

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, NOVEMBER 18, 2015 – 7:30 PM**

CALL TO ORDER by Chairman Bustard at 7:30 PM

PLEDGE OF ALLEGIANCE

ATTENDANCE

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

INFORMATIONAL ITEMS

a) The Board issued a citation to Elwood Brunt, 100-year resident of Worcester Township.

PUBLIC COMMENT

- Jim Mollick, Worcester, commented on the public comment period at public meetings, the Executive Session announcement made by the Township Solicitor at a previous meeting and the content of Executive Session announcements. Dr. Mollick also commented on a sound barrier grant application, and the posting of special meeting minutes to the Township website.
- Dan Dreher, Worcester, commented on the permitted public comment period at public meetings, the posting of meeting information to the Township website.
- Bob Andorn, Worcester, commented on the permitted public comment period at public meetings, and roadway repairs at Valley Forge Road.
- Scott Misus, Worcester, commented on restoration works at the Hickory Hill sewer project, Heebner Park tree health, meeting decorum and management, and the availability of draft ordinances.

MOTIONS AND RESOLUTIONS

a) Approval of the October 21, 2015 and November 2, 2015 Meeting Minutes – Supervisor Caughlan made a motion to dispense with the reading of, and approve as written the October 21, 2015 and November 2, 2015 meeting minutes. The motion was seconded by Supervisor Quigley.

William Kazimer, Worcester, commented on his comments at the October 21 meeting, and the Settlement Agreement for 48 East Adair Drive. Dr. Mollick commented on meeting minute format, the Executive Session announcement made by the Township Solicitor at

previous meetings, the content of Executive Session announcements, and the video recording of meetings. Mr. Misus commented on the video recording of meetings and meeting decorum.

By unanimous vote the Board adopted the motion to approve.

- b) Treasurer's Report – The Treasurer's Report for October 2015 showed the following net change on a cash basis:

General Fund	\$ 343,193.75
State Fund	\$ 236,676.01
Capital Reserve Fund	\$ 5,183.39
Sewer Fund	\$(510,718.30)

Supervisor Caughlan made a motion to approve the Treasurer's Report for October 2015. The motion was seconded by Supervisor Quigley.

Dr. Mollick commented on the Treasurer's Report content, legal expense detail, and filing a Right-to-Know request for legal expenses inquired. Karen Vavra, Worcester, commented on the Treasurer's Report content, and receipt and expense entry format. Mr. Dreher commented on invoice coding.

By unanimous vote the Board adopted the motion to approve.

- c) Payment of the Bills of the Township – Supervisor Caughlan made a motion to approve the payment of the Township's bills in the amount of \$565,434.57. The motion was seconded by Supervisor Quigley.

Dr. Mollick commented on the Township Solicitor's monthly invoice, Township Solicitor expenses bill for conditional use matters, and special counsel appointed to represent the Township on a matter of litigation. Mr. Misus commented on the review and approval of bills. Mr. Dreher commented on the bill amount and bill report.

By unanimous vote the Board adopted the motion to approve.

Supervisor Caughlan noted she reviews bills paid, and the Township makes corrections when warranted.

- d) brake retarder study – Mr. Ryan provided an overview of the process to establish a brake retarder restriction. Mr. Ryan noted PennDOT provides the required study at no cost to the Township, and if the restriction is approved by PennDOT the Township is responsible to install the needed signage and enforce the restriction. Supervisor Quigley inquired about enforcement, and Mr. Ryan stated municipalities are hard-pressed to enforce restrictions of this type.

Supervisor Caughlan made a motion to authorize the Township Manager to request PennDOT conduct a brake retarder on that portion of Skippack Pike between the Meadowood entrance and Shearer Road. The motion was seconded by Supervisor Quigley.

John Diesel, Worcester, commented on additional roadway segments where brake retarder restrictions are warranted, and brake retarder operations. Mr. Misus commented on the enforcement of brake retarder restrictions.

By unanimous vote the Board adopted the motion to approve.

- e) bid awards – Mr. Ryan provided an overview of used equipment recently let to public bid.

Supervisor Caughlan made a motion to approve the sale of a 1978 Ford 555 Loader, in the amount of \$5,075, and the sale of a 1981 John Deere 1050 Tractor, in the amount of \$875. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- f) separation agreement – Supervisor Caughlan made a motion to approve a separation agreement with a Township employee. The motion was seconded by Supervisor Quigley.

Mr. Ryan provided an overview of the agreement. Mr. Ryan noted the agreement was prepared by the Township Solicitor.

Dr. Mollick commented on the availability of the agreement for public review, and other separation agreements entered into by the Township. Mr. Misus commented on the agreement status as a public document. Mr. Dreher commented on Board review of the agreement. Jim Garrity, Township Solicitor, confirmed the agreement was a public document upon approval by the Board of Supervisors.

Supervisor Caughlan made a motion to accept the Applicant's request to approve a separation agreement with a Township employee. The motion was seconded by Supervisor Quigley.

By unanimous vote the Board adopted the motion to approve.

- g) Resolution 2015-30 – Dedication of Wanda Lane – Supervisor Caughlan made a motion to approve Resolution 2015-30 to accept dedication of Wanda Lane. The motion was seconded by Supervisor Quigley.

Joe Nolan, Township Engineer, noted the Developer had improved this roadway as per his requirements, and he confirmed the roadway was eligible for inclusion on the Liquid Fuel Funds inventory. Mr. Ryan confirmed the Developer would provide a contribution in the amount of the 2016 estimated Liquid Fuel allocation, as the roadway can't be added to the inventory until 2017.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- h) Resolution 2015-31 – Meadowood Preliminary/Final Land Development Approval – Supervisor Caughlan made a motion to approve Resolution 2015-31, to grant Preliminary/Final Plan approval to a proposed plan of land development for the Meadowood community. The motion was seconded by Supervisor Quigley.

Mr. Nolan provided an overview of the proposed improvements. Mr. Nolan commented on requested waivers, and he noted the Planning Commission had recommended plan approval.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- i) Resolution 2015-32 – Appointment of Zoning Officer and Assistant Township Manager – Supervisor Caughlan made a motion to approve Resolution 2015-32, to appoint Tommy Ryan and Amanda Zimmerman as Zoning Officer and Assistant Township Manager, respectively. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- j) Ordinance 2015-253 – Act 209 Traffic Impact Fee – Supervisor Caughlan made a motion to authorize advertisement of proposed Ordinance 2015-253, to establish a traffic impact fee. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- k) Ordinance 2015-254 – Hickory Hill Sewer Assessment & Connection – Supervisor Caughlan requested a revision pertaining to the transfer of a property into a trust and the requirement to connect to the public sewer system. It was the consensus of the Members to not make this revision.

Supervisor Caughlan made a motion to authorize advertisement of proposed Ordinance 2015-254, to establish an assessment and to set forth connection requirements for properties in the Hickory Hill Sewer Project area. The motion was seconded by Supervisor Quigley.

Mr. Diesel commented on the use of Township funds to provide for the improvements now being installed at the Hickory Hill Sewer Project, the funding of the Fairview Village Sewer Project, and the expense of the estimated Hickory Hill Sewer Project assessment. Supervisor Caughlan commented on the funding of the Fairview Village Sewer Project, and the status of available grants for sewer projects. Dee Dee McGrane, Worcester, commented on the value of open space. Mr. Dreher commented on the permitted public comment period at public meetings, the status of available grants for sewer projects, the use of Township funds to provide for the

improvements now being installed at the Hickory Hill Sewer Project, and on the waiver of connection fees. Scott Misus, Worcester, commented on the use of Township funds to provide for the improvements now being installed at the Hickory Hill Sewer Project, the project cost from project inception to the DEP connection requirement, and project cost and assessment estimates. Dr. Mollick commented on the funding of the Fairview Village Sewer Project, the Hickory Hill Sewer Project schedule, the status of available grants for sewer projects, and open space funding and open space properties acquired by the Township.

By unanimous vote the Board adopted the motion to approve.

- 1) 2016 Budget – Mr. Ryan provided an overview of the proposed 2016 Budget. Mr. Ryan noted there was no proposed change to existing tax rates or the number of full-time employees. Mr. Ryan noted there was no substantive change to Township services and programs. Mr. Ryan commented on the proposed General Fund operating expenditures, proposed Capital Fund purchases, Sewer Fund operating and capital expenditures and proposed road improvements.

Supervisor Caughlan made a motion to authorize advertisement of the proposed 2016 Budget. The motion was seconded by Supervisor Quigley.

Tim Creelin, Worcester, commented on Budget content and format, and estimated earned income tax receipts. Rick DeLello, Worcester, commented on Township staffing levels. Mr. Dreher commented on budget levels and year-to-date receipts and expenditures. Dr. Mollick commented on budget content, fund balance information, zoning expenditures and legal expenditures, budget format and budget categories.

By unanimous vote the Board adopted the motion to approve.

MANAGER'S REPORT

- a) Subdivision, Land Development and Zoning update – Mr. Ryan provided an update on subdivision, land development and zoning activities, including a Zoning Hearing Board meeting to be held on December 22.

Supervisor Quigley inquired about Township notification of lock-down and similar events at the Methacton High School. Mr. Ryan will discuss this matter with the School District.

ENGINEER'S REPORT

- a) Hickory Hill Sewer Project update – Mr. Nolan provided an update on the Hickory Hill Sewer Project, including improvements installed to date and an anticipated project schedule.
- b) Salt Building Project update – Mr. Nolan provided an update on the Salt Building Project, including improvements installed to date. .

- c) TMDL Strategy and Public Notice – Mr. Nolan provided an overview of the stormwater mandate, and the recent distribution of a draft stormwater ordinance to the Planning Commission. Mr. Nolan noted a proposed TMDL Strategy for pollutant reduction will be discussed at the December 16 Business Meeting.

SOLICITOR’S REPORT

Mr. Garrity, Township Solicitor, announced the Board will move into Executive Session at this evening’s meeting to discuss a matter of land acquisition, in specific the Army Reserve Base, and to discuss the active litigation status report, including (1) District Court, sixteen criminal complaints filed by Plaintiff Mollick, a Sunshine Law matter, with docket numbers ranging from 2015-2002 to 2015-2017, (2) Court of Common Pleas, civil complaint filed by Plaintiff Mitchell, a vehicle accident, docket number 2004-17860, (3) Court of Common Pleas, filed by Plaintiff Allen, a zoning matter, docket number 2006-9407, (4) Court of Common Pleas, filed by Plaintiff Worcester Township, an open records matter, docket number 2009-9584, (5) Court of Common Pleas, filed by Plaintiff Worcester Township, an open records matter, docket number 2009-1067, (6) Court of Common Pleas, filed by Plaintiff Worcester Township, an open records matter, docket number 2009-2448, (7) Court of Common Pleas, filed by Plaintiffs Mollick and Fox, a civil action, docket number 2009-25358, (8) Court of Common Pleas, filed by Plaintiffs Worcester Township, a civil action, docket number 2009-36123, (9) Court of Common Pleas, filed by Plaintiffs Worcester Township, a civil action, docket number 2009-36707, (10) Court of Common Pleas, filed by Plaintiff Wang, an assessment matter, docket number 2012-29598, (11) Commonwealth Court, filed by Plaintiff Office of Open Records, an open records matter, docket number 2014-27790, (12) Court of Common Pleas, filed by Plaintiff Christina Marie, Inc., an assessment matter, docket number 2014-30980, (13) Court of Common Pleas, filed by Plaintiff Methacton School District, a conditional use matter, docket number 2015-007799, (14) Office of Open Records, filed by Plaintiff Mollick, an open records matter, docket number 2015-1807, (15) Court of Common Pleas, filed by Plaintiff Mollick, an open records matter, docket number 2015-13760, and (16) Court of Common Pleas, filed by Cutler Group, a conditional use matter, docket number 2015-13769.

OTHER BUSINESS

No other business was discussed at this evening’s meeting.

The Board moved into Executive Session at 10:04 PM.

The Board returned from Executive Session at 10:22 PM.

ADJOURNMENT

There being no further business brought before the Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:22 PM.

Respectfully Submitted:

Tommy Ryan
Township Manager