



RTK Number: _____

pennsylvania

OFFICE OF OPEN RECORDS

WORCESTER TOWNSHIP, MONTGOMERY COUNTY

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 8/29/13

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTOR Ji Mo/Ka

REQUESTOR STREET ADDRESS: _____

REQUESTOR CITY/STATE/COUNTY (Required): _____

REQUESTOR TELEPHONE (Optional): _____

REQUESTOR E-MAIL ADDRESS (Optional): _____

RECORDS REQUESTED:

**Provide as much specific detail as possible so the agency can identify the information.*

see above

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER: TOWNSHIP MANAGER OR ASSISTANT MANAGER

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5)-DAY RESPONSE DUE:

**Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)

From: jim
Sent: Thursday, August 29, 2013 10:27 AM
To: Lee M; elucey@worcestertwp.com
Subject: #13-1044- RTK
Attachments: Worcester RTK 8 29 13.pdf

Mr. Mangan,

During the most recent Worcester Board of Supervisors Meeting of 8/21/13, it was discovered that the conditional use application for the Methacton High School project has been filed. In addition, it was discovered that an extension was granted by the School District until September 25, 2013 because Mr. Garrity was "having trouble finding a Lighting Consultant". It was also discovered that Supervisor Bustard without Board approval, authorization and public input, "charged" Township Solicitor Garrity to search for, screen and ultimately choose the lighting expert for the project. Supervisor Bustard refused to give specifics on the search repeatedly stating that he wanted "comments only". There seemed to be a discrepancy between the way the selection process was initially described by Mr. Fremuth and then by Mr. Bustard. Mr. Fremuth made it sound like there was an applicant pool of 3 individuals and of the 3, one was chosen. Mr. Bustard made it sound like there was no "applicant pool". According to Mr. Bustard "3 individuals "were asked to submit". Supervisor Bustard's version made it seem that a large number of individuals were looked at, recruited and then narrowed down to 3, and then "asked" to submit. When asked if the process was open to more than 3 people, Mr. Fremuth responded, "Yes". When I asked if "Could we see those applications of the people that applied, that were more than 3?" To which Mr. Bustard responded, "I don't think that would be appropriate." Mr. Bustard went on to state, "Do you have any more comments". I stated that, "I have questions about the process". I didn't ask for questions, I said do you have any more comments about this." I responded and said, "I have questions." Mr. Bustard responded, "**Well you can talk about them later.**" "**This is a comment period.**" "**We are asking for comments only.**"

I stated, "If there is more than 3 (applications /applicants/lighting experts) may I have the applications of the other people (more than 3) that were looked at. To which Mr. Bustard responded that it was "irrelevant to the motion on the floor."

I pleaded with Supervisor Bustard at the end of the meeting to allow me to ask questions to avoid having to file a RTK request. In fact, Andy Fremuth the Township Solicitor was very co-operative at the meeting in attempting to provide some answers. Mr. Bustard would not allow him to answer questions. I asked whether I could ask the solicitor to explain the process. Mr. Bustard refused. I asked Mr. Bustard to ask the Solicitor to explain. He refused. When asked for a reason Mr. Bustard responded that it was a "comment period." I asked Mr. Bustard whether it was really necessary for me to file a RTK request to which he responded yes. I then asked Mr. Bustard if that was a reasonable way to handle the process. Again, I am forced to use the RTK process to obtain information from the Township.

I would like the following,

1. A copy of the resolution by the Board of Supervisors authorizing the Township Solicitor to conduct a search for a lighting expert in response to the Methacton School District filing their conditional use application.
2. A copy of the minutes of the Board of Supervisors meeting at which the Board voted to give Supervisor Bustard the authority to act unilaterally to "charge" the Township Solicitor to search for a lighting expert in response to the Methacton School District conditional use application.

3. Copies of the 3 lighting expert applications/resumes submitted to Mr. Garrity and/or the Township as part of the Methacton School District conditional use process. These were referred to by Mr. Fremeuth (Township Solicitor at the 8/
4. Any and/or all applications/resumes and/or documentation used to screen/select candidates that were part of the search process conducted by the Township and/or Mr. Garrity for a lighting expert as part of the conditional use process triggered by the Methacton School District application.

Since the conditional use hearing is rapidly approaching, I would appreciate having this material before the hearing.

Please scan and transmit electronically

Thanks

Jim Mollick