

**MINUTES  
WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
BUSINESS MEETING  
WORCESTER TOWNSHIP COMMUNITY HALL  
WEDNESDAY, DECEMBER 21, 2022 - 7:30 PM**

**CALL TO ORDER**

• **ANNOUNCEMENTS:**

Township Solicitor Bob Bran announced an Executive Session was held on December 12th to discuss litigation, personnel, and real estate. No decisions were made at that meeting.

Township manager Sean Halbom announced the meeting is being video recorded for broadcast.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

All three Supervisors were present.

**INFORMATIONAL ITEMS**

**PUBLIC COMMENT**

**OFFICIAL ACTION ITEMS**

a) consent agenda

- A motion to approve a consent agenda that includes the following items:
  - i. Treasurer's Report and other Monthly Reports for November 2022.
  - ii. bill payment for November 2022.
  - iii. November 16, 2022, Work Session minutes; and,
  - iv. November 16, 2022, Business Meeting minutes.

Supervisor Betz motioned to approve the Treasurer's Report and monthly reports for November 2022; payments for November 2022 bills in the amount of \$1,928,094.16; and, the November 16, 2022 Business Meeting minutes; and, the November 16, 2022 Work Session minutes.

**Supervisor Quigley seconded the motion.**

There was no public comment.

**The motion was passed unanimously, 3-0.**

b) Motions

- i. Property Tax Stipulation, 1423 Reiner

Chair DeLello asked the Solicitor to summarize the Property Tax Stipulation. The Solicitor explained the matter involved a sum of \$3.59 owed to the property owner. The Township typically accepts

whatever agreement the School Board reaches with property owners on property tax stipulations. Solicitor Brant explained this approach is best since the portion of the tax settlements owed by the Township, compared with the School District, is marginal by comparison.

c) 2023 Budget Message: Worcester Township Treasurer, Nicole Quagliarello

Chair DeLello asked the Township manager to summarize the Budget Message. The Township manager offered the message was unchanged from the previous meeting, and that the document was available for public review in the meeting room.

d) Resolutions

- i. Resolution 2022-19, Act 57, an act relating to the collection of taxes levied by counties, school districts, and municipalities, conferring powers and imposing duties on tax collectors.

Chair DeLello asked the Solicitor to summarize Act 57. He provided that the Tax Collector can now waive certain penalties provided the property owner provides notice they never received any tax notice. The Act requires Townships the pass the legislation by January 9<sup>th</sup>.

**Supervisor Betz motioned to approve Resolution 2022-19, Supervisor Quigley seconded the motion.**

There was no public comment.

**The motion passed unanimously, 3-0.**

- ii. Resolution 2022-20 Plan Revision for new land development (sewer), LD 2022-03, Zacharczuk

Chair DeLello asked the Township Engineer to summarize. He provided this resolution revises the current 537 plan to allow for 16 lots in this subdivision to connect to the sewer system. Upper Gwynedd has already agreed to accept the sewage load.

**Supervisor Betz motioned to approve Resolution 2022-20, Plan Revision for new land development, Supervisor Quigley seconded the motion.**

There was no public comment.

**The motion passed unanimously, 3-0.**

- iii. Resolution 2022-21 Preliminary Land Development Approval for LD 2022-03, Zacharczuk.

Chair DeLello asked Solicitor Brant to summarize. He provided that the applicant's council was not able to attend this evening, but the plan has been reviewed by the engineer, traffic engineer, and Planning Commission. A \$71,584 traffic impact fee, and \$80,000 fee in lieu of tree planting was agreed upon. A

number of technical waivers were reviewed by the Planning Commission and engineer and recommended.

The Township engineer offered that most of the waivers related to slope angles to avoid clearing additional trees, buffering, and sidewalks, among others. Stormwater management features have also been reviewed by the Township and County. Supervisor Quigley asked Mr. Nolan several questions concerning the site design. Chair DeLello asked Mr. Nolan if the project still must return for Final Plan approval. Mr. Nolan replied that it would after it received the necessary permits.

**Supervisor Betz motioned to approve Resolution 2022-21, preliminary land development approval for LD 2022-03. Supervisor Quigley seconded the motion.**

**Public Comment:**

Susan Smith asked the Board about the fee paid in lieu of planting tree replacements. She asked if there was a way to require the developer to not remove more trees than in necessary. Mr. Nolan offered that all projects have a “Limit of Disturbance” where they can operate. Ms. Smith expressed concern the developer may remove more trees than planned. Chair DeLello replied and addressed her concerns comparing the site to a recent development project nearby.

Dr. Jim Mollick of Worcester Township followed up that the settlement agreement dictating the development referenced by Ms. Smith was the result of a lawsuit the Township lost. He offered the outcome could have been worse, and that trees are generally replaceable.

iv. Resolution 2022-22, Final Land Development Approval, Huganir.

Solicitor Bob Brant summarized the project which proposes nine individual lots, eight of which will be built, and one of which will not be built at this time. The applicant will pay a traffic impact fee and a voluntary contribution in lieu of tree planting, and sidewalk installation. Sewer EDU fees were also provided, and the necessary agreements protecting the Township are in place. Several waivers were approved at Preliminary Plan Approval.

Mr. Clements, representing the applicant, was present for the meeting and briefly addressed the Board. Chair DeLello asked Mr. Nolan about the wetlands on site. Mr. Clement, Mr. Nolan, and the Board discussed the wetlands and storm water flow as it relates to the site. Chair DeLello asked if this project was being built in stages. Mr. Clements replied that site nine was undecided, but all other 8 lots would be built at the same time. Supervisor Betz asked Mr. Clement if lot 9 would ever be developed. Mr. Clement replied that it may, but no plan is currently developed.

**Supervisor Betz motioned to approve Resolution 2022-22, Final Land Development Approval for Haganir, LD 2022-02. Supervisor Quigley seconded the motion.**

**There was no public comment.**

**The motion passed unanimously, 3-0.**

- v. Resolution 2022-23, A resolution to amend the Worcester Township Personnel Manual.

Township manager Sean Halbom summarized the changes to the Employee Handbook. The changes include modification to work hours, paid time off days for new hires, and grammatical changes are proposed.

**Supervisor Betz motioned to approve Resolution 2022-23, amending the Worcester Township Employee Handbook, Supervisor Quigley seconded the motion.**

There was no public comment.

**The motion passed unanimously.**

- vi. Resolution 2022-24, Adoption of the 2023 Worcester Township Budget.

Chair DeLello summarized the efforts made by the Township to maintain a sustainable budget throughout the years.

**Supervisor Betz motioned to approve Resolution 2022-24, adopting the 2023 Worcester Township Budget. Supervisor Quigley seconded the motion,**

Susan Smith commented and expressed support for budgeting money for the planting of pollinator species in Township spaces. The Township manager replied that he had investigated the request and learned of several grant sources that can be used to help with such projects.

- e) Ordinance Adoption – 22-294 – Chapter 150 (Zoning) – An ordinance to amend certain provisions of the Township Code.

Chair DeLello asked the Solicitor to summarize the “clean up” ordinance. Mr. Brant replied that the ordinance had been advertised and this evening’s meeting allows for a public hearing concerning the ordinance. Mr. Brant summarizes the specific changes to the zoning ordinance related to signage.

Supervisor Quigley expressed concern over political signs and how they may be impacted by the ordinance. He expressed support for the changes if political signs could be exempted. Supervisor Betz asked if the Board was approving the amendment to the code as-presented, or if the language was being modified to address Supervisor Quigley’s concerns. Mr. Brant replied by clarifying the changes proposed, which add several permanent features to the list of things that cannot have signage attached or affixed to them.

The Township manager offered that, in his experience, these ordinances are generally used to enforce sign pollution and other nuisance signage, which is all commercial in nature and not related to residents' first amendment rights.

Supervisor Betz suggested tabling the ordinance until another meeting so the Board had time to consider the concerns expressed. The Solicitor suggested offering public comment in the hearing prior to voting to table the motion.

Dr. Jim Mollick of Worcester offered public comment advocating against the ordinance adoption. He offered that the ordinance was designed following conversations with a resident who he suspects had political motives. He shared that he had filed a right to know request and received emails concerning the subject. Dr. Mollick shared his feeling that the proposed legislation was politically motivated and interferes with free speech.

Chair DeLello offered disagreement with Dr. Mollick's perception of the motivations behind the ordinance clean up and thanked him for his comment.

**The public hearing was closed. Supervisor Betz motioned to table the motion; Supervisor Quigley seconded the motion. The motion passed unanimously.**

## **OTHER BUSINESS**

Supervisor Quigley addressed a recent letter sent to Townships by the Montgomery County Planning Commission concerning fair housing. He expressed concern about outside forces that could propose development that is higher density than the Township may be used to seeing.

## **PUBLIC COMMENT**

## **ADJOURNMENT**

The meeting adjourned at 8:59 PM.

## UPCOMING MEETINGS

*Meetings to be held at Worcester Township Community Hall, 1031 Valley Forge Road.*