

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, March 5, 2012 AT 9:00 A.M.**

WORK SESSION CANCELLED

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, MARCH 21, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

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

INFORMATIONAL ITEMS:

Chairman Bustard announced an additional resolution for consideration to support PSATS position on the prevailing wage bill will be considered under Other Business.

TREASURER'S REPORTS

The Treasurer's reports for February, 2012 net change on cash basis:

February, 2012 Report:

General Fund	\$235,850.48
State	(\$46,521.12)
Capital Reserve	\$487.74

James Mollick, Worcester, inquired about posting Treasurer's Reports online and about the expense item for code enforcement.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$411,379.12. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Township Manager, F. Lee Mangan

The meeting on February 28, 2012 was cancelled.
 The March 27, 2012 meeting was cancelled.
 Next meeting is scheduled for April 24, 2012.

609684

Land Development and Subdivision Update provided by Tiffany Loomis.

Tiffany Loomis informed the Board that the Planning Commission reviewed 3110 Heebner Road, a two lot subdivision and recommended preliminary / final approval.

A letter was received at the Township office from the equitable owner of the Mandracchia subdivision requesting an extension of time until September 28, 2012.

Supervisor Caughlan moved to grant the extension of time. Supervisor Quigley seconded the motion and inquired how many extensions can be requested. Chairman Bustard called the question and the motion passed unanimously

MJE Builders, 3110 Heebner Road, Preliminary / Final approval consideration for two lot subdivision

Ms. Loomis informed the Board that the applicant has withdrawn the Conditional Use Application that was pending for the same property.

Award Bid of 1991 Eger Beaver Chipper.

The item was purchased on December 4, 1991 for \$10,900. It was legally advertised on Municibid web site and sold for \$5,404.

Supervisor Caughlan moved to authorize the sale of the Eger Beaver chipper to the highest bidder. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Chadwick Place Grant Administration

Mr. Mangan explained that Land Concept Group applied for a DEP Grant for the Chadwick Place Development to make revisions to the retention basin. The intent is to improve water quality and habitat life. Pennsylvania Audubon sponsored and received the grant; however, the disbursement of funds must be administered by the Township.

Supervisor Caughlan inquired if prevailing wages would be necessary since the grant is for \$47,500.

Mr. Mangan noted that the agreement is subject to review by the Township Engineer and Solicitor. He further noted that the Homeowners Association of Chadwick Place will contribute funds of \$10,000.

Mark Landis, Worcester, inquired about costs to the Township and if there is a cap on the project.

James Garrity commented that there should be an agreement to reimburse the Township for out of pocket costs.

James Phillips, Worcester, inquired about mosquito control. Joseph Nolan, Township Engineer, explained that if properly designed, natural basins will not have mosquito issue due to the natural habitat.

Supervisor Caughlan moved to accept the Township as grantee for administration of funds subject to review. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously

Discussion and Resolution of TDR Application fees

Mr. Mangan announced that Joseph Nolan and James Garrity estimated the amount of time each would require to review the TDR application. Based on that input, the following schedule was suggested:

Five or less lots	\$1,000
Five to Ten lots	\$1,500
Ten or more lots	\$2,000

These fees are subject to review after one year to evaluate actual costs.

Supervisor Quigley inquired about the amount of research surrounding the fee calculations and commented that this should have been done prior to passing the ordinance.

Chairman Bustard stated that they have arrived at the best estimate.

James Mollick inquired if other municipalities' fees were researched, how the fees were determined, and why this was not completed earlier. He further commented on the Worcester TDR ordinance being unique.

Gordon Todd, Chairman of the Worcester Planning Commission, noted that fee schedules are not typically done as part of an ordinance but that fee determination is part of Township administration.

Supervisor Caughlan moved to accept the proposed fee schedule. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously

Cedars Village Overlay Ordinance amendment

Mr. Mangan introduced the ordinance noting that the draft has been circulated to the Board, Engineer and Solicitor. It has been on the Township website for review and he requested action to advertise the ordinance. Mr. Garrity confirmed that it was not a public hearing, only authorization to advertise.

Supervisor Quigley commented that he did not receive the draft ordinance until the afternoon of the prior day and did not have time to review it thoroughly but noted several zoning issues that should be addressed along with some vague definitions. He further expressed concern about the rush to advertise it in its current state.

Supervisor Caughlan commented that zoning issues will be addressed at land development review.

James Phillips recommended more public discussion prior to advertising and suggested tabling the issue.

James Mollick commented on reactions from the Board towards the residents and lack of consideration to residents, suggested the application of the receiving TDR area should have been in the original TDR ordinance, inquired about the purpose of the ordinance and who wrote it expressing that it was not pro business.

Gordon Todd commented on residents' perception being wrong that the ordinance was in the public view and the purpose tonight is to advertise the ordinance so the public can comment at the hearing.

Mark Landis expressed concern that once the ordinance is advertised, it involves costs and there are many conflicts regarding the business operations.

William Kazimer, Worcester, commented on the prohibited adult uses and requested clarification.

David Plager, Worcester, commented on the need to advertise and then be willing to discuss changes.

Charles Caikoski, representative for David Markel, noted that Mr. Markel owns 70% of the land in the Cedars Village area and he is opposed to the ordinance noting that it presents no viable opportunities but instead unreasonable requirements. He further stated that Mr. Markel owns 10 parcels in the area.

Dorothy McGrane commented on this being the first step in process and supports the advertising.

Supervisor Quigley inquired that if the owner of 70% of the land in the targeted area is not happy, why move ahead. He inquired if other residents of Cedars Village expressed interest in commercial and business enterprises and asked about installation of sidewalks.

Ciro Tornambe, Worcester, stated he was a resident of Cedars and this has been a three year process with eighteen additional land owners with interests in Cedars. He supports the buffers, hours of operation and encourages the advertisement.

James Phillips commented on the Board interrupting residents, the proposed ordinance representing spot zoning, and inquired about other areas being considered, and lack of discussion.

Rick DeLello, Worcester, commented on the Board's track record of passing ordinances once they are advertised with no time to consider discussion or changes.

James Mollick commented on the author of the ordinance not being able to provide clear definitions, the ordinance having contradictions and suggested the Board take Supervisors Quigley's comment into consideration.

Supervisor Caughlan moved to authorize advertisement of the Cedars Village Overlay Ordinance. Chairman Bustard seconded the motion. Chairman Bustard called the question and the motion passed two to one with Supervisor Quigley opposing.

ENGINEER'S REPORT

Joseph Nolan noted that his monthly report was sent to the Township, and he would be happy to answer any questions from the Board.

Annual MS 4 Update

Mr. Nolan stated the Stormwater Management Program was originally for a five year permit, but it has been extended for an additional four years. A new report is due to DEP by June 15, 2012. The report must include public comments. It consists of implementation and planning of six components:

1. Public Education and Outreach including website and links
2. Public Participation and Volunteers including Earth Day and Perkiomen Watershed volunteers
3. List of Discharge Inspections inspected by CKS Engineers
4. Construction site run off control – Montgomery County Conservation set standards
5. Post Construction run off control- basin inspections in Township
6. Pollution prevention and housekeeping measures including best management practices

DEP is urging the re-issue of permits with requirements to have the Township map, their stormwater system including outfalls, inlets, and piping.

Supervisors Quigley inquired if CKS is working with Worcester Elementary School Environmental Club.

Supervisor Caughlan inquired if a summer intern would be helpful.

Stormwater and Infiltration Amendment

Mr. Nolan introduced the amendment for Best Management Practices which provides guidelines for residents to use. The proposed ordinance has been reviewed by the Worcester Planning Commission and they will propose the ordinance and forward it to the Solicitor for review.

SOLICITOR'S REPORT

Executive Session Report - None

OTHER BUSINESS

Chairman Bustard introduced a resolution drafted by PSATS supporting prevailing wage updates on a state wide level. The bill will increase the ceiling for prevailing wages to \$185,000 and change worker classification.

Supervisor Quigley inquired about the County's position on the resolution.

James Garrity commented that this change would be State-Wide.

Supervisor Caughlan moved to support the PSATS resolution to update the prevailing wage act.

Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

APPROVAL OF THE MINUTES OF FEBRUARY 15, 2012

Supervisor Caughlan moved to approve as written, the minutes of February 15, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve as written, the minutes of February 15, 2012.

PUBLIC COMMENTS

James Phillips commented on the time spend on the Cedars Village advertisement; questioned spot zoning, notification to residents in the area and a Township employee accident.

Maeve Vogan, Worcester, inquired about the status of the Army Reserve Base and the sign ordinance.

Supervisor Quigley commented on article in a publication regarding directional signs and Worcester Township being an unfriendly place to sell real estate.

James Mollick refreshed memory on e-mails between resident and supervisors, quoted the General Council Article of January 1, 2009, and thanked the Board for access to public records.

Bruce Panco, Worcester, commented on the rush of advertising the Cedars Village ordinance, the two to one vote, and input from the business residents on the ordinance.

Mark Landis inquired about the status of the Turnpike sound barriers and use of the Boards' influence to help Township residents.

Dave Plager commented that the purpose of advertising is to receive input from residents and businesses.

Supervisor Quigley remarked that the road in the Cedars Village is a state road with no room to widen for sidewalks and inquired about the cost of improvements.

William Kazimer commented on the elimination of alcohol and illegal wording in the Cedars Village ordinance.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:50 P.M.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'F. Lee Mangan', is written over a horizontal line.

F. Lee Mangan, Secretary