

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP FIRE DEPARTMENT
WORCESTER, PA
MONDAY, SEPTEMBER 9, 2013 – 9:00 A.M.

CALL TO ORDER by Arthur Bustard at 9:01am

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS:

Chairman Bustard announced the conditional use hearing for the proposed lights at Methacton High School will be held September 25th at 7:30 at the Worcester Community Hall. He also announced a public meeting about the Center Point Village Project by Kennedy and Associates on October 3rd, with the location and time to be announced.

Motions & Resolution

APPROVAL OF THE MINUTES OF AUGUST 5, 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 August 5, 2013.

MANAGER'S REPORT

Zoning Hearing Board Update & Subdivision Update

Tiffany Loomis, Zoning Officer, provided the report.

Application #13-07, 2115 Weber Road, was heard and the record closed at the August 27th Zoning Hearing Board meeting with a decision to be rendered September 24th.

Two new applications have been received.

#13-08, 1035 Nicole Drive: relief from the fencing ordinance. Supervisor Caughlan asked about the type of fencing and stated that it's a departure from other permitted fences.

#13-09, 2534 Acorn Lane: relief to permit construction of an addition with a screened in porch and patio.

Subdivision & Land Development Update

Tiffany Loomis, Zoning Officer, provided the report.

There are new zoning applications:

1.) 1001 Kriebel Mill Road, Methacton High School, involving turf fields and stormwater management controls, in conjunction with the conditional use application. Ms. Loomis reported that the township is working to get an extension of time from the applicant.

2.) 3117 Stump Hall Road, proposing a lot line change under the minor subdivision ordinance. An extension of time was received and Ms. Loomis requested the Board to accept the extension. The plans will be before the Worcester Planning Commission in October, 2013.

Supervisor Caughlan inquired if the applicant has gone before the farm board.

A motion by Supervisor Caughlan to accept the unlimited extension of time from the applicant, seconded by Supervisor Quigley, and passed by all.

Land Development and Subdivision Update:

2750 Morris Road: A land development application was received regarding current impervious area, pods to store technology that would be physically attached to the parking lot. Supervisor Caughlan asked about the pods in the plans. Ms. Loomis said they are planning to go before the Board of Supervisors on September 18th concerning the limited industrial district ordinance.

A motion from Supervisor Caughlan that the unlimited extension of time be accepted for the land development application at 2750 Morris Road, seconded by Supervisor Quigley and passed by all.

Preserve at Worcester, a 39-lot subdivision has submitted revised plans. Ms. Loomis reported that they will be looking for reviews from the Planning Commission and Board of Supervisors in October.

ACT 209 Update and Discussion

Lee Mangan stated that David Babbitt, Land Use Consultant, has submitted a preliminary report and it will be circulated to the Board. He would look for action to accept it in October and then take the next step, phases 4, 5 and 6. Completion should be in February, 2014. The Act 209 Committee is projecting the growth rate will not exceed 41 units per year over the next 10 years in Worcester.

Burn Ordinance Discussion

Lee Mangan furnished the Board with the Towamencin Township burn ordinance, which passed in Towamencin Township after much debate and consternation. It is a "no leaf burning" and other trash ordinance. It does allow for burning of some items, but sets forth rules. He would like the Board to authorize review by the planning commission in its current form.

Chairman Bustard said that the Worcester Volunteer Fire Department has reported difficulties with neighbors reporting burning and DEP is asking the Township to pass an ordinance. Montgomery County is a no burn county, so theoretically, that should cover us, but for additional enforcement by the fire department, he is in favor of sending it to the Planning Commission. Supervisor Quigley agreed. Supervisor Caughlan wants the fire department to also review it.

Lee Mangan said Worcester does not have a fire marshal, but the position would need to be created, because fire chiefs do not have enforcement powers.

James Garrity, Solicitor, stated we should get input from the fire department.

Supervisor Caughlan said farmers are allowed to burn and should not be impacted.

Waiver of Land Development Request

Lee Mangan said that representatives of JP Mascaro approached the township to make a charitable donation to Methacton School District relative to a baseball field. John March, an engineer on staff with Mascaro is present to discuss any parts of their submission. Mr. Mangan reported that the proposed contribution is in excess of \$120,000 with no expense to tax payers.

Mr. March said that the school district needs to utilize the field by spring, 2014, so they need to start renovations in October. They want to strip grass in the infield, put in sod, clean up drainage issues, aerate and seed the outfield, renovate the dugouts, put masonry around the outside, install a 4-foot masonry backstop, and netting above it on pulleys. They are requesting 40-foot high netting on pulleys to protect tennis courts from foul balls. They would like to propose a chain link fence around the whole field and put 20-foot high netting near left field, to create a longer left field and protect balls from going onto Kriebel Mill Road. All nets would be on pulleys and would be raised for games. The poles would be painted black. There is a scoreboard shown on the drawing, but that would be presented to the Zoning Hearing Board in a separate matter. They would also like to add some bleachers and a bullpen.

Joseph Nolan remarked that he met with Mr. March and there is nothing related to a grading change. Proposed drainage will tie into the existing drainage system, and that has already been factored in. The proposal is basically renovation, and he advises that a grading permit be completed for him to review. He recommended granting the requested waiver of land development.

Supervisor Quigley asked if there were plans for lights at the baseball field. Mr. March said lighting was never brought up in his meetings with school district.

Supervisor Caughlan noted the need for escrow money and asked about the proposed scoreboard being electric. She suggested the use a standard scoreboard negating the need to go before the Zoning Hearing Board. Mr. March said that costs for the zoning hearing board application would be borne by his firm, not the school district.

Supervisor Quigley said that he didn't think lights on a baseball scoreboard would impact residents.

Mr. March said the scoreboard is proposed to be in right center field.

Mr. March said that they would like to have it and it would be a nice addition, and if it does not happen, it would not impact the field renovation project from moving forward.

Maeve Vogan, Worcester, asked if the Mascaro Company is paying for all costs, why the sign is part of this discussion. Ms. Vogan further asked if other teams will be able to use the baseball field, noting that they currently share the field.

Chairman Bustard said it does not impact the land development waiver.

James Mollick, Worcester, stated if the Board is concerned about wasting money, why did the Solicitor spend 4 hours of billable time naming a creek. He noted that this project is someone else's money and is good for students. He further stated that LED lights are nice and the Township should let J.P. Mascaro do what they want.

Dana Leahan, Worcester, said Mascaro put in a field in Lower Providence for their youth football league and an LED scoreboard was approved there.

A motion by Supervisor Caughlan to waive land development but included a provision for escrow for the baseball field renovation at Methacton High School, seconded by Supervisor Quigley, approved by all.

ENGINEER'S REPORT

Mr. Nolan said the Hollow Road bridge permit approval was received from the Pennsylvania Fish Commission. CKS has dates for legal advertisements and should be finalized this week. This project will be done via electronic bidding, via PennBid but the Township must still legally advertise.

The Wastewater Treatment Plant contract documents are being finalized. They have the final electrical design and should be ready to bid in a couple of weeks.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

Supervisor Quigley asked about the conditional use hearing for the proposed high school lights and if the lighting consultant has visited the site. He expressed concern on how she will be able to evaluate the proposal if she does not see how the homes are situated.

James Garrity reported that he was sent a full set of plans and the conditional use application. The ordinance states that the school district is responsible for up to \$5,000 of the cost and if the Board is willing to spend more, then we can ask her to do anything they want.

Maeve Vogan asked where the lighting expert is from. Mr. Garrity responded that her resume is on the Township web site and that she is from New Jersey.

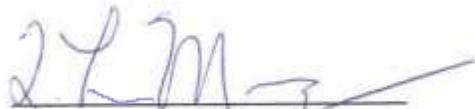
PUBLIC COMMENTS

James Mollick inquired as to what is on the web site about the lighting expert stating that she writes about herself in the third person and it appears as if someone else wrote it. He further stated that there is nothing about other projects that she has consulted on. Dr. Mollick said he was not impressed and he is concerned about how the process citing sections from the Second Class Township Code stating that a board member cannot transact business on their own.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:51am.

Respectfully submitted:


F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP COMMUNITY HALL
WORCESTER, PA
WEDNESDAY, SEPTEMBER 18, 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]

INFORMATIONAL ITEMS:

Chairman Bustard announced several informational items:

- Land Use Report, Center Point Village: Public Input Session:
 - Thursday, October 3, 2013 7:00 – 9:00pm **AND**
 - Thursday, November 7, 2013; 7:00- 9:00pm
- September 25th Conditional Use hearing for proposed lights at Methacton High School

Motions & Resolution

APPROVAL OF THE MINUTES OF AUGUST 21, 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 August 21, 2013.

TREASURER'S REPORT

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

August 2013 Report:

General Fund	\$951,441.85
State	\$210,041.82
Capital Reserve	\$ 2,055.93

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for August, 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 \$427,911.73.

Preliminary/Final Subdivision Approval Consideration, 3110 Heebner Road, Evans Subdivision, Resolution 2013-27

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve Resolution 2013-27, Preliminary/Final Subdivision Approval, 3110 Heebner Road, Evans Subdivision.

Limited Industrial Research District Ordinance

Edmund Mullin, Esq., attorney for the Morris Road Investors, stated that they have met all of the Worcester Planning Commission requirements and would appreciate consideration of the Board to approve advertising the proposed ordinance.

James Mollick, Worcester, inquired about the process of this ordinance citing the Worcester Planning Commission reviewed it at their meeting but he was not permitted to have a copy. Furthermore, he could not ask questions at that meeting but Supervisor Caughlan was having free discussion without interruption.

William Kazimer, Worcester, referenced page 7, section 3, and asked why it is being amended.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to authorize advertisement of the Limited Industrial Research District Ordinance.

MANAGER'S REPORT

Chairman Bustard provided a summary about the sewer expansion and how we arrived at this point.

F. Lee Mangan, Township Manager, explained how the process came about with a reiteration of the 2012 sewer survey results with the Board voting for the public sewer option utilizing a low pressure system.

Joseph Nolan, Township Engineer, spoke further about the proposal with a total of 73 properties utilized for the basis of the financial evaluation. Traditional gravity sewer was considered with that option resulting in approximately \$37,000 cost to homeowners. The low pressure system, which the Board opt for, is already in use in Worcester and will cost the homeowners approximately \$28,000.

Lee Mangan discussed the options for the payment of the assessed portion, being the infrastructure for the system.

Joseph Nolan spoke about the timeline for construction completion including updating the Act 537 Plan. This update is nearly completed and then the DEP will allow a 30-day comment period. Upon approval, the construction permit application can be submitted.

He further discussed the impact on individual properties, property owner technical responsibilities, homeowner costs for the on-lot expenses and grinder pump recommendation.

Chairman Bustard opened the floor to comments on the financing.

John Diesel, Worcester, objected to this process, stating other alternative septic systems are available, questioned how people are going to pay for this expansion, and suggested the Board rethink the mandate of residents having to pay \$28,000. He further stated people are responsible for their own home's system and he should not have to pay for people that didn't maintain their septic systems.

Kenneth Licwinko, Worcester, remarked that due to negligence of prior Boards, it has come down to this mandate and costs. His septic system is perfectly good and he has a problem that he must abandon it and hook-up to a public system in within 10 years.

Steve Rock, Worcester, stated he is not the person who called DEP and information he obtained is from the internet or other individuals. He further stated that in 1996, the Board voted for 537 Plan and there was a timeframe to complete the sewer expansion but they failed to do so.

Wayne Shaw, Landis Road, put in a new system two years ago costing \$28,000 and has no need to hook up to public sewer stating if DEP is requiring this, residents with new septic systems should get credited. This is civic responsibility for almost 20 years that should not be perpetuated.

Mark Chiappetta, Worcester, appreciates the engineering, but thinks there should be special consideration for individual properties and asked about hybrid and gravity systems. He further commented on potential liability on the delay of the Board implementing the Act 537 Plan that was approved in 1996, ignored and thereby resulted in decreased property values. He requested the Township pay for all the costs of the public sewer installation.

Denise Walsh, Worcester, asked about the 3% financing option and what happens if the property is sold during the period of the loan.

Peter Sykes, Worcester, asked about the proposed project boundaries. He asked why only Landis Road, Hickory Hill and Crest Terrace are being forced by the DEP to connect and if DEP is the agency mandating connection with 10 years. He also inquired if any of the Supervisors have public sewer.

Chairman Bustard and Joseph Nolan responded.

Supervisor Caughlan commented that Mr. Mangan negotiated the 10 year leniency from DEP and requested more time be negotiated for property owners with newly-replaced systems.

Nick Imperial, Worcester, asked if everyone in the township is going to have to hook up sooner or later and how much money was saved by not mandating public sewer years earlier? He referenced money spent for on open space but not saved to help residents with this issue.

James Mollick commented that DEP is running the show and blame was put on residents when the problem is really with the Board, who approved the 537 Plan in 1996 and failed to act. He further referenced \$7 million dollars held by the Township and suggested helping the residents in this situation.

Robert Andorn, Worcester, inquired if the Township pursued grant opportunities and if the mandated hook-up area will be expanded.

Supervisor Caughlan responded that the manager has researched grants, but monies are currently not available. She further replied that not everyone in the Township will be required to connect to public sewers as they are installed only as needed as demonstrated by the homes in the Hickory Hill area. The Township is working with DEP, recognizing a public health problem in this area due to soils and that the properties do not have alternative suitable locations for on-lot private systems. She further explained that the Act 537 Plan is not law and the Township is not in violation of a plan requiring the Township to do something.

John Coughlin, Worcester, stated he is outside of the drawn boundaries for mandated hook up and inquired if he will be able to connect in the future.

Harry Williams, Worcester, inquired if there is a larger picture to this issue and what costs are associated with the Valley Green Wastewater Treatment Plant renovation.

Steve Rock asked if DEP is requiring the Township to connect and referenced the Valley Green WWTP upgrades and capacity. He further stated that the lots in the proposed area are over ½ acre, not as small as Ms. Caughlan referenced earlier.

Rick Opperman, Worcester, asked if there is the possibility of removing the refinancing mandate if a property has a new system and if there has been consideration to include other properties.

Jesse Manikowski, Worcester, asked about financing offered to the Fairview Village residents that connected to public sewer.

Chairman Bustard said a grant was obtained for the Fairview Village expansion, largely due to the lower income of the residents in that area.

John Diesel stated he will confirm the requirement to hook up with DEP and asked if the Township has an ordinance for septic systems. Mr. Diesel referenced Doylestown Township as a comparison.

Mr. Nolan stated that Doylestown is also one of his clients and they are dealing with the same problems.

Nicole Bunting, Worcester, stated that the requirement by DEP has nothing to do with maintaining a private system but with changing standards over time.

Mark Chiappetta reiterated that the sewer system was needed 35-40 years ago and no on-lot system will pass DEP's current testing.

Charlie Watson, Worcester, asked if the problem is "Public sewer or financing".

Scott Misus, Worcester, asked how homeowners are assessed and about the difference in the assessable portion between low pressure and gravity options. He further inquired about ongoing costs associated with grinder pumps and why the township is borrowing \$2.5 million for sewage plant upgrades if Worcester has funds of \$7 million in liquid assets.

Mr. Mangan said that only 800 homes of about 3,000 in the Township are served by the Worcester public sewer system noting that many homes with public sewer are served by other sewer authorities, including Upper Gwynedd and Towamencin. Most of the funds in reserve are not from the sewer authority and we currently have less than \$1 million in sewer reserves, necessitating the borrowing.

Chairman Bustard thanked everyone for their comments.

Zoning Hearing Board Update

Lee Mangan provided the report, indicating that the decision for application 13-07 would be made at the September Zoning meeting.

New applications included #13-08, 1035 Nicole Drive, where they are seeking a variance to permit a fence within 1 foot of the property line and at a height of 6 feet. Mr. Tom Keenan, counsel to Mr. Greco was present citing that identical fences have been allowed in the neighborhood previously.

Application #13-09, 2534 Acorn Lane, is zoned AGR, and they are requesting a variance to permit a screened in porch and patio into the rear and side yard setback. Edward Mullin, Esq., attorney for the applicant, presented details on the variance request.

Subdivision Update

None

ENGINEER'S REPORT

Monthly Activity

Joseph Nolan provided an update on the Hollow Road Bridge Project – Bids will be opened October 10th to be awarded at the October 16th 2013 meeting.

The Valley Green Wastewater Treatment Plant bid will be advertised within the next 10-14 days. The project should be completed by December 2014/January 2015.

SOLICITOR'S REPORT

James Garrity had no report and announced that no questions or remarks should be made in the public comment period regarding the Methacton High School Conditional Use application.

OTHER BUSINESS

None

PUBLIC COMMENTS

Nick Imperial commented on a DVD that he presented to township staff concerning activities on the property of his neighbor and inquired if the Board had review it and what action will be taken.

James Mollick inquired about the Conditional Use restriction stating that it sounds like they are abdicating their responsibility of open and transparent government. Under the Sunshine Law, he commented on his request for information on the lighting consultant. He also reminded the Board of the ease of putting video proceedings on line.

James Garrity said that it is a quasi-judicial hearing and until the ruling has been made, the Board will not comment or discuss the Conditional Use application.

Robert Andorn asked if draft minutes can be made available before the meeting, for public review.

Steve Rock complimented the staff on the hall renovations.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:17pm.

Respectfully submitted:



 F. Lee Mangan, Secretary