WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, March 3, 2014 AT 9:00 A.M.

WORK SESSION CANCELLED

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP COMMUNITY HALL
WORCESTER, PA
WEDNESDAY, MARCH 19, 2014 - 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:34pm

PLEDGE OF ALLEGIANCE

ATTENDANCE
PRESENT:

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

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INFORMATIONAL ITEMS:
Chairman Bustard announced several informational items:

- The February Joint Meeting, cancelled two times for weather, has been rescheduled for April 7, 2014 at 8:00am
- The next Methacton High School conditional use hearing is April 8, 2014 from 7-10pm
- The March 25, 2014 Zoning Hearing Board and March 27, 2014 Planning Commission meetings have been cancelled

Request for Waiver of Formal Subdivision and Land Development Review – 1525 North Wales Road
James Garrity, Township Solicitor, provided a background of the request. It is an amended plan, not a waiver; therefore a public hearing is not required. This waiver request refers to an existing stone house on the property originally intended as a bed and breakfast for residents of Stony Creek Farms. The developer would like to now incorporate that dwelling into the development.

Carl Weiner, attorney for the applicant, was present. He indicated there would be no other significant impervious coverage on this property.

Mr. Garrity addressed the issues related to zoning, as this property is unique from other single-family homes in the Township. There would be no future allowance of an in-law suite, major agricultural uses, horses or livestock. A private pool and related structures, private garage or shed, would be permitted in the future.

Joseph Nolan, Township Engineer, commented on the plans that indicate an existing driveway to be removed and a connection to a cul-de-sac. His concern is storm water and he expressed concern over building a circular driveway. Additionally, Mr. Nolan asked about connections to public water and sewer.

Chairman Bustard asked about the age of the septic system. Mr. Quigley commented that the Board should not "pick on" individual property owners to say that they must put in a new well or septic system. Mr. Bustard said that the original plan called for the dwelling to be connected to public sewer and water and he feels that should remain. Mr. Nolan said that this property is in the 537 Plan, indicating it will be on public sewer.

Supervisor Caughlan commented that she is not aware of how the Stony Creek Farms residents feel about this.

Chris David, Worcester, said that when the applicant appeared before the Planning Commission, there was discussion of a deed restriction for this property, to prevent it from being knocked down.

A motion by Supervisor Caughlan to approve the amended Subdivision and Land Development plan, subject to the conditions discussed tonight was seconded by Supervisor Quigley and approved by all.

Motions & Resolutions

APPROVAL OF THE MINUTES OF FEBRUARY 19, 2014

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

James Mollick, Worcester, commented on the approval of the January minutes, the public hearing concerning the historic ordinance, the treasurer's report and public comments.

Resolution 2014-20: Disposition of Township Public Records

Chairman Bustard explained the need for the resolution.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to approve Resolution 2014-20, Disposition of Township Public Records.

Resolution 2014-21: Appointment of Chief Administration Officer of the Non-Uniformed Pension Plan

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to approve Resolution 2014-21: Appointment of Eunice C. Kriebel as Chief Administration Officer of the Non-Uniformed Pension Plan.

Resolution 2014-22: Preliminary/Final Land Development: Evangelical Lutheran Church

Joseph Nolan provided a background of the new construction proposed.

Supervisor Quigley asked about the proposed trail and expressed his concern for ADA compliance. He requested a clear specification on the trail dimensions.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to approve Resolution 2014-22: Preliminary/Final Land Development: Evangelical Lutheran Church, with paragraph 1a to waive the requirement for sidewalks in exchange for property owner's agreement to establish a trail easement, as described by the Township Engineer, and to place a note on the plan that the property owner will construct a trail, not to exceed 12 feet in width.

First Amendment to Lease Agreement – 1721 Valley Forge Road Cell Tower

James Garrity provided a report on the cash incentive to extend the current lease on this tower.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to move that the Board enter into the First Amendment to Lease Agreement with American Tower Asset Sub, LLC, to extend the Lease Agreement for the cell tower at 1721 Valley Forge Road (185') until November 1, 2036, and authorize the Chairman Arthur Bustard to execute the First Amendment to Lease Agreement, the Memorandum of Lease and any other documents necessary to effectuate same.

Steve Rock, Worcester, asked if the rent payments will continue to incrementally increase in the future.

Acceptance of Extension of Time – Frog Hollow Racquet Club Land Development Plan
James Garrity and Joseph Nolan explained this is an administrative measure.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to accept the extension of time – Frog Hollow Racquet Club Land Development Plan.

TREASURER'S REPORT
The Treasurer's report for February, net change on cash basis:

February 2014 Report:

General Fund	$220,755.24
State	($ 35,127.53)
Capital Reserve	$ 99.48
Sewer Fund	$ 6,363.77

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Supervisor Caughlan said the negative state figure is because the Township has not yet received liquid fuels funds this year. They will be arriving later to offset the expenses.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for February, 2014.

James Mollick has no concern about the funds, because he thinks there was a $700,000 budget surplus in 2013. He asked about the hydrant/public safety category.

Chairman Bustard asked Mr. Mangan what the $16,487 represented. Mr. Mangan responded.

James Mollick questioned the $9,736 legal services fee. Mr. Garrity said that it is typically allocated to specific items. Dr. Mollick asked where the legal expenses are being dispersed throughout the treasurer's report.

PAYMENT OF THE BILLS OF THE TOWNSHIP
A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to pay the bills of the Township in the amount of $545,414.90.

James Mollick said that all the public sees is a check register. He questioned the amount payable to Wisler Pearlstine and would like to know the breakdown, specifically the Methacton High School Conditional Use costs.

MANAGER'S REPORT
Zoning Hearing Board Update
Tiffany Loomis, Zoning Officer, provided the report.

For Applications 13-11 and 13-15, 3427 Germantown Pike, there was a settlement agreement. The fence will need to be removed and a cessation of automobile repair operations. Weather has hampered the removal of the fence.

Subdivision Update
Tiffany Loomis, Zoning Officer, provided the report.

A new land development plan submission was received from Frog Hollow Racquet Club, Weber Road.

The property at 3117 Stump Hall Road, Southfield Farms, will be recording plans this week as well as the property at 3110 Heebner Road, Evans.

Report on Public Works Department
Lee Mangan provided a report as a follow-up to a request of the Board during the February business meeting. He indicated there have been 17 days since December 8 with accumulations of 1-8 inches of snow. 18 more days were in response to icy conditions. This may have been the 3rd worst winter in Township history in terms of snow accumulation.

As a result, there has been a total of 540 overtime hours at a cost of $16,345, plus an additional $13,793 in subcontractor costs.

Outside of normal maintenance, $13,000 has been spent on extraordinary circumstances of vehicle maintenance and repair, including items such as blown power steering and tires, burst hydraulic lines, malfunctioning running lights, transmission failures and more.

The Township has purchased and used 960 tons of salt at a cost of $49,600. There are 51 miles of road that the Township department oversees.

A grand total of about $92,900 has been spent responding to snow and ice since December, 2013.

The Township will be taking remedial steps to deal with road construction. Mr. Mangan stated that Worcester needs to deal with road problems right now, such as roadway failures, potholes, downed limbs, and more.

Mr. Mangan reported he is extremely pleased and proud of the response from the public works department this winter. Mr. Mangan is pleased to report that part time people came in with CDL certification, when needed, to supplement Township staff. This is now an excellent time to look at the shortcomings in the department, such as vehicles and equipment. He believes a larger building is needed for salt storage with expenses estimated at a minimum of $100,000. A commitment to infrastructure requires the equipment and facilities.

There are 15 traffic signals that are the responsibility of the Township. We currently have five generators. Robert D'Hulster, Director of Public Works, is looking at ones that have more fuel capacity and don't require constant labor oversight.

Mr. Mangan further reported that the Act 209 Committee will be entering into the 2nd phase with the first reorganization meeting be held April 3, 2014 at 4:00 p.m. at the Township administration building.

Supervisor Quigley inquired about the video accessibility of Township meetings that was discussed at last month's meeting. Mr. Mangan said he has had discussions with the Chairman on that topic.

ENGINEER'S REPORT
Monthly Activity
Joseph Nolan gave updates on:

1. Construction on Valley Green Wastewater Treatment Plant upgrade and expansion. Electrical demolition is taking place, and weather has slowed that down.

2. Hollow Road Bridge has opened.

3. Act 537 Plan has been submitted to DEP for their review. 6 or 7 comments were received and answers were provided.

Supervisor Quigley asked about using PK Moyer, who has our bid for emergency road repairs. Mr. Mangan responded the Mr. D'Hulster has already contacted them.

Supervisor Caughlan asked about DEP's comments on the 537 Plan. Mr. Nolan responded.

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SOLICITOR'S REPORT
James Garrity had no report.

OTHER BUSINESS
None

PUBLIC COMMENTS
Robert Raquet, Worcester, commented on the need for a light on the cell tower to assist with nighttime emergency services.

Mark Landis, Worcester, said the tower light should be FAA approved. He further asked if laptop computers were provided to staff and asked about the personnel policy and computer use. Chairman Bustard said that all Township email accounts go through the Township server. Mr. Landis asked if the Township is going to issue any sort of statement regarding accusations against a former Supervisor. Chairman Bustard said he would take it under advisement.

Supervisor Quigley said that the person in question refused to use a Township email address and he questions the amount of money spent to defend the personal email lawsuit. He further stated that all the good that the former Supervisor accomplished has gone away.

Charlie Watson, Worcester, asked about where sewer pipes will be installed in the proposed sewer expansion.

David Pataki, Worcester, had general questions about the conditional use process and if there is a timetable. He asked if anyone on the Board has reached out to the school district, to request cooperation. He referenced the time the lights will be utilized. Mr. Garrity said that because the process is ongoing, he does not recommend that the Board make any comments.

James Mollick passed out materials to the Board explaining it was a packet of information regarding the Right to Know process being wasteful. In the case of protecting personal emails, he believes over $200,000 has been spent. He referred to his requests for information on personal email addresses concerning the implementation of the two-minute rule. He asked about petitions filed by Mr. Garrity in 2009, when only one petition was authorized.

Chairman Bustard disagreed with the assumption that money was wasted.

Dr. Mollick wanted to know if the Township would turn over the emails, because this case has been in limbo.

Steve Rock, Worcester, complimented the public works department on their efforts this winter. He said it would be nice to see actual year to date totals compared to budget. He remarked that he thinks some information is missing in the treasurer's report. He thinks putting meeting video online should be considered.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:21 pm.

Respectfully submitted:

F. Lee Mangan, Secretary