

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS BUSINESS MEETING  
WORCESTER TOWNSHIP COMMUNITY HALL  
FAIRVIEW VILLAGE, WORCESTER, PA  
WEDNESDAY, SEPTEMBER 21, 2016 – 7:30 PM**

**CALL TO ORDER** by Chair Caughlan at 7:31 PM

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

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

**INFORMATIONAL ITEMS**

- Tommy Ryan, Township Manager, announced that the Board of Supervisors had met in Executive Session on August 31, 2016 to discuss the following issues: a matter of real estate, in specific the possible acquisition of the North Penn Army Reserve Base; a matter of real estate, in specific the consideration of an offer received to purchase property; a personnel matter, in specific the duties assigned to certain positions; a matter of litigation, in specific Mollick v. Worcester Township, Montgomery County Court of Common Pleas Docket #08-25358, and it is expected the Board will take action on this matter at this evening's Business Meeting; and, a matter of potential litigation, in specific the adoption of a Ordinance to grant a franchise service area for public water service. In addition Mr. Ryan noted that the Board of Supervisors had met in Executive Session during this evening's Work Session to discuss a matter of real estate, in specific the possible acquisition of the North Penn Army Reserve Base.

**PUBLIC COMMENT**

- Jim Mollick, Worcester, commented on the proposed development at Center Square Golf Course, sanitary sewer service for this development, and the opinion issued by the Court of Common Pleas in the matter of the Cutler Group v. Worcester Township.
- Scott Misus, Worcester, commented on the expenditure of Township funds to acquire the North Penn Army Reserve Base, the permitted public comment period at public meetings, and the public comment period permitted by Board-approved resolution.

Chair Caughlan commented on reviews of the North Penn Army Reserve Base conducted by previous Boards of Supervisors. Supervisor Bustard commented on uses permitted at the North Penn Army Reserve Base under Federal Law, possible uses at the property previously considered by the Methacton School District, Township due diligence efforts to date, and the Army's responsibility to remediate the property. Supervisor Quigley

noted his opposition to acquiring the North Penn Army Reserve Base, and noted that the Township's due diligence efforts are warranted.

- Cheryl Brumbaugh, Worcester, commented on sanitary sewage planning and service at the proposed development at Center Square Golf Course.
- Andre DiPrinzio, Worcester, commented on well tests conducted at his property, and on a drainage issue at Berks Road.
- Bob Andorn, Worcester, commented on the public comment period at public meetings, and on Members' agreement with the current public comment policy.
- Joseph Pacholski, Worcester, commented on the assessment settlement agreements to be considered at this evening's Business Meeting.

## **OFFICIAL ACTION ITEMS**

- a) Consent Agenda – Chair Caughlan asked if any Member wished to remove an item from the consent agenda. There were no requests to remove an item from the consent agenda.

Supervisor Quigley made a motion to approve a consent agenda that includes (a) the Treasurer's Report and other Monthly Reports for August 2016, (b) bill payment for August 2016 in the amount of \$908,906.24; (c) the July 20, 2016 Work Session minutes; (d) the July 20, 2016 Business Meeting minutes; (e) August 17, 2016 Work Session minutes; and, (f) August 17, 2016 Business Meeting minutes. The motion was seconded by Supervisor Bustard.

Dr. Mollick commented on the Township Solicitor invoice, the invoices for Heebner Road soccer field improvements and sanitary sewer operator service, and legal fees billed by Township Counsel in the matter of the Cutler Group v. Worcester Township.

By unanimous vote the Board adopted the motion to approve.

- b) Public Hearing – Mr. Ryan noted information needed to proceed with a Public Hearing to consider an ordinance to establish the North Penn Water Authority as the preferred water service provider in the Township had not been received by this evening's Business Meeting, and he recommended the hearing be continued to a later date.

Mr. Andorn commented on the procedure for this Public Hearing.

Bob Brant, Township Solicitor, noted this matter would be re-advertised in advance of the Public Hearing.

- c) Public Hearing – Chair Caughlan opened a Public Hearing to consider Resolution 2016-30 at 8:20 pm.

Mr. Ryan provided an overview of a resolution to ratify the Worcester Township Agricultural Security Area.

Chair Caughlan noted the Worcester Township Agricultural Security Area included a few properties that are located outside the municipality.

Supervisor Quigley stated he will abstain from voting on this matter, because he is an owner of a property currently enrolled in the Worcester Township Agricultural Security Area.

Mr. DiPrinzio commented on the status of his property relative to the Worcester Township Agricultural Security Area. Dr. Mollick commented on procedure for this Public Hearing.

There being no additional public comments, Chair Caughlan closed the Public Hearing at 8:26 pm.

- d) Resolution 2016-30 – Supervisor Bustard made a motion to approve Resolution 2016-30, to ratify the Worcester Township Agricultural Security Area. The motion was seconded by Chair Caughlan.

There was no public comment.

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

- e) Resolution 2016-31 – Mr. Ryan provided an overview of a resolution to revise the Township's Act 537 Plan to permit an on-lot septic system, a small flow treatment facility, to be installed at 1424 Valley Forge Road.

Supervisor Bustard made a motion approve Resolution 2016-31, to revise the Township's Act 537 Plan to permit an on-lot septic system, a small flow treatment facility, to be installed at 1424 Valley Forge Road. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- f) Resolution 2016-32 – Mr. Ryan provided an overview of a resolution to designate a depository for Township funds. Mr. Ryan noted First Niagara Bank, a designated depository, had been acquired by Key Bank.

Supervisor Bustard made a motion approve Resolution 2016-32, to appoint Key Bank as a designated depository for Township funds. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- g) waiver – Mr. Ryan provided an overview of a waiver request to install an on-lot septic system in the front yard at 1850 Green Hill Road. Joe Nolan, Township Engineer, stated he had reviewed the plan, and he was agreeable to that proposed.

Supervisor Bustard made a motion approve a waiver to allow the installation of an on-lot septic system in the front yard at 1850 Green Hill Road. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- h) waiver – Mr. Ryan provided an overview of a waiver request to install an on-lot septic system within a property line setback at 1265 Dell Road. Joe Nolan, Township Engineer, stated he had reviewed the plan, and he was agreeable to that proposed.

Chair Caughlan commented on neighbor notification. Member consensus was to require the Township Engineer to inspect the affected area after system installation.

Supervisor Bustard made a motion approve a waiver to allow the installation of an on-lot septic system within a property line setback at 1265 Dell Road, conditioned on the Township Engineer inspecting the affected area after system installation. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- i) waiver – Mr. Ryan provided an overview of a request to waive the requirements of land development for the installation of an outdoor pavilion at the Worcester Elementary School, and a request to waive applicable permit fees.

Chair Caughlan commented on pavilion location. Mr. Ryan noted the pavilion would be installed adjacent to the existing playground.

Supervisor Bustard made a motion approve a waiver of the requirements of land development for the installation of an outdoor pavilion at the Worcester Elementary School, and a waiver of applicable permit fees. The motion was seconded by Supervisor Quigley.

Jennifer Cancro, Worcester Elementary Home & School Association President, thanked the Board for its support of the project.

By unanimous vote the Board adopted the motion to approve.

- j) settlement agreement – Mr. Brant provided an overview of a proposed settlement agreement as to Mollick v. Worcester Township, Montgomery County Court of Common Pleas Docket #08-25358, with payment to the Plaintiff in the amount of \$2,500.

Supervisor Bustard made a motion approve a settlement agreement as to Mollick v. Worcester Township, Montgomery County Court of Common Pleas Docket #08-25358, with payment to the Plaintiff in the amount of \$2,500. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- k) settlement agreement – Mr. Brant provided an overview of a proposed property assessment settlement agreement as to Kuber v. Montgomery County Board of Assessment Appeals, et al., Montgomery County Court of Common Pleas Docket #97-20560, with payment to the Plaintiff in the amount of \$12.

Supervisor Bustard made a motion approve a settlement agreement as to Kuber v. Montgomery County Board of Assessment Appeals, et al., Montgomery County Court of Common Pleas Docket #97-20560, with payment to the Plaintiff in the amount of \$12. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- l) settlement agreement – Mr. Brant provided an overview of a proposed property assessment settlement agreement as to Maloney v. Montgomery County Board of Assessment Appeals, et al., Montgomery County Court of Common Pleas Docket #11-31369, with payment to the Plaintiff in the amount of \$156.

Supervisor Bustard made a motion approve a settlement agreement as to Maloney v. Montgomery County Board of Assessment Appeals, et al., Montgomery County Court of Common Pleas Docket #11-31369, with payment to the Plaintiff in the amount of \$156. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- m) 2017 Minimum Municipal Obligation – Mr. Ryan noted the calculated Minimum Municipal Obligation payment to be made to the Township pension plan in 2017 is \$49,494.

Supervisor Bustard made a motion approve a Minimum Municipal Obligation payment to be made to the Township pension plan in 2017 in the amount of \$49,494. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

- n) Personnel Manual – Mr. Ryan provided an overview of an update to the Worcester Township Personnel Manual. Mr. Ryan noted the proposed Personnel Manual had been reviewed by the Township Solicitor.

Supervisor Bustard made a motion approve the Worcester Township Personnel Manual. The motion was seconded by Supervisor Quigley.

There was no public comment.

By unanimous vote the Board adopted the motion to approve.

### **OTHER BUSINESS**

- Supervisor Quigley noted Worcester resident Ron Evans was recognized by the Methacton School District at the Methacton High School athletic field lighting event.

### **ADJOURNMENT**

There being no further business brought before the Board, Chair Caughlan adjourned the regularly scheduled meeting at 8:45 PM.

Respectfully Submitted:

---

Tommy Ryan  
Township Manager