

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
TUESDAY, JULY 5, 2011 AT 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

Chairman Bustard announced that the Township Manager had submitted a letter of resignation to be effective July 22, 2011. The Supervisors thanked Mr. Burman for his service, and extended well wishes for his future endeavors.

1. MANAGER'S REPORT

- a. Mr. Burman reported that the last meeting of the Zoning Hearing Board took place on June 28, 2011, at which one application was taken under advisement. The next meeting is scheduled for July 26, 2011, at which one new application will be heard and a decision on the application from June 28th is expected.
- b. Mr. Burman reported that the one-lot land development plan for 1074 Grange Avenue is scheduled to be reviewed by the Planning Commission on July 28, 2011. Also, a ninety-day extension of time for the Board's decision under the MPC has been granted with regard to the proposed three-lot subdivision relative to 3425 Stump Hall Road.
- c. Mr. Burman reported that staff has been working on consistent signage relative to park rules and regulations throughout the Township. This signage would not only provide a more professional appearance for the parks, but it would also serve to manage risks. Staff has determined that Chapter 107 of the Worcester Township Code contains some outdated language. Draft language has been provided to the Solicitor for review. Upon receipt of the Solicitor's comments, staff will circulate the language to the Board and then post final DRAFT language to the website for public review and comment, prior to requesting authorization to advertise.
- d. Mr. Burman reported that the Planning Commission, at their June 23, 2011 meeting, recommended approval of the DRAFT contract renewal with the Montgomery County Planning Commission. The contract provides Planning Services and attendance at Planning Commission and other meetings of the Township. Mr. Burman reported that the contract includes a 9% increase in year one, due to increased attendance at meetings and a 3% increase in rates. The contract also includes a 2% increase in years two and three. There is a new work item, providing for development and implementation of a Park & Rec Master Plan, which would allow for the implementation of a Park & Rec Fee to developers in the future. The Draft contract includes the removal of a prior work item, the historic preservation

ordinance. The Board discussed cost increases and details of the contract. Maeve Vogan, Worcester, commented on the contract. Chairman Bustard reported that the report on a historic preservation ordinance had been prepared under the old contract, but placed on hold. The Board, via consensus, directed the Township Manager to ask the County to return the contract to the number of meetings provided in the expiring contract.

- e. Mr. Burman reported that staff and the Township Engineer are working through the final details with property owners adjacent to the Kriebel Mill Road Bridge for acquisition of an expanded Right-of-Way on one property and a Drainage Easement on another property. The expanded Right-of-Way and Drainage Easement would allow for the completion of the project in accordance with the plans and specifications. A Resolution authorizing the condemnation of a portion of the two parcels was presented for the Board's consideration. Supervisor Caughlan moved to authorize adoption of the Resolution authorizing the condemnation of a portion of the two parcels for the Kriebel Mill Road Bridge Replacement Project. Supervisor Quigley seconded the motion. Mark Landis, Worcester, commented on the motion to adopt the Resolution. Mr. Garrity reported that any compensation would need to be approved by the Board. Rick DeLello, Worcester, commented on the motion to adopt the Resolution. Maeve Vogan, Worcester, commented on the motion to adopt the Resolution. Chairman Bustard called the question and the motion passed unanimously.

- f. Mr. Burman reported that staff would like to replace a 1999 GMC Dump Truck that is utilized for plowing and spreading salt and anti-skid materials. The approved budget for this vehicle is \$80,000, to be paid out of the state highway aid fund. The Director of Public Works has obtained pricing under the COSTARS statewide cooperative purchasing agreement, which alleviates the cost and expense associated with competitive bids. According to the Director of Public Works, the preferred vendors, equipment and pricing are as follows: the chassis is a 2012 Ford F-550 purchased from Sands Ford in Red Hill at a price of \$40,712; the dump body, plow and spreader would be purchased from E.M. Kutz of Reading, PA at a price of \$33,079. The total cost would be \$73,811. Mr. Burman indicated that, given the available storage space in the garage, the Director of Public Works intends to keep the older vehicle as a potential backup, should any of the newer vehicles fail during winter weather operations. Supervisor Caughlan moved to purchase the new Ford F-550 chassis from Sands Ford in Red Hill in Red Hill PA at a price of \$40,712, and to purchase the dump body, plow and spreader from E.M. Kutz of Reading PA, both as specified by the Roadmaster, under the Pennsylvania COSTARS Contract. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

- g. Mr. Burman provided a financial report on the sanitary sewer funds. The Township owns and operates two sanitary sewer plants serving a total of about 850 residential properties and 9 non-residential properties. The Valley Green Treatment Plant serves about 350 residential and 3 non-residential properties. The Berwick Place Treatment Plant serves over 500 residential properties and 6 non-residential properties. The Township accounts for its operation in funds; each fund is separate entity. The sewer funds are proprietary, or business like funds, accounted for separately from the governmental funds. The sewer funds are supported by sewer rates, not taxes. This report is not about taxes.

The sewer funds were established at the time the Township accepted dedication of the plants: Valley Green in the 1970's, and Berwick Place in the 1990's. The information included in the report is very similar to that which is presented in the audited financial statements, except depreciation is not included in this report, in order to more closely reflect a cash basis.

The operations and maintenance of the sanitary sewer systems are handled by a third party

contractor under a professional services agreement. Traditionally, no direct or indirect labor for administration or maintenance of the sanitary sewer systems is applied to the sewer funds.

For ongoing operations, the Financial Results for 2010 show an increase in cash of about \$5,000 in the Valley Green Fund, a decrease in cash from ongoing operations of about \$33,000 in the Berwick Place fund, representing an overall decrease in cash from ongoing operations of about \$27,000. When considering non-recurring improvements in excess of \$2,000 and non-operating revenues such as investment earning and tapping fees, the net change at Valley Green reflects an increase of about \$24,000 and the net change at Berwick Place reflects a decrease of about \$14,000. The overall net change in the sewer funds for 2010 reflects an increase of about \$10,000.

In order to address the increased costs associate with the ongoing operations of the sewer systems, Township staff sought proposals for operations and maintenance of the systems in 2010. Based on the proposals received, the Board awarded a new professional services contract for operations and maintenance of the systems, resulting in a reduction in base costs to pre-2009 levels, a broader scope of work in the base contract, and generally more efficient operation of the systems.

As a result of the new contract for operations and maintenance of the systems, the financial projections for 2011 show an increase in cash of about \$21,000 and \$1,000 in the Valley Green and Berwick Place Funds, respectively. At the outset of the new operations and maintenance contract, several deficiencies were noted in the sanitary sewer systems, resulting in several unforeseen non-recurring improvements in excess of \$2,000. When considering those improvements, along with non-operating revenues such as investment earning and tapping fees, the net change at Valley Green reflects an increase of about \$18,000 and the net change at Berwick Place reflects a decrease of about \$23,000. The projected overall net change in the sewer funds for 2011 reflects a decrease of about \$5,000.

Looking forward to 2012, the financial projections are as follows. The new contract is tied directly to the CPI, which has risen 2.2% in comparison to December of 2010. Also, there are a number of new laboratory tests required by DEP under the NPDES Permit, resulting in additional costs of approximately \$25,000. Utilities and other costs have been increased by 3%, as a starting point for the financial projections. Several capital improvements have been identified for 2012, including the need for flow meters at each of the pump stations (to assist with monitoring and addressing the costly inflow and infiltration of clear water in to the sanitary sewer systems); process improvements at the Valley Green Treatment Plant; and, additional work related to the strategic inflow and infiltration reduction plan.

Based on those assumptions, the financial projections for 2012 show a virtual break even in the Valley Green Fund and a decrease in cash of about \$17,000 in the Berwick Place Fund. When considering non-recurring improvements in excess of \$2,000, along with non-operating revenues such as investment earning and tapping fees, the net change at Valley Green reflects a decrease of about \$50,000 and the net change at Berwick Place reflects a decrease of about \$63,000. The projected overall net change in the sewer funds for 2012 reflects a decrease of about \$113,000.

Mr. Burman also presented a potential five-year capital improvement plan, based primarily on a 2009 report of the sanitary sewer systems, prepared by Carroll Engineering. The potential capital costs between 2012 and 2017 could reach \$2.5 million, depending largely upon potential regulatory requirements from the State.

Mr. Burman asked the Board to hold off on making any decision with regard to the financial

information presented above. Mr. Burman suggested that the Board consider the appropriate allocation of administrative costs to the sanitary sewer funds. Mr. Burman also suggested that the Board explore the possibility of combining the two sanitary sewer funds, which have been accounted for separately over the years. This will lead to administrative efficiencies and an easier allocation of costs. Mr. Burman further recommended that the Board consider rate modifications each year, to accommodate changes in operating costs and to begin replenishing the cash reserves. Mr. Burman noted that the Township's sanitary sewer rates have not increased in over twenty years, with the last increase occurring in 1991.

The Board discussed this matter and thanked Mr. Burman for the report. Rick DeLello, Worcester, commented on the report.

- h. Mr. Burman reported that the Township has received positive feedback from Senator Rafferty's office and from the Pennsylvania Turnpike Commission regarding the requested "Town Hall" style meeting concerning sound barriers along the Northeast Extension. Representative Bradford's office has indicated that the Representative may be available that evening, as well. Tentatively, the meeting would be scheduled for Thursday, August 25, 2011 at 6:00 PM. Mr. Burman noted that this could disrupt the Planning Commission Meeting scheduled for that evening. The Board discussed the importance of the "Town Hall" meeting. Mr. Burman asked Mr. Garrity whether the meeting should be advertised. Mr. Garrity indicated that, although not required because no decisions would be made and no official business would be conducted, it might be a good idea to advertise the meeting. Supervisor Caughlan moved to authorize staff to advertise the meeting as presented. Supervisors Quigley seconded the motion. Mark Landis, Worcester, commented on the proposed meeting. The Board directed the Township Manager to explore the possibility of holding the meeting at the Worcester Township Fire Department. Chairman Bustard called the question and the motion passed unanimously.
- i. The Board discussed the need for an Interim Manager and various potential options for satisfying that need. Mr. Garrity offered comments regarding the process. Supervisor Caughlan moved to authorize the Board to select a candidate for the Interim Manager position as soon as the appropriate and best candidate has been identified. Supervisor Quigley seconded the motion. Mark Landis, Worcester, commented on the motion to select the Interim Manager. Supervisor Caughlan amended her motion to include an intended rate of \$80 to \$100 per hour. Supervisor Quigley seconded the amendment to the motion. There were no additional comments from the Board or the public, and the motion passed unanimously.

2. ENGINEER'S REPORT

Mr. Nolan provided his report as of July 1st. The Township is moving forward with a rain garden next to the Township Building, which is being paid for with a grant from the State. The work will take place in late summer or early fall. Also, the bids for the roof at Worcester Community Hall have been advertised. Bids for the Road Improvement Program are also being advertised. Finally, Mr. Nolan reported that he is working to get clarification from the PA Turnpike Commission with regard to the requested waivers from the Township's stormwater regulations.

The Board discussed the noise issue relative to the PECO Substation Project. A meeting with the Citizen's Advisory Group took place several weeks ago, in which PECO informed the Township that it was performing a thorough noise study on the low frequency hum coming from the new substation. The report is expected within about a month. PECO will then arrange another meeting of their Citizen's Advisory Group to discuss their findings and potential solutions.

In response to a question concerning the cell tower at Nike Park, Mr. Nolan reported that his work had been completed months ago, even though the lease of the property for a cell tower is not yet in place.

3. SOLICITOR'S REPORT

No Report.

4. OTHER BUSINESS

The Board discussed a recent Executive Session that has already been announced, concerning a zoning situation in the Township. The Board discussed the timing of discussions relative to the referenced zoning situation and Executive Session.

5. APPROVAL OF THE MINUTES OF JUNE 6, 2011

Supervisor Caughlan moved to approve the minutes of June 6, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public, and the motion passed unanimously.

6. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

Chris David, Worcester, commented on the draft contract with the Montgomery County Planning Commission.

Oliver Smith, Worcester, commented on the PECO Substation noise and the Worcester Historical Society.

Rick DeLello, Worcester, commented on the search for a Township Manager, the contract with the Montgomery County Planning Commission, the financial report on the sanitary sewer funds, and solicitor bills.

Mark Landis, Worcester, commented on a recent zoning matter and on the financial report on the sanitary sewer funds.

6. Adjournment

There being no further business or comments from the public, Chairman Bustard adjourned the meeting.

Respectfully submitted:

Eunice C. Kriebel, Assistant Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 WEDNESDAY, JULY 20, 2011 AT 7:30 P.M.**

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

609684

INFORMATIONAL ITEMS

1. There will be a Town Hall meeting at 1725 Valley Forge Road (Fire Department building) on August 25th, 2011 to discuss the noise from the Turnpike widening. Please park at the administration building to allow for emergencies.
2. Montgomery County Health Department has issued a heat advisory in effect.

1. TREASURER'S REPORT

Chairman Bustard read the Treasurer's Report for the month of June, 2011 – Net Change on Cash Basis

General Fund	\$601,670.88
State Fund	\$153,621.53
Capital Reserve Fund	\$2,804.92

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. James Mollick and James Phillips, both of Worcester, commented on the Treasurer's Report. Chairman Bustard called the question and the motion passed unanimously.

2. PAYMENT OF BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$197,199.61 Supervisor Quigley seconded the motion. There were no comments from the Board. James Phillips, Nick Imperial, and James Mollick, all of Worcester, commented on the bills. Chairman Bustard called the question and the motion passed unanimously.

3. MANAGER'S REPORT

- a. **Zoning Hearing Board Update**-Mr. Burman reported that the last meeting of the Zoning Hearing Board took place on June 28th and one application was taken under advisement. The next meeting will be July 28, 2011 with one new application to be heard. The August 25th meeting will hear the application of Growing Greener Partners / Willow Creek Farms with details to follow.

Application 11-04 is located at 2997 Artmar Road and applicant is requesting special exception to allow existing non-conforming office to be converted to in-law suite for individuals who have not yet reached the age of 60.

Chairman Bustard expressed concern about the application.
 Supervisor Caughlan inquired if the Zoning Hearing Board will look for the hardship.
 Supervisor Quigley commented on age discrimination and recommended the ZHB decide.
 No official action was taken.

- b. Subdivision and Land Development Update** – Mr. Burman reported that a new land development application was submitted by 2750 Morris Road Investors (former Visteon Site) for approval of loading docks, drive in doors and expanded parking to appeal to future tenants.

All updates of Zoning Hearing Board applications and Subdivisions and Land Development will be listed on the Township website.

- c. Renewal and potential approval of Montgomery County Planning Commission contract for professional planning services.** The contract has been in place for several years and the renewal contract was presented to the Board at the work session on Monday, July 5. The Board recommended reduction in number of meetings and this contract reflects eighteen meetings and same number of hours. There is an increase of three percent in the contract for year one, and for year two and three, a two percent increase.

Supervisor Quigley inquired about the number of the hours in the contract and the 3% wage increase. He noted that the County is a public sector unlike the private sector where employees are being asked for wage decreases.

Supervisor Caughlan commented that the increase would cover increased soft costs and benefits similar to the contract for the operation and maintenance of the sanitary sewer operations. A private planner would be substantially higher.

Chairman Bustard noted that 50% of the cost is paid by the county and the township pays the other half and for the money it's a good value and a reduction from the original 7% proposed increase. Mr. Burman noted that the Worcester Planning Commission recommended approval of the contract.

Supervisor Caughlan moved to approval the Montgomery County Planning Commission contract for three years. Chairman Bustard seconded the motion. James Phillips and Mark Landis, both of Worcester, commented on the motion. The motion passed two to one with Supervisors Quigley voting against the renewal.

- d. Request for authorization to apply for grant under Penn Dot's ARLE Grant Program** – Mr. Burman reported that Staff has met with McMahon Associates regarding money available for grants under the ARLE (Automatic Red Light Enforcement) Program and possible location of improvements. Management recommends grant funds be applied towards improvements to traffic signal control boxes in the Southwest portion of the Township along Germantown Pike from Kriebel Mill Road to Germantown Pike and at Stump Hall/Township Line and Valley Forge Road. This upgrade will provide the foundation to allow communication between signals to improve traffic flow.

These upgrades will also allow for battery backup for power outages instead of staff having to supply emergency generators. Upgrades are \$25,000 per intersection for total of \$100,000. It is recommended that the Township propose a match of \$25,000 funds towards the grant.

Chairman Bustard commented on a prior proposal to coordinate lights from East Norriton through Lower Providence along the Germantown Pike Corridor. This looks like an opportunity to improve main roads and take traffic off local roads.

Supervisor Quigley commented on prior efforts to divert Township traffic and if it would encourage more development and traffic. He commented on the location of the improvements as opposed to the North area of the township. He further commented on the expense of the upgrades being dependent upon future grants to see improvements.

Mr. Burman responded that the locations of the proposed upgrades were determined by the complaints received in the office and by McMahon Associates' study.

Supervisor Caughlan commented that McMahon Associates has made successful grant applications on behalf of other Townships. She also noted there will be savings incurred through elimination of staff overtime in the event of power outages. She further questions if any of the road drop offs were addressed.

Supervisor Caughlan moved to approve the grant application for the ARLE Grant Program for traffic signal enhancements as described. Supervisor Quigley seconded the motion. Mark Landis, Nick Imperial and James Phillips, all of Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

e. Financial Report on Sanitary Sewer Funds

Mr. Burman provided a presentation to the Board at the work session on July 5, 2011. He presented the same report showing the long term financial outlook for the two wastewater treatment funds which are propriety funds not supported by taxes, but solely by user fees received. He explained some necessary improvements to meet DEP standards and indicated a projected loss at both plants for 2012. He presented several scenarios for the Board to consider, including allocating staff time and insurance to the funds, combining funds, replenishing reserves and grant opportunities. He further noted that rates have not increased since 1991.

Chairman Bustard thanked Mr. Burman for the comprehensive report and indicated that this must be addressed before the year end budget is finalized. He requested that Mr. Burman obtain rates from surrounding municipalities for comparison. He further requested that the presentation be added to the township web site.

Supervisor Caughlan commented on the need for the supervisors to study the report and not put a financial burden on residents who do not benefit from the public sewer system in Worcester and the need to not draw down reserves.

Supervisors Quigley commented on the need for the deficit to come from somewhere and not fair to homeowners not connected to public sewers who need to maintain their own septic systems.

4. ENGINEER'S REPORT

- a. Recommendation for award of Contract for Community Hall Roof Replacement. Mr. Nolan reported that bids for the project were opened July 13, 2011 to replace the roof. The low bid was from Ram Siding Company of Reading, Pa. for \$28,243 plus unit prices for plywood and repairs.

Supervisor Caughlan moved to award the contract to Ram Siding Company in the amount of \$28,243 for the Worcester Community Hall roof replacement project. Supervisor Quigley seconded the motion. William Kazimer, Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

- b. Supervisor Quigley inquired about the status of the Kriebel Mill Road Bridge construction and acquisition of the ROW and the time table of construction with regards to completion prior to school opening in September. Mr. Burman reported on the progress of reaching an agreement with two landowners in lieu of condemnation.

5. SOLICITOR'S REPORT

- a. **Executive Session Report** – Mr. Garrity reported that executive sessions were held July 8, July 15th and July 18, at which the Board of Supervisors interviewed candidates for interim manager to fill the vacancy created by Mr. Burman's resignation.

6. OTHER BUSINESS

- a. **Appointment of Interim Township Manager, Secretary and Open Record Officer**

Chairman Bustard announced the resignation of Township Manager David Burman with his final day being Friday, July 22, 2011 and thanked him for his service. He introduced William McCauley III, having twenty five years experience in municipal government, as Interim Manager.

Supervisor Caughlan moved to appoint William McCauley III Interim as Manager, Secretary, and Open Records Officer. Supervisor Quigley seconded the motion. There were no comments from the Board. Mark Landis, Florence Daily, Nick Imperial, James Mollick and William Kazimer, all of Worcester, commented on the motion. Chairman Bustard called the question and the motion passed unanimously.

7. APPROVAL OF THE MINUTES OF JUNE 15, 2011

Supervisor Caughlan moved to approve the minutes of June 15, 2011. Supervisor Quigley seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

8. PUBLIC COMMENTS

Chairman Bustard asked members of the public to limit their comments to five minutes.

William Kazimer, Worcester, commented on the roof contract, sewer report, and subsurface water infiltration.

Supervisor Quigley questioned the Township's TDR ordinance, Worcester Golf Course, a resident's representation by non-sitting supervisor, and the McGrane Open Space acquisition.

Nick Imperial, Worcester, commented on ongoing problems at his property, State Police, and business tax.

Florence Thaler, Worcester, commented on Worcester Golf Course.

Caren Segal, Worcester, commented on the Worcester Golf Course, Boards' honesty, Right to Know, and for information to be forthcoming.

Lois Imperial, Worcester, commented on family pet being poisoned, non conforming property, and State Police.

James Phillips, Worcester, commented on Kriebel Mill Road Bridge, floor courtesy, voice mail from former Supervisor, Stoney Creek Farm development, air conditioning and lighting for meeting hall, televising meetings, and Willow Creek Farms operations.

Mark Landis, Worcester, thanked the Board for organizing the meeting regarding Turnpike widening and sound barriers and Mr. Burman for his service and commented on Willow Creek Farms operations.

Robert Andorn, Worcester, thanked Mr. Burman, and expressed his opinion of the functional nature of the Board.

Phillip Burke, Worcester, thanked Mr. Burman and commented on the Board and ethics.

Gordon Todd, Worcester, commented on the Board ethics, trustworthiness, development rights, TDR's, and Mr. Burman's leaving.

Fred Oskanian, Worcester, commented on a resident's lost of a dog, a township employee's business, openness from the Board, and the Township's posting of land development on the website.

James Mollick, Worcester, commented on actions and consequences, handling problems, TDR's at the Worcester Golf Course, and changes in the Sunshine Law.

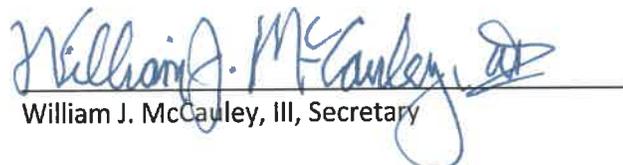
Tiffany Loomis, Worcester Zoning Officer, commented that residents have the right to appeal decisions made by the Zoning Hearing Board.

Kim McClintock, Worcester, commented on flooding problems at his property and a new builder in Stoney Creek Farms.

9. Adjournment

Supervisor Caughlan moved to adjourn the meeting. Supervisor Quigley seconded the motion. There were no comments from the Board or the public and the motion passed unanimously.

Respectfully submitted:


 William J. McCauley, III, Secretary