request for Consideration and Adoption of Resolution Authorizing the Application and Naming the Authorized Users of the new Univest Credit Card (Visa)** – Mr. Burman reported that Staff recommends the Board of Supervisors terminate the existing credit card agreement with the former Harleysville Bank due to increasing fees, and adopt a Resolution to name the Township Manager and Assistant Township Manager as authorized signers on a new Univest credit card. Supervisor Quigley asked whether it makes sense to also add the Roadmaster / Director of Public Works as an authorized user. Mr. Burman agreed that this would be logical, since the Public Works Department often needs incidental items from various vendors with which the Township may not have an active account. Supervisors Caughlan moved to name the Township Manager, the Roadmaster and the Assistant Township Manager as authorized signers on a new Univest credit card (via Resolution). Supervisor Quigley seconded the motion. There was no comment from the public and the motion passed unanimously.
- d. **Update on Morris Road Bridge Replacement Project** – Mr. Burman reported that the Turnpike Commission has informed that Township that heaters and tents have been brought in to help continue the work. The Turnpike Commission is hopeful that the bridge will be open to traffic in early February.
- e. **Update on Morris Road and North Wales Road Realignment Project** – Mr. Burman reported that the Pennsylvania Department of Transportation expects signage for this project to be placed this week. PennDot issued a notice to proceed to Allan Myers earlier this month. PennDot informs the Township that the contract calls for completion within one year, although the currently scheduled completion date is sometime around Halloween.

Mr. Burman illustrated the current, four-phase construction schedule and the planned realignment on the screen in the front of the room.

- f. **Zoning Hearing Board Update** – Mr. Burman reported that the next meeting of the Zoning Hearing Board is scheduled for January 25, 2011, at which one continued application and two new applications will be held.

Mr. Burman reported that Application #10-14, in which the Applicant has requested a variance from Sections 150-147(D)(E) and 150-148(D) to permit the replacement and expansion of the existing sign which is non-conforming, has been continued pending receipt of supplemental information requested of the Applicant by the Zoning Hearing Board.

Mr. Burman reported that Application #10-17 is new. In this Application, the property owner of 1201 N. Trooper Road has requested a variance from Section 150-37(C)(1) to permit an addition (for an extension of the family room) to be built within the side yard setback due to the existing non-conforming location of the single family dwelling.

Mr. Burman reported that Application #10-18 is new. In this Application, the developer of 3220 Meadow Lane is requesting a variance from Section 150-182(B) to permit the installation of decorative entrance columns at 69 inches in height located within the front yard setback. Mr. Burman noted that the columns had been installed with the original construction because the developer erroneously believed they had been approved as shown on an artist's rendering that was considered during the land development process. Mr. Burman reported that the developer is aware of the error, as evidenced by the submission of an application for variance.

- g. **Discussion and Possible Adoption of Schedule for Joint Meetings with the Planning Commission** – Mr. Burman reported that the Board of Supervisors had intentionally not addressed this issue during the Reorganization Meeting on January 3, 2011, because the Board wanted to give the Planning Commission an opportunity to make their preference for meeting time known. The Planning Commission has indicated that they would like to hold four joint meeting with the Board of Supervisors during 2011, and that they would prefer those meetings to take place at 8:00 A.M., before the Board of Supervisors meeting on February 7th, May 2nd, August 1st and November 7th. Supervisors Caughlan moved to authorize staff to advertise those meeting dates. Supervisors Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

4. **ENGINEER'S REPORT**

- a. **Monthly Report** – Township Engineer Joseph Nolan, P.E. offered to answer any questions for the Board of Supervisors. Supervisor Quigley asked whether there had been any recent noise complaints concerning the Berwick Place exhaust fan and generator. Mr. Nolan stated that he was unaware of any complaints subsequent to completion of a recent project at the Plant.
- b. **Request for Consideration and Adoption of Resolution Granting Preliminary and Final Approval of the Rhoads Subdivision located at 2062 Weber Road and 2119 Berks Road** – Mr. Nolan reported that this is a minor subdivision and a representative of the Applicant would present to the Board. Mr. John Kolb of Woodrow Associates introduced himself and described the proposed subdivision. The Rhoads family owns two parcels at this location,

and proposes to subdivide the two lots into three lots. The proposed new lot would be sold and utilized by a family member to construct a new home, with fee simple road access to Weber Road. It will take physical access through an access easement out to Berks Road. Mr. Nolan's most recent review letter includes one item that needs to be addressed, which is the creation of an access agreement. Mr. Nolan reported that this item has been included as part of the Resolution developed by the Solicitor for consideration by the Board. Supervisor Caughlan asked for confirmation that the appropriate language, acceptable to the Applicant, was included in the Resolution. Both Mr. Nolan and Mr. Garrity confirmed that the language was included in the Resolution. Mr. Kolb noted that there would be two access easements: one would access Berks Road for the proposed new house and one over the "flag" providing access for the existing house. Mr. Garrity advised that appropriate language was included in points 3 and 4 of the Resolution. Mr. Nolan advised that the Township Planning Commission recommended approval based on a revised plan submission, which has taken place. Mr. Nolan further advised the Planning Module Approval has been granted by DEP. Supervisor Caughlan moved that the Board approve preliminary and final subdivision of the Rhoads property. Supervisors Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

5. SOLICITOR'S REPORT

Mr. Garrity reported that the Board of Supervisors held an executive session this evening immediately prior to this meeting, to consider a recent Decision of the Office of Open Records regarding another Right-to-Know Request in the Township at Docket No. 2010-1186. The Decision partially granted the Requestor's appeal and partially denied the Requestor's appeal. The issue discussed in executive session involved the pros and cons of some sort of appeal of this Decision, or a petition for reconsideration. Mr. Garrity has recommended that that the Board takes a petition for reconsideration, which is due within fifteen days of the Decision. Since this is the only Board meeting prior to that deadline, the Board needed to discuss it this evening. That question is before the Board this evening. Mr. Quigley suggested that the Board has spent a lot of money on this and other legal matters, and in the interest of transparency, he is not in favor of spending any more taxpayer money on this. Supervisor Caughlan stated that she would support a petition for reconsideration, because the Decision includes issues with regard to timing that need to be revisited by the Appeals Officer, and there were some absolute mistakes in interpreting the law. Supervisor Caughlan further stated that she would support a petition for reconsideration because it is a minimal expense. Supervisor Caughlan stated that this is not a matter of transparency of government pertaining to public records; rather, this involves documents that are protected by the attorney-client privilege. Supervisor Caughlan expressed optimism, as the Township has already filed one such petition on a different matter and it has been granted. Mr. Garrity confirmed that the Township has only filed one petition for reconsideration, and it has been granted and the Decision in that matter ultimately went in the Township's favor. Supervisor Caughlan moved to send a letter of reconsideration of this Decision. The motion was not seconded by Supervisor Quigley. Chairman Bustard seconded the motion. Chairman Bustard announced that there are several options, including the filing of the petition for reconsideration, appealing the Decision to the court of common pleas, or complying with the Decision. Supervisor Caughlan again expressed optimism with filing a petition for reconsideration, particularly with regard to the attorney-client privilege. Supervisor Quigley reiterated his concern with transparency in spending the taxpayers' money. Chairman Bustard did not disagree with Supervisor Quigley, except to state that attorney client privilege is an important principle. Supervisor Quigley stated that the Township could spend an awful lot of money on principle. Chairman Bustard and Supervisor Caughlan reminded Supervisor Quigley that the petition for reconsideration involves only a letter to the Office of Open Records, and is

relatively inexpensive as compared to other appeals that have been filed in the past.

Bruce Pancio, Worcester, commented on the lack of information provided by the Board with regard to this Decision.

Mr. Garrity reported that ten different requests were filed by Dr. Mollick, most of which deal with a driveway situation. Mr. Garrity reported that the Township responded with a letter addressing all of the requests, and the Township produced no documents in response to the requests, citing very specific objections to all ten, most of which had been requested previously on multiple occasions, some of which had been produced previously and some of which had not. Mr. Garrity also noted that the response to some of the requests was that no such documents exist.

Bruce Pancio, Worcester, commented that in his opinion the underlying factors of this matter should be disclosed.

Michael Libor, Worcester, commented on the attorney client privilege.

Bill Kazimer, Germantown Pike, commented on his opinion concerning supervisor's recusing themselves.

Jim Mollick, Worcester, stated his opinion on recusal, the burden of proof in this appeal, the cost of the various requests and appeals concerning this matter, transparency, and open government.

Jim Phillips, Worcester, commented on conflicts of interest.

Chairman Bustard called the question and the motion carried 2 to 1, with Chairman Bustard and Supervisor Caughlan in favor, and Supervisor Quigley opposed.

6. **APPROVAL OF THE MINUTES OF DECEMBER 15, 2010**

Supervisor Caughlan moved to approve the minutes of December 15, 2010. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard opened the floor to public comments.

Jim Mollick, Worcester, commented on the minutes of December 15, 2010 and cited a number of areas in which he felt his comments were mischaracterized or not properly reflected in the minutes.

Chairman Bustard called the question and it passed unanimously.

7. **PUBLIC COMMENT**

Chairman Bustard reminded attendees of the five minute time limit on public comment.

Caren Segal, Worcester, addressed very specific comments to Chairman Bustard concerning comments that he allegedly made to another resident concerning her, stating that she wanted her comments to be included in the minutes word-for-word.

Philip Burke, Grange Avenue, expressed appreciation for the prompt response of the Township in placing the speed monitoring device on Grange Avenue. Mr. Burke also commented on the

recently submitted DePhillippo land development plan, a Decision issued by the Zoning Hearing a number of years ago, and questions concerning compliance with that Decision.

Supervisor Caughlan stated that she would look into this matter.

Jim Mollick, Worcester, discussed concerns he raised at the Board's Organization Meeting concerning the process for adoption of motions, and alleged violations of the Sunshine Law.

Chairman Bustard stated that the Board discussed a variety of issues and then adopted a motion to approve the Reorganization Resolution as a single motion.

Supervisor Quigley raised a question for Solicitor Garrity concerning the Board of Supervisors' right to appoint members and alternates to the Zoning Hearing Board, and to assign them to the respective positions.

Solicitor Garrity reported that the Municipalities Planning Code allows the Board of Supervisors to appoint individuals to membership and alternates on the Zoning Hearing Board, and the Zoning Hearing Board chairman is allowed to appoint one of the alternates, if there are more than one, to fill any temporary vacancies on the Zoning Hearing Board in the event one of the members is absent.

Michael Libor, Kriebel Mill Road, commented on his recent appointment to the Zoning Hearing Board.

Jim Phillips, Worcester, commented on the Friends of Worcester.

8. **ADJOURNMENT**

Supervisor Caughlan moved to adjourn the meeting. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

Respectfully submitted:



David R. Burman, Recording Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 MONDAY, FEBRUARY 7, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[X]
SUSAN CAUGHLAN	[X]

INFORMATIONAL ITEMS

Mr. Joseph P. Serbu, P.E., a Senior Engineer Project Manager with the Pennsylvania Turnpike Commission was in attendance to provide information on the Morris Road Bridge Replacement project. Mr. Serbu announced the work had been temporarily suspended due to extreme weather conditions, and that approximately three weeks of work remained under ideal weather conditions of temperatures above forty degrees and no precipitation, in order for Morris Road to be reopened. However, there will be additional work taking place through at least mid-May. Mr. Serbu fielded questions from the Board and the floor regarding the project.

Mr. Burman advised that the Limerick Generating Station would be conducting two concurrent siren tests today at 2:00 P.M., for a total of approximately six minutes.

1. MANAGER'S REPORT

- a. Mr. Burman requested authorization from the Board to finalize the sale of the 1998 Ford Explorer which has been duly advertised through an online auction on "municbid" in accordance with the Second Class Township Code. Mr. Burman advised that 28 bids were received during the auction, with the highest bid coming from Thomas Marx of Downingtown, PA in the amount of \$1,755. Supervisor Caughlan moved to sell the vehicle in accordance with Mr. Burman's report. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.
- b. Mr. Burman requested approval of the conceptual design of a rain garden in the rear of the Township Administration Building and authorization to apply for a grant from PA DEP. Although the Board had previously authorized the Engineer to do so, a resident has provided a revised concept plan to the Township. Mr. Nolan fielded questions from the Board concerning the size, capacity and design of the rain garden, stating that no adverse impacted was anticipated from the revised design, which is smaller in scale than the original design. Supervisor Caughlan moved to approve the conceptual design and authorize the application for a grant as requested. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.

- c. Mr. Burman provided a report on current Zoning Hearing Board activity. The following applications will be considered at the next meeting on February 22, 2011:

Application #10-14, in which the Applicant has requested a variance from Sections 150-147(D)(E) and 150-148(D) to permit the replacement and expansion of the existing sign which is non-conforming, has been continued pending receipt of supplemental information requested of the Applicant by the Zoning Hearing Board.

Application #11-01, related to 2017 Wentz Church Road, will be heard. In this Application, the Applicant has requested a variance to permit decorative entrance columns 10' feet in height located in front yard setback. The allowable height is 30", and a previous variance had been granted to allow six foot columns (ZHB 08-15). Mr. Bustard expressed concerns regarding the width of the entrance, especially for fire department vehicles. Mr. Burman and Ms. Loomis, Zoning Officer, will review and provide pertinent information to the Zoning Hearing Board. Chairman Bustard asked for clarification on the process of ensuring residents comply with decisions of the Zoning Hearing Board. Ms. Loomis reported that the primary mechanism for ensuring compliance relates to those applications that are accompanied by a building permit, in which the Building Code Official makes a final determination with regard to compliance with applicable codes.

Application #11-02, related to 1920 Landis Road, is a request for a Special Exception to permit cooking facilities in the approved addition for the purpose of an in-law suite. Rick DeLello, Stony Creek Road, commented on the Application. Mr. Garrity stated that his office has provided guidance to staff such that an agreement with the Township, as required by Section 150-9, will be executed by the Applicant and recorded with the Recorder of Deeds of Montgomery County, at the owners' cost prior to the issuance of a building permit, which provides for the immediate removal of the separate cooking facilities at such time as they are no longer being used by the relative of the owner of the property.

- d. Mr. Burman provided a report on current Subdivision and Land Development issues.

The Worcester Township Planning Commission tabled its review of the Mandracchia 3-Lot Subdivision adjacent to 3425 Stump Hall Road, pending submission of a revised plan to clarify unresolved issues. The Applicant has granted an extension until June 30, 2011.

The Township has just recently received and distributed revised preliminary plans for land development at Terra Landscaping, 3481 Germantown Pike.

2. ENGINEER'S REPORT

Mr. Nolan provided the Engineer's Report and fielded questions. With regard to the Kriebel Mill Road Bridge, Mr. Nolan reported that bidding should take place in the spring with construction to follow over the summer, after schools close.

Mr. Nolan reported that the generator project at the Berwick Place Wastewater Treatment Plant is complete. Chairman Bustard asked whether any noise complains had been received in recent months. Mr. Nolan reported that no complaints had been received.

Work on the MS-4 program has already commenced, including field work and sampling. This is an ongoing project. Mr. Nolan provided a detailed overview of the MS-4 program, including an explanation of the DEP permitting requirements for the Township's stormwater management

systems. Any outfall that discharges directly to a stream is part of the permit. The Township adopted a stormwater management ordinance. The Township is required to sample a percentage of the outfalls each year, and to provide educational outreach to residents, businesses and schools. The MS-4 report is due to the state each year. The program, which was originally 5 years, has been extended into its eighth year now. The rain garden that was discussed earlier in the meeting helps with this program. Supervisor Quigley asked about the stormwater outfalls that were tied into the sanitary sewer system. Mr. Nolan reported that Township staff had identified two downspouts and one sump pump that were improperly tied into the stormwater system, and they have been disconnected.

Supervisor Quigley asked about snow removal operations. Mr. Burman reported that the Township had used 795 tons of salt this season, and that he would prepare a more comprehensive report at a future meeting. Mr. Burman reported on the difficult storms recently, in which the forecast changed rapidly. During the unusual circumstances with that particular storm, the snow and ice bonded to the roadway, making it very difficult to break that bond in a timely fashion. Mr. Burman reported that salt supplies have been sufficient, although it is becoming increasingly difficult to procure salt as supplies throughout the region are exhausted. However, the Township has not experienced any shortages. Mr. Bookheimer, Director of Public Works, advised that supplies are currently sufficient for any upcoming storms.

3. SOLICITOR'S REPORT

Mr. Garrity reported that no Executive Sessions took place since the last meeting.

4. OTHER BUSINESS

5. APPROVAL OF THE MINUTES OF JANUARY 3, 2010

Supervisor Caughlan moved to approve the minutes. Supervisor Quigley seconded the motion. There were no comments from the public and the motion passed unanimously. Supervisor Caughlan expressed appreciation to Eunice Kriebel for her years of service as Secretary.

6. PUBLIC COMMENTS

1. Chairman Bustard asked members of the public to limit their comments to five minutes.

Mark Landis of Schultz Road commented on the Turnpike project and the February 16 meeting. Mr. Landis also commented on the Board of Supervisors' meeting schedule.

Craig Eberbach of Mill Road commented on televising of Board of Supervisors Meetings. Mr. Eberbach also commented on recycling.

Oliver Smith of Fisher Road commented on a solar energy initiative in Lower Providence Township.

Phillip Burke of Grange Avenue commented on the Terra Landscaping land development application.

2. **Adjournment**

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Recording Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 WEDNESDAY, FEBRUARY 16, 2011, 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
 STEPHEN C. QUIGLEY [X]
 SUSAN CAUGHLAN [X]

INFORMATIONAL ITEMS

The current issue of the township newsletter, The Worcester Crier, is at the printer and will be at the post office in the next few days. An electronic version is available on our web site.

Standard agenda format has been modified tonight to allow for special presentations.

1. MANAGER'S REPORT

- a. **Presentation of formal Recognition from the Montgomery County Farm Board** – Elizabeth Emlen, Montgomery County Farmland Preservation program, recognized Worcester Township for its contributions to the program. Farm land is preserved by paying the owner, through a statewide program and the land must always stay in farming. Worcester has contributed over \$2.7 million to this program preserving nine farms for a total of 387 acres.
- b. **Introduction, discussion and consideration of proposed lease agreement with T-Mobile regarding a cell tower on a portion of Nike Park on Trooper Road** – Joseph Bagley, from the Solicitor's office, presented the details to the Board. The proposed lease is part one of a two-step process. The lease would be conditioned on the Township's application to the Department of the Interior to move a restriction on a portion Nike Park to another property owned by the township, and the approval of that application. Once that has been completed, the 5-year lease would go into effect. The lease can be extended for up to 4 additional 5-year terms for a maximum of 25 years.

Chairman Bustard explained that when Nike Park was acquired, it was understood that it would remain a park forever, so other suitable land must replace the portion of land that is no longer being utilized as parkland in order to accommodate that agreement. The lease was pursued first, so that the township did not spend money on the land transfer without guarantee of the lease income.

Mr. Bagley explained that this is a routine process with the Federal Government.

James Garrity, Township Solicitor, explained that the motivation behind this lease is that the location in Nike Park is a high point in the township, allowing for the possibility of co-

locators for different carriers on this one tower. This would avoid the proliferation of cell tower requests throughout the township.

Supervisor Caughlan explained that the location selected for the tower was purposely chosen to be on the perimeter so that possible future park development would not be impacted.

Supervisor Caughlan moved that the Board approve the lease with T-Mobile, as proposed. Supervisor Quigley seconded the motion.

John Chambers, 1539 Potshop Road, owns the property across the street, and his father, a former supervisor, was instrumental in the township acquiring this property.

James Mollick, 2114 Country View Lane, commented on the land trade off.

Mr. Garrity explained that the easement transfer needs to be put on another piece of ground already owned, which will be done in Heebner Park.

Dr. Mollick commented on the location of other cell towers in the township.

Chairman Bustard called the question and the motion passed unanimously.

- c. **The Pennsylvania Turnpike Commission will discuss the Reconstruction and Widening Project – Southern Section from Mid-County to Berks Road (approximately) - scheduled to begin March 2011** – Mimi Doyle, Public Involvement Specialist from the PA Turnpike's Eastern Regional Office, recapped the widening project. She introduced members of the construction team. Representing the general contractor, Walsh Construction, was Brian Neckermann, Project Manager; representing the Project Management Consultant, McTish, Kunkel & Associates, was Richard Cochrane, Construction Project Manager. Representatives from the PA Turnpike's Eastern Regional Office were Ira Luke, project engineer and Joe Serbu, Senior Engineer Project Manager.

Mr. Neckermann explained the project timeline. Mr. Cochrane explained the community resources including construction hotline and electronic signage.

Chairman Bustard reminded that the township has an ordinance against working at night and asked how the project team was going to handle that. Supervisor Caughlan reiterated that the township was assured at the beginning of the project that night work would not take place, but in fact, it has taken place.

Mr. Neckermann explained that Walsh's contract with the Turnpike has provisions in it for decibel levels for night work, and did not specifically exclude night work altogether. He remarked that excavation work along the 6-mile stretch will take place at night, but will be coordinated not to be in the vicinity where houses are located. There is no blasting involved for this project.

Chairman Bustard asked about the lights used during night work.

Supervisor Quigley commented on the noise during the night work, and how it travels in a rural area.

Supervisor Caughlan asked about the utilities and relocation. Chairman Bustard asked how confident they are on the project schedule.

Supervisor Caughlan asked about the decibel levels in the contract and how that would be enforced, if complaints were made.

Wini Hayes, Fisher Road, commented on the authority of the township's zoning ordinances on state projects.

Mr. Garrity reported that the most leverage the township has on Penn DOT and the Turnpike Commission is political as opposed to legal, stating that the Township seeks cooperation, which the Turnpike Commission is doing by being here.

Mrs. Hayes further commented on noise barriers.

William Kazimer, West Germantown Pike, commented on night work and asked about the bridges and possible detours.

Mr. Cochrane indicated there would be no detours, and that flaggers would be used instead, with the roads remaining open to traffic.

Rick DeLello, 2533 Stoney Creek Road, commented on the North Wales/Skipack Pike overhead turnpike bridge and its relationship to the project going on at North Wales and Morris Roads with Penn DOT.

Chairman Bustard noted that the two projects are not coordinating with each other.

Lee Veneziale, 2217 Schultz Road, commented that the noise and the lack of sound barriers.

d. Introduction of DRAFT "Grading and Excavations Ordinance" and request to post on website for public review prior to advertising

Chairman Bustard remarked that the introduction attempts to reach out to the public on this matter, before advertising costs are incurred.

James Garrity commented that the township's intention is to post all proposed ordinances on the township web site, but it is not a requirement.

2. TREASURER'S REPORT

Supervisor Quigley commented that it was brought to his attention that the Methacton School District complained about excessive costs from the township building department.

Eunice Kriebel, Assistant Township Manager, encouraged the School District to call the township office with any questions, but explained that it is the Township's understanding the modules being constructed are part of a plan that is no longer acceptable since adopting the Uniform Construction Code and there needed to be engineering revisions in order for the plan to meet current code.

The Treasurer's report for January, 2011 net change on cash basis:

January, 2011 Report:

General Fund	(\$23,474.35)
State Fund	(\$17,300.04)
Capital Reserve Fund	\$86.12

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley second the motion. There were no comments from the Board or the public, and the motion passed unanimously.

3. PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$211,447.17. Supervisor Quigley second the motion. There were no comments from the Board.

William Kazimer, West Germantown Pike, commented on the costs for a recent letter written by the Solicitor relative to a Right-to-Know request.

Chairman Bustard called the question, and the motion passed unanimously.

4. ENGINEER'S REPORT

Nothing to report.

5. SOLICITOR'S REPORT

Nothing to report.

6. OTHER BUSINESS

None.

7. APPROVAL OF THE MINUTES OF JANUARY 19, 2011

Supervisor Caughlan noted two corrections. Paragraph 3a, Manager's Report, at the end, Supervisor Caughlan's name is both making and seconding the motion, which should be corrected. Paragraph 4b, Engineer's Report, the applicant's name is spelled incorrectly in the text.

Supervisor Caughlan moved to approve the minutes of January 19, 2011 as corrected. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard opened the floor to public comments.

James Mollick, 2114 Country View Lane, commented on the minutes of January 19, 2011, stating his opinion that, in several places, comments from the public have been condensed.

Caren Segal, 1650 Green Hill Road, expressed her disappointment with the minutes and suggested the meeting be videotaped.

Chairman Bustard called the question and it passed unanimously.

8. PUBLIC COMMENT

Chairman Bustard reminded attendees of the five minute time limit on public comment.

Kim McClintock asked who sets the sewer rates for the township and wondered why he was paying more than what is posted on the web site. Chairman Bustard explained that Mr.

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McClintock lives in an area served by another sewer authority. Mr. Garrity further explained that their rates also have to be approved by the PUC.

William Kazimer, West Germantown Pike, spoke about his comment from the January 19, 2011 minutes, indicating it was incorrect that he only spoke about one supervisor.

Philip Burke, Grange Avenue, remarked on the lack of detail in the public comments section of the minutes. He further commented on his Right to Know request response being incorrectly addressed to another resident. Subsequently he was denied access to one of the files but was granted access to his own property file but stated that items were missing. He commented on the township circumventing Zoning Hearing Board notice and decisions, court hearings upholding this decision, and lack of enforcement of the zoning board decision violations.

Chairman Bustard remarked he did not know why his right to know request was denied, and said he would look into it.

Mr. Burke suggested a five-member Board for more equal representation of the township residents.

James Mollick, 2117 Country View Lane, discussed the petition for reconsideration which was denied, township filing responses late, alleged Sunshine Law violations in the vote concerning the appeal. Dr. Mollick remarked that items were missing from his property file.

Supervisor Quigley commented on who has access to the property files.

Supervisor Caughlan commented that property files are owned by the township, not the property owners.

9. **ADJOURNMENT**

Supervisor Caughlan moved to adjourn the meeting at 8:55 P.M. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

Respectfully submitted:

Eunice C. Kriebel, Assistant Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, MARCH 7, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[X]
SUSAN CAUGHLAN	[X]

INFORMATIONAL ITEMS

Chairman Bustard announced that that, due to a possible email problem, the U.S. Army had extended period for public comment regarding the Environmental Assessment of the North Penn Army Reserve Base. The period for public comment will close on March 29, 2011. A brief discussion among the Board of Supervisors ensued. No formal action was taken.

1. MANAGER'S REPORT

- a. Township Manager Burman requested approval of a Maintenance Agreement with the "Enclave at Worcester Homeowners Association" pursuant to Ordinance 150-148F(2), covering the mowing of grass on Township owned land at Deep Meadow Lane off Bethel Road, for the purpose of allowing the HOA to apply for a sign permit for erection of a neighborhood sign. Mr. Burman described the proposed agreement, in which the HOA would maintain the sign and the area in the vicinity on two parcels of land owned by the Township on either side of Deep Meadow Lane at Bethel Road. Mr. Burman stated that this request is for approval of the agreement only, and that the HOA would still need to go through the application process for any sign they intend to erect. Supervisor Caughlan moved to approve the agreement. Supervisor Quigley seconded the motion. There were no comments from the Board. Maeve Vogan, Worcester, commented on the agreement. Mr. Burman reported that the area has been maintained by the HOA for many years, saving the Township money, and that the proposed agreement would save additional money in the future. Chairman Bustard called the question and the motion passed unanimously.
- b. Mr. Burman reported on winter weather operations, as requested by the Board. The Township budgeted approximately \$14,000 for public works' overtime in 2011, and has spent approximately \$7,500 year-to-date. Mr. Burman also reported on increased salt usage, noting the increased frequency, duration and severity of storms over the past two years. Mr. Burman noted that the public works department would be considering a mix of anti-skid and other materials with salt in future years. Mr. Burman also reported on the costs of contract snow removal services in some of the developments. These costs are less than ½ of what they were last year (due primarily to the back-to-back heavy storms last year). Chairman Bustard asked whether recent concerns in some of the developments had been addressed. Mr. Burman reported that the contractor has been advised of the level of service expected in Worcester.

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- c. Mr. Burman provided a report on current Zoning Hearing Board activity. The Zoning Hearing Board approved three applications in February. The Zoning Hearing Board will consider two applications at their March meeting.

Application #11-03 will be heard. It is related to 3009 Germantown Pike, in which the Ambler Savings Bank has raised several appeals regarding the Zoning Officer's determination and interpretation of the Township's Zoning Ordinance, relative to an application for a sign permit. The Board discussed the need to support the Zoning Officer's determination without spending significant sums of money, and seemed to arrive at a consensus that the Solicitor should send a letter. Jim Phillips, Worcester, commented on the matter. Jim Mollick, Worcester, commented on the matter. Supervisor Caughlan moved to have the Solicitor send a letter supporting the Zoning Officer's determinations in this matter. Supervisor Quigley seconded the motion. Rick DeLello, Worcester, commented on the matter. Chairman Bustard called the question and it passed unanimously.

Application #11-04, related to 1900 Hollow Road, will be heard. Here, the Applicant has requested a variance to permit decorative entrance columns 69 inches in height along the driveway in the front and side yard setbacks, in excess of the allowable heights in Ordinance Sections 150-182(A) and (B). No formal action was taken.

- d. Mr. Burman provided a report on current Subdivision and Land Development issues.

On February 24, 2011, the Worcester Township Planning Commission provided a recommendation for final approval, with conditions, of a 4-lot subdivision known as JAJOPE, located in the vicinity of Morris Road and North Wales Road. Consideration for final approval will appear on the Board's Agenda for March 16, 2011.

Mr. Burman also reported that the March 16, 2011 Agenda will include a Conditional Use hearing, required for three (3) riparian corridor crossings, for the proposed 12-lot subdivision at 2160 Berks Road. With input from the Township Solicitor, it was decided that final approval consideration would be included on a subsequent agenda.

2. ENGINEER'S REPORT

Mr. Nolan fielded questions from the Board concerning sanitary sewer inflow and infiltration issues. In particular, Mr. Nolan reported that improvements have been achieved on Adair Drive, but additional actions will be planned later this year to address inflow and infiltration concerns in various parts of the Township. Such planned activities will be included on the Township's annual reports to DEP, which the Engineer prepares.

Mr. Nolan also fielded questions from the Board concerning potholes and the condition of the roads, in general. Mr. Nolan reported that this has been a difficult winter and, in the coming weeks, he and Public Works Director Tom Bookheimer will need to inspect and develop a list of priorities related to the annual road improvement program.

3. SOLICITOR'S REPORT

Mr. Garrity reported that one Executive Session was held since the last meeting, the subject of which was the appeal of the Zoning Hearing Board Decision and the subsequent enforcement action concerning 3214 Fisher Road.

Mr. Garrity reported on the Pennsylvania Office of Open Records matter at docket 2011-0023, in which a Requester appealed the Township's denial of access to records under Pennsylvania's Right-to-Know law. In the appeal, the Township denied access to records because the Requester admits that he had previously requested the same documents repeatedly. The Office of Open Records found that the requests did not present an unreasonable burden for Township Staff. Mr. Garrity reported that the Board of Supervisors has several options, including the option to take an appeal on this matter. The Board took no formal action, indicating that it was not the Board's inclination to take an appeal.

4. OTHER BUSINESS

Supervisor Quigley commented on the status of the Methacton School District's School Resource Officer Program, in the absence of a public discussion or public decision by the Board of Supervisors. The Board discussed a variety of issues concerning the communication between the Township and the School District related to the School District's decision to utilize the Lower Providence Police Department in providing the SRO Program, rather than the Pennsylvania State Police. Jim Phillips, Worcester, commented on the matter. Kim Woodring, Worcester, commented on the matter. Jim Mollick, Worcester, commented on the matter. Mark Landis, Worcester, commented on the matter. Charles Venezia, Worcester, commented on the matter. No formal action was taken by the Board of Supervisors.

Supervisor Quigley questioned the other Board Members concerning communication to the County regarding his position regarding the Moran property and the Township's participation in the project. The Board discussed this issue. Supervisor Quigley clarified his position on the matter. No formal action was taken by the Board of Supervisors.

Supervisor Quigley commented with regard to an email thread he received concerning the Worcester Golf Course and transferrable development rights. Supervisor Quigley further commented on the other Board Members' involvement in this email exchange. The Supervisors discussed this matter. No formal action was taken by the Board of Supervisors.

Supervisor Quigley commented with regard to attorney's invoices concerning the McGrane property. Supervisor Quigley further commented on the other Board Members' involvement, current or prior, in legal representation of various residents. The Board discussed this matter. No formal action was taken by the Board of Supervisors.

Supervisor Quigley commented on the Township's prior receipt of private funds and subsequent discussion of proposed village planning that may appear to represent potential conflicts. The Board discussed this issue. No formal action was taken by the Board of Supervisors.

Supervisor Quigley commented on the Township's position regarding residents' concerns regarding the proximity of trails to their property lines. Supervisor Quigley further commented on the position of the Montgomery County Lands Trust regarding the attractiveness of such trails and their relationship to residential properties.

Mr. Burman requested approval of the Board to proceed with a professional services contract with Eagle Hygeine out of Horsham, PA for the appropriate treatment of lead based paint on the windows of Worcester Community Hall, in advance of painting. The Board expressed no objection.

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5. APPROVAL OF THE MINUTES OF JANUARY 3, 2010

Supervisor Caughlan moved to approve the minutes. Supervisor Quigley seconded the motion. There were no comments from the public and the motion passed unanimously.

6. PUBLIC COMMENTS

1. Chairman Bustard asked members of the public to limit their comments to five minutes.

Mark Landis, Worcester, commented on Pennsylvania Turnpike widening and reconstruction project. Supervisor Bustard reported that the Board would communicate with elected officials regarding this matter, but the legal remedies are very slim.

Rick DeLello, Worcester, commented on the procedure for increasing the Board of Supervisors from three members to five members.

Jim Mollick, Worcester, commented on the Township's receipt of private funds and on the discussion of the Worcester Golf Club under other business; on his opinion regarding potential conflicts of interest; on his opinion regarding Supervisors' emails; on Office of Open Records decision at docket 2010-1186; and, on Office of Open Records 2011-0023.

Jim Phillips, Worcester, commented on the discussion of the Worcester Golf Club under other business and on the discussion of trail easements under other business.

2. **Adjournment**

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Recording Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, MARCH 16, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[X]
SUSAN CAUGHLAN	[X]

609423

INFORMATIONAL ITEMS

Chairman Bustard announced that Boy Scout Troop 133 would be holding their annual egg hunt in Heebner Park at 11:00 A.M. on April 16, 2011.

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of February, 2011 – Net Change on Cash Basis

General Fund	\$171,995.22
State Fund	(\$34,706.90)
Capital Reserve Fund	\$150.62

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley second the motion. There were no comments from the Board. James Mollick, Worcester, commented on the Treasurer's Report. Chairman Bustard reported that the category for "fines" includes a portion of the revenue from motor vehicle violations ticketed by the state police. Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$411,669.86. Supervisor Quigley second the motion. There were no comments from the Board or the public, and the motion passed unanimously.

3. MANAGER'S REPORT

- a. **Conditional Use Hearing: Kibblehouse-Rotelle Subdivision at 2160 Weber Road** – Township Manager Burman introduced the application and turned things over to Township Solicitor Garrity to handle the formality of the public hearing. Mr. Garrity noted that the applicant needs conditional use approvals pursuant to Worcester Township Zoning Ordinance Section 146.7 related to the Riparian Corridor District. Bernadette A. Kearney, Esquire, represented the applicant. Nicholas Feola, P.E. testified as a witness

on behalf of the applicant. The Board of Supervisors asked questions during the proceedings. James Phillips, Worcester, and William Kazimer, Worcester, commented and asked questions during the proceedings. Township Engineer, Joe Nolan, P.E. commented during the proceedings. A court reporter was present and has produced a transcript of the proceedings. Near the conclusion of the public hearing, Supervisor Caughlan moved to approve the conditional use of the riparian corridor crossing Zone 1 and Zone 2, and a Zone 2 encroachment for a storm water basin --- Zone 1 and 2 for the driveways and Zone 2 for the basin --- consistent with the plans, the review letters and the testimony received this evening. Supervisor Quigley seconded the motion. There were no additional comments from the Board or the public, and the motion passed unanimously.

- b. Final Approval Consideration: JAJOPE Subdivision at North Wales and Morris Roads** – Mr. Burman introduced the Applicant, represented by William Benner, Esquire and Ron Klos from Boehler Engineering. This is a request for final approval of a proposed four-lot subdivision. Preliminary approval was granted in February of 2007. Mr. Benner stated that detail has been added to the Plans, but there have been no substantial changes from that which was granted preliminary approval. CKS has issued a review letter and the planning commission has examined it. The applicant has indicated a willingness to comply with all substantive comments in the CKS review letter. Chairman Bustard asked the applicant to explain the plan for the residents in attendance. Supervisor Quigley asked how the realignment of the intersection would impact the project. Mr. Klos indicated that this has already been taken into consideration. Mr. Klos reported that the plan was to tie-into the off-site sidewalks that would be installed by PennDot. Supervisor Caughlan expressed concerns with regard to the removal of trees from the area during the development of the four parcels, in the hopes that tree removal could be restricted to the building envelopes. The applicant reported that the grading required for stormwater management facilities will likely result in damage to remaining trees, resulting in the falling of trees at, near or on the proposed structures. Chairman Bustard reported that the Montgomery County Planning Commission representative had provided a sketch showing a proposed development in which more trees could be saved. Mr. Benner reported that the applicant has agreed to use best efforts to preserve as many trees as possible. Supervisor Quigley acknowledged that during development, nearby trees may be undermined or weakened. Mr. Benner noted that the building permit process provides a later opportunity to fine-tune the plan and identify trees that can be saved, but again the applicant will use best efforts to minimize damage to those trees that are not necessarily removed as a result of the proposed development. Mr. Garrity read the following condition: the applicant has agreed to work with the grading plan received from the Montgomery County Planning Commission and the Township Engineer in an attempt to reduce the number of trees proposed to be removed on the existing plans prior to final plan reporting. Supervisor Caughlan moved to provide final approval in accordance with the CKS review letter, including one additional waiver, and the aforementioned condition as read by Mr. Garrity. Supervisor Quigley seconded the motion. There were no additional comments from the Board or the public, and the motion passed unanimously.
- c. Request for Authorization to Advertise the “Grading & Excavations Ordinance”** – Mr. Burman reported that the draft ordinance has been posted on the website, in accordance with to the Board’s direction. Township Engineer Nolan described the ordinance, which addresses the existing lack of permits required for extensive grading or earth disturbance. There are a significant number of properties that have been modified, and there is little that the Township can do in cases where problems may have been created. The proposed ordinance provides a permitting and inspection process, giving the Township Engineer discretion with regard to

the amount of detail required on the plan submission. It also provides for a final inspection by the Township Engineer. Supervisor Caughlan expressed concern with regard to Best Management Practices (BMP's) as well as the appeals and enforcement process. Township Engineer Nolan reported that BMP's could be included prior to advertising. Supervisor Caughlan moved to authorize advertising of the Grading and Excavations Ordinance, to include language related to Best Management Practices in stormwater management. Supervisor Quigley seconded the motion. James Phillips, Worcester, commented on the matter. William Kazimer, Worcester, commented on the matter. James Mollick, Worcester, commented on the matter. Mr. Nolan reported that the fees would be addressed via Resolution of the Board of Supervisors, after passage of the ordinance. Mr. Nolan also reported that there is an exemption for farmland in the ordinance. Chairman Bustard called the question and it passed unanimously.

- d. Request for Authorization for the Township Engineer to Draft Specifications and Bid Documents for the Replacement of the Roof at Worcester Community Hall** – Mr. Burman reported that the budget for 2011 includes the replacement of the roof at WCH, which is at least 20 years old, approximately. In 2010, the public works crew had done some patchwork in several areas, noting that the entire roof needed to be replaced. Having a professional set of engineered plans and specifications would maintain the integrity of the bid process. In addition, Mr. Nolan reported that, under the second class code, projects with costs in excess of \$10,000 are required to follow the sealed bid process. Mr. Burman requested authorization for the Engineer to engage a sub-consultant, at a cost not to exceed \$5,000. Supervisor Caughlan moved to authorize the Township Engineer to prepare specifications and bid documents for the replacement of the roof at Worcester Community Hall, at a cost not to exceed \$5,000. Supervisor Quigley seconded the motion. Mark Landis, Worcester, commented on the matter. David Plager, Worcester, commented on the matter. William Kazimer, Worcester, commented on the matter. After further discussion among the Board Members, it was decided to table the motion.
- e. Update on PA Turnpike and PennDot Projects in the Area** – Mr. Burman reported that the Morris Road Bridge Replacement Project is scheduled for completion in mid-May. The PA Turnpike reconstruction and widening project, from Mid-County to Berks Road, is beginning shortly. A kick-off meeting for residents is scheduled for March 21 at Colonial Middle School in Plymouth Township. Work in the right-of-way will be starting imminently. The Morris Road-North Wales Road realignment is ongoing, with a potential re-sequencing of activities.

4. ENGINEER'S REPORT

Mr. Nolan provided his annual report on the MS-4 General Permit for stormwater discharges within the Township. The eight year was completed on March 15th. There are six activities required: public education, public involvement, inspect and eliminate potentially illicit discharges, inspect construction stormwater management, post construction stormwater management inspection, and pollution prevention and good housekeeping at Township facilities. Mr. Nolan reported on the progress the Township has made in each of the elements of the program.

5. SOLICITOR'S REPORT

6. OTHER BUSINESS

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Supervisor Quigley commented on the position of Open Space Coordinator and the determination and location of trails on open space in the Township. Supervisor Quigley also expressed his feelings with regard to potential conflicts of interest related to several open space and farmland preservation projects in recent years, as well as the Township's involvement in other parcels within the Township. The Board discussed this matter. No formal action was taken.

7. APPROVAL OF THE MINUTES OF FEBRUARY 16, 2011

Prior to hearing a motion to approve the minutes, Supervisor Caughlan introduced several changes. Solicitor Garrity noted that the changes were not actually corrections to the minutes, but represented clarifications that could be noted in the current minutes.

Supervisor Caughlan asked that the current minutes clarify Item 1, Page 1, Manager's Report, Item 1a to indicate that farmland is preserved by paying the owner for an agricultural conservation easement.

Supervisor Caughlan also asked that the current minutes clarify in Item 1b under the Manager's Report, in which Chairman Bustard should have explained the restriction on Nike Park to be a deed restriction by the Federal Government that the parcel was to remain a park. Supervisor Caughlan noted that this clarification also applies to Mr. Garrity's comments in the 9th paragraph of the same section.

Supervisor Caughlan asked that the February 16, 2011 minutes be corrected in Item 1c under the Manager's Report, to reflect her comment that that lights from the Turnpike's construction work should be shielded and not directed into residents' homes.

Supervisor Quigley asked that the February 16, 2011 minutes be corrected, in Item 1b under the Manager's Report, paragraph 7, to indicate that Mr. Chambers expressed opposition to the proposed cell tower.

Supervisor Caughlan moved to approve the minutes, as amended. Supervisor Quigley seconded the motion. There were no additional comments from the Board.

James Mollick, Worcester, commented on the matter.

The Board asked the Secretary to be consistent in identifying residents who comment during the meeting. Specifically, the Board asked the Secretary not to list specific street addresses.

Chairman Bustard called the question. The motion passed by a vote of two to one, with Supervisor Quigley being the only dissenting vote.

8. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Caren Sigel, Worcester, commented on potential development of the Worcester Golf Course.

Mark Landis, Worcester, commented on the Pennsylvania Turnpike's widening and reconstruction project, the Methacton School District's School Resource Officer Program.

James Phillips, Worcester, commented on the Montgomery County Lands Trust, the Township's Open Space Coordinator, his opinion concerning potential conflicts of interest, on former Township Supervisors, and on enforcement of ordinances.

Kim David, Worcester, commented on the preservation of open space.

Grant Schanbacher, Worcester, commented on the Methacton School Districts' School Resource Officer Program and the detailed study and work that went into this program.

Supervisor Quigley noted that the Township Board of Supervisors never made any public decision concerning the School Resource Officer Program.

Rick DeLello, Worcester, commented on the Open Space Coordinator position.

Herbert Rothe, Worcester, commented on the Methacton School Districts' School Resource Officer Program, the discussions that took place between the School District and the Board of Supervisors, and the fact the School District is open to the Township's involvement, financial or otherwise.

Supervisor Quigley again noted that the Township Board of Supervisors never made any public decision concerning the School Resource Officer Program.

James Mollick, Worcester, commented on his opinion concerning potential conflicts of interest, the Township's filing system, on various Township open space projects, and on appointments to the Zoning Hearing Board.

Dorothy McGrane, Worcester, commented on the agricultural easement on her property.

9. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Recording Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, APRIL 4, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN CAUGHLAN [X]

INFORMATIONAL ITEMS

1. MANAGER'S REPORT

- a. Zoning Hearing Board Report. Mr. Burman reported on recent Zoning Hearing Board Activity. The next meeting is April 26, 2010, at which one continued application and one new application will be heard.

Application #11-03 is related to 3009 Germantown Pike, in which the Ambler Savings Bank has raised several appeals regarding the Zoning Officer's determination and interpretation of the Township's Zoning Ordinance, relative to an application for a sign permit. Ms. Catherine M. Harper, Esquire of Timoney Knox, LLP spoke to the Board of Supervisors on behalf of the Applicant. Ms. Harper indicated that the Applicant would like to replace an existing sign that had been there when the property was occupied by Wachovia Bank. Ms. Harper indicated that the proposed sign, in height and size, is less intrusive than the sign being replaced and is somewhat smaller than a neighboring sign. Chairman Bustard reported that the previous Wachovia sign was erected without a permit. Supervisor Quigley referenced Worcester's rural heritage and characteristics particularly with regard to signage. Supervisor Caughlan referenced the village planning concept that the Planning Commission has been working on. Supervisor Caughlan asked whether the Applicant would reduce the height to 10 feet instead of 12 feet. Roger Zacharia of Ambler Savings Bank indicated that the reduced height would be acceptable. Supervisor Caughlan also reminded Ms. Harper that Worcester does not allow internally illuminated signs, although signs may be externally illuminated. Ms. Harper indicated that the sign is intended to be internally illuminated and, in particular, there is value in having the smaller ATM sign illuminated. However, Ms. Harper indicated that the internal illumination is something the Applicant could take another look at. Chairman Bustard reiterated his position that internally illuminated signs are not desirable in Worcester. Supervisor Caughlan expressed concern with the fairness of allowing one property owner to have an illuminated sign. Ms. Harper again stated that the Applicant would reduce the height to 10 feet, would review the issue of internal illumination, and would go to the Zoning Hearing Board for the remaining issues. Mr. Garrity reported that the Board of Supervisors would need a response before April 20, 2010, which would be the last opportunity for the Board to instruct the Solicitor on what to do with regard to this Application.

- b. Mr. Burman provided a report on recent Subdivision and Land Development Activities. With regard to the Land Development Application related to 1074 Grange Avenue, the Applicant has

requested to be placed on the Planning Commission's April 28th Agenda.

Mr. Burman also reported that Final Approval Consideration of the Kibblehouse-Rottelle 12-Lot Subdivision at 2160 Weber Road would appear on the Board's April 20th Agenda. The Planning Commission recommended approval, with conditions, back in September of 2010.

Mr. Burman reported that Preliminary and Final Approval Consideration of the Land Development Application for 3481 Germantown Pike, Terra Landscaping, would appear on an upcoming Agenda. The Planning Commission recommended preliminary and final approval back in March.

- c. Mr. Burman reported on the request to utilize Heyser Field as deed restricted parkland. The Township received Nike Park from the Federal Government back in the 1970's, with a deed restriction for perpetual use as parkland. Last month, the Board of Supervisors approved a conditional lease with T-Mobile to utilize a portion of Nike Park for a cell tower. Previously, the Board publicly discussed a swap of deed restricted parkland with a portion of Heebner Park. The Federal Government has indicated that this would not be possible because Heebner Park had been received by the Township prior to April of 2009. The only property that Staff is aware of that meets the requirements of the Federal Government for the swap of deed restricted parkland would be Heyser Field. Mr. Garrity indicated that the appraised value must exceed the value of the portion of Nike Park that would no longer be used as parkland. Supervisor Caughlan moved to authorize staff to take the necessary steps to explore the use of an appropriate portion of Heyser field that are available for use as parkland, as a swap for the portion of Nike Park that would no longer be utilized as parkland. Supervisor Quigley seconded the motion. Charles Venezia, Worcester, commented on the motion before the Board. Chairman Bustard called the question and the motion passed unanimously.
- d. Mr. Burman requested authorization for a Phase I Environmental Assessment, to be completed by Del Val Soils, at a cost of \$2,700. Mr. Nolan has indicated that this cost is quite reasonable. Supervisor Caughlan moved to approve Del Val Soils to perform the Phase I Environmental Study at a cost of \$2,700. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.
- e. Mr. Burman reminded the Board of the Board's request to obtain cost estimates on the replacement of the roof at Worcester Community Hall. The age of the roof is unknown, but estimated to be at least eighteen years old, and probably much older. The Department of Public Works had repaired some leaky areas last year, and the Director of Public Works recommends replacement of the entire roof. This was included in the budget for this year. The three cost estimates range from approximately \$15,000 to \$20,000. The Second Class Township Code requires this type of work to go through the sealed bid process when the cost is in excess of \$10,000. The Second Class Code also references plans and specifications. Therefore, Mr. Burman again recommends and requests the Board's authorization to proceed with the development of full plans and specifications for the replacement of the roof at Worcester Community Hall. Mr. Burman reported that the estimated cost is expected not to exceed \$4,000. However, the Board could choose to wait until a formal proposal is received for this work. Supervisor Quigley questioned the range in price. Mr. Burman indicated that the sealed bid, while required by law, could also result in a more competitive bid process. Supervisor Caughlan moved to authorize staff to engage a roofing consultant to prepare the plans and specifications for the replacement of the roof at Worcester Community Hall at a cost not to exceed \$4,000. Supervisor Quigley seconded the motion. Mark Landis, Worcester, commented on the motion before the Board. Chairman Bustard called the question and the motion passed unanimously.

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- f. Chairman Bustard asked Mr. Burman about the painting of the windows. Mr. Burman reported that Eagle Hygiene of Horsham has been engaged to appropriately remove the loose lead based paint from the windows at Community Hall. The Director of Public Works has obtained three bids for the painting of the windows. Mr. Burman reported that, when the cost of work is between \$4,000 and \$10,000, the Township may award a contract after obtaining three telephone or written bids. The lowest of the three bids was received from George D. Lentz Painting, who has performed work at this location in the past. The price for the painting of the windows and the doors would be \$4,200. Mr. Burman reported that some initial carpentry repairs will be performed outside of this contract. All of this work was included in the budget for this year. Supervisor Caughlan moved to award the contract to George D. Lentz Painting for the painting of the windows and doors at Worcester Community Hall at a cost of \$4,200. Supervisor Quigley seconded the motion. There were no comments from the public, and the motion passed unanimously.

2. ENGINEER'S REPORT

Bryan McAdam of CKS Engineers reported that the bids for road materials and equipment were opened last week. Recommendations for award of both contracts will be on the Board's agenda for April 20, 2011.

3. SOLICITOR'S REPORT

No Report.

4. OTHER BUSINESS

None.

5. APPROVAL OF THE MINUTES OF MARCH 7, 2011

Supervisor Caughlan moved to approve the minutes. Supervisor Quigley seconded the motion. There were no comments from the public and the motion passed unanimously.

6. PUBLIC COMMENTS

1. Chairman Bustard asked members of the public to limit their comments to five minutes.

Charles Venezia, Worcester, commented on signage, vacant buildings and the viability of businesses within the Township. The Board discussed the matter. No formal action was taken.

2. **Adjournment**

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Recording Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, APRIL 20, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

- ARTHUR C. BUSTARD [X]
- STEPHEN C. QUIGLEY [X]
- SUSAN CAUGHLAN [X]

INFORMATIONAL ITEMS

Chairman Bustard announced that the Supervisors and the Township Manager attended the annual conference of the Pennsylvania State Association of Supervisors in Hershey, Pennsylvania.

1. TREASURER’S REPORT

Chairman Bustard read the Treasurer’s Report for the month of March, 2011 – Net Change on Cash Basis

General Fund	\$98,371.66
State Fund	(\$55,338.47)
Capital Reserve Fund	\$311.39

Supervisor Caughlan moved to accept the Treasurer’s Report. Supervisor Quigley second the motion. There were no comments from the Board or the public, and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$219,289.17. Supervisor Quigley second the motion. There were no comments from the Board or the public, and the motion passed unanimously.

3. MANAGER’S REPORT

- a. **Final Approval Consideration: Kibblehouse-Rotelle Subdivision at 2160 Weber Road –** Mr. Burman reported that the Planning Commission recommended final approval, with conditions, back in September. The Board of Supervisors gave conditional use approval for riparian corridor crossing in March. The Applicant was represented by Bernadette Kearney, Esq. and Nicholas Feola, P.E.

Ms. Kearney reported that the plan had received approval back in October of 2009. Ms. Kearney reported that she, along with Mr. Feola and the Applicant, Mr. Rotelle, had

attended the August 26, 2010 Planning Commission Meeting and that, at that meeting, the Planning Commission reviewed the then-current plan for the conditional use only. Ms. Kearney further reported that, at the August 26, 2010 meeting, the Planning Commission advised the Applicant and the Applicant's representatives that their presence would not be necessary at the September Planning Commission meeting, at which time the Planning Commission expected to review and make a recommendation concerning final approval by the Board of Supervisors. Ms. Kearney reported that the minutes of the Planning Commission meeting of September 9, 2010 included a recommendation that the final plans include language to the effect that demolition and/or damage of the existing structures would be prohibited. Ms. Kearney reported that the Applicant does not agree that the existing structures can never be demolished. Ms. Kearney further reported that there is no language in any Township Ordinance that permits such a requirement. Mr. Bagley, the Township Solicitor, agreed that there is nothing in any Township Ordinance that he is aware of that would allow require such terms. The Board Members discussed the possibility that the Applicant may wish to return to the Planning Commission to obtain clarification on the desired language. Ms. Kearney reported that the desired language was not part of the preliminary approval, and there is no legal basis for it. The Board also discussed the time requirements under the MPC with Township Staff.

Ms. Kearney and Mr. Feola will attempt to contact the Applicant via cell phone to discuss the Applicant's feelings on the matter. The Board will hear the next item on the Agenda and will subsequently revisit this issue later in the meeting.

- b. Preliminary and Final Approval Consideration: Terra Landscaping One-Lot Land Development Plan at 3481 Germantown Pike** – Mr. Burman reported that the Planning Commission recommended preliminary and final approval, with conditions, back in March. The Applicant is represented by Bernadette Kearney, Esq. and Anthony Hibbeln, P.E. A court reporter was present and has produced a transcript of the proceedings. Ms. Kearney distributed an updated waiver letter to the Board of Supervisors. Mr. Hibbeln noted that only two requests for waivers of the Subdivision and Land Development Ordinance remain. The first is a waiver of Section 130-3.C.(1) regarding existing features to be surveyed for a distance of 400 feet outside the boundary of the tract to be developed. Mr. Hibbeln noted that existing features have been surveyed for approximately 50' outside the property boundaries, and that an aerial photograph has been provided to depict existing features 200' from the subject tract. The second is a waiver of Section 130-16, 130-18A and 130-18B regarding roadway improvements, roadway widening, curbing and sidewalks. Lower Providence Township is not requesting the widening of North Grange Avenue, which is currently 20' wide, due to the preservation of the existing two story house at the corner of North Grange Avenue and Germantown Pike. Widening the road an additional 10' with curbing and sidewalk for approximately 135' would provide no benefit to the surrounding community or the safety of vehicular traffic. The Board of Supervisors and Township Solicitor commented and asked questions. Mr. Hibbeln and Ms. Kearney noted that no approvals have yet been granted by Lower Providence Township concerning this property and the subject application. The Applicant, Fred Oskanian noted that he intends to keep equipment and supplies inside the building, none of which is on the Worcester side of the property. He stated that the parking spaces are intended for employees. He stated that loading dock is intended for future use. He stated that the paved area adjacent to the loading dock, on the Worcester side of the property, is intended for ingress and egress, and not parking. All materials and equipment are intended to be stored in the building. The Applicant has no intention of bringing landscaping debris and/or yard waste back to this site.

Mr. Oskanian reports that he is in compliance with the consent order from 2007. Ms. Caughlan noted that there is a typographical error in paragraph 4 of the Draft Resolution. The Zoning Hearing Board Decision should be dated November 23, rather than November 13. The Township Engineer reports that there are no known stormwater runoff issues; there is an existing stormwater basin on the site, which will need to be modified as part of the proposed plan. Supervisor Quigley moved to grant preliminary and final approval of the one-lot land development application for Terra Landscaping, pursuant to Resolution 2011-08 as prepared by the Township Solicitor, and as corrected in paragraph 4 as noted herein. Supervisor Caughlan did not second the motion. Chairman Bustard seconded the motion. James Mollick and Gordon Todd, both of Worcester, commented on the matter of preliminary and final approval of this land development application. The motion passed unanimously.

- a. Mr. Feola reported that he was able to make contact with his client. The Applicant is a partnership that currently rents the main structure on the property to a long-term tenant. There are no current plans to demolish any structures on the parcel, but the Applicant does not wish to limit the rights to revisit that decision in the future.

Supervisor Caughlan moved to grant final approval of the Kibblehouse-Rotelle Subdivision, in accordance with Resolution 2011-07, which has been drafted by the Township Solicitor, including paragraph 2 requiring that all lots be deed restricted from further subdivision, but deleting paragraph 3 prohibiting demolition and/or damage to the structures on the property. Supervisor Quigley seconded the motion. There were no additional comments from the Board. Gordon Todd, Rick DeLello and Jim Mollick, all of Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

c. Public Hearing for Consideration of Grading & Excavations Ordinance #2011-229 –

Mr. Burman introduced this item and turned things over to Solicitor Bagley to handle the formality of the public hearing. Mr. Bagley opened the public hearing. A court reporter was present and has produced a transcript of the proceedings. Township Engineer gave a brief introduction to the Ordinance and the rationale behind it. The Board discussed the need for such an Ordinance and questioned Mr. Nolan concerning the details of the proposed Ordinance. William Kazimer, Mark Landis, Rick DeLello, Caren Segal, James Phillips and Kim McClintock, Worcester, commented and asked questions during the public hearing.

Supervisor Caughlan moved to close the public hearing. Supervisor Quigley seconded the motion and it passed unanimously.

Supervisor Caughlan moved to adopted Ordinance #2011-229, the Grading & Excavations Ordinance. Supervisor Quigley seconded the motion and it passed unanimously.

d. Consideration to Adopt Resolution #2011-06 to Amend the Township's Fee Schedule –

Mr. Burman reported that the newly adopted Grading & Excavations Ordinance includes fees to be adopted by Resolution of the Board of Supervisors. The estimated cost to the Township for administration of the Ordinance is a base fee of \$200, which includes three inspections, and an additional fee of \$70 per additional inspection, if needed. There are no other proposed changes to the existing fee schedule at this time. Supervisor Caughlan moved to adopt Resolution #2011-06. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

- e. **Zoning Hearing Board Update** – Mr. Burman reported that one application was granted at the March meeting of the Zoning Hearing Board. The next meeting is scheduled for April 26, 2011, at which time the Zoning Hearing Board will hear one continued application and one new application. The new application is #11-05 at 3050 Conrad Way, requesting a variance from the required front yard setbacks for a corner lot for the construction of an attached garage. The continued application is #11-03 at 3009 Germantown Pike, relating to a sign application for the Ambler Savings Bank. The Board of Supervisors had previously directed the Solicitor to inform the Zoning Hearing Board, in writing, that the Board of Supervisors expresses its support for the Zoning Officer's determinations and interpretations, as well as the Board's objection to the requested variance. Mr. Burman reported that, since the Board's last meeting, the Applicant's attorney had informed the Township that the Applicant will be able to reduce the height of the proposed sign to 10 feet, which the Applicant believes is in compliance with the Township's Ordinance. However, the Applicant intends to pursue a challenge and/or variance for internal illumination of the proposed sign. Supervisor Caughlan produced a PowerPoint presentation consisting of photographs of signs at various bank locations for Ambler Savings Bank, in an attempt to demonstrate the lack of consistency in style, height, illumination and overall design. No formal action was taken.
- f. **Discussion and possible authorization to renew the Township's request to Upper Gwynedd Township for amendment to public sewer coverage map related to the "Preserve at Worcester"** – Mr. Burman provided a timeline of activities concerning sanitary sewer service in this portion of the Township. Act 537 requires the Township to provide for planning and treatment of sanitary sewage. In 2007, Worcester's Board of Supervisors sent a request to Upper Gwynedd Township to request that the "Preserve at Worcester" be included in Upper Gwynedd's public sewer coverage map. Upper Gwynedd denied that request. Subsequently, Worcester amended its Act 537 Plan to provide for a package wastewater treatment plant to serve the "Preserve", which would be a public sewer system operated by Little Washington Wastewater. In 2010, DEP approved the Act 537 Amendment, with an initial capacity of 39 EDU's representing the "Preserve", which DEP required expandable capacity to 67 EDU's. The 67 EDU's included the "Preserve", and 26 adjacent homes, plus two additional EDU's for an existing church. Any expansion of the initial 39 EDU capacity would require another Amendment of the Act 537 Plan, if requested by the Board of Supervisors. Late in 2010, Upper Gwynedd indicated a possible interest in considering the 2007 request from Worcester. At this time, Mr. Burman asked whether the Board of Supervisors wished to renew its request to Upper Gwynedd Township to accept the portion of the Township representing the "Preserve at Worcester" in Upper Gwynedd's Act 537 coverage map for sanitary sewer facilities. The Board discussed the merits and logic of renewing this request to Upper Gwynedd Township. Supervisor Caughlan moved to authorize the Township Engineer to draft a letter asking Upper Gwynedd Township to modify their Act 537 Plan and official map to accept the 39 EDU's at the Preserve at Worcester. Supervisor Quigley seconded the motion. Township Engineer Joe Nolan stated that DEP will be involved and may attempt to require the coverage area to be extended and include the additional 28 EDU's as had been done with the package plant option. The Supervisors expressed an objection to such a stipulation by DEP. Mark Landis and Caren Sigel, both of Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

4. ENGINEER'S REPORT

Mr. Nolan reported that bids were opened on March 30th for the annual road materials and equipment rental contracts. The lowest responsible bidder for stone, items 1 through 7, was

Mount Materials, LLC of Fairless Hills, PA. The lowest responsible bidder for paving materials is Highway Materials, Inc. of Blue Bell, PA. The itemized unit prices and bid tabulations are as reported in Mr. Nolan's April 1st letter to the Township. The Board commented and asked questions of Mr. Nolan. Mr. Nolan reported that he is not directly familiar with Mount Materials, but he is aware of this firm. There are two prices: one for pickup and one for delivery. There is no fuel surcharges included in the delivery price. Supervisor Caughlan moved to accept the bids from Mount Materials, LLC for stone and Highway Materials for paving materials. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

Mr. Nolan reported that the lowest responsible bidder for the equipment rental contract was submitted by Harris Gramm Contractors of Collegeville, PA. The unit prices submitted by this contractor are the same as they were in 2010 and 2009. Supervisor Caughlan moved to accept the bid from Harris Gramm Contractors. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

5. SOLICITOR'S REPORT

None

6. OTHER BUSINESS

Supervisor Quigley reported that he attended the School Board meeting last night, but that he did not see any School Board Members in attendance this evening.

7. APPROVAL OF THE MINUTES OF MARCH 16, 2011

Supervisor Caughlan moved to approve the minutes of March 16, 2011. Supervisor Quigley seconded the motion. James Mollick and James Phillips, both of Worcester, commented on the approval of the minutes. Chairman Bustard called the question and the motion passed.

8. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Mark Landis, Worcester, commented on the noise from the Turnpike before, during and after the widening and reconstruction project.

Dominic Serrao, Worcester, commented on the noise and the lack of sound barriers planned for the South side of the Turnpike in the vicinity of Skippack Pike and North Wales Road.

Lee Venziale, Worcester, commented on the noise from the Turnpike.

By consensus, the Supervisors asked the Township Solicitor to prepare a memo on the possibilities of legal action to compel the Turnpike to install sound barriers, including an analysis of any case law that exists in Pennsylvania relative to this matter.

Maeve Vogan, Worcester, commented on the future acquisition of the U.S. Army Reserve Base on Berks Road, and the status of recommendations from the park & recreation task force. Ms. Vogan also commented on the signage issue.

James Phillips, Worcester, commented on the parking problems near the ballfield on School District property at Mill Road and Kriebel Mill Road. Mr. Phillips also commented on suspicious activity in parking areas near Methacton High School and the signage issue.

Rick DeLello, Worcester, commented on Township communications, cable access, the Township budget, and his opinion concerning the number of elected Supervisors in the Township.

Fred Oskanian, Worcester, commented his perception of the Township's treatment of residents and businesses.

James Mollick, Worcester, commented on the 14th amendment, the Township's financial position, cable access, legal costs associated with Right-to-Know Requests and other legal matters.

Dorothy McGrane, Worcester, commented on legal costs associated with Right-to-Know Requests, and other Right-to-Know concerns.

9. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Recording Secretary

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, MAY 2, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:05 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

- ARTHUR C. BUSTARD [X]
- STEPHEN C. QUIGLEY [X]
- SUSAN CAUGHLAN [X]

INFORMATIONAL ITEMS

The Worcester Fire Department’s Annual 5K Run will take place on Saturday, June 18th.

The Morris Road Bridge over the PA Turnpike is scheduled to reopen today. Immediately following that reopening, North Wales Road will be detoured to accommodate the realignment of the intersection with Morris Road.

1. MANAGER’S REPORT

- a. Zoning Hearing Board Report. Mr. Burman reported on recent Zoning Hearing Board Activity. At the last meeting on April 26, 2010, the Zoning Hearing Board took two applications under consideration. There are no new application to be heard at the May 24, 2010 meeting.
- b. Mr. Burman provided a report on recent Subdivision and Land Development Activities. A revised Land Development Application has been received relative to 1074 Grange Avenue, in which the Applicant has requested to be placed on the Planning Commission’s May Agenda.

Mr. Burman reported that Meadowood is present to provide information on their master plan, which has already been reviewed by the Planning Commission. Mr. Tim Woodrow of Woodrow Associates reported on a master plan study of the campus that had been conducted approximately two years ago. There were several committees that looked at the competitiveness of Meadowood, and they are planning to begin a “campaign of interest” relative to the “North Hills” aka “The Grove” portion of the campus. This area would include twin units, with a main street running down the center and rear access to the units. Meadowood wishes to include the Township in this conversation so that the Board is aware of their thoughts. The Board of Supervisors discussed a number of concerns, including: the capacity of the campus and infrastructure; the proximity to the Wentz Family Cemetery; the existing gardening area; serious concerns with traffic issues and any potential requested use of the Valley Forge Road emergency access drive; parking capacity during special events; the buffer area that had previously been restricted for development, which was supported by the Township, but now appears to be negotiable.

Paul Nordeman, also representing Meadowood, indicated that the existing gardening area is an important amenity to the site, which would be considered for relocation. Mr. Woodrow indicated

that traffic studies had not yet been completed, but previous consideration had been given to the vicinity of Route 73 and Hollow Road, as well as various traffic calming measures along Route 73. Township Engineer Joe Nolan reported that capacity exists at the Meadowood Pump Station, with additional capacity available for purchase at the Valley Green Pump Station. Mr. Nordeman indicated that a formerly planned project turned out to be prohibitive, so the project was modified into a "sprucing up" rather than the originally planned replacement project. Mr. Nordeman and Mr. Woodrow indicated that Meadowood had negotiated with the neighbor for the easement (i.e. development restrictions) on the portion of the property that had been planned to last fifty years, but this area is now available for development. Mr. Nordeman confirmed that the older units had been retrofitted and updated, with an investment of several hundred thousand dollars. Mr. Nolan reported that this project seems large enough that such an issue would be addressed in the land development phase.

- c. Mr. Burman reported on the request from Montgomery County to waive the building permit fees in the amount of \$74 for a re-roofing project at the Peter Wentz Farmstead. There is no precedent here, but staff is not authorized to waive those fees. The Board did waive similar fees last year for a similar re-roofing project at this location. Supervisor Caughlan moved to waive the permit fees in the amount of \$74 for the re-roofing project at the Peter Wentz Farmstead. Supervisor Quigley seconded the motion. There were no comments from the Board or the Public, and the motion passed unanimously.
- d. Mr. Burman reported on a request from the Methacton School District for assistance with the parking area at the ballfield on School District property adjacent to Mill Road and Kriebel Mill Road. The Board discussed the merits of this request along with the next agenda item relative to the parking area along the Moran trail on Kriebel Mill Road. The Board also raised concerns with utilizing Township taxpayer funds for a School District project. Mr. Nolan expressed concerns with regard to parking setbacks along the right-of-way. The Board, via consensus, asked the Township Engineer to work with the School District representative(s) to figure out what is feasible (from a stormwater, zoning and access perspective) for the parking area at the above referenced location.
- e. Mr. Burman introduced the discussion of the proposed trail on the Moran property, and requested authorization to survey and set stakes for the proposed trail. The Board discussed this issue and the trail as laid out in the original trail easement agreement. With a proposed location identified in the front of the room, the Board indicated that this would not be a formal paved or gravel trail. Rather, this would be a forested trail, with certain amenities at either end of the trail near Kriebel Mill Road and Grange Avenue. Staff requested approval of the general location and to move forward with the survey from the entire Board. The Board discussed concerns that have been received from neighboring property owners, with regard to the proximity of the trail to neighboring properties. Mr. Nolan indicated that flags and stakes had been set along a potential location sometime last year, but this will need to be redone. Mr. Nolan also indicated that we had not established the 20 foot wide easement, which is required. The Board indicated a willingness to involve property owners in the final location of the proposed trail. Supervisor Caughlan moved to authorize the survey and stakes of the proposed trail, based on the location identified in the original easement agreement. Mr. Burman indicated that the small parking area and signage, along with the clearing of the trail, is to be completed by spring 2012. Mr. Burman requested approval of the general location now, and approval for the engineer to complete the survey in the fall, demonstrating progress on the project. Supervisor Caughlan moved to authorize the engineer to complete the survey after first inviting the affected neighbors to see what has been proposed and what the Board has directed staff to do. Supervisor Quigley seconded the motion. Maeve Vogan and Mark Landis, both of Worcester, commented on this issue. Chairman Bustard called the question and the motion passed unanimously.

- f. Supervisor Quigley moved to authorize staff to advertise the revised date of the Board's joint meeting with the Planning Commission for June 6, 2011. Supervisor Caughlan seconded the motion. Supervisor Quigley expressed concerns with the delay, given the volume of activity related to village planning and zoning amendments. There were no comments from the public. Chairman Bustard called the question and the motion passed unanimously.

2. ENGINEER'S REPORT

Chairman Bustard asked whether there had been any recent problems with the Adair Pumping Station and Berwick Treatment Plant. Mr. Nolan reported that there were not.

Supervisor Quigley expressed concerns with stormwater erosion along state roads, particularly Valley Forge Road (Route 363), asking whether it was the Township's responsibility. Mr. Nolan reported that it was his position that such problems would be PennDOT's responsibility, since the problems are in their Right-of-Way. Supervisor Quigley asked whether a letter could be sent to PennDOT to protect the Township. Mr. Nolan stated that a letter could be sent, inviting PennDOT to look at the areas in question.

Chairman Bustard asked how the 2011 Road Improvement Program is coming along. Mr. Nolan reported that recommendations will be forthcoming, and the Board may need to identify areas of priority based on limited moneys budgeted for roads this year.

Chairman Bustard asked whether the Township has a long range plan. Mr. Nolan reported that the Township Manager has been working on a long range plan, and Mr. Nolan will provide information for roadwork so that it will be included in a long range program.

Supervisor Quigley further discussed the issue of PennDot Rights-of-Way and land planning relating to newer developments. Mr. Nolan stated that this was a difficult question to answer, but many Township roads, for example, did not have property drainage and base installed when they were first constructed.

3. SOLICITOR'S REPORT

No Report.

4. OTHER BUSINESS

Mr. Burman requested an executive session following this meeting to discuss personnel and performance issues.

5. APPROVAL OF THE MINUTES OF MARCH 7, 2011

Supervisor Caughlan moved to approve the minutes. Supervisor Quigley seconded the motion. There were no comments from the public and the motion passed unanimously.

6. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Mark Landis, Worcester, commented on the Morris Road bridge and temporary signals, as well as the ballfield and parking issue at Mill Road & Kriebel Mill Road.

Mr. Burman reported that the temporary signals that had been constructed on Route 73 to accommodate the detoured traffic from Morris Road were expected to be removed by the Turnpike's Contractor by mid-May.

Maeve Vogan, Worcester, commented on the notion of increasing the number of Supervisors from three to five.

Dorothy McGrane, Worcester, commented on the number of Supervisors.

Rick DeLello, Worcester, commented on the number of Supervisors.

6. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Secretary

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, MAY 18, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN CAUGHLAN [X]

INFORMATIONAL ITEMS

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of April 2011 – Net Change on Cash Basis

General Fund	\$245,809.13
State Fund	\$153,554.55
Capital Reserve Fund	\$2,578.27

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$192,678.03. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick and Nick Imperial, both of Worcester, commented on the bills. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

- a. Mr. Burman reported that DRAFT ordinance revisions concerning Accessory Uses (in Chapter 150) would be posted on the Township's website for public review, prior to requesting authorization to advertise.
- b. Mr. Burman reported that DRAFT ordinance revisions concerning "no-impact home-based business" (as defined and required by Section 603.(1) of the Municipalities Planning Code) would be posted on the Township's website for public review, prior to requesting authorization to advertise.

c. Discussion of Location for Proposed Trail at Heyser Field –

Mr. Burman presented illustrations of two trails in the front of the room: the first representing the recommendation of the Park & Rec Task Force from 2009; and the second representing a proposal that had been received this year. The Board noted that a portion of the work related to the trail could be performed as part of an Eagle Scout Project. There was consensus among the Supervisors that the proposed location for the trail identified in the second slide would be acceptable.

- d. Zoning Hearing Board Update –** Mr. Burman reported that the last meeting of the Zoning Hearing Board took place on April 26th, and two applications were heard and taken under advisement. The next meeting is scheduled for May 24, 2011. There are no new applications to be heard at that meeting, and two decisions are expected.

4. ENGINEER'S REPORT

- a. Consideration of the Pennsylvania Turnpike Commission's Request for Waivers of the Township's Stormwater Management Regulations –** Mr. Nolan reported that the Township has received a request from the Turnpike for a consistency letter related to post-construction stormwater management plans, essentially reaffirming the plan that had been previously approved by the Board. A lengthy discussion ensued concerning the need for additional details to be presented for the Board's consideration, including but not limited to which basins are affected, what has changed since the prior approval, when was the prior approval granted, what are the proposed locations of landscaping and shade trees, etc. Mark Landis, Worcester, commented on the request. The Board, via consensus, requested Mr. Nolan to review the situation and provide a further report for the Board in the near future.
- b. Dedication of Weber Road and Berks Road Rights-of Way via Resolution 2011-09 concerning the Rhoads Subdivision –** Mr. Nolan reported that this was a standard resolution for the acceptance of road frontages on Berks Road and Weber Road, relative to the Rhoads Subdivision. Supervisor Caughlan moved to adopt Resolution 2011-09, accepting dedication of Weber Road and Berks Road Rights-of-Way. Supervisor Quigley seconded the motion. There were no comments from the Board or the Public and the motion passed unanimously.
- c. Recommendation for award of contract for Kriebel Mill Road Bridge replacement –** Mr. Nolan reported that the contract had been duly advertised and bids were opened on May 11, 2011. The base bids ranged from \$209,700 to \$325,500. The lowest responsible bidder is Ply-Mar Construction of Plymouth Meeting, PA. The Engineer has worked with this contractor and believes they are qualified. The Engineer's Estimate for this project was \$250,000. There is an alternate bid in this project, representing a change in price for wood guide rails. Since the project is adjacent to a state road, PennDOT would need to approve the Highway Occupancy Permit. PennDOT highly discourages the use of wood guide rails. In order to keep the project moving forward, the contract has been bid both ways. Since the guide rail is the last thing to be installed, it is recommended that the project be awarded on the base bid amount, which includes the standard metal guide rails, with a decision to be made later relative to wood guide rails. Construction would occur in stages, with one lane open at all times, over the summer when school was not in session. Supervisor Caughlan moved to award the Kriebel Mill Road Bridge replacement to Ply-Mar Construction of Plymouth Meeting, PA, in the amount of \$209,700. Supervisor Quigley seconded the

motion. There were no comments from the Board or from the public, and the motion passed unanimously.

- d. **Hilltop Estates Sidewalk Waiver Request** – Mr. Nolan reported that the developer is in the final stages of the project. The original subdivision plan shows a section of sidewalk running from Nicole Drive out to Valley Forge Road. The developer, along with the nearby property owner, has requested that the sidewalk be eliminated from the project because the installation would require the removal of two mature and very large trees. Supervisor Caughlan moved to eliminate the requirement for a sidewalk in the referenced location and leave the money in escrow to help pay for any future public improvements. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

5. SOLICITOR'S REPORT

- a. **Executive Session Report** – Mr. Garrity reported that an executive session was held immediately following the May 2nd meeting of the Board of Supervisors, for the purpose of discussing personnel and current performance evaluations. Another executive session will be held following this meeting to discuss the status of negotiations with T-Mobile relative to the Nike Park lease.
- b. **Report on Sound Barriers for Pennsylvania Turnpike** – Mr. Garrity provided a thorough and very detailed summary of the Pennsylvania Turnpike's Noise Impact Analysis Report dated May 2008. Mr. Garrity reported that the Turnpike Commission uses a three pronged formula for determining whether to install noise barriers. The barriers must be warranted (does the sound warrant a barrier); feasible (can the walls be installed and will they do any good from an engineering perspective); and, are the costs reasonable (cost effectiveness has been determined to be \$50,000 per house). In most, if not all cases, noise barriers are warranted and feasible. However, in only one location, Sunnybrook, the Turnpike Commission has determined the barriers to be reasonable, and sound barriers will be installed. Mr. Garrity noted that there are other locations in which the sound barriers may be warranted and feasible, but the standard for reasonableness has not been met. Mr. Garrity reported that his research did not locate any lawsuits that challenged the criteria. In this case, the rural character of Worcester is working against the Township. Mr. Garrity recommends working with the Turnpike Commission and elected officials to see if we can demonstrate that more residential houses would benefit from the sound walls. This has proven to be the most successful approach that Mr. Garrity is aware of.

The following individuals, all of Worcester, commented on the need for sound barriers: David Brooks, Nick Imperial, Lee Veneziale, Skip Cooper, Mark Landis, David Yablonski, Dave Plager, Jim Mollick, Charles Venzia.

At the conclusion of the public comments, the Supervisors, via consensus, asked the Township Manager to attempt to facilitate a "Town Hall" style meeting with representatives of the Pennsylvania Turnpike Commission and the elected officials.

6. OTHER BUSINESS

7. APPROVAL OF THE MINUTES OF APRIL 20, 2011

Supervisor Caughlan moved to approve the minutes of April 20, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

8. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Mark Landis, Worcester, commented on the noise from the Turnpike and on comments made by a Supervisor at a prior Board Meeting, which he found offensive.

Nick Imperial, Worcester, commented on the cost of open space, public access to open space, types of land preservation, and concerns regarding lights.

Dave Plager, Worcester, commented on the proposed trail for Heyser Field.

Jim Phillips, Worcester, commented on rules and regulations for trails, adverse impacts resulting from trails, and the proposed ordinance amendment concerning "no-impact home-based business".

Phil Burke, Worcester, commented on a recent Right-to-Know Request, and landscaping on his neighbor's property. A spirited discussion ensued with Mr. Nolan.

Donna Quigley, Worcester, commented on a post on a blog that she found offensive.

Nick Imperial, Worcester, commented on handicapped parking at his polling place on Election Day.

Tiffany Loomis, Zoning Officer, commented in support of review comments offered by the Township Engineer and Township Solicitor.

James Mollick, Worcester, commented with regard to his opinions concerning elected Supervisors and conflicts of interest.

9. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Secretary

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, JUNE 6, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:03 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[X]
SUSAN CAUGHLAN	[X]

INFORMATIONAL ITEMS

1. MANAGER'S REPORT

- a. Mr. Burman reported that the last meeting of the Zoning Hearing Board was held on May 24, 2011. Two decisions were rendered. The next meeting is June 28, 2011, at which one new application will be heard.
- b. Mr. Burman provided a report on recent Subdivision and Land Development Activities.
- c. Mr. Burman reported on the need for a sign at Heyser Field, and requested the Board's approval for the design and location of the sign. The proposed sign would be located near the driveway along Griffith Road, which is visible from Valley Forge Road. The proposed sign would be similar to signs at Sunnybrook Park and at the Township Building. The dimensions of the proposed sign would be 38 inches high by 55 inches wide. The proposed sign, as designed by Bourne Graphics, would be \$3,940. The Board discussed the proposed sign. Supervisor Caughlan moved to purchase the sign from Bourne Graphics, using Design "A", in which the words Heyser Field would appear on two lines. Supervisor Quigley seconded the motion. Rick DeLello, Worcester, commented on the proposed sign. Chairman Bustard called the question and the motion passed unanimously.
- d. Mr. Burman requested authorization to execute the final contract with Miller Environmental Services, Inc. for operations and maintenance of the Township's sanitary sewer systems. The Agreement has been reviewed and approved by the Township Engineer and Township Solicitor. This is in accordance with the contract award dated December 14, 2010 and the interim contract dated January 3, 2011. Mr. Burman noted that an additional \$67.20 per month has been added to the value of the contract to cover testing that had been inadvertently omitted from the RFP. The monthly cost under the new contract will be \$14,823.34. Supervisor Quigley moved to authorize execution of the aforementioned contract. Supervisor Caughlan seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.
- e. Mr. Burman reported that the influent grinder pump for the Berwick Treatment Plant is in poor condition. It has been removed and needs to be rebuilt or replaced. It would cost \$18,000 to rebuild the unit, while a new unit would cost \$20,501 from Deckman Electric. Because this is a replacement of an existing part for the public works of the Township, rather than a new addition, expansion or enlargement of the existing facilities, it is exempt from the bidding requirements

pursuant to Section 3102(h)(1) of the Second Class Township Code. The Township Engineer, Joe Nolan, reports that he is OK with purchasing the new unit rather than attempting to rebuild the old unit. Supervisor Quigley moved to purchase a new influent grinder pump from Deckman Electric for \$20,501. Supervisor Caughlan seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

2. ENGINEER'S REPORT

Mr. Nolan reported that administration of the Kriebel Mill Road Bridge Replacement Project is moving forward. Contracts are expected soon. The work is to be completed in stages so that the bridge will remain open to one lane of traffic at all times. Work is expected to be completed over the summer months, with the bridge to be reopened by the time school resumes.

Mr. Nolan reported that he has received the specifications and inspection reports for replacement of the roof at Worcester Community Hall. Fortunately, no asbestos was found in the roofing materials. Bid documents will be completed in the near future.

Mr. Nolan reported that he and the Roadmaster, Tom Bookheimer, are nearing completion of their recommendation for the Road Improvement Program. A full recommendation should be available for the evening meeting in June.

Supervisor Caughlan asked whether portion of the Road Improvement Program would qualify for the ARLE Grant Program. The deadline is July 31st. Mr. Nolan stated that he would review the program and be available to discuss, as needed.

3. SOLICITOR'S REPORT

Mr. Garrity reported that the Board of Supervisors held a brief Executive Session at the conclusion of their last meeting, to discuss an update to the lease agreement relative to the proposed cell tower at Nike Park.

4. OTHER BUSINESS

The Board discussed the Cedars Village Planning, and the issue of public sewers relative to this potential zoning district. Supervisor Quigley expressed concerns with capacity of the sanitary sewage system in the area, which is served by Upper Gwynedd Towamencin Authority. By consensus, the Board asked Mr. Nolan to explore and report on the availability of public sewer relative to Cedars Village. Supervisors Quigley also discussed concerns with regard to the future location of sidewalks in this area.

Supervisor Quigley expressed concerns regarding reports of soil contamination at the former Gulf Station located at the corner of Skippack Pike and Valley Forge Road. A discussion ensued. No formal action was taken.

5. APPROVAL OF THE MINUTES OF May 2, 2011

The Board discussed a problem with section 1e, in which the minutes stated that Supervisor Caughlan both made a motion and seconded it. Supervisor Quigley moved to approve the minutes, subject to the correction as to who made the motion and who seconded it in item 1e. Supervisor Caughlan seconded the motion. There were no comments from the public and the motion passed unanimously.

6. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Dave Plager, Worcester, commented on the proposed walking trail at Heyser Field.

Maeve Vogan, Worcester, commented on recent activity at the Zoning Hearing Board.

6. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



David R. Burman, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, JUNE 15, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:33 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[]
SUSAN G. CAUGHLAN	[X]

INFORMATIONAL ITEMS

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of May 2011 – Net Change on Cash Basis

General Fund	\$549,067.38
State Fund	\$153,558.71
Capital Reserve Fund	\$2,652.12

Supervisor Caughlan moved to accept the Treasurer's Report. In the absence of Supervisor Quigley, Chairman Bustard seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$172,055.34. In the absence of Supervisor Quigley, Chairman Bustard seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

3. MANAGER'S REPORT

- a. Mr. Burman reported that DRAFT ordinance revisions concerning Accessory Uses (in Chapter 150) have been posted on the Township's website for public review. Comments have been received by the Township, and staff is not prepared to request authorization to advertise the proposed ordinance at this time.
- b. Mr. Burman reported that DRAFT ordinance revisions concerning "no-impact home-based business" (as defined and required by Section 603.(1) of the Municipalities Planning Code) have been posted on the Township's website for public review. No comments have been received. Supervisor Caughlan moved to authorize staff to advertise the proposed ordinance. In the absence of Supervisor Quigley, Chairman Bustard seconded the motion.

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There were no comments from the Board or the public, and the motion passed unanimously.

- c. **Update on requested “Town Hall” style meeting with PA Turnpike Commission and elected officials concerning sound barriers along the Turnpike.** Mr. Burman reported that staff is attempting to schedule the requested meeting. At this time, potential dates for the meeting include August 23rd and August 25th. Coordination is ongoing.
- d. **Zoning Hearing Board Update** – Mr. Burman reported that the last meeting of the Zoning Hearing Board took place on May 24, 2011, at which two decisions were rendered. The next meeting is scheduled for June 28, 2011. One new application is scheduled to be heard at that meeting.

4. ENGINEER’S REPORT

- a. Mr. Nolan asked whether the Board had any questions regarding his report for the month of May. There were none.
- b. **Recommendations for 2011 Road Improvement Program** – Mr. Nolan reported that he and the Roadmaster, Tom Bookheimer, had toured the Township and developed a list of projects to be addressed this year. The list includes:

Roadway	General Description of Work	Engineer’s Estimate
Kriebel Mill Road (Fawn to Heebner)	Final pavement repair; milling; seal coat; level & scratch course; wearing course	\$85,900
Kriebel Mill Road (Heebner to Stump Hall)	Final pavement repair; milling; seal coat; level & scratch course; wearing course	\$59,100
Potshop Road (at Valley Forge Rd.)	Pipe & end-wall; rip-rap; swale; pavement repair; milling; seal coat; level & scratch course; wearing course	\$46,700
Hollow Road (at Skippack Pike)	Final pavement repair; milling; seal coat; level & scratch course; wearing course	\$9,950
North Wales Road (Morris to Skippack)	<i>Selective</i> base and pavement repair; crack seal; pavement base underdrain; swale; wearing course	\$87,000
Heebner Road (Valley Forge to Kriebel Mill)	<i>Selective</i> base and pavement repair; pavement base underdrain; swale; wearing course	\$29,750
Dell Road (Woodlyn to Quarry Hall)	<i>Selective</i> base and pavement repair	\$13,500
Trooper Road (adjacent to TechniTool)	<i>Selective</i> pavement repair and partial reconstruction; rip rap drainage swale	\$14,250
Windy Hill Road	<i>Selective</i> pavement repair	\$2,400
East Adair Drive	Pipe & end-wall; concrete channel; partial road restoration and reconstruction; bituminous curb	\$6,278

The Engineer’s estimate for the entire 2011 Road Improvement Program is \$354,828. Mr. Burman reported that, although this exceeds the original budget the 2011 Road Improvement Program, funding is available from other line items to cover the Engineer’s estimate of total

costs. The Board discussed the possibility that the work on North Wales Road should be delayed until PennDOT's North Wales Road Realignment Project is completed. Mr. Nolan stated that this work could be included in the bid documents as an alternate bid, in case circumstances dictate that this work should not be completed this year. Supervisor Caughlan moved to authorize advertising bids for the 2011 Road Improvement Program as described. In the absence of Supervisor Quigley, Chairman Bustard seconded the motion. Gordon Todd, Worcester, commented on the 2011 Road Improvement Program. Chairman Bustard called the question and the motion passed unanimously.

5. SOLICITOR'S REPORT

- a. **Executive Session Report** – Mr. Garrity reported that an executive session was held June 13, 2011, at which the Board of Supervisors received an update on potential litigation related to an apparent zoning violation in the Township.

6. OTHER BUSINESS

7. APPROVAL OF THE MINUTES OF May 18, 2011

Supervisor Caughlan moved to approve the minutes of May 18, 2011. In the absence of Supervisor Quigley, Chairman Bustard seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

8. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Dee Dee McGrane, Worcester, commented on open space conservation and acquisition.

9. Adjournment

Supervisor Caughlan moved to adjourn the meeting. In the absence of Supervisor Quigley, Chairman Bustard seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



David R. Burman, Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
TUESDAY, JULY 5, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS

Chairman Bustard announced that the Township Manager had submitted a letter of resignation to be effective July 22, 2011. The Supervisors thanked Mr. Burman for his service, and extended well wishes for his future endeavors.

1. MANAGER'S REPORT

- a. Mr. Burman reported that the last meeting of the Zoning Hearing Board took place on June 28, 2011, at which one application was taken under advisement. The next meeting is scheduled for July 26, 2011, at which one new application will be heard and a decision on the application from June 28th is expected.
- b. Mr. Burman reported that the one-lot land development plan for 1074 Grange Avenue is scheduled to be reviewed by the Planning Commission on July 28, 2011. Also, a ninety-day extension of time for the Board's decision under the MPC has been granted with regard to the proposed three-lot subdivision relative to 3425 Stump Hall Road.
- c. Mr. Burman reported that staff has been working on consistent signage relative to park rules and regulations throughout the Township. This signage would not only provide a more professional appearance for the parks, but it would also serve to manage risks. Staff has determined that Chapter 107 of the Worcester Township Code contains some outdated language. Draft language has been provided to the Solicitor for review. Upon receipt of the Solicitor's comments, staff will circulate the language to the Board and then post final DRAFT language to the website for public review and comment, prior to requesting authorization to advertise.
- d. Mr. Burman reported that the Planning Commission, at their June 23, 2011 meeting, recommended approval of the DRAFT contract renewal with the Montgomery County Planning Commission. The contract provides Planning Services and attendance at Planning Commission and other meetings of the Township. Mr. Burman reported that the contract includes a 9% increase in year one, due to increased attendance at meetings and a 3% increase in rates. The contract also includes a 2% increase in years two and three. There is a new work item, providing for development and implementation of a Park & Rec Master Plan, which would allow for the implementation of a Park & Rec Fee to developers in the future. The Draft contract includes the removal of a prior work item, the historic preservation

ordinance. The Board discussed cost increases and details of the contract. Maeve Vogan, Worcester, commented on the contract. Chairman Bustard reported that the report on a historic preservation ordinance had been prepared under the old contract, but placed on hold. The Board, via consensus, directed the Township Manager to ask the County to return the contract to the number of meetings provided in the expiring contract.

- e. Mr. Burman reported that staff and the Township Engineer are working through the final details with property owners adjacent to the Kriebel Mill Road Bridge for acquisition of an expanded Right-of-Way on one property and a Drainage Easement on another property. The expanded Right-of-Way and Drainage Easement would allow for the completion of the project in accordance with the plans and specifications. A Resolution authorizing the condemnation of a portion of the two parcels was presented for the Board's consideration. Supervisor Caughlan moved to authorize adoption of the Resolution authorizing the condemnation of a portion of the two parcels for the Kriebel Mill Road Bridge Replacement Project. Supervisor Quigley seconded the motion. Mark Landis, Worcester, commented on the motion to adopt the Resolution. Mr. Garrity reported that any compensation would need to be approved by the Board. Rick DeLello, Worcester, commented on the motion to adopt the Resolution. Maeve Vogan, Worcester, commented on the motion to adopt the Resolution. Chairman Bustard called the question and the motion passed unanimously.

- f. Mr. Burman reported that staff would like to replace a 1999 GMC Dump Truck that is utilized for plowing and spreading salt and anti-skid materials. The approved budget for this vehicle is \$80,000, to be paid out of the state highway aid fund. The Director of Public Works has obtained pricing under the COSTARS statewide cooperative purchasing agreement, which alleviates the cost and expense associated with competitive bids. According to the Director of Public Works, the preferred vendors, equipment and pricing are as follows: the chassis is a 2012 Ford F-550 purchased from Sands Ford in Red Hill at a price of \$40,712; the dump body, plow and spreader would be purchased from E.M. Kutz of Reading, PA at a price of \$33,079. The total cost would be \$73,811. Mr. Burman indicated that, given the available storage space in the garage, the Director of Public Works intends to keep the older vehicle as a potential backup, should any of the newer vehicles fail during winter weather operations. Supervisor Caughlan moved to purchase the new Ford F-550 chassis from Sands Ford in Red Hill in Red Hill PA at a price of \$40,712, and to purchase the dump body, plow and spreader from E.M. Kutz of Reading PA, both as specified by the Roadmaster, under the Pennsylvania COSTARS Contract. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

- g. Mr. Burman provided a financial report on the sanitary sewer funds. The Township owns and operates two sanitary sewer plants serving a total of about 850 residential properties and 9 non-residential properties. The Valley Green Treatment Plant serves about 350 residential and 3 non-residential properties. The Berwick Place Treatment Plant serves over 500 residential properties and 6 non-residential properties. The Township accounts for its operation in funds; each fund is separate entity. The sewer funds are proprietary, or business like funds, accounted for separately from the governmental funds. The sewer funds are supported by sewer rates, not taxes. This report is not about taxes.

The sewer funds were established at the time the Township accepted dedication of the plants: Valley Green in the 1970's, and Berwick Place in the 1990's. The information included in the report is very similar to that which is presented in the audited financial statements, except depreciation is not included in this report, in order to more closely reflect a cash basis.

The operations and maintenance of the sanitary sewer systems are handled by a third party

contractor under a professional services agreement. Traditionally, no direct or indirect labor for administration or maintenance of the sanitary sewer systems is applied to the sewer funds.

For ongoing operations, the Financial Results for 2010 show an increase in cash of about \$5,000 in the Valley Green Fund, a decrease in cash from ongoing operations of about \$33,000 in the Berwick Place fund, representing an overall decrease in cash from ongoing operations of about \$27,000. When considering non-recurring improvements in excess of \$2,000 and non-operating revenues such as investment earning and tapping fees, the net change at Valley Green reflects an increase of about \$24,000 and the net change at Berwick Place reflects a decrease of about \$14,000. The overall net change in the sewer funds for 2010 reflects an increase of about \$10,000.

In order to address the increased costs associate with the ongoing operations of the sewer systems, Township staff sought proposals for operations and maintenance of the systems in 2010. Based on the proposals received, the Board awarded a new professional services contract for operations and maintenance of the systems, resulting in a reduction in base costs to pre-2009 levels, a broader scope of work in the base contract, and generally more efficient operation of the systems.

As a result of the new contract for operations and maintenance of the systems, the financial projections for 2011 show an increase in cash of about \$21,000 and \$1,000 in the Valley Green and Berwick Place Funds, respectively. At the outset of the new operations and maintenance contract, several deficiencies were noted in the sanitary sewer systems, resulting in several unforeseen non-recurring improvements in excess of \$2,000. When considering those improvements, along with non-operating revenues such as investment earning and tapping fees, the net change at Valley Green reflects an increase of about \$18,000 and the net change at Berwick Place reflects a decrease of about \$23,000. The projected overall net change in the sewer funds for 2011 reflects a decrease of about \$5,000.

Looking forward to 2012, the financial projections are as follows. The new contract is tied directly to the CPI, which has risen 2.2% in comparison to December of 2010. Also, there are a number of new laboratory tests required by DEP under the NPDES Permit, resulting in additional costs of approximately \$25,000. Utilities and other costs have been increased by 3%, as a starting point for the financial projections. Several capital improvements have been identified for 2012, including the need for flow meters at each of the pump stations (to assist with monitoring and addressing the costly inflow and infiltration of clear water in to the sanitary sewer systems); process improvements at the Valley Green Treatment Plant; and, additional work related to the strategic inflow and infiltration reduction plan.

Based on those assumptions, the financial projections for 2012 show a virtual break even in the Valley Green Fund and a decrease in cash of about \$17,000 in the Berwick Place Fund. When considering non-recurring improvements in excess of \$2,000, along with non-operating revenues such as investment earning and tapping fees, the net change at Valley Green reflects a decrease of about \$50,000 and the net change at Berwick Place reflects a decrease of about \$63,000. The projected overall net change in the sewer funds for 2012 reflects a decrease of about \$113,000.

Mr. Burman also presented a potential five-year capital improvement plan, based primarily on a 2009 report of the sanitary sewer systems, prepared by Carroll Engineering. The potential capital costs between 2012 and 2017 could reach \$2.5 million, depending largely upon potential regulatory requirements from the State.

Mr. Burman asked the Board to hold off on making any decision with regard to the financial

information presented above. Mr. Burman suggested that the Board consider the appropriate allocation of administrative costs to the sanitary sewer funds. Mr. Burman also suggested that the Board explore the possibility of combining the two sanitary sewer funds, which have been accounted for separately over the years. This will lead to administrative efficiencies and an easier allocation of costs. Mr. Burman further recommended that the Board consider rate modifications each year, to accommodate changes in operating costs and to begin replenishing the cash reserves. Mr. Burman noted that the Township's sanitary sewer rates have not increased in over twenty years, with the last increase occurring in 1991.

The Board discussed this matter and thanked Mr. Burman for the report. Rick DeLello, Worcester, commented on the report.

- h. Mr. Burman reported that the Township has received positive feedback from Senator Rafferty's office and from the Pennsylvania Turnpike Commission regarding the requested "Town Hall" style meeting concerning sound barriers along the Northeast Extension. Representative Bradford's office has indicated that the Representative may be available that evening, as well. Tentatively, the meeting would be scheduled for Thursday, August 25, 2011 at 6:00 PM. Mr. Burman noted that this could disrupt the Planning Commission Meeting scheduled for that evening. The Board discussed the importance of the "Town Hall" meeting. Mr. Burman asked Mr. Garrity whether the meeting should be advertised. Mr. Garrity indicated that, although not required because no decisions would be made and no official business would be conducted, it might be a good idea to advertise the meeting. Supervisor Caughlan moved to authorize staff to advertise the meeting as presented. Supervisors Quigley seconded the motion. Mark Landis, Worcester, commented on the proposed meeting. The Board directed the Township Manager to explore the possibility of holding the meeting at the Worcester Township Fire Department. Chairman Bustard called the question and the motion passed unanimously.
- i. The Board discussed the need for an Interim Manager and various potential options for satisfying that need. Mr. Garrity offered comments regarding the process. Supervisor Caughlan moved to authorize the Board to select a candidate for the Interim Manager position as soon as the appropriate and best candidate has been identified. Supervisor Quigley seconded the motion. Mark Landis, Worcester, commented on the motion to select the Interim Manager. Supervisor Caughlan amended her motion to include an intended rate of \$80 to \$100 per hour. Supervisor Quigley seconded the amendment to the motion. There were no additional comments from the Board or the public, and the motion passed unanimously.

2. ENGINEER'S REPORT

Mr. Nolan provided his report as of July 1st. The Township is moving forward with a rain garden next to the Township Building, which is being paid for with a grant from the State. The work will take place in late summer or early fall. Also, the bids for the roof at Worcester Community Hall have been advertised. Bids for the Road Improvement Program are also being advertised. Finally, Mr. Nolan reported that he is working to get clarification from the PA Turnpike Commission with regard to the requested waivers from the Township's stormwater regulations.

The Board discussed the noise issue relative to the PECO Substation Project. A meeting with the Citizen's Advisory Group took place several weeks ago, in which PECO informed the Township that it was performing a thorough noise study on the low frequency hum coming from the new substation. The report is expected within about a month. PECO will then arrange another meeting of their Citizen's Advisory Group to discuss their findings and potential solutions.

In response to a question concerning the cell tower at Nike Park, Mr. Nolan reported that his work had been completed months ago, even though the lease of the property for a cell tower is not yet in place.

3. SOLICITOR'S REPORT

No Report.

4. OTHER BUSINESS

The Board discussed a recent Executive Session that has already been announced, concerning a zoning situation in the Township. The Board discussed the timing of discussions relative to the referenced zoning situation and Executive Session.

5. APPROVAL OF THE MINUTES OF JUNE 6, 2011

Supervisor Caughlan moved to approve the minutes of June 6, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

6. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Chris David, Worcester, commented on the draft contract with the Montgomery County Planning Commission.

Oliver Smith, Worcester, commented on the PECO Substation noise and the Worcester Historical Society.

Rick DeLello, Worcester, commented on the search for a Township Manager, the contract with the Montgomery County Planning Commission, the financial report on the sanitary sewer funds, and solicitor bills.

Mark Landis, Worcester, commented on a recent zoning matter and on the financial report on the sanitary sewer funds.

6. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



Eunice C. Kriebel, Assistant Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, JULY 20, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN G. CAUGHLAN [X]

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INFORMATIONAL ITEMS

1. There will be a Town Hall meeting at 1725 Valley Forge Road (Fire Department building) on August 25th, 2011 to discuss the noise from the Turnpike widening. Please park at the administration building to allow for emergencies.
2. Montgomery County Health Department has issued a heat advisory in effect.

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of June, 2011 – Net Change on Cash Basis

General Fund	\$601,670.88
State Fund	\$153,621.53
Capital Reserve Fund	\$2,804.92

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick and James Phillips, both of Worcester, commented on the Treasurer's Report. Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$197,199.61 Supervisor Quigley seconded the motion. There were no comments from the Board. James Phillips, Nick Imperial, and James Mollick, all of Worcester, commented on the bills. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

- a. **Zoning Hearing Board Update**-Mr. Burman reported that the last meeting of the Zoning Hearing Board took place on June 28th and one application was taken under advisement. The next meeting will be July 28, 2011 with one new application to be heard. The August 25th meeting will hear the application of Growing Greener Partners / Willow Creek Farms with details to follow.

Application 11-04 is located at 2997 Artmar Road and applicant is requesting special exception to allow existing non-conforming office to be converted to in-law suite for individuals who have not yet reached the age of 60.

Chairman Bustard expressed concern about the application.
 Supervisor Caughlan inquired if the Zoning Hearing Board will look for the hardship.
 Supervisor Quigley commented on age discrimination and recommended the ZHB decide.
 No official action was taken.

- b. Subdivision and Land Development Update** – Mr. Burman reported that a new land development application was submitted by 2750 Morris Road Investors (former Visteon Site) for approval of loading docks, drive in doors and expanded parking to appeal to future tenants.

All updates of Zoning Hearing Board applications and Subdivisions and Land Development will be listed on the Township website.

- c. Renewal and potential approval of Montgomery County Planning Commission contract for professional planning services.** The contract has been in place for several years and the renewal contract was presented to the Board at the work session on Monday, July 5. The Board recommended reduction in number of meetings and this contract reflects eighteen meetings and same number of hours. There is an increase of three percent in the contract for year one, and for year two and three, a two percent increase.

Supervisor Quigley inquired about the number of the hours in the contract and the 3% wage increase. He noted that the County is a public sector unlike the private sector where employees are being asked for wage decreases.

Supervisor Caughlan commented that the increase would cover increased soft costs and benefits similar to the contract for the operation and maintenance of the sanitary sewer operations. A private planner would be substantially higher.

Chairman Bustard noted that 50% of the cost is paid by the county and the township pays the other half and for the money it's a good value and a reduction from the original 7% proposed increase. Mr. Burman noted that the Worcester Planning Commission recommended approval of the contract.

Supervisor Caughlan moved to approval the Montgomery County Planning Commission contract for three years. Chairman Bustard seconded the motion. James Phillips and Mark Landis, both of Worcester, commented on the motion. The motion passed two to one with Supervisors Quigley voting against the renewal.

- d. Request for authorization to apply for grant under Penn Dot's ARLE Grant Program** – Mr. Burman reported that Staff has met with McMahon Associates regarding money available for grants under the ARLE (Automatic Red Light Enforcement) Program and possible location of improvements. Management recommends grant funds be applied towards improvements to traffic signal control boxes in the Southwest portion of the Township along Germantown Pike from Kriebel Mill Road to Germantown Pike and at Stump Hall/Township Line and Valley Forge Road. This upgrade will provide the foundation to allow communication between signals to improve traffic flow.

These upgrades will also allow for battery backup for power outages instead of staff having to supply emergency generators. Upgrades are \$25,000 per intersection for total of \$100,000. It is recommended that the Township propose a match of \$25,000 funds towards the grant.

Chairman Bustard commented on a prior proposal to coordinate lights from East Norriton through Lower Providence along the Germantown Pike Corridor. This looks like an opportunity to improve main roads and take traffic off local roads.

Supervisor Quigley commented on prior efforts to divert Township traffic and if it would encourage more development and traffic. He commented on the location of the improvements as opposed to the North area of the township. He further commented on the expense of the upgrades being dependent upon future grants to see improvements.

Mr. Burman responded that the locations of the proposed upgrades were determined by the complaints received in the office and by McMahon Associates' study.

Supervisor Caughlan commented that McMahon Associates has made successful grant applications on behalf of other Townships. She also noted there will be savings incurred through elimination of staff overtime in the event of power outages. She further questions if any of the road drop offs were addressed.

Supervisor Caughlan moved to approve the grant application for the ARLE Grant Program for traffic signal enhancements as described. Supervisor Quigley seconded the motion. Mark Landis, Nick Imperial and James Phillips, all of Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

e. Financial Report on Sanitary Sewer Funds

Mr. Burman provided a presentation to the Board at the work session on July 5, 2011. He presented the same report showing the long term financial outlook for the two wastewater treatment funds which are propriety funds not supported by taxes, but solely by user fees received. He explained some necessary improvements to meet DEP standards and indicated a projected loss at both plants for 2012. He presented several scenarios for the Board to consider, including allocating staff time and insurance to the funds, combining funds, replenishing reserves and grant opportunities. He further noted that rates have not increased since 1991.

Chairman Bustard thanked Mr. Burman for the comprehensive report and indicated that this must be addressed before the year end budget is finalized. He requested that Mr. Burman obtain rates from surrounding municipalities for comparison. He further requested that the presentation be added to the township web site.

Supervisor Caughlan commented on the need for the supervisors to study the report and not put a financial burden on residents who do not benefit from the public sewer system in Worcester and the need to not draw down reserves.

Supervisors Quigley commented on the need for the deficit to come from somewhere and not fair to homeowners not connected to public sewers who need to maintain their own septic systems.

4. ENGINEER'S REPORT

- a. Recommendation for award of Contract for Community Hall Roof Replacement. Mr. Nolan reported that bids for the project were opened July 13, 2011 to replace the roof. The low bid was from Ram Siding Company of Reading, Pa. for \$28,243 plus unit prices for plywood and repairs.

Supervisor Caughlan moved to award the contract to Ram Siding Company in the amount of \$28,243 for the Worcester Community Hall roof replacement project. Supervisor Quigley seconded the motion. William Kazimer, Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

- b. Supervisor Quigley inquired about the status of the Kriebel Mill Road Bridge construction and acquisition of the ROW and the time table of construction with regards to completion prior to school opening in September. Mr. Burman reported on the progress of reaching an agreement with two landowners in lieu of condemnation.

5. SOLICITOR'S REPORT

- a. **Executive Session Report** – Mr. Garrity reported that executive sessions were held July 8, July 15th and July 18, at which the Board of Supervisors interviewed candidates for interim manager to fill the vacancy created by Mr. Burman's resignation.

6. OTHER BUSINESS

- a. **Appointment of Interim Township Manager, Secretary and Open Record Officer**

Chairman Bustard announced the resignation of Township Manager David Burman with his final day being Friday, July 22, 2011 and thanked him for his service. He introduced William McCauley III, having twenty five years experience in municipal government, as Interim Manager.

Supervisor Caughlan moved to appoint William McCauley III Interim as Manager, Secretary, and Open Records Officer. Supervisor Quigley seconded the motion. There were no comments from the Board. Mark Landis, Florence Daily, Nick Imperial, James Mollick and William Kazimer, all of Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

7. APPROVAL OF THE MINUTES OF JUNE 15, 2011

Supervisor Caughlan moved to approve the minutes of June 15, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

8. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

William Kazimer, Worcester, commented on the roof contract, sewer report, and subsurface water infiltration.

Supervisor Quigley questioned the Township's TDR ordinance, Worcester Golf Course, a resident's representation by non-sitting supervisor, and the McGrane Open Space acquisition.

Nick Imperial, Worcester, commented on ongoing problems at his property, State Police, and business tax.

Florence Thaler, Worcester, commented on Worcester Golf Course.

Caren Segal, Worcester, commented on the Worcester Golf Course, Boards' honesty, Right to Know, and for information to be forthcoming.

Lois Imperial, Worcester, commented on family pet being poisoned, non conforming property, and State Police.

James Phillips, Worcester, commented on Kriebel Mill Road Bridge, floor courtesy, voice mail from former Supervisor, Stoney Creek Farm development, air conditioning and lighting for meeting hall, televising meetings, and Willow Creek Farms operations.

Mark Landis, Worcester, thanked the Board for organizing the meeting regarding Turnpike widening and sound barriers and Mr. Burman for his service and commented on Willow Creek Farms operations.

Robert Andorn, Worcester, thanked Mr. Burman, and expressed his opinion of the functional nature of the Board.

Phillip Burke, Worcester, thanked Mr. Burman and commented on the Board and ethics.

Gordon Todd, Worcester, commented on the Board ethics, trustworthiness, development rights, TDR's, and Mr. Burman's leaving.

Fred Oskanian, Worcester, commented on a resident's lost of a dog, a township employee's business, openness from the Board, and the Township's posting of land development on the website.

James Mollick, Worcester, commented on actions and consequences, handling problems, TDR's at the Worcester Golf Course, and changes in the Sunshine Law.

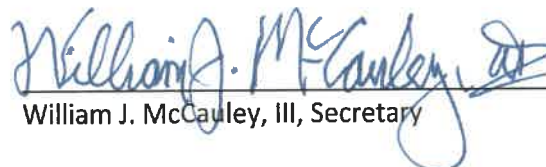
Tiffany Loomis, Worcester Zoning Officer, commented that residents have the right to appeal decisions made by the Zoning Hearing Board.

Kim McClintock, Worcester, commented on flooding problems at his property and a new builder in Stoney Creek Farms.

9. Adjournment

Supervisor Caughlan moved to adjourn the meeting. Supervisor Quigley seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:


 William J. McCauley, III, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 MONDAY AUGUST 1, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS

Township officials have organized a town hall meeting on Thursday, August 25, 2011 at 7:00 to discuss the status of sound barriers along the Northeast Extension widening project in Worcester. Representatives of the Pennsylvania Turnpike Commission will be there. The meeting will be held at the Worcester Fire Department. Please park in the lot between Heebner Park and the administration building.

MANAGER'S REPORT

a. Zoning Hearing Board Update

Tiffany Loomis, Zoning Officer, reported that the last meeting of the Zoning Hearing Board took place on July 26, 2011. Application 11-07, Fields, Artmar Road, was granted as special exception for in-law quarters. Application 11-06, Maman, Berks Road, continuance was requested by the applicant. The next meeting is scheduled for August 23, 2011 at which time Growing Greener Partners/Willow Creek Farms, Stump Hall Road will be heard on a request to allow the lessee of the farm to operate the farm market under the conditional use approval. One new application, 11-09, Farmer, Water Street Road, was received for a variance from a side yard setback to build an addition.

b. Subdivision & Land Development Update

Tiffany Loomis reported that the Worcester Planning Commission will conduct a site at the DePhillippo property in connection with the land development plan. The Morris Road Investors, 2750 Morris Road, Land Development Plan, will execute the extension of time.

c. Proposal for Executive Search for permanent Township Manger

Chairman Bustard reported that the Township has received two proposals for the executive search for a Township Manager. Supervisor Caughlan questioned advertising costs in the proposal from Keystone Municipal Services. Supervisor Quigley inquired where Keystone would advertise.

Supervisor Caughlan moved to execute the Executive Search with Keystone Municipal services in the amount of \$7,000. Supervisor Quigley seconded the motion. Rick DeLello and David Plager, both of Worcester, commented on cost of service, the process, and search tools being utilized. There were no

comments from the Board and the motion passed unanimously.

d. Amendment of Ordinance Chapter 107: Parks and Recreation Areas

Chairman Bustard introduced the Park and Recreation Regulations, Chapter 107, noting that it has been reviewed by the Solicitor. Authorization to advertise on the Township web-site is being requested. Supervisor Caughlan noted some changes regarding bicycles. Supervisor Quigley commented on motorized vehicles verses self propelled. Mr. Garrity, Township solicitor, noted that the proposed ordinance will be on the web for public comments prior to legally advertising in the local newspaper.

e. Authorization to establish Neighborhood Watch Program

Chairman Bustard introduced the request for a neighborhood watch program from residents of the Stables development. Residents have contacted the State Police and were informed that the Township must authorize an agreement. Mr. Garrity noted that the Town Watch Program is a formal agreement with the local police with the Township officials authorizing the program.

Supervisor Caughlan inquired about Township liability, installation of signs, and costs. Supervisor Quigley inquired about the need for Township coordinator, and asked who handles incidents, how neighborhoods areas are defined and how vehicles are identified. Mr. McCauley informed the Board that it is a strict process with formal rules and that some groups utilize radios requiring some form of fund raising activities to support the program. Chairman Bustard noted that the township needs a list of residents involved in the program.

Supervisor Caughlan moved to authorize a Neighborhood Watch program in the Stables Development. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

f. Resolution 11-11, authorizing the approval of Traffic signal Maintenance Agreement #164267 for signal at North Wales and Morris roads.

Mr. Bustard introduced the need for the resolution, stating that the intersection is under construction and once the roads are aligned, the signal will be 100% in Worcester Township.

Supervisor Caughlan moved to approve Resolution 11-11 authorizing Traffic Signal Maintenance Agreement #164267. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

ENGINEER'S REPORT

Mr. Nolan reported that bids were opened for the 2011 road Improvement program last week but only one bid was received. He recommended the Board reject the bid and re-advertise the bid for opening on August 24, 2011, in anticipation of receiving more bids.

Supervisor Caughlan moved to reject the bid received for the 2011 road Program and authorize the Engineer to rebid. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

SOLICITOR'S REPORT

No Report.

OTHER BUSINESS

a Discussion regarding transferring undesignated Fund Balance to Capital Reserve Fund for Army Reserve Base improvements.

Chairman Bustard noted that the Township might receive the Army Base on Berks Road this year for use as a park, and there maybe significant repairs and maintenance needed. He recommended this transfer to help offset the anticipated expenses noting that funds for the Reserve Base have already been designated in the 2011 budget. Supervisor Quigley inquired about heat updates in the building on the base. Supervisor Caughlan noted that under the new GASB (Governmental Accounting Standards Board) guideline, sub-funds must be established under the Capital Reserve Fund but can be revised at future times. Acting Manager McCauley recommended the Solicitor prepare a resolution to authorize the transfer, for audit purposes.

Supervisor Caughlan moved to authorize the solicitor to prepare a resolution to approve the transfer of \$500,000 to the Capital Reserve Fund sub-fund for use at the Army Reserve Base. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously

b. Supervisor Caughlan acknowledged residents' comments at the last meeting regarding preserving the Worcester Golf Course. Noting there is no funding available at this time, she recommended the Board review the use of transferable development rights (TDR's) and consider purchasing them to be held for the future. Supervisor Quigley noted that the Township received an email from Mr. Malone, owner of the golf course, several months ago requesting the Township provide a letter committing to purchase his TDR's and there was no ordinance in place at that time, so we could not provide the letter. Chairman Bustard recommend Mr. Malone personally approach the Board to clarify his desires.

c. Supervisor Quigley suggested the Township research cable access for the meetings to inform the community of activities and meetings. Chairman Bustard recommended the Manager research cable accessibility with Verizon.

Supervisor Quigley moved to proceed with funding to provide cable access to meetings. Hearing no second, the motion failed.

APPROVAL OF THE MINUTES OF JULY 5, 2011

Supervisor Caughlan moved to approve the minutes of July 5, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

PUBLIC COMMENTS

Mauve Vogan, Worcester, commented on cable access to meetings.

Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



 William J. McCauley, III, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, AUGUST 17, 2011 AT 7:30 P.M.**

609684

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS

1. There will be a Town Hall meeting at 1725 Valley Forge Road (Fire Department building) on August 25th, 2011 @ 6:00 P.M. Purpose of the meeting is for representatives of the Pennsylvania Turnpike Commission, the Worcester Board of Supervisors and other elected officials to discuss and hear public comment from Worcester Township residents regarding sound barriers relative to the Pennsylvania Turnpike's Northeastern Extension Reconstruction and Widening Project.
2. The Planning Commission meeting scheduled for August 25, 2011 will be cancelled as a result of this meeting.

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of July, 2011 – Net Change on Cash Basis

General Fund	\$644,591.62
State Fund	\$153,623.59
Capital Reserve Fund	\$2,857.42

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick, Worcester, commented on the Treasurer's Report and cost of hydrants. Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$178,749.37. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick and Chase Kneeland, both of Worcester, commented on detail for the bills and the review process. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

Supervisor Quigley introduced William J. McCauley, III, Interim Manager.

- a. **Zoning Hearing Board Update**-Mr. McCauley reported that the last meeting of the Zoning Hearing Board took place on July 26th and Application 11-07 for a special exception was granted. The next meeting will be August 23, 2011 with two new applications to be heard. Application 11-08: Greener Partners / Willow Creek Farms and Application 11-09: 3122 Water Street Road.

Dave Plager, Worcester, commented on the Greener Partners application.

- b. **Subdivision and Land Development Update** – Chairman Bustard reported that the land development application submitted by 2750 Morris Road Investors (former Visteon Site) has received an extension of time, the Montgomery County Planning Commission review has been received and the application is scheduled for review by the Worcester Township Planning Commission on September 8, 2011. They will schedule a property tour in the upcoming weeks.

All updates of Zoning Hearing Board and Subdivisions and Land Development applications are listed on the Township website.

c. **Discussion regarding Worcester Golf Course**

Mr. Malone, Owner of the Worcester Golf Course, gave a history of the property, current usage and prior conditional use submission to the township. He appealed to the Board to assist him now by preserving the course through purchase of development rights, known as TDR's. He discussed options that surrounding Townships have used to preserve land and the savings that it could represent to the Worcester taxpayers.

Supervisor Caughlan stated there is currently no TDR Ordinance but it is being discussed in conjunction with the Cedars Village overlay. She recommended it be separated from the village overlay in order to expedite the process. Mr. Malone would need to get an appraisal and follow the ordinance to determine the number of lots available for TDR's.

Chairman Bustard explained the necessity of determining the receiving area for the TDR's, stating that it must be where growth is desired. He further noted that currently there are no partners for the purchase of open space. Neither Montgomery County nor the State has funds available and the taxpayers cannot be burdened for open space purchases. He recommended setting up a Montgomery County Lands Trust fund dedicated to the purchase of open space in Worcester.

Supervisor Quigley asked Mr. Malone about the purchase price per acre and how it was obtained, and further noted that the Board would have only four to five months to draft an ordinance of this nature and that Mr. Malone already has a pending agreement of sale.

Gordon Todd, Chairman of the Worcester Planning Commission, confirmed that the Planning Commission could move the TDR ordinance to the priority list stating that it is 80% ready.

Mauve Vogan, Worcester, commented on the topic being discussed previously.

d. Authorization to advertise the revised "Park Regulations" Ordinance amending Chapter 107 of the Code of the Township of Worcester.

Supervisor Caughlan moved to authorize advertisement of the Park Regulation Ordinance. Supervisor Quigley seconded the motion. There were no comments from the public and Chairman Bustard called the question and the motion passed unanimously.

4. ENGINEER'S REPORT

a. Kriebel Mill Road Bridge Replacement Update

Joseph Nolan, Township Engineer, provided an update of the Kriebel Mill Road Bridge reconstruction project, noting that the preliminary work has started and traffic control measures are installed. The Right of Way agreements with the two property owners have been signed and demolition of the existing bridge should start the week of August 22, 2011.

b. Turnpike Stormwater Basin Recommendation

The Pennsylvania Turnpike Commission requested several waivers from the Stormwater Ordinance. Several of the waivers have already been addressed by the Kibblehouse Subdivision stormwater plan. The remaining waivers are from the landscaping ordinance. The easements for the north section of the widening have not yet been acquired so the township will defer decision on the waivers until the easement agreements are signed.

Supervisor Caughlan asked about the easement locations and the loss of property to the owners. Because the proposed basins are at the headwater of the Zacharias Creek, she's concerned about the quality of the water entering the basin and requested the township work with the Turnpike Commission to add additional filters for the basins.

Mr. Nolan responded that he has been working with the Commission and that some of the basins are naturalized basins and one is a rain garden incorporating filtering plantings. The basins will be maintained by the Turnpike Commission.

Supervisor Quigley commented on the pond located on his property containing debris and flooding from Schultz Road overpass. He inquired if this will be addressed with the basins.

5. SOLICITOR'S REPORT

a. Executive Session Report – Mr. Garrity reported there have been no executive sessions since the last meeting.

b. Ordinance No 2011-230-Home Based Business Amendment

Mr. Garrity opened the public hearing at 8:25 p.m. and provided a summary of the ordinance. This will bring Worcester Township's home business ordinance in line with the standards set by the State to allow a no-impact home-based business. Mr. Garrity commented that most properties, even if zoned Agricultural, are residential properties and all conditions of the ordinance must be satisfied.

Supervisor Caughlan clarified that the language is word for word from the Municipalities Planning Code. She further clarified that the ordinance does not regulate what is being delivered, only the number of deliveries.

Supervisor Quigley commented on changing neighbors and cautioned residents to follow the ordinance that clearly states no impact on neighbors.

Chairman Bustard clarified that it is the State's wording that the Township is required to adopt.

Victoria Bean, James Mollick, and one resident whose name could not be confirmed, commented on the ordinance.

The hearing was closed at 8:35 p.m.

Supervisor Caughlan moved to adopt Ordinance No 2011-230-Home Based Business Amendment. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Supervisor Quigley inquired about the status of the TDR Ordinance and the short time frame to accomplish the transfer.

6. OTHER BUSINESS

a. Heyser Field Horse Ring relocation update

Julie Lanzillo, Director of Parks & Recreation, reported that there is \$15,000 in the budget to relocate the ring outside the easement. A proposal from the equipment bid operator was received for the excavation and to secure matching grit. Three proposals were received for fence replacement and signage. The Township received a \$5,000 grant from the PECO Green Region Program and the project will be under budget.

Supervisor Bustard inquired about the time frame.

7. APPROVAL OF THE MINUTES OF JULY 20, 2011

Supervisor Caughlan moved to approve the minutes of July 20, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick, Worcester, commented on minutes and agendas on the web, Sunshine law, and the bills list. The motion passed unanimously.

8. PUBLIC COMMENTS

Chairman Bustard noted that the Worcester Historical Society sent a letter to the Supervisors requesting acceptance of a gift in the form of a historical plow to be displayed at the administration building.

Supervisor Caughlan moved to accept the plow from the Historical Society and place it under the flag. Supervisor Quigley seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

Ian Gibbons, Worcester, commented on the Worcester Golf Course, TDR process, and slow moving government.

David Plager, Worcester, commented on crime in the community and the neighborhood watch meeting to be held September 7th, 2011.

Gordon Todd, Worcester Township Planning Commission Chairman, commented that TDR's will be discussed at the meeting on Thursday, September 22nd, 2011.

Craig Schloer, Worcester, commented on the Worcester Golf Course remaining a golf course and TDR options.

Wini Hayes, Worcester, commented on TDR's and banking them for future.

Oliver Smith, Worcester, commented on the PECO substation and annoying noise.

Charles Kinsky, Worcester, commented on lack of response from PECO regarding the substation noise.

William Kazimer, Worcester, commented on the PECO noise and the Public Utility Commission and consumer rights.

Kim David, Worcester, commented on TDR's and the golf course.

James Mollick, Worcester, commented on the Worcester Golf Course and TDR's.

Maeve Vogan, Worcester, commented on attendance and televising meetings.

Rick DeLello, Worcester, commented on open space investment and value and the golf course.

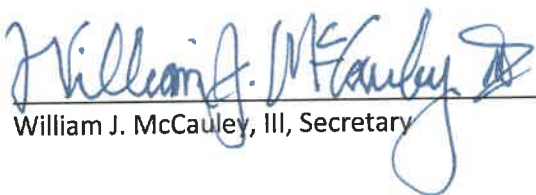
Supervisor Quigley commented on e-mail referencing supervisor's support of Greener Partners Zoning Hearing Board appeal and expressed his conflict of interest and inability to vote on it.

609684

9. Adjournment

Chairman Bustard moved to adjourn the meeting. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



William J. McCauley, III, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Tuesday, September 6, 2011 AT 9:00 A.M.**

WORK SESSION CANCELLED

WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Wednesday, September 14, 2011 AT 9:00 A.M.
SPECIAL MEETING

609684

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN G. CAUGHLAN [X]

Chairman Bustard announced that the special meeting was held to award the contract for the 2011 Road Project. Mr. Nolan previously reported that bids were opened for the 2011 road improvement project but only one bid was received. He recommended the Board reject the bid and re-advertise the bid for opening on August 24, 2011, in anticipation of receiving more bids.

Engineers Report

A second advertisement was placed and five bids were received and opened on August 24, 2011. Five bids were received; Mr. Nolan reviewed them and made a recommendation to the Board to accept the lowest bid from Reid Paving Contractors, Inc. of Gilbertsville Pa. in the amount of \$319,990. An option to repave North Wales Road was deferred due to the ongoing construction on North Wales Road. The project must be completed by October 31, 2011 to utilize State Highway liquid fuel money. To provide the contractor the extra week to begin the project, the Board called a special meeting.

Rick DeLello, Worcester, commented on the bidding process.

Supervisor Caughlan moved to award the bid for the 2011 Road Improvement Project to Reid Paving Contractors, Supervisor Quigley seconded the motion. There were no comments from the Board and the motion passed unanimously.

PUBLIC COMMENTS

Mauve Vogan, Worcester, commented on completion of the Kriebel Mill Road Bridge.

Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:



Eunice C Kriebel, Assistant Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 WEDNESDAY, SEPTEMBER 21, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
 STEPHEN C. QUIGLEY [X]
 SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS

1. The Latest edition of the Worcester Crier was mailed on Monday.
2. The Zoning Hearing Board meeting scheduled for September 27th has been cancelled. There are no new or continued applications scheduled.
3. Susan Caughlan announced that a transfer of development rights ordinance (TDRs) is on the agenda for the Township Planning Commission meeting scheduled for Thursday, September 22, 2011.

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of August, 2011 – net change on cash basis

General Fund	\$726,627.18
State Fund	\$153,625.76
Capital Reserve Fund	\$4,387.74

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick, Worcester, commented on a public safety item and William Kazimer, Worcester, commented on the Community Hall repairs. Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$245,582.13. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick commented on his right to know request for a bills list. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

- a. **Zoning Hearing Board Update**-Tiffany Jacqmin, Zoning Officer, reported the last meeting of the Zoning Hearing Board took place on August 23rd and two applications were heard.

Application 11-08: Greener Partners / Willow Creek Farms was heard at the August 23rd meeting and the record was closed. The applicant waived the MPC time requirement for rendering a decision.

Application 11-09: 3122 Water Street Road was granted.

Mr. McCauley announced that the draft ordinance for the sign revisions, Chapter 150, will be posted on the Township website for review.

- b. All updates of Zoning Hearing Board and Subdivisions and Land Development applications are listed on the Township website.**

Subdivision and Land Development Update – The DePhillippo Land Development plan is on the WTPC agenda for 9/22/2011 for preliminary/ final plan approval for recommendation to the Board of Supervisors.

- c. Minimum Municipal Obligation – Actuarial Amount to be budgeted for Calendar Year 2012**

Mr. McCauley announced that the MMO for 2012 will be in the amount of \$50,145.

Supervisor Caughlan moved to authorize the MMO for 2012. Supervisor Quigley seconded the motion. There were no comments from the public and Chairman Bustard called the question and the motion passed unanimously.

4. ENGINEER'S REPORT

- a. Award Bid: Mount Kirk Pedestrian Bridge Replacement Project**

Having been duly advertised, bids for the project were opened on 8/24/2011. 7 bids were received, ranging in price from \$15,333 to \$23,000. The low bid was submitted by Bailey Bridge, Inc. of Fort Payne, AL. for the amount of \$15,333. \$25,000 was budgeted for this improvement. The installation will be completed by the park maintenance staff at the Mount Kirk Park.

Supervisor Caughlan moved to authorize awarding the bid contract to Bailey Bridge, Inc. in the amount of \$15,333. Supervisor Quigley seconded the motion. Supervisor Caughlan commented on the low bid being from out of state. Chairman Bustard called the question and the motion passed unanimously.

- b. Preliminary and Final Approval Consideration – Morris Road Investors, LP located at 2750 Morris Rd.**

One-Lot Land Development Plan located in the Limited Industrial Zoning District. The landowner proposes 6-foot additions to the existing loading docks that serve Buildings D and E, and 69 additional parking spaces for Building B. Andy Detterline and Bob Irick represented Morris Road Investors, LP. They presented the proposed improvements and commented on the Planning Commission and Engineer review letters. They noted that the improvements are not planned to be constructed unless a tenant wishes them.

Supervisor Caughlan commented on proposed landscaping, walking trails, and height of loading docks. Bob Irick responded by showing plans of improvements.

Supervisor Quigley inquired about public walking trails, nighttime deliveries and left turns on Schultz Road, a County Road. Andy Detterline responded about trails being a security issue and addressed night time deliveries to be determined by future tenants. She also addressed the left turn issue by suggesting the addition of concrete barriers at the exit to eliminate left hand turns.

Supervisor Caughlan moved to approve Preliminary /Final Land Development for Morris Road Investors, LP, with the applicant installing barriers to prohibit left hand turns with permission from the County. Supervisor Quigley seconded the motion. Mark Landis and Gordon Todd, both of Worcester, commented on the proposed improvements. Chairman Bustard called the question and the motion passed unanimously.

c. Mandracchia Subdivision: Consideration of extension of time request

Mr. Nolan reported that the applicant has granted the Township an extension until December 30, 2011 to address the issue of easements. He recommend acceptance of the proposed extension.

Supervisor Caughlan moved to accept the extension of time. Supervisor Quigley seconded the motion. William Kazimer, Worcester, commented on the extension of time. Chairman Bustard called the question and the motion passed unanimously.

Supervisor Quigley requested an update on the Kriebel Mill Road Bridge replacement. Mr. Nolan responded that the bridge is ready for delivery but the contractor is awaiting electric line relocation. Due to recent storms, PECO is behind schedule but will move the lines this Saturday.

5. SOLICITOR'S REPORT

- a. Executive Session Report** – Mr. Garrity reported there was one Executive session held September 14th, 2011 to discuss candidates for the position of Roadmaster.
- b. Ordinance No 2011-231 –Public Hearing – Parks & Recreation Areas Ordinance (amending the current rules and regulations)**

Mr. Garrity opened the public hearing and provided a summary of the ordinance stating that it provides common sense rules for Township Parks regarding pets, vehicles, littering, dumping, soliciting, fireworks, golf, and posting of notices.

There were no comments from the Board or the public.
The hearing was closed.

Supervisor Caughlan moved to adopt Ordinance No 2011-231-Parks & Recreation Areas. Chairman Bustard called the question and the motion passed unanimously.

Supervisor Quigley inquired about the status of the Special Meeting that was held regarding the 2011 Road Program. Chairman Bustard stated that to utilize liquid fuels funds from the state, the project must be completed by October 31, 2011. The project had to be bid a second time because no acceptable bids were received on the first round. The Township engineer requested a special meeting to award the contract to allow the contractor to begin as early as possible after bids were received.

6. OTHER BUSINESS

a. Letter from Timothy J. Quinn, Superintendent of Methacton Schools

The Township received a letter from Timothy J. Quinn, Superintendent of Schools, dated September 7, 2011 regarding a request for relief to go above the 12' height restriction for lights on Methacton athletic fields. Chairman Bustard read the letter to the public.

Grant Schanbacher, Vice President of the School Board, addressed the Board of Supervisors as to why the request was made on behalf of the athletes, proposed fields and secure parking lots.

Joyce Petrauskas, Member of the School Board, commented on the direction the Administration was given at the School Board meeting to address capital needs to include the transportation department and athletic fields.

Chairman Bustard commented that this has been an on-going issue and referred the issue to the township solicitor. Mr. Garrity stated the Board has no authority to overturn the zoning ordinance and the only recourse for the School District is to appeal to the Zoning Hearing Board for a variance which has been done before. The other alternative is for an application to the Township for a text amendment to the zoning ordinance. Each avenue would require plans to be designed.

b. Proposed amendment to Fence Ordinance to allow higher fences along PA Turnpike -- Status and discussion

Supervisor Caughlan introduced an amendment to allow higher screening fences to be constructed on properties adjacent to the Pennsylvania Turnpike to address the problem created by the Turnpike refusing to construct sound barriers. Supervisor Quigley inquired whether the amendment was spot zoning and inquired whether it could pertain to residents experiencing PECO substation noise. Chairman Bustard also commented on possible spot zoning and suggested the Turnpike who is creating the problem, install sound barriers. A discussion ensued.

7. APPROVAL OF THE MINUTES OF AUGUST 17, 2011

Supervisor Caughlan moved to approve the minutes of August 17, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick, Worcester, commented on the minutes, bills of the Township, discussion of Worcester Golf course. The motion passed unanimously.

8. PUBLIC COMMENTS

William Kazimer, Worcester, commented on the special meeting for the road improvement contract.

Mark Landis, Worcester, commented on the cancelled work session and sound barriers along the turnpike causing additional problems.

David Plager, Worcester, commented on the handicap door entrance to the Community Hall and the ordinance regulating ownership of farm markets.

Wini Hayes, Worcester, commented on the timing of the School Board representatives voting on the light issue and on the needs of athletes.

Frank Senk commented on money saved and highway right of way for building fences and future planning for lights at athletic fields.

Caren Segal, Worcester, commented on notifying residents about meetings by email.

William Kazimer, Worcester, commented on the Community Hall door and cost of School lights.

Candy Allebach, Lower Providence, commented on lights on football fields.

David Ballistic, Lower Providence, requested information on the history of lights at the football field.

Jim Garrity, Township Solicitor, responded with chronological events of the football lights issue to date.

James Beam, Worcester, commented on Mr. Garrity's comments and email communications.

Rick DeLello, Worcester, commented on TDR ordinance on website, position of Roadmaster and manager search, and Board's position on school lights.

Ron Evans, Worcester, commented on school lights history and surrounding communities with lights.

John Harris, Worcester, commented on school lights history and quality of life for school neighbors.

Supervisor Quigley moved to authorize the staff and Planning Commission to review the Township Land Development Ordinance and draft an ordinance to update the football stadium lights. Board discussion ensued. Hearing no second, the motion was abandoned.

George Smith, Worcester, commented on the Board's opinion regarding lights at the school.

Grant Schanbacher, Worcester, commented on tax remarks, working relationship with Worcester Board of Supervisors, and school building costs.

Michelle Libor, Worcester, commented on rising school taxes, cost of football lights, potential congestion and light pollution.

Frank Senk, Worcester, commented on putting school lights on a ballot.

James Mollick, Worcester, commented on lights at school and proposed ordinance change.

Charles Venezia, Worcester, commented on lights at Upper Perkiomen School District.

9. Adjournment

Chairman Bustard moved to adjourn the meeting. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



Eunice C. Kriebel, Assistant Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, October 3, 2011 AT 9:00 A.M.**

WORK SESSION CANCELLED

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 WEDNESDAY, OCTOBER 19, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
 STEPHEN C. QUIGLEY [X]
 SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS

1. The Pennsylvania Turnpike will hold a construction Open House in Plymouth Township Thursday, 10/20/2011 from 4:30-6:30 PM at the Montgomery County Fire Academy, 1175 Conshohocken Rd., Conshohocken. The open house format will provide residents near the reconstruction and six-lane widening project (Mid-County Interchange to Berks Road, milepost A20-A26) an opportunity to meet with Turnpike officials, the contractor and consultants involved with the project. This is open to the residents of Plymouth, Whitpain and Worcester Townships who are impacted by construction to widen the Northeastern Extension from four to six lanes.
2. The Zoning Hearing Board meeting scheduled for October 25th has been cancelled. There are no new or continued applications scheduled.

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of September, 2011, net change on cash basis:

General Fund	\$1,060,691.07
State Fund	\$153,684.68
Capital Reserve Fund	\$5,103.21

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board.

Maeve Vogan, Worcester, commented on posting the bills on the Township web site.

William Kazimer, Worcester, asked about the Year-to-Date Capital Reserve amount.

James Phillips, Worcester, commented on Open Space payments.

James Mollick, Worcester, commented on a line item dedicated to open space and on the net change clarification.

Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$692,760.32. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

- a. **Zoning Hearing Board Update**-William McCauley, Interim Manager gave a report. Application 11-09, 3122 Water Street, was granted at the August 23rd meeting. Application 11-06 was withdrawn by the applicant on August 22nd. Application 11-08: Greener Partners / Willow Creek Farms: The applicant granted an extension of time until December 31, 2011 for the Zoning Hearing Board to render a decision.

Mr. McCauley announced that the September 27th Zoning Hearing Board meeting was cancelled, and the October 25th meeting will be cancelled, due to no new or continued applications.

b. **Land Development and Subdivision Update (Current activity only)**

Mr. McCauley reported that there were no new applications.

Mr. McCauley introduced the new Road Master and Director of Public Works, Robert D'Hulster.

c. **Montgomery County Lands Trust – Presentation by Dulcie Flaharty**

Supervisor Bustard reported that Ms. Flaharty was unable to attend and would be rescheduled for the Work Session in November.

d. **Resolution: PECO Green Region Grant, Moran Property Trail Application**

Supervisor Caughlan gave a background of the project. At the end of 2010, Montgomery County Lands Trust (MCLT), with grant money from the State, Montgomery County and a contribution from Worcester Township, preserved the Moran Property consisting of 81 acres, along Kriebel Mill Road and Grange Avenue. The Township partnered at about 15% of the cost. One condition from the grant from the Montgomery County Commissioners was that a trail be constructed to connect Grange Avenue with Kriebel Mill Road. The trail is owned by Worcester Township. The property itself was not purchased, just an easement. The Moran's continue to own the property. The easement is owned by Montgomery County Lands Trust and Worcester Township owns a 20-foot wide trail easement. The Township is under a time requirement to complete the trail by June of 2012.

Supervisor Caughlan further explained that PECO has a grant program called Green Region. Worcester has successfully obtained two previous Green Region Grants. Tonight, the Board could authorize the Township to apply for a Green Region Grant to assist with the cost of building this trail. The trail must be built with or without the grant.

Elements of the trail that could be appropriate for the grant are signs (which are required), split rail fencing, and vegetation clearing along the Kriebel Mill Road Bridge. The County required that there be a pedestrian/equestrian/bicycle connection to the Moran property along the Kriebel Mill Road

Bridge which has been closed to vehicle traffic (and will remain closed). Vegetation will be cleared along the bridge to allow for foot, horse and bicycle traffic.

Wooden guard rails are probably going to be required at the approaches to the bridge, for safety reasons. The most significant portions of this trail project (whether we get grant money for it or not) are tree removal, brush clearing and wood chips for the trail. We are requesting the maximum allowed under the grant, which is \$10,000. Supervisor Caughlan reported she was also successful in talking with the property owner, Mr. Moran, who offered to do the brush clearing as an in-kind contribution. Trees will still need to be cleared. Supervisor Caughlan reported that she was also asking the SGF Camp alumni group to help with brush clearing and wood chips.

Supervisor Quigley asked if the Township is paying for the work, no matter what, and who would be doing the work. Chairman Bustard replied that it was his view that most of it would be done internally by the public works staff. Mr. Quigley questioned the staff's ability to do the extensive work required, and their safety with large tree removal.

Supervisor Quigley asked where the money will be coming from for these improvements. Chairman Bustard commented that he wanted to see what was left in the Markel Open Space Fund, which was used to purchase the easement.

Supervisor Caughlan moved to approve the PECO Green Region Grant application in the amount of \$10,000. Supervisor Quigley seconded the motion.

Dave Plager, Worcester asked about a parking lot. Chairman Bustard commented that there would be a small parking lot for 3-4 cars.

James Phillips, Worcester, commented on the role of John Harris, Supervisor Caughlan, and Jake Lea of MCLT.

James Mollick, Worcester, commented on project cost to the Township and knowledgeable estimates of the full project cost.

Chairman Bustard called the question and the motion passed 2-1, with Supervisor Quigley opposing.

4. ENGINEER'S REPORT

a. Change Order #1, Kriebel Mill Road Bridge

Bryan McAdam, attending on behalf of Joseph Nolan, Township Engineer, explained the change order. It addresses Penn DOT issues as well as swale and driveway pipe construction. Chairman Bustard explained that \$7,414.00 of the amount was mandated by Penn DOT to add additional barriers and the balance of the \$20,804 amount is for the swale and to correct drainage issues on the Crenshaw property.

Supervisor Caughlan moved to approve Change Order Number 1. Supervisor Quigley seconded the motion. Supervisor Caughlan asked how the changes came about. Mr. McAdam explained that when the project was bid, the Township did not have the Penn DOT permit in hand, but due to time constraints with school starting they did not want to delay the bid process. As a result of the

Penn DOT review, the changes were prompted. Mr. McAdam clarified for Supervisor Caughlan that only \$7,414.00 was related to Penn DOT changes and the remainder was to address drainage issues raised by the residents.

Mark Landis, Worcester, commented on clarification of the amount of the change order.

Chairman Bustard called the question and the motion passed unanimously.

b. Change Order #1, Community Hall Roof Replacement

Mr. McAdam explained the change order in the amount of \$3,360.00 due to a portion of the roof needing more plywood and the chimney needing to be rebuilt. After power washing was completed, it was determined that re-pointing the chimney was not an option.

Supervisor Caughlan moved to approve Change Order #1, Community Hall Roof Replacement. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

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5. SOLICITOR'S REPORT

- a. Executive Session Report** – Mr. Garrity reported there were two Executive Sessions, held on October 10th and October 12th, to interview candidates for the position of Township Manager.
- b. Greener Partners - Text amendment request - Farm market operation (authorization to advertise & fee waiver request)**

Mr. Garrity provided a summary of the Zoning Ordinance compliance issues. The Zoning Ordinance currently states that the farm market owner and operator must be the same entity. Greener Partners was sent to the Zoning Hearing Board by staff to get an interpretation or variance, but members of the ZHB felt it was an issue that should be resolved with the Board of Supervisors.

Greener Partners made application to the Board of Supervisors for a text amendment to the zoning ordinance allowing a lessee that is farming the land to also operate the farm market. Mr. Garrity requested authorization, by way of resolution from the Board, to advertise the text amendment.

Supervisor Quigley asked if the issue was still in front of the Zoning Hearing Board. Mr. Garrity replied affirmative and explained the applicant probably would withdraw that request, if the Board of Supervisors approves the text amendment.

Supervisor Caughlan moved to authorize advertising of the text amendment to the section. Supervisor Bustard seconded.

Mary Ellen Shore, Worcester, asked where the text amendment could be seen. Mr. Garrity explained a full public hearing will take place in November, and before that time, the proposed amendment will be advertised and on the Township web site for review.

Mark Landis, Worcester, commented on the Board of Supervisors deciding the issue instead of the Zoning Hearing Board. Mr. Garrity replied that the Zoning Hearing Board members did not think it was in their jurisdiction at the last Zoning Board meeting.

Gordon Todd, Worcester, reported he was at the Zoning Hearing Board meeting, and there is a court record of that meeting.

James Mollick, Worcester, commented on whom Greener Partners are and if anyone on the Board of Supervisors had a conflict with the owner or applicant. Supervisor Quigley commented that he was affected because the change in the law could impact his family's business.

Chairman Bustard called the question and the motion passed 2-0, Supervisor Quigley abstaining due to the potential for the new law to affect his family's business.

Mr. Garrity further explained that Greener Partners had paid the fee to the Zoning Hearing Board and a fee to the Board of Supervisors for a text change, and they are requesting to have a fee adjustment for one fee, since they are only getting one decision.

William Kazimer, Worcester, commented on the Sunshine Law, and a board member filling out a form when abstaining from a vote. Mr. Garrity remarked that it is not part of the Sunshine Law, but the form could be provided. Supervisor Quigley commented that upon advice from the solicitor, he would fill out any form.

Supervisor Caughlan moved to approve the fee waiver. Chairman Bustard seconded the motion. There were no comments from the public. Chairman Bustard called the question and the motion passed, 2-0. Supervisor Quigley abstained.

c. Methacton School District – Height of Light Standards – Request for additional discussion

Mr. Garrity reported that the Township had received another letter from the school district asking to be placed on the agenda to continue discussion about the light standard height restriction, and the Chairman wanted to make a statement before the floor was opened for public comment.

Chairman Bustard read a prepared statement, including background on the recent activities covering the high school field lights issue, and his personal involvement in the topic. He stated for the record that he would vote for a text amendment to allow lights at the football field at Methacton High School. In response to the school district's concerns over the condition of their own athletic fields, Chairman Bustard said that overuse of the school district fields cannot continue and offered Township park fields. He remarked that the school district could be given priority for field use.

Supervisor Quigley commented on Chairman Bustard's change since the last meeting, where he made a proposal and no one seconded it. He commented on the Chairman making a statement on an issue when there was no vote before the Board.

Herb Rothe, Worcester, commented that he was the liaison to the school board and introduced other school board members in attendance. He thanked the Board for putting the item on the agenda, and turned the floor over to Mary Jane Barbone, School Board President.

Mrs. Barbone commented that the School Board has been actively looking at the fields for three years, and the Superintendent had a study done and the recommendation is to have turf fields installed. Cost has been an issue so Dr. Quinn, Superintendent, started looking for community support for fundraising efforts.

Nancy Kearney, Worcester, commented on the timing of Chairman Bustard's prepared statement.

Joyce Cantando, Worcester, commented on concerns about traffic on football game nights.

Joyce Petrauskas, Lower Providence resident and School Board member, read a prepared statement. She encouraged the Board and school board to work together moving forward.

Mr. Quigley asked if the School Board had voted on the issue yet, and which fields are proposed to have lights.

Dave Plager, Worcester, commented that an argument could go both ways and the difference between lighting one field and four or five fields.

Michelle Libor, Worcester, commented on the large debts of the school district, including debt service and pension obligations.

Meredith Mandracchia Dickinson, Worcester, commented that she grew up in Worcester and her children are now in Methacton School District.

Meredith Rehrer, Worcester, commented on the text amendment being a slippery slope and how many fields might end up being lighted.

Pat Kelly, Worcester, commented on his concerns that the lights at the high school would be used for more than football.

Karen Tripp, Worcester, commented on light pollution and her concern that if allowed, the height restriction could spread to Heebner Park, churches, Merrymead Farm, and other places.

James Phillips commented on support for the athletic field lights and on artificial turf.

Jay Rees, Worcester, commented on the school tax being for education, and that those wanting sports should be the ones that pay for it.

Karen Vavra, Worcester, commented on the lack of correlation in facts with safety and lights. She further commented on how this text amendment would relate to the noise ordinance.

Linda Taylor, Worcester, commented on the role of sports in education.

Kristina Samtmann, Lower Providence, commented on the uniqueness of the situation.

Mary Ellen Shore, Worcester, commented on her concerns regarding school taxes and academic needs.

Ron Evans, Worcester, commented on the high school being there long before houses were built.

Bucky Mansuy, Worcester, commented that the light issue is about noise, and it will fundamentally change the quality of life.

Supervisor Quigley commented that the school board has not come up with a proposal.

Mary Jane Barbone remarked that she wants to collaborate with the Board of Supervisors.

William Kazimer commented that there was no concrete proposal from the school board and on overspending by the school district.

Chairman Bustard ended the public comment period at 9:30PM and called for a 5-minute recess.

6. OTHER BUSINESS

Chairman Bustard called the meeting back to order at 9:35PM. There was no "other business."

7. APPROVAL OF THE MINUTES OF SEPTEMBER 21, 2011

Supervisor Caughlan moved to approve the minutes of September 21, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board. Mark Landis, Worcester, commented on a large section missing from the minutes, and Chairman Bustard directed him to where they were located. The motion passed unanimously.

8. PUBLIC COMMENTS

Maeve Vogan, Worcester, commented on posting the bills and asked about the PSBA, patrol, periodic updates and the Army Reserve base.

Don Richardson, Worcester, commented about when public discussion can take place regarding the parking lot for the Moran Trail. Chairman Bustard replied that residents will have an opportunity to discuss the plans.

James Mollick, Worcester, commented on a five member board and weighing the needs of the students in the school.

Mark Constable, Worcester, commented on what's best for the kids and cooperation between school and township.

Mark Landis, Worcester, commented on Turnpike sound barrier issue and spending Township money on them. Chairman Bustard replied that he attended a meeting for elected officials concerning the Turnpike project and the Board is working hard on the sound barrier issue.

Tom Croke, Worcester, commented on the Turnpike Commission not helping and the possibility of less expensive walls and/or berms.

Lee Venziale, Worcester, commented on laws to protect individuals.

Chase Kneeland, Worcester, commended on preliminary plans for the Army Reserve Base. Chairman Bustard replied that part of the building may be demolished and discussions will probably start in the spring of 2012.

Supervisor Caughlan said that the Park and Recreation Task Force made several recommendations concerning the building and this is a project for the new Township manager to handle.

Phil Burke, Worcester, commented on sound barriers along Main Line. Chairman Bustard explained the difference between PennDOT and the PA Turnpike Commission. Mr. Burke further commented about

meetings being televised. Chairman Bustard replied he will look into it when the Comcast contract comes up for renewal.

James Phillips commented on the school board showing Township meetings on their channel.

9. Adjournment

Chairman Bustard moved to adjourn the meeting at 10:16PM. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



Eunice C. Kriebel
Eunice C. Kriebel, Assistant Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 MONDAY, NOVEMBER 7, 2011, 9:00A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	[X]
STEPHEN C. QUIGLEY	[X]
SUSAN G. CAUGHLAN	[X]

INFORMATIONAL ITEMS

Chairman Bustard thanked the State legislators for passing Act 84 legislation increasing the ceiling for competitive bids and written quotes.

New Manager

Supervisor Caughlan moved to appoint a new Township Manger, F. Lee Mangan. Supervisor Quigley seconded the motion. There were no comments from the Board and the motion passed unanimously.

Chairman Bustard acknowledged his accomplishments and past experience.

Supervisor Caughlan moved to approve the contract for the new manager. Supervisor Quigley seconded the motion. James Phillips, Worcester, commented. There were no comments from the Board and the motion passed unanimously.

Supervisor Caughlan moved to appoint the Township Manger, F Lee Mangan, as Secretary. Supervisor Quigley seconded the motion. There were no comments from the Board and the motion passed unanimously.

Mr. Mangan thanked the Board for the confidence they have in him and spoke of the admiration he has for Worcester Township.

Montgomery County Lands Trust

Kate Harper, Montgomery County Lands Trust, provided a brief explanation of the Lands Trust organization. She then presented to the Worcester Board of Supervisors a resolution passed by the Lands Trust establishing an exclusive fund designated for Worcester Township for the preservation of open space to be funded by private donations. This fund will help Township residents preserve land for future generations.

Chairman Bustard acknowledged that the Township is currently holding money donated by a private resident and a portion of it will be transferred to the Montgomery County Lands Trust for investment. The remaining balance will be utilized for the installation of a trail on the Moran property.

1. MANAGER'S REPORT

a. Subdivision & Land Development Update (current activity only)

Tiffany Jacqmin, Code Officer, provided an update on 3031 Germantown Pike, Land Development plan which is located Worcester and Lower Providence Townships.

The preliminary / final Land Development plan for the DePhillippo Property will be scheduled for the November 16, 2011 meeting of the Board of Supervisors.

b. Zoning Hearing Board Update

Tiffany Jacqmin, Zoning Officer, presented three new applications:

Application 11-10; 3118 Germantown Pike, for front yard set back relief for construction of garage;

Application 11-11; 2201 Valley Forge Road, for special exception for one story addition and front yard set backs for pool and patio;

Application 11-12; 2665 Skippack Pike, special exception to permit the change to permit the premise to be used as a winery and to permit greater impervious coverage;

Member Quigley commented on property expanding retail sales and the effect of the Hamlet overlay district.

2. ENGINEER'S REPORT

a. Trooper Road – Culvert elimination letter from Penn DOT

Joseph Nolan, Township Engineer, explained that the Township received a letter from Penn DOT confirming the elimination of the off site improvement in the form of a culvert reconstruction. He recommended the Board of Supervisors release the escrow money being secured by the letter of credit held by the builder.

Member Quigley inquired about the stability of the culvert and how that is determined. Supervisor Caughlan questioned the location and source of the water.

Supervisor Caughlan moved to release the escrowed money for the culvert on Trooper Road from the escrow based on the letter from Penn DOT. Member Quigley seconded the motion. There were no comments from the public and the motion passed unanimously.

b. Update on Kriebel Mill Road Bridge

Joseph Nolan, Township Engineer, noted that the bridge is completed and final paving will take place within the next week weather permitting. Supervisor Caughlan questioned the type of guiderail approved. Mr. Nolan responded that it was a combination of the Township's wishes and Penn DOT's requirements. He confirmed that several drainage issues were also corrected in conjunction with the bridge reconstruction and seeding will be completed in the Spring.

c. Update on 2011 Road Improvement Project

Joseph Nolan, Township Engineer, confirmed that the work on the roads will be completed this week and drainage on Adair Drive will take place next week. Supervisors Caughlan inquired about the use of state liquid fuels money. Mr. Nolan responded that Penn DOT's concern is cold weather and the weather has been warm enough for paving.

d. New Roof - Worcester Township Community Hall

Mr. Nolan confirmed that the new roof has been installed on the community building and it is complete.

3. SOLICITOR'S REPORT

a. Executive Session – Monday October 24, 2011 regarding Township Manager

4. OTHER BUSINESS

None

5. APPROVAL OF THE MINUTES

a. Approval of the Minutes of August 1, 2011

Supervisor Caughlan moved to approve the minutes of August 1, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board and the motion passed unanimously.

b. Approval of the Minutes of September 14, 2011

Supervisor Caughlan moved to approve the minutes of September 14, 2011 for the special meeting. Supervisor Quigley seconded the motion. There were no comments from the Board and the motion passed unanimously.

6. PUBLIC COMMENTS


James Phillips, Worcester, commented on the Montgomery County Lands Trust money transfer, numerous properties in Cedars, TDR's, and permits for Zoning Hearing Board Application 11-12, 2665 Skippack Pike.

James Mollick, Worcester, commented on the building inspector and Cedars properties, Montgomery County Lands Trust donations, township managers, and lights at the school.

7. ADJOURNMENT

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:


 F. Lee Mangan, Secretary

FUTURE MEETINGS:

Planning Commission	November 10, 2011	7:30 PM
Board of Supervisors	November 16, 2011	7:30 PM
Zoning Hearing Board	November 22, 2011	6:30 PM
Board of Supervisors	December 5, 2011	9:00 AM

All meetings at Worcester Township Community Hall ~ 1031 Valley Forge Road

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, NOVEMBER 16, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD [X]
STEPHEN C. QUIGLEY [X]
SUSAN G. CAUGHLAN [X]

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INFORMATIONAL ITEMS

Chairman Bustard welcomed the Township's new manager, F. Lee Mangan and provided a brief history on Mr. Mangan's experience.

TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of October, 2011, net change on cash basis:

General Fund	\$613,232.63
State Fund	\$148,704.76
Capital Reserve Fund	\$5,156.87

James Mollick and William Kazimer, both of Worcester, commented on the lack of copies to review. Mr. Mollick further commented on the surplus anticipated at year end.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$184,846.85. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

James Mollick, Worcester, commented on the bills listed and the average amount of monthly bills.

SOLICITORS REPORT

1. Public Hearing – Ordinance No. 2011-232 – Text Amendment to Farm Market Ordinance

The Public Hearing was opened by James Garrity at 7:42 p.m. Mr. Garrity gave a brief summary of the proposed changes to the ordinance and ownership of the land farmed. It has been reviewed by both the Township and County Planning Commissions and both recommended passage.

A Court Reporter was in attendance to record the proceedings.

James Mollick, Worcester, commented on the text amendment change and the land owner.

The Public Hearing was closed by James Garrity at 7:50 p.m.

Supervisor Caughlan moved to adopt Ordinance No. 2011-213 Farm Market Ordinance. Chairman Bustard seconded the motion. Chairman Bustard called the question and the motion passed two to none with Supervisor Quigley abstaining due to personal conflict.

MANAGER'S REPORT

a. Discussion acknowledging Montgomery County Lands Trust Resolution regarding Worcester Land Preservation Fund and motion to transfer open space funds.

Chairman Bustard read the Montgomery County Lands Trust resolution establishing a dedicated fund for Worcester; a letter from Dulcie Flaherty supporting the fund; and a letter from David Markel requesting monies held by Township that he donated be transferred to Montgomery County Lands Trust.

Chairman Bustard acknowledged that this transaction would move the donated funds out of the Township's control.

Supervisor Caughlan thanked Montgomery County Lands Trust for establishing the fund to assist open space preservation in Worcester.

Supervisor Quigley stated that giving the money to Montgomery County Lands Trust takes the politics out of using the money and noted that the cost of the trail is still undetermined.

Chairman Bustard commented that he wants the funds off the Township's financial statements and that a portion of the funds would be reserved for the installation of the trail at the Moran property with \$50,000 to go to Montgomery County Lands Trust.

James Mollick, Worcester, commented on the funds and donors directing where the money resides.

William Kazimer inquired about the amount of money and interest earned.

Gordon Todd commented on the ability for an average individual to donate money to open space.

Supervisor Caughlan moved to transfer \$50,000 of open space fund from the Markel account to Montgomery County Lands Trust (Worcester Land Preservation Fund). Supervisor Quigley seconded the motion. Chairman Bustard called the question the motion passed unanimously.

b. Zoning Hearing Board Update

Tiffany Jacqmin – Zoning Officer provided the report, announcing that the next meeting is Tuesday, November 22, 2011 with two applications being heard as follows:

Application 11-10, 3118 Germantown Pike for front yard set back variance.

Application 11-11, 2201 Valley Forge Road to permit a one story addition, patio, & pool within the front yard setback.

c. Land Development and Subdivision Update (Current activity only)

Tiffany Jacqmin reported that all three land development and subdivision updates are on the agenda tonight for further discussion. She reported that the Worcester Township Planning Commission has reviewed the Land Development for Terra Landscaping and acknowledged the changes. They recommend the Board to accept and pass the land development plan as submitted.

d. Discussion – TDR – Proposed approval for web site posting

Supervisor Caughlan provided an overview of the opportunity to preserve farmland and open space through the transfer of development rights (TDR's). The ordinance allows landowners to separate the right to develop and sell, trade, grant, or hold development rights for the future. It permits the landowner to still own the land but not develop or build house on it. It is an optional ordinance. It does not provide for the receiving end of the TDR's. That portion will be drafted in the near future. The Worcester Township Planning Commission has reviewed the ordinance and recommends adoption.

Chairman Bustard noted that this has been in discussion for months and looks forward to public input and noted that this is the opportunity for denser development in the proposed village area.

James Mollick, Worcester, commented on the utility of selling and buying TDR's, being similar to the Growing Greener ordinance, and the practical aspect of passing the selling ordinance without the receiving ordinance.

Gordon Todd, Worcester, commented on the ability to transfer density where the Township wants development and noted that the concept of transferring development rights has been in the Township's Comprehensive Plan for twenty years.

William Kazimer, Worcester, commented on a landowner previously making a presentation to the Township requesting the ability to sell transfer development rights and how this would assist.

Supervisor Caughlan moved to post the proposed ordinance on the township web sit for review and comments. Supervisor Quigley seconded the motion. Chairman Bustard called the question and motion passed unanimously.

e. Motion for a proposed sewer rate increase.

Joseph Nolan, Township Engineer, introduced the history of the two Township wastewater treatment plants, six pump stations, their ownership and locations. He explained the DEP's requirement for additional testing and updates of equipment and referred to a presentation provided in July 20, 2011, detailing the financial condition of the sewer collection systems.

Mr. Nolan relayed the increased operating costs, utilities, equipment updates, and required studies to determine inflow and infiltration. He indicated that administration costs need to be allocated to the wastewater treatment funds. Consolidating the existing two funds and periodical rate increased would provide for future upgrades and establish capital maintenance funds.

Chairman Bustard commented that there are approximately 850 residents on the township sewer system and the proposed rate increase is approximately \$40 per year. Repairs are necessary and it is a long term issue. The cost cutting measures last year are not sufficient to cover future costs.

Supervisor Quigley commented that the increase is overdue and will bring Worcester's sewer rate in line with neighboring townships.

James Mollick, Worcester, commented on responsible party's liability for paying expense for major repairs.

William Kazimer, Worcester, commented on a letter regarding inflow and infiltration problem and questioned the progress of the study.

Supervisor Caughlan moved to advertise the proposed sewer rate increase from \$78.75 per quarter to \$88.00 per quarter. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

f. Motion to advertise 2012 budget proposal

Manager Lee Mangan provided a brief explanation of the proposed budget for 2012 emphasizing that there is no proposed tax increase and the revenues and expenses are decreased by 2.8%. He further commented on the low real estate tax income for the Township. He further explained the line items composing the total of the public safety category.

James Mollick, Worcester, commented on the public safety category of the budget.

Supervisor Caughlan moved to advertise the proposed 2012 budget. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

g. Resolution 2011-14: Authorization to Berkheimer Associates to collect earned income tax, per capita tax and delinquent per capita tax

Manager Mangan explained that this is a result of the recent Act 32, appointment of county wide tax collector.

Supervisor Caughlan moved to adopt Resolution 2011-14 Authorization for Berkheimer Associates to collect taxes. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

h. Resolution 2011-15: Berkheimer appointment of liaison

Manager Mangan explained the purpose and responsibility of the liaison.

James Mollick commented on the authorization for Berkheimer Associates and appointment of liaison. Manager Mangan explained the timing and county wide requirement.

Supervisor Caughlan moved to adopt Resolution 2011-15: Appointment of liaison to Berkheimer Associates. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

i. **Resolution 2011-16: Montgomery County Growing Greener support**

Manager Mangan explained that this is recommitting support for Montgomery County Open Space.

Supervisor Caughlan commented on the township receiving funding for open space purchase and noted that Pennsylvania Legislative just allocated \$28 Million to farmland preservation.

Supervisor Caughlan moved to adopt Resolution 2011-16: Montgomery County Growing Greener Funds. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

j. **Resolution 2011-17: PECO Green Region Grant, Moran Trail amended application**

Manager Mangan explained that this is to help offset costs for the half mile trail on the Moran property and the total cost will be approximately \$19,000. This grant will offset that cost by \$10,000 if approved.

Supervisor Quigley inquired about the use of wood chips along the entire length of the trail.

Supervisor Caughlan responded that the wood chips are only necessary in the grassland areas and that one third of the trail is wooded and there is no need for wood chips.

Supervisor Caughlan moved to adopt Resolution 2011-17: PECO Green Region Grant, Moran Trail amended application. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

k. **Resolution 2011-18: The Preserve – Planning module, Act 537**

Joseph Nolan, Township Engineer, explained that this amended the Township Act 537 Plan. The development on North Wales Road was previously approved for a package plant but the planning module is being revised to allow sewage to go to Upper Gwynedd who has agreed to accept the waste. This eliminates the necessity for a small package plant. This will amend the Act 537 to pump sewage to the Sunny Brook Pump Station.

Supervisor Caughlan inquired about the number of units that this amendment covers.

Supervisor Quigley inquired if it will expand west on Route 73 to Bethel Road. Mr. Nolan responded that it only provides for the 39 units contained in The Preserve.

Supervisor Caughlan moved to adopt Resolution 2011-18: The Preserve: Planning Module, Act 537. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

l. **Resolution 2011-19: DePhillippo Land Development, 1075 Grange Avenue – Preliminary/Final Approval**

Joseph Nolan introduced Anthony Hiblen, Engineer for the applicant. He stated that the revised plan was previously submitted showing one additional building. Per the Zoning Hearing Board decision, the applicant submitted the land development plan to allow construction of a temporary enclosure to house building materials. He stated that the applicant has removed impervious

coverage to come into compliance. The Worcester Township Planning Commission has recommended approval and has a CKS review letter. Mr. Nolan responded that one of the issues has been resolved and recommends holding the building permit until condition of buffer is met. The Township Planning Commission noted that the approved buffer is adequate.

Supervisor Caughlan inquired about the containment of the bamboo, dead trees, and need for wider and additional density for the buffer.

James Garrity, Solicitor, noted there is a condition in the resolution to control mitigation and that the property has been visited twice by the Township Engineer and Manager. He further noted that the planting of bamboo is not illegal.

Nicholas Imperial, Worcester commented on the bamboo instead of a fence.

Phillip Burke, Worcester, commented on the plan, the buffer, the Zoning Hearing Board report, and the CKS Engineers letter.

Christopher Drummond, Worcester, inquired about the site visit by the Planning Commission, invasion of bamboo, and requested buffering on the back property line.

James Mollick, Worcester, commented on Resolution 2011-19 referencing controlling the spread of bamboo and how the commercial business started.

Chris Kowalczyk, Worcester, commented on lack of a buffer to shield Anvil Drive.

Chairman Bustard suggested the Board table the Resolution until next meeting.

m. Presentation on 3481 Germantown Pike; Terra landscaping Land Development plan

Joseph Nolan provided a brief background of the property showing the property located in two townships, Worcester and Lower Providence. After approval by Worcester Township, Lower Providence made changes to the final plan requiring a second approval by Worcester Township.

James Mollick, Worcester, commented on the buffer shown on the plan.

William Kazimer, Worcester, commented on the work and taken for this land development process.

Supervisor Caughlan moved to adopt Resolution 2011-20: 3481 Germantown Pike; Amended Terra Landscaping Land Development plan. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

ENGINEER'S REPORT

None

OTHER BUSINESS

None

APPROVAL OF THE MINUTES OF OCTOBER 19, 2011

Supervisor Caughlan moved to approve the minutes of October 19, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PUBLIC COMMENTS

Nicholas Imperial, Worcester, commented on parking at the election, his property lines and his neighbor's activities and requested buffering and inspections.

Phillip Burke, Worcester, commented on the DePhillippo land development plan and buffer.


James Mollick, Worcester, commented on Election Day proceedings, prior meeting disruptions and the state police.

Joyce Cantando, Worcester, commented on changes in ordinances changing the face of the Township.

Adjournment

Chairman Bustard moved to adjourn the meeting at 10:25PM. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



F. Lee Mangan, Secretary

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**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, December 5, 2011 AT 9:00 A.M.**

WORK SESSION CANCELLED

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 WEDNESDAY, DECEMBER 21, 2011 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

ARTHUR C. BUSTARD [X]
 STEPHEN C. QUIGLEY [X]
 SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS

None

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of November, 2011, net change on cash basis:

General Fund	\$248,073.02
State Fund	\$144,928.72
Capital Reserve Fund	\$506,076.88

James Mollick, Worcester, commented on lack of reports on the website, surplus at year end, and Army Reserve Base proposed expense.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

James Mollick, Worcester, commented on expenses for road projects and invoice review procedures.

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$589,248.58. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

a. Zoning Hearing Board Update – Tiffany Jacqmin provided update

Last Meeting Dates: November 22, 2011 & December 20, 2011

Application #11-12: Application withdrawn by applicant on 11/11/11

Application #11-08: Application withdrawn by applicant on 11/21/11

Application #11-10: Application withdrawn by applicant on 12/15/11

Application #11-11: Application GRANTED on 11/22/11

Application #11-13: Application GRANTED on 12/20/11

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b. Ordinance 2011-233 to increase the sewer rate payable for each private dwelling unit to \$352.00 per annum payable at a rate of \$88.00 per quarter

F. Lee Mangan described the ordinance explaining it is a 12% increase but first increase in eighteen years.

A Public Hearing was open at 7:48 by James Garrity, Solicitor.

Dorothea Knight, Worcester, commented on funds being used for improvements to decrease odors.

Public Hearing closed at 7:50.

Supervisor Caughlan moved to pass Ordinance 2011-233. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

c. Motion to approve 2012 Budget

F. Lee Mangan, Manager, provided introduction noting a 2.8% reduction in income and expenses, pointed out the total real estate taxes of \$42,000, being one of the lowest in Montgomery County and majority of tax revenue it from Earned Income tax.

Mark Landis, Worcester, commented on the use of the revolving fund money.

Nicholas Imperial, Worcester, commented on code enforcement, Pa One Call expense, proposed new chipper, gator and zoning hearing board expense.

James Mollick commented on sound system, real estate tax, legal fees, computer expense, engineering and code enforcement expenses and trail expenses.

Dorothea Knight commented on the Meadowood and Center Point expense categories.

Supervisor Caughlan moved to approve the 2012 Budget as presented. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

d. Consideration and Authorization of Real Estate Tax Levy

Supervisor Caughlan moved to pass the real estate tax levy with no increase for 2012. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

e. Motion to accept Mandracchia Subdivision Extension of Time

Tiffany Jacqmin acknowledged written request was received from the applicant granting extension of time until March 30, 2012. The applicant previously refused to sign the blanket extension of time.

Supervisor Caughlan moved to pass the extension of time for approval on the subdivision until March 30, 2012. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

f. Motion to Approve TreeVitalize Grant

Julie Lanzillo, Director of Park and Recreation presented the grant summarizing that it's for 48 trees to be planted along the Zacharias Trail to minimize flooding. It is in the amount of \$9,700 with a required 25% match by the township. Susan Caughlan inquired if the match can be in-kind services and if this will eliminate some of the mowing. Dr. Lanzillo responded that staff time can be utilized for the match in

addition to cash but if the trail remains in natural state, a six foot mowing right of way will still be necessary.

Stephen Quigley commented on the feasibility of high school students performing the work.

Florence Thaler, Worcester, commented on location of some trees being along Green Hill Road parking lot area.

Dorothea Knight commented on the natural trail with \$45,000 in budget for paving.

Supervisor Caughlan moved to approve the TreeVitalize Grant. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

g. Authorization for Chairman of Board of Supervisors to sign documentation for International City/County Management Association for F. Lee Mangan, Township Manager, for contribution to pension plan

Supervisor Caughlan moved to authorize Chairman of the Board of Supervisors to sign documents for International City/County Management Association for F. Lee Mangan, Township Manager's pension contribution. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

h. Resolution 2011-19: DePhillippo Land Development, 1075 N Grange Avenue - Preliminary/Final Approval

Mr. Mangan introduced Anthony Hibblen who presented the proposed land development plan and provided a background of the site. This item was tabled from the last meeting. Mr. Hibblen explained changes in the plan based on comments from the board at the last meeting. He further addressed the landscaping and storage of equipment.

Phillip Burke, Worcester, commented on time frame, prior court hearing, violations and use of proposed shed and inspections. He further commented on a violation letter from CKS Engineers and storage of unlicensed equipment.

James Mollick commented on lack of enforcement of zoning issues through out the Township and the Right to Know process.

Nicholas Imperial, Worcester, commented on bamboo use for buffering and drive-by compliance.

F. Lee Mangan, suggested deadline for planting of trees and issuance of the building permit be conditional upon completion of tree plantings and that the township have the right to inspect the planting. Mr. Garrity commented that it must be completed within one year.

Supervisor Caughlan moved to approve Resolution 2011-19 DePhillippo Land Development, 1075 Grange Avenue for Preliminary/Final approval conditioned on additional two trees shall be planted before issuance of building permit. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

4. ENGINEER'S REPORT

a. Monthly Update

Joseph Nolan, Township Engineer, provided an update on the 2011 Road Improvement Project which is complete. He informed the Board that the Kriebel Mill Road bridge replacement is complete with exception to the guard rail which is custom made and has delayed the installation.

b. Resolution 2011-11, Flanagan Subdivision, Preliminary/Final approval

Mr. Nolan explained that it is a 27 acre parcel proposing a two lot subdivision with both being flag lots. One has the existing house and the other is vacant. Waivers are being requested for public improvements and the testing for on lot sewer system.

James Garrity noted that "Not a Building Lot" should be printed on the final plans.

Supervisor Caughlan moved to pass Resolution 2011-11 with the additional language suggested by Solicitor Garrity. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

5. SOLICITORS REPORT

Mr. Garrity announced an executive session was held, Wednesday, January 21, 2012 to discuss litigation on Right to Know issues.

6. OTHER BUSINESS

Supervisor Quigley inquired about the \$500,000 in the budget for BRAC and the proposed use of the facilities needing to have planning started now. Chairman Bustard noted that the Township Manager will make a detailed presentation on the site in January, 2012.

7. APPROVAL OF THE MINUTES OF NOVEMBER 16, 2011

James Mollick commented on lack of detail regarding distribution of open space money to Lands Trust, DePhillippo land development plan and bamboo planting, and Township officials having business transactions with applicants.

Supervisor Caughlan moved to approve the minutes of November 21, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

8. PUBLIC COMMENTS

David Plague, Worcester, commented on the U.S. Army Base and future planning, noting that the Park and Recreation Task Force provided recommendations.

Nicholas Imperial provided pictures and commented on investigation of his neighbor's purported violations.

James Mollick commented on driveway issues, non uniform enforcement, the need to bid for solicitor and legal counsel, and state police presence at meetings.

Supervisor Quigley inquired about the status of the canopy at the Exxon Gas Station.

Lois Imperial, Worcester, commented on imposed fines would generate money for Township to offset zoning costs.

9. Adjournment

Chairman Bustard moved to adjourn the meeting. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



F. Lee Mangan, Secretary

609684