

**WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS WORK SESSION  
WORCESTER TOWNSHIP COMMUNITY HALL  
WORCESTER, PA  
MONDAY, NOVEMBER 3, 2014 AT 9:00 AM**

**CALL TO ORDER** by Arthur Bustard at 9:00 am

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

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

**INFORMATIONAL ITEMS:**

Chairman Bustard announced that the next Conditional Use Hearing regarding Center Point Golf Course is scheduled for November 19, 2014.

**MOTIONS & RESOLUTIONS**

**Approval of the Minutes of October 6, 2014**

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve the amended minutes of October 6, 2014.

**MANAGER'S REPORT**

**Zoning Hearing Board Update**

Tiffany Loomis, Director of Planning and Zoning, provided the report.

The Zoning Hearing Board meeting scheduled for November 25, 2014 has been cancelled.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to grant the Extension of Time for 1207 Hollow Road Subdivision and Land Development Plan.

Joseph Koslowski, Worcester, is requesting relief for a re-roofing permit fee. He further explained that he has had issues the past nine years with his roof.

Chairman Bustard confirmed that this fee is to cover the building inspection fees. Lee Mangan, Township Manager, confirmed this. Supervisor Caughlan further explained that if this fee is not covered, it would be forwarded onto the tax payers thus it must be paid.

Mr. Koslowski thanked the Board for their time.

**Authorization for Towamencin Fire Police**

Mr. Mangan provided the report.

He explained that an official action is required for the fire police to be present at the entrances of Fisher Park for traffic control on November 22, 2014 for the Towamencin Township 5k Turkey Trot.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to grant the request for fire police to be present at the entrances of Fisher Park on November 22, 2014.

Supervisor Quigley inquired if the Township was ever reimbursed for Worcester's portion of the use of our land.

Chairman Bustard further explained the land transaction of Fisher Park.

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

Joseph Nolan, Township Engineer, provided the report.

#### **Road Improvement Project**

All of the overlay work was completed as of last week for the 2014 Road Improvement Project. Bean Road is temporarily shut down on November 3, 2014.

#### **Zacharias Trail Project**

The trail project has been stoned from Green Hill Road to Evansburg Park and will be paved within the next two weeks. He confirmed that he has heard nothing from DEP on the bridge permit.

Supervisor Caughlan inquired about the parking lots and if paving notifications have been given.

#### **Valley Green Wastewater Treatment Plant**

The site piping is being installed and then the back fill will be completed. Everything is on schedule.

#### **Stony Creek Farms**

All of the work was to be completed on Saturday, but did not occur due to the rain. It will be completed on November 3, 2014, and November 4, 2014. There were three pages of comments, and which, most was agreed to. At this point all work will be considered completed.

Supervisor Caughlan inquired if there was a warranty on the work and about the rocks in the lawn. Mr. Nolan replied that the trees are guaranteed for one year and that 30 truckloads of rock have been removed. The overall comments from residents indicate they are happy with the results.

#### **Release of Liability**

Mr. Nolan presented this concept to the Board by preparing an example of this liability waiver. He further explained that builders finish homes in the middle of winter, where the home is not completed yet, but the new home owners want to move in. This releases the Township of the liability of the unfinished driveways, lawns, cracking concrete, etc. Both the homeowner and builder sign off. This waiver will clarify the U&O process.

All Board members think this is a good idea. James Garrity, Township Solicitor, clarified what a temporary U&O is and how the liability waiver will help in this process.

A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to approve a release of liability form for the Township subject to the Solicitor's review.

#### **OTHER BUSINESS**

Supervisor Caughlan inquired as to the status of 2568 Skippack Pike. Mr. Mangan requested more time regarding the December 31, 2014 deadline date due to the advertisement being prepared.

Chairman Bustard inquired if three months from the time of advertisement, as the deadline needs to be set, and if that would be fair. Mr. Garrity further clarified that time would be needed to walk through the home, inspect the property, etc. as well as if the following bidder does not follow through.

Supervisor Caughlan addressed that a structural engineer and other professionals would need to access the house. She inquired if a pre-approval would be required. Mr. Garrity stated that we are not at the moment, due to wanting a quick closing. If they don't close the Township would sell to someone else.

Supervisor Caughlan inquired about the two-step process. Chairman Bustard said that he needs to see how this plays out. Supervisor Caughlan moved to have the bid date deadline extended three months from the date of advertisement, Supervisor Quigley seconded this motion and it was a unanimous decision.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to grant an extended bid date deadline three months from the date of advertisement.

James Mollick, Worcester, commented that he can object at any time during the meeting regarding the Sunshine laws.

Supervisor Caughlan addressed the Hickory Hill matter with the appeal being withdrawn and motioned that an informational packet be prepared for the residents concerning the timeline and how the system works in their home.

Chairman Bustard is in agreement when the system actually gets approved. Mr. Mangan urged the Board that the Township should not be choosing the single player and an information packet will be provided upon the proper timeline.

Mr. Mangan has been directed to do so.

#### **PUBLIC COMMENT**

Dr. Mollick inquired about what the executive sessions will be about. Mr. Garrity explained that the first subject matter will be the Methacton School District Conditional Use Application decision.

The second being that the Board advised on their rights regarding the Conditional Use Hearing for Center Square Golf Course and obtaining additional counsel.

Dr. Mollick commented on the Right to Know process and what harassment is considered. He quoted various cases and facts. He is in disagreement with the opinion that he is abusing the Right to Know process. He thinks there should be a new Right to Know Officer and Solicitor. He further expressed his discontent.

William Goulding, Stony Creek Farms, commented on the closings and responsibilities of the Township waiver and fully understands why this Township is going in this direction. He feels there should be various protections to the buyers. Mr. Garrity further clarified the U&O process and why both the builder and buyer must sign the waiver. Discussion and questions ensued.

Mr. Goulding gave a perspective on the status of the Stony Creek Farm issues, stated that Mr. Nolan's report is accurate, and expressed a continued concern about the remaining three buildings and lawns.

#### **ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:52 am.

Respectfully submitted:



**Eunice C. Kriebel, Assistant Secretary**

130105

WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS SPECIAL MEETING  
WORCESTER TOWNSHIP COMMUNITY HALL  
WORCESTER, PA  
FRIDAY NOVEMBER 7, 2014, AT 9:00 AM

**CALL TO ORDER** by Arthur Bustard at 9:00 am

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

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

**INFORMATIONAL ITEMS:**

NONE

**MANAGER'S REPORT**

Chairman Bustard explained that the purpose of the special meeting is for discussion and possible appointment of special council for Center Square Golf Course / Cutler Conditional Use Hearings.

F. Lee Mangan, Township Manager, asked that the Board enter Executive Session relative to possible attorney choices and possible appointment.

Supervisor Caughlan asked James Garrity, Township Solicitor, to explain the reasoning behind obtaining separate council prior to going into Executive Session.

Mr. Garrity stated that there should be a separation of the functions between representing the Board of Supervisors and representing the Conditional Use criteria in the ordinance. The purpose of the special meeting is to obtain advice from himself and the Township Manager about possible people who could act as council to the ordinance in order to make the best possible decision.

Supervisor Caughlan commented that the Board asked the applicant questions in the first Conditional Use Hearing for Center Square Golf Club, and it did not feel like the right process to make a record.

Mr. Garrity said that the witness presented by the Cutler Group was not cross-examined by anybody. It could appear that the Board has a biased position if they are too involved in the proceedings.

Executive Session began at 9:07 am.

Executive Session ended at 9:17 am.

James Garrity suggested the Board appoint Robert Brant, Esquire at the rate of \$200 per hour.

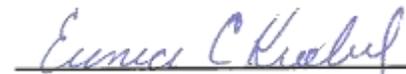
A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to appoint Robert Brant, Esquire as special counsel for the Township for the Center Square Golf Course Cutler Conditional Use Hearings.

James Mollick, Worcester, suggested that someone independent be appointed because Mr. Brant is the Solicitor for the Worcester Township Zoning Hearing Board and he believes Mr. Brant to have a conflict of interest. He further inquired as to how Mr. Brant was appointed.

Stuart Land, Worcester, stated he has trust in the Board's decision and supports it.

No further business to come before the Board, Mr. Bustard adjourned the meeting at 9:26 am.

Respectfully submitted:



**Eunice C. Kriebel, Assistant Secretary**

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 WORCESTER, PA  
 WEDNESDAY, NOVEMBER 19, 2014 – 7:30 PM

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

**ATTENDANCE**

PRESENT:

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

**INFORMATIONAL ITEMS:**

- The Conditional Use Hearing for the Center Square Golf Club will continue at the conclusion of the Board of Supervisors meeting.
- The Zoning Hearing Board scheduled for November 25, 2014 has been cancelled.

**MOTIONS & RESOLUTIONS**

**Approval of the Minutes of October 15, 2014**

Supervisor Caughlan made a correction under the Engineer's Report, where survey work should be changed from "them" to "the Township."

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 15, 2014.

William Kazimer, Worcester, corrected his comment from "soil" to "topsoil."

**Treasurer's report**

**October 2014**

Chairman Bustard presented the information:

General Fund	\$ 296,868.93
State Fund	\$ 199,003.19
Capital Reserve	\$ 1,693.96
Sewer Fund	(\$1,445,643.41)

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to accept the October 2014 Treasurer's Report.

**Payment of the Bills of the Township**

Chairman Bustard presented the report.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to accept the payment of the bills in the amount of \$1,133,156.71.

James Mollick, Worcester, commented on auditing on the bills regarding his past comments. Chairman Bustard said that these bills have been further evaluated and that the Treasurer monitors the bills closely.

Dr. Mollick referenced a check register, the invoices of the Township, and how the Township staff handles these matters. He feels that the information provided is inadequate for the public to be able to make public comment. He further commented on the Right to Know process and explained the time period of particular invoices were not made available to him.

#### **Pump and Haul Agreement**

Joseph Nolan, Township Engineer, explained the pump and haul agreement. The Toll Brothers development (The Preserve at Worcester) will be served by public sewers by Upper Gwynedd Township and this is done through a force main. Toll Brothers has contracted with a waste water management company for pump and haul until the construction can take place. By March, 2015, the sewer pump station and connections will be complete. Mr. Nolan has reviewed the agreement and it is standard procedure.

Supervisor Caughlan inquired if there have been any provisions made for any possibility of overflow in the holding tank should a storm happen. Mr. Nolan explained that the capacity far exceeds the need of these units. Pump and haul has fail-safes built into this unit.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to authorize the execution of the application and submission of the Pump and Haul agreement application for the Preserve at Worcester to the DEP.

James Reese, Worcester, inquired if this agreement is a tax-funded kind of agreement. Chairman Bustard clarified developer expense. Mr. Nolan confirmed.

#### **3455 Germantown Pike – IBEW**

Bernadette Kearney, Attorney, presented on behalf of the applicant and request to hook into Lower Providence Sewer Authority (LPSA) public system.

Chairman Bustard stated that the Board gave permission to 3441 Germantown pike in September 2014. Mr. Mangan had Mr. Nolan explain the most recent meeting between LPSA and Worcester Township regarding an inter-municipal agreement. They would like Worcester Township to be a bulk customer and bill the end users individually. Two of the five properties do not need sewer main extensions and the others need an extension of the main sewer line.

Supervisor Caughlan asked how this affects the tack shop property. Mr. Nolan explained that we addressed the request conceptually and then explained that we are being required to do an inter-municipal agreement and they have requested a specific way for us to proceed.

Ms. Kearney said that the unique nature of the property requires them to hook up to public sewer. She expressed that they would be willing to put up an escrow to secure payments regarding this kind of the agreement. Mr. Garrity stated that there are many implications regarding this matter.

Ms. Kearney inquired if they could hook up sooner since they do not require an extension of the line. Mr. Nolan said that is reasonable. Supervisor Quigley impressed that it very important to get the IBEW to move forward as quickly as possible.

#### **Preliminary Proposed Budget for 2015**

Mr. Mangan presented this information in its entirety. All information was in the PowerPoint presentation. The Township residents have requested that trails and recreation be a focus per Mr. Mangan. Chairman Bustard asked if this proposed budget would be available on the website.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and accepted by all to advertise the proposed budget for 2015.

Both Supervisor Caughlan and Mr. Garrity clarified this is not the public hearing of the budget and is a preliminary introduction.

Dr. Mollick commented on reconciling the budget, how the Township budgets its money, and the public's involvement. Dr. Mollick addressed reconciling the budgets and suggested the Township look at how reconciling was performed in 2005.

#### **Zoning Hearing Board Update**

Tiffany Loomis, Director of Planning & Zoning, provided the report. The Zoning Hearing Board meeting is cancelled for November 25, 2014.

#### **Sub-Division and Land Development Update**

Ms. Loomis met with the Planning Commission and reviewed the lot-line adjustment at 1207 Hollow Road. They recommended a preliminary final approval due to the nature of the application.

#### **2665 Skippack Pike, Swiss Chalet**

Mr. Mangan presented the information. There are discussions of groundwater issues, and what has to be done to address it. This matter has not been discussed, as the building has not been occupied for seven years. Before the new tenant occupies the property, a request for Mr. Nolan to further evaluate the stormwater was recommended. A brief PowerPoint presentation took place showing photos of the site ranging from 1942 to 2010.

Mr. Mangan asked for the consent of the Board to have Mr. Nolan investigate the site. Supervisor Caughlan and Chairman Bustard agree, and Supervisor Quigley is against it

#### **Engineer's Report**

##### *2014 Road Improvement Program*

The 2014 Road Improvement program is completed. There were a few minor issues on Merrybrook Road that are being addressed and taken care of.

##### *Zacharias Trail*

The Zacharias Trail work is continuing, weather permitting. All of the stone work is completed, and it is progressing.

##### *Valley Green Wastewater Treatment Plant*

Valley Green Treatment Plant's piping is nearing completed and electrical work is underway. It is estimated that the plant will be operational by the end of the year. Due to the weather, the final restoration will be deferred until the spring.

Supervisor Caughlan inquired as to the buffer. Mr. Nolan stated that the plans show a berm and trees on top of the berm.

##### *Stony Creek Farms*

The trees in phases III & IV have been completed, in addition to phases I & II are completed. He gave the timeline for paving of Phase III. The last unit in Phase IV has been sold. The last home settlement will occur in June and eventually the dedication of the roads to the Association.

Supervisor Cauglan inquired about the remediation. Mr. Nolan responded that there is a positive impact.

Chairman Bustard inquired about the proposed salt shed expense. Mr. Nolan explained that last year's winter was severe and there was a drastic salt shortage. Worcester currently has the ability to store salt for approximately one storm, utilizing the storage capacity built 27 years ago. The back wall is structurally compromised at this time and a new facility needs to be built. He further explained washing down vehicles is now regulated by DEP. Townships handle this situation by building wash bays that separate the chemical components and is a self-contained environment that is humane for employees.

The new proposed facility is being built to store salt and cinder. The concept shown is not the final draft. Mr. Nolan gave an in depth explanation of the plan shown to the public. The building is 45'x90', which includes outside storage as well as storage for liquid application, such as brine application. This is extremely cost effective. The goal is to keep this cost under \$500,000. Mr. Nolan explained that all of the walls in the facility need to be reinforced concrete; it is an extremely large building that needs to be structurally sound for operational cost effective purposes.

Supervisor Quigley asked if other Township's build structures of this sort and if there is condensation. Mr. Nolan referenced that many other Townships have salt bins of this nature. Mr. Nolan explained all of the technical components.

Supervisor Quigley inquired about the gas and diesel fuel storage. Mr. Nolan said this has not been designed for this point in time and all the requirements that are involved. Mr. Nolan clarified that fuel storage has not been included.

Supervisor Quigley inquired about the safety of the pumps referencing the prior Pump & Haul agreement referencing emergency services calls on weekends and holidays. Mr. Nolan clarified that the first call will be to the environmental hauler and that we will be notified due to being party to the agreement. The hauler is contacted directly.

#### **Other Business**

3441 Germantown Pike public sewer issue was addressed in conjunction with 3455 Germantown Pike.

#### **Public Comments**

Mr. Reese commented on the road work regarding county, state, and township owned roads. He addressed the color of the stone for patch work. He suggested that the color of the stone match.

Dr. Mollick commented on the Swiss Chalet and its current status. He further addressed the surplus of the budget last year and how it should be distributed. He commented about the office of open records. Dr. Mollick further commented about a suit filed in the office of open records. Dr. Mollick questioned the board and had various comments about the tax payer funds. He commented on the Nike base regarding the Phase I and Phase II studies, and further inquired about his Right to Know requests regarding these studies.

Chairman Bustard requested Mr. Mangan to address the Phase I and Phase II studies on the Nike base. He addressed that the environmental firm is reviewing the information and there is a time for them to do so. There will be finalization in the up and coming months.

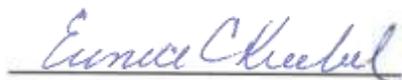
Supervisor Caughlan asked if Mr. Mangan anticipated any action before the first of the year. Mr. Mangan stated likely not.

Fred Oskanian, Worcester, inquired about having 3427 Germantown Pike hooking into LPSA. Mr. Garrity explained that we need to work this out procedurally.

James Phillips, Worcester, commented on the public sewer issue for Germantown Pike brought up this evening. He believes it is an easy decision and recovering unpaid bills is easy. Mr. Garrity explained that typically that there is not a Municipal guarantee involved in this type of agreement.

The meeting was adjourned at 8:51 pm.

Respectfully submitted:



**Eunice C. Kriebel, Assistant Secretary**