

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING  
WORCESTER TOWNSHIP COMMUNITY HALL  
FAIRVIEW VILLAGE, WORCESTER, PA  
MONDAY NOVEMBER 5, 2012, 9:00 A.M.**

**CALL TO ORDER** by Arthur Bustard at 9:05 A.M.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

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

**INFORMATIONAL ITEMS**

None

**APPROVAL OF THE MINUTES OF OCTOBER 1, 2012**

Supervisor Caughlan moved to approve the minutes as amended of October 1, 2012 and Supervisor Quigley seconded the motion. All approved and the motion was passed.

**1. MANAGER'S REPORT**

**a. Update on Hurricane Sandy**

Lee Mangan, Township Manager, read the list of streets that were closed and spoke of downed power lines. He reported that the Public Works department labored many hours and thanked them and the Fire Department for their cooperation and the great response in keeping the Township safe and informed. The schools were back in session by Wednesday.

Supervisor Bustard gave thanks to the road crew for working all hours.

Supervisor Quigley had conversation with the Manager to discuss additional equipment for future emergency needs.

Supervisor Caughlan commented on possible forthcoming FEMA money and about Emerald Ash Borer Seminars and future attendance at such seminars.

Mr. Mangan responded.

**b. Zoning Hearing Board Update**

The October 23<sup>rd</sup> meeting was cancelled.

The next regularly scheduled meeting is November 27<sup>th</sup>.

Tiffany Loomis, Zoning Office, provided an update and reported three new application were received for the November 27, 2012 meeting.

1. Valley Forge Road and Morris Road for a use change from dentist office to dwelling
2. 3036 Griffith Road for setback requirements
3. 3137 Stump Hall Road for variance for construction of barn.

**c. 2060 Bustard Road Sign Approval**

Tiffany Loomis informed the Board that the sign is designating a "Century Farm" designation by the Pennsylvania Department of Agriculture.

Supervisor Caughlan congratulated him for being a Century Farm in the Township & inquired if the sign is consistent with the State regulations.

Chairman Bustard disclosed the applicant is related to him.

Supervisor Caughlan moved to approve the sign at 2160 Bustard Road. Supervisor Quigley seconded the motion. All approved and the motion was passed.

**d. 2974 Germantown Pike – NOV and compliance**

Ms. Loomis informed the Board that this is a fourteen acre parcel. A new pole barn and landscaping business have been recently located on this parcel without permits. The business is a non-conforming business. The owner of the parcel should have applied for land development and notices of violation were sent to the owner and tenant.

James Garrity, Township Solicitor, confirmed that there were no building permits, it's an illegal business, and no zoning approval or grading permits were acquired. The owner / applicant must go to the Zoning Hearing Board for the commercial landscaping business.

**e. US Army Reserve Base Update**

Mr. Mangan informed the Board that he received notice from DEP that the Army filed a Finding Of Suitable to Transfer. Only DEP was notified but they failed to respond within the 30 day review period. Mr. Manko, of Manko, Gold, Katcher & Fox LLP will be in negotiations on behalf of the Township with the Army and Pennsylvania DEP.

**2. ENGINEER'S REPORT**

Joseph Nolan, Township Engineer, informed the Board that his monthly report was sent today. The 2012 Road work was interrupted due to Hurricane Sandy and will continue this week.

Chairman Bustard inquired about the use of State money due to the date of completion.

Mr. Nolan responded that we would apply for an extension.

**3. SOLICITOR'S REPORT**

Mr. Garrity informed the Board that an Agreement for field lighting at the Methacton High School was in the process of being secured between the residents and the school district.

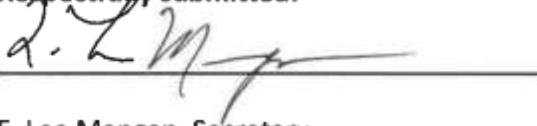
**4. OTHER BUSINESS - None**

5. PUBLIC COMMENTS - None

**ADJOURNMENT**

There being no further business to come before this Board, Chairman Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 9:32 a.m.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'F. Lee Mangan', is written over a solid horizontal line.

F. Lee Mangan, Secretary

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WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 WORCESTER, PA  
 WEDNESDAY, NOVEMBER 14, 2012 - 7:30 P.M.

**CALL TO ORDER** by Arthur Bustard at 7:30pm

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

**PRESENT:**

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

**INFORMATIONAL ITEMS:**

**Motions & Resolution**

**APPROVAL OF THE MINUTES OF OCTOBER 17, 2012**

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as written, the minutes of October 17, 2012.

**TREASURER'S REPORT**

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

**October 2012 Report:**

|                 |                |
|-----------------|----------------|
| General Fund    | \$1,250,525.23 |
| State           | \$229,275.50   |
| Capital Reserve | \$1,213.62     |

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for October, 2012.

**PAYMENT OF THE BILLS OF THE TOWNSHIP**

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to pay the bills of the Township in the amount of \$189,318.49.

**Declaration of Emergency Disaster**

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the Declaration of Emergency Disaster – Hurricane Sandy.

Lee Mangan explained it is a program where the township attempts to document the excessive cost and the federal government may provide funding.

**Advertise 2013 Budget**

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the advertising of the 2013 Budget.

William Kazimer, Worcester, commented on items in the capital improvement section.

**Advertise Sewer Rate**

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the sewer rate advertisement.

Mr. Mangan commented on a report prepared by CKS Engineers in 2011.

Supervisor Caughlan commented that it is a \$7 increase per quarter.

Mr. Mangan provided a report on the 2013 Budget, capital projects. He provided information on the proposed lease/purchase of a John Deere 35D excavator. The goal is to own in 5 years. This piece of equipment will allow our work crews to do much more involved road work.

Mr. Mangan further commented on plans to extend the Zacharias Trail from Hollow Road, south, to the rear entrance of Heebner Park. It is approximately 1 mile in length, with the need for one minor bridge to cross the Zacharias Creek. Originally proposed to be a two-year project, it is now proposed to be done in one year, to allow for reduced costs in engineering and legal advertising fees.

Mr. Mangan described the 2013 budget in terms of revenue. The \$2.2 million is primarily earned income tax as only about \$46,000 comes from real estate tax payments. We have been blessed by the fact that while we are in a down economy, it has not affected the earned income tax in Worcester.

As for general fund expenses, it shows a 6% growth over the previous 2012 budget. There is a proposal to finish the administration building, for a second floor conference room, storage area, and make the second floor generally more useful.

There is a proposed \$40,000 for continuation of improvements to the Community Hall. Heebner Park basketball courts were supposed to be resurfaced in 2012, and it has been carried over to 2013. The Township would also like an update on the Act 209 study. Supervisor Caughlan remarked it was last done in 2003. Mr. Mangan indicated that McMahon Associates was requested to prepare a presentation in December, and a committee of citizens must be created, to be concluded in January.

There is also a proposal to upgrade to a high band radio system in partnership with the Worcester Volunteer Fire Department. There will be vehicle-based high band radio systems to allow everyone from the fire department, township public works, state police, and Montgomery County to communicate at the same time in an emergency.

Supervisor Quigley asked about the excavator purchase, and will it cut down on work by outside contractors. Mr. Mangan said it would require 3 to 4 employees to use this piece of equipment and he is working with Joe Nolan to create work procedures on road repair with the new equipment.

Supervisor Quigley further commented about the capital expense of the trail extension along Hollow Road. Supervisor Caughlan asked if the trail extension could be eligible for a DCNR grant. Mr. Mangan responded that he felt that communities with money on hand are more likely to be seen favorably by DCNR.

Dave Plager asked about the trail surface. Mr. Mangan replied that portions may be macadam.

Supervisor Caughlan clarified the Act 209 study which relates to roads, and the study only lasts for 10 years, so in 2013, we are required to update it. Supervisor Caughlan asked if Act 209 fees could be used for the study and Mr. Mangan replied that only a portion was eligible.

## **MANAGER'S REPORT**

### **a. Zoning Hearing Board Update**

Tiffany Loomis, Land Use and Zoning Officer, provided the report noting that there were 3 new applications for November's hearing.

12-05, Griffith Road, requesting relief of a projection of a covered porch patio.

12-06, Valley Forge Road. Worcester Township Planning Commission reviewed the application with the applicant. The applicant wants the second structure on the property to be an in-law suite.

12-07, 3117 Stump Hall Road, Southfield Farm, LLC, is requesting to construct a new stable within 81 feet of the property line.

Supervisor Caughlan asked about application 12-05, asking where the porch is to be sited.

Supervisor Quigley asked about application 12-07, and if it was a preserved property. The applicant's attorney, Patrick Hitchens, Esq. with Timony & Knox, was present and replied. Supervisor Quigley asked if township money was used for the conservation easement.

Supervisor Caughlan said that the proposed use is allowable under the easement. She asked if it is planned to be used as a commercial facility. Supervisor Caughlan further commented that the WTPC has been discussing an accessory structure ordinance that could impact their request.

Supervisor Bustard asked if the stable is planned to go in the same place as the barn planned to be knocked down.

Supervisor Caughlan confirmed that the township did contribute to the farmland preservation.

Supervisor Caughlan commented on Application 12-06. She asked if the applicant was going to review the lists of requests. Counsel for the applicant (Bernadette A. Kearney, Esq. with Hamburg, Rubin, Mullin, Maxwell, & Lupin) was present to respond. Supervisor Caughlan asked about the two detached dwellings on the property and expressed concern about in-law suites on properties not served by public sewer. Ms. Kearney inquired if the property could be tied into Upper Gwynedd's sewer system. Mr. Nolan indicated that there would need to be a revised 537 plan, approval from Upper Gwynedd, and that it is not merely as simple as tying in. Supervisor Caughlan commented that she would want to require the property to be able to handle the extra load, citing a replacement field for the septic system.

Mr. Nolan replied that if there is an existing house, you must define an alternative location on the property and further indicated that the previous dentist office probably produced more load than two residential dwelling units.

Supervisor Quigley asked who is living in which structure.

William Kazimer asked if a civil engineer provided documentation that the land is suitable for the sewage that needs to be disposed of, and if proves not to be suitable, can the engineer be sued?

**b. Land Development and Subdivision Update**

Tiffany Loomis, Land Use and Zoning Officer, provided the report.

**c. Sign Ordinance Update**

Mr. Joseph Gambone, attended the recent meeting of the Planning Commission concerning signage needs of commercial tenants. Mr. Gambone will return with suggestions, and the staff is waiting for that report.

**d. Minor Subdivision Ordinance Amendment.**

Mr. Nolan is comfortable with the proposed ordinance.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the minor subdivision ordinance for advertising.

Rick DeLello, Worcester, asked for clarification. Mr. Nolan explained that this would simplify the process for property owners wanting to move a lot line, and lessen the burden with a property owner having a minor change, as compared to a 20-lot subdivision.

**e. Accessory Uses & Structures Uses Ordinance Amendment.**

Tiffany Loomis, Land Use and Zoning Officer, provided the report on the proposed ordinance. This reflects the WTPC final recommendation.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the Accessory Uses and Structures ordinance for advertising.

Maeve Vogan, Worcester, asked about housing chickens on her property, and would this relate to her request. The accessory structure is primarily for animals, and if she builds a chicken coop, would that be permitted?

Mr. Mangan remarked that there was a great deal of wood debris and yard waste due to the recent hurricane. A number of complaints have been received from adjacent neighbors, concerning open burning that was occurring. The Fire Department received these complaints. He did not propose action this evening, but did want to present it to the board.

Supervisor Caughlan commented that she did not think the township had a choice, due to state law. Mr. Mangan remarked that if the township had an ordinance it would give more power to staff and the fire department to enforce.

Supervisor Caughlan asked about the amendments that were discussed at the November Work Session concerning the Cedars Village Overlay Ordinance, and if they could be advertised with these

others. Mr. Mangan reported that the solicitor had not yet provided a report on those proposed revisions.

#### **ENGINEER'S REPORT**

##### **a. Monthly Activity**

Mr. Nolan reported that the road program is still underway and is hoped to be completed by next week. PennDOT was sent a request to extend liquid fuels due to the week that was lost from the hurricane.

Supervisor Caughlan asked if Mill Road had been resurfaced between Kriebel Mill and Merrybrook.

Supervisor Quigley asked about contact with more residents concerning the sewer study. Mr. Mangan replied that about 15-16 property owners had not responded to the survey and he has communicated with them and is expecting a response from those homeowners to the survey.

#### **SOLICITOR'S REPORT**

Mr. Garrity was not present due to a scheduling conflict.

Chairman Bustard commented that on Monday the first draft of the light ordinance for the high school was received.

#### **OTHER BUSINESS**

None

#### **PUBLIC COMMENTS**

Rick DeLello said it would be helpful to see actual versus budget figures, especially on the expense side. He further said that if the solicitor had a prior commitment, he should have sent a replacement, since he has done so in the past.

Maeve Vogan asked about the status of having Board meetings televised. She also asked about the Army Base status, when bills will be available on the web site, and the status of the community hall air conditioning. She also asked about the Cedars Ordinance Amendment, and if they were those items proposed by Matt Schelly. She thanked the Board for the detail in the budget.

#### **ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:36 P.M.

Respectfully submitted:

  
 F. Lee Mangan, Secretary