

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
WEDNESDAY, JUNE 15, 2016 – 7:30 PM**

CALL TO ORDER by Chair Caughlan at 7:39 PM

PLEDGE OF ALLEGIANCE

ATTENDANCE

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

INFORMATIONAL ITEMS

- Chair Caughlan noted North Penn Water Authority Executive Director Anthony Bellitto had been awarded the 2016 Governor’s Award for Local Government Excellence.
- Bob Brant, Township Solicitor, announced the Board of Supervisors had met in Executive Session immediately following the May 18 Business Meeting to discuss a matter of litigation, in specific The Cutler Group v. Worcester Township, Montgomery County Court of Common Pleas docket #15-13769; and, a matter of threatened litigation, related to the Hickory Hill Sewer project. Mr. Brant also announced the Board of Supervisors had met in Executive Session immediately preceding this meeting to discuss 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, with an action on this matter to be taken at this evening’s meeting; and, a matter of litigation, in specific The Cutler Group v. Worcester Township, Montgomery County Court of Common Pleas docket #15-13769, with an action on this matter to be taken at this evening’s meeting.

As to Mollick v. the Worcester Township Board of Supervisors and individual Board members, Tony Sherr, Counsel for this litigation, provided an overview of a proposed action against the Plaintiff to seek damages incurred by the Defendants.

Supervisor Bustard motioned to authorize the filing of the action as presented by Mr. Sherr. The motion was seconded by Supervisor Bustard.

Jim Mollick, Worcester, commented on the Court of Common Pleas ruling on this litigation, and fees invoiced by the former Township Solicitor. Mr. Sherr commented on the Court of Common Pleas ruling on this litigation.

By unanimous vote the Board adopted the motion to approve.

PUBLIC COMMENT

- Bill Goulding, Worcester, commented on the proposed parking lot at Heebner Park, and the proposed stormwater ordinance.
- Jim Mollick, Worcester, commented on the permitted public comment period at public meetings. Mr. Brant commented on the Township's public comment policy. Dr. Mollick commented on the public comment period on an action item at a previous meeting, and a possible police report involving a Township official.
- Charles Mandracchia, Counsel for certain residents in the Hickory Hill Sewer Project area, commented on the proposed Hickory Hill Sewer District ordinance, the history of the Hickory Hill Sewer Project, the Methacton High School athletic field lights, the on-lot systems in the Hickory Hill Sewer Project area, the Hickory Hill Sewer Project schedule, a requested waiver of the tapping fee, and revisions made to the Hickory Hill Sewer Project area of study.
- Scott Misus, Worcester, thanked the Board for the trimming of trees along a portion of Valley Forge Road. Mr. Misus commented on Hickory Hill Sewer Project restoration requirements, the televising of Board meetings, the Township's public comment policy, and signage installed at Landis Road.

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 April 2016, (b) bill payment for April 2016 in the amount of \$258,154.79, (c) the April 20, 2016 Work Session minutes; (d) the April 20, 2016 Business Meeting minutes; and, (e) the May 9, 2016 Special Meeting minutes. The motion was seconded by Supervisor Bustard.

Dr. Mollick commented on the May 9 Special Meeting minutes, the Township Solicitor invoice amount, expenses and services for Special Counsel for the North Penn Army Reserve Base project, environmental conditions at the North Penn Army Reserve Base, and budgeted expenses for the North Penn Army Reserve Base project.

By unanimous vote the Board adopted the motion to approve.

- b) Ordinance 2016-258 – Chair Caughlan opened the Public Hearing at 8:08 pm.

Mike Wolf, Bond Underwriter, noted the bonds had transacted on this day. Mr. Wolf commented on the bond purpose and amount. Mr. Wolf commented on the all-in interest rate, and on the Township bond rating as issued by Standard and Poor's.

Helen Mountain, Bond Counsel, commented on provisions in proposed Ordinance 2016-258, and applicable Federal laws and regulations pertaining to the borrowing.

John Diesel, Worcester, commented on the proposed monthly payment. Dr. Mollick commented on borrowing costs and the interest rate. Mr. Mandracchia commented on consideration that may be provided to a buyer or seller at the time a property in this area is sold. Mr. Misus commented on properties at which sand mounds have been recently installed, and the Hickory Hill Sewer Project process. Kathy McKeever, Worcester, commented on Supervisors' service.

There being no additional public comments, Chair Caughlan closed the Public Hearing at 8:36 pm.

Supervisor Bustard made a motion to adopt Ordinance 2016-258, 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.

The meeting was recessed at 8:36 pm so the Members could attend to documents pertaining to Ordinance 2016-258. The meeting was re-opened at 8:44 pm.

- c) Ordinance 2016-260 – Tommy Ryan, Township Manager, provided an overview of a proposed ordinance to amend Ordinance 2015-254 as to the payment of the Hickory Hill Sewer Project assessment.

Supervisor Bustard made a motion to authorize the advertisement of Ordinance 2016-260, as presented, as to the payment of the Hickory Hill Sewer Project assessment. The motion was seconded by Supervisor Quigley.

Dr. Mollick commented on the manner by which the meeting was recessed following this evening's Public Hearing for Ordinance 2016-258, and stated that the meeting had been adjourned by the Chair.

By unanimous vote the Board adopted the motion to approve.

- d) Ordinance 2016-259 – Tommy Ryan, Township Manager, provided an overview of a proposed ordinance to amend the Township hunting regulations regarding the possession of certain firearms.

Supervisor Bustard made a motion to authorize the advertisement of Ordinance 2016-259, to amend the Township hunting regulations regarding the possession of certain firearms. The motion was seconded by Supervisor Quigley.

Mr. Diesel commented on current Township hunting requirements.

By unanimous vote the Board adopted the motion to approve.

- e) Resolution 2016-22 – Mr. Ryan provided an overview of a proposed resolution to amend the fee schedule to include a stucco repair fee.

Supervisor Bustard asked if the permit was required under the building code, and Mr. Ryan stated it was not. Supervisor Bustard inquired about the scope of inspection and the Township's exposure to litigation.

Supervisor Bustard made a motion to approve Resolution 2016-22, to amend the fee schedule to include a stucco repair fee. The motion was seconded by Supervisor Quigley.

Mr. Goulding spoke in support of the proposed resolution. Dr. Mollick commented on local government involvement in the matter.

By unanimous vote the Board adopted the motion to approve.

- f) waiver – Mr. Ryan provided an overview of request to install an on-lot septic system within a front yard setback at 3200 Hogarth Lane. Joe Nolan, Township Engineer, commented on tree loss if the system were to be installed at another location.

Supervisor Bustard made a motion to approve a waiver request to install an on-lot septic system within a front yard setback at 3200 Hogarth Lane. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- g) Waiver of Land Development – Mr. Ryan provided an overview of a proposed entryway expansion at Merrymeade Farm, 2222 Valley Forge Road.

Supervisor Quigley announced he will abstain from this vote, noting he had a conflict of interest in the matter, as he is an owner of the subject property. Supervisor Quigley noted he had provided the Township Secretary with the required written notice of this conflict.

Supervisor Bustard made a motion to waive the requirement to impose the formal land development process upon a proposed entryway expansion at Merrymeade Farm, 2222 Valley Forge Road. The motion was seconded by Chair Caughlan.

Mr. Diesel commented on parking lot access at Merrymead Farm. Dr. Mollick commented on the Supervisors and ice cream.

The Board adopted the motion to approve, with Chair Caughlan and Supervisor Bustard voting aye, and Supervisor Quigley abstaining from the vote.

- h) gift acceptance – Supervisor Quigley thanked Margaret Gerland and the Markel family for their generous donation of a 1749 indenture for the property on which the Kriebel Mill was then located. The document will be displayed at the Township Building.

Supervisor Bustard made a motion to accept a gift of a 1749 indenture, as donated to the Township by Margaret Gerland and the Markel family. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

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