

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
REORGANIZATION MEETING  
WORCESTER TOWNSHIP COMMUNITY HALL  
FAIRVIEW VILLAGE, WORCESTER, PA  
MONDAY, JANUARY 7, 2008 11 A.M.**

CALL TO ORDER John Harris at 11:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

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**INFORMATIONAL ITEMS**

None

**PUBLIC COMMENTS**

James Mollick had numerous questions on the minutes, police, lights at the high school and the letter sent out to the residents discussing the recent lawsuit settlement.

Oliver Smith thanked the Board of Supervisors for having the abandoned vehicles on Valley Forge Road removed.

Gordon Todd questioned the new fee schedule with reference to Use & Occupancies.

**1. REORGANIZATION OF THE BOARD OF SUPERVISORS  
A MOTION TO APPOINT A TEMPORARY CHAIRMAN**

A motion by Arthur Bustard, seconded by Steven Quigley and passed to appoint Mr. John Harris as Temporary Chairman.

**A MOTION TO APPOINT A TEMPORARY SECRETARY**

A motion by John Harris, seconded by Steve Quigley and passed to appoint Mr. Arthur Bustard as Temporary Secretary (to record these motions).

**A MOTION TO APPOINT THE CHAIRMAN**

A motion by Arthur Bustard, seconded by Steve Quigley and passed to appoint John Harris to the position of Chairman of the Board of Supervisors.

**A MOTION TO APPOINT THE VICE CHAIRMAN**

A motion by Arthur Bustard, seconded by John Harris and passed to appoint Steve Quigley to the position of Vice Chairman of the Board of Supervisors.

**A MOTION TO APPOINT THE SECRETARY**

A motion by John Harris, seconded by Steve Quigley and passed to appoint Arthur Bustard to the position of Secretary of the Board of Supervisors.

**2. MOTION TO APPROVE REORGANIZATION RESOLUTION 08-01.**

A motion by Arthur Bustard, seconded by Steve Quigley and passed to approve Reorganization Resolution 08-01.

**3. MOTION TO FILL VACANCIES ON ZONING HEARING BOARD AND PLANNING COMMISSION**

A motion by Arthur Bustard, seconded by John Harris and passed to appoint Caesar Gambone to the Zoning Hearing Board as an alternate.

A motion by Arthur Bustard, seconded by John Harris and passed to appoint Douglas Rotonondo to the Planning Commission with Steve Quigley abstaining

**4. A MOTION TO APPROVE THE TREASURER'S BOND IN THE AMOUNT OF TEN-MILLION DOLLARS**

A motion by Arthur Bustard, seconded by Steve Quigley and passed to Approve the Treasurer's Bond in the amount of Ten-million dollars.

**5. RESOLUTION NO. 08-02 ADJUSTING THE FEE SCHEDULE FOR YEAR 2008**

A motion by Arthur Bustard, seconded by Steve Quigley and passed to adopt Resolution No. 08-02 adjusting the Worcester Township Fee Schedule.

**6. RESOLUTION NO. 08-03 AUTHORIZING APPROVING FIRE DEPARTMENT ACTIVITIES**

A motion by Arthur Bustard, seconded by Steve Quigley and passed to adopt Resolution No. 08-03 authorizing approving fire department activities.

**7. READING AND APPROVAL OF THE MINUTES OF DECEMBER 3, 2007**

A motion to approve the minutes of December 3, 2007 was tabled until the proposed amendments by Jim Mollick are researched.

**PUBLIC COMMENTS**

Chase Kneeland of Berks Road requested an update on the pavilion construction and asked the Board to encourage the contractor to use a sweeper truck. He also requested an update on the greenway. John Harris responded.

Jim Mollick had questions on litigation and appointments.

8. **ADJOURNMENT**

There being no further business to come before this Board, the public reorganization meeting of the Worcester Township Board of Supervisors is adjourned (by Mr. Harris at 11: 40A.M.

Respectfully submitted,

  
Arthur C. Bustard

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**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY JANUARY 16, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

None

**PUBLIC COMMENTS**

Jim Phillips of North Wales Road commented on the Cindy Haines resolution and agreement, questions at the January 7<sup>th</sup>, 2008 work session regarding exchange of cash, lights at the football field at the high school evaluation, questioned discussion of delegates appointed at the reorganization meeting, inquired if Susan Caughlan is appointed and asked who is Caesar Gambone, who was appointed as alternate Zoning Hearing Board member.

Bill Moran of 1123 Kriebel Mill Road, stated that the saw clearing on the bridge on Kriebel Mill Road and inquired if it will remain closed and what would happen to the road if not reopened?

Jim Mollick of Country View Lane asked a follow-up question regarding Kriebel Mill Road abandonment and inquired about discussion with engineer about the cost of the bridge reopening. He stated that the minutes of December 19 are incorrect with regards to Mr. Kneeland's testimony, asked why there was no discussion at the meeting regarding appointments to the planning commission and zoning hearing board, conflict of interest, and inquired why Mike Malone is no longer on the zoning hearing board?

William Kazimer of Fairview Village commented on the minutes and asked if the treasurer selling product to the township was it a violation of PA law? He expressed the opinion that Winnie Hayes' comment in the minutes about open space saving school

taxes was not correct; he noted that Susan Caughlan represented the applicant for the Cuce' land development and asked about payment as open space coordinator.

Don Richardson of 1122 Kriebel Mill Road, regarding Kriebel Mill Road Bridge, opposed to the bridge closure. He has stated that for years, but there was always no money, however, other bridges have been repaired in the township. He stated reasons for his opposition, including a dead end street, ugly appearance, negative curb appeal, continual turnarounds in his driveway. Drivers cross his lawn, he is the recipient of trash, and 1/3 of all his trips would have been in the opposite direction adding 3 miles to each trip, emergency vehicles block road access. New development in Township required 2<sup>nd</sup> entrance but he's not offered this. Methacton High School, which might need emergency services, is only 300 yards from his house. The bridge closure is annoying, expensive, and potentially dangerous. 20 years is too long to have road closed

Dean Cimino of Hawks Nest Lane expressed compassion for Don Richardson and asked who appoints and approves individuals appointed to the ZHB. He asked if Mr. Harris knows that the average tax bill in Worcester Township has increased 15% over 5 years and asked if proposing less development in Worcester, will it result in lower taxes if Lower Providence continues to develop. Can equality be established?

Jim Phillips of North Wales Road asked about conflict of interest with three architects on planning commission, and noted that the planning commission is advisory only. Noted that school taxes are high and where is commercial planning in township? He noted that the bridge on Kriebel Mill Road should be opened and that there is always money for open space. That land goes into Act 319, resulting in 60% lower taxes being collected and there should be more commercial to reduce taxes.

Winnie Hayes of Fisher Road commented that it's not difficult to determine the cost of educating a child nor the average taxes paid per household. She stated that open space does save money. The township is in process of revising a comprehensive plan and that is the appropriate time for residents comments. She believes it would be irresponsible to re-open bridge due to safety aspects because a child was killed there due to lack of sight.

Oliver Smith of Fisher Road representing the Historical Society stated that they are celebrating the 225<sup>th</sup> anniversary of Worcester and wants to plan a celebration and will have license plates for sale.

Jim Mollick prepared a 60 page report for Department of Education and believes Winnie Hayes facts are incorrect the there is a declining enrollment at school.

**1. READING AND APPROVAL OF THE MINUTES OF DECEMBER 19, 2007**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of December 19, 2007 as written. (Copies were available for review.)

**2. TREASURER'S REPORT**

The Treasurer's reports for December, 2007 net change on cash basis:

**December 2007 Report:**

General Fund	(\$2,568,723.28)
State	\$189,167.78
Capital Reserve	(\$201,077.35)

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for December, 2007 net change on cash basis.

**3. PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 783,282.26

**4. MANAGER'S REPORT**

a. Zoning Hearing Board Report – The next meeting will be January 22 at 6:30pm. There are two new applications: A variance relief for the Kibblehouse Tract and Variance and Special Exception for a pool at 2022 Hollis Road.

The Zoning Hearing Board will also render a decision on one pending application – Magagna.

b. Request for Insurance

As per section 606, subsection 7 (c) (1), the Board of Supervisors acknowledges receipt of correspondence to add Stephen C. Quigley to the township's health insurance policy.

A motion by Arthur Bustard seconded by John Harris acknowledges receipt of letter to add Stephen C. Quigley to the Township Health Insurance Policy, with Stephen Quigley abstaining.

**5. ENGINEER'S REPORT**

a. Meadowood Land Development – 38,000 square foot healthcare building. Applicant previously received approval for Phase I of this development and is now requesting a list of waivers which was apparently requested on the prior project. The County and Township planning commissions have recommended approval. This received preliminary approval in 2004, Phase I consisting of 41 cottages. The applicant now wants to proceed with Health Care Center, Phase II. The plans are ready for final approval.

Kate Harper represented the applicant and stated that the revised plan is of a smaller scale than the original. They agreed to comply with letter of CKS Engineers and stated that the needs of the residents today are different from what they were in 2004. She responded to the question from Mr. Quigley regarding trail issues and agreed to review a perimeter trail to connect with the existing trail to school.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to approve Resolution 08-04 the Meadowood Land development for final approval.

6. **SOLICITOR'S REPORT – James Garrity**

A. Cindy Haines Conservation Easement

Mr. Garrity announced that no fees have been reimbursed pending the outcome of the litigation regarding right of first refusal. The resolution, although approved, has not been fully executed pending the outcome of the litigation; recently it was learned that the minutes of the November Board meeting erroneously omitted the resolution approval.

Jim Mollick asked if there is a resolution number associated with it.

B. Private Vehicle Sales Ordinance

The proposed ordinance will limit the sale of privately owned vehicles to one vehicle at a time for not greater than 30 days, not more than twice a year, with 60 days in between, registration with the township will be required and signage is limited to 18x24 inches

The public hearing was opened at 8:39 p.m.

James Garrity, township solicitor, gave background.

Jim Phillips asked about vehicles that are registered but at houses with sale sign and asked if position of sign a factor.

Susan Caughlan of Overhill Drive, asked how it will affect vehicles that are currently for sale within the township and if they fall under ordinance?

Anne Marie Welsh asked where does township stand on abandoned vehicles?  
James Garrity responded.

Steve Quigley asked if many complaints had been received by the township that initiated the ordinance.

John Harris asked why the enumerated list items did not include trailers and construction equipment and he recommended they be included.

Arthur Bustard recommended passing the ordinance as drafted.

Public Meeting Closed at 8:45pm

A motion by Arthur Bustard seconded by Steve Quigley and passed by all to approve ordinance for Private Vehicle Sales

7. **WORCESTER FARMS CONDITIONAL USE HEARING**

The conditional use application has been made by WORCESTER FARMS, INC., 1600 Green Hill Road, P.O. Box 564, Worcester, Pennsylvania, 19490. The Applicant is the equitable owner of two parcels of land with frontage on Green Hill Road consisting of

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a total of approximately 55 acres. The Parcel is owned by Michael John Malone and is zoned AGR–Agricultural District and is subject to the RPD-Rural Preservation District regulations which set forth the criteria for the cluster development of single-family detached dwellings. The applicant seeks conditional use approval for a total of twenty-four (24) new single-family building lots with proposed access to and from Green Hill Road with a total of 28.87 ± acres of permanent, deed-restricted open space.

Mr. Garrity announced that the hearing will be continued February 20<sup>th</sup>, 2008 at 7:30 at this location, Fairview Village Community Hall.

## 8. OTHER BUSINESS

**None**

## GENERAL PUBLIC COMMENTS

Jim Phillips inquired about Cindy Haines having two occupancies on the same property and if she had a permit for them.

Karen Segal asked for business card for Mr. Garrity. He will forward one to her.

David Casinelli – Is Mr. Malone currently running another business out of the Golf Club and if so, does he have an application to the Township to do so? Is the restaurant allowed to install an outside refrigeration unit?

Jim Mollick asked if Art Bustard was a supervisor when he received cash at a political meeting, did the Township renew insurance for liability coverage and if so, will premiums be raised?

## ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 10:20 p.m.

Respectfully submitted,

  
Arthur C. Bustard

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY FEBRUARY 4, 2008 8:00 A.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

John Harris introduced new procedures for public comments effective this meeting as follows:

1. At the beginning of each meeting a time for public comment will be held limited to topics that are on the agenda for the meeting. Unless otherwise established by the Board no time limit will be established for the initial Public Comment period and except as set forth in paragraph #2 below. The Board will not accept further comment on agenda items after the initial "Public Comment" period has been concluded.
2. Any formal hearings conducted by the Board of Supervisors, such as Conditional Use hearings and ordinance hearings, will have comment and question opportunities. Time limits if necessary will be set by the Board and discussion will be held to the topics under consideration.
3. At the end of each meeting a second Public Comment period will be held. Any topic concerning township business may be addressed and each resident will be limited to 2 minutes for his/her comments or questions including any answers by the Board of Supervisors. Rhetorical, irrelevant or unduly repetitious questions may be ruled out of order and will not be responded to by the Board.
4. Residents are always encouraged to send their comments or requests for information to the Township of Worcester by mail, email, through our web site, or in person.

Steven Quigley noted that by following the precedent of the school board, the township residents will be left out of discussion and he is against it.

Arthur Bustard remarked that he has studied other townships and they have adopted a similar policy

A motion by Mr. Harris, seconded by Mr. Bustard and passed 2-1 to accept the proposed changes to Board of Supervisors Meeting ~~proteect~~procedures.

## **PUBLIC COMMENTS**

Mark Landis of 2025 Landis Road commented that the Board just passed a motion without the opportunity to discuss and is therefore shutting down the public voice.

Jim Mollick of Country View Lane remarked that they were trained by Mr. Van Horn, using color of state law to infringe upon rights. Jim Mollick reiterated his position that the December 3rd 2007 minutes as proposed are inaccurate regarding his statement that the \$1 million surplus should be used for funding police. He stated that the minutes of the ~~December 3, 2007~~ work session were tabled, and he was never contacted for correction.

John Harris ~~told~~asked him to provide a copy of the ~~minutes~~his recording ~~and for~~ the Board's will-review.

Jim Mollick stated that with regards to the minutes of January 1, 2008, item #3, a motion to fill vacancy for the Zoning Hearing Board reflected a motion by Mr. Harris, seconded by Mr. Bustard and passed (Steven Quigley abstained). He did not hear Mr. Quigley abstain. He commented on lack of discussion regarding the pay increase to Mr. Garrity, township solicitor, and the lack of any discussion on individuals appointed to positions.

### **1. READING AND APPROVAL OF THE MINUTES OF WORK SESSION DECEMBER 3, 2007**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to table the minutes of December 3, 2007 pending review.

### **2. READING AND APPROVAL OF THE MINUTES OF REORGANIZATION MEETING JANUARY 7, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of and approve as written, the minutes of the reorganization meeting January 7, 2008 (Copies were available for review).

### **3. MANAGER'S REPORT / Mr. John Cornell**

#### **a. 3217 W. Germantown Pike / Mr. John Cassel**

The owner of 3217 W. Germantown Pike, John Cassel proposed seasonal produce sales at the location. Historically in addition to the trailer park use, Mr. Cassel has had existing nonconforming retail type uses such as a pet store, etc. The proposed use would require Zoning Hearing Board approval to change from one nonconforming use to another, before pursuing the application.

Davis want a country wagon for product sales mid-May through November, with seasonal use only. There is no need for water or sewage use on parcel.

James Garrity, township solicitor, provided history of property and uses. The board suggested that Mr. Cassel prepare a documented history of the property's use.

**4. ENGINEER'S REPORT / Mr. Joseph Nolan**

**A. Heebner Park Pavilion Construction Update**

The two new pavilions are nearing completion with the interior finish remaining. All utilities to the sites have been completed. The contractor will restore landscaping along with grass seeding and mulch in the spring.

**B Trail Construction Report**

A new trail is being constructed between Green Hill and Hollow Roads. Zavetta Construction will complete the last 200 feet of the trail across his property. The trail is 75% completed with the parking lot excavated and stoned. The final paving will be in the spring when weather conditions are dryer. All the drainage work has been completed.

There was reported undermining of the former agricultural bridge on the trail near Green Hill and the trail contractor will make repairs through a change order.

**C. MS-4 Annual Report**

This is the DEP report regarding stormwater regulations in the township. Joe Nolan reported the annual report was sent to DEP on December 27, 2007. This is the 5<sup>th</sup> year of the program and it ends March 2008. Newsletter articles, pamphlets, public works seminars and workshops have informed the residents and staff. There are four points to be addressed this year and the program has been extended 1 more year

**5. SOLICITOR'S REPORT / Mr. James Garrity**

None

**6. OTHER BUSINESS**

None

**7. EXECUTIVE SESSION TO DISCUSS LITIGATION ON THE KUMPF BELL DEVELOPMENT**

**GENERAL PUBLIC COMMENTS**

Susan Caughlan, Overhill Road, thanked the Board for taking back control of the meetings.

Oliver Smith, Fisher Road, commented that PECO's access road for the sub-station is only 50 feet from his son's driveway and it needs a stone surface

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because mud is being dragged into the road. The Historical Society is producing and selling license plates commemorating Worcester's 275<sup>th</sup> anniversary.

Jim Mollick asked for clarification on the 2 minute rule. He inquired if a driveway on Overhill is following code. He stated that an EMS Ambulance was stuck on the other side of the bridge on Kriebel Mill Road during a recent incident and the bridge should be opened for safety. He asked if John Harris served on the Open Space committee and what property was first recommended for preservation. He asked if Arthur Bustard accepted cash in 2004 during a Republican Party meeting.

Jim Phillips of North Wales Road asked how a resident gets something on the agenda for discussion. He wants the Kriebel Mill Road bridge discussion on an agenda and also the light ordinance. He stated his opinion that the minutes are not correct and that the Township is politicizing the minutes.

#### **ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 9:10 A.M.

Respectfully submitted,

  
Arthur C. Bustard

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 WEDNESDAY FEBRUARY 20, 2008 7:30 P.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

**Public Comment Policy**

By way of motion by Mr. Harris, second by Mr. Bustard, the Public Comment Policy passed with Mr. Quigley voting Nay on February 4, 2008. Mr. Harris reiterated the policy.

The public comment policy change adopted at the February work session states the first public comment period of each meeting will be restricted to agenda items only. Unrestricted comments or questions will be allowed after the meeting agenda is completed and will be limited to 2 minutes per person.

The Worcester Historical Society has 275<sup>th</sup> anniversary license plates available for \$15. They are available at the Township office with checks payable to the Worcester Historical Society.

James Garrity, township solicitor, announced the township has been sued by Dr. Mollick and Mark Landis with regard to violation of the Sunshine Law.

An Executive Session was to be held this afternoon to discuss the law suit, but no copies of the suit were available, so the meeting was not held.

**Open Space Allocation**

Mr. Harris shared comments on the possible use of county open space allocation to purchase 5 acres behind the Fairview Village Community Hall and to continue the trail along the Zacharias Creek.

Montgomery County has \$872,000 funding available to Worcester Township from the open space program. The Township Open Space Committee prepared an open space plan in 2006. The Board of Supervisors approved it and it was also approved by the county.

The Worcester Open Space Committee made recommendations of preferred properties. One key property was the field behind Community Hall. In 2007, a trail was started as part of a township trail system. Worcester Township will ask the County to allow the remaining funds to be used for the trail system to connect Heebner Park to Evansburg Park State Park.

## **PUBLIC COMMENTS**

Winnie Hayes of Fisher Road stated that FOW collected over 600 signatures at the polling places supporting the purchase of Heyser's Field several years ago. She thanked the Board of Supervisors for work on open space and preserving the Township and is excited about trail system.

Dorothy McGrane of Stump Hall Road, a lifetime resident, stated that she is excited about the Heyser Field and trail announcement.

Jane Barian of Kriebel Mill Road, a life resident is in favor of having the field part of Worcester Township open space and asked about restoring the parade in the first part of June.

Jeannie Steigerwalt of Grange Avenue, the former president of Farmers' Union Horse Company, stated that it means a lot to the company, and the horse ring is important to the residents. It is the oldest continuous horse show in the county. She would like to see more interest in the horse parade.

Michele Romano of Hollow Road stated that this will be the 68<sup>th</sup> annual horse show. It is fun and includes the community and that Heyser Field should be part of it.

David Plager, Fieldcrest Way, stated that visitors always comment on open space and supports the Board of Supervisors and offered help to keep our open space.

Marty Cayhill of Hollow Road, a 63 year resident, approves of open space, is a member of Farmer Union with a history of family participating in horse shows

Susan Caughlan of Overhill Drive was often asked: when will the township acquire Heyser Field and is happy to have an answer and the trail is also a great accomplishment.

Kim David of Berks Road acknowledged the valuable asset this will be to the Township and asked about a village commercial concept. He believes it would preserve history and provide a step to the future.

Jim Phillips, North Wales Road, likes the idea of trails but stated they should be allowed to have horses on them, not just pedestrians, and it is a wonderful connection to Evansburg State park. He asked if the purchase of the Heyser field is a package enabling the owner to get other commercial rights. He expressed his displeasure of the two minute limitation stating that it is an infringement on his rights to express his grievances and asked how to get an item on the agenda, specifically the lights at the high school. He asked about the names of Cindy Asher (Heyser property) and Dean Cimino (Worcester

Farms conditional use) being on the petition for Republican Committeeman for Arthur Bustard and how that would effect his vote and if he will recluse himself.

Chase Kneeland of Berks Road commends the Board of Supervisors for moving forward on open space. He stressed that the Board of Supervisors manages to acquire development rights using very little township money.

Jim Mollick of Country View Lane commented on open space being acquired from Nike Army Base and is glad the Township is making progress on announcing executive sessions but minutes of January 16 don't reflect conversations between Board of Supervisors members and he asked why? He stated that he believes the two-minute rule definition is different today than it was at the work session and requested clarification and inquired about items on the agenda and how they get there?

**1. READING AND APPROVAL OF THE MINUTES OF JANUARY 16, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of January 16, 2008 as written. (Copies were available for review.)

**2. TREASURER'S REPORT**

The Treasurer's reports for January, 2008 net change on cash basis:

**January 2008 Report:**

General Fund	(\$134,099.84)
State	\$0.14
Capital Reserve	\$5,209.32

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for January, 2008 net change on cash basis.

**3. PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 384,459.19

**4. DISCUSSION ON ALLOCATION OF COUNTY OPEN SPACE FUNDS FOR HEYSER TRACT & ZACCHARIAS TRAIL**

The Worcester Township Open Space Committee, on January 12, 2007, provided final recommendations and analysis for 10 properties that were the highest priority for preservation, according to a set of criteria.

John Harris noted that many residents present at tonight's meeting were here for Worcester Farms Conditional Use hearing. He informed them that the Township had proposed alternatives for preservation of the golf course to Mike Malone but nothing had come out of it. There has been discussion of a possible TDR with Mr. Malone. The acquisition of 5 acres behind the Community building known as Heyser's field and extension of the trail was proposed for the use of the township allocation of the County funding.

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Arthur Bustard stated that for many years he's heard requests for preserving Heyser Field and believes it to be worthwhile.

Steve Quigley concurred that it's a valuable part of township history.

**5. DISCUSSION ON AUTHORIZING A STUDY ON KRIEBEL MILL ROAD BRIDGE**

On February 11, 2008, McMahon Associates provided a proposal for bridge inspection and recommendations with regard to maintenance and rehabilitation.

Arthur Bustard said there have been several requests to open bridge.

Joseph Nolan, township engineer, said an engineering proposal from McMahon Associates will look at the potential for re-opening the Kriebel Mill Road Bridge. The proposal will review safety, address structural issues, and stormwater evaluation at a cost of \$3,950 with an anticipated 4-6 week completion date.

A motion by Steve Quigley seconded by John Harris and approved by all to authorize a study on Kriebel Mill Road Bridge.

**6. ZONING HEARING BOARD REPORT**

Two applications have been received to be heard on February 26<sup>th</sup>, 2008.

- A. Application #08-03, 3217 W. Germantown Pike, John Cassel, proposing a farm produce stand at an existing non-conforming use property
- B. Application #08-04, 3206 Skippack Pike, Skippack Pike LP for a variance for a counseling center.

**7. WORCESTER FARMS CONDITIONAL USE HEARING CONTINUATION FROM JANUARY 16, 2008**

The conditional use application has been made by WORCESTER FARMS, INC., 1600 Green Hill Road, P.O. Box 564, Worcester, Pennsylvania, 19490. The Applicant is the equitable owner of two parcels of land with frontage on Green Hill Road consisting of a total of approximately 55 acres. The Parcel is owned by Michael John Malone and is zoned AGR-Agricultural District and is subject to the RPD-Rural Preservation District regulations which set forth the criteria for the cluster development of single-family detached dwellings. The applicant seeks conditional use approval for a total of twenty-four (24) new single-family building lots with proposed access to and from Green Hill Road with a total of 28.87 ± acres of permanent, deed-restricted open space. This hearing is a continuation from the public meeting on January 16, 2008

A court reporter was on hand to record the official transcript.

**8. OTHER BUSINESS**

John Cornell, township manager, announced that the township is working on a hazardous waste collection day to coordinate with clean space day.

## GENERAL PUBLIC COMMENTS

William Kazimer, Fairview Village, understands that the Board had a 2-1 vote for the two-minute rule and believes it is unfair and a violation of freedom of speech. He believes it should be 4 minutes. He questioned the availability of the work session minutes.

Dave Gullick informed the Board of the Kriebel Mill Road and Woodbridge Road ice condition and the potential for accidents. The Board of Supervisors authorized Joseph Nolan, Township Engineer, to review.

Jim Mollick questioned perceived problems with township with respect to the Chase Kneeland and Toni Lynne testimony from a previous trial, he requested a forensic audit and questioned if there are two open space boards and if John Harris was the open space coordinator and if there were any minutes for the Open Space Committee.

Winnie Hayes, Fisher Road, mentioned a problem at Bean and Berks Road with a run-off and icing problem. She expressed disapproval of Jim Mollick's tone and finds it offensive. As a citizen, she wants to restore a civil type of discourse at the meetings and expressed strong displeasure of his actions.

Jim Phillips questioned availability of a copy of the policy for the two-minute rule and how to get items on the agenda.

William Kazimer commented on the lack of plans on the table for review for Worcester Farms.

Susan Caughlan, Overhill Road, appreciates the explanation and clarification of the board's meeting procedures and the Boards openness and availability, and their taking back control of meetings.

Steve Quigley stated that's he accessible to everyone at the farm 7 days a week. He's surprised how many contacts he's had and he will withdrawal his name as committeeman so there is no conflict in the future. He represents all people of the township so he's stepping down as committeeman.

## ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 10:16 p.m.

Respectfully submitted,

  
Arthur C. Bustard

608746

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORK SESSION MINUTES  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY, MARCH 3, 2008 8:00 A.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

None

**PUBLIC COMMENTS ON AGENDA ITEMS**

Jim Mollick questioned the adjournment on the minutes from the February work session and asked about the Heyser property agreement of sale.

Ron Evans remarked on the positive relationship between the Volunteer Fire Department and the Board of Supervisors and asked how the issue of lights at the high school can be placed on the ballot for public vote. Chairman Harris responded.

Jim Phillips remarked that the Board of Supervisors can change the ordinance regarding the lights at the high school, instead of requiring the school board to make application to the zoning hearing board again. James Garrity, township solicitor, responded.

Jim Phillips also remarked on the Cindy Haines property and Heyser property resolution.

- 1. READING AND APPROVAL OF THE MINUTES OF WORK SESSION FEBRUARY 4, 2008**  
 A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of and approve, as amended, the minutes of the Work Session, February 4, 2008.  
 (Copies were available for review).
- 2. MONTCO GREEN FIELDS/GREEN TOWNS GRANT RESOLUTION 2008-05 (HEYSER PROPERTY & ZACHARIAS TRAIL)**

James Garrity explained that the resolution authorizes the township to complete the grant application. John Harris explained the grant program from Montgomery County.

A motion by Mr. Bustard and seconded by Mr. Quigley and approved by all to pass Resolution 2008-05 Montco Green Fields/Green Towns Grant/Heyser Property and Zacharias Trail).

**HEYSER PROPERTY AGREEMENT OF SALE AUTHORIZATION RESOLUTION 2008-06**

Mr. Bustard explained this authorizes Worcester Township to acquire approximately 5 acres in the Fairview Village area to be primarily funded by the grant from the Montgomery County Green Fields/Green Towns program.

A motion by Mr. Bustard and seconded by Mr. Quigley and approved by all to pass Resolution 2008-06 Heyser Property Agreement of Sale Authorization.

**4. OTHER BUSINESS**

Arthur Bustard remarked on the recent MCATO meeting and a presentation on emergency management procedures and systems. The reverse 911 system was of interest to him and he requested that the Township Manager inquire into the system that Lower Providence demonstrated, to see if it makes sense for Worcester, with the approval of the other Supervisors.

Steve Quigley reported on the need for safety upgrades for the public works department. John Harris commented on the need for permanent replacement facilities for the public works department, following the completion of the fire department construction. It was agreed by all that the Township Manager should move forward on improving the facilities for the Public Works employees, now that the fire house is complete and we will not interfere with them.

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**PUBLIC COMMENTS**

Susan Caughlan, Overhill Drive, thanked the Board for the work on the Heyser property, the Zacharias Trail, and commented on the high school light issue.

Gordon Todd, Chairman Worcester Township Planning Commission, expressed concern over lights at the high school.

Jim Mollick commented on the high school lights, his neighbor's lights, the township insurance policy and the web site email list.

Jim Phillips commented on Cindy Haines property.

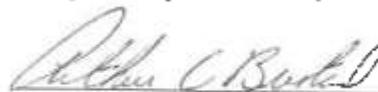
Ollie Smith remarked on the 275<sup>th</sup> Anniversary of Worcester Township.

Ronald Evans commented on the lights at Methacton and the rights of individuals and the supervisors.

**ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:53 a.m.

Respectfully submitted,



Arthur C. Bustard

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY, MARCH 19, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

The Township received a letter from North Penn Water Authority regarding pharmaceuticals in the water. Their testing indicated that the water is safe and a copy of the letter will be posted on the township web site.

**EXECUTIVE SESSION REPORT – JAMES GARRITY, TOWNSHIP SOLICITOR**

The minutes reflect that the Board of Supervisors had 2 executive sessions. The first was a meeting to respond to complaints with regards to the Mollick/Landis law suit.

The second was to review the evidence and testimony on the Worcester Farms Conditional Use application. In conjunction with the conditional use, a petition was received at the Township that cannot be considered because the hearing was closed at the end of the last meeting.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Dave Plager, Fieldcrest Way, asked about item 7B on the agenda, the traffic signals on Water Street Road and Valley Forge. He lives 100 feet from proposed traffic light and believes it could present a problem making left hand turns from Fieldcrest Way and it could be a safety issue. Joe Nolan, township engineer, addressed his concern.

William Kazimer of Fairview Village questioned the 2008 Roadway Project bid apparent recipient, A.H. Cornell & Son, and asked if John Cornell, township manager, is related to the contractor. He is not.

1. **READING AND APPROVAL OF THE MINUTES OF FEBRUARY 20, 2008**  
A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of February 20, 2008 as written. (Copies were available for review.)

2. **TREASURER’S REPORT**

The Treasurer’s reports for February, 2008 net change on cash basis:

February 2008 Report:

General Fund	(\$208,616.92)
State	(\$3,293.57)
Capital Reserve	\$9,073.68

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer’s Report for February, 2008 net change on cash basis.

3. **PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 273,151.83.

4. **WORCESTER FARMS CONDITIONAL USE HEARING DELIBERATION**

The conditional use application has been made by WORCESTER FARMS, INC., 1600 Green Hill Road, P.O. Box 564, Worcester, Pennsylvania, 19490. The Applicant is the equitable owner of two parcels of land with frontage on Green Hill Road consisting of a total of approximately 55 acres. The Parcel is owned by Michael John Malone and is zoned AGR–Agricultural District and is subject to the RPD-Rural Preservation District regulations which set forth the criteria for the cluster development of single-family detached dwellings. The applicant seeks conditional use approval for a total of twenty-four (24) new single-family building lots with proposed access to and from Green Hill Road with a total of 28.87 ± acres of permanent, deed-restricted open space. This hearing is a continuation from the public meeting on January 16, 2008 and February 20, 2008.

James Garrity reported that the Board of Supervisors met in Executive Session to review evidence and testimony. Part of the “criteria” for the conditional use was met, but two areas were not met. The wastewater plant would require an amendment to the Township’s 537 Plan and the configuration of the open space was placed in two areas. One of the opens spaces proposed is the pond area where the package treatment plant is proposed and the smaller parcel was a woodland area. There was no open space proposed around the houses for buffers. The open space should be around the proposed houses and streets some of which is not possible due to the prior development of existing houses.

A motion by Mr. Quigley, that the conditional use application of Worcester Farms, Inc. be denied for failure to provide a sanitary sewage treatment option consistent with the township’s approved Chapter 537 sewage facilities plan and for failure to provide an open space configuration consistent with the township’s goals and policies for open space as set forth in the zoning ordinance, the open space plan and the comprehensive plan – all as will be more specifically explained in the written decision of the board on the application.

Motion seconded by Mr. Bustard and passed by all.

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5. **ZONING HEARING BOARD REPORT**

March 25, 2008 meeting date

A notice has been received from Whitpain Township concerning a public hearing on Thursday, March 20, 2008 at 7:00pm at 960 Wentz Road, Blue Bell, PA. A variance has been requested from their sign ordinance to permit temporary directional signs at North Wales and Skippack Pike and North Wales and Morris Road.

At the February 26, 2008 Zoning Hearing Board meeting, the decision for 07-10, Magagna, was denied. The two other applications were continued at the request of the applicant. They are Barry Davis and John Cassel, 3217 Germantown Pike, for an exception to permit a farm produce stand at the property and the application of Skippack Pike L.P., 3206 Skippack Pike, for an exception to allow the existing structure to be used as a counseling center for loss and bereavement.

These two applications should be heard Tuesday, March 25.

The packets for the public have a copy of the zoning proposal from Whitpain Township, courtesy of neighboring township, if anyone interested.

6. **WYNTREE DEVELOPMENT DEDICATION RESOLUTION 08-05.**

CKS Engineers has completed a final inspection and provided a "certificate of completion." The subdivision is now ready for dedication.

This tract is also known as the Rosenlund tract. All roads and public improvements are ready for the township to take dedication. There is a 18 month maintenance period and the developer will post a maintenance bond.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to approve Resolution 08-05 Wyntree Development Dedication.

6. **ENGINEER'S REPORT**

**Bid Results**

**Road Materials**

Having been duly advertised, bids were opened on March 12, 2008. A total of seven bids were received. The contract included both roadway base reconstruction and roadway overly work. CKS Engineers has provided a bid tabulation.

The first bid was for reconstruction, overland and improvement of eight roads. This work includes milling, overlaying, drainage, swales inlet tops.

There are two parts to the bid with a total of 7 bids received.

1. Low bid for milling and reconstruction was SJM Construction at \$255,896 for items 1-16

2. The low bid for items 17-23 consisting of the overlay portion was H.A. Cornell & Son at \$283,850 but they did not qualify because they are not Penn DOT certified and pre qualified.

Next lowest bid was \$287,827.50 by Allan Myers who is Penn DOT certified and pre qualified.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award the 2008 Roadway Improvement Program base reconstruction portion to SJM Construction Inc. of Spring House, PA in the amount of \$255,896.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award the 2008 Roadway Improvement Program paving/overlay Portion to Allan Myers of Worcester, PA in the amount of \$287,827.50.

Arthur Bustard asked Joe Nolan, Township Engineer, to comment on the amount of money that the township saved by not awarding this contract last year and by bidding it again this year. Mr. Nolan told the audience that the township bids this year were approximately \$200,000 dollars less than the low bid last year.

### **Bid Results**

#### **Park Maintenance**

Having been duly advertised, bids were opened on March 12, 2008. A total of 1 bid was received from Jones Turf Management in the amount of \$88,516 for the mowing and annual athletic field maintenance of the township facilities at Heebner Park, Mount Kirk Park and Sunnybrook.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award the 2008 Park Maintenance Project to Jones Turf Management.

#### **Discussion: Authorization to precede with plans and preparations for traffic signal at Water Street and Valley Forge Roads.**

Joe Nolan asked for consideration of a traffic signal at Water Street and Valley Forge Roads. Initial evaluation of the cost is estimated at \$130,000 and it is one of critical intersections in the Township. It will increase safety concerns, traffic flow and safer turns.

Arthur Bustard asked if the Penn DOT TIP application can transfer from Woodlyn Avenue to Water Street Road.

Steve Quigley inquired if it could increase traffic on Water Street Road and not slow down the flow of traffic going north to South on Valley Forge Road

Joe Nolan responded to both questions.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to authorize the township engineer to proceed with plans and preparations for a traffic signal at Water Street and Valley Forge Roads.

## **8. OTHER BUSINESS**

None

## **GENERAL PUBLIC COMMENTS**

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William Kazimer said he has difficulty hearing what is being said. The minutes referred to 5 acres being purchased with County money being used and asked how much and if an agreement has been reached with the owner.

He also stated that the dollar amount was not part of the motion for the Turf Management motion. Art Bustard amended the motion. Steve Quigley seconded, and all approved in the amount of \$88,516.

Jeanne Steigerwalt of Grange Avenue expressed concerns at the Board decision to carpet the Community Hall and stated that it would be a drawback to organizations that rent the hall as well as a health hazard. She wants the Board to find another way to reduce noise.

Chase Kneeland, Berks Road, commended the Board for moving ahead with the traffic signal plans at Water Street Road and Valley Forge and asked if Act 209 funds could be used. He stated that the pavilions in Heebner Park look close to being done and commented that the damage done to trails needs to be corrected.

Cathy Damico, 1630 Green Hill, thanked the Board for their decision on Worcester Farms. Mrs. Thayer agreed with the statement.

Anne Marie Walsh, 1682 Wood Bridge Lane, thanked the Board for denying Worcester Farms Conditional Use Application.

Jim Mollick, Country View Road, asked the reason for the executive session. He asked Joe Nolan, Township Engineer if anything can be built in drainage easements. Joe Nolan responded. Jim then stated that the acoustics are terrible in the building.

Jim Phillips, North Wales Road, asked about the zoning notice for Whitpain Township and if other townships can mail individuals living within 500 feet notices of their zoning applications.

Kim McClintock of North Wales Road asked if Worcester alerts neighboring townships of zoning changes.

Susan Caughlan wanted to let the board know she is stepping down as Open Space Coordinator and that it was a privilege to work with the Board of Supervisors. John Harris thanked her for her service and time.

#### **ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:25 p.m.

Respectfully submitted,

  
Arthur C. Bustard

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY APRIL 7, 2008 8:00 A.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

John Harris announced a report was received from McMahon Associates on the Kriebel Mill Road bridge study that is on the web site and he restated the public comment and the two-minute rule.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Jim Mollick, Country View Lane, remarked that the March 3, 2008 minutes omitted discussion between himself and James Garrity (township solicitor) concerning executive sessions and the website email list and use of integrity of list. He also questioned the resolution on the Cindy Haines conservations easement and e-mails between the Board and Susan Caughlan regarding re-zoning.

David Brooks addressed the zoning of the Cindy Haines Property referencing discrepancy in zoning.

1. **READING AND APPROVAL OF THE MINUTES OF WORK SESSION MARCH 3, 2008**  
A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved.
2. **READING AND APPROVAL OF THE MINUTES OF WORK SESSION DECEMBER 3, 2007**  
A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved.
3. **DISCUSSION: THE PRESERVE SEWER SERVICE; SAL PAONE**

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The Preserves, is a 39-lot subdivision located on North Wales Road. The project has a pending preliminary plan. The applicant has been pursuing public sewer and desires to discuss with the Board their latest alternatives.

Sal Paone, the applicant, and engineer, Tim Woodrow presented. The Preserves is a proposed subdivision under the model for the Growing Greener ordinance. They have a sewer service issue as there is no capacity in Upper Gwynedd or Whitpain townships. They are looking at a package plant on site and the potential for it. He presented the Board with plans to be reviewed and requested that the sewer engineer review.

Steve Quigley asked about spray irrigation systems.

Joseph Nolan inquired about permitting issues and the applicant for the permit.

**4. DISCUSSION: ZONING HEARING BOARD RELIEF: CEDARS COUNTRY STORE**

Charles Caikoski, representative for the applicant, declined discussion at this time.

**5. CONSIDERATION OF A RESOLUTION TO WITHDRAW THE BOARD'S PRIOR RESOLUTION ON THE CINDY HAINES CONSERVATIONS EASEMENT DONATION**

James Garrity gave background on issue. The Board of Supervisors favors going ahead but in light of litigation, the Board wishes to withdraw resolution until further time when litigation is resolved.

John Harris remarked it was a good move at the time and he still supports the preservation of open space.

Arthur Bustard asked if by tabling the resolution, the Board would be creating a precedent to favor either side of the lawsuit.

A motion by Steve Quigley, seconded by John Harris and passed by all for the Board of Supervisors to withdraw its prior resolution to assist in the payment of some of the expenses related to the Cindy Haines conservation easement donation until such time as the litigation related to that donation is resolved by the parties.

**6. UPDATES  
Heebner Park Pavilions**

John Cornell, township manager, provided an update. The structures will be completed by July 12<sup>th</sup> community day. Painting and sinks need to be completed and the park will need restoration. The contractor will begin this week to grade, seed, pave and restore the walking trail that was damaged.

**Public Works Office and Bathroom**

Due to the construction of the new firehouse, the Township is looking for a suitable location for a new public works office, and bathroom. A proposal will be prepared for the Board by next month.

#### **April Clean-Up Program**

A local Boy Scout troop cleaned Heebner Park of debris last weekend. On April 19 in conjunction with the county there is a county wide clean up of debris, with materials available to interested groups.

#### **Trail Construction**

Joe Nolan, township engineer, commented the contractor is working on the bridge over the trail. Restoration will begin and the parking lot paved.

Joe Nolan will get estimate of paving costs under the township bids. Developer Zaveta will construct his portion of the trail on his lot and it will be completed before a Use & Occupancy permit is issued for the house on the lot.

#### **Truck Purchase**

Budget allows for two new trucks for Public Works. A one ton dump truck was contracted for through the state Co-Stars program and is scheduled to be delivered by the end of the summer. A vendor was contracted for the pick-up truck. These will replace two existing trucks which will be disposed of through bid process.

#### **Township Audit**

Bee Bergval & Company, Township auditors, have submitted the Financial Statement to DCED as required by state code and they are posted on the web. These are not the detailed financial statements which are still being processed.

### **7. OTHER BUSINESS**

Michael DiPhillipo, 104 Berkshire Lane, speaking for his father, Dominic DiPhillipo, had questions regarding the time restrictions placed on his business on 1074 Grange Avenue stating that traffic and breakdowns are not controllable and the 6:00 p.m. deadline is not practical. He requested allowance of temporary storage of material until disposal and maintenance work on Sunday. He submitted a request to the Board for operational hours of 6:00 a.m. to 10:00 p.m. if necessary.

John Harris noted that the restrictions were imposed by the Zoning Hearing Board.

Steve Quigley asked as to the type of business and how long it has been in operation.

Steve Quigley asked what is the protocol for fire calls requiring township assistance and who is contacted and what generates the use of public works overtime. John Cornell responded to all questions.

Arthur Bustard asked if comp time is offered. John Cornell responded no. John Harris explained the recent changes to the personnel manual

Steve Quigley clarified that he could not attend a meeting at the Fire Company because he was at a lacrosse meeting for his daughter.

Steve Quigley further clarified that he stepped down from the Republican committee due to a perceived conflict of interest and does not want to continually be challenged by members of the community on his integrity. At last committee meeting the two-minute interval was mentioned and he perceives that as a conflict.

Steve Quigley stated that he's troubled by all the law suits going around the township. He has reviewed the Sunshine Laws and now believes that there were luncheons and a meeting that were in violation and that decisions should not be made behind closed doors.

Arthur Bustard remarked he appreciates Steve's opinion and confirmed that the meeting in December was to bring Mr. Quigley up to date on the budget and there were no decisions made. He does not see being on the Republican Committee as a conflict.

John Harris asked James Garrity to clarify meetings of Supervisors. The solicitor responded that it is acceptable to have Supervisors meet, but not assemble for the purpose of making decisions or deliberations on Township business.

#### **PUBLIC COMMENTS**

Susan Caughlan, Overhill Drive, thanked the Board for their time and efforts for relatively low pay. She thanked James Garrity for reviewing the Sunshine Law and clarified the benefits of discussions.

Jim Mollick, Country View Lane, stated that the Board of Supervisors left out two key pieces regarding the Sunshine Law stating that there is a very fine line between deliberations and discussions and making decisions. He asked who brought up his name at the Worcester Fire Department meeting and asked when the two-minute rule was discussed.

David Brooks, Worcester resident, appreciates Steve Quigley's comments about conflicts of interest but recognized the need of the discussions and he does not believe the Board of Supervisors needs to be lectured to by Jim Mollick regarding conflict of interest.

Jim Phillips, North Wales Road, asked what happened with the Cindy Haines ordinance, as he had stepped out of the room? He requested information and plans on developments be presented prior to discussions and votes. He commented that the minutes do not reflect what people said. James Garrity clarified the requirements for the minutes.

#### **8. ADJOURNMENT**

There being no further business to come before this Board, Mr. Harris adjourned the regularly scheduled work session at 9:04 AM.

Respectfully submitted

  
 \_\_\_\_\_  
 Arthur Bustard, Secretary

WORCESTER TOWNSHIP  
WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
WORCESTER TOWNSHIP COMMUNITY HALL  
FAIRVIEW VILLAGE, PA  
WEDNESDAY, APRIL 16, 2008 7:30 P.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS             
STEPHEN C. QUIGLEY     
ARTHUR C. BUSTARD   

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**INFORMATIONAL ITEMS**

The Montgomery County Senior Games will be held May 12-16 at Montgomery County Community College. Call 215-641-6300 for details.

The Parks and Recreation Department has several bus trips forthcoming. Details are on the Township web site or at the administrative building.

2008 Summer Camp services are also available on the township website and at the administrative building.

**EXECUTIVE SESSION REPORT – JAMES GARRITY, TOWNSHIP SOLICITOR**

An executive session was held April 14, 2008 at 9:30am at the township building to discuss personnel, litigation and strategies available for ordinance enforcement.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Chairman John Harris announced a change in the format for tonight, by taking comments at beginning of each item, instead of an opening public comment period with all agreeing.

- 1.     **READING AND APPROVAL OF THE MINUTES OF MARCH 19, 2008**  
A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of March 19, 2008 as written. (Copies were available for review.)
- 2.     **TREASURER’S REPORT**

The Treasurer’s reports for March, 2008 net change on cash basis:

*March 2008 Report:*

General Fund	(\$150,744.04)
State	\$1,110.02
Capital Reserve	\$12,637.53

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for March, 2008 net change on cash basis.

**3. PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 266,786.16

**4. INTRODUCTION: LT. DAVID C. BUCKLEY, PA STATE POLICE SKIPPACK BARRACKS COMMANDER**

Lt. Buckley took command of the Skippack barracks in January, 2008 with 18 years of prior service in Philadelphia and the three county areas. He will provide the township manager with a monthly list of activities and asked the residents to be the eyes and ears of the community. The barracks has 50 troopers plus administrative personnel and is located only five miles away.

Susan Caughlan asked how residents get statistics on intersections and stated that they need to be more accessible.

Lt. Buckley noted that public relations release forms are always available.

Jim Phillips asked if the information given to township manager can be available on the website and asked why it took 20 minutes to respond to an assault at Methacton High School.

**5. DISCUSSION ITEMS**

**A. Kriebel Mill Road Bridge**

McMahon Associates has reviewed the existing conditions and prepared a report on the safety and culvert integrity issues of the closed portion on Kriebel Mill Road, between Mill Road and Water Street Road. The report is available on the township web site.

Karen Simeone, Kriebel Mill Road, lives near the bridge and stated five reasons it should not be opened.

Michael Libor, 1240 Kriebel Mill Road, opposed opening the bridge citing the cost versus the benefits and the risk and liability issues.

Jack Kilcoyne, 1331 Kriebel Mill Road, a 30 year resident asked the BOS to put the face of the young man, Rusty Davis, who lost his life on that road on their minds before deciding.

Karen Tripp, 1312 Kriebel Mill Road is a bus driver who opposes opening of the road stating that it is unsafe. She stated that Merrybrook and Grange Roads are safe alternatives.

Jim Hazlett, 1311 Kriebel Mill Road, questioned why the township is spending money to have an engineer's study and that he has no issue with road being closed because sections are dangerous.

Jay Reese, 1335 Kriebel Mill Road, has lived on the closed section for 13 years and even with the road closed he had requested "Watch Children" signs due to traffic.

Jim Phillips, North Wales Road, asked why Bill Moran and his neighbor were not contacted to attend the meeting. He asked about the Charles Sardo incident where emergency vehicles responded to the wrong side of the bridge. He inquired about potential problems if the access road had a problem or weight limit?

Dan Richardson, 1122 Kriebel Mill Road, came before the Board in February to have road opened. He stated that the Township kept it closed for 20 years and that is why costs to re-open it are so high. The safety issues brought up for opening road and widening could have been completed years ago at lower costs.

Jay Rees Sr., 1210 Merrybrook Road stated that the bridge at Water Street should be repaired before opening the other bridge.

Karl Ginther, 1228 Kriebel Mill Road, is a second generation on Kriebel Mill Road and stated that it was like a drag strip prior to the bridge closing and opening it has very little benefit.

Joseph Nolan, township engineer, has reviewed McMahon Associates report. Supervisor, Steve Quigley stated that he wanted to go out and walk area prior to making any decision.

#### **B. Light Stand Height Amendment**

Susan Caughlan, Overhill Drive, stated that is just another attempt to have lights installed at Methacton High School and to change the ordinance could change the face of Worcester. Light spill over is inevitable to surrounding neighborhoods negatively affecting property value. The lights could be installed other places throughout the Township including Heyser Field, Heebner Park and Sunnybrook Park effecting everyone including the Milestone residents with open space across the street. She stated that it's a quality of life issue and the rural atmosphere of Worcester will be yanked away.

Karen Vavra, 1026 Blacksmith Lane, moved here four years ago because they wanted a nice quiet atmosphere. Her daughter's bedroom backs up to the field and the school doesn't need lights.

Lyn Mozley, Anvil Drive, lived in urban areas and moved here for the rural area. She owns a flag lot with wild life and the illumination of lights would destroy quality of life. She stated that night activities would increase traffic and mischief and does not want lights.

Dave Turner, 373 Sunny Ayre Drive, moved to community 15 years ago for school experience. Now the band practices at night and there is no night football. He lives near North Penn High School and the night games do not deter the neighborhood. He wants a community pool and stated that anyone who moved near high school should expect night activity.

David Brooks, Overhill Drive, stated that prior to moving here, drove past Villanova daily and noted the lights and was thankful not to be near them. He stated that this is not just a school issue, but an issue throughout the township.

Ron Evans, Mill Road and Kriebel Mill Road, stated that he been trying to get football lights for 16 years with the Zoning Hearing Board giving permission to the school. They had one night game and rented lights that shone only on the field. Currently the band practices at night utilizing car headlights. He knows that school and football coach want lights. He has never heard music after 10pm and the issue should be put on a ballot to let the people decide.

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Bob Cannon, 3240 Mill Road, said he lives near the high school and is tired of hearing how rural Worcester will go away, and he's in favor of lights and an intelligent debate. It's long over due.

Leslie Reisz, Defford Road, stated that his son plays football at the high school. He grew up in Maryland with no running water or electric, but the school had lights on the football field and the area still had trees, birds, farms and cows.

Donna McHugh, Ayreshire Drive, moved here for kids to go to school with community Friday night football games and supports the lights.

Karen Simeone, Kriebel Mill Road, stated that she is concerned about safety issues because the parking lot is atrocious and night games will cause safety issues and additional traffic and vandalism.

Dave Kilcoyne moved here five years ago to the corner of Kriebel Mill & Mill Road and chose to live near the school without lights. When he is outside, the traffic bothers him because drivers race down road with no regard for speed, night activities will create more trash and pollution which already happens during the day. He wants to voice his opinion and likes the rural atmosphere of Worcester and suggested the State Police need more presence at the school. He has invested in the township and objects to lights and doesn't want tax dollars spend on lights.

Mike Libor, 1240 Kriebel Mill Road, stated that we need to focus on ordinance, not on football. The current ordinance states 12' high lights without illumination off the property which is not possible.

Jim Phillips, North Wales Road, stated that he lives far from the high school but when Whitpain Township installed lights across the street from him, he did not have any say in the decision. He thought they would create trouble, but they have not. Worcester needs a sense of community on Friday nights and lights would be great for kids.

Jay Reese Sr. stated he moved into community 56 years ago and the schools are for education and residents should put kids to work. Tax dollars should be used for education, not sports.

Dave Plager, Fairview Village, said he played football 60 years ago with out lights and had a good time. Does not see Worcester as rural but lights are not necessary and are a step in the wrong direction.

Jim Mollick, Country View Lane stated that he went to Upper Merion high school and night football was great and he moved to Worcester for rural character. However, his neighbor put up mercury lights which were approved. He stated that the reason for this process is Methacton School requested lights and the Worcester Zoning Hearing Board approved lights but you (Chairman Harris) opposed it so the ordinance must be changed. With new lights, minimal light scattering can be achieved.

Paul Young, 3335 Mill Road, went to Upper Merion high school and there were no lights on the field. He wants to see stars here and not live in a King of Prussia environment. If you put lights in, that's what Worcester will become.

Steve Quigley owns the farm across from Milestone and has no plans for lights. He attends the school meetings and township meetings and has requested the light item to be on the agenda to open discussion and determine needs of the residents. He has no agenda for lights but wants open

dialogue with the school district and an open door policy. He stated that he is not at a point to recommend changing the ordinance.

### **C. Code of Ethics**

Steve Quigley has reviewed employee manual and it appears to him that the Board of Supervisors and part time consultants are not held to standard that is expected of employees. Believes that he should be held to a higher standard and why do supervisors not have to be held to the same code.

Jim Garrity, township solicitor, stated that most managers are excluded from policies but the state ethics code does apply to all. He explained that this excludes the supervisors and the manager from the benefits of being a township employee that are enumerated in the handbook.

Jim Mollick, Country View Lane, stated that the code of ethics for all other townships and cities are on the internet and he distributed a copy from Pittsburgh to the Board of Supervisors to adopt to prevent a conflict of interest that came out in the trial. He also handed Board a copy of a calendar from the trial that he believes was fabricated. Mr. Mollick suggested that James Garrity look into it.

### **D. Electronic Media Policy**

Jim Mollick asked who is the "right to know" officer and if Worcester has a policy and if it is available at the township? John Cornell, Township Manager, stated that the request form is the policy. Jim Mollick asked if email was acceptable and received a negative response.

Jim Phillips questioned the "right to know policy" effective January of 2009 and asked what the township's responsibility is and if they need to take action? He urged the Board to attend seminars and get on board. He asked about e-mail requests.

Bob Cannon asked about the electronic media policy. Jim Garrity explained the "right to know" and the sunshine acts, and electronic media in township meetings.

Art Bustard wants to address the issues before January 2009 and discussed setting up an electronic media policy prior to mandated time. He requested James Garrity give suggestions and get sample policy for cell phones and recording devices.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to authorize Jim Garrity to research policy for electronic media.

## **6. ENGINEER'S REPORT**

### **A. Bid Results**

#### **1. Road Materials**

Having been duly advertised, bids were opened on April 2, 2008. A total of 5 bids were received for stone and 4 bids for paving materials. CKS Engineers has provided a bid tabulation.

Joseph Nolan explained the bids and results, reviewed the bids and made recommendations.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award the 2008 Road Materials Bid Stone portion to Naceville Materials of Sellersville, PA.

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A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award the 2008 Road Materials Bid Paving Material portion to Independence Construction of Malvern, PA.

## 2. Equipment

Having been duly advertised, bids were opened on April 2, 2008. A total of 1 bid was received. CKS Engineers has provided a bid tabulation.

Joe Nolan stated that this consists of 12 pieces of equipment at an hourly operating rate and only one bid was received, so he reviewed prior year prices and it was comparable.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award the 2008 Road Equipment Bid to Harris Gramm Contractors of Collegeville, PA.

### **B. 3415 Skippack Pike Septic Waiver Request**

Joe Nolan, Township Engineer, explained that the replacement of the septic system in an existing field must be abandoned. It is an existing house and the only acceptable place is corner with minimal encroachment into 30' area.

Steve Quigley asked if the Montgomery Health Department is involved. Joseph Nolan answered.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to grant a waiver for 3415 Skippack Pike for septic system waiver.

### **C. Stony Creek Village, Final Land Development Consideration**

The applicant proposes three detached buildings with a 99-space parking lot on a 4.5 acre parcel located in AGR and C zoning districts. The parcel is located at North Wales and Township Line Roads.

Kim McClintock asked what final land development represented since residents must ask questions before they present the project. He stated that he is opposed to anything that would change the plan of 2004 on the corner lot.

Joseph Nolan, township engineer, explained the land development project for the commercial portion located at North Wales Road & Township Line Road that included the road alignment. The plan received preliminary approval in 2005 and the Township was awaiting road realignment, but there are no other changes.

Ed Mullin, attorney for applicant, made a brief statement and confirmed that there were no changes to the plan since preliminary approval other than complying with requirements imposed at that time.

Susan Caughlan, Overhill Drive, asked if the Montgomery County Planning Commission suggestions were considered requesting a walking trail along Township Line Road to the corner and asked about the final outcome.

Joe Nolan and Edmund Mullin, addressed the questions indicating that there is trail along North Wales Road with an easement along Township Line for trail to be constructed in the future if needed.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to award final land development to Stony Creek Village.

7. **MANAGER'S REPORT**

**A. Reverse 911 System Update**

John Cornell, Township Manager, reported that in the March work session, Art Bustard requested information on a reverse 911 system similar to Lower Providence Township. At the MCATO convention, Lower Providence demonstrated the system which would cost approximately \$7-8,000 for 3,000 residents. The County proposed a free community alert system that is comparable but has no phone alert system. The Township will continue to pursue options.

Arthur Bustard explained the system being utilized by Lower Providence and explained the need and uses for this type of system.

Jim Phillips asked how many numbers are able to be listed in the system.

Vicki Cuce, Wentz Church Road, who is in the technology industry, asked about the mode of delivery to a home number and who would host the site. She also asked if the township has an emergency response plan and if it will have GPS mapping and if it subscription based with an opt-out feature.

**B. L&I Audit**

John Cornell explained the building inspector's job and the Uniform Construction Code. Worcester Township was audited by Licenses & Inspections and three permits were pulled and the state inspector inspected permits and procedures. Worcester passed all three permit audits that we are held to by state requirements.

**C. Speed Limit Posting Request (Shady Lane and Oak Terrace Circle)**

John Cornell stated that the Township has purchased a digital speed sign that helps keep people aware of posted speeds and identifies speeders. A resident requested the road be posted with speed signs so the Township utilized the digital sign to collect data. If a road is not posted, the limit is 55 MPH.

Sean DeHaven, 2241 Oak Terrace, stated that he researched the Pennsylvania drivers' manual web site and in residential neighborhoods an ordinance does not need to be posted for a 25 MPH speed.

Joseph Nolan clarified that a study is not necessary but an ordinance must be passed.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to allow solicitor to prepare ordinance for Shady Lane and Oak Terrace to be posted at 25mph.

John Cornell informed everyone that he contacted the school district regarding their sound system.

The Zoning Hearing Board meeting scheduled for April 22 may be continued. Both are still scheduled as of now, but will be held at 1721 Valley Forge Road.

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Art Bustard brought up under new business some speeding and transportation needs, specifically a light study for the Hollow Road and Route 73 intersection and for Green Hill and Stump Hall Roads. He wants to authorize McMahon Associated to do a study if warranted.

Joseph Nolan stated it should be approximately \$2,500 in costs.

Steve Quigley asked if it benefited Meadowood since they are expanding.

A motion by Arthur Bustard seconded by Steve Quigley and approved by all to authorize McMahon Associates to do a study on the intersections of Hollow Road and Route 73 and Stump Hall and Green Hill Roads.

## 8. OTHER BUSINESS

Bob Cannon asked if the light at Water Street Road and Route 363 was approved and if a death is required for the warrant. Joe Nolan explained warrant analysis. Mr. Cannon suggested that a study be done for a light at Quarry Hall and Germantown Pike and noted that Kriebel Mill & Merrybrook Road stop signs are often disregarded.

Jim Phillips spoke with residents on Overhill Drive and indicated that they want speed humps to slow traffic. He asked about 3415 Skippack Pike and how far the property is located from public sewer. He also asked why the state police were at the meeting and who contacted them.

Jim Mollick noted that the State Police Lt. referred to a person who caused trouble and asked who said that. He asked Joe Nolan for the legal height of fence in a residential area.

Ron Evans stated that in regards to the discussion on football lights; he suggests it be put on the ballot to let the people be heard and give it a fair decision. James Garrity, solicitor, said it is illegal to put it on the ballot.

Jeffrey Ost, 3064 Sunny Ayre Drive asked the definition of color correction illumination and what screened lighting means. Joseph Nolan and James Garrity responded.

Al Cuce, Wentz Church Road, asked if it is possible to have football games at another school.

## GENERAL PUBLIC COMMENTS

None

## ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 10:00 p.m.

Respectfully submitted,

  
Arthur C. Bustard

May Work Session was cancelled

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY, MAY 21, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

John Harris announced that he, Art Bustard and John Cornell, township manager, attended the PSATS convention in Hershey, which had over 100 exhibitors, earlier in the month.

**EXECUTIVE SESSION REPORT – JAMES GARRITY, TOWNSHIP SOLICITOR**

An executive session was held earlier this week regarding real estate acquisition.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Anthony Taormina, of 2261 Oak Terrace, remarked about the speed limit signs on Oak Terrace and Shady Lane. He indicated that he represented over 12 residents who are opposed to the speed limit. James Garrity, township solicitor, stated that it should be addressed at the public hearing.

James Mollick, 2114 Country View Lane, commented about the minutes of the April 16<sup>th</sup> meeting stating that Jim Phillips' remarks about why Lieutenant Buckley of the State Police in Skippack was in attendance were omitted and requested that it be reflected in the minutes. Arthur Bustard responded that over 15 hours were spent preparing the minutes and they reflect the essence of the meeting.

Jim Mollick gave a copy of a criminal statute code to John Harris to be informed, for the next time he calls the police.

He referred to the minutes, Item C, page 5, regarding a calendar previously presented to the Board. He stated that at the last meeting the Board stated that were confidential, but Mr. Mollick does not see anything confidential. He questioned two calendars that were presented at a federal trial and asked who prepared them stating that he never got an answer on who made the second calendar. Steve Quigley, supervisor, responded that he will look into it.

Jim Phillips, North Wales Road, asked what the electronic media policy entails. James Garrity responded it involves use of recording devices at meetings. Jim Phillips also noted that the minutes reflected the State police response time was 20 minutes, when it was actually 40 minutes.

**1. READING AND APPROVAL OF THE MINUTES OF APRIL 16, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of April 16, 2008 as written. (Copies were available for review.)

2. **TREASURER'S REPORT**

The Treasurer's report for April, 2008 net change on cash basis:

April 2008 Report:

General Fund	\$20,608.35
State	\$203,438.88
Capital Reserve	\$15,268.14

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for April, 2008 net change on cash basis.

3. **PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 384,339.55

4. **ENGINEER'S REPORT**

A. **BETHEL ROAD – 3-LOT SUBDIVISION – PRELIMINARY CONSIDERATION**  
 The developer, Pat Sparango, proposes a 3-lot subdivision at 2131 Bethel Road. The 8-acre site currently has an existing single-family dwelling that is proposed to be removed. A zoning variance has been granted to permit flag lots. The plan was reviewed by the Worcester Township Planning Commission February 28, 2008 and the Montgomery County Planning Commission on October 24, 2007.

The applicant and Joseph Estock, engineer, presented the plan and requested preliminary approval and 6 waiver requests. Mr. Estock explained the subdivision and Zoning Hearing Board decision. The applicant tried to keep subdivision environmentally sensitive utilizing stormwater management techniques and is seeking waivers from roadway improvements and sidewalks to keep Bethel Road's appearance as it is today.

Joseph Nolan, Township engineer, has reviewed the plans and requests for variances and has no problem with them. Other issues in review letter will be addressed at final approval. John Harris asked about fire safety and hydrants and wants to further review the waiver requests. Mr. Harris indicated that he will be ready by the work session on June 2, 2008.

Mr. Estock indicated that preliminary without decision on waiver request will not help him to move forward with applications

B. **HOLLOW ROAD MEADOW LANE 4-LOT SUBDIVISION – PRELIMINARY CONSIDERATION**

The developer, MJE Builders, proposes a 4-lot subdivision on approximately 9.95 acres. It will be serviced by public water and sewer and include a yet-to-be- built 1100 linear cul-de-sac road, Meadow Lane. The plan was reviewed by the Montgomery County Planning Commission on June 12, 2006 and the Worcester Township Planning Commission on January 26, 2006.

Tim Woodrow, engineer, represented MJE Buildings and explained the history of the project explaining Meadowview Lane and connections with the Zavetta subdivision. This

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has received DEP Planning Module approval but need 10 waivers from the township ranging from setbacks, grading, and tree location, to sidewalks and swales. John Harris asked about the access road to trails and township property. James Garrity asked if the plan was submitted to Texas Western Pipeline. Joe Nolan indicated that the Township will need confirmation and responses from all utility companies. There was discussion about stormwater management, sewer facilities and trial connections. Joseph Nolan recommended preliminary approval.

A motion by Art Bustard seconded by Steve Quigley and approved by all to accept Meadow Lane four lot subdivision for preliminary approval, subject to provisions in CKS review letter of May 13, 2007. A motion by Art Bustard seconded by Steve Quigley and approved to amend the motion to include all waivers.

#### B. CERTIFICATIONS OF COMPLETION

Highlands Subdivision, AKA Brunner Tract is located on Horseshoe Drive off Valley Forge Road and was built by Gambone Construction.

The Township received no documentation from developer so this was tabled until next meeting

Methacton Estates V, AKA Sturbridge Associates, AKA Penn Valley Properties is located as a cul-de-sac extension of Hogarth Lane off of Frog Hollow Road.

Joe Nolan remarked all items in punch list are completed.

A motion by Art Bustard seconded by Steve Quigley and approved by all to pass Resolution 08-09, accepting Deed of Dedication, Methacton Estates V.

Arcadia Estates, LLC AKA Subdivision plan of the Braun Tract on Hunt Valley Road off of Skippack Pike, built by Organski Construction.

CKS Engineers have issued a completion certificate that all items have been completed for the 3-lot subdivision of Hunt Valley Road and recommends Township accept the deed of dedication.

A motion by Art Bustard seconded by Steve Quigley and approved by all to pass Resolution 08-08, accepting Deed of Dedication, for Arcadia Estates.

#### 5. SOLICITOR'S REPORT

A. Ordinance 08-233 Speed Limit posting Shady Lane, Oak Terrance 25MPH, advertised on May 9<sup>th</sup> and May 14, 2008 in the Times Herald.

James Garrity opened the public hearing at 8:20pm. Joe Nolan explained that the Township received a request for speed posting on the roads. The State does not require a study on interior roads to do this. If not posted, the default speed is 55mph.

Anthony Taormina, of 2261 Oak Terrace, represented approximately 16 residents from the area and listed reasons why they are opposed to the 25mph posting; including stop signs already installed, and implied that the Board was singling out one subdivision in Township. He mentioned school buses making "U" turns and requested parents take responsibility, not the government. He suggested a three way stop sign at Berks and Shady Lane Terrace to allow safer

turns onto Berks Road instead of installing speed signs in the development. He also requested a line of sight study for Berks & Shady Lane and proposed the solution to speed may be a "Children at Play" sign.

John Harris explained the process for stop signs and speed signs and suggested that neighbors talk to each other about concerns in the neighborhood.

Agnes Ferraro, the first resident in the neighborhood, living there since 1960, stated that there is nothing reckless in the neighborhood but that it is difficult to turn onto Berks Road.

John Harris proposed the Board of Supervisors authorize the Township engineer to do a study to see if a 3-way stop is warranted.

Robert Smith, 2257 Oak Terrace, brought to the Supervisors attention that a life was lost several years ago due to speed on Berks Road and lack of sight and that John Bryant should be remembered.

James Garrity closed the Public Hearing at 8:37pm

A motion by Steve Quigley seconded by Art Bustard and approved by all to authorize the township engineer to conduct a stop sign study at Shady Lane and Berks Road.

## B. ELECTRONIC MEDIA POLICY

James Garrity reviewed other township's media policies and wrote a draft policy to be published on township's web site. He reviewed the policy in general form regarding cell phones, video cameras, audio tapes, noting exceptions for emergency explaining that a lot of it represents common sense and disruption of meetings. He made copies of the draft policy for distribution after the meeting.

## 6. MANAGER'S REPORT

A. Zoning Report: There will be no Zoning Hearing Board meeting in May. The next hearing is scheduled for June 24<sup>th</sup> at 6:30pm at the Worcester Community Hall. The township received one application for the June 24 meeting.

B. Resolution 08-07 accepting Cafeteria Plan, Flexible Spending Account: In compliance with the IRS and Treasury regulations, this resolution accepts establishment of a section 125 Cafeteria Plan and Flexible Spending Account.

Mr. Cornell explained the reason for adoption and how flex plans are used. Art Bustard explained the township's health insurance review and the cost-saving measures which helped to save the Township \$25,000.

A motion by Art Bustard seconded by Steve Quigley and approved by all to approve resolution 08-07 accepting a cafeteria plan, flexible spending account.

John Harris thanked Art Bustard and John Cornell for time spent reviewing insurance plans.

C. Montgomery County – Community Alert System: The Montgomery County Department of Public Safety has established a voluntary community alert system known as Ready Notify PA. Residents desiring to be notified of important emergency alerts via

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text and cell phone are encouraged to visit Ready Notify Icon on the Montgomery County web site: [www.montcopa.org](http://www.montcopa.org).

John Cornell provided an update on Montgomery County's 911 reverse system. He met with John Kelly, Emergency Management Coordinator and Mr. Kelly will give feedback on the different systems, comparing the County's to Lower Providence Township's. A link to the County is on township's web site.

The public restrooms in Heebner Park will be open this weekend for the Memorial Day holiday and the pavilions will be varnished to maintain the beauty.

## 7. OTHER BUSINESS

Bill Moran, 1123 Kriebel Mill Road, regarding the opening of the bridge on Kriebel Mill Road, asked why the Township does not fix the bridge at the other end of the road before opening the other bridge. He stated that there is no provision for emergency vehicles if something happened to the bridge, nor are there any fire hydrants in the area.

John Harris responded that repairs to the bridge at Water Street are being expedited and the engineers will explore the possibilities

Steve Quigley asked about the availability of water for emergency services.

Bill Kazimer, Fairview Village, 3121 W Germantown Pike, noted that Anthony Taormina mentioned that bus drivers are violating traffic rules and recommended that John Lynch, school board member, take that information back to the president of the school board to resolve.

He also noted that minutes were approved without correction that Jim Mollick noted regarding the state police. James Garrity noted that minutes are the Board's minutes and they do not need to amend minutes as suggested.

Mr. Kazimer requested the ability to pay sewer bills automatically by debit cards or crediting checking accounts to eliminate use of unlocked mailboxes.

Ed Sewell, 2202 Oak Terrace, addressed bus driver violation issue consisting of a 2-point turn, in from of his house and does not see it as an issue. He asked if the township had information as to when FIOS will be completed in that area. Art Bustard responded that that area is the last switching area to be completed per Verizon's presentation two years ago but the Board has no further information when it will be completed.

John Cornell will contact the Verizon representative to get some answers.

Steven Quigley responded that the North Wales station has completed the update allowing Verizon to move forward.

Mark Landis, 2225 Landis Road, asked about the time line on the trail at Zacharias Creek. John Harris responded that some portions are ready and the other western piece will be completed in conjunction with an application to the county for open space allocations. Mr. Landis remarked about violation of state laws and improper conduct in Heebner Park. He asked if the morning work sessions can be moved to a night time as a favor to the community.

Ron Evans gave insight to the Board for meeting with school stating the he's in favor of lights at the high school for Friday night football. He suggests making a date for all interested parties to vote for or against the lights. He has been fighting for eight years for lights and will continue.

John Lynch, 262 Center Point Lane, has taken note of situation at Shady Lane and Oak Terrace and he will report it to the transportation department.

Oliver Smith, 2102 Fisher Road, complemented the Board of Supervisors for what they did at Heebner Park. There are license plates commemorating the 275 anniversary of the Township available for \$15.

Jim Mollick noted that the Board did not strictly enforce the 2 minute rule tonight. In the minutes he listed 5 examples of code of ethics conflicts that were not in minutes. When he handed out information it included an email and asked John Harris if in that e-mail he was acting as supervisor or committeeman. He asked when the Board of Supervisors received the Sparango subdivision plan that was tabled tonight and if it was on the agenda, why did they not do their homework. He stated that Pat Sparango had expensive experts present and must now bring them back. He suggested the Board realize that emails are under the sunshine laws.

Jim Phillips asked who prepares the employee calendar in the computer and who is responsible for it and who produced it for the federal trial. Steve Quigley stated that he will research the calendar.

#### ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 9:20p.m.

Respectfully submitted,

  
 \_\_\_\_\_  
 Arthur C. Bustard

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**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**MONDAY JUNE 2, 2008 8:00 A.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:04 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

**PRESENT:**

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

Mr. Harris reported the Worcester Day festivities would take place on Saturday June 7<sup>th</sup> in conjunction with the horse show at the Worcester Community Hall and at various locations around the township. It will include recognition of the 275 Anniversary at 10:00 am at the Community Hall.

**PUBLIC COMMENTS**

Mr. Harris then opened the floor to public comment on agenda items:

Jill Hilles, 3264 Mill Road, shared comments on the use of ATV's taking place on the neighboring Mascaro Property. Mrs. Hilles provided a map depicting the location and history of the recent activity on the property beginning in April, including discussions held with the participants. The concerns raised by Mrs. Hilles related to noise, air pollution, storm water drainage, and potential financial loss in home values to adjoining property owners generated by the vehicles. She related shared disruption to the neighborhood affecting between 60 to 100 homeowners within listening distance of the property. Mrs. Hilles requested enactment of an ordinance limiting and regulating the use of ATV's within the township.

Henry Hilles, 3264 Mill Road, shared his concerns that 10-12 people are reducing the quality of life of 80 -100 persons and he is also requesting enactment of regulations.

Jim Philips, North Wales Road, questioned the discussion and comments made by Mr. Brooks noted in the minutes related to zoning. Mr. Bustard noted that the township would review the audio of the meeting and verify the comments.

Chase Kneeland, 2021 Berks Road, questioned if the Mascaro property was possibly in breach of the Agricultural Security Area provisions.

Bob Cannon, 3242 Mill Road, shared his concerns regarding the ATV's, questioned if Mr. Harris could hear them from his home, noted 12-14 people are creating the disruption, commented on the late hours of operation, noted the neighbors were considering legal counsel, commented on the cease and desist issued by the township, shared concern that acreage requirements exist for other use but not ATV's. He expressed concerns for the safety of the neighbors, his frustration over the lack of quiet enjoyment of his property and the use of an air horn, stated he would not tolerate the activity and did not want to see it again.

Daniel Rieger, 19 West Adair, noted he was hearing deficient but was still able to hear the ATV activity and requested a reduction in the noise and related the belligerent attitude of the riders.

Louise Lennon, 1050 Kriebel Mill Road, had to stop the ATV's from riding through her property and noted they were using the church property. She urged the Board to do what they can to address the ATV problem.

Diane Aubrey, 1060 Kriebel Mill Road, expressed that her children were afraid in their backyard and requested action on stopping the ATV's.

Boyd Kelly, 3262 Kriebel Mill Road, purchased a \$4,500 swing set that is unusable because of the ATV activity and expressed concern on his daughters' inability to sleep due to ATV noise, and requested the township stop the ATV's.

Jim Mollick, 2114 Country View Lane, mentioned the ATV's and shared his experience with his neighbors being allowed to construct a basketball court and lighting and commented that John Harris would not attend a meeting at his site. Mr. Harris refuted that; stating Mr. Mollick cannot just make things up. Mr. Mollick next stated his objection to page 4, paragraph 1, of the minutes regarding Mr. Quigley's comments and the committee meetings. He raised objection to page 4 paragraph 4, regarding the accuracy of Mr. Garrity's comments regarding Supervisors meeting. It was suggested the township purchase voice activated software.

**1. READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
April 7, 2008**

A motion by Mr. Bustard to approve the minutes as written failed for a lack of a second, discussion followed in which it was agreed to hold the minutes of April 7, 2007 pending review of the comments raised by the public.

**2. SPARANGO 3 LOT SUBDIVISION PRELIMINARY PLAN CONSIDERATION**

A motion by Art Bustard, seconded by Steve Quigley to approve the Sparango 3 Lot preliminary subdivision Plan and the requested waivers, all voted in favor.

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3. **T-MOBILE CELLUAR TOWER REQUEST 1031 VALLEY FORGE ROAD**  
Mr. Garrity explained that Mr. Bagley from his office was handling the negotiations with the applicant and will report back to Board at the appropriate time.
4. **DISCUSSION: PROPOSED PUBLIC WORKS BUILDING**  
Mr. Cornell presented a packet of information for the Board's information depicting a proposed location to replace the facility which was raised in conjunction with the new firehouse.
5. **DISCUSSION: ALL TERRAIN VEHICLES**  
Following discussion and comments by Mr. Garrity the Board agreed to have Mr. Quigley contact Mr. Pat Mascaro regarding cooperating with the township and residents. In addition, by way of motion of Art Bustard second by Stephen Quigley, the Board authorized advertising an amendment to the Peace and Good Ordinance increasing the fine provisions from \$25.00 to \$1,000.00.
6. **275 YEAR ACKNOWLEDGEMENT PROCLAMATION: RESOLUTION 2008-10**  
Following discussion and reading of the proclamation, by way of motion by Mr. Bustard, second by Mr. Quigley all voted in favor of resolution 2008-10 as presented.
7. **OTHER BUSINESS**
  - Representatives from Meadowood were present and requested an opportunity to show the Board of Supervisors their proposed conceptual future master plan including traffic problems and maintaining original structures. Art Bustard requested that they find if they had sufficient space to allow additional building, as it was his understanding that they had maximized their coverage, based on their acreage.
  - Joe Zadlo, Center Point Golf Club, requested a discussion regarding the failing septic system for the course and requested the township's cooperation in proposing and constructing a package plant.

#### **GENERAL PUBLIC COMMENTS**

Jim Phillips, North Wales Road, suggested the possibility of tying the course into public sewer instead of a package treatment plant.

Chase Kneeland commended the Board on the new sign in front of the Community Hall and questioned if the township had considered attractive entrance signs entering the township, and shared his favorable comments on the park.

Oliver Smith, Fisher Road, suggested the Historical Society place a marker sign to note the Fairview Village Hall history.

Jim Mollick questioned the lack of opportunity to comment on other business. Mr. Cornell noted he was unaware that Meadowood, or Mr. Zadlo, was planning on

attending. Jim Mollick asked for the opportunity to comment in the future on other business.

Oliver Smith, Fisher Road, asked the Board to consider taking position on the PECO substation. Following discussion, the Board agreed to contemplate it.

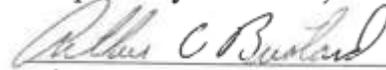
David Brooks, Overhill Road, informed the Board that PECO had hired a marketing consultant for their project.

Jim Phillips questioned what size signage would be proposed for the entrance sign to the township.

#### **9. ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting into executive session to discuss potential litigation.

Respectfully submitted,

  
Arthur C. Bustard, Secretary

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**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY, JUNE 18, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

John Harris announced that Jay Moyer will be hosting a Community Day in Heebner Park on July 12, from 11am-3pm, and that the summer 2008 Worcester Township newsletter will be in the mail shortly.

**EXECUTIVE SESSION REPORT – JAMES GARRITY, TOWNSHIP SOLICITOR**

An executive session was held immediately after the last meeting to discuss potential litigation regarding drainage issues. No decisions were made.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Stephen Fitzgerald, of Langsam, Stevens, & Silver, 1616 Walnut Street, Philadelphia, Pa. representing Patti Doyle-Weber and Steven Weber regarding John Seitz' Zoning Hearing Board application proposing a sports court within 40 feet of the Weber property line, under accessory structure code requested the Board oppose this application. He stated that the proposed court is 5,400 square feet and therefore not a usual or customary size. He cited the Township code that a non-commercial play field should be located 125 feet from setbacks and exterior lighting shall not be seen or create a nuisance. The stormwater will be an issue due to the larger impervious surface and cited the open civil liability under state code issue.

Patti Doyle-Weber, 1700 Kriebel Mill Road, stated she has a post office box because she is proud of her Worcester location. They moved from Doylestown approximately ten years ago to a rural area and at that time requested to have a private driveway and was turned down to eliminate curb cut to maintain rural atmosphere. They hired arborist to maintain rural trees, planted additional trees, wild life, and have been good citizens of Worcester, support businesses, farm stands and the fire company. After years of development must endure fleets of ATVs and motorcycles racing down the abutting property, development has caused run off moving tons of mulch. She strongly protests the proposed sports arena with 12-foot lights. She stated that the Township prevented the lights at the high school, and requests they do the same on Kriebel Mill Road. The night lighting disturbs the natural mating migration of many species and she has the right to enjoy her home and a quiet use.

Jim Mollick, Country View Lane, responded to Mrs. Weber's statement indicating that He lived it and fought it and lost in state and county court. A change in set backs are one course that could be taken. He experienced lights on roof all night, 5 on 5 games all night long and the Township will not help. His only recourse is to sue the neighbor. He also has drainage issues because township allowed a berm to be built but still there is nothing in the township code about full size basketball courts.

William Kazimer, Fairview Village, believes we are cutting down too many trees to make paper but still there were no copies of the May 21, 2008 minutes, no copies of the financial statement and 60% of attendees do not have complete copies of agenda and backup. John Cornell, township manager addressed.

1. **READING AND APPROVAL OF THE MINUTES OF MAY 21, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of May 21, 2008 as written. (Copies were available for review.)

2. **TREASURER'S REPORT**

The Treasurer's report for May, 2008 net change on cash basis:

May 2008 Report:

General Fund	\$237,327.70
State	\$203,439.64
Capital Reserve	\$17,878.20

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for May, 2008 net change on cash basis.

3. **PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 226,692.92

4. **ELECTRONIC MEDIA POLICY**

The proposed policy outlines guidelines for the use of electronic devices at public meetings held by the Board of Supervisors. This policy has been posted on the Township web site.

James Garrity, township solicitor, asked if the township has received any comments on the policy and John Cornell, Township manager, replied no.

John Harris proposed that video taping be permitted from gavel to gavel.

James Garrity said he will need to research case history for expectation of public privacy. He will advise the board of the change subject to his research. He suggested the Board leave the ordinance un-amended and pass it as proposed.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Electronic Media Policy.

5. **HIGHLANDS SUBDIVISION ACCEPTANCE RESOLUTION 08-14**

Highlands Subdivision, AKA Brunner Tract, is located on Horseshoe Drive, off Valley Forge Road and was built by Gambone Construction.

Joseph Nolan, township engineer, stated a few trees were replaced today and recommends that the township accept dedication with an 18-month maintenance bond.

Steve Quigley questioned size of the replaced trees. Joseph Nolan responded.

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A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to pass Resolution 08-14, Highlands Subdivision Acceptance.

## 6. ZONING HEARING BOARD REPORT

The Zoning Hearing Board meeting will be held June 24, 2008 at 6:30pm. Three applications are scheduled for the hearing. The applications and related drawings are available for public review at the township office, 1721 Valley Forge Road, from 8am-4:30pm, Monday through Friday.

John Cornell explained the three applications.

1. Skippack Pike LP, 3206 Skippack Pike, a Loss and Bereavement Center.  
John Harris noted that the Board of Supervisors previously did not take a position for or against this application and they will leave the decision up to the Zoning Hearing Board.
2. John Seitz Application, 1644 Kriebel Mill Road, 40-foot side yard set back, should be 50 feet.

James Garrity, township Solicitor, noted that he has received a letter from Mr. Fitzgerald, Attorney for Mr. & Mrs. Weber, with intent to oppose. That letter was forwarded to the relevant parties and after review; Mr. Seitz believes he needs no relief and verbally expressed his intent to withdraw. If the application is withdrawn and building permit is submitted, Mr. Garrity will interpret the zoning before the permit is issued. If the application is not withdrawn, it must go forward to Zoning Hearing Board.

A short discussion between the Board members occurred to determine if they should oppose. No position was taken.

3. Frank & Wanda Stoffel, 2201 Locust Drive, application for in-law suite, comprised of living room, bathroom, and a kitchen. No position was taken.

## 7. OTHER BUSINESS

John Cornell addressed a question from last month's meeting regarding sewer bill payments and suggested that the best solution is process payment through individual banks by instituting online bank checks.

John Harris commented on the PA Turnpike Commission findings and announced that sound barriers were warranted in the Sunnybrook Development, but not anywhere else. Berks Road, Bethel Road and Schultz Road residents will all be impacted and suggested the Board of Supervisors take a position on sound barriers to reconsider them in other residential areas. John Cornell, township manager, is to prepare a letter. All board members approved this action.

### PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)

Robert Dupree, representing Frank Stoffel of 2201 Locust Drive, request relief from the requirement that an easement not be taken from calculations of setbacks. Joe Nolan stated that the proposed garage will be 38 feet from property line but 8 feet from the easement which is 30 feet wide. The Board of Supervisors will review easements and get back to him with the decision at the next work session in July.

Jill Hilles, 3264 Mill Road, requested an update on the ATV issue, raising fines for violations and asked if any phone calls to property owner were made and if there are any court options.

Steve Quigley stated that he spoke with Mr. Mascaro on three separate occasions and asked if the noise lessened.

Ms. Hilles replied that it has but is still noisy. She met with Mr. Digenarro, Mr. Mascaro's lawyer at he witnessed the noise but offered no suggestions. There are 60 houses affected by the noise, the ATV still ride on property lines and asked the Supervisors to consider an ordinance for ATV and snowmobiles to allow outdoor use of their house.

Steve Quigley state that Mr. Mascaro is willing to talk with the tenants and will restrict this house to limited ATV.

Arthur Bustard confirmed the advertisement of the ordinance to increase nuisance fines to \$1000 and asked if James Garrity confirmed with the Farm Bureau use of ATV on property under the ASA. He responded that they will not take a position and he also spoke with Mr. DiGenarro and they will not restrict the ATV's completely. Mr. Garrity suggested some court actions that might be available but are limited when actions are on private property.

Steve Quigley asked about the Township's ability to regulate private use of property?

James Garrity will call Mr. DiGenarro to reach a reasonable negotiation.

Dr. Mollick stated that he has spoken with Pat Mascaro and he wants to be reasonable and work it out. He also asked if the township has an answer to his previous question about a calendar issue.

James Garrity replied that he has researched it to his satisfaction.

Steve Quigley spoke with John Cornell about the calendar issue and both lawyers on the case and he is waiting to hear back from the lawyers. Mr. Mollick referred to the Zoning Application for the Bereavement Center and asked who the owners are and if they were the same people whose development rights were just purchased by the Township.

Dave Plager, Fairview Village, stated that they went through a similar ATV issue several years ago. After he talked with neighbors it subsided. It is a form of pollution and should have some ordinance to eliminate it.

Donald Richardson, 1122 Kriebel Mill Road, informed the Board of a dangerous intersection at Kriebel Mill and Mill Road being made worse by baseball players and attendees parking along the road every night when there is a parking lot 35 feet away. The township previously posted "No Parking" signs but they are ignored. John Cornell, Township Manager, will contact the state police.

David Brooks, Overhill Drive, stated that regarding ATV mufflers, there are regulations concerning ATV noise which is limited to 95 decibels at 20 inches which is not loud. He believes the Board should look into it further. There are other regulations regarding insurance liability and how the ATV's they are outfitted.

Jill Hilles followed up on noise regulations.

Mr. Fitzgerald, stated that the Fox and Mollick case is different from the John Seitz case and the board could be setting a bad precedent. Mr. Garrity responded.

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**ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:51 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Arthur C. Bustard

# July Work Session Cancelled

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY, JULY 16, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

John Harris announced that Jay Moyer's Community Day was held in Heebner Park on July 12. Highlights included a moon bounce, Elmwood Park Zoo, Worcester Volunteer Fire Department and many others including a presentation of the 275<sup>th</sup> Worcester Anniversary. Citations were presented to the Board of Supervisors by US Congressman Jim Gerlach, State Senator John Rafferty and State Representative Jay Moyer. The Board extended thanks to Douglas Rotondo for recognizing the date and to Bourne Graphics and Oliver Smith for their support.

**EXECUTIVE SESSION REPORT – JAMES GARRITY, TOWNSHIP SOLICITOR**

An executive session was held Tuesday, July 8, 2008 at 10:00 am regarding personnel.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Jim Phillips, North Wales Road, questioned item #4 asking if it is only a nuisance ordinance raising the fine to \$1,000, or does it cover additional code violations. He asked what the fee is for zoning violations and if it is in alignment with others.

Jim Mollick, Country View Lane, remarked that the public comment section from the June 18<sup>th</sup> minutes regarding his statement on the basketball court issue was not accurate. He wants to offer the Board his version of future minutes. Mr. Harris indicated that he was free to submit minutes and that they would be subject to the Board's review and acceptance. He also inquired about the executive session and what was the specific personnel issue at the discussion.

**1. READING AND APPROVAL OF THE MINUTES OF JUNE 18, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of June 18, 2008 as written. (Copies were available for review.)

**2. TREASURER'S REPORT**

The Treasurer's report for June, 2008 net change on cash basis:

**June 2008 Report:**

General Fund	\$205,749.77
State	\$207,671.22
Capital Reserve	\$20,308.36

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for June, 2008 net change on cash basis.

3. **PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 219,732.66

4. **SOLICITOR'S REPORT  
NUISANCE ORDINANCE AMENDMENT**

The amendment proposes to increase the fine for each offense from an amount not exceeding \$25 for each offense to an amount not exceeding \$1,000 for each offense.

James Garrity opened the public hearing at 7:41pm and gave a brief explanation, including that the ordinance was properly advertised.

Jim Mollick asked if the amount was up to \$1,000 or can it exceed it?

James Garrity closed the hearing at 7:42pm.

James Garrity remarked that by getting the people together that were involved with the recent ATV situation, the issue appears to be resolved. This was what prompted this ordinance amendment.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to adopt ordinance 2008- 223; Nuisance Ordinance Amendment.

5. **ENGINEER'S REPORT**

**A. RESERVE AT CENTER POINT PHASE III LOT CONSOLIDATION FINAL PLAN  
CONSIDERATION – RESOLUTION 08-15**

Joseph Nolan, township engineer, announced that this is part of a larger development. The developer, Westrum, has cleaned up the outer parcels of this tract. Phase II was approved in 2007 and this consolidation subdivision adds 2.9 acres to an existing parcel. The larger tract has received preliminary approval from the Board for 25 lots.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to pass Resolution 08-15, Reserve at Center Point Phase III Lot Consolidation Final Plan.

**B. LAND DEVELOPMENT SETBACK WAIVER REQUEST - STOFFEL**

This waiver is at the request of the property owner asking that his setbacks be measured from the property line not the easement paralleling the property. The standard setback is 25 feet and by measuring from the easement, the set back will be 8 feet, by measuring from the property line the set back will be 38 feet. The Zoning Hearing Board has granted approval for the addition to be used as an in-law suite.

Steve Quigley stated that he was at the Zoning Hearing Board meeting and asked if the restrictions on transferring this variance to the next owner were in force.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Stoffel Land Development setback waiver request.

### **C. INTERSECTION STUDIES AND EVALUATIONS**

#### **1. BERKS AND SHADY LANE MULTI-WAY STOP SIGN STUDY**

McMahon Associates studied the road to see if the criteria met Penn DOT standards. The report found the intersection DOES NOT warrant a 3 way stop but there are some sight distance issues, some of which can be corrected by clearing weeds and brush.

#### **2. ROUTE 363 AND WATER STREET ROAD UPDATE**

This warrant analysis has 12 different criteria that must be met including a formal study by a licensed engineer which must be presented to Penn DOT. McMahon Associates performed this study and the results substantially meet the criteria. McMahon was authorized to proceed with design and field work for construction of the traffic light.

John Harris inquired about the lead time for completion. Joseph Nolan responded that completion could be as early as spring, 2009.

#### **3. ROUTE 73 AND HOLLOW ROAD/MEADOWOOD DRIVE UPDATE**

The criteria and evaluation show that the intersection marginally meets the standard. A report will be sent to Penn DOT and McMahon will await the results.

Meadowood Community plans to realign their driveway to line up with the Hollow Road and Route 73 intersection.

#### **4. STUMP HALL ROAD AND GREEN HILL ROAD UPDATE**

McMahon also did an evaluation to see if the intersection meets the need for traffic signals. The report indicates that the intersection does not meet the standard for a signal, but meets the standard for a 4-way stop. Because one of the roads is a state road, we must meet Penn DOT recommendations. The Township will make application to Penn DOT for 4-way stop.

### **6. MANAGER'S REPORT**

#### **A. ZONING HEARING BOARD REPORT**

The next Zoning Hearing Board meeting will be held July 22, 2008 at 6:30pm. Application 08-04 will be heard. Application 08-05 has been continued at the request of the applicant. All applications and related drawings are available for public review at the township office, 1721 Valley Forge Road, from 8am-4:30pm, Monday through Friday.

John Cornell explained the three applications.

Application 08-04 is located at 3206 Skippack Pike, for use as a Loss and Bereavement Center. It will be heard July 22, 2008 due to time restraints at the last meeting.

John Seitz Application 08-05, 1644 Kriebel Mill Road, involves a 40-foot side yard setback variance instead of 50 feet. A continuance was requested to work out legal issues.

#### **B. ALLIED WASTE RECYCLING COLLECTION PROGRAM**

The township manager and assistant manager met with representatives of Allied Waste. They proposed a pilot program for recycling to begin in Worcester starting next month. The Commonwealth of Pennsylvania issues grant money to municipalities based on tonnage of recycled materials. Allied Waste will provide new containers throughout the

township to their current customers. The various materials will be separated at their facility. Annually, the township sees approximately \$25-\$30,000 from the grant.

### C. DISCUSSION: PUBLIC WORKS DEPARTMENT

Steve Quigley, Vice Chairman, at an executive meeting noted flaws and the need for public works improvements. He demonstrated the need for additional personnel and for job description changes. The addition of open space and park expansions necessitates the changes. The change will require strong leadership and making changes from the top down.

## 7. OTHER BUSINESS

NONE

### PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)

- 1: William Malin of 2153 Weber Road addressed the fence ordinance and the cost for application to the Zoning Hearing Board. He wants a six foot fence to prevent deer from destroying his property. He requested the Board to review the four foot height limitation and review the \$500 cost for application to the ZHB, which would be 20% of the cost of his fence. He asked the Board of Supervisors to waive the fee for his application.

John Harris responded that the cost of the application is a function of the process. James Garrity stated that \$500 is typical and average and the MPC allows reduction of costs to the actual costs of the hearing.

2. Susan Caughlan, Overhill Drive, stated that deer fencing is typically open and tree planting is an option. She also requested a study at the intersection of Bean and Whitehall roads for a 4 way stop. John Harris authorized Joe Nolan, Township Engineer, to research.
3. Kim McClintock, 1515 North Wales Road, stated that he requested a study at the same intersection two years ago and nothing was ever done.
4. William Kazimer, Fairview Village, stated that in the review of the public works department, safety utilizing ear plugs and goggles should be stressed. He stated that he noted public workers mowing with out safety protection.
5. Sean DeHaven, 2241 Oak Terrace, reviewed the minutes from last month and expressed disappointment in the board's decision not to post Shady Lane and Oak Terrace at 25mph. He observed that the electronic speed posting indicated an average of 31 mph but stated that speeds are higher on Oak Terrace. He requested the sign be placed at Oak Terrace to get an accurate reading. He presented the Board with the State regulations and Penn DOT manuals, indicating that it is an unsafe environment for kids to grow up in.

Steve Quigley responded that most of the people on the road did not find speeding a problem and encouraged discussion with the neighbors. Mr. DeHaven stated that the stop signs at Oak Terrace and Shady Lane are missing and he can get signatures on a petition for speed signs and asked what other speed control devices can be installed.

6. Chase Kneeland asked if a traffic study can be done on Bean Road between Berks and Whitehall Roads. Art Bustard noted that there are three deep culverts along there and that the Township will look into it.

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7. Jim Phillips inquired about the calendar issue and asked about hiring in the public works department with the retirement of the foreman. He also asked about a personnel attendance calendar from 2005. James Garrity offered to explain the calendar to him after the meeting. Steve Quigley responded that research indicated that one calendar was produced by the former employee and one produced by the Township. Jim Phillips asked if there will be an advertisement for the open position in the public works department.
8. Jim Mollick asked if someone could explain the facts about the calendar to him again and asked who at the Township produced the calendar. He also stated that a public works employee was seen dropping off a child at the school and asked if that is permissible with a Township vehicle. He also asked about employees over the age of 65 receiving full health benefits.

#### ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:41p.m.

Respectfully submitted,



Arthur C. Bustard

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY AUGUST 4, 2008 8:00 A.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

Mr. Harris reported the next work session will be September 8 at 8:00am.

An Eagle Scout will be installing the storm inlet decals per NPDES regulations in Sunnybrook. Joseph Nolan, township engineer, explained the necessity of the decals to prevent dumping, public awareness and education.

The Lance Armstrong Foundation will once again have their public bike ride in Montgomery County on Sunday August 24. The course includes portions of Worcester Township along Morris Road, Fisher Road and Schultz Road. There will be no road closures. For more information, please visit [www.livestrongchallenge.org](http://www.livestrongchallenge.org)

**PUBLIC COMMENTS**

Dorothy McGrane thanked the Board for their consideration of the agricultural contribution for her farm.

Sally House, 3023 Stump Hall Road, stated that she supports the McGrane open space.

Nancy Bickel of 3019 Stump Hall Road, neighbor to McGrane farm, supports open space stating that she is third generation in Worcester and this open space is adjacent to her property.

Elaine Syres, 3033 Stump Hall Road, supports open space and encourages the application of the McGrane farm for the ASA, and she supports the basic nature of Worcester investing in open space.

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Jim Mollick, 2114 Country View Lane, submitted his summary of the minutes to Art Bustard. He referenced the April 7 minutes with James Garrity's notation of an executive session; stating that the Township needs to reveal the content of the executive session. He asked about the last page of the minutes that referenced his name at Worcester Fire Company and asked who mentioned it.

Jim Mollick referred to the June 2 minutes, second page, regarding a meeting at that site and implied that the Township made up his statements, and that they need to be removed.

He questioned item 3 on the agenda regarding the easement purchase and inquired if Worcester currently has an open space committee.

John Harris responded that the open space committee has been dormant. He further explained that this property was recommended by the County Farm Board and explained the process.

Jim Mollick asked about the acquisition of the Smith farm and the Harris farm. He further inquired about differences between the Farm Board and the Open Space Board and access to public use of preserved open space and farms. John Harris explained the differences and the trail connections between properties and access rights.

Jim Mollick asked about the electronic media policy and what was the impetus of the policy and why is the Board not revising the whole policy including email since as of January, 2009 new legislation will change everything. He questioned how it will be enforced on all township property.

He questioned item #9 on the agenda: the executive session; and asked if they had one or will hold one?

John Snodgrass, 2203 Oak Terrace, requested a new noise ordinance with regard to turnpike noise. John Cornell replied that it will be addressed at the August 20<sup>th</sup> meeting. John Harris confirmed that they are actively pursuing legislation to address noise-related issues. And with regard to the turnpike widening, the township and the state Representative and Senator are working with the Turnpike Commission to minimize the noise impact of the turnpike expansion.

David Brooks, 2686 Overhill Drive, supports the McGrane easement and stated that study after study shows preserving open space is favorable for taxes and property values.

Kim David of Bean Road stated he supports of the McGrane easement.

**1. READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
April 7, 2008**

A motion by Mr. Bustard, seconded by Steve Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the work session April 7, 2008. (Copies were available for review).

2. **READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
June 2, 2008**

A motion by Mr. Bustard, seconded by Steve Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the work session June 2, 2008. (Copies were available for review).

3. **McGRANE AGRICULTURAL EASEMENT PURCHASE DISCUSSION**

John Harris explained it is 16.39 acres, and the minimum is usually 50 acres, however, this is next to the Schierenbeck property, which is already preserved. The Township's portion is 15% of the cost which comes to \$78,000. The total easement value is \$31,727 per acre or \$525,000 total.

Steve Quigley asked if the open space board were reactivated, how would they rate this property to other township properties.

John Harris remarked this is the only Township property getting county support currently and the Township's Open Space Board does not recommended properties for the county farmland protection program, but was formed to write the open space plan.

Steve Quigley asked if the open space coordinator should have input and recommendations on this property and asked who is that individual.

John Harris responded.

Art Bustard noted that the township had a plan over the last 5 years looking at trail easements and this property is part of that ongoing plan. Open Space adds value to the Township and is part of the long term view. If not preserved now, it may later be a development with 5-6 houses on a cul-de-sac street resulting in increased maintenance costs to the township.

Steve Quigley remarked that he needs to review items in advance to compare to the budget in order to determine needs and this item was just presented to the Board last week. The board needs to be fiscally responsible with the taxpayer's money.

A motion by Mr. Bustard, seconded by Steve Quigley, and approved by all to approve 15% or \$78,000 toward the purchase of the McGrane Agricultural Easement.

4. **ELECTRONIC MEDIA POLICY AMENDMENT DISCUSSION: VIDEOING  
"GAVEL TO GAVEL"**

The Board asked Mr. Garrity to amend the township's policy of allowing video-taping of public meetings to include the meeting itself (gavel to gavel), and not time before or after the meeting.

Steve Quigley asked if video can be controlled before or after meetings.

Jim Garrity explained third party rights, the right to privacy and if participants are in a public meeting which is gavel to gavel, they should expect to be recorded.

Steve Quigley asked if this would impact Zoning Hearing Board and Planning Commission meetings as well and regulate cell phones.

John Harris responded that each committee can create their own policy.

A motion by Mr. Bustard, seconded by Mr. Quigley, and approved by all to amend the electronic media policy to permit video from gavel to gavel only.

**5. BEAN & WHITEHALL ROADS – ALL-WAY STOP SIGN PROPOSAL CONSIDERATION**

Joseph Nolan, Township Engineer, addressed the dangers of the intersection and sight problems. McMahon Associates has prepared a proposal to do a study of accidents, speed, sight disturbances, and researching Penn DOT regulations for a fee of \$3800. They will then make their recommendation to Penn DOT.

Art Bustard questioned the \$3,800 fee and Joe Nolan responded that it is comparable with the industry for the scope of work involved and that compares it with other Townships he represents.

A motion by Mr. Bustard, seconded by Steve Quigley, and approved by all to approve the proposal of McMahon Associates to study the need for an all way stop sign.

**6. NON-UNIFORM PENSION PLAN CAO DESIGNATION**

A Chief Administrative Officer must be appointed to administer legal documents for the Township's pension plan. This was revealed in a recent audit by the Pa. Department of Treasury.

Art Bustard recommended the generic title "manager" be used for the appointed administrator position, meaning the Township manager, and not a specific individual who would hold the position in their own name.

A motion by Mr. Bustard, seconded by Mr. Quigley, and approved by all to appoint the township manager as Non-Uniform Pension Plan CAO.

**7. REVISED COMPREHENSIVE PLAN AUTHORIZATION TO ADVERTISE**

Art Bustard noted that the Comp Plan draft was received from Montgomery County several months ago and the Township must advertise and have public hearings in order to accept or reject it.

A motion by Mr. Bustard, seconded by Mr. Quigley, and approved by all to authorize the advertisement of the revised comprehensive plan.

**8. ZONING HEARING BOARD REPORT**

August 26, 2008 is the next meeting date for the Zoning Hearing Board. They will continue the hearing for the Bereavement Center.

A second application plus two more have been received.

9. **EXECUTIVE SESSION: MAGAGNA ZONING HARDING BOARD APPEAL**  
discussion to be held after the meeting

10. **OTHER BUSINESS**

NONE

**GENERAL PUBLIC COMMENTS (ANY TOPIC, 2-MINUTE LIMIT)**

1. Dennis White, 209 Whitaker, Montclair, PA inquired about a T-Mobile application for a cell tower on February 14<sup>th</sup>, 2008. He represents T-Mobile and asked if the Board received the application and requested an answer from the Board since he has not heard a response to the request. T-Mobile submitted a concept drawing for an antenna showing a flag pole design and has a negotiated fee and lease.

John Cornell, Township Manager stated that he will get back to him within 24 hours.

James Garrity, Township Solicitor, noted that Mr. Bagley had sent the proposal to the Board but it has not been finalized.

Dennis White gave the Board of Supervisors, the Manager, and Joe Nolan, Township Engineer, a copy of the proposal and drawings.

2. Gordon Todd, member of the open space committee, has received and reviewed the open space report and recommends the Board read and review the plan for future recommendations. Steve Quigley commented that he needs to review the budget in advance and then see what is available for preservation.
3. Jim Mollick provided a copy of an email to the Board that he stated John Harris was handing out at the voting districts in the spring primary and he wants to know an interpretation of "sick" referenced in the email.

He referred to the two minute rule, as a result of his questions along with the media policy the board instituted. He recommended the Board talk to Jim Garrity about the law.

He also noted that he's concerned about trucks belonging to the public works department reportedly being seen on private property chipping wood and questioned if that is appropriate use of township equipment? He refused to provide any specifics relating to the incident. He also heard that a public works employee was seen dropping off children at school using a township truck.

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John Harris asked for documentation of this and indicated that the Board would review it.

Jim Mollick asked if the board members converse via email and if the audited financial statements were available yet.

4. David Brooks, Overhill Drive, spoke supporting the electronic media policy and stated that he never saw the Board of Supervisors treat anyone with less respect then they deserve.
5. Chris David, Bean Road, encouraged the Board to support open space.
6. Ray Boards, a builder from Upper Frederick, is attempting to get a building permit for Woodlyn Avenue and stated the building inspector is refusing to give it to him and wants to know why it takes 15 days to process a building permit.

#### **9. ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 9:08AM

Respectfully submitted,

  
Arthur C. Bustard, Secretary

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 WEDNESDAY, AUGUST 20, 2008 7:30 P.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEM**

The Public Utility Commission held a meeting August 19<sup>th</sup> regarding the proposed PECO substation. They will issue a ruling within the next 30 days. Construction is to begin in fall of 2008 with a proposed completion date of spring 2010.

**EXECUTIVE SESSION REPORT – MARK HOSTERMAN, TOWNSHIP SOLICITOR**

A meeting regarding the Magagna Zoning Hearing Board appeal was held. No decisions were made.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Steve Snodgrass, 2203 Oak Terrace, inquired if the board would be discussing a noise ordinance in connection with the Turnpike widening.

John Harris responded that the Turnpike commission would not be subject to local ordinances and therefore, it would not be effective. Worcester was successful in obtaining sound walls in other residential areas and will continue discussions with the Turnpike commission.

Mr. Snodgrass requested update of discussions referencing Tredyffrin Township's efforts and their accomplishments.

Steve Quigley requested copies of the noise ordinance from Tredyffrin Township.

James Mollick, 2114 Country View Lane, referred to the minutes of the July 16, 2008 Board meeting, public comments section, regarding the last executive session where it referred to a reorganization meeting of the public works department. He asked if anyone was hired or fired at that meeting or if any votes were taken? John Harris responded.

Steve Quigley remarked that they only gave opinions.

He also asked if the minutes he submitted to the board previously would be incorporated into the Board minutes or posted on the web site, specifically item #8 in the minutes regarding discussions on the calendar. He stated that the minutes had omissions in them regarding public works employee chipping wood on private property and employees dropping off children at school in Township vehicles. He asked about the miscellaneous expense of \$2,354, on the treasurers report and insurance expense and the salt expense out of the Highway Fund.

Kim McClintock, 1515 North Wales Road, asked for information on spraying for mosquitoes as to where and who makes the decision? John Cornell, township manager, stated that it is the Montgomery County Board of Health and they monitor and have authority to spray. Kim McClintock informed the Board of two retention basins full of mosquitoes referencing the Stoney Creek development.

William Kazimer, 3121 Germantown Pike, remarked that Dr. Mollick brings up items that are not reflected in the minutes like employees chipping wood on private property and it still gets omitted, stating that the board ignores Jim and himself.

Arthur Bustard addressed that; saying the minutes reflect the flavor of the meeting, and legal information, but cannot include everything word for word.

Mr. Kazimer then asked about the location of the T-Mobile cell tower.

**1. READING AND APPROVAL OF THE MINUTES OF JULY 16, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of July 16, 2008 as written. (Copies were available for review.)

**2. TREASURER'S REPORT**

The Treasurer's report for July, 2008 net change on cash basis:

**July 2008 Report:**

General Fund	\$179,454.54
State	\$207,671.96
Capital Reserve	\$202,105.39

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for July, 2008 net change on a cash basis.

**3. PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 365,339.94.

**4. T-MOBILE FAIRVIEW VILLAGE TR DISCUSSION**

John Cornell explained that Worcester Township requires towers be placed on Township property. Cell tower companies seek areas that serve their need and the township has been approached by T Mobile to have a cell tower at the Worcester Community Hall. The township suggested the Dyka property as a possible location. A meeting was held today with John Cornell and a representative of T Mobile to review that site and no decision has been made as to whether or not that is a suitable location. Arthur Bustard added that the status is on hold until the Dyka site is determined to be suitable.

**5. RESOLUTION 08-16: MONTGOMERY COUNTY PLANNING COMMISSION, PLANNING ASSISTANCE 3-YEAR RENEWAL**

John Cornell gave an update stating that the Township utilizes the Montgomery County Planning Commission representative for input and the county and township split the cost of the representative for the next three years.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to pass Resolution 08-16, Montgomery County Planning Commission, Planning Assistance Agreement for a 3-Year renewal.

6. **CIFELLI 2-LOT SUBDIVISION PRELIMINARY PLAN CONSIDERATION**

The application was received on March 5, 2008. The MONTCO Planning Commission review letter was received on May 22, 2008 and on June 25, 2008 the review letter from CKS indicated the plans were ready to be considered for approval by the BOS. The WTPC reviewed the plans on July 10, 2008.

Joseph Nolan, Township Engineer, explained the requested waivers indicating that most are design standards regarding the retention basin, easements around the lot for stormwater facilities and requested that setbacks be measured from the property, not the easement lines. The property owner will maintain stormwater facilities.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to grant Preliminary/Final approval to Cifelli 2-lot subdivision.

7. **REEVES 2-LOT SUBDIVISION PRELIMINARY PLAN CONSIDERATION**

The application was received on February 20, 2008. The MONTCO Planning Commission review letter was received on April 22, 2008 and on April 24, 2008 the plans were accepted for review by the WTPC. On May 6, 2008, the final review letter from CKS Engineer was received. On May 22, 2008 the WTPC accepted the plans for Preliminary/Final approval subject to all conditions and including all waivers.

Joe Nolan explained the waivers which include a variance for setbacks for the septic system, indicating that 20 feet is not standard, building setback will be measured from the easement, not the property line, and have a shared driveway. That applicant requested a waver from curbs and widening of Valley Forge Road.

Steve Quigley asked about landscaping and line of sight at this location. John Harris asked about the proposed traffic light at Woodlyn and Valley Forge and commented on the procedure for waivers. He proposed a discussion of the waivers process at a later work session.

A motion by Mr. Bustard seconded by Mr. Quigley and passed unanimously to grant preliminary/final approval to Reeves 2-lot subdivision including waivers requested.

8. **MANAGER'S REPORT**

**Zoning Hearing Board Report**

The Zoning Hearing Board meeting will be held August 26, 2008 at 6:30pm to hear the continued application 08-04, 3206 Skippack Pike with a second meeting on August 27, 2008 to hear three new applications: 08-07, 3411 Mill Road, 08-08, 3130 Water Street Road and 08-09 2520 Long Meadow Road. All applications and related drawings are available for public review at the township office, 1721 Valley Forge Road, from 8:00 am – 4:30 pm Monday through Friday.

The John Seitz application is still pending.

9. **OTHER BUSINESS**

NONE

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**PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)**

1. Angela Draghici, 1017 Windy Hill Road, stated that if complaints are filed about township employees, vehicles identification and license numbers should be included.
2. Mark Landis of Schultz Road, asked about the next phase of the Zacharias Trail? John Harris responded. Mr. Landis inquired as to who will maintain the trails and open space. John Harris responded.

Arthur Bustard noted that maintenance of the parks and trails is expanding and the Township is always looking for volunteers noting that there is always a cost associated with open space.

3. Angela Draghici commented that truck numbers should be larger to be seen and suggested that an article be placed in a newsletter requesting that abuse when it is seen be reported.
4. Jim Mollick, 2114 Country View Lane, asked if the public work employees had performed any work on any Board member's property. All three Board members responded negatively. He further asked if the Board can selectively enforce the zoning code.

Mark Hosterman, Township solicitor, responded that it depends on what is meant by enforcement and the severity of the violation.

Jim Mollick asked if the township maintains two sets of books.

He asked about the Worcester Township greenway plan and who decided where the trails would be located and who was on the committee. John Harris responded. He asked if there is a trail on John Harris' property or on any of his neighbor's property. He asked when the audited financial statements will be available. John Cornell responded. Jim Mollick asked if John Harris is on the Montgomery County farm committee remarking that the trend seems to be shifting from open space to farms. He then inquired if the McGrane property, had applied for preservation as a farm or open space.

He inquired when is Overhill Drive being paved?

5. William Kazimer, Fairview Village, asked about open space, inquiring if the resident is required to mow and maintain the land? John Harris responded. He asked about the cell tower proposal noting that he lives equally distant between the two locations. He asked about the height and if the property is north or south of Germantown Pike, is it harmful to an individuals' health, suggesting that we contact Lower Providence since they have experience with cell towers.
6. Greg Draghici, 1017 Windy Hill Road ask the radius of the cell tower and how far it transmits.

**ADJOURNMENT**

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 8:34 p.m.

Respectfully submitted,

  
Arthur C. Bustard

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY SEPTEMBER 8, 2008 8:00 A.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:02 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

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**INFORMATIONAL ITEMS**

None

**PUBLIC COMMENTS**

James Mollick, 2114 Country View Lane, presented the Chairman of the Board with a copy of the abuse of power statement, citing criminal law and infringement of rights. He stated that the minutes of the last meeting referring to Dr. Mollick's statements were not correct and that under the public comment section, there was no reference to emails between the members of the Board of Supervisors which he stated was in violation of the sunshine laws. He asked what was the impetus regarding the electronic media policy and if anyone from the county contacted the Board regarding the policy. Arthur Bustard commented it related to control of the meeting.

Jim Phillips, North Wales Road, asked about the purchase of lawn mowers on the agenda; when and what would be purchased and if it is through the state bid? He also inquired as to the purpose of the Park & Recreation task force and if there were any items under other business.

John Cornell responded he had no other business.

**1. READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
August 4, 2008**

A motion by Mr. Bustard, seconded by Steve Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the work session August 4, 2008. (Copies were available for review).

## 2. **TURNPIKE MEETING UPDATE**

On Thursday, September 4, 2008, a Public Officials' Briefing was held at the Whitpain Township building.

Art Bustard commented that the meeting provided an update of changes and taking of private property. The installation of retention walls will be used, eliminating approximately 160 "takings of property". The bridge on Bethel Road that spans the turnpike is expected to be completed by Thanksgiving. The Walton Road bridge will be started next year. Water retention and sound barriers were discussed but currently none are proposed at the Enclave or Shady Lane area in Worcester. Area representatives Kate Harper, Jay Moyer and John Rafferty are all researching how to change this. The retention basin at the Enclave is part of the open space and is of concern to the Homeowner's Association. The Berks Road bridge replacement is proposed for 2012.

Steve Quigley attended an open house with Jay Moyer Thursday night, September 4th and was assured at that meeting that Jay and the other legislators would work to see that the township would get sound barriers.

John Harris asked James Garrity, solicitor, if the taking of open space is the same as eminent domain on other property. Mr. Garrity responded it might be determined by who purchased the open space and with what funds.

## 3. **DISCUSSION: HOLIDAY CALENDAR CHANGE**

By way of the reorganization resolution, the township office is scheduled to be closed Wednesday December 24<sup>th</sup> and December 25<sup>th</sup>. After further consideration, the staff recommends closing Thursday December 25<sup>th</sup> and Friday December 26<sup>th</sup> as well as January 1, 2009 and January 2, 2009.

A motion by Mr. Bustard, seconded by Mr. Quigley, and approved by all to change the township administrative holiday calendar, as recommended by the staff.

## 4. **DISCUSSION: TOWNSHIP PROPERTY AT 3224 WEST GERMANTOWN PIKE**

In 1995, Worcester Township purchased 3224 West Germantown Pike from Andrew and Rosemary Dyka. Mr. Dyka was granted life rights. Mr. Dyka passed away December 8, 2007. The existing house is currently vacant and in need of repair or demolition. The 10 acre parcel adjoins the township-owned Mount Kirk Park.

John Cornell stated that if the house was rented, expected income would be approximately \$1,200 per month but the property will become taxable for real estate purposes. The house needs \$10,000-\$12,000 of repair work before it could be rented. The original purchase intention was for a contiguous park with Mount Kirk.

John Harris commented that it needs a lot of work, recommends demolition and let the parcel remain open space for a park & alternative cell tower housing.

Steve Quigley commented the house could be knocked down to make space for a cell tower and it might be a more desirable location than other sites in the Fairview Village area.

Art Bustard remarked that the house probably had little value but the Township officials should look at other subdivisions in the area and determine the value of the house compared to the value of a Germantown Pike park access.

Steve Quigley asked if the house is knocked down, will it resemble a commercial area in appearance.

Art Bustard said he will have to look at the house and ground and make a decision later.

James Phillips said allowing a cell tower on the property will transfer it from a residential to commercial property and asked if the township ordinance allowing cell towers on township property was challenged; would it be upheld in court?

James Garrity said it has not been challenged but is standard all over Montgomery County.

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#### 5. **LAWN MOWER PURCHASE**

Within the 2008 capital fund, replacement lawn mowers were budgeted. The township staff recommends purchasing two 72 inch 2 track John Deere mowers in 2008 under the state bid and placing two mowers in the 2009 proposed budget.

John Cornell said the retail value of the mowers is \$16,000 each and the state bid price is \$12,000 with a trade in value of \$4,000 for the existing mowers. The current mowers were purchased in 2001 and are in use continuously with the addition of the parks.

Steve Quigley responded to comments at the beginning of the meeting that residents have no input at the time of discussion and at the time period after the meeting the decisions are already made.

Art Bustard stated that the staff has researched the mowers and trade-in values. He stated that the staff did their jobs and he didn't want to micromanage their work; he supports their recommendations and recommends two mowers be purchased in 2008, and two in 2009.

A motion by Mr. Bustard, seconded by Mr. Quigley, and approved by all to approve the purchase of two mowers in 2008 and two in 2009.

#### 6. **PARK AND REC TASK FORCE**

Since the publication of the June 2008 newsletter, 12 persons have expressed a desire to serve on the task force.

Art Bustard wants to move ahead with the task force so plans can move ahead and be budgeted for, based on the recommendations in the year ahead. The task force will

compare how the comprehensive plan relates to parks and how the LRA property will evolve.

A motion by Mr. Bustard, seconded by Mr. Quigley, and approved by all to establish the Park and Recreation task force.

**7. EMERGENCY MANAGEMENT COORDINATOR: MONTCO EMERGENCY INCIDENT DRILL**

In an effort to be proactive, the township EMA coordinator, John Kelly, is working with township administration to prepare for a "table top" drill.

John Cornell noted that the township is required by State law to update the emergency plan. The Board and staff act as administrators with the need for continual training. He recommends a table top drill to bring in all involved parties and the county. The County sends out an "incident" and everyone works through the plan to provide knowledge and hands on experience plus the opportunity to determine faults in plan to develop new strategy. The township is looking at the month of October for the drill.

Art Bustard said the NIMS test must be taken by BOS and staff and he personally could benefit from an update and recommends the drill. Steve Quigley asked if it would be feasible to have a township employee serve as Emergency Management coordinator instead of a non-resident. John Cornell stated that the Township has been working with John Kelly for years and he is certified by the state and county.

John Harris recommended that the Township move ahead.

John Harris announced that there will be an executive session at end of the work session to discuss personnel, litigation and real estate.

**8. OTHER BUSINESS**

None

**GENERAL PUBLIC COMMENTS (ANY TOPIC, 2-MINUTE LIMIT)**

Oliver Smith announced that the historical society wants a sign to recognize Center Point, similar to the one in Fairview Village. There are three possible sites: in front of the WAWA, along the front of the gas station or in front of the Zacharias Cafe. The cost is about \$2,700 and he requested township participation and cost sharing.

Susan Caughlan, 2686 Overhill Drive, asked if Matt Schelly, planner, of the Montgomery County Planning Commission will be involved with the park and recreation task force. John Harris and Art Bustard said that it will be the decision of the task force after they meet and see if they need additional resources. Susan noted that a park & recreation plan can be used to develop ordinances for the township and that grants are available for this type of service.

Jim Mollick asked if audited financial statements are available to the public stating that it is late in the year and if they would explain the \$400,000 difference in last year's statements. He asked about the status of Overhill Drive driveway and paving. He asked if the Board researched the public works staff allegedly working on private property and if public works department personnel maintain logs on work and areas serviced.

Art Bustard said they are in the process of developing logs.

James Mollick requested to have 10 minutes of time on the September 17 public meeting agenda to show information on a calendar discrepancy from the Toni Lynne case of last year. He asked if the township has 2 sets of books regarding the time of employees.

John Harris invited John Kelly Jr. to speak. He responded that he looking forward to having the emergency drill to get our feet wet combining the involvement of the township and county.

James Mollick asked about the personnel issue to be discussed in the executive session.

#### **ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 9:09AM into executive session. No decisions were made.

Respectfully submitted,

  
Arthur C. Bustard, Secretary

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WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 WEDNESDAY, SEPTEMBER 17, 2008 7:30 P.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEM**

None

**EXECUTIVE SESSION REPORT – Jim Garrity, Township Solicitor**

Jim Garrity stated that there were no executive sessions since the last meeting.

**PUBLIC COMMENTS ON AGENDA ITEMS**

James Phillips, North Wales Road, asked if there were any items under the “other business” section of the agenda.

James Mollick, 2114 Country View Lane, presented the Board and solicitor with a decision regarding the Sunshine Law and requested the litigation numbers for any law suit discussed. James Garrity, township solicitor, responded that the executive session last month was properly announced and that he could not recall the document numbers.

**1. READING AND APPROVAL OF THE MINUTES OF AUGUST 20, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of August 20, 2008 as written. (Copies were available for review.)

**2. TREASURER’S REPORT**

The Treasurer’s report for August, 2008 net change on cash basis:

**August 2008 Report:**

General Fund	\$366,655.51
State	\$207,672.71
Capital Reserve	\$24,456.88

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer’s Report for August, 2008 net change on a cash basis.

3. **PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 528,228.50

4. **SIGN PERMIT FEE WAIVER REQUEST – MONTGOMERY COUNTY LANDS TRUST**

A sign permit was received from MCLT related to the easement held on Green Hill Road. The proposed sign follows the sign ordinance and the MCLT has requested a waiver of the permit fee, due to their non-profit status.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to waive the fee for the Montgomery County Lands Trust sign permit.

5. **2009 MMO PENSION PLAN REPORT \$41,248.00**

The 2009 Minimum Municipal Obligation (MMO) report must be submitted to the governing body of the municipality by September 30, 2008.

The Board of Supervisors noted that the 2009 MMO was presented to the Board.

6. **ZONING HEARING BOARD REPORT**

The Zoning Hearing Board meeting will be held September 23, 2008 at 6:30pm to hear the continued application 08-04, 3206 Skippack Pike. There are no new applications. All applications and related drawings are available for public review at the township office, 1721 Valley Forge Road, from 8am-430pm Monday through Friday.

John Cornell, Township Manager gave an update on the August applications stating that Application 08-07 for 3411 Mill road, Application 08-08 for 3130 Water Street Road, and Application 08-09 for 2520 Long Meadow Road were all granted.

7. **OTHER BUSINESS**

NONE

**PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)**

1. David Brooks, Overhill Drive, pointed out that all document numbers for law suits are available on the internet and stated that the Township should institute a policy for reimbursement of costs incurred for frivolous law suits.

A representative from Allied Waste stated that they serve over 1,000 customers in Worcester and starting October, 2008, new containers and recyclable totes will be distributed to enable single stream recycling which is now available to their customers.

2. Ron Evans, Mill & Hollow Roads, on his own represented the Worcester Volunteer Fire Department regarding the building permit for fire house and adjoining pad. He indicated that Mr. Davis, township building inspector, is requesting plans for the barbeque pit. He stated that the contractor has built over 100 buildings and has never had to submit plans. Mr. Evans indicated that there is no seating area in the pit, it is just for cooking. He requested a meeting with Mr. Davis on site to resolve the matter. He does not want the fire company to pay \$400 for a permit.

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Mr. Bustard responded that the Township is working with the fire department president but we must have permits on file for the township and Fire Company's protection, and that he did not know where Ron had gotten the figure of \$400, as that is not what a permit would cost.

Mr. Harris stated that the Township has the authority to waive fees, but not permits.

Mr. Evans also mentioned a house on Quarry Hall Road and Water Street that is storing junk cars.

3. James Mollick, 2114 Country View Lane, passed out copies of the District Court video files policy. He referred to the District Court pilot program allowing video and audio of federal trials, along with fee schedules, and the receipt for the purchase of the audio, and copy of his request. He asked about a property on Overhill Drive with outstanding violations. He also questioned the taking of signs for real estate and other services stating that it constitutes the taking of property. Mr. Harris stated that he and the public works department have removed signs that were posted in violation of the ordinance or without a permit. When illegal signs are removed by the Township, they are taken to the Township Maintenance Building where they can be claimed by the owner.
4. James Phillips commented that the Bethel Hill Church has numerous signs all over the property and asked if non-profit establishments can be limited to 2 signs? Mr. Harris responded that he is reviewing the abuse and the status of non-profit signs. He asked John Cornell, township manager, to review the Bethel Hill Church signs.

#### ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 7:55 p.m.

Respectfully submitted,

  
 \_\_\_\_\_  
 Arthur C. Bustard

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY, OCTOBER 6, 2008 8:00 A.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 8:01 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

None

**PUBLIC COMMENTS**

Ms. Susan Caughlan from Overhill Drive commented on item #4, she requested the township not change the sign regulations for non-profits organizations but should enforce the standards for developers on the use of flags.

**1. READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
September 8, 2008**

A motion by Mr. Bustard, seconded by Mr. Steve Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the work session September 8, 2008. (Copies were available for review).

**2. DISCUSSION: 3-WAY STOP SIGN, KRATZ AND STUMP HALL**

Chairman Harris explained that in conjunction with the extension of the Montgomery County Green Way trail from Greenhill Road to Evansburg State Park it was identified the intersection of Kratz Road and Stump Hall may necessitate at 3-way stop sign. Following discussion it was agreed to request a cost proposal from McMahan to study the intersection and to consider sharing the cost with Skippack.

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**3. DISCUSSION: CENTER POINT HISTORIC SIGN**

Mr. Oliver Smith addressed the Board regarding his prior request the township consider allowing the Historical Society erect a historical sign at the intersection of Valley Forge and route 73. Following discussion it was agreed the township would install the sign and contribute an amount of \$500.00 toward the anticipated cost of \$2,700.00, the Society would try and raise the additional funds.

**4. DISCUSSION: SIGN ORDINANCE/NON-PROFITS**

The Board discussed the recent usage of signage related to non-profits and churches. Following discussion Mr. Harris offered to work with the solicitor to draft changes to the existing sign regulations limiting the number of allowable signs for such temporary events.

**5. DISCUSSION: PUBLIC WORKS BUILDING**

Mr. Cornell distributed copies of a report outlining potential construction option for the proposed public works building. Following discussion it was agreed the Board would review the report and discuss it at the October 15<sup>th</sup> regular meeting.

**6. OTHER BUSINESS**

None

**GENERAL PUBLIC COMMENTS (ANY TOPIC, 2-MINUTE LIMIT)**

Oliver Smith shared his difficulty in dealing with the alarm company for the Farmers Union Hall and requested Mr. Cornell's assistance in getting a response, and discussed the costs of insuring the artifacts

**ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:50 AM into executive session to discuss litigation - claim of liquid asphalt surcharge and for real estate - negotiation of possible cell tower lease. No decisions were made.

Respectfully submitted,

  
 \_\_\_\_\_  
 Arthur C. Bustard, Secretary

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 WEDNESDAY, OCTOBER 15, 2008 7:30 P.M.

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

**PRESENT:**

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEM**

John Harris, Chairman of the Board of Supervisors, announced that under the "Other Business" section of the agenda there will be two items of discussion: 1. A proposal for the new public works building and 2. A request for a monetary contribution from the Methacton Football Association

The multi-way stop sign at Stump Hall Road and Green Hill Road has been approved and will be installed by Penn DOT.

**EXECUTIVE SESSION REPORT**

James Garrity, Township solicitor, announced that there have been no executive sessions since the last one was announced.

**PUBLIC COMMENTS ON AGENDA ITEMS**

None

**1. READING AND APPROVAL OF THE MINUTES OF SEPTEMBER 17, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of September 17, 2008 as written. (Copies were available for review.)

**2. TREASURER'S REPORT**

The Treasurer's report for September, 2008 net change on cash basis:

**September 2008 Report:**

General Fund	\$405,391.72
State	\$59,990.19
Capital Reserve	\$25,526.15

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for September, 2008 net change on a cash basis.

608746

**3. PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 451,342.38

**4. STONY CREEK FARMS – RIPARIAN ZONE CONDITIONAL USE**

A Conditional Use application was received on September 23, 2008. The public hearing was advertised on the property and in the newspaper, with notices mailed to neighboring properties within 500 feet. CKS Engineers, in their review letter of October 1, 2008, recommended granting approval with conditions.

**OPEN PUBLIC HEARING**

Mr. Garrity opened the Public Hearing at 7:36 P.M.

**PRESENTATION OF THE FACTS**

Mr. Garrity gave a brief explanation

Christen Pionzio, attorney for the applicant, gave a presentation of facts.

A court reporter was in attendance for a transcript of the proceedings.

There were no questions from the public.

Mr. Garrity closed the public hearing at 7:50 P.M.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed by all to approve the conditional use application subject to the three conditions, one being that the plan be re-recorded to show the new trail and riparian crossing for protection of future property owners.

**5. ZONING HEARING BOARD REPORT – NEXT HEARING OCTOBER 28, 2008**

All applications and related drawings are available for public review at the township office, 1721 Valley Forge Road, from 8:00 am- 4:30 pm Monday through Friday.

The Zoning Hearing Board will render the decision on Skippack Pike, LC.

Four new applications have been received as follows:

08-10, 2120 Schultz Road, side yard setback and building envelope

08-11, 1811Hollow Road, rear yard setback for pool

08-12, 1722 Kriebel Mill Road side yard setback for addition

08-13, 2564 Preble Circle, side and rear yard set backs for pool

**6. OTHER BUSINESS**

**1. The Public Works Building:**

With the construction of the new Worcester Volunteer fire house, the township lost a public works building. At the October work session, several options were discussed including three types of modular buildings or a pole barn. The options were viewed again noting that proposed building B is a modular construction and Building D is a pole barn type building with a \$4,000 difference in price. Building D is considered the best deal for township.

Steve Quigley noted that it would be more aesthetic, considering the surrounding park.

Art Bustard concurs with Building D, noting that the price and looks are best and provides a room for seminars that can be utilized for safety meetings.

Steve Quigley added that it could also serve for community group sports registration since it has public access on one side.

The building will be located behind the existing green storage building, with a corridor between them.

John Cornell, township manager, thanked the Board for direction.

2. Methacton Football request for donation and if it is appropriate use of township funds?

Steve Quigley inquired what the association has done to raise their own funds.

John Harris said it is an important part of the community, and would consider a small donation.

Arthur Bustard stated that he felt it was not an appropriate use of taxpayer funds and it opens the door to requests from many more charities. He suggested allowing the use of the concession stands in Heebner Park to raise funds.

The Board determined it will wait and get more information on their need.

#### **PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)**

Kim McClintock addressed mosquito concerns and asked if the Montgomery County Department of Health has done any spraying along North Wales & Township Line Roads. He requested the email address for DEP and the Montgomery County Health Department.

David Brooks, Overhill Drive, asked for the status of the stop sign study at Bean and Whitehall Roads. Joseph Nolan, township engineer, responded that he saw a draft from PENN DOT but had received a formal report.

#### **ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:06 p.m.

Respectfully submitted,

  
 \_\_\_\_\_  
 Arthur C. Bustard

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**MONDAY, NOVEMBER 3, 2008 8:00 A.M.**

**CALL TO ORDER**

The regularly scheduled work session of the Board of Supervisors was called to order by Mr. Harris at 8:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

**PRESENT:**

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

Mr. Harris reported the following:

- PennDot had installed the all-way stop signs at Greenhill and Stump Hall Roads.
- The Montgomery County Lands Trust had reached an agreement with the Moran family on Kriebel Mill Road to sell the development rights for their 81 acre property and the trust requested the township partner in the purchase.
- The 2008 Comprehensive Plan revision was scheduled for a public hearing on November 19<sup>th</sup>, 2008 at 7:30 pm.

**EXECUTIVE SESSION REPORT – JIM GARRITY**

Township solicitor Jim Garrity reported the Board of Supervisors convened on October 30, 2008 with the intent of holding a personnel meeting, however he reported the intended personnel matter did not materialize.

**PUBLIC COMMENTS**

Ms. Susan Caughlan from Overhill Drive commented on item #3 that it is not good planning to close Woodlyn Avenue and the Township should consider making it one-way instead. Also, Ms. Caughlan expressed her opposition to item #5, the concept of amending the AQRC district to reduce or eliminate the age provisions and expressed concerns in violating the Fair Housing Act provisions.

Mr. Doug Rotundo from Woodlyn Avenue commented on item #3 and agreed with making Woodlyn Avenue one-way.

Mr. David Brooks from Overhill Road commented on item #5 and his support for not amending the AQRC ordinance for the developer of Stony Creek Farms.

Mr. Michael Simione of Kriebel Mill Road commented on item #5 and his support for not amending the AQRC ordinance as it related to taxation and the impact on the school district taxes.

Mr. Kim David commented on item #5 and expressed his support for not amending the ordinance.

Mr. Jim Mollick of Country View Lane questioned if there was any other business on item #8 and also commented regarding Mr. Garrity's executive session report.

Mrs. Winnie Hayes of Fisher Road commented on item #5 and shared her support for not amending the AQRC ordinance and expressed concern over the effects on the school district placing children in the school system and burdening tax payers.

608746

**1. READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
October 6, 2008**

A motion by Mr. Bustard, seconded by Mr. Steve Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the work session October 6, 2008. (Copies were available for review).

**2. PADOT TRAFFIC SIGNAL RESOLUTION FOR VALLEY FORGE ROAD &  
WATER STREET**

Joe Nolan reported that in order to proceed with permitting of the traffic signal for Water Street and Valley Forge Road PennDOT requires a resolution as part of the application authorizing the application process.

A motion by Mr. Bustard, second by Mr. Quigley, approved by all to pass resolution 2008-19.

**3. DISCUSSION: WOODLYN ROAD CLOSURE**

Joe Nolan reminded the Board of the prior discussions and options for Woodlyn Road. Following discussion it was agreed Joe Nolan would contact McMahon Associates with regard to the feasibility of making it one-way versus closure.

**4. DISCUSSION: PARTICPATION IN THE PROPOSED JOINT SKIPPACK CREEK WATERSHED TMDL RELATED TO THE MS-4 PROGRAM AND STORMWATER MANAGEMENT**

Joe Nolan presented an explanation of the MS-4 program and the proposed joint municipal effort to deal with the D. E.P. and the pending regulations. Following discussion it was agreed, by way of motion, vote all in favor to participate with the proposed TMDL joint effort not to exceed \$5,000.00.

**5. DISCUSSION: REQUEST FOR ORDINANCE AMENDMENT FOR STONY CREEK FARMS AQRC**

Attorney Richard McBride appeared on behalf of the David Cutler Group to discuss the concept of amending the AQRC zoning provisions to reduce or eliminate the age 55 provision. Mr. McBride shared that the developer has had difficulty selling the units due to the current economic and real estate climate and further shared such changes could "broaden the base of the purchasing public". It was agreed the owner of the remaining phases should participate in the discussion, and the Board took no formal action on the request.

**6. DISCUSSION: 2009 DRAFT BUDGET**

Mr. Cornell reported the township staff was working on the draft 2009 budget which would be on the agenda for the November 19<sup>th</sup> meeting. Mr. Cornell noted the anticipated reduction in revenues in light of the current economic climate and subsequent anticipated reduction in expenditures, and further highlighted some anticipated purchases.

**7. DISCUSSION: PARK & RECREATION TASK FORCE SURVEY**

Following discussion it was agreed to proceed with a township wide survey within a future newsletter as suggested by the township's newly formed park and recreation task force.

**8. OTHER BUSINESS:**

Mr. Quigley shared comments regarding the need to watch expenses during difficult times and encouraged the Board and staff to make wise decisions regarding using the tax payers money.

**GENERAL PUBLIC COMMENTS (ANY TOPIC, 2-MINUTE LIMIT)**

Mr. Rob Hayes shared that he does not support the AQRC change request.

Mr. Kim McClintock as a neighbor of the Stony Creek Farms project noted he agreed with Mr. Hayes' position on the AQRC.

Mr. Dave Plager of Field Crest Way shared his thoughts on the proposed light at Water Street & Valley Forge Road and the potential effects on Crest View Way.

Mr. Michael Simeone commented on the developer's AQRC ordinance change request.

Mr. David Brooks shared that the developer was a privately held company and the township should not make the change.

Ms. Winnie Hayes noted the developer's request was not the township's problem, and noted she believes the project would not be abandoned.

Jim Phillips of North Wales Road commented on the AQRC project and lack of support for the proposed change.

#### **ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled work session meeting.

Respectfully submitted,



Arthur C. Bustard, Secretary

608746

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY, NOVEMBER 19, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:35 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

None

**EXECUTIVE SESSION REPORT**

At the work session on November 3, James Garrity, Township solicitor, stated that on October 30, 2008 an executive meeting was scheduled to be held for a personnel matter but it did not occur. He clarified at this meeting that the Board convened at the office for the personnel matter that did not materialize but another personnel matter was discussed, therefore an executive session was held.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Gary Volpe, 2449 Schlosser Road, Towamencin, owner of a business in Worcester located on Germantown Pike requested discussion of the sign ordinance, specifically requesting a temporary sign ordinance. He's requesting the Township pass a temporary sign ordinance for businesses and stated that enforcement of the sign ordinance needs to be consistent.

Charles Ballard, 1108 Grange Avenue, stated that he supports the acquisition of the Moran property. He's a licensed civil engineer in numerous states and knows the difficulty of obtaining open space.

Chase Kneeland, 2021 Berks Road, stated that the money for the purchase of the Moran development rights of \$300,000, in addition to \$2 million of county money could be used for better purpose. Two developers walked away from the property due to the steep slopes, wetlands, and streams. He stated that the property is not at risk of development in this economy. The money could be better spent on preserving 58 acres of the Worcester Golf Course surrounded by homes with possible purchase of developer rights by Meadowood. Mr. Kneeland suggested John Harris recuse himself from the vote since his property borders the Moran tract and there was no mention of this purchase in any of the 2007-2008 minutes.

David Plager, 2971 Fieldcrest Way, member of the Park & Recreation task force, wanted to discuss the Heyser purchase and stated if purchased, it should be expanded to a children's park with trails and recreation facilities. He stated that since no builder is interested in Moran tract, the township should wait.

Winnie Hayes, 3035 Fisher Road, stated that discussion of the Heyser tract started six years ago with the Friends of Worcester polling at voting sites. At that time 600-plus residents recognized the value of Heyser field. She state that the Board should follow through with the purchase of the Moran tract since

the value is down and state and county monies are available. The Moran tract is in the comprehensive and open space plans, it's adjacent to Evansburg Park for trails, and that many open space acquisitions are made throughout the township, not just next to John Harris' property.

Susan Caughlan, 2686 Overhill Drive, added her support to the purchase of the Heyser tract for continued use by the horse company. She addressed the Moran property having served on the open space committee, that it preserves habitat, wildlife, and has connectivity to trails. The region-wide map ranks this property 10 out of 10 for natural resources. Preservation of this property will eliminate potentially 20-25 future houses and additional children in schools. She stated that the owner of the Worcester golf course does not want to sell, plus there is no county or state money available and no habitat will be preserved, she indicated that Mr. Malone had requested \$3million for 55 acres.

Oliver Smith, Fisher Road, came out to support open space, but heard his name mentioned by Chase Kneeland and wanted to know in what context. He then confirmed he sold his development rights, stating that it's a win win, money for owner and not additional houses.

William Kazimer, Fairview Village, was once told that John Harris' property was not worth developing, and inquired why is the Moran property different? He stated that the township does not need to buy swampy, hilly property and the Board should table the issue for further discussion. In reference to the sign issue, he noticed signs being removed from southwest corner of Township but not other areas of the township and it appeared to him to be unfair selective enforcement of the sign ordinance.

Michael Simeone, Kriebel Mill Road, was present to support the Moran property and pointed out that if there is no urgency for purchase, the township will have to compete with developers later. He recommended we buy it now at a bargain price since it's contiguous with other open space.

Carol Allen, Whitehall Road, said she agrees with Mr. Harris's position on political signs and open house signs and does not want temporary signs.

Lois Cipollini, 1525 Green Hill Road, stated that she is a 19 year resident and has seen many changes in the township. She thinks the Moran tract is a good purchase, as it is a beautiful piece of ground and should be purchased by Worcester Township. She would like to see the Worcester golf course preserved and the Township should try to reduce the price of the golf course.

Karen Simeone, Kriebel Mill Road, lives next to Moran property, and has walked property many times and it has no swamps, but is beautiful. She supports the purchase.

Bill Moran, 1123 Kriebel Mill Road, supports the open space project.

Vincent Vangrossi, solicitor, representing Mr. Moran, stated that the reason the property is for sale is because Mr. Moran's father passed away and the estate must be resolved. It is a bargain price and the Lands Trust is interested because of the value of the property.

Craig Eberbach, 3227 Mill Road, played on the Moran property as a child and said all residents benefit from open space, and in the natural state; the property does not need to be mowed, and some of it is wooded.

Kim McClintock, North Wales Road, said for the price the township should purchase it.

Kim David, Bean Road, supports the Heyser and Moran purchases.

David Eubank, Mill and Grange Roads is a new resident who sees the value of open space and agrees that the Moran property should be purchased stating that the Gambone Organization spent \$300,000 for less than 2 acres in the same area.

Jim Philips, North Wales Road, spoke first with regards to the sign issue stating that the Board previously denied taking signs and stated that owners should be notified first. He asked if the comprehensive plan covered Fairview Village or the whole township. He questions if the Moran property is purchased, if some property could be condemned to straighten Kriebel Mill Road and restore the bridge. He also suggested that the order of the meeting be changed so residents can address issues at time of discussion. He then questioned the Township's purchase of the Harris development rights, if a trail should be made available on John Harris' property. He stated the Gambone property on Berks Road is beautiful with view of the city and should also be preserved.

Jim Mollick, Country View Lane, suggested that John Harris not vote on the Moran property and asked if it was surveyed for Methacton athletic fields or a housing development? He stated that houses built on that tract will produce approximately 20 children equaling the need for 1 more classroom. He noted that the 2009 budget is down \$1,500,000 and the Board wants to spend more money. He asked if there is a procedure for taking signs off property and asked if Mr. Garrity stated that it was ok to take signs. He indicated that the Township must follow procedures and must look at how the money is spent.

Chris David, Whitehall rRoad, supports purchase of open space based on the Board knowledge and decision.

JoAnne Michini, North Wales Road, supports the Moran purchase, noting that they are horse people who are surrounded by development.

Terry Walsh, Potshop Road, stated the once it is gone, it is gone, noting that Warren Buffet is currently investing in the stock market for same reason.

**1. READING AND APPROVAL OF THE MINUTES OF OCTOBER 15, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of October 15, 2008 as written. (Copies were available for review.)

**2. TREASURER'S REPORT**

The Treasurer's report for October, 2008 net change on cash basis:

**October 2008 Report:**

General Fund	\$217,757.06
State	\$59,992.69
Capital Reserve	\$25,306.26

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for October, 2008 net change on a cash basis.

**3. PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 347,523.26

**4. OPEN SPACE ACQUISITIONS:**

**HEYSER TRACT**

A resolution was passed in spring 2008 to purchase 5 acres of the Heyser tract based on the original sales offer appraisal of 10 acres. Montgomery County strongly encouraged the purchase of 7 acres instead of five negotiated for 7 acres instead of five. The resolution replaces the original five acres and increases it to seven acres for the purchase price of \$309,000. from the township.

John Harris noted that it will require a subdivision process that the township is ready to move forward with.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to approve, Resolution 2008-20 for the purchase of the Heyser Tract, in conjunction with Montgomery County.

### **MORAN TRACT**

Jake Leae, director of Montgomery County Lands Trust, an independent farmlands trust, was contacted by Mr. Moran approximately three years ago regarding preservation of this property. The property connects to Evansburg Park. He explained the difference between the Farm Land program and the Open Space preservation program stating that there is no public access required on farm land preservation. The Department of Conservation and Natural Resources model developed for habitat wildlife, wetlands, forest growth, and stream lands rated the Moran property a 10 out of 10.

An application was made in 2008 to DCNR for 55 acres for funding. Worcester Township is to fund 50% of the farmland portion of the property. Total preservation will be 61 81 acres, at a cost of about \$337,000 to the Township. It will provide public access with trails. Mr. Moran will continue to live there and maintain the property eliminating avoiding the need for township maintenance. It is adjacent to Evansburg Park. This property was recommended for preservation in the new and the last previous comprehensive plans. The township will utilize a fund of money donated by a private resident who is happy it is being used for this property. Chairman Harris stated that there are have been many discussions to preserve the Worcester golf club but currently there are no financing partners.

John Harris opened the discussion to the public.

Craig Eberbach asked what percentage of the property is woodland. (55%).

Susan Caughlan stated that if the anonymous donor wishes to remain anonymous, we should respect his wishes.

Jim Mollick, asked if the money is in a separate account.

Jim Phillips asked if there is any legal opinion on how the donated money should be spent.

Jim Garrity, township solicitor, said the Board has discretion.

Gordon Todd stated if he contributed \$50,000 for open space and the board spent it on fire trucks, it would be the last contribution he'd make.

A motion by Mr. Bustard to approve resolution 2008-21, Moran tract purchase. Steve Quigley made a suggestion motion to table the issue until he can walk the property with Mr. Leae and review the history of the property.

A motion by Mr. Bustard seconded by Mr. Quigley and passed unanimously to table the Moran tract development rights purchase until the December work session.

**5. 2008 COMPREHENSIVE PLAN REVISION**

Matt Schelly, Montgomery County Planning Commission and township planner, has been working on the plan along with the Township Planning Commission for 2 years. He stated the plan maintains our rural character, historical resources, and agriculture. He presented a slide show of goals, objectives and vision. He noted that the township is currently using the 1995 plan.

**6. MONTGOMERY PRESBYTERIAN CHURCH PRELIMIARY PLAN CONSIDERATION**

This preliminary plan submission was received on May 16, 2008. On September 25, 2008, the Worcester Township Planning Commission recommended approval subject to all recommendations and with waivers. CKS Engineers provided their most recent review on November 12, 2008.

Jeff Boto, engineer for the developer, noted that the property is located at 3260 Morris Road, and this is a second revision. They will address comments noted in the Township Engineers letter dated November 6, 2008. This shows the construction of two additional buildings, a gymnasium and a larger sanctuary.

Joseph Nolan, township engineer, did the preliminary plan review showing the existing church. He commented that the waivers should be considered; consisting of road widening (Fisher Road), sidewalk and curbing and landscaping on Fisher Road.

The parcel is 38.8 acres, and 25 acres are the minimum for churches.

Steve Quigley questioned if remaining items from the 1<sup>st</sup> land development have been addressed.

Joe Nolan addressed the issue and stated the land development will require an escrow account to assure all items are completed.

A motion by Mr. Bustard, seconded by Mr. Quigley, and passed unanimously to approve resolution 2008-22, the Montgomery Presbyterian Church land development preliminary approval.

**7. FIELDSTONE SUBDIVISION ACCEPTANCE FOR DEDICATION**

On October 2, 2008, CKS Engineers prepared their final inspection, confirming that all outstanding punch list items from October 2007 were completed to their satisfaction. This subdivision is now ready for dedication and to enter the maintenance bond phase.

A maintenance bond is required.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Fieldstone subdivision for dedication, Resolution 2008-27.

**8. 2009 PRELIMINARY BUDGET ADOPTION**

Section 3203 of the Second Class Township Code requires the annual preparation of a proposed budget reflecting estimated revenues and expenses for the year. Following preparation of the proposed budget, a public notice is given, the budget is available at the Township office during normal business hours for inspection, and must be acted upon by December 31, 2008.

John Cornell noted that a copy is available in the public meeting packets and on the web.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the 2009 preliminary budget.

**9. ZONING HEARING BOARD REPORT – NEXT HEARING NOVEMBER 25, 2008**

All applications and related drawings are available for public review at the township office, 1721 Valley Forge Road, from 8:00 am- 4:30 pm Monday through Friday.

John Cornell, township manager gave the following report:

A decision will be rendered on November 25, 2008 for Application 08-04, 3206 Skippack Pike LP.

There are two continued applications:

08-10, 2120 Schultz Road, for a side yard setback and construction outside the building envelope  
08-13, 2564 Preble Circle, for side and rear yard set backs for pool. Both applicants will present additional information.

Two applications were approved last month:

08-11, 1811 Hollow Road, rear yard setback for pool outside the building envelope and  
08-12, 1722 Kriebel Mill Road , side yard setback for addition

Two new applications for December 16 meeting were received:

08-14, 3250 Hedwig Lane, move nonconforming use from guest house to barn, and expansion of an existing patio into the riparian corridor.

08-15, 2017 Wentz Church Road, permit installation of entrance columns 6" in height & 4" fencing

**6. OTHER BUSINESS**

**Discussion item: Signs**

Steve Quigley requested the discussion and asked John Cornell, township manager, to review the current sign ordinance. Mr. Cornell read a portion of the ordinance and stated that it is a portion of the complex zoning ordinance. He provided a brief review of sign provisions, off premises, temporary signs, and placement of signs in right-of-way. He explained the Township procedure for all zoning violations.

Steve Quigley said that as the Township grows, it needs to do a better job of researching before enacting ordinances. After viewing the comprehensive plan vision, the Township needs to have better communication to achieve these goals.

Arthur Bustard noted that there is a problem with deliberate flouting of violations. By the time the process takes place, the event or sale is over. He does not want to see signs everywhere through out the community and we need to find balance and possibly a temporary sign ordinance would be a solution for the non profit and business community.

**PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)**

Gary Volpe, said he is not here to embarrass or cause problems but the Township needs to assist business and assist residents of the township, indicating that a temporary sign ordinance would assist all.

Mary Grace Sparango, North Wales Road, asked when and where does the township discuss open space acquisitions, noting that she could not find any minutes of the township purchasing the Cindy Haines tract. She stated that the law suit with Cindy Haines has been settled and requests that the township treat the Sparango family with respect. Speaking as a developer, she noted that the Moran tract with 81 acres, yields only 24 lots, so it is not desirable for development.

Craig Eberbach, resented a statement by Steve Quigley referencing lack of time and hours to review Township matters when other residents who are present work long hours also. He noted that the prior township manager spoke with residents before taking signs.

Oliver Smith, Fischer Road, noted that the Montgomery Presbyterian Church trees are currently covered with multi-flora rose and it should be removed as it is a noxious weed.

Susan Caughlan, Overhill Drive, stated that she was appalled at the suggestion that part of the Moran property be condemned for road straightening and appreciated Jake Leae's clarification of trails through open space vs. farm land. She noted a sign at Woodlyn and Valley forge Road for TD Bank as well as the Cutler sign is in violation of the ordinance and stated that businesses have budgets for advertising and the Township should not allow temporary signs.

Jim Mollick, Country View, inquired if the property on Overhill Drive he had complained about before is proceeding with driveway paving. He questioned if removal of signs will be stopped and stated that everyone should follow ordinances.

Gordon Todd, Bustard Road, looked into ordinances for Overhill Drive and believes it to be in compliance. In reference to taking signs off properties, he indicated that most signs are in right of way and there is a proliferation of signs that need to be removed.

Bruce Pancio felt that the name of the donor for the open space funds should be revealed

William Kazimer, Fairview Village, complimented the Board for purchasing new microphones. He stated that he was not aware of the presentation of the comprehensive plan but others should see it. He does not agree with the statement in it that after 2025, all land will be developed.

Susan Caughlain stated that the conflict of interest pertains to lawyers, not John Harris, who is not a lawyer. She referenced the ethics board and indicated that the appraisal of the Moran property took into account the benefits of adjacent property and there is not a benefit to John Harris.

Chase Kneeland stated that the next time open space is before the public, they should inform attendees before taking a vote. The township needs to tune up their procedures to inform the public.

Mary Grace Sparango asked for clarification of the statement made by Gordon Todd referencing the paving of driveways.

Jim Phillips stated that the vote for the Moran tract should be at the next nightly meeting, not at the work session.

Steve Quigley noted that the Moran tract was explained at the last work session, noting that the town ship only has so much money and needs to set priorities.

Jim Phillips asked who is the open space coordinator and if there are any conversations with the owner of the Worcester golfd course or the Gambone's for TDR's and if Meadowood had been approached. He asked if the monetary donors live or work in the Township, do they get preferential treatment.

Arthur Bustard agreed that the monetary open space fund donation might lend itself to a bad perception and that a private township lands trust should be developedconsidered.

#### ADJOURNMENT

There being no further business brought before this Board, Mr.Harris adjourned the regularly scheduled meeting at 10:50 p.m.

Respectfully submitted,

  
Arthur C. Bustard

608746

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**MONDAY, DECEMBER 1, 2008 8:00 A.M.**

**CALL TO ORDER**

The regularly scheduled work session of the Board of Supervisors was called to order by Mr. Harris at 8:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

Mr. Harris reported the Zoning Hearing Board had denied the application for Skippack Pike LLC at their meeting on November 25, 2008.

Mr. Harris informed the Board and public that Mr. David Markel had donated the monies into an open space fund, which the Board is now considering using for the preservation of the Moran Tract. Since the November 25<sup>th</sup> Board meeting Mr. Harris confirmed that Mr. Markel has no problem revealing his name. Mr. Harris also noted the funds had been earmarked for open space only.

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

Dr. James Mollick, Country View Lane, offered comments concerning the possible contribution toward the purchase of development rights on the Moran property, an executive session and the question of funding expenses arising from the preservation of the Haines property.

Gordon Todd, Bustard Road commented on the open space plan, noting that the Planning Commission spent many hours reviewing many properties for open space not only the Moran property. Mr. Todd also noted the township has preserved many farms and he congratulated the Board for their efforts.

Mary Grace Sparango, North Wales Road, commented on the question of paying expenses arising from the preservation of the Haines property.

Susan Caughlan, 2686 Overhill Drive, commented on the Haines matter and noted Cindy Haines was donating the easement. She stated that the township was not approving the easement but is a beneficiary of the 14 acres of open space and further noted the decision today is to determine if

the township will contribute money towards the legal and planning costs to donate the easement to the Conservancy of Montgomery County.

Oliver Smith, Fisher Road supported the purchase of the Moran tract.

David Brooks, Overhill Drive, stated his view that the idea that John Harris should recuse himself from the Moran purchase decision is ludicrous. He stated his understanding that there is no conflict of interest per the ethics board. Even if there was a conflict, he is allowed to vote if a conflict is revealed.

Kim David, representing the Friends of Worcester, stated many people support open space not just Mr. Harris, and the purchase price of \$300,000 for 41 acres is a "no brainer".

**1. READING AND APPROVAL OF THE MINUTES OF THE WORK SESSION  
November 3, 2008**

A motion by Mr. Bustard, seconded by Mr. Steve Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the work session November 3, 2008. (Copies were available for review).

**2. RECONSIDERATION OF ACCEPTANCE OF CINDY HAINES  
CONSERVATION EASEMENT DONATION, RESOLUTION 08-26.**

Mr. Harris remarked this is a revisit of an item from one year ago. It represents a voluntary easement with a \$15,000 donation to offset expenses. The township will support the idea of donating open space without the township spending a large sum of money.

A motion by Mr. Bustard, second by Mr. Quigley, approved by all to pass resolution 2008-26.

**3. RESOLUTION CONSIDERATION: MORAN TRACT DEVELOPMENT RIGHTS  
PURCHASE RESOLUTION 08-21.**

This item was tabled at the last meeting at the request of Mr. Quigley to provide time to research and view the property.

Mr. Quigley reported he spoke with Jake Lee from Montgomery County Lands Trust. Mr. Moran and also read a prior court case from 25 years ago regarding the Moran property. He questioned if it was known where the trail would be located, how long the money was available, and asked to see plans for the trail when they are available? Mr. Quigley stated he still has questions regarding camp activities if the property is preserved and what encompasses passive open space. He noted the property is ranked a 10 on the open space priority list and stated an environmentally conscious, ecosystem camp would be ideal on the 10 acres. He also stated the camp that was there 25 years ago had allowed many children to discover nature and keep many memories.

In response to Mr. Quigley's questions, Susan Caughlan, former open space coordinator, stated her understanding that the DCNR cannot collect fees for access to any of their properties and that any buildings must meet township zoning regulations. Public access to the property is required but the exact location of trails is not yet known. Further she stated there can be no commercial operation on DCNR preserved lands and clarified that the State Farm Board preserves land allowing farming, while this program preserving the property protects the habitats.

James Garrity noted he had reviewed the PA public official act and researched ownership of the adjoining property by John and Melanie Harris next to the easement property. He stated that it is his opinion it does not pose a conflict and read statements from the ACT and findings of fact confirming his opinion.

John Harris stated he would recuse himself from the vote, then read and presented a letter to the secretary stating his recusal, unless there was tie. On motion by John Harris, seconded by Mr. Bustard, and approved by Mr. Bustard & Mr. Quigley to pass Resolution 2008-21.

#### **4. VALLEY FORGE AND WOODLYN INTERSECTION EVALUATION REPORT**

Joseph Nolan, township engineer, gave a brief history of the intersection of Woodlyn Avenue and Valley Forge Roads. McMahon Associates, traffic engineers, prepared a study proposing that Woodlyn Avenue be one way going west. The study provided two steps to achieve this goal: 1.) lane striping and signage costing approximately \$5,200, and 2.) installation of islands (bump outs) for a cost of \$4,200. If the safety issues continue, the Township could build a Cul-de-sac to completely block off the road for \$36,800.

Steve Quigley asked how many driveways would be affected and Mr. Nolan responded that three driveways are affected. He suggested signage prior to the change with advance written notice to residents.

A motion by Mr. Bustard, seconded by Mr. Steve Quigley, and approved by all to move ahead with Phase I.

#### **5. OPEN RECORDS OFFICER DESIGNATION, RESOLUTION 08-25**

John Cornell commented that the staff has been to training on the new law throughout the last 6 months. The new law requires an official be designated.

A motion by Mr. Bustard, seconded by Mr. Steve Quigley, and approved by all to pass Resolution 2008-25 designating the Township Manager as Open Records officer.

#### **6. MUNICIPAL RECORDS SCHEDULE, RESOLUTION 08-24.**

Mr. Cornell gave background on the state-suggested policy which would follow the Pennsylvania Historical Commission guidelines.

A motion by Mr. Bustard, seconded by Mr. Steve Quigley, and approved by all to pass resolution 2008-24.

**7. OTHER BUSINESS:**

None

**GENERAL PUBLIC COMMENTS (ANY TOPIC, 2-MINUTE LIMIT)**

Mr. Michael Gambone, Conestoga Lane, asked what the total cost of the Moran Tract is.

Arthur Bustard responded that \$2,084,768.75 is the total amount and \$316,000 is the township's portion, or 16% of the total.

Mr. Gambone asked what the original opinion of McMahon Associates on the Woodlyn Avenue was. He stated that in his opinion, a one-way street will not solve the traffic dangers.

He also commented on the status of volunteers. He submitted his name for two committees and stated he never received a call.

Jim Mollick asked if the open records policy is in effect now and the status of a driveway on Overhill Road. He asked about the calendar issue, who made the calendar and asked why the calendars are password protected?

**ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled work session meeting at 9:40AM.

Respectfully submitted,

  
Arthur C. Bustard, Secretary

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**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**FAIRVIEW VILLAGE, PA**  
**WEDNESDAY, DECEMBER 17, 2008 7:30 P.M.**

**CALL TO ORDER**

The regularly scheduled meeting of the Board of Supervisors was called to order by Mr. Harris at 7:30 P.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

**INFORMATIONAL ITEMS**

Under "other business" an item will be added called "Bids for the Public Works Maintenance Building".

**EXECUTIVE SESSION REPORT**

There was an executive session held on December 10, 2008 to discuss year-end personnel reviews.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Jim Phillips, North Wales Road, asked what the Heyser Open Space item was on the agenda. Referencing the comprehensive plan, He asked the definition of a hamlet and what can be done in that zoning. He also asked if the state mandates how much of each type of zoning is required and questioned the appointments for year 2009 under other business.

Jim Mollick, Country View Lane, commented that the minutes omitted large pieces of discussion regarding the open space fund. He also wanted what he termed "heckling" by an elected auditor recorded in the minutes. He questioned if the Markel Open Space Fund is in the budget and why Markel's name was not reveal during the previous meeting. He asked what expenses were cut, noting the budget was down \$500,000 from last year and asked if there were any email communications between the Board members regarding the Moran tract discussed at the last meeting.

William Kazimer, Fairview Village, asked if the 2008 Comprehensive Plan revision was to be approved tonight. He questioned the accuracy of 2026 being the year with no land to build on that was referenced in the plan. He stated that the plan shows a straight line for building in 2002 and believes that to be incorrect. He recommended the Board not vote on it until it's corrected. He asked if the budget revenue was also down \$500,000 for 2009.

**1. READING AND APPROVAL OF THE MINUTES OF NOVEMBER 19, 2008**

A motion by Mr. Bustard and seconded by Mr. Quigley and unanimously approved to dispense with the reading of, and approve the minutes of November 19, 2008 as written. (Copies were available for review.)

2. **TREASURER'S REPORT**

The Treasurer's report for November, 2008 net change on cash basis:

**November 2008 Report:**

General Fund	\$217,168.67
State	\$25,468.76
Capital Reserve	\$25,627.59

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to accept the Treasurer's Report for November, 2008 net change on a cash basis.

3. **PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pay the bills of the Township in the amount of \$ 210,447.03

4. **2008 COMPREHENSIVE PLAN REVISION: RESOLUTION 2008-23**

In accordance with the Municipalities Planning Code, the Comprehensive Plan was submitted to the County Planning Commission, the Methacton School District and neighboring municipalities. Public meetings were held, and the mandated 45-day review period for comment and review has been met.

John Harris commented that Matt Schelly of the Montgomery County Planning Commission provided a presentation at the last meeting.

Steve Quigley remarked that he met with Worcester's Planning Commission when they worked on the plan and they put in long hours to plan for the future of Worcester.

Arthur Bustard commended the participants on an excellent job of transportation management and providing for the future of Worcester by controlling growth.

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pass resolution 2008-23, 2008 Comprehensive Plan Revision.

5. **2009 FINAL BUDGET ADOPTION**

Section 3202 of the Second Class Township Code requires the annual preparation of a proposed budget reflecting estimated revenues and expenses for the year. Following preparation of the proposed budget, public notice was given at the November 19, 2008 Board of Supervisors' meeting that the budget was available at the Township office during normal business hours for inspection. It was also advertised in the Times Herald on November 24, 2008. The budget must be acted upon by December 31<sup>st</sup>.

Steve Quigley said the staff did a good job in view of the economy.

Arthur Bustard also commented on the good job by the administration and that the Township had developed maintenance schedules for the buildings & equipment.

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pass the 2009 Final Budget.

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**6. HEYSER MINOR SUBDIVISION PLAN**

This preliminary plan submission was received on December 3, 2008. The Worcester Township Planning Commission recommended Preliminary / Final approval at their meeting on December 11, 2008.

John Harris commented that this is one of many steps in purchasing a parcel from Mr. Heyser. Worcester Township is proposing to purchase a seven acre parcel with financial assistance from Montgomery County. This subdivision plan will redraw the lot lines to allow the township to take possession of one of the parcels.

Joseph Nolan, township engineer, said the plans have been reviewed and they speak for themselves.

A motion by Mr. Bustard, seconded by Mr. Quigley and approved by all to pass the preliminary / final subdivision approval for the Heyser Tract.

**7. ZONING HEARING BOARD REPORT – NEXT HEARING JANUARY 27, 2009**

All applications and related drawings are available for public review at the Township office, 1721 Valley Forge Road, from 8:00 am - 4:30 pm, Monday through Friday.

Applications 08-10, 08-13, 08-14 have all been continued at the request of the applicants.

Application 08-15, 2017 Wentz Church Road, for installation of entrance columns was granted.

Application 08-16, 2104 Country View Lane, for entry gate with 6' piers was also granted.

**8. OTHER BUSINESS**

1. Joseph Nolan, Township Engineer, said bids and specs were submitted for the township to purchase a 28x48 foot pole building to house the public works department. The first step is to purchase only the shell, to be erected behind the existing green storage building.

Bids were publicly opened today at 1:00pm. The lowest bidder was Dueck Construction, of Myerstown, PA for \$22,160, with a slab and pad "add on" of \$2,700 .

The next lowest bidder was Pioneer Pole buildings, Inc. for \$28,022. Joe Nolan spoke with Dueck Construction and they are confident of their bid price. He recommended the Board award the bid to Dueck Construction.

The second step is the fit-out of the building consisting of HVAC, partitions, electric, water, sewer, gas, and etc.

Steve Quigley commented the building will better serve the needs of the staff and better serve the residents.

A motion by Mr. Bustard, seconded by Mr. Quigley and passed unanimously to approve the bid for the pole building, and award the bid to Dueck Construction of Myerstown, PA in the amount of \$22,160.

2. The listing of re-appointments for 2009 is status Quo. They will be decided at the January, 2009 re-organization meeting.

Steve Quigley commented he will not be at the January reorganization meeting and agrees with all proposed appointments.

**PUBLIC COMMENTS (ANY TOPIC- 2 MINUTE LIMIT)**

Charles Kinsky, Fisher Road, commented on two barricades securing Shearer Road, noting that nothing has been done over the last six months.

Joseph Nolan responded that he has met with Township staff and Penn DOT to resolve the sink hole issue and is awaiting response from Penn DOT.

Craig Eberbach, Bustard Road, corrected his comment at a previous meeting regarding time spent by Mr. Quigley, noting that he does appreciate the time donated by Mr. Quigley to the township. He responded to Jim Mollick's comment and stated that he was not heckling him, but he did speak out of order and apologized to the Board of Supervisors.

Jim Mollick, Country View, had a question about the calendar issue and understands that it is being resolved. He said that Mr. Kazimer is correct in his remarks about the comprehensive plan, and that building is decreasing but the Open Space line is upward. He asked about the Haines property and how the property zoned? He stated that he has emails between Susan Caughlan and John Harris regarding spot zoning. He asked if a gift of property can be made if the property is R-175 and how can it be a conservation easement.

William Kazimer, Fairview Village, commented about Jim Mollick's statement regarding building decline. Mr. Kazimer called the MCPC to verify it but never received a call back. He questioned why MCPC would not insert a new line reflecting the actual trend. He asked the size of the new pole building and how many overhead doors it has.

Jim Phillips, North Wales Road, stated that he called Mr. Cornell a week ago regarding selling Christmas trees and was told it was not allowed, but he noted that the Boy Scouts sell trees at a township building. He asked if temporary permits are available and if a 501c3 make the difference.

**ADJOURNMENT**

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:41 p.m.

Respectfully submitted,

  
Arthur C. Bustard

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