

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

WORK SESSION CANCELLED

609684

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

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

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

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

1. TREASURER'S REPORT

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

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

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

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

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

James Phillips, Worcester, commented on Open Space payments.

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

Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

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

3. MANAGER'S REPORT

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

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

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

Mr. McCauley reported that there were no new applications.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. ENGINEER'S REPORT

a. Change Order #1, Kriebel Mill Road Bridge

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

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

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

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

Chairman Bustard called the question and the motion passed unanimously.

b. Change Order #1, Community Hall Roof Replacement

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

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

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5. SOLICITOR'S REPORT

a. Executive Session Report – Mr. Garrity reported there were two Executive Sessions, held on October 10th and October 12th, to interview candidates for the position of Township Manager.

b. Greener Partners - Text amendment request - Farm market operation (authorization to advertise & fee waiver request)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. OTHER BUSINESS

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

7. APPROVAL OF THE MINUTES OF SEPTEMBER 21, 2011

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

8. PUBLIC COMMENTS

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

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

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

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

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

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

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

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

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

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

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

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

9. Adjournment

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

Respectfully submitted:



Eunice C. Kriebel, Assistant Secretary

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