

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 WORCESTER, PA  
 MONDAY, MAY 6, 2013 – 9:00 A.M.

**CALL TO ORDER** by Arthur Bustard at 9:03am

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

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

**INFORMATIONAL ITEMS:**

Chairman Bustard requested that people silence all pagers and cell phones and take conversations outside.

**Motions & Resolution**

**APPROVAL OF THE MINUTES OF March 4, 2013**

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 March 4, 2013.

**MANAGER'S REPORT**

**Zoning Hearing Board Update & Subdivision Update**

Lee Mangan commented that Tiffany Loomis, zoning officer, is away this week for training. He further commented that an executive session will be forthcoming concerning a zoning application.

**Motions:**

**i. Center Point Village Overlay Consultant**

A proposal from John Kennedy has been distributed to the Board. Mr. Mangan has also been able to solicit assistance from John Cover of the Montgomery County Planning Commission for a coordinated effort. Mr. Mangan proposed that Mr. Kennedy be retained for the proposed \$24,000. Mr. Mangan reminded the Board that they have had prior experience with Mr. Kennedy, during the Cedars Village Planning.

Chairman Bustard asked Mr. Mangan if it has been his experience that hiring a consultant will move these projects forward more quickly. Mr. Mangan affirmed. He commented that Mr. Kennedy can bring a fresh perspective.

Supervisor Quigley expressed concern about an existing agreement of sale for the Palmer property at the corner of Valley Forge Road and Skippack Pike in the Center Point Village area. Supervisor Quigley further commented on several items in the proposal from Mr. Kennedy.

Supervisor Caughlan asked if there was an economic component in the proposal. Mr. Mangan commented that it will be done and coincidental to Mr. Kennedy's work, but requested that he would like to talk with Mr. Cover and Mr. Kennedy before making a recommendation.

Mr. Mangan commented that a market analysis for the village would not be that time consuming or costly.

Supervisor Caughlan expressed concern about Mr. Kennedy because he did not see TDRs as a viable option for landowners during Cedars Village planning. She requested assurance that Mr. Kennedy would understand this. Mr. Mangan commented that Mr. Kennedy was not against TDRs categorically, but that he prefers a more workable definition of them.

Chairman Bustard commented that he wants to move this ahead more professionally than the Cedars Village Planning. He is impressed with Mr. Kennedy, after Cedars Village discussion and knows that Gordon Todd (Worcester Planning Commission Chairman) is as well.

Supervisor Quigley commented on the impact of TDRs on an existing agreement of sale.

Mr. Garrity said that the only way to preserve current zoning is to file a plan.

Supervisor Quigley asked if the township staff has been approached by developers. Mr. Mangan indicated that he had preliminary discussions with a number of developers over a year ago about the Center Point Village area.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to approve the contract with Mr. Kennedy at \$24,000.

Jim Phillips, Worcester, asked if this motion is separate from an economic study. He commented that any time government gets involved in micro-managing a property it goes awry. Let the people with the money decide what goes on the property, and the board can just ensure zoning.

Jim Mollick, Worcester, commented about timing on this motion. He asked if any Board members had any discussions or meetings with anyone interested in the Palmer Tract. He further asked if \$24,000 requires a competitive bid. Chairman Bustard commented that with a professional service, competitive bids are not required. Mr. Garrity confirmed that Second Class Township code does not require competitive bids for professional services. Dr. Mollick commented that Mr. Kennedy has worked for Dave Markle, and commented there could be a potential problem with his consultant if Mr. Markle was interested in the Palmer Property. Dr. Mollick further commented on TDRs in the Center Point Village Overlay.

Jim Phillips asked about Mr. Kennedy's scope of work. He asked if the boundaries are being clearly defined. He further asked if anyone had a piece of property in the area that could be affected by this contract.

#### **ii. Hollow Road Bridge Replacement Authorization**

Joe Nolan provided a report. The Hollow Road Bridge between Heebner and Stump Hall Roads was a concern of public works director Bob D'Hulster. Mr. Nolan brought out a structural engineer who provided recommendations including one that the bridge be closed immediately in his evaluation. Mr. Nolan said the preliminary cost estimate to replace the bridge is around \$146,000.

He is asking for authorization to proceed with design and replacement at the earliest time. There are some serious concerns that need to be looked at right now.

Chairman Bustard commented that a stream drains there and does a 90-degree turn under the bridge. He further commented that the township has an easement there for a trail. He inquired if it would make sense to make the bridge wide enough to allow for the future trail? Supervisor Caughlan asked if any condemnation issues are involved.

Supervisor Quigley commented about a current renovation project in the area, and the size of their trucks, potentially going over the bridge.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to authorize Joe Nolan and CKS Engineers to proceed with engineering of the Hollow Road Bridge replacement.

Mr. Mangan provided a status report on the \$2.5 million loan request. Final financials were just received in the last week. Mr. Garrity's office has provided his legal opinion. Three banks will be receiving requests for proposals.

#### **ENGINEER'S REPORT**

Mr. Nolan provided an update on the road program, with a bid opening May 22<sup>nd</sup>.

Mr. Nolan requested authorization to install emergency generators at the two municipal buildings at 1721 Valley Forge Road (administrative office and public works). The plans and specifications are ready for advertising. Chairman Bustard confirmed that the generators have been budgeted.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to install emergency generators at the two municipal buildings at 1721 Valley Forge Road.

#### **SOLICITOR'S REPORT**

Mr. Garrity requested a short executive session at the conclusion of this meeting concerning a Zoning Hearing Board application from M&M Landscaping.

#### **OTHER BUSINESS**

Supervisor Quigley commented on resident concerns about litter in the Center Point area, if a Dunkin Donuts goes into the vacant bank location. He further remarked that he has spoken with residents about Valley Green sewer plant.

Supervisor Caughlan asked if the old and new tenants in the Center Point Shopping Center could be encouraged to start an anti-littering campaign. Mr. Mangan said he would bring it to Mr. Gambone's attention.

#### **PUBLIC COMMENTS**

Dave Plager, Worcester, commented on the Worcester Volunteer Fire Department 5k run in April. He asked if the township could make a donation to the Boston Marathon bombing foundation.

Jim Mollick commented on the appointment of Bradford Smith to the Zoning Hearing Board. He further commented on activities of the solicitor, as it pertains to working for individual supervisors, referencing invoices from the solicitor.

**RECESSED INTO EXECUTIVE SESSION**

Chairman Bustard moved the regularly scheduled meeting into executive session at 10:10am.

At 10:16am, the Board concluded the executive session and the meeting was reconvened.

Mr. Garrity requested a motion that the Solicitor's office is directed not to appeal the Zoning Hearing Board decision for M&M Landscaping, unless the applicant appeals the conditions.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley, approved by all to direct the Solicitor's office not to appeal the ZHB decision, unless the applicant appeals anything.

Dr. Mollick commented that the reopening of the meeting is illegal.

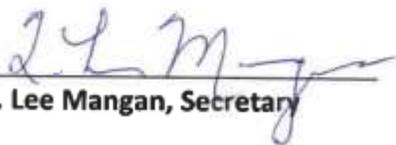
Mr. Garrity replied it is not. The Chairman used the improper word. The Board went into executive session, which was announced, and now they have come back to officially adjourn the meeting.

Rick DeLello, Worcester, asked if it was the Dubner Property.

**ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:21am.

Respectfully submitted:

  
F. Lee Mangan, Secretary

WORCESTER TOWNSHIP  
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WORCESTER TOWNSHIP COMMUNITY HALL  
WORCESTER, PA  
WEDNESDAY, MAY 15, 2013 - 7:30 P.M.

**CALL TO ORDER** by Arthur Bustard at 7:30pm

**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 read a prepared statement concerning the history of the sign ordinance. He acknowledged complaints from the business and real estate communities but the Board’s priority has been to emphasize the feel of Worcester. However, he requested the Planning Commission to review ordinance to assist the business community in trying economic times. The Planning Commission was able to come to a majority opinion and provide the ordinance before us tonight.

**Public Hearing**

**Sign Ordinance**

A court reporter was present to record a transcript of the proceedings. The public hearing opened at 7:35pm.

Solicitor James Garrity provided a background of the proposed ordinance explaining that it completely replaces the existing ordinance. It defines what constitutes a sign, how to measure one, establishes temporary signs, explains what does and does not need a permit, how signs may or may not be illuminated, and height. All are defined district by district.

Ciro Tornambe, Worcester, commented on Section 150.1 for the overlay district regarding the size of a sign permitted in the village overlay district compared to larger signs in mobile home parks.

Winifred Hayes, Worcester, commended the Planning Commission for their hard work and acknowledged the final version will not make everyone happy. She suggested two changes. Dr. Hayes asked the Supervisors to reconsider the size and height of that permitted sign based on her concerns for the look and feel of the township. She also suggested that real estate agents remove temporary signs within 2 hours of the closure of an open house.

James Mollick, Worcester, disagreed with Dr. Hayes after attending many Planning Commission meetings that they came to agreement after many deliberations and good reasons for its current requirements. He further asked about the conditional use requirement and why a business that meets the requirements of the ordinance must go through a conditional use hearing. He further commented on real estate signs and how enforcement will be handled.

William Kazimer, Worcester, commented on "signs permitted in agricultural and residential districts" and inquired as to what the designations refer to.

Kim David, Worcester, expressed concern about the size of the proposed sign at Center Point Village Shopping Center, and suggested waiting for input from the recently hired consultant

Joseph Gambone, East Norriton, commented on his family being well-invested in the property in Worcester. They own the Center Point Shopping Center which has been in existence for 25-30 years with many residents not even aware of the retail shops. He stated it's a duty to the merchants in the township to help them survive and there is a duty to the residents to give them merchants in the township where they live. He commented that signs must have height and size to make them safe for drivers to see.

Mark Landis, Worcester, questioned interchangeable letters referenced in the proposed ordinance. He asked for clarification on "moving letters."

Robert Hayes, Worcester, commented that it is important for the board to consider a sign ordinance for the businesses in the township. He served on the Planning Commission for 10 years and is concerned about proposed signage for Center Point Village Shopping Center allowing signs in front of each building, on each building and a 14 foot sign at entrance. He thinks it would change the character of the township. He further commented favorably for a two hour window to remove real estate open house signs.

Rick DeLello, Worcester, commented on the village image and "vehicular" signs. He commented on the permitted size of signs, and thinks it should be deferred to the business owners to give a sense of what is appropriate.

Dee Dee McGrane, Worcester, stated that she parks horse trailers at the end of her property where it is most convenient for loading and trailers typically have business names on them and she inquired if that will be problem?

Steve Rock, Worcester, commented on people wanting things to stay the way they are, but change is needed to allow businesses to succeed. The Board has to make a decision to go forward and stop spending thousands of dollars fighting change.

The public hearing closed at 8:17pm.

Supervisor Caughlan remarked that the control of temporary signage on commercial properties is part of this ordinance that is important for businesses, but it is not always attractive. She said we can now go forward and enforce against the "stake in the ground" signs that are a quality of life issue.

Supervisor Quigley said that the Planning Commission has worked long and hard on this. He thinks the Board has battled back and forth in joint meetings with them and the Board needs to move forward with something and is in favor of doing that tonight.

Supervisor Quigley made a motion, seconded by Supervisor Caughlan, approved by all, to pass the sign ordinance.

Chairman Bustard announced a 2 minute break to allow the large crowd here for the public hearing to depart.

### **Motions & Resolution**

#### **APPROVAL OF THE MINUTES OF April 17, 2013**

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 April 17, 2013.

### **TREASURER'S REPORT**

The Treasurer's report for April, net change on cash basis:

#### **April 2013 Report:**

General Fund	\$463,957.20
State	\$209,979.12
Capital Reserve	\$372.00

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A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for April, 2013.

### **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 \$250,827.65.

### **Award Bids: Audio / MUNICIPAL**

A motion by Supervisor Caughlan and seconded by Supervisor Quigley and approved by all to award the bids for the Audio Equipment sold on MUNICIPAL to the highest bidders.

### **Final Approval Consideration, Roman Brothers Subdivision**

Mr. Nolan, Township Engineer, commented that he has reviewed the plans and everything is in order.

A motion by Supervisor Caughlan and seconded by Supervisor Quigley and approved, by all to award final approval of the Roman Brothers Subdivision, Resolution 2013-23.

### **MANAGER'S REPORT**

#### **Zoning Hearing Board Update**

Tiffany Loomis, Zoning Officer, gave the report. There is a Zoning Hearing Board meeting May 28<sup>th</sup>. There are no new applications. There will be a decision on application 13-04, Trinity Lutheran Church and 13-05.

#### **Subdivision Update**

Tiffany Loomis, Zoning Officer, gave the report.

The Planning Commission is doing a site walk on the 23<sup>rd</sup> of the Evans Subdivision and it will be on their agenda after that. They will be reviewing the land development plan for the Trinity Lutheran Church.

William Kazimer asked about the property at Valley Forge Road and Germantown Pike.

Ms. Loomis remarked there was a decision rendered on the M&M Landscaping application at the last Zoning Hearing Board meeting.

**ENGINEER'S REPORT****Monthly Activity**

Mr. Nolan indicated that the Board had received his monthly report. The 2013 road improvement bids will be opened on the May 22<sup>nd</sup> and the generators for the administration and public works buildings have been advertised and will be opening that bid soon as well.

**SOLICITOR'S REPORT**

None

**OTHER BUSINESS**

None

**PUBLIC COMMENTS**

James Mollick asked if Chairman Bustard had any updates on the solicitor working for individual supervisors and inquired if a special group of township residents have access to the solicitor and his services. Dr. Mollick referenced an item on the solicitor's invoice concerning a phone call from a private resident related to emails about the high school football lights and an item concerning an email from another resident. He also commented on a Right to Know request of his own in 2010 concerning ethics forms and referenced invoice charges for ethics act research.

Charles Watson, Worcester, explained he has two plans and he must choose one: a new septic system or public sewer. He asked the Board to tell him which one to choose. Chairman Bustard said that he cannot at this time.

Steve Rock said he was under the assumption that the Board already had the information on the Valley Green sewer expansion since it has been discussed for 18 years. He referenced the amount of money spent on open space versus a health issue. He further commented on water testing about 8-10 years ago and requested his property markers be reinstalled as a result of that work.

Dee Dee McGrane commented on references to the amount of money spent on preserved properties but noted that the Township's portion is usually only 10-15% of the total. She also said that Mr. Rock might be referring to her neighborhood and the water testing was done by the federal government.

Mr. Ron Evans, Worcester, asked if first responders were allowed to have a pager in the meeting.

Charles Watson asked if the Board had a date to discuss public sewers.

James Mollick asked about fines concerning the sewer plant and the Right to Know request that revealed an amount of \$70,000. He stated that the Board keeps buying open space, but did not increase sewer rates for 20 years, and now there are \$70,000 in fines from PADEP and wants to know who will pay for it.

Supervisor Quigley asked Mr. Mangan about the current loan process for sewer plant upgrade. Mr. Mangan replied the approximate 800 current users will be required to pay the \$2.5 million loan over a period of time. Supervisor Quigley further said that step two is related to expansion.

Mr. Nolan replied that it would be approximately a 2 year process from authorization to the time for a resident to tie in to any expansion.

Supervisor Caughlan commented that if the decision is to extend public sewer, she is committed to finding a viable solution for the property owners that have put out the money recently for a septic system replacement.

Steve Rock said he hopes that the Township gets 3 bids from 3 qualified contractors

Supervisor Quigley asked if the final survey from residents has been completed. Mr. Mangan replied that after numerous attempts to contact every property owner in the area, that the people who are going to respond have responded.

Mr. Rock said that residents were told it would be anonymous, but found out since that it was not true.

Chairman Bustard said the survey came back approximately 50/50. The Township will complete the upgrade and then look at the expansion and make it as fairly as possible.

Supervisor Quigley reaffirmed that Mr. Mangan made many attempts to let people in that area speak.

**ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:02pm.

Respectfully submitted:



F. Lee Mangan, Secretary

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