

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

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

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

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

New Manager

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

Chairman Bustard acknowledged his accomplishments and past experience.

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

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

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

Montgomery County Lands Trust

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

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

1. MANAGER'S REPORT

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

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

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

b. Zoning Hearing Board Update

Tiffany Jacqmin, Zoning Officer, presented three new applications:

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

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

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

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

2. ENGINEER'S REPORT

a. Trooper Road – Culvert elimination letter from Penn DOT

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

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

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

b. Update on Kriebel Mill Road Bridge

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

c. Update on 2011 Road Improvement Project

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

d. New Roof - Worcester Township Community Hall

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

3. SOLICITOR'S REPORT

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

4. OTHER BUSINESS

None

5. APPROVAL OF THE MINUTES

a. Approval of the Minutes of August 1, 2011

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

b. Approval of the Minutes of September 14, 2011

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

6. PUBLIC COMMENTS

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

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

7. ADJOURNMENT

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

Respectfully submitted:


 F. Lee Mangan, Secretary

FUTURE MEETINGS:

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

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

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

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

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

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

TREASURER'S REPORT

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

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

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

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

PAYMENT OF BILLS OF THE TOWNSHIP

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

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

SOLICITORS REPORT

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

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

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A Court Reporter was in attendance to record the proceedings.

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

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

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

MANAGER'S REPORT

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

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

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

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

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

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

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

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

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

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

b. Zoning Hearing Board Update

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

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

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

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

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

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

Supervisor Caughlan provided an overview of the opportunity to preserve farmland and open space through the transfer of development rights (TDR's). The ordinance allows landowners to separate the right to develop and sell, trade, grant, or hold development rights for the future. It permits the landowner to still own the land but not develop or build house on it. It is an optional ordinance. It does not provide for the receiving end of the TDR's. That portion will be drafted in the near future. The Worcester Township Planning Commission has reviewed the ordinance and recommends adoption.

Chairman Bustard noted that this has been in discussion for months and looks forward to public input and noted that this is the opportunity for denser development in the proposed village area.

James Mollick, Worcester, commented on the utility of selling and buying TDR's, being similar to the Growing Greener ordinance, and the practical aspect of passing the selling ordinance without the receiving ordinance.

Gordon Todd, Worcester, commented on the ability to transfer density where the Township wants development and noted that the concept of transferring development rights has been in the Township's Comprehensive Plan for twenty years.

William Kazimer, Worcester, commented on a landowner previously making a presentation to the Township requesting the ability to sell transfer development rights and how this would assist.

Supervisor Caughlan moved to post the proposed ordinance on the township web sit for review and comments. Supervisor Quigley seconded the motion. Chairman Bustard called the question and motion passed unanimously.

e. Motion for a proposed sewer rate increase.

Joseph Nolan, Township Engineer, introduced the history of the two Township wastewater treatment plants, six pump stations, their ownership and locations. He explained the DEP's requirement for additional testing and updates of equipment and referred to a presentation provided in July 20, 2011, detailing the financial condition of the sewer collection systems.

Mr. Nolan relayed the increased operating costs, utilities, equipment updates, and required studies to determine inflow and infiltration. He indicated that administration costs need to be allocated to the wastewater treatment funds. Consolidating the existing two funds and periodical rate increased would provide for future upgrades and establish capital maintenance funds.

Chairman Bustard commented that there are approximately 850 residents on the township sewer system and the proposed rate increase is approximately \$40 per year. Repairs are necessary and it is a long term issue. The cost cutting measures last year are not sufficient to cover future costs.

Supervisor Quigley commented that the increase is overdue and will bring Worcester's sewer rate in line with neighboring townships.

James Mollick, Worcester, commented on responsible party's liability for paying expense for major repairs.

William Kazimer, Worcester, commented on a letter regarding inflow and infiltration problem and questioned the progress of the study.

Supervisor Caughlan moved to advertise the proposed sewer rate increase from \$78.75 per quarter to \$88.00 per quarter. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

f. Motion to advertise 2012 budget proposal

Manager Lee Mangan provided a brief explanation of the proposed budget for 2012 emphasizing that there is no proposed tax increase and the revenues and expenses are decreased by 2.8%. He further commented on the low real estate tax income for the Township. He further explained the line items composing the total of the public safety category.

James Mollick, Worcester, commented on the public safety category of the budget.

Supervisor Caughlan moved to advertise the proposed 2012 budget. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

g. Resolution 2011-14: Authorization to Berkheimer Associates to collect earned income tax, per capita tax and delinquent per capita tax

Manager Mangan explained that this is a result of the recent Act 32, appointment of county wide tax collector.

Supervisor Caughlan moved to adopt Resolution 2011-14 Authorization for Berkheimer Associates to collect taxes. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

h. Resolution 2011-15: Berkheimer appointment of liaison

Manager Mangan explained the purpose and responsibility of the liaison.

James Mollick commented on the authorization for Berkheimer Associates and appointment of liaison. Manager Mangan explained the timing and county wide requirement.

Supervisor Caughlan moved to adopt Resolution 2011-15: Appointment of liaison to Berkheimer Associates. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

i. **Resolution 2011-16: Montgomery County Growing Greener support**

Manager Mangan explained that this is recommitting support for Montgomery County Open Space.

Supervisor Caughlan commented on the township receiving funding for open space purchase and noted that Pennsylvania Legislative just allocated \$28 Million to farmland preservation.

Supervisor Caughlan moved to adopt Resolution 2011-16: Montgomery County Growing Greener Funds. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

j. **Resolution 2011-17: PECO Green Region Grant, Moran Trail amended application**

Manager Mangan explained that this is to help offset costs for the half mile trail on the Moran property and the total cost will be approximately \$19,000. This grant will offset that cost by \$10,000 if approved.

Supervisor Quigley inquired about the use of wood chips along the entire length of the trail.

Supervisor Caughlan responded that the wood chips are only necessary in the grassland areas and that one third of the trail is wooded and there is no need for wood chips.

Supervisor Caughlan moved to adopt Resolution 2011-17: PECO Green Region Grant, Moran Trail amended application. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

k. **Resolution 2011-18: The Preserve – Planning module, Act 537**

Joseph Nolan, Township Engineer, explained that this amended the Township Act 537 Plan. The development on North Wales Road was previously approved for a package plant but the planning module is being revised to allow sewage to go to Upper Gwynedd who has agreed to accept the waste. This eliminates the necessity for a small package plant. This will amend the Act 537 to pump sewage to the Sunny Brook Pump Station.

Supervisor Caughlan inquired about the number of units that this amendment covers.

Supervisor Quigley inquired if it will expand west on Route 73 to Bethel Road. Mr. Nolan responded that it only provides for the 39 units contained in The Preserve.

Supervisor Caughlan moved to adopt Resolution 2011-18: The Preserve: Planning Module, Act 537. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

l. **Resolution 2011-19: DePhillippo Land Development, 1075 Grange Avenue – Preliminary/Final Approval**

Joseph Nolan introduced Anthony Hiblen, Engineer for the applicant. He stated that the revised plan was previously submitted showing one additional building. Per the Zoning Hearing Board decision, the applicant submitted the land development plan to allow construction of a temporary enclosure to house building materials. He stated that the applicant has removed impervious

coverage to come into compliance. The Worcester Township Planning Commission has recommended approval and has a CKS review letter. Mr. Nolan responded that one of the issues has been resolved and recommends holding the building permit until condition of buffer is met. The Township Planning Commission noted that the approved buffer is adequate.

Supervisor Caughlan inquired about the containment of the bamboo, dead trees, and need for wider and additional density for the buffer.

James Garrity, Solicitor, noted there is a condition in the resolution to control mitigation and that the property has been visited twice by the Township Engineer and Manager. He further noted that the planting of bamboo is not illegal.

Nicholas Imperial, Worcester commented on the bamboo instead of a fence.

Phillip Burke, Worcester, commented on the plan, the buffer, the Zoning Hearing Board report, and the CKS Engineers letter.

Christopher Drummond, Worcester, inquired about the site visit by the Planning Commission, invasion of bamboo, and requested buffering on the back property line.

James Mollick, Worcester, commented on Resolution 2011-19 referencing controlling the spread of bamboo and how the commercial business started.

Chris Kowalczyk, Worcester, commented on lack of a buffer to shield Anvil Drive.

Chairman Bustard suggested the Board table the Resolution until next meeting.

m. Presentation on 3481 Germantown Pike; Terra landscaping Land Development plan

Joseph Nolan provided a brief background of the property showing the property located in two townships, Worcester and Lower Providence. After approval by Worcester Township, Lower Providence made changes to the final plan requiring a second approval by Worcester Township.

James Mollick, Worcester, commented on the buffer shown on the plan.

William Kazimer, Worcester, commented on the work and taken for this land development process.

Supervisor Caughlan moved to adopt Resolution 2011-20: 3481 Germantown Pike; Amended Terra Landscaping Land Development plan. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

ENGINEER'S REPORT

None

OTHER BUSINESS

None

APPROVAL OF THE MINUTES OF OCTOBER 19, 2011

Supervisor Caughlan moved to approve the minutes of October 19, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PUBLIC COMMENTS

Nicholas Imperial, Worcester, commented on parking at the election, his property lines and his neighbor's activities and requested buffering and inspections.

Phillip Burke, Worcester, commented on the DePhillippo land development plan and buffer.

James Mollick, Worcester, commented on Election Day proceedings, prior meeting disruptions and the state police.

Joyce Cantando, Worcester, commented on changes in ordinances changing the face of the Township.

Adjournment

Chairman Bustard moved to adjourn the meeting at 10:25PM. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:



F. Lee Mangan, Secretary

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