

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 MONDAY, NOVEMBER 4, 2013 – 9:00 A.M.

CALL TO ORDER by Arthur Bustard at 9:00am

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

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INFORMATIONAL ITEMS:

Chairman Bustard announced the next conditional use hearing for the proposed lights at Methacton High School will be December 5, 2013 at the Worcester Community Hall. He also announced that the next public input session for the Center Point Village Planning will take place November 7, 2013 from 7:00 to 9:00 pm at the Worcester Township Community Hall.

Motions & Resolution

APPROVAL OF THE MINUTES OF OCTOBER 7, 2013

F. Lee Mangan, Township Manager, made one correction to page 2, the Solicitation Ordinance replacing the word "request" to "require".

Supervisor Quigley commented on adopting a color I.D. as similar neighboring townships.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as amended the minutes of October 7, 2013.

AWARD BID FOR OFFICE MATERIALS SOLD ON MUNICIBID

Mr. Mangan explained the Municibid process and noted that one copier was sold through this process for \$12. A discussion pursued regarding condition, minimum bids, and charity donations.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to reject the bid.

Steve Rock, Worcester, commented on costs of storage, costs involved in process, and recommended they reconsider the proposed award.

BSA TROOP 133 ANNUAL CHRISTMAS TREE SALE

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to grant approval for sale of Christmas Trees at the Community Hall.

RESOLUTION: MEADOWOOD ANNIVERSARY

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to acknowledge the 25th Anniversary of Meadowood.

AUTHORIZE ADVERTISEMENT: HISTORIC STRUCTURES ORDINANCE

Earlier discussion with Planning Commission recommended approval.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to advertise the Historic Structures Ordinance.

MANAGER'S REPORT**Zoning Hearing Board Update & Subdivision Update**

Tiffany Loomis, Zoning Officer, provided the report.

The next meeting is November 2, 2013 when the Board will render the decision for application #13-10, Methacton Scoreboard variance.

There is one new application: 13-11, for a privacy fence at 3427 Germantown Pike which will be held on December 17, 2013.

Subdivision & Land Development Update

Tiffany Loomis, Zoning Officer, provided the report.

1. Southfield Farms, 3117 Stump Hall Road, lot line change will be reviewed by the Planning Commission.

Supervisor Caughlan expressed concern that it is a preserved farm and inquired how the Farmland Preservation Board will handle the sub-division and easement.

Supervisor Quigley expressed his disapproval of farms being preserved by state, county and township money being utilized for commercial operations and financial gain.

James Mollick, Worcester, inquired as to the date of the last time the property was inspected by the Farmland Board.

2. The Preserve at Worcester, was reviewed by the Township Planning Commission and they recommended final approval.

Supervisor Caughlan inquired about the CKS review letters.

DISCUSSION: SEWER RATE INCREASE

Mr. Mangan presented the Board with the recommendation to increase rates in the amount of 10% for each of the next three years based on the estimated costs provided by CKS for the update of the Valley Green WWTP.

Chairman Bustard suggested the Board authorize advertisement today to be approved prior to the 2014 budget approval.

A motion by Supervisor Quigley seconded by Supervisor Caughlan and approved by all to advertise the sewer rate increase ordinance.

Steve Rock, inquired about the bids for the waste water treatment plant and the results may alter the amount needed and cautioned the Board that the proposal may not cover the prior years' deficits caused by the lack of planning.

James Mollick, Worcester, questioned the borrowing of money from the Capital Reserve Fund, referencing operating losses from prior years and questioned why the Board waited so long to raise rates.

DISCUSSION: HICKORY HILL FINANCING

Mr. Mangan reviewed the proposal for 73 properties to be connected to the Valley Green WWTP and the proposed financing for property owners to pay infrastructure costs. A Township loan of approximately \$14,400 for 5 years @ 3% for the infrastructure phase was suggested to the Board with full payment due at time of transfer of property, re-financing or failing septic system. Other than those three scenarios, there is no time limit to connect.

Supervisor Caughlan inquired if property owners will be required to show proof of on-lot septic systems being in good working condition and if not, is it possible that only two or three properties will connect. She further expressed concerns about public health issues.

Joseph Nolan, Township Engineer, responded that initially, several homes with failing systems will connect and the County Health Department will be more diligent in inspections with fewer leniencies knowing that public sewer is available. He also expressed that there are cost savings to immediate connections.

Supervisor Quigley stated that by the time the system is complete and ready for hook up, more properties' systems might be failing.

ENGINEER'S REPORT

Joseph Nolan, Township Engineer, reported the Hollow Road Bridge bids were received and the contractor will meet with the Township for pre-construction meeting. Time will be required for the pre-cast construction of the culvert but initial clearing will begin.

The Valley Green Wastewater Treatment Plant bids will be opened on November 12, 2013 and costs will be reviewed at that time. He will prepare a site plan for the meeting on November 20, 2013 with renderings of the site.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

None

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PUBLIC COMMENTS

Charles Watson, Worcester, spoke with septic system contractors regarding septic systems in Worcester Acres. He also questioned the payment of the infrastructure costs and expressed concerns for the resident's nonpayment.

Steve Rock requested the Board to consider a longer term for loan payments for the infrastructure.

James Mollick inquired about a hearing officer present at the Conditional Use Hearings for Methacton athletic field lights versus the solicitor and the conditional use process. He further commented on the posting of Right to Know requests and multiple entries for one request, bills of the Township, specifically the Solicitor's invoice.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:20 am.

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
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 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY, NOVEMBER 20, 2013 - 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] arrived at 7:55pm
STEPHEN C. QUIGLEY	[X]

INFORMATIONAL ITEMS:

Chairman Bustard announced several informational items:

- Thursday, December 5th: Next conditional use hearing for proposed lights at Methacton High School
- Supervisor Caughlan is not currently present due to a family emergency

Motions & Resolution

APPROVAL OF THE MINUTES OF OCTOBER 16, 2013

A motion by Supervisor Quigley seconded by Supervisor Bustard and approved by both to dispense with the reading of, and approve as written the minutes of October 16, 2013.

Public Hearing – Proposed Ordinance 2013-245 – Industrial Research District

James Garrity, Township Solicitor, opened the hearing at 7:32pm and gave a brief description of the proposed ordinance.

A court reporter was present to record the proceedings.

Edward Mullin, Esq., representing the property owner at 2750 Morris Road, called Ms. Andy Detterline as a witness. She is a development consultant and Morris Road Investors LP is a client. She provided a background of the property.

James Garrity opened the floor following testimony for public comment.

Steve Rock, Worcester, commented on the height of the building.

James Mollick, Worcester, asked about the need for specific requirements when applying for a text amendment.

David Plager, Worcester, commented on the potential for noise.

Charles Watson, Worcester, asked about height restrictions.

William Kazimer, Worcester, questioned the need for a heliport.

Frank Wells, Worcester, said the property is shielded well, but not from his property. He expressed concerns about expansion, smell, and sights.

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Robert Andorn, Worcester, asked about the zoning and would there be a possibility that this could be challenged as spot zoning.

Supervisor Quigley commented on negotiation between Morris Road Investors and Mr. Wells.

Mr. Garrity closed the public hearing at 8:10pm.

A motion by Supervisor Quigley, seconded by Supervisor Bustard and passed by all to pass Ordinance 2013-245 Limited Industrial District.

TREASURER'S REPORT

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

October 2013 Report:

General Fund	\$892,941.38
State	\$33.74
Capital Reserve	\$2,205.92

James Mollick commented on the amount in the General Fund.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for October, 2013.

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 \$355,372.19.

James Mollick inquired about the availability of the check register for residents to review, commented on the Solicitors portion and asked if he can have a copy of the bills before the meeting.

The Preserve Subdivision: Final Approval Consideration – Resolution 2013-29

Timothy Woodrow, engineer, representing Sal Paone Builders was present.

The developer has requested two waivers to be considered, 1.) A driveway located less than 40' from an intersection; 2.) Release from construction of the Liberty Bell Trail and place funds in escrow.

Supervisor Quigley asked Mr. Woodrow if he was aware of contaminated soil taken from that area, related to turnpike construction. Sal Paone Jr., developer, responded that the turnpike contractors did not bring any dirt onto the property being considered for the TDRs.

Supervisor Caughlan expressed concern on the landscape plan and items that were on the DCNR invasive species list. She further commented on note 21, sheet 2, the riparian corridor crossings and steep slopes. She also commented on the lack of constructing the portion of the Liberty Trail that was on earlier versions of the plan. A small portion crosses through Worcester and she said that the trail was actually planned to be done by developers and municipalities. She further commented on preservation of the riparian corridors and asked about the names of roads and the process.

Chairman Bustard indicated he was in agreement to have the developer construct their portion of the trail now versus funds in escrow.

Supervisor Quigley said he thinks it is incumbent upon the Board to move forward and get growth.

James Garrity confirmed with Joseph Nolan that he is satisfied with final approval.

Supervisor Caughlan commented on the top of page 3 on the resolution about a mini orchard.

Mr. Garrity thanked Mr. Paone for being the test case for the Township's Growing Greener Ordinance.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley to pass Resolution 2013-29 The Preserve Subdivision: Final Approval Consideration, with conditions discussed.

James Mollick commented on the length of time it has taken to get this project finalized.

Mr. Paone noted that this project was on hold because of economics and the sewer issues. He thanked Tiffany Loomis, Zoning Officer and Joseph Nolan for their work in getting this done.

Award Bid- Valley Green Wastewater Treatment Plant Upgrade

Joseph Nolan reported bids were opened on November 12th. This project is being required by DEP. He recommends both low bidders.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to award the general contractor bid to Blooming Glen Contractors of Blooming Glen, PA in the amount of \$1,811,956.00.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to award the electrical contractor bid to MJF Electrical Contracting of Trevese, PA in the amount of \$131,969.00.

Steve Rock asked about drawings of the proposed plant.

Joseph Nolan presented a slide showing a contractor view of the existing site and of the proposed site.

Charles Watson asked about the final capacity.

James Mollick asked if this was part of the corrective action plan from December 2011 and why was there a year and a half delay? Mr. Nolan responded that DEP had to review the NPDES permit.

Authorization to advertise: Proposed Sewer Rate Increase: 2014, 2015 and 2016

Lee Mangan explained a proposed rate increase consistent with the recent \$2.5 million loan for plant reconstruction. He proposes a rate increase of 10% each year for three consecutive years and that all three years should be done at once, in the interest of transparency so that the public is aware.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to authorize advertisement of the Proposed Sewer Rate Increase: 2014, 2015 and 2016.

Steve Rock stated that since 2007, the Waste Water Treatment fund appears to have a shortfall of \$1 million.

James Mollick commented that other actions need to be taken into consideration like fines the Township had to pay to the Department of Environmental Protection and also commented on the shortfall for years.

Hickory Hill Presentation

Lee Mangan presented the Board with an update on the 73 properties affected by this area. He provided background on the Board actions to this date, including the consideration of the two potential public sewer options. The low pressure system was chosen because it was the lower cost option, would require less blasting and meet the Department of Environmental Protection requirements.

He reintroduced the options for payment of the assessed portion.

Supervisor Quigley asked for clarification on what would happen if a home is sold before the loan from the Township is satisfied.

Mr. Mangan revisited the timeline for property connection. Supervisor Caughlan asked about family or will transfers and this impact on these transactions.

Mr. Mangan said that up to \$1 million of the Township's money would need to be put into reserve funds and future action will need to be taken.

2014 Proposed Budget – Authorization for Advertisement

Mr. Mangan provided a summary of the proposed 2014 Township Budget. He further commented that there are two grant applications pending, both concerning the extension of the Zacharias Trail.

Mr. Nolan commented on plans for stormwater management in 2014.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to authorize advertisement of the 2014 Proposed Budget.

James Mollick commented on a new category, Right to Know Legal Fees with \$45,000 proposed, and about the increased budget.

Supervisor Quigley commented that the Township has not spent much money on roads and infrastructure and that needs to be addressed.

Steve Rock commended the Township for addressing the infrastructure and the Right to Know category.

Acceptance of Extension of Time – Methacton School District Land Development Application

Mr. Garrity explained the need for the extension of time to assist the school district in getting their plan adequately addressed.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to authorize acceptance of the extension of time for the Methacton School District land development application.

MANAGER'S REPORT

Zoning Hearing Board Update

Tiffany Loomis, Zoning Officer, provided the report.

Next hearing will be November 26th regarding the Methacton High School's request for a variance for relief to allow signage for a baseball field. The record was closed at the last meeting and a decision will be rendered. A new application was received #13-11, for the December 17th hearing, for 3427 Germantown Pike, zoned AGR, requesting a variance for a 6' privacy fence. They are also appealing a determination of the zoning officer that they are operating a vehicle repair operation on the site.

Supervisor Caughlan expressed concern about the property owner doing what they want and then seeking relief, stating that this property owner is a frequent offender in terms of zoning violations and recommended sending the solicitor to address her concerns.

Supervisor Quigley stated he trusts the Zoning Hearing Board expertise noting this is a clear violation. They are intelligent and he thinks they will do the right thing and their due diligence.

Ms. Loomis commented on the evidence that has been collected, and inquired how it will be presented at the Zoning Hearing Board meeting. Mr. Garrity said that the burden of proof is on the Township since it is an appeal from a citation. Further, he said the real issue is the operation of a business on a residential property. It is the job of the Zoning Hearing Board to interpret the zoning ordinance.

Supervisor Quigley saw many abandoned businesses in Philadelphia and believes the ordinances forced them to close, causing blight. He wants the Zoning Hearing Board to make an independent decision.

Chairman Bustard wants to address these issues now and agrees to send the solicitor to the hearing.

A motion by Supervisor Caughlan, seconded by Arthur Bustard, and passed 2-1 to send the solicitor to the Zoning Hearing Board to oppose the variance. Supervisor Quigley opposed.

James Mollick commented on lack of uniform enforcement noting that the Board is singling out this individual.

Nick Imperial, Worcester, commented that he has a problem with his neighbor and wished he had an 8-foot fence to protect his view.

William Kazimer commented on Mr. Oskanian spending money for a civil engineer and still no pole barn implying that action depends on who you are. He further inquired how much it will cost the taxpayers to send Mr. Garrity to the Zoning Hearing Board and about the location of the illegal fence.

Subdivision Update

Tiffany Loomis, Zoning Officer, provided the report.

Oberkircher property, 3117 Stump Hall Road. Southfield Farms.

There was a request at the last meeting for the Township to look into the conservation easement on the property. The Township is party to it, along with the farm board. There are requirements in terms of what is or is not allowed. They were given approval for the lot line change. What they are proposing is permitted.

Supervisor Quigley thanked Ms. Loomis for her research.

There is also a proposed text amendment received from the Methacton School District related to the land development application.

Ms. Loomis also clarified on details regarding the property on Germantown Pike located partially in Worcester and Lower Providence Townships. She said this property is not related to the property that received the notice of violation by her office.

ENGINEER'S REPORT

Monthly Activity

Joseph Nolan provided his monthly report to the Township.

He provided updates on three construction projects:

1. Two emergency generators at the Township administration office and public works facility have concrete pads poured and generators should be installed next week.
2. Hollow Road Bridge bid was awarded last month and pre construction meeting was held. Demolition work should initiate in the next week or so.
3. The Valley Green Waste Water Treatment Plant is a one year contract and was awarded earlier this evening. A pre construction meeting will be scheduled after executed contracts are received from the bid award winners.

Authorization to Advertise the Act 537 Sewage Facilities Plan Update Revision

Joseph Nolan provided background. The draft is over 200 pages and the study was submitted to the Montgomery County Planning Commission, Worcester Township Planning Commission and Montgomery County Health Department. Approval letters came from the County, with no comments. The Township Planning Commission met last week and also approved the plan.

The plan must now be advertised for 30 days, and give public notice that the plan is open for public comment during that time. The Department of Environmental Protection has indicated that the plan has to be approved prior to the issuance of the construction permit for the Valley Green Waste Water Treatment Plant. Mr. Nolan requested authorization of advertisement of this draft document. It will be on the Township web site for residents to access.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to authorize advertisement of the Act 537 Sewage Facilities Plan Update Revision.

SOLICITOR'S REPORT

James Garrity had no report.

OTHER BUSINESS

None

PUBLIC COMMENTS

Nick Imperial asked who went to his neighbor's property, commented that he would love to have a fence between the properties. Mr. Garrity responded asking if Mr. Imperial's neighbor put up a fence, would he like that? Mr. Imperial confirmed and Mr. Garrity said he promised he would bring it up with them.

John Diesel, Worcester, said that since the last meeting, he obtained information regarding a sewer ordinance and front yard septic systems, which contradict what the Board said.

Steve Rock denied calling the Department of Environmental Protection, commented on fiduciary irresponsibility of the Board and mismanagement of funds for sewer treatment plants. He further commented on the Township's investments lacking return. He complimented to the township manager and zoning officer on recent work.

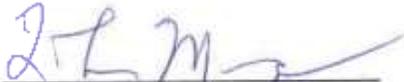
Supervisor Quigley commented that Mr. Rock should commend the entire staff, not just two people. Everything is a team effort.

James Mollick commented on an email to Mr. Garrity concerning Lee Brant, a December 13, 2012 invoice from Mr. Garrity regarding lighting and reviewing a file received from David Brooks and editing the lighting ordinance draft.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:25pm.

Respectfully submitted:



F. Lee Mangan, Secretary

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