

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, APRIL 20, 2016 – 7:30 PM**

CALL TO ORDER by Chair Caughlan at 7:32 PM

PLEDGE OF ALLEGIANCE

ATTENDANCE

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

INFORMATIONAL ITEMS

- Chair Caughlan noted that she, Supervisor Quigley, Supervisor Bustard and Township Manager Tommy Ryan and Assistant Township Manager Amanda Zimmerman recently attended the Pennsylvania State Association of Township Supervisors annual educational conference.
- Chair Caughlan noted Mr. Ryan will participate in the National Association of Towns and Township’s annual visit to Capitol Hill, at which issues of importance to municipal government are discussed with Members of the House and Senate.
- Bob Brant thanked the Board for its consideration of his appointment as Township Solicitor.
- Mr. Brant announced the Board met in Executive Session immediately prior to this evening’s meeting to discuss (1) a matter of real estate, in specific the possible acquisition of the North Penn Army Reserve Base; (2) a matter of litigation, in specific The Cutler Group v. Worcester Township, Montgomery County Court of Common Pleas docket #15-13769, (3) a personnel matter, in specific the provision of a possible benefit to Township employees, and (4) a matter of litigation, in specific Mollick v. the Worcester Township Board of Supervisors and individual Board members, Montgomery County Court of Common Pleas, docket number 15-13760.

PUBLIC COMMENT

- Jim Mollick, Worcester, commented on the previous Township Solicitor and Township staff, and the cost of legal services billed by the Township Solicitor. Dr. Mollick also commented on previous open space purchases, the naming of parks, and the relationship between a Supervisor and an owner of property that was acquired for open space.
- Steve Rock, Worcester, commented on the permitted public comment period at public meetings and permitted signage for realtors.

Chair Caughlan commented on the manner by which a property was acquired for open space.

OFFICIAL ACTION ITEMS

- a) Consent Agenda – Chair Caughlan asked if any Member wished to remove an item from the consent agenda. There were no requests to remove an item from the consent agenda.

Supervisor Quigley made a motion to approve a consent agenda that includes (a) the Treasurer’s Report and other Monthly Reports for March 2016, (b) bill payment for February 2016 in the amount of \$331,111.19, (c) the March 16, 2016 Work Session minutes, (d) March 16, 2016 Business Meeting minutes, and, (e) the March 30, 2016 Special Meeting minutes. The motion was seconded by Supervisor Bustard.

Dr. Mollick commented on the budgeting of legal expenses, and legal fees billed by the pervious and present Township Solicitors.

By unanimous vote the Board adopted the motion to approve.

- b) Ordinance 2016-257 – Mr. Ryan provided an overview of a proposed ordinance to establish the Hickory Hill Sewer District and establish connection requirements to the public sewer system. Mr. Ryan read the following proposed amendment to the ordinance that would recognize certain “opt-out” properties:

Subsequent to the Township installation of the aforementioned sanitary sewer collection system, the owners of certain properties that benefit from this system did, on or before April 29, 2016, pay to the Township an amount equal to the infrastructure charge noted in §122-66.A. While these properties (“Opt-out Properties”) are not within the Hickory Hill Sewer District, the Opt-out Properties do benefit from the system, and as such the Opt-out Properties shall comply with all requirements of this Article, including but not limited to that required to continue the use of an existing on-lot septic system and the requirement to connect to the public sewer system, with exception that the Opt-out Properties shall not be billed an infrastructure charge. A list of Opt-out Properties shall be identified in a resolution to be adopted by the Board of Supervisors contemporaneously with the adoption of this Ordinance.

Supervisor Bustard made a motion to authorize the advertisement of Ordinance 2016-257, as presented, and with the amendment read by Mr. Ryan, to create the Hickory Hill Sewer District and establish connection requirements to the public sewer system. The motion was seconded by Supervisor Quigley.

Joe Mulhulsky, Worcester, commented on the process whereby other neighborhoods would be connected to the public sewer system in the future. Mr. Rock commented on a property in the Hickory Hill Sewer Project area to be sold.

By unanimous vote the Board adopted the motion to approve.

- c) Ordinance 2016-268 – Tim O’Neill, Bond Counsel, provided an overview of a proposed ordinance to authorize the issuance of bonds to refund the note for improvements made to the Valley Green Wastewater Treatment Plant and to fund and the Hickory Hill Sewer Project.

Mr. O'Neill commented on self-liquidating debt, current interest rates, and compliance with Federal tax laws and Securities laws.

Supervisor Bustard made a motion to authorize the advertisement of Ordinance 2016-258, as presented, to authorize the issuance of bonds to refund the note for improvements made to the Valley Green Wastewater Treatment Plant and to fund and the Hickory Hill Sewer Project. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- d) Resolution 2016-15 – Joe Nolan, Township Engineer, provided an overview of a plan of subdivision for a two-lot subdivision at 2119 Berks Road. Mr. Nolan stated the plan was ready for Board consideration.

Supervisor Bustard made a motion to approve Resolution 2016-15, to grant Preliminary/Final plan approval of a two-lot subdivision at 2119 Berks Road, as presented. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- e) Resolution 2016-16 – Mr. Nolan provided an overview of a plan of subdivision for a two-lot subdivision at 2568 Skippack Pike, a Township property. Chair Caughlan noted the size of the lot to be sold.

Supervisor Bustard made a motion to approve Resolution 2016-16, to grant Preliminary/Final plan approval of a two-lot subdivision at 2568 Skippack Pike, as presented. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- f) Resolution 2016-17 – Mr. Ryan provided an overview of a resolution to restate the Township's 401(a) retirement plan. Mr. Ryan noted the resolution did not affect the plan benefit, but rather was needed to comply with changes made to Federal Law.

Supervisor Bustard made a motion to approve Resolution 2016-17, to restate the Township's 401(a) retirement plan so to comply with changes made to Federal Law. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- g) Resolution 2016-18 – Mr. Ryan provided an overview of a resolution to appoint voting and alternate delegates to the Montgomery County Tax Collection Committee.

Supervisor Bustard made a motion to approve Resolution 2016-18, to appoint voting and alternate delegates to the Montgomery County Tax Collection Committee. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- h) Resolution 2016-19 – Ms. Zimmerman provided an overview of a proposed grant application to the Montgomery County 2040 Implementation Grant Program, which seeks funding for the installation of a pervious parking area at Heebner Park. Mr. Nolan commented on the pervious parking area features. Mr. Ryan notes the application seeks funding for 80% of the project cost.

Supervisor Bustard made a motion to approve Resolution 2016-19, to authorize the submission of a grant application to the Montgomery County 2040 Implementation Grant Program for the installation of a pervious parking area at Heebner Park. The motion was seconded by Supervisor Quigley.

Mr. Rock commented on the maintenance costs. Chair Caughlan and Supervisor Bustard commented on unfunded Federal and State stormwater mandates, and noted the proposed improvements would assist the Township in meeting these unfunded mandates. Bob Andorn commented on the required construction bid and the parking lot construction schedule.

By unanimous vote the Board adopted the motion to approve.

- i) Resolution 2016-20 – Mr. Ryan provided an overview of a resolution to support efforts to amend the Sterling Act, so to require the City of Philadelphia to remit a portion of wage taxes paid by Philadelphia non-residents to their municipality of residence.

Supervisor Bustard made a motion to approve Resolution 2016-20, to support efforts to amend the Sterling Act, so to require the City of Philadelphia to remit a portion of wage taxes paid by Philadelphia non-residents to their municipality of residence. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- j) bid award – Mr. Ryan provided an overview of the 2016 Road Program, and results of bids recently opened. Supervisor Bustard noted the lowest responsible bid was slightly higher than the \$775,000 budgeted. Mr. Ryan noted the difference could be funded with Liquid Fuel funds.

Supervisor Bustard made a motion to award a contract for the 2016 Road Program to Janes D. Morrissey, Inc., the base bid and all alternate bids, in the amount of \$793,315.50. The motion was seconded by Supervisor Quigley.

Mr. Rock commented on the cost for road restoration attributable to the Hickory Hill Sewer Project, and the cost for resurfacing the same roads as part of the 2016 Road program. Harry Alderfer, Worcester, commented on resurfacing specifications. Dr. Mollick commented on meeting packet availability, 2016 Road Program specifications, and Hickory Hill Sewer Project road restoration expenses. Ann Rock, Worcester, commented on Hickory Hill Sewer Project road restoration expenses.

By unanimous vote the Board adopted the motion to approve.

- k) bid award – Ms. Zimmerman provided an overview of the proposed construction of a soccer field and associated improvements at Heebner Park, and results of bids recently opened.

Supervisor Bustard made a motion to award a contract for the construction of a soccer field and associated improvements at Heebner Park, the base bid only, to GrassBusters Landscaping Co., Inc., in the amount of \$149,329.40. The motion was seconded by Supervisor Quigley.

Bob Andorn, Worcester, commented on the alternate bid for the parking lot and the grant application submitted for this improvement. Dr. Mollick commented on the contractor, location of the soccer field, demand for the facility, and possible recreational facilities at other properties. Dorothy McGrane, Worcester, commented on the preservation and the use of her property. Chair Caughlan commented on properties that are eased, and not owned by the Township.

By unanimous vote the Board adopted the motion to approve.

- l) bid award – Mr. Ryan provided an overview of the bid results for the annual road materials and equipment rental contract.

Supervisor Bustard made a motion to award contracts for equipment rental to Harris Gramm Contractors Inc., at the rates set forth in the bid tabulation sheet dated April 19, 2016; for paving materials to Glasgow, Inc., in the amounts rates set forth in the bid tabulation sheet dated April 19, 2016; and, for stone materials to Highway Materials, Inc., in the amounts rates set forth in the bid tabulation sheet dated April 19, 2016. The motion was seconded by Supervisor Quigley.

Mr. Rock commented on Township resident use of materials.

By unanimous vote the Board adopted the motion to approve.

- m) agreement – Mr. Ryan provided an overview of a proposed agreement with Lower Providence Township and the Lower Providence Township Sewer Authority to provide sanitary sewer service to four properties at Germantown Pike.

Supervisor Bustard made a motion to approve an agreement with Lower Providence Township and the Lower Providence Township Sewer Authority to provide sanitary sewer service to four properties at Germantown Pike, as presented. The motion was seconded by Supervisor Quigley.

Fred Oskanian, Worcester, thanked the Board of Supervisors for their efforts on this matter. Dr. Mollick commented on the property connections, and the Township's work with the Pennsylvania Department of Environmental Protection.

By unanimous vote the Board adopted the motion to approve.

- n) supplemental findings of fact – Mr. Brant provided an overview of the Montgomery County Court of Common Pleas' remand order to the Board of Supervisors for the issuance of supplemental findings of fact in the matter of The Cutler Group v. Worcester Township.

Supervisor Bustard made a motion to approve the issuance of the supplemental findings of fact in the matter of The Cutler Group v. Worcester Township, as presented. The motion was seconded by Supervisor Quigley.

By unanimous vote the Board adopted the motion to approve.

Dr. Mollick announced a Sunshine Law objection as to a vote being taken on this item without public comment. Dr. Mollick commented on the Township's public comment policy.

OTHER BUSINESS

No other business was discussed at this evening's meeting.

ADJOURNMENT

There being no further business brought before the Board, Chair Caughlan adjourned the regularly scheduled meeting at 9:18 PM.

Respectfully Submitted:

Tommy Ryan
Township Manager