

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 MONDAY, JUNE 3, 2013 – 9:00 A.M.

CALL TO ORDER by Arthur Bustard at 9:00am

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS:

None

Motions & Resolution

APPROVAL OF THE MINUTES OF May 6, 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 May 6, 2013.

BPG Zoning Ordinance Amendment: Authorization for Advertisement

Mr. Lee Mangan provided background of the ordinance and noted that it is a property owner ordinance. A presentation will be made at the next business meeting.

Supervisor Quigley asked if this was for the previous Ford plant. Due to a family emergency, he did not have time to review it, and asked to recuse himself from the motion.

Mark Landis, Worcester, asked if the Planning Commission was involved in the preparation of the ordinance, since the Chairman indicated yesterday that he was not aware of it. Mr. Landis further commented on why an item like this was being discussed at a Monday morning work session.

Mr. Garrity responded that the Planning Commission will review it and explained the procedure for a public hearing related to an ordinance.

Supervisor Caughlan commented that she is concerned that neighbors in the area should be informed of the ordinance prior to advertising. She requested the land owner be present at the public hearing to answer questions.

A motion by Supervisor Caughlan seconded by Chairman Bustard and approved by both to approve the BPG Zoning Ordinance Amendment for advertisement.

Award Bid for 2013 Roadway Improvement Program

Joseph Nolan, Township Engineer, provided an update that bids were legally advertised and opened on May 22, 2013 with five bids being received. The low bid (\$271,090.00) is below our budget estimate for this project. Mr. Nolan recommends the bid be awarded to the low bidder, Reid Paving Contractors.

Chairman Bustard asked if the low bidder had given any assurance of their start date.

Supervisor Caughlan commented that last year, Reid Paving Contractors had an issue last year with too many projects and not enough crew members. She asked for assurances on a timeline for completion. Mr. Nolan indicated that there is a completion date in the contract and they will keep pressure on them.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to award the 2013 Roadway Improvement Program to Reid Paving Contractors, Inc. of Gilbertsville, PA.

Municipal Deposit Resolution #2013-24

Mr. Mangan indicated the resolution had been requested by First Niagara Bank to update their records. The township treasurer is named to handle deposits and transactions.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to approve Resolution 2013-24, Municipal Deposit Resolution.

MANAGER'S REPORT

Zoning Hearing Board Update & Subdivision Update

Tiffany Loomis, Zoning Officer, provided the report.

Ms. Loomis indicated that the last meeting was on May 28, and that Application #13-04 (Trinity Lutheran Church) was granted in part and denied in part.

For application #13-05, 2531 Long Meadow Road, relief from setback was granted subject to certain conditions.

The June meeting has been cancelled, as no new applications have been received.

Subdivision & Land Development Update

Tiffany Loomis, Zoning Officer, provided the report.

The Evans property located on Valley Forge Road will be heard by the Worcester Planning Commission on June 13th. At the May 23rd meeting, Trinity Lutheran Church presented their plan to the Planning Commission. They will be revising the plan and resubmitting in the future.

Mr. Mangan informed the Board of a request from Frog Hollow Racquet Club on Weber Road to expand the parking lot adjacent to an 18th century home on the property.

Supervisor Caughlan thanked the staff for working with the land owner to preserve the structure.

Supervisor Quigley asked if the township needs to go in and inspect the property at Valley Forge and Morris Road.

Maeve Vogan, Worcester, asked about the Trinity Lutheran Church zoning decision for their sign. She further commented about the Bethel Road church and their sign, and how the Township worked with them. Chairman Bustard explained the differences between the two situations.

She further commented that if a historical ordinance had been in place, Frog Hollow Racquet Club would not have had to come to the Board.

Burning Ordinance Discussion

Mr. Mangan expressed that residents have complained to him about burning practices of others. He stated that Worcester is one of the few townships without a burn ordinance. He said it is an issue that is hampering the Township's recycling efforts and the ability to collect money for those efforts. In addition to complaints from people with asthmatic children and allergy issues, it put a burden on the volunteer fire company.

Supervisor Quigley said that they are going in the right direction reaching out to other townships.

Supervisor Caughlan affirmed what Mr. Mangan is suggesting will simply bring the township into compliance. Chairman Bustard said he is not in favor. Supervisor Caughlan asked if money is being lost from recycling efforts, without such an ordinance. Chairman Bustard commented that he sees it as an over reaching of the government function.

Mr. Mangan provided an update on the funding for the sewer plant updates.

ENGINEER'S REPORT

Zacharias Trail Update

Mr. Nolan provided an update on the project, with background. The Township has been aggressive with planning and construction. The 1994 Open Space Plan set forth goals for acquiring open space, and references a trail system. The 2006 Open Space Plan also references trail systems, and the Zacharias corridor down Hollow Road as a critical piece.

The Fawn Creek Development included the Hollow Road corridor. The Township has completed the Zacharias Trail from Green Hill to Hollow Road, along with other critical components. The 2013 Budget includes \$150,000 for this component.

Chairman Bustard commented that money previously came from Montgomery County which was contingent on building a trail from Heebner Park to Evansburg State Park.

At the end of 2012, we became aware of grant funding, and made application for a DCNR Grant in the spring of 2013, which would include the township's portion and would expedite the trail construction plans. Mr. Nolan further commented that the trail area was scoped and discussed to have minimal impact.

Chairman Bustard confirmed that the trail plans to follow the old Hollow Road bed.

Mr. Nolan said that the trail was walked with the grant coordinators from DCNR, and the project received environmental review, from Pennsylvania Natural Diversity Inventory (PNDI). The Pennsylvania Game Commission and Pennsylvania DCNR all reviewed the project indicating no known impacts. There has been no engineering design or permits applied for, however, we are waiting for grant results, before spending funds on permit.

The grant is a combination of two things: work by contractors that will be bid out; and in-kind work down by township public works staff.

Chairman Bustard affirmed that the property for the trail is owned entirely by the Township.

Supervisor Caughlan commented that this trail is also in the 2004 Greenway Plan. Supervisor Quigley asked about security in the trail system.

Supervisor Caughlan expressed concern about Township owned properties that have not been developed with trails and possible illegal activity.

Mr. Larry Doyle, Worcester, expressed concern about the area, and its sensitivity. He commented that an environmental impact study should be done and that he is not happy with the way the Zacharias Trail turned out and he plans to get the PADEP involved.

Mr. Nolan replied that an environmental impact study is not necessary because no federal money is involved. He confirmed that DEP permits must be acquired, but no environmental impact studies are necessary. There will be environmental sensitivities picked up during the wetlands survey when we reach that stage.

Mr. Nolan commented on the existing Zacharias Trail and because it was desired to put the trail along the creek, it had to be built as it is. He stated that the new section will be different in that most of it is above the wetlands and will not be paved. When the area was walked they saw minimal impact that would result from construction.

Supervisor Caughlan reiterated that federal money requires an environmental impact study, as is the case with the Army Reserve Base situation in the Township. However, in this case, DEP is involved, through our need to acquire permits prior to the commencement of design and construction.

She further stated that the Township must demonstrate to DCNR that we will restore any habitat and improve any habitat in the area, such as removing invasive plants, as part of the post-project plan.

Chuck Pedano, Worcester, has lived in that area about 8 years. Mr. Pedano remarked that he is constantly chasing kids from the Pioneer House, cleaning trash and chasing cars and parking. He now fears that by having permanent access, it will draw more activity to the pioneer house. He also commented that other trails in the township are open areas and this one is long and narrow. He is concerned about parking along Hawks Nest Road. Mr. Pedano said that he feels there needs to be more consideration.

Chairman Bustard reiterated that this is a 20-year plan and he is concerned about the Pioneer House and there is no access. One of the advantages of the trail is that it will allow others to be aware of the structure.

Mr. Doyle asked about benches and information kiosks on the plan.

Supervisor Caughlan suggested planting to the edge of the private lane, to deter parking and stated that residents may be allowed to put up "no parking" signs on private property.

Supervisor Quigley commented that trails are great but need to be limited because of the resources needed for maintaining them.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

Supervisor Quigley commented on the Army Reserve Base and his concern about the property. He further commented on the sewers and residents in the Hickory Hill area faced with failing septic sewers. He requested they be placed on upcoming agendas to keep these issues moving forward.

PUBLIC COMMENTS

Mark Landis asked about the date for the proposed hearing of the zoning ordinance amendment. He further asked if it would be possible to do a mailing to impacted residents. Mr. Mangan indicated there is no legal obligation. Mr. Garrity said that the Board does not have to do anything, but will consider it. Mr. Landis asked if these work sessions can be moved to the evening.

Supervisor Caughlan asked if there is language that could make it clear which properties are impacted.

Maeve Vogan agreed work sessions in the evening would be better for more people to attend. She further commented against the burn ordinance. She said that there is a lot of yard waste in Worcester, and it needs to be taken into account how people can dispose of it.

Supervisor Quigley said that the Board must do its due diligence to say that certain situations have been addressed properly. Chairman Bustard said that this request is also coming from the fire company. The fire company is caught in the middle, and we need to try and help them.

Supervisor Caughlan commented that it is important to keep residents informed about these yard waste and burning regulations.

Charlie Watson, Worcester, asked the Board to tell him what to do about his failing septic system and requested a vote now. Chairman Bustard said that he is not prepared to vote and that he told him that he would have something by the end of the summer.

Rick DeLello, Worcester, commented that meetings could be televised, if the time is not changed. He also commented on the Army Reserve Base and the law firm we hired to represent us on this issue. Chairman Bustard commented that if we fund the study, and if pollution is found 20 years from now, the Township is liable.

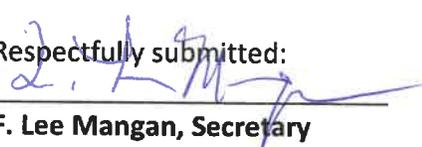
Supervisor Quigley commented that in the first meeting where the Army base was discussed with our outside counsel, Mr. Manko said "run".

James Mollick, Worcester, agreed with moving meetings to the evening and suggested putting them on YouTube. He also agrees with Chairman Bustard's stance on burning. He further commented on the minutes and the prior meeting's adjournment and on invoices from the solicitor.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:51am.

Respectfully submitted:


 F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP VOLUNTEER FIRE DEPARTMENT
WORCESTER, PA
WEDNESDAY, JUNE 19, 2013 - 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:33pm

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

609684

INFORMATIONAL ITEMS:

Chairman Bustard announced several informational items:

- The July 1st Work Session is cancelled.
- The July 17th meeting will also be at the Worcester Volunteer Fire Department due to renovations at the Worcester Community Hall.
- Assuming the motion is passed for the loan for the Valley Green Wastewater Treatment Plant to be advertised tonight, the July meeting will include a discussion of the sewer expansion on Hickory Hill Road. He has requested that the Township Manager have the sewer survey results posted on the Township web site.

Motions & Resolution

APPROVAL OF THE MINUTES OF May 15, 2013

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as amended, the minutes of May 15, 2013.

Supervisor Caughlan requested a change in the minutes, on the bottom of page 2, reflecting her comments and their intent.

TREASURER'S REPORT

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

May 2013 Report:

General Fund	\$566,871.87
State	\$209,979.18
Capital Reserve	\$414.40

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for May, 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 \$297,099.60.

Resolution 2013-25 – Authorize Application for DCED Grant

Mr. Mangan explained that this grant application is a second grant opportunity for the expansion of the Zacharias Trail.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to pass resolution 2013-25, Authorize Application for DCED Grant.

Award Bid: Emergency Generators

Mr. Nolan, Township Engineer, confirmed that Pinnacle Electric Construction of Chalfont, PA has been recommended. Their references have been confirmed and their bid is within budget.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved, by all to award the Emergency Generator Bid to Pinnacle Electric Construction of Chalfont, PA.

Loan advertisement

Mr. Mangan, Township Manager, contacted three banks, First Niagara, Ambler Savings Bank and Uninvest. Best proposal was from Uninvest for a 25 year loan, at 2.70% fixed for 10 years and a floating rate, with interest rate tied to prime, for the remaining five year cycles. This negotiation took place over several weeks and he is recommending authorization for advertisement of an ordinance to incur the debt.

Mr. Andrew Friemuth, Esquire (Wisler Pearlstine) indicated that the ordinance is required, setting forth the terms of the proposal accepted by the Board, and other covenants in the act. It would be advertised like other ordinances. DCED would ultimately approve the loan, and it is required to close on the note with the bank.

Supervisor Quigley reiterated that this is for the repair and upgrade of the plant.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved, by all to authorize the advertisement.

Evans Planning Module

A motion by Supervisor Caughlan and seconded by Supervisor Quigley and approved, by all to accept Evans Planning Module.

William Kazimer, Worcester, inquired about the Evans Planning Module.

MANAGER'S REPORT

Zoning Hearing Board Update

Tiffany Loomis, Zoning Officer, gave the report. The Zoning Hearing Board meeting for June 25th has been cancelled, as no new applications have been received.

Subdivision Update

Tiffany Loomis, Zoning Officer, gave the report of no new activity.

Supervisor Quigley asked for an update on the Army Reserve Base.

Mr. Mangan said that conversations have taken place with environmental counsel concerning more analysis or study on the site. Costs for a Phase II analysis are in the range of \$50,000 with implications of stepping forward and quantifying more information thus putting us in a different position to exercise and protect our rights. If we go forward to pursue the property, after a Phase II study is done, we have greater knowledge and in essence a Phase II study could be used against us should a future claim arise.

Supervisor Caughlan said that is confusing and confirmed that was counsel's analysis and her recollection was that the federal government was liable, and that is the case if someone else buys it. She is concerned what will happen if the Township does not take it. She would like to explore with the concept of the Act II standards in mind, the Brownfields Act, for the property to be reused under certain circumstances, not requiring pristine cleanup of a site. Under Act II, the Army would have characterized the site and our deed would have likely been restricted.

Mr. Mangan suggested that a representative of the Manko Law firm should discuss this with the Board, possibly in executive session, as it is a real estate matter at the July business meeting.

Chairman Bustard said that the July meeting is scheduled to include the Hickory Hill sewer discussion and that this should be moved back to August.

Supervisor Quigley said that once the Township moves forward, it cements commitment to the property. He feels that the Army has misled people due to the selective sampling of the property. He suggested there are other places in the Township where money can be spent. He does not think the Township needs to get involved in a legal battle regarding that property and to try to hold the federal government liable is unrealistic. He said that only the theater group has expressed in the property.

Chairman Bustard agrees to a great extent. He has concerns about the neighbors around the property, so he would like to know all of his options, and would like to meet with the Manko firm at the August business meeting.

Dave Plager, Worcester, thinks it has to be discovered what the level of contamination is on the property and until then it is impossible to make a really good judgment.

William Kazimer referenced the Dubner property.

Florence Thaler, Worcester, inquired about the residents' feelings regarding acquiring the Army base and asked if it is presumptuous that excavation could take place at some time and how many tests were done.

Chairman Bustard acknowledged that a LRA was formed years ago and held public hearings regarding the property for many months. He said the residents were in favor of the Township securing the property at that time since it is a federal property and therefore not zoned, it can be sold for any use.

Supervisor Caughlan said the Board at the time was very concerned about what else could go in there. The Board approved a plan for a passive recreational park, equestrian trail and bike trail, parking, and that the Methacton Community Theater would use part of the building.

Chairman Bustard said many questions will be addressed to the environmental legal counsel in August.

Supervisor Quigley noted the missile silos are under the ground and no testing was done near that area and questioned why is testing not being done throughout.

Steve Rock, Worcester, asked if the testing will include infrared fly overs.

Caren Segal, Worcester, said that we are talking about a major expense just to take over the building.

William Kazimer said that Methacton Theater has no connection to the Township or School, except in name only.

ENGINEER'S REPORT

Monthly Activity

Mr. Nolan indicated that the Part II water quality management permit was submitted to DEP for the treatment plant upgrade. He is hopeful that permitting will go quickly since meetings have been held with DEP throughout this process. He is anticipating going to public bid in August.

He also said that the Board has authorized replacement of the bridge on Hollow Road between Heebner and Stump Hall Roads. After inspection after last week's heavy rainfall he is recommending closure of the bridge and has met with public works to develop a signage strategy and notification of all emergency response teams and residents in the area. The survey work has been completed and design has been expedited. All permits must go to Conservation and DEP. If bids are opened in September, construction will be initiated and with taking 6 months for construction, a 2-lane bridge should be opened by January or February of 2014.

SOLICITOR'S REPORT

None

OTHER BUSINESS

Supervisor Caughlan asked that minutes of the May 6 work session be adjusted to reflect details on the Hollow Road Bridge. Chairman Bustard said that will not be necessary. Those minutes have already been approved.

Supervisor Quigley said that Chairman Bustard made a comment about a use of a pig farm on the Army base noting that we are a farming community. He said that things are changing in Worcester noting the consideration of a super convenience store in the Township.

Supervisor Caughlan responded that she has never met with anyone regarding building any super convenience store in Worcester.

Supervisor Quigley replied that someone met with super convenience store developers and it was not him and inquired who it might be.

Chairman Bustard apologized for the farming comment.

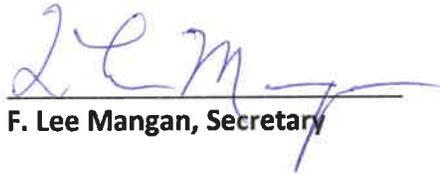
PUBLIC COMMENTS

Steve Rock said he was happy to hear some progress on the treatment plant and noted that since the surveys were sent out, several properties have been sold.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:17pm.

Respectfully submitted:



F. Lee Mangan, Secretary

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