

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, December 1, 2014 AT 9:00 A.M.**

WORK SESSION CANCELLED

130105

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY, DECEMBER 17, 2014- 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:

- **Conditional Use: Methacton High School Lights** - Chairman Bustard introduced the Decision and Order. James Garrity, Esquire, Township Solicitor, read the Decision and Order. The lights at Methacton High School are contingent upon specific requirements.

A motion was made by Supervisor Caughlan, seconded by Chairman Bustard, and opposed by Supervisor Quigley to approve the Conditional Use Application of Methacton School District Lights. The vote was 2-1.

Chairman Bustard read a statement that commented on the overall process of this Conditional Use Application starting in 2011. He stated that the purpose of passing the lighting ordinance with a conditional use process is to address the concerns of the school, Worcester Township, neighbors, and community.

Comments were not taken due to the numerous hearings held per the advisement of the Solicitor.

The meeting adjourned for five minutes at 7:53 pm.
The meeting reconvened at 7:58 pm.

MOTIONS AND RESOLUTIONS

A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to dispense with the reading of, and approve as amended the written minutes of November 7, 2014 and November 19, 2014.

James Mollick, Worcester, inquired about taping of the meeting, objected to no public participation regarding the Decision & Order for Methacton School District, and stated that in his opinion the minutes do not reflect what happened.

Mark Landis, Worcester, commented on the correction process of the minutes.

Steve Rock, Worcester, commented on the correction process of the minutes and requested that meetings be videotaped.

Daniel Dreher, Worcester, requested that the draft minutes be provided prior to the meeting on the Township website.

TREASURER'S REPORT

A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to approve the Treasurer's Report for November 2014.

General Fund:	\$494,664.70
State Fund:	(\$165,195.27)
Capital Reserve:	\$ 25.44
Sewer:	(\$1,845,315.88)

PAYMENT OF THE BILLS TO THE TOWNSHIP

A motion by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to make a payment of the bills to the Township in the amount of \$482,401.32.

Dr. Mollick requested a line item breakdown of the payment of the bills of the Township and commented on \$204,000 of legal bills paid regarding Right to Know. He further commented on the Right to Know process in Harrisburg, as well as his campaign mailer that was sent in to the Office of Open Records. He read a response that was filed with the Office of Open Records, and suggested the Township secure a different law firm and Right to Know Officer, and commented on an on-going law suit.

ORDINANCE 2014-251 (PSATS) –Eunice Kriebel, Treasurer, explained the PSATS Board of Trustees have changed the policy regarding the Employer's Unemployment Group Trust and this ordinance is required to remain a participant in the Group.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to approve the Ordinance 2014-251 PSATS Unemployment Compensation Trust.

ORDINANCE 2014-252 (FIREARMS) – Mr. Garrity introduced this ordinance and explained that this law gives citizens the right to file a private cause action if there are any ordinances regulating firearms. Worcester Township has a firearms ordinance and therefore this ordinance must be adopted.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to approve the Ordinance 2014-252 Firearms.

John Diesel, Worcester, commented on the current law and stated that he believes in the right to protect yourself and is in support of the action of the Board.

Scott Misus, Worcester, encouraged that Worcester not adopt any firearm regulations that run contradictory to state law. Mr. Garrity confirmed that this is what is happening by adopting this ordinance.

Michael Libor, Chairman of the Zoning Hearing Board, cited the section of the current ordinance that is unconstitutionally vague. He referenced state law pertaining to hunting and the ordinance is contrary to slide and stated that he is support of the Township's actions.

RESOLUTION 2014-35 TAX RATE 2015 –Mr. Mangan gave the introduction noting that there has been no increase in the proposed real estate tax.

A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to pass resolution No. 2014-36: Tax Rate 2015.

2015 BUDGET ADOPTION – Mr. Mangan presented the budget via PowerPoint presentation.

A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to adopt the 2015 Budget.

Dr. Mollick handed out a copy of 2006/2007 budget information to the Board of Supervisors, presented Lower Gwynedd's budget and commented on the budget for legal services. He also inquired if the Army Base expenses are factored into the budget, commented on the Right to Know process, and gave suggestions on ways the Township can save money.

Mr. Rock inquired if the budget was reviewed previously at a public meeting. Chairman Bustard stated that it was reviewed at the last meeting and has been advertised.

RESOLUTION 2014-36: 1207 Hollow Road Lot Line Adjustment –Motion for Preliminary/ Final Approval

A motion by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to pass resolution No. 2014-36: 1207 Hollow Road Lot Line Adjustment.

INTERMUNICIPAL AGREEMENT WITH LOWER PROVIDENCE SEWER AUTHORITY REGARDING 3441 AND 3455 GERMANTOWN PIKE –

Mr. Mangan presented this information and requested that Mr. Garrity and staff be authorized to work out an understanding with Lower Providence Sewer Authority for connections of 3441 and 3455 Germantown Pike properties. These two addresses are to be dealt with first, and then three additional connections will be addressed later due to their complicated expansion.

A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley, and approved by all to authorize Mr. Garrity coordinate connections with Lower Providence Sewer Authority for the properties on Germantown Pike.

MANAGER'S REPORT

Zoning Hearing Board Update

Tiffany Loomis, Director of Planning and Zoning, discussed 3238 Germantown Pike.

SALDO Update

Ms. Loomis presented information on Willow Creek and its Conditional Use Application and SALDO use.

Supervisor Caughlan commented on the Approval of the Farm Bureau being necessary.

Mr. Garrity stated this is a complicated matter and is currently being reviewed.

Mark Landis, Worcester, commented that the property owner has come back many times for concessions regarding this property.

ENGINEER'S REPORT

Joseph Nolan, Township Engineer, provided the report.

The Zacharias Trail is complete from Hollow Road to Heebner Park and from Green Hill to Evansburg Park. The parking lot has been paved and line striping has been completed.

Valley Green Wastewater Treatment plant – Hydraulic testing has been completed, and the plant will be filled with effluent. The plant will be operational within the next week. It will be providing capacity by the end of the year.

Design of Stormwater from Adair is complete. The next step is to get easements from property owners.

Zacharias Bridge –a crossing permit has been submitted to DEP. The Corp of Engineers is still reviewing the project and will offer comments by the end of the year. Trail is complete however the trail from Fawn Road to the pioneer house will be completed in house by Staff.

Chairman Bustard inquired about the Stormwater in Fairview Village and when it will be evaluated noting that money has been budgeted for next year. Mr. Nolan will be evaluating this area during the heavy rain season.

Supervisor Quigley inquired of Chairman Bustard about the trails pertaining to Hawks Nest Lane and if Robert D'Hulster, Public Works Director, is securing this area to prohibit four-wheeler traffic with the parks and trails.

SOLICITOR'S REPORT

No Report

PUBLIC COMMENTS

William Kazimer, Worcester, commented on the Decision & Order of Methacton School District referencing declining property values due to lights being installed.

Mr. Rock commented on having a task force to work with the Board of Supervisors. He referenced open space, building regulations, increased tax revenues, and infrastructure to include the Township's ACT 537 plan from 1996. He also mentioned the following topics: Mr. Harris, fair employment practices, gas prices, the Army base, potholes, certified letter signatures, and cars being broken into and stolen.

Mr. Diesel commented on yielding time (i.e. five minutes) as in Washington, he believes Worcester Township should do this. He also commented on the Right to Know process.

Ronald Evans, Worcester, commented on the Decision & Order for Methacton School District regarding the vote that took place and expressed disappointment with Supervisor Quigley's vote.

Dr. Wini Hayes, Worcester, commented on the tax base, and stated that education costs are always more than property taxes. She went on record asking the Methacton School District to not appeal the Decision & Order.

Supervisor Quigley commented on the cost and process of the Conditional Use Application.

Dr. Mollick commented on taxation, and the recent school facility being built for 6,500 students with only 4,500 attending. He also commented on the Decision & Order for the Methacton High School, the Boston Tea Party and Federalist papers, and the overall process. He inquired about his campaign pamphlet being distributed to the Right to Know office in Harrisburg.

Mr. Misus inquired about the low pressure system for Hickory Hill and the overall procedure. He requested that the Act 537 plan be amended by the Board of Supervisors to include the gravity system.

Chairman Bustard and Supervisor Quigley both stated they are not interested in amending the decision.

Supervisor Caughlan clarified earned income taxes, open space regulations in relation to development and how it relates to income generation, the 2013 surplus to the budget, and how it was invested in capital improvements.

The meeting was adjourned at 9:34 P.M.

Respectfully submitted:



Eunice C. Kriebel
Assistant Secretary