

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 MINUTES  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 MONDAY, MARCH 1, 2010 - 8:00 A.M.

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

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

ARTHUR C. BUSTARD	X
SUSAN CAUGHLAN	X
STEPHEN C. QUIGLEY	X

**INFORMATIONAL ITEMS**

None

**1. Manager's Report:**

**a. Employee Handbook/Policy**

Daniel Fox, Interim Manager, presented a draft policy that included updates of new federal and state laws

Susan Caughlan noted that there was an extensive review of the handbook and anything that was not updated could be included in a supplement.

Arthur Bustard questioned vacation time for part time employees.

James Mollick, Country View Lane, inquired about new laws.

A motion by Ms Caughlan, seconded by Mr. Quigley and passed by all to accept the employee handbook as submitted.

**b. Noise Ordinance Discussion**

Daniel Fox explained the purpose of moving ahead with a noise ordinance.

Arthur Bustard expressed concerns about enforcement and creating more problems and noted the need to purchase a decibel meter.

Susan Caughlan noted that the ordinance came up in conjunction with the PECO substation and noted that East Norriton and several other surrounding Townships have similar ordinances and Worcester could review their handling of enforcement.

Oliver Smith, Fisher Road, encouraged the Board to move ahead and have PECO comply

609423

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all as corrected, (item #6 Mr. Burke's comment, adding the word "minutes" at the end) to approve the minutes of January 20, 2010. Copies were available for review.

#### **PUBLIC COMMENTS**

Robert Hayes, Fisher Road, inquired about the house on Morris Road for which a demolition permit has been filed.

Bruce Pancio, Ayeshire Drive, commented about enforcement and the OOR appeal.

Chase Kneeland, Berks Road, commented on the realignment at North Wales and Morris Roads and on dogs in Heebner Park.

James Phillips, North Wales Road, commented on the demolition permit and the realignment of North Wales Road.

Oliver Smith, Fisher Road, commented on the Board's microphones and a noise ordinance.

Denise Hale, Berwick Place, commented on the generator noise and the flag on the cell tower at Mt. Kirk Park.

Michael Simeone, Kriebel Mill Road, commented on the public comment policy.

Richard Allen, Whitehall Road, commented on the cell tower flag pole and the house on Morris Road

James Mollick commented on freedom of speech, the OOR appeal, severance agreements, and the Supervisor's oath of office.

Nicholas Imperial commented on the house on Morris Road.

#### **8. ADJOURNMENT**

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:42 P.M.

Respectfully submitted:

  
 Eunice C. Kriebel, Assistant Recording Secretary

**c. Zoning Hearing Board Report**

The last meeting was February 23, 2010.

The next meeting is scheduled for March 23, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **Continuance requested by applicant to be heard at the March 23, 2010 meeting.**

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on March 23, 2010.**

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B)(1) to permit the construction of a garage located outside the building envelope. **Granted February 23, 2010.**

NEW applications heard on February 23:

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks. **Continuance requested by ZHB to allow 30 day period for public comment to be heard at the March 23 meeting**

10-03, 2536 Quail Run Road, a variance to permit the construction of a 280 S.F. addition to a single-family home allowing the maximum building coverage of a lot to be greater than 15%. **Granted February 23, 2010.**

The deadline to submit applications for the March meeting is 3/1/2010.

**d. Pioneer House Repairs**

Worcester Township received a proposal from 18<sup>th</sup> Century Restoration Inc. for \$15,900 to begin Phase II of restoration of the Pioneer House.

Arthur Bustard noted that the Township did stabilization of the structure last year and the money to continue restoration this year is in the budget.

Susan Caughlan inquired about the boarded up windows.

Stephen Quigley inquired about the drainage and water issues at the foundation.

Susan Caughlan noted that there are no locks on the shutters and is concerned about vandalism and noted that the neighbors will be informed of the restoration and that the structure is a valuable historical resource.

Thomas Bookheimer, Public Works Director, responded.

Phillip Burke, Grange Avenue, commented on the proposal.

James Mollick commented on the restoration and vandalism.

A motion by Ms. Caughlan, seconded by Mr. Quigley and passed by all to accept the proposal from 18<sup>th</sup> Century Restoration Inc. and proceed with Phase II.

**e. Berwick Place WWTP Screening**

Daniel Fox noted that the proposed screening is the result of comments made at the last meeting regarding increased noise coming from the Berwick Place Wastewater Treatment Plant.

Joseph Nolan, Township Engineer, researched the complaint and made a recommendation to plant evergreen trees and a fence to provide a year round buffer. He spoke with the plant operators and will pursue a ventilation project at the plant to alleviate heat build up in the facility causing the operators to leave the doors open for ventilation. The plant is currently having a new generator installed and Mr. Nolan will contact the contractor to add the ventilation to the project.

It was noted that there are funds already in a township account which are designated for landscaping at this site and can be used to plant the trees and construct the fence.

David Brooks, Overhill Drive, commented on a possible source of the noise.

**f. 2009-10 Salt Contract**

The heavy snow falls this winter have resulted in use of 100% of the salt allocation from the Co-Stars Contract. The township received two proposals for supply of salt through out the remaining season. The current price from American Rock Salt Company is \$44.84 per ton and the proposals from American Rock Salt Company and Oceanport LLC. were for \$65.90 & \$73.00 per ton respectively.

A motion by Ms Caughlan, seconded by Mr. Quigley and passed by all to accept the proposal from American Rock Salt Company if the Manager and Public Works Director deem it necessary to order additional road salt this season.

**g. Public Works Report**

Daniel Fox introduced the Public Works Director, Thomas Bookheimer. Mr. Bookheimer reported that snow removal had been the top priority of the Public Works crew so far in 2010, resulting in many overtime hours and a few equipment malfunctions. Spring projects include pulverizing the horse ring at Heyser Field, preparing the mowers for the season, and getting the recreation fields to be ready by April. He will review seasonal help requirements with the manager.

Oliver Smith complimented the public work staff for the job well done on snow removal.

**h. Park & Recreation Report**

Julie Lanzillo, Park & Recreation Director, presented a report of the findings of the Park & Recreation Task Force indicating that the tasks assigned to them had been completed and the report was given to the Board.

The application for a Green Region grant from PECO was submitted and it will be utilized for Heyser Field, should we receive an award.

The deadline for the DCNR grant application is April 21<sup>st</sup>. A meeting is scheduled with a DCNR representative for late March to obtain feedback on the potential for a grant for the extension of the Zacharias Trail.

She requested input from the board regarding the use of the concession stands at Heebner Park.

Stephen Quigley indicated that he had no issues with tents at the other park location for concession stands, with Arthur Bustard agreeing.

Susan Caughlan asked whether insurance and health department certificates would be addressed.

Maeve Vogan, Dell Road, indicated that the Fire Department chief will be in contact with the Township regarding the use of tents & stands.

## **2. Engineer's Report**

### **a. MS-4 Report**

Joseph Nolan, Township Engineer presented the MS-4 stormwater compliance report for 2009 and indicated that this is the seventh year for the MS-4 program. He stated that the township's website has been updated to include a separate section dedicated solely to the MS4 program. Posters containing information on stormwater management and pollution have been distributed to the Worcester Elementary school to help educate the students on this issue. Lastly, 25% of the township's storm sewer outfalls have been sampled to determine if any pollutants are in the stormwater being discharged to the streams. There was no evidence of any pollution in any of the collected samples.

The annual report will be sent to DEP by June 10<sup>th</sup>, 2010.

Arthur Bustard inquired about the road maintenance contract and if the Engineer had evaluated the road repairs done last year. He noted the replacement of three culvert pipes and expressed concern that if the Township moves ahead with everything on the list, we will be over budget.

Susan Caughlan requested a cost estimate for repairs on Green Hill Road.

## **3. Solicitor's Report**

### **a. Executive Session report**

James Garrity, Solicitor, noted that the Board held two Executive Sessions, one on February 23 and one on February 24<sup>th</sup> to conduct manager interviews.

## **4. APPROVAL OF THE MINUTES OF FEBRUARY 1, 2010**

James Mollick, Country View lane, inquired about the preparation of the minutes.

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 February 1, 2010. (Copies are available for review.)

**5. Other Business****a. Rain Garden**

Joseph Nolan presented a report in conjunction with drainage issue at the rear of the administration building. A \$3,000 grant may be available for the installation of a rain garden at this location. It requires a maintenance agreement and installation at a location that is open to the public. He also proposed a brochure for public education.

Arthur Bustard noted that this will help solve the water pumping issues and parking lot run off.

Stephen Quigley inquired about implementation and if a college internship would be possible.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to have the Engineer design the rain garden and apply for the grant.

**b. Stephen Quigley** commented on reports from the Park & Recreation and Public Work directors to provide more information and transparency to the public.

609423

**PUBLIC COMMENTS**

Phillip Burke, Grange Avenue, recommended a correction to the minutes regarding a Pennsylvania Commonwealth Court Decision.

James Mollick, Country View Lane, handed a document to the Board and commented on the five minute policy, driveway issue, state police enforcement, RTK status, and open space representation.

David Plager, Fieldcrest Way, commented on ZHB application 09-17, Reimel, 3214 Fisher Road.

**ADJOURNMENT**

There being no further business to come before this Board, Arthur Bustard adjourned the regularly scheduled Board of Supervisor's Meeting at 9:46 A.M.

Respectively Submitted,



Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 FAIRVIEW VILLAGE, PA  
 WEDNESDAY MARCH 17, 2010 7:30 P.M.

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

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

ARTHUR C. BUSTARD       
 SUSAN G. CAUGHLAN     
 STEPHEN C. QUIGLEY   

**INFORMATIONAL ITEMS:**

1. Daniel Fox, Interim Manager, is absent and Eunice Kriebel is filling in for him.
2. The Board of Supervisors has interviewed a candidate for the position of Township Manager and there will be further discussion under Other Business.
3. Letters of interest to serve on the UCC Board of Appeals have been received by the Township and will also be discussed under Other Business.

**1. TREASURER'S REPORTS**

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

**February 2010 Report:**

General Fund	(\$162,235.56)
State	(\$18,577.66)
Capital Reserve	\$150,040.88

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to accept the Treasurer's Reports for February, 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 \$344,227.42.

**3. MANAGER'S REPORT**

**a. AQRC Ordinance Amendment Proposal**

An amendment to the AQRC district ordinance was proposed at the work session on February 1, 2010 to lower the minimum age to 45 from 55 years of age for up to 20% of the residents.

Stephen Quigley explained the reasoning behind lowering the age.

Susan Caughlan noted that the developer should contact the individual homeowners who have already purchased property in the community to inform them of the change.

James Garrity, Township Solicitor, noted that 80% of the residents will still be required to be 55 years or older and only 20% will be allowed to be 45 years of age or older.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to authorize advertisement and distribution of the proposed ordinance to the Montgomery County and Worcester Planning Commission for review.

Kim McClintock, North Wales Road, commented on the ordinance and its enforcement, impact on rentals, and requests for additional concessions. He requested notification of the hearing.

Kimber David, Bean Road, commented on the proposed changes.

James Mollick, Country View Lane, commented on conflict of interest.

William Kazimer, Germantown Pike, questioned text change and forthcoming public hearings on the change.

**b. Zoning Hearing Board Report:**

The next meeting is on March 23, 2010.

February 23, 2010 Decisions:

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B) (1) to permit the construction of a garage located outside the building envelope. **GRANTED February 23, 2010**

10-03, 2536 Quail Run Road, a variance to permit the construction of a 280 S.F. addition to a single-family home allowing the maximum building coverage of a lot to be greater than 15% **GRANTED February 23, 2010**

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **This application will be heard on March 23, 2010 at the request of the applicant.**

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on March 23, 2010.**

609423

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks. **CONTINUANCE REQUESTED BY ZHB TO ALLOW 30 DAY PERIOD FOR PUBLIC COMMENT TO BE HEARD AT THE MARCH 23, 2010 MEETING**

**No New Applications to be heard March 23**

Susan Caughlan stated that the Worcester Township Planning Commission reviewed Application 07-32 for Kriebel Mill road and recommended that it not be approved due to the width of the driveway.

James Phillips, North Wales Road, commented on the opposition.

Stephen Quigley stated that the Zoning Hearing Board is an independent board and the decision should be up to them, but noted that the Planning Commission reviewed the application and they should be backed by the township.

Maeve Vogan, Dell Road, commented on the expense of the solicitor

James Mollick questioned the listing of items on the agenda.

Gordon Todd, Bustard Road, Chairman of the Worcester Planning Commission, commented that the ZHB had final decision and that all property owners within 500 feet were notified of the application.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to authorize the Township Solicitor to oppose the application.

**c. Seasonal/Part-Time Help**

Thomas Bookheimer, Roadmaster, has requested permission to hire three seasonal employees to assist with mowing and park maintenance.

Stephen Quigley commented that this allows use of the Public Works staff for in house work.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to authorize hiring of three seasonal employees to supplement the Public Works Department.

**4. SOLICITOR'S REPORT**

**a. Executive Session Report**

James Garrity reported that an executive session was held March 9<sup>th</sup>, 2010 to interview a prospective township manager.

**5. ENGINEER'S REPORT**

**a. Annual equipment rental and materials bids recommendations**

Annual equipment rental and materials bids were advertised February 10<sup>th</sup> & February 17<sup>th</sup> and publically opened March 10<sup>th</sup>.

Joseph Nolan prepared a summary of bids and made his recommendations to the Board, noting that the stone and paving material is a per ton bid.

Stephen Quigley questioned the number of bids received.

Susan Caughlan noted the "No Bid" for three items.

William Kazimer questioned the amount of the bid.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to award the equipment rental bid to Harris Gramm Contractors of Collegeville, PA. (Cost details were available for review)

A motion by Stephen Quigley, seconded by Susan Caughlan, and approved by all to award the road materials bid to Highway Materials, Inc of Blue Bell, PA for stone and Glasgow, Inc. for paving materials. (Cost details were available for review)

James Garrity, Solicitor stated for the record that Highway Materials, Inc. is a client of his firm.

**b. 2010 Road Program**

A proposal from CKS Engineers was received on March 4, 2010 with recommendations on the proposed 2010 Road Program. The cost estimate of recommended improvements exceeds the budget so some projects may need to be eliminated or postponed.

Art Bustard requested more time to review the proposal and noted that Berks Road is on the list of improvements. He noted that the Pennsylvania Turnpike Commission will be utilizing Berks Road for their detour during the Morris Road bridge reconstruction project and does not want the road work that was done last year to be damaged by heavy construction vehicles using the road.

Joseph Nolan will inspect the road to determine if the previous drainage work will be damaged by deferring final paving. He noted that he would like to award the bid by May, 2010.

Maeve Vogan, Dell Road, inquired about Kriebel Mill Road repairs.

Joseph Pulkowski, Shefley Road, commented about Berks Road damage caused by the Pennsylvania Turnpike detour.

William Kazimer commented about repairs on Griffith Road gutters.

**c. Public Works office paving**

Joseph Nolan, Township Engineer, estimated that cost to grade, stone and pave the parking area around the new maintenance office will be approximately \$25,000. The Board of Supervisors agreed to move ahead with the project by utilizing the

township equipment contractor and the new bid prices for stone and paving materials noting that the bid prices for the up coming year are lower than last year.

## **OTHER BUSINESS**

1. Arthur Bustard received two additional letters of interest for serving on the UCC Appeals Board which will complete the membership. They were received from Charles DiLiberto and George Marks.

James Phillips, North Wales Road, commented that he is also in the construction business and requested to be added to the list for the future.

James Mollick commented on the advertising procedures

Stephen Quigley commented on the procedure and how often the Board is utilized noting that board members must be in the building trade or related professions.

William Moran commented on compensation and qualifications of the members of the UCC Board.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to approve the appointment of Charles DiLiberto and George Marks to the UCC Board of Appeals.

2. Arthur Bustard announced the progress of the search for a permanent manager. Thirty applications were received, six applicants were interviewed, and three of those were selected for second interviews. One candidate, David Burman, stood out with 20 years experience, 10 of which were in the public sector.

James Mollick commented on the experience and selection.

A motion by Arthur Bustard, seconded by Susan Caughlan, and approved by all to extend a contract to David Burman for the permanent position of Township Manager.

## **7. APPROVAL OF THE MINUTES OF FEBRUARY 17, 2010**

Gordon Todd noted that item six regarding the Gulf Station should read as Exxon Station.

James Mollick comment on lack of detail in the minutes.

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

## **8. PUBLIC COMMENTS**

James Phillips, North Wales Road, commented on runoff from adjoining property, township manager candidates, and campaign contributions.

Richard DeLello, Stoney Creek Road, commented on a sidewalk snow removal ordinance.

James Mollick commented on labels, campaign contributions, RTK appeals, two minute rule, and selling of open space rights.

Ronald Evans, Kriebel Mill Road, commented on the Board of Supervisors patience.

William Kazimer requested the ability to use the microphone from his seat.

Stephen Quigley commented on the need to have a representative from the Fire Department attend township public meetings to address concerns and questions. He further commented on the School District emergency situation during the recent heavy rains and the need for a school board liaison present.

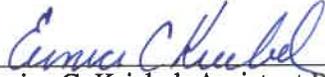
James Phillips commented that the school board budget will be on the internet and expressed need for an emergency management plan.

Ronald Evans commented on the great job by the Public Works crew on the recent snow removal.

#### **ADJOURNMENT**

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 9:18P.M.

Respectfully Submitted,

  
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Eunice C. Kriebel, Assistant Recording Secretary

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