

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, APRIL 5, 2010 ~ 8:00 A.M.

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

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

Susan Caughlan met with Retired Colonel David Jones, the new Project Manager for the Army Reserve Base regarding the Phase II environmental study. The study is underway and the township will be informed of the results in the next several months.

1. Manager's Report:

a. Clearwire USA variance application

Joseph Bagley, solicitor, commented that since it involves possible litigation, it should be addressed in an executive session. An executive session was scheduled immediately after the work session.

b. Authorization to have Engineer assess 2017 Bethel Road

Joseph Nolan, Township Engineer, noted that the property owner requested a site investigation by the Township because of recent improvements made on the property.

Karen Arena, 2017 Bethel Road, stated that she has eight to nine inches of standing water in the yard and has lost several trees due to the slope of the neighbor's property. The neighbor has increased the driveway which caused more impervious coverage. She inquired as to where the homeowner's verses the Township's responsibility lies.

The Board of Supervisors authorized the Township Engineer to assess 2017 Bethel Road.

c. 2121 Weber Road Planning Module

The planning module for 2121 Weber Road has been finalized and approved by DEP.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to accept the On-Lot Sewage Operation and Management Agreement for 2121 Weber Road.

d. Mill Road Traffic Control

Upon receipt of several complaints of excess speeding, the Township is reviewing measures to control traffic after speed signs failed.

Angela Eubank, Mill Road, commented on speeding cars that killed a pet dog crossing the road and expressed her concern about children waiting for the bus along the road, and the "T" intersection at Grange Avenue.

Robert Lojewski, Mill Road, commented on poor signage on the road and asked whether a stop sign could be placed at Anvil Drive due to poor sight distance.

Joseph Nolan explained the criteria for the Penn DOT studies that can be done, including speed and stop sign studies.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize CKS Engineers to do a speed study.

e. Traffic Light Modification: Valley Forge & Water Street

The removal of the overhead street lamp was put on hold until the Board has time to review the letters just received from Penn DOT and McMahon Associates.

f. Morris Road Traffic Detour

McMahon Associates, Traffic Engineers, have assisted the Township in conjunction with Detours proposed by the PA Turnpike Commission during re-construction of the Morris Road Bridge over the Turnpike. A temporary traffic signal will be installed on Skippack Pike at the Shearer and Weber Road intersections. McMahon suggested that weight limit, local traffic only, and no truck signs be installed.

Susan Caughlan suggested sending a letter to the County since Schultz Road is a County Road to request their cooperation in implementing temporary all-way stop signs at the intersection of Schultz and Weber roads.

Mark Landis, Schultz Road, commented on being pro-active at the County and State level.

James Mollick, Country View Lane, commented on need for action.

g. Public Works Report

Thomas Bookheimer, Roadmaster, reported that 1800 Century Restoration Inc. is working at the Pioneer House doing restoration, that new guard rails have been installed on Hollow Road, and that the staff is ready for spring mowing and field preparation.

He also noted that three seasonal employees will be hired for the summer months.

h. Parks & Recreation Report

Julie Lanzillo, Park & Recreation Director, stated that the Park and Recreation Task Force submitted their final report regarding the Army Base to the Board for review and they have dissolved the committee.

She presented concerns and solutions regarding a draft rental agreement for concession stands and requested input from the Board of Supervisors to approve a final document. Field maintenance concerns were also discussed resulting from increased usage, safety and the need for rotation of the fields. A request to convert the open space field at the Heebner Park entrance into a soccer field was received from the soccer associations but the Director and Board recommended to leave it as open space to facilitate other activities as needed.

Arthur Bustard recommended Ms. Lanzillo develop a tier level user fee schedule and return to the Board for approval.

Maeve Vogan commended on fines to violators or withholding permits in the future.

Richard DeLello, Stony Creek, commented on the multiple users and how to determine who the violators are.

Douglas Fennimore, Public Works Staff in charge of field maintenance, commented that the Township knows who the violators are.

i. Land Use Report

Noise Ordinance Discussion

Tiffany Loomis, Land Use Officer, presented background for the discussion. Currently the Township has only a peace and good will ordinance to regulate noise. Recent complaints about ATV's, motorcycles, contractors and waste haulers have prompted the discussion as well as concern over the PECO substation being built on Fisher Road.

Arthur Bustard inquired about enforcement.

Susan Caughlan noted that it will need to combine decibel calibration and meters for noise, and the ordinance will exclude home owner's necessary repairs.

Stephen Quigley commented that it is encroaching on property rights.

Joseph Bagley, Solicitor, commented that an expert witness several years ago referred to ambient levels.

Maeve Vogan commented on noise and the PECO substation.

Gordon Todd, Bustard Road, commented on duration, pitch and neighborhood church bells.

James Mollick commented on enforcement.

Oliver Smith, Fisher Road, commented on moving forward.

j. Zoning Hearing Board Report

The last meeting was March 23, 2010: The next meeting is scheduled for April 27, 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 April 27, 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 April 27, 2010.**

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. **Application withdrawn on March 23.**

NEW applications to be heard on April 27:

10-04, 2709 Township Line Road, Clearwire USA, LLC, a variance to permit the installation of antennas to an existing water storage tank and place related equipment adjacent to the tank base on the subject property for the construction and operation of an unmanned fully automated wireless communications facility.

k. Subdivision & Land Development Report

Tiffany Loomis announced that one new subdivision application was received for a “reverse subdivision” on Barley Lane combining three lots into two. The Worcester and Montgomery Country Planning Commissions must still review.

She presented a status report on other subdivisions and land developments.

2. Engineer’s Report

a. 2010 Road Program

A letter from CKS Engineers dated March 4, 2010 was sent to the Township outlining the proposed work to be done and the associated costs noting that the estimated costs exceeded the budget. Mr. Nolan recommended not delaying the seal and wearing coats on Berks Road as the 2009 repairs will not hold up another year. This will entail two – three weeks of intermittent lane closures.

Susan Caughlan asked whether these repairs can wait until school is closed because of the detours due to the Morris Road bridge work with Mr. Nolan indicating that it could be in the contract.

Arthur Bustard inquired about the Kriebel Mill & Water Street Roads repair work and Mr. Nolan recommend deferring the road repair and proceeding with the drainage pipe only.

Stephen Quigley agreed with Mr. Nolan’s suggestion but to include Green Hill Road.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to accept the road proposal as presented by CKS Engineers.

b. Administration Building Public Sewer

Mr. Nolan stated that a 6” line was installed during the construction of the new fire house for future connection of the administration building to the public sewer. He proposed the public sewer be installed prior to the rain garden to eliminate future disturbance of the garden. He estimated a cost of \$5,000 for plumbing and trenching.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to waive the tapping fee for the Township and proceed with the Plan presented by CKS Engineers.

Maeve Vogan commented on the removal of the old septic system.

c. Wentz Church Road

The bid was awarded for the repair of the culvert at the creek which will result in the road being closed for approximately two weeks. The cost included traffic control and the road will be posted. It will not be closed until the school year is over. A notice will go in the next newsletter.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to close Wentz Church Road after school is out for culvert repairs.

3. Solicitor’s Report

Executive Session report - None

4. Other Business

a. Methacton School District Resource Officer

Dr. Quinn, Superintendent of Schools, expressed interest in presenting a plan to the Board regarding Security Resource Officers. The Board approved the presentation at the next meeting scheduled for April 17, 2010.

b. UCC Board/Procedures

The application form is in the final draft awaiting approval from the Solicitors office.

Joseph Bagley commented on the need for a fee to accompany the application, noting that Whitpain Township requires a \$450 fee noting that there can be two fees, one for application and review and one for an actual hearing.

Arthur Bustard recommended different fees for residential and commercial and requested it be final by the next meeting.

Stephen Quigley suggested moving ahead since we need to follow the UCC and the state requires a board and application, and that the members of the UCC will make the final decisions.

Susan Caughlan noted that if the UCC Board is not in place, the application would automatically be approved.

5. APPROVAL OF THE MINUTES OF MARCH 1, 2010

James Mollick, Country View Lane, commented on UCC Board and true accounting in minutes.

Maeve Vogan, Dell Road, commented on the status of the Berwick Place landscaping and fence.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved to dispense with the reading of, and approve as written, the minutes of the meeting March 1, 2010. (Copies are available for review.)

PUBLIC COMMENTS

James Mollick commented on minutes, UCC Board, manager resumes, RTK requests, solicitor and the two minute rule.

ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard, adjourned the regularly scheduled work session of the Board of Supervisor's Meeting at 10:25A.M.

Respectfully submitted:



Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
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PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS:

1. Members of the Board of Supervisors attended the annual PSATS convention in Hershey, PA last week. They attended several seminars and workshops that were very informative.
2. There will be an executive session after the meeting tonight to discuss potential litigation from Clearwire, former employee lawsuit and possible real estate purchase.
3. The Township is working with Montgomery County through McMahon Associates to help control traffic on Shearer, Schultz, and Berks with the upcoming Morris Road closure. State Police will be requested to assist in traffic control on Monday, May 3rd.

1. TREASURER'S REPORTS

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

March 2010 Report:

General Fund	(\$217,966.34)
State	\$183,482.42
Capital Reserve	\$152,253.62

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for March, 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 \$313,781.48.

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3. **MANAGER'S REPORT**

a. Resolution 2010-07: Eagle Scout – Burges Unwalla

Arthur Bustard read Resolution 2010-07 recognizing the accomplishment of Burges Unwalla in preparing, planning and implementation of construction of four owl nesting boxes for Mill Grove.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Resolution 10-07.

b. Methacton High School – Security

School Board member, James Phillips, requested the Superintendent of Methacton School District meet with David Burman, incoming Township Manager, to introduce himself. Mr. Phillips also presented the Board with information on the School Resource Office Program and what it means to the School District.

c. Clearwire US LLC – ZHB Application 10-04

Joseph Bagley, Solicitor, requested this be deferred to executive session because of potential litigation.

Mark Landis, Schultz Road, commented on the location of the proposed cell tower and the tax exempt status.

Richard Allen, Trooper Road, commented on his ownership of the adjoining property and opposed the application.

William Moran, Kriebel Mill Road, commented on tax exempt status of the property.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to send the solicitor to oppose the application at this location.

d. Natural Lands Trust – Variety Club Camp

Natural Lands Trust requested support of grant application for a conservation easement on the Variety Club property located on Potshop & Trooper Roads.

Susan Caughlan noted that the application deadline is today and without Township support, the chance of funding would be drastically decreased. The County is applying for a 2011 DCNR grant.

Arthur Bustard commented on the deed restriction when the property was given to the Variety Club organization.

Stephen Quigley commented on the good deeds of the organization but noted the need for better management.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to support the grant application without commitment for funding.

e. Resolution 2010-08: Fee Schedule addition for UCC Appeal Board

Arthur Bustard noted that the only change was adding Section Q to the schedule to establish fees for UCC Appeals. It is a two tier level fee with \$100 for application review and \$450 for complete advertising and hearing.

Mark Landis commented on the printed schedule reflecting only one fee of \$450.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Resolution 10-08.

f. Resolution 2010-09: Montgomery County Consortium By-Law

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve resolution 10-09.

g. Zoning Hearing Board Report

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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 April 27, 2010 meeting.**

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NEW applications to be heard on April 27:

10-04, 2709 Township Line Road: Clearwire USA, LLC, a variance to permit the installation of antennas to an existing water storage tank and place related equipment adjacent to the tank base on the subject property for the construction and operation of an unmanned fully automated wireless communications facility.

#10-05, 2005 Valley Forge Road: HMB Realty, LLC, a variance to permit the canopy to encroach into the front yard setback and the district yard setback for a property line

with an adjacent single family residential district AND to permit the expansion of a non-conforming structure, including vertical expansion.

#10-06, 3019 West Germantown Pike: a variance to permit the replacement of the existing sign which is non-conforming.

Arthur Bustard noted that there were two new applications.

Susan Caughlan commented on HMB Realty application #10-05 and the location being in the center of Center Point Village. She proposed that the Worcester Township Planning Commission review the application prior to the ZHB.

Richard Allen, Potshop Road, commented as owner of 3004 and 3006 Skippack Pike and stated that he opposed the application for a canopy.

James Mollick, Country View Lane, commented on the process involving the Planning Commission, the Comprehensive Plan, sending the solicitor to oppose the canopy and the chairman of the Planning Commission being the architect.

Gordon Todd, Planning Commission Chairman, commented that the Commission is an advisory board only and that he is the architect for the project and would reclude himself from the discussion.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to send the solicitor to the Zoning Hearing Board to continue Application 10-05, 2005 Valley Forge Road until after the Planning Commission reviews the application or to oppose the application if not continued.

Susan Caughlan commented on application 10-06, 3019 West Germantown Pike, and noted the size increase and requested input from the Planning commission.

Christopher Drummond, Anvil Drive, inquired about the location.

William Kazimer, Germantown Pike, inquired about the location.

Mark Landis, Landis Road, commented on the solicitor versus a board member attending the meeting to oppose.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to send the solicitor to the Zoning Hearing Board to continue the application 10-06, 3019 West Germanton Pike, until after the Planning Commission reviews the application or to oppose the application if not continued.

h. Park Concession Policy

Following discussion at the last two Board work sessions, a proposed policy for the sale of concessions by athletic field permit holders on township property is available for comment and consideration. The proposed policy allows permit holders to sell concessions, as approved by the Montgomery County Health Department, with a tiered security deposit structure and possible permit revocation if violations occur.

Susan Caughlan commented that it was geared to athletic field use and non-profit organizations were not addressed. She expressed concern about the "No Parking on Grass" and "No grills allowed" pertaining to Heyser Field, organizations being the applicant, and requested more time to review the policy.

Mauve Vogan, Dell Road, commented on lower fees and a one time usage.

Mark Landis commented on organizations that could not apply for concession stand use because they did not have field usage.

Daniel Fox, Interim Manager, thanked the Board of Supervisors for the opportunity to work with them and Worcester Township.

4. SOLICITOR'S REPORT

a. Executive Session Report

An executive session was held on April 5th, 2010 to discuss potential litigation with Clearwire and an offer to purchase open space.

5. ENGINEER'S REPORT

a. Mill Road Traffic Safety

Joseph Nolan, Township Engineer, reported that the speed and stop sign study was completed and it warranted a 25 MPH speed and a multi way stop sign at Anvil and Mill Road intersection. He also noted that a study was completed in 2005 that warranted stop signs at Kriebel Mill and Mill Road intersection but was never implemented.

Arthur Bustard questioned if traffic will back up if two stop signs are installed or will they add to safety.

Joseph Nolan responded that sight distance is the reason for installation and that it should not be affected.

Christopher Drummond, commented in favor of both stop signs and requested that a stop sign at Hollow Road intersection be considered.

John Purcell, Mill Road, commented on Hollow Road and the illegal parking on Kriebel Mill Road.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to prepare an ordinance for two stop signs and the 25 MPH posting on Mill Road.

b. Wentz Church Road Bridge Repair – bid recommendation

Joseph Nolan reported that on April 14, 2010, ten bids were received and open. The low bid was \$83,876.90 from Gateway Project Management of Schwenksville, Pa. to install and new guardrail and restore erosion.

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to approve the Wentz Church Road Bridge Repair bid recommendation.

c. Overhead lamp @ Valley Forge & Water Street Roads decision

Joseph Nolan reported on correspondence from McMahon Associates, traffic engineers, from PENN Dot regarding the overhead light at intersections being installed for safety reasons.

Arthur Bustard expressed concern about liability if removed.

Susan Caughlan commented on the type of fixtures not being appropriate for a rural area and requested review of overhead lights in the future.

6. OTHER BUSINESS

None

7. APPROVAL OF THE MINUTES OF MARCH 17, 2010

James Mollick commented on the wording of “commented” versus “questioned” conflict of interest, campaign contributions, and video of meetings on the Township website.

Arthur Bustard commented that at the PSATS convention last month he attended a seminar on video and audio taping of meetings and will move forward with the suggestion.

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 March 17, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Phillip Burke, Grange Avenue, commented on speeding on Grange Avenue.

Arthur Bustard responded that the Township will move the speed sign to Grange Avenue to help control speed.

Susan Caughlan commented on contacting the School District to have buses conform to speed limits.

Rick DeLello, Stony Creek Road, commented on the School Department of Transportation in regards to speeding buses and Stony Creek Homeowner speed study

Joseph Nolan commented that an ordinance is required for 25 MPH in developments.

Nicholas Imperial, Fisher Road, commented on the Wentz Church Road closure and Fisher Road being used as a cut through.

Oliver Smith, Fisher Road, commented on use of microphones and the proposed noise ordinance.

William Kazimer, Germantown Pike, inquired about Security Officers at Methacton High & Worcester Elementary Schools, and Lower Providence police have no authority in Worcester. He also commented on the proposed change to the AQRC ordinance and federal law compliance.

Mark Landis, Schultz Road, commented on costs for SRO and not needed at Worcester Elementary School, the noise ordinance relating to the PECO substation and how they will minimize noise. He further commented on the noise studies done for the widening of the PA Turnpike.

Stephen Quigley stated that the noise ordinance will allow every resident to enjoy their property.

Chris Drummond questioned the enforcement of zoning violations on Grange Avenue.

Phillip Burk commented on insufficient buffers and parking setbacks at the Grange Avenue location. He further commented on neighbor's garage and lean-to.

James Mollick questioned litigation, architect for the HMB Realty Zoning application, UCC Board appointments, RTK 10-64 appeal decision, and e-mail communications, wasted taxpayers money, 14th amendment to the constitution and suggested law firm search.

Stephen Quigley commented that he will not engage in internet operations of the township.

Gordon Todd, Bustard Road, commented on the HMB Realty application and review by the planning commission.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:35P.M.

Submitted:



Eunice C. Kriebel, Assistant Recording Secretary

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