

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, DECEMBER 6, 2010 @ 8:00 A.M.

CALL TO ORDER by Arthur Bustard at 8:00 A.M

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN CAUGHLAN
 STEPHEN C. QUIGLEY



INFORMATIONAL ITEMS

1. The joint meeting of the Planning Commission and Board of Supervisors scheduled for December 6, 2010 at 9:30 AM has been cancelled.
2. The meeting of the Planning Commission scheduled for December 9, 2010 at 7:30 PM has been cancelled.
3. The Township will be putting up for bid a 1998 Ford Explorer on the municipal auction site municibid.com. Once listed, a link to the auction will be posted on the township web site, www.worcestertwp.com
4. The PA Turnpike Commission has announced that additional work still needs to be completed on the Morris Road Bridge and they do not anticipate opening Morris Road until early January, 2011.
5. The Montgomery County Lands Trust honored Worcester Township last night for their Open Space Program.

Manager's Report:

- a. **Request for authorization to advertise Ordinance concerning participation in the Delaware Valley Health Insurance Trust pursuant to the Pennsylvania Intergovernmental Cooperation Law**

This is a trust established to provide health benefits to municipalities in South Eastern Pennsylvania contracting through Aetna and Delta Dental. They provide the same benefits at a lower cost resulting in a 5% decrease in premiums. Worcester Township's coverage will take effect April 1, 2011.

James Mollick, Country View Lane, commented on insurance plan comparisons, inquired if it is a PPO or HMO.

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Maeve Vogan, Dell Road, commented on families joining both plans.

A motion by Stephen Quigley, and seconded by Susan Caughlan and approved by all to advertise an Ordinance concerning participation in the Delaware Valley Health Insurance Trust pursuant to the Pennsylvania Intergovernmental Cooperation Law.

Susan Caughlan thanked David Burman for the time spent and for saving the township money.

b. Request to Re-Appoint the Firm of Bee Bergvall & Company as Auditors for fiscal year 2010.

The firm of Bee Bergvall & Company proposed to audit the book of the Township for 2010 at a fee of \$11,000, a \$500.00 increase from 2009.

A motion by Susan Caughlan, seconded by Stephen Quigley and approved by all to re-appoint the firm of Bee Bergvall & Company as auditors for fiscal year 2010.

c. Request for Authorization to Advertise Bids for Supplemental Snow Removal Services.

Mr. Burman explained that in past years Worcester Township has utilized sub-contractors for large developments like Milestone and Sunnybrook for snow removal operating under an emergency basis but the dollar amounts have exceeded the 2nd class township code limits. This advertisement is for supplemental snow removal services.

A motion by Susan Caughlan, seconded by Stephen Quigley and approved by all to approve authorization to advertise bids for Supplemental Snow Removal Services.

d. Discussion: Methacton School District School Resource Officer (SRO)

David Burman met with Dr. Quinn, Methacton School Superintendent, and was informed that the School District is moving forward with plans to create the district's own police force utilizing Lower Providence Police officers.

Arthur Bustard confirmed the school is moving ahead and wanted discussion and determination.

Stephen Quigley inquired about Lower Providences' authority to establish police districts.

James Garrity, Township Solicitor, explained procedures for establishing police districts.

Susan Caughlan commented on school board members not being fully aware of implications.

James Garrity and David Burman are to get additional information and report back to the Board.

Rick DeLello, Stoney Creek Road, commented that a face to face meeting might be more productive.

e. **Zoning Hearing Board Report (Current Activity Only)**

The last meeting was Tuesday, November 23, 2010
The next meeting is December 21, 2010

Conclusions/ Decisions of applications:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

GRANTED 11-23-2010 with conditions

Continued applications:

#10-14 BETHEL HILL UNITED METHODIST CHURCH 2000 BETHEL RD
ZONED - "R-175"

VARIANCE FROM SECTIONS 150-147(D)(E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE DECEMBER 21, 2010 MEETING.

The township expects a letter this week clarifying the application.

NEW applications to be heard on December 21, 2010:

APPL #10-15 3206 STUMP HALL RD
ZONED - "R-175"

VARIANCE FROM SECTION 150-37(C)(1) TO PERMIT AN ADDITION TO BE BUILT PROJECTING 19'6" INTO THE SIDE YARD SETBACK. SETBACK REQUIREMENT FOR THE SIDE YARD IS 35'.

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APPL #10-16 1810 BERKS RD

ZONED - "R-175"

VARIANCE FROM SECTION 150-37(A) TO PERMIT AN ADDITION APPROX. 967 SQ. FT (+/-) TO BE BUILT WITHIN THE FRONT YARD SETBACK DUE TO THE EXISTING NON-CONFORMING LOCATION OF THE SINGLE FAMILY DWELLING. SETBACK REQUIREMENT FOR THE FRONT YARD IS 60'.

f. Subdivision & Land Development Report – Current Activity Only

The Township received a request for re-instatement of the DePhillippo Land Development Plan.

Jojope Subdivision submitted final plans and the township engineer will be reviewing them.

The Kibblehouse / Rotelle Subdivision requested an extension through December, 2011.

g. Authorization for letter to MCPC regarding trail on Moran Property.

Susan Caughlan reported that the township will be acquiring a trail easement through the property. The easement is close to settling with Montgomery County Lands Trust holding the conservation easement. This trail will connect the Moran property to Evansburg Park trails. Montgomery County needs Township commitment concerning the trail easement since it is scheduled to close by year end.

Stephen Quigley commented that the benefits of this trail have been discussed previously and will assist students from the High School in gaining access to Evansburg Park.

James Mollick commented on approval contingent upon access to property and opening one of the access roads to through traffic.

Rick DeLello, Stoney Creek Road, commented on limits of commitment and drawbacks of written documents.

Susan Caughlan commented that opening one of the access roads would increase traffic and costs.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to approve Authorization for letter to MCPC regarding trail on Moran Property.

2. Engineer's Report

The monthly report has been submitted to the Board of Supervisors.

Arthur Bustard inquired about the status of the Kriebel Mill Road Bridge. Joseph Nolan, Township Engineer, reported that he has met with Penn DOT and the design stage will be complete by early next year.

Susan Caughlan inquired about the Berwick Place generator project with Mr. Nolan reporting that the ventilation change order will be completed before year end which will complete the project.

Stephen Quigley inquired about a request from Meadowood to utilize the access right of way on Valley Forge Road for a secondary driveway and if Meadowood will reimburse the Township for any costs. Mr. Nolan responded that he will review the original plans and obtain input from Penn DOT who may require road improvements.

Arthur Bustard expressed concerns about the range of sight at that location and suggested the installation of a traffic light on Skippack Pike at their current driveway should be reviewed.

Susan Caughlan inquired about Meadowood relocating their current driveway on Skippack Pike to align with Hollow Road. Mr. Nolan responded that it is always safer to align a driveway with a road but it must meet with Penn DOT's approval.

Stephen Quigley commented on speed signs that are more pleasing to the eye for the Sunnybrook Development. Mr. Nolan responded that they must be approved by Penn Dot and be enforceable.

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3. Solicitor's Report

a. Executive Session Report

There were no executive session meetings.

4. Other Business

None

5. APPROVAL OF THE MINUTES OF NOVEMBER 1, 2010

James Mollick commented on following the Sunshine Law and posting meetings on line with a Township server dedicated to meetings.

Stephen Quigley responded that the manager is looking into costs and feasibility.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the meeting of November 1, 2010. (Copies are available for review.)

6. PUBLIC COMMENTS

James Mollick commented on Terra landscaping, a meeting between Worcester and Lower Providence, the cost of sending the solicitor to the hearing, and a non-criminal investigation. He further commented on the Right to Know process, audio taping after meetings and the electronic media policy.

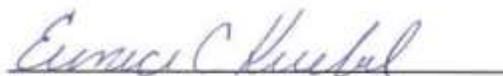
Rick DeLello commented on speed signs, driver communication, sidewalk snow removal policy, and the inability of the Homeowners Association to impose fines. Susan Caughlan commented on conversations with Sunnybrook residents and their desire not to have a snow removal ordinance.

James Garrity noted that this is a policy issue for the Board that will simply reinforce common law.

ADJOURNMENT

There being no further business to come before this Board, Chairman Arthur Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 9:12 A.M.

Respectively Submitted,


Eunice C Kriebel, Recording Secretary

WORCESTER TOWNSHIP
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 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, DECEMBER 15, 2010 @ 7:30 P.M.

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

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN G. CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

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INFORMATIONAL ITEMS:

The Turnpike Commission informs us that the Bridge on Morris Road is now expected to reopen in mid January, 2011

1. TREASURER'S REPORTS

The Treasurer's reports for November, 2010 net change on cash basis:

November, 2010 Report:

General Fund	\$ 379,504.57
State	(\$ 30,399.16)
Capital Reserve	\$ 287,388.79

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for November, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$209,377.40.

3. MANAGER'S REPORT

a. Request to Appoint Operator of Sanitary Sewer Systems Under Professional Services Agreement

David Burman, Township Manager, reported Worcester Township has two wastewater treatment plants serving approximately 850 customers. Given the highly technical nature of work involved in operating and maintaining a sanitary sewer system, as well as the fact that the Township does not directly employ any licensed operators, the Board of Supervisors may treat this proposed contract as a professional services contract. In July, 2010, the Board authorized the preparation of a request for proposal (RFP) under the Second Class Code. The Township

received three responses which were evaluated by the staff using specific criteria. Miller Environmental, Inc. received the highest technical ranking. Mr. Burman, along with the Township Engineer, the Assistant Township Manager and the Director of Public Works, that the Board appoint Miller Environmental Services to operate and maintain the Township's sanitary sewer systems, for an initial term of three (3) years, at an annual cost in year one of \$177,074, which is approximately \$25,000 less than that of the second highest ranked firm..

Susan Caughlan thanked Mr. Burman for the detailed RFP and was impressed with Miller Environmental Inc's proposal.

Stephen Quigley inquired about responses to emergency services. Mr. Burman responded.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to appoint Miller Environmental, Inc. as operator of Sanitary Sewer Systems under the Professional Services Agreement, as recommended by staff.

b. Consideration and Adoption of 2011 Budget

Mr. Burman informed the Board and public that there is no tax increase or large expansion of services. The budget was duly advertised in the local paper, as well as on the Township's web site.

James Mollick, Country View Lane, commented on the increase in benefits, the "see bottom" note on the budget in various places, and various payroll expenses. David Burman responded with information and clarification.

Rick DeLello, Stony Creek Road, commented on line item for "Management Consulting", the Parks and Recreation Task Force recommendations concerning the Army base budget, and the method for estimating revenue from the Earned Income Tax.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to approve the 2011 budget.

c. Consideration and authorization of Real Estate Tax Levy with No Increase for 2011

Mr. Burman noted that the millage for 2011 is still .05 mills.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize the Real Estate Tax Levy with no increase for 2011.

d. Zoning Hearing Board Report

The last meeting was November 23, 2010. The next meeting is Tuesday, December 21, 2010 at 6:30pm.

Continued applications:**#10-14 BETHEL HILL UNITED METHODIST CHURCH 2000 BETHEL RD
ZONED - "R-175"**

VARIANCE FROM SECTIONS 150-147(D)(E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

NEW applications to be heard on December 21, 2010:**#10-15 3206 STUMP HALL RD
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VARIANCE FROM SECTION 150-37(A) TO PERMIT AN ADDITION APPROX. 967 SQ. FT (+/-) TO BE BUILT WITHIN THE FRONT YARD SETBACK DUE TO THE EXISTING NON-CONFORMING LOCATION OF THE SINGLE FAMILY DWELLING. SETBACK REQUIREMENT FOR THE FRONT YARD IS 60'

4. ENGINEER'S REPORT

None

5. SOLICITOR'S REPORT

There was no executive session report.

a. Consideration of Authorization to Execute the Public Access Easement Agreement in connection with Preservation of Moran Property

Mr. Garrity reported that the agreement is not in final form but all the financial issues have been resolved and approved.

Arthur Bustard commented that this will preserve 81.1 acres with public access.

Susan Caughlan commented on the long process with Montgomery County Lands Trust, Mr. Moran and the Township coming to agreement.

James Mollick commented on the property being land locked on a dead end road and no trail access.

Susan Caughlan responded that the property has frontage on Kriebel Mill Road and Grange Avenue and the trail on Kriebel Mill Road will make access safe for pedestrians, bicycles, and hikers.

A motion by Susan Caughlan, and seconded by Stephen Quigley and approved by all to authorize the execution of the Public Access Easement Agreement in connection with Preservation of Moran Property.

b. Public Hearing concerning Adoption of "Noise Ordinance"

Public Hearing opened at 8:06 P.M.

A Court Reporter recorded a transcript of the proceedings.

Arthur Bustard provided background of ordinance noting that it has been reviewed by the Planning Commission and the solicitor.

Stephen Quigley commented on enforcement and training personnel.

Agnes Ferrara, Shady Lane, commented on availability of the ordinance's text and sound barriers for the turnpike.

Rick DeLello commented on Section F3 and a possible conflict.

Mark Landis, Schultz Road, commented on construction noise and night work.

James Mollick commented on ambient noise and government regulation.

Christopher Drummond, Anvil Drive, commented the ordinance pertaining to surrounding Townships, gun noise, and noise devices being regulated.

Stephen Quigley commented that this is the first step for neighborhood issues.

Susan Caughlan suggested researching other Township's ordinance regarding Mr. Landis suggestion.

Arthur Bustard agreed with the comment regarding too much government interference but acknowledged that something to regulate noise must be done.

Public Hearing closed at 8:42 P.M.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to adopt Ordinance 2010-225 "Noise Ordinance"

c. Public Hearing Concerning Adoption of "Zoning Ordinance Amendments"

Public Hearing opened at 8:44 P.M.

A Court Reporter recorded a transcript of the proceedings.

Arthur Bustard introduced the ordinance noting that this has been discussed for over a year. It will clarify many definitions and change others relating to the AGR district, sport courts, fencing, and Limited Industrial.

Susan Caughlan commented on Limited Industrial and garage heights.

Stephen Quigley expressed concern about the proposed Limited Industrial changes.

The Board discussed the proposed changes separately with the AGR revisions first, the private tennis and sports courts second and the fence height third.

James Mollick commented on all three proposals inquiring why changes were made in AGR, commented on appropriate changes for private tennis and sport courts, and 6' fences and property lines for fencing.

Limited Industrial zoning had several proposed changes and the Board opened comments to the public after discussion.

Agnes Ferrara commented on need for a berm, disapproved of the incinerator and the North East extension expansion.

Jessica Landis, Schultz Road, commented on the incineration of animals with toxins and carcinogens.

Jeremy Greene, Horseshoe Drive, commented on only two parcels being zoned L.I. and possible separate zoning for each.

Richard Minehart, Weber Road, commented on enough distractions in area already.

Thomas Croke, Schultz Road, commented on limiting materials being trucked in for incineration and on the size of parking lot.

Frank Well, Berks Road, commented on lights and noise that currently exist and multi tenant building being too close to the residential area and property values dropping.

Erin McCann, Horseshoe Drive, commented on opposition to incinerator and building heights.

Wini Hayes, Fisher Road, commented on height of 65' tower visibility and Township changing zoning concerns, and animals concerning medical waste and EPA being regulator.

Edith Senderak, Horseshoe Drive, commented in opposition to zoning changes.

Agnes Ferrara commented on original opposition to construction.

Mark Landis commented on taxes paid by property owner, diesel power backup, radio active waste and private wells in the area.

James Mollick commented on proposed tenant, and who proposed the language change.

Caren Sigel, Green Hill Road, commented on emails as communication and the need to get information to residents.

Gordon Todd, Bustard Road, Chairman of the Planning Commission, commented on prior statements, Visteon property being zoned L.I. prior to their purchase and the height concept relative to the floor area ratio in the zoning ordinance.

Eric Costello, Horseshoe Drive, commented on his reason for moving here and incinerator are not acceptable, who is tenant and why not propose a variance instead of ordinance change.

Dorothy McGrane, Stump Hall Road, commented in opposition to L.I. changes and suggested addressing the fence, sport courts and AGR changes separately.

Lee Veneziale, Schultz Road, commented on being a resident since 1969 and not receiving any letter regarding this zoning change.

Chase Kneeland, Berks Road, commented on lack of knowledge regarding the tenant.

Wini Hayes commented on the process working by allowing residents to be heard.

Richard Minehart commented on the hearing process and against the incinerator.

The public hearing was closed at 10:20 P.M.

A motion by Susan Caughlan, seconded by Stephen Quigley, to not approve sections 2, 3, & 4, dealing with Limited Industrial and to approve Section 1 dealing with definition of AGR and sports courts, Section 5, regulations on private sport courts, Section 6, height of fences on residential properties, and Sections 7 through 10 regarding standard ordinance language and approved by all.

6. **OTHER BUSINESS**

None

7. **APPROVAL OF THE MINUTES OF NOVEMBER 17, 2010**

Chris David, Bean Road, commented on the reference to Mr. Garrity as Township Engineer and suggested it be corrected to "solicitor".

James Mollick commented on his remarks being incorrect, and the gavel to gavel rule.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to dispense with the reading of, and approve as amended the minutes of November 17, 2010. (Copies were available for review.)

8. **PUBLIC COMMENTS**

Chris Drummond commented on the need for open communication and a re-submission of the land development application for the DePhillippo property on Grange Avenue.

Mark Landis thanked the Board for hearing the public's comments and commented on the speed study for Landis Road.

Rick DeLello commented on the need for televising the meetings and open communication.

James Mollick commented on the Terra Landscape ZHB hearing, legal bills for RTK processing and web site postings.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 10:43 P.M.

Respectfully submitted:



Eunice C. Kriebel
Eunice C. Kriebel, Recording Secretary

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