

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS
REORGANIZATION MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
TUESDAY, JANUARY 3, 2012 AT 11:00 A.M.**

CALL TO ORDER by Arthur Bustard at 11:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

1. INFORMATIONAL ITEMS

The Annual Organization Meeting of the Elected Auditors will take place on Wednesday, January 4, 2012 at 8:30 A.M., at the Worcester Township Community Hall, Fairview Village, PA.

2. REORGANIZATION OF THE BOARD OF SUPERVISORS

a. Motion to Appoint a Temporary Chairperson

Supervisor Caughlan made a motion to appoint Supervisor Bustard as Temporary Chairperson. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.

b. Motion to Appoint a Temporary Secretary

Supervisor Caughlan made a motion to appoint F. Lee Mangan as Temporary Secretary. Supervisor Quigley seconded the motion. There were no comments from the public. The motion passed unanimously.

c. Motion to Appoint the Chairperson for calendar year 2012

Supervisor Caughlan made a motion to appoint Supervisor Bustard to the position of Chairman of the Board of Supervisors. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick, Worcester, commented on separate motions and time of meeting.

d. Motion to Appoint the Vice Chairperson for calendar year 2012

Supervisor Bustard made a motion to appoint Supervisor Caughlan to the position of Vice Chairman of the Board of Supervisors. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on the choice.

e. Consideration and Adoption of Resolution 12-01; Township Manager, Secretary and Right to Know Officer

Supervisor Caughlan made a motion to adopt Resolution 12-01, appointing F. Lee Mangan Township Manager, Secretary and Right to Know Officer. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on agenda, Treasurer's report and right to know request.

f. Consideration and Adoption of Resolution 12-02; Assistant Township Manager, Treasurer and Assistant Secretary

Supervisor Caughlan made a motion to adopt Resolution 12-02, appointing Eunice C. Kriebel Assistant Township Manager, Treasurer and Assistant Secretary. Supervisor Quigley seconded the motion. The motion passed unanimously.

g. Consideration and Adoption of Resolution 12-03; Road Master and Director of Public Works

Supervisor Caughlan made a motion to adopt Resolution 12-03, appointing Robert D'Hulster Road Master and Director of Public Works. Supervisor Quigley seconded the motion. The motion passed unanimously. Supervisor Quigley commented on Roadmaster attending meetings.

h. Consideration and Adoption of Resolution 12-04; Zoning Officer

Supervisor Caughlan made a motion to adopt Resolution 12-04, appointing Tiffany Jacqmin Zoning Officer. Supervisor Quigley seconded the motion. The motion passed unanimously.

i. Consideration and Adoption of Resolution 12-05; Building Code Official

Supervisor Caughlan made a motion to adopt Resolution 12-05, appointing Keystone Municipal Services Inc. Building Code Official. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on process and the cost of the building inspector.

j. Consideration and Adoption of Resolution 12-06; Professional Consultants

Supervisor Caughlan made a motion to adopt Resolution 12-06A, appointing CKS Engineers, Inc. Township Engineer. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on competitive bids.

Supervisor Caughlan made a motion to adopt Resolution 12-06B, appointing CKS Engineers, Inc Assistant Zoning Officer. Supervisor Quigley seconded the motion. The motion passed unanimously.

Supervisor Caughlan made a motion to adopt Resolution 12-06C, appointing Wisler Pearlstine, LLP Township Solicitor. Supervisor Bustard seconded the motion. The motion passed two to one with Supervisor Quigley opposing. James Mollick commented on need for new solicitor to save costs and the process.

Supervisor Caughlan made a motion to adopt Resolution 12-06D, appointing Bee Bergvall, Co. Professional Auditors. Supervisor Quigley seconded the motion. The motion passed unanimously.

k. Consideration and Adoption of Resolution 12-07; Vacancy Board Chairman

Supervisor Caughlan made a motion to adopt Resolution 12-07, appointing Gordon Todd Vacancy Board Chairman. Supervisor Quigley seconded the motion. The motion passed unanimously.

l. Consideration and Adoption of Resolution 12-08; Delegates to the Annual PSATS Convention and Voting Delegate

Supervisor Caughlan made a motion to adopt Resolution 12-08, appointing Arthur C. Bustard, Susan G. Caughlan and Stephen C. Quigley Delegates to Annual PSATS Convention and Arthur C. Bustard Voting Delegate. Supervisor Quigley seconded the motion. The motion passed unanimously.

m. Consideration and Adoption of Resolution 12-09; Adoption of the 2012 Holiday Schedule

Supervisor Caughlan made a motion to adopt Resolution 12-09, adopting the 2012 Holiday Schedule. Supervisor Quigley seconded the motion. The motion passed unanimously.

<u>DATE</u>	<u>DAY</u>	<u>HOLIDAY</u>
January 2, 2012	Monday	New Years
February 20, 2012	Monday	President's Day
April 6, 2012	Friday	Good Friday
May 28, 2012	Monday	Memorial Day
July 4, 2012	Wednesday	Independence Day
September 3, 2012	Monday	Labor Day
November 22, 2012	Thursday	Thanksgiving Day
November 23, 2012	Friday	Black Friday
December 24, 2012	Monday	Christmas Eve
December 25, 2012	Tuesday	Christmas Day
December 31, 2012	Monday	New Year's Eve
January 1, 2013	Tuesday	New Year's Day

n. Consideration and Adoption of Resolution 12-10; Adoption of Board of Supervisors 2012 Meeting Schedule

Supervisor Quigley commented on the time of the work session meeting. Supervisor Caughlan made a motion to adopt Resolution 12-10, approving the Board of Supervisors 2012 Meeting Schedule. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on the morning meetings. Rick DeLello, Worcester, commented on making up the meeting in May.

<u>DATE</u>	<u>BOS W.S.</u>	<u>JT MTG</u>	<u>BOS MTG</u>	<u>ZHB MTG</u>	<u>PC W.S.</u>	<u>PC MTG</u>
January	Org Mtg 3 (Tues)		18	24	12	26
February	6	6	15	28	9	23
March	5		21	27	8	22
April	2		18	24	12	26
May	No Mtg	No Mtg	16	22	10	24
June	4		20	26	14	28
July	2		18	24	12	26
August	6	6	15	28	9	23
September	4 (Tues)		19	25	13	27
October	1		17	23	11	25
November	5	5	21	27	8	29
December	3		19	18	No Mtg	13

o. Consideration and Adoption of Resolution 12-11: Designation Depositories for Township Funds

Supervisor Caughlan made a motion of the following Depositories for Township Funds. Supervisor Quigley seconded the motion. The motion passed unanimously.

First Niagara
Univest-Union National Bank
PLGIT

p. Consideration and Adoption of Resolution 12-12; Approval of Fire Department Activities

Supervisor Caughlan made a motion to adopt Resolution 12-12 approving the Fire Department Activities. Supervisor Quigley seconded the motion. The motion passed unanimously.

q. Consideration and Adoption of Resolution 12-13; Assistant Right to Know Officer

Supervisor Caughlan made a motion to adopt Resolution 12-13 appointing Erica Lucey Assistant Right to Know Officer. Supervisor Quigley seconded the motion. The motion passed unanimously.

r. Motion to Approve Treasurer's Bond in the amount of \$10 Million Dollars

Supervisor Caughlan made a motion to approve the bond. Supervisor Quigley seconded the motion. The motion passed unanimously.

s. Motion to appoint members of the Planning Commission

Two expiring terms of Patricia Quigley and Douglas Rotondo is for a three year term. Supervisor Caughlan made a motion to re-appoint Patricia Quigley and Douglas Rotondo each for a three year term. Supervisor Quigley seconded the motion. The motion passed unanimously.

Two letters of resignation were received, one with a remaining term of two years and the other with remaining term of one year. Supervisor Caughlan made a motion to appoint Chris David to fill the two year term. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on the interview process, contact with the applicants, and conflicts of interest.

Supervisor Caughlan made a motion to appoint Anthony Sherr to fill the one year vacancy term. Supervisor Quigley expressed concern and lack of community participation and made a motion to appoint Rick DeLello. Chairman Bustard commented on Mr. Sherr's legal experience and seconded Supervisor Caughlan's motion. The motion passed two to one with Supervisor Quigley opposing. James Mollick commented on the resignation of Paul Ziegler, credentials of Anthony Sherr, and past involvement of Rick DeLello, and legal expenses. David Plager, Worcester, commented on Mr. Sherr conflict if representing the township in legal issues.

t. Motion to appoint member of the Zoning Hearing Board for expiring term

Supervisor Caughlan made a motion to appoint George Stauffer to another three year term. Supervisor Quigley seconded the motion. The motion passed unanimously. James Mollick commented on supervisors' contact with the applicant and qualifications of other applicants.

u. Motion to appoint liaison to North Penn Water Authority for five year term

Supervisor Caughlan made a motion to re-appoint Paul Ziegler to a five year term as representative to the North Penn Water Authority. Supervisor Quigley seconded the motion. The motion passed unanimously.

3. APPROVAL OF THE MINUTES OF NOVEMBER 7, 2011

Supervisor Caughlan made a motion to approve the minutes of November 7, 2011. Supervisor Quigley seconded the motion. The motion passed unanimously. Copies are available for review.

4. PUBLIC COMMENTS

Gordon Todd, Worcester, commented on knowledge of experience when appointing individuals for professional services.

James Mollick commented on long term services of professionals and the need for bidding, enforcement procedures in the township, purging of files, and Right to Know request without a response.

Rick DeLello, Worcester, commented on e-mail to manager without response, conversation with Paul Ziegler, inappropriate comments by Supervisors.

Charles Valenza, Worcester, commented on the need to consider televising meetings.

5. ADJOURNMENT

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

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, PA
WEDNESDAY, JANUARY 18, 2012 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

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

INFORMATIONAL ITEMS:

Manager Lee Mangan announced that Item E: Army Reserve Base Discussion will be tabled pending receipt of additional information from DEP.

TREASURER'S REPORTS

The Treasurer's reports for December, net change on cash basis:

December 2011 Report:

General Fund	\$2,105.80
State	(\$55,022.21)
Capital Reserve	\$506,215.91

James Mollick, Worcester, inquired about decision on posting Treasurer's Reports on the web. Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

Supervisor Quigley inquired about funds from the cable franchise being dedicated to video taping meetings and commented on the storage of salt damaging the building.

PAYMENT OF THE BILLS OF THE TOWNSHIP

James Mollick inquired about posting bills on the Township website.

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$212,394.95. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Tiffany Loomis

Last Meeting: December 20, 2011
Application #11-13: Application GRANTED on December 20, 2011
Next Meeting: January 24, 2012

One new application: #11-14: West Germantown Pike & East Adair Drive

Tiffany Loomis displayed a map for Application #11-14 showing the location as corner lot. The applicant needs relief for setbacks, impervious coverage, and accessory building structure without a primary residence.

Joseph Nolan, Township Engineer, noted that stormwater management should be considered because the property is in a high flood area and the request for excess impervious coverage.

After discussion, it was determined that a reverse subdivision would relieve any hardships.

James Phillips, Worcester, commented on informing the applicant.

William Kazimer, Worcester, commented on contacting the applicant.

James Mollick asked for further explanation.

Supervisor Caughlan moved to authorize the Solicitor to oppose the application. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Land Development and Subdivision Update

Tiffany Loomis informed the Board there were no new land development or subdivision applications.

Supervisor Quigley inquired about tree plantings at the Grange Avenue land development property.

Lee Mangan informed the Board the trees will be removed and replanted weather permitting.

Motion to approve Resolution 2012-14, Professional Consultant – Robert Brant & Associates LLC

Lee Mangan noted that the Zoning Hearing Board has not met but plan to retain Robert Brant & Associates LLC. as in previous years.

James Mollick commented on this being the same procedure as last year.

William Kazimer commented on the approval prior to the Zoning Hearing Board meeting and the hourly rate

Supervisor Caughlan moved to approve Resolution 2012-14. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously to approve Resolution 2012-14, Professional Consultant – Robert Brant & Associates LLC

Designation of Agent Resolution – PEMA for Hurricane Irene

Supervisor Caughlan moved to approve Designation of Agent Resolution – PEMA for Hurricane Irene naming Eunice Kriebel. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously to approve Designation of Agent Resolution – PEMA for Hurricane Irene

Discussion and Possible Action – Transferable Development Rights (TDRs)

Lee Mangan turned the floor over to Susan Caughlan. Ms Caughlan presented the final format of the proposed ordinance and explained the advantages of establishing Transferable Development Rights (TDRs). She noted that it is an optional right to preserve lots as commodities or for estate planning, but the land is permanently preserved.

Supervisor Quigley inquired about the use of TDRs in surrounding communities and the receiving piece of the TDRs.

Chairman Bustard noted that the Board is working on receiving areas in Fairview Village but this ordinance is the first step to preserve land.

James Phillips inquired about zoning effecting the properties and ownership of the TDRs, future storm water management, improvements and the possibility of seminars to further understand the process.

James Mollick commented on the need to discuss TDRs now before the next meeting, the ordinance being half an ordinance, conflicts with the ordinance, and inquired if the Township is getting into the real estate business.

William Kazimer commented on human nature, ownership of the golf course and the Township spending money to assist current landowners.

Supervisor Caughlan moved to advertise Ordinance 2012-234: Transferable Development Rights (TDRs). Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously approve

ENGINEER'S REPORT

Monthly Report:

Joseph Nolan noted that the new bridge at Water Street Road and Kriebel Mill Road is complete.

Supervisor Quigley inquired about the state of the Township's roads with the mild winter.

SOLICITOR'S REPORT

None

OTHER BUSINESS

None

APPROVAL OF THE MINUTES OF DECEMBER 21, 2011

As required by the Pennsylvania Sunshine Act, the minutes of township meetings must include the date, time and place of the meeting; the names of the members present; the substance of all official actions; a record of any roll call votes taken by individual board members; and the names of all citizens who appeared officially and the subject of their comments. Is there a motion to approve the minutes?"

Chairman Bustard noted a date correction in the solicitors section.

Supervisor Caughlan corrected the spelling of a name, and removed "required" match under the tree vitalization grant to "proposed".

James Mollick commented that Section H-DePhillippo decision did not include the Commonwealth Court Decision, Section 5-Solicitors report did not included the case and docket number he sited, and Section 7-Approval of Minutes did not included DePhillippo doing business with the Township.

Supervisor Caughlan moved to approve as amended, the minutes of December 21, 2011. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve as amended, the minutes of December 21, 2011.

PUBLIC COMMENTS

Supervisor Quigley inquired if the Staff received any updates from State Officials regarding sound barriers along the area of the Turnpike widening.

James Mollick commented on the Times Herald RTK article, money spent on e-mails, wasted money, destroying e-mails, and supervisor's citing the pledge of allegiance.

Mauve Vogan, Worcester, inquired about the update on the Army Reserve Base and the need for an environmental report on the property. She further commented about the status of Township parks and the Task Force's recommendations with no action be taken on their suggestions.

Bruce Panco, Worcester, commented on the TDR Ordinance being half a action with no receiving area and suggested a complete ordinance.

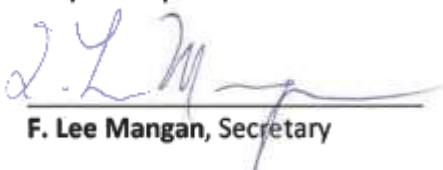
Gordon Todd, Worcester Township Planning Commission Chairman, noted that the receiving area is an important part and the Planning Commission is working on it for the Cedars, Fairview Village and Center Point areas.

James Phillips commented about TDRs and property values increasing being equal to spot zoning and the loss of transfer tax.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:02 P.M.

Respectfully submitted:



F. Lee Mangan, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, FEBRUARY 6, 2012, 9:00A.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 had no informational items.

1. Manager's Report

a. Moran Property Trail Update

Lee Mangan, Township Manager, informed that Board that the layout for the trail would be defined this week, as the result of a walkthrough of the property, involving the township engineer and a survey crew.

b. Subdivision & Land Development Update (current activity only)

3110 Heebner Road

Joe Nolan, Township Engineer, provided a summary of the minor 2-lot subdivision application.

1074 Grange Avenue

Mr. Mangan informed the Board that new trees have been planted, and the matter is closed.

c. Zoning Hearing Board Update

Mr. Mangan reported that the February 28th meeting has been cancelled

d. Sign Ordinance Update

Mr. Mangan reported that policies and procedures are being implemented, and provided a handout that will be provided to applicants with permit applications concerning the application process.

e. Preliminary discussion – U.S. Army Reserve Center

Mr. Mangan discussed a timeline handout provided to the Board, commenting that staff has discovered that things that should have been done by DEP on behalf of the army and the township, have not been done, perhaps due to the recession, and the retirement of key individuals. He plans to make a full presentation on February 15th, outlining a recommendation to the Board, after a forthcoming review of DEP files.

Ms. Caughlan thanked Mr. Mangan, and asked which party was responsible for not doing necessary tasks, DEP or the Army?

609684

Supervisor Caughlan corrected the spelling of a name, and removed "required" match under the tree vitalization grant to "proposed".

James Mollick commented that Section H-DePhillippo decision did not include the Commonwealth Court Decision, Section 5-Solicitors report did not included the case and docket number he sited, and Section 7-Approval of Minutes did not included DePhillippo doing business with the Township.

Supervisor Caughlan moved to approve as amended, the minutes of December 21, 2011. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve as amended, the minutes of December 21, 2011.

PUBLIC COMMENTS

Supervisor Quigley inquired if the Staff received any updates from State Officials regarding sound barriers along the area of the Turnpike widening.

James Mollick commented on the Times Herald RTK article, money spent on e-mails, wasted money, destroying e-mails, and supervisor's citing the pledge of allegiance.

Mauve Vogan, Worcester, inquired about the update on the Army Reserve Base and the need for an environmental report on the property. She further commented about the status of Township parks and the Task Force's recommendations with no action be taken on their suggestions.

Bruce Panco, Worcester, commented on the TDR Ordinance being half a action with no receiving area and suggested a complete ordinance.


Gordon Todd, Worcester Township Planning Commission Chairman, noted that the receiving area is an important part and the Planning Commission is working on it for the Cedars, Fairview Village and Center Point areas.

James Phillips commented about TDRs and property values increasing being equal to spot zoning and the loss of transfer tax.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:02 P.M.

Respectfully submitted:



F. Lee Mangan, Secretary

Mr. Mangan replied that he felt both may be responsible, perhaps due to the recession, and retirements of key personnel at DEP. However, until a review of DEP files takes place by township staff, he cannot say for certain what may or may not have been done recently.

Supervisor Quigley thanked Mr. Mangan for the US Army Reserve Base timeline, and commented on the Moran Trail project status.

2. ENGINEER'S REPORT

a. Road Improvement Project – 2012 Authorization

Joseph Nolan, Township Engineer, commented on the mild winter, and moving ahead with the Roadmaster to survey potential roads for the 2012 project.

Chairman Bustard commented on the timing, due to the weather, and replacement of a traffic light at Center Point.

3. SOLICITOR'S REPORT

a. ZHB Application #11-14 - Pectrecz

James Garrity, Township Solicitor, commented on a meeting held with the applicant, and a new application will be submitted.

4. OTHER BUSINESS

None

5. Approval of the Minutes of January 3, 2012

Supervisor Caughlan moved to approve the minutes of January 3, 2012. Supervisor Quigley seconded the motion.

James Mollick, Worcester, commented on the public comments in the January 3, 2012 minutes

Chairman Bustard called the motion and the motion passed unanimously.

6. PUBLIC COMMENTS

Rick DeLello, Worcester, commented on the document Mr. Mangan handed out to the Board during item 1d. Tiffany Loomis, Zoning Officer, replied. Mr. Garrity commented that the handout included a calendar of meeting dates, so applicants would be aware of when their applications might be discussed at a public meeting.

Chairman Bustard provided an update on the new sound system.

Oliver Smith, Worcester, asked about the process should the Township decide not to accept the US Army Reserve Base. Chairman Bustard replied. Mr. Bustard said he will not accept the property, unless it is clean.

Supervisor Caughlan remarked that there are two environmental issues: what is on the ground now and groundwater contamination and off-site migration. She commented that the Army is responsible, under Federal Law, to remove anything that is a hazardous substance that they have put there. She commented on Act 2, the Land Recycling Act, which allows the Army to get DEP's permission to convey property, with environmental liability, if they follow certain protocols for remediation and testing, and remarked that the Army did not pursue that route.

Supervisor Quigley commented on the concern for taking the Army at its word.

Chairman Bustard commented on his displeasure with the lack of thoroughness of the Environmental Assessment completed by the Army.

James Mollick, Worcester, commented on the Army's liability concerning the environmental issues at the US Army Reserve Base, Solicitor activity, and zoning enforcement policies obtained from former Manager David Burman via Right to Know.

Supervisor Caughlan commented that the Army is responsible for environmental contamination at the US Army Reserve base, and that under Act 2, the landowner, even after conveyance of the property, the landowner is liable.

7. ADJOURNMENT

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

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, FEBRUARY 15, 2012 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

ARTHUR C. BUSTARD [X]

STEPHEN C. QUIGLEY [X]

SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS:

Lee Mangan, Township Manager, indicated that the public hearing would be moved to the top of the agenda.

TREASURER'S REPORTS

The Treasurer's reports for January, 2012 net change on cash basis:

January 2012 Report:

General Fund	\$28,013.11
State	\$0.03
Capital Reserve	\$45.22

James Mollick, Worcester, inquired about posting Treasurer's Reports on the internet.

William Kazimer, Worcester, asked for clarification on the Capital Reserve amount.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

James Mollick inquired about posting bills on the Township website prior to the meeting.

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$273,125.08. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Public Hearing: Motion to approve Ordinance 12-234, Transferable Development Rights (TDRs)

The public hearing opened at 7:38pm.

James Garrity, Township solicitor, gave an explanation of the ordinance.

A court reporter was present to record to proceedings.

The public hearing closed at 9:02pm.

Supervisor Caughlan moved to approve Ordinance 12-234. Chairman Bustard seconded the motion. Supervisor Quigley recused himself from the vote, stating that his family owns more than 30 acres in Worcester, and there could be a potential conflict.

Chairman Bustard called the question and the motion passed 2-0 (Supervisor Quigley recused) to approve Ordinance 12-234, Transferable Development Rights (TDRs).

Zoning Hearing Board Update provided by Lee Mangan

The meeting on January 24, 2012 was cancelled.
The meeting on February 28, 2012 will be cancelled.

Land Development and Subdivision Update provided by Tiffany Loomis

Tiffany Loomis informed the Board that the Planning Commission will review the Evans 2-lot subdivision at the February 23, 2012 meeting.

Discussion and Possible Action, Deer Creek Road Request

A petition had been received from residents of Deer Creek Road requesting that the Township assume ownership of the road.

Joe Nolan, Township engineer, commented that he did not believe the road was built to Township specifications.

Supervisor Caughlan asked why some roads are private and some are owned by the Township.

Chairman Bustard requested Mr. Nolan review the original subdivision plan and determine the date of the build and what would be required to bring the road up to Township specifications.

Discussion & Possible Action – Army Reserve Base, Berks Road

Lee Mangan provided a background on the property. He referenced a letter from June 11, 2007 from DEP to the Army, concerning 2001 sampling of sites through Pennsylvania.

Mr. Mangan is suggesting that the Board retain the services of an Environmental Law firm, to do an evaluation on the process. He recommended the Philadelphia firm of Manko, Gold, Katcher & Fox. He believes that the initial review would be approximately \$30,000, and would be money well spent, to protect the interests of the Township.

Chairman Bustard commented that he wants a clean site before the Township accepts it.

Supervisor Quigley remarked that Mr. Garrity prepared a letter years earlier, reminding the Board of Supervisors at the time, that the property was going to be given to the Township “as is.”

James Phillips, Worcester remarked about experience with Mr. Manko’s firm and agreed it was money well spent.

James Mollick, Worcester, commented on the timing of this action, who was overseeing the project up until now, what was Susan Caughlan’s position with the Township during the acquisition process.

Mark Landis, Worcester, commented that when the federal government established the BRAC, they never allocated money.

Bruce Pancio, Worcester, asked if the Township can still back out of the property if the site is found to be contaminated.

Chairman Bustard again stated he will not take the property unless it is clean.

Floyd Nellet, Worcester, commented on impact to neighbors, protection for Township from other potential possibilities for the site and the progress on the process. He suggested that at least one resident should be on any Board deciding the fate of the property.

Supervisor Quigley moved to authorize the Manager to retain the law firm of Manko, Gold, Katcher and Fox to review the files on behalf of the Township. Supervisor Caughlan seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

ENGINEER'S REPORT

Monthly Report:

Joseph Nolan noted that his report was sent to the Township, and he would be happy to answer any questions from the Board.

SOLICITOR'S REPORT

Executive Session Report - None

OTHER BUSINESS

None

APPROVAL OF THE MINUTES OF JANUARY 18, 2012

As required by the Pennsylvania Sunshine Act, the minutes of Township meetings must include the date, time and place of the meeting; the names of the members present; the substance of all official actions; a record of any roll call votes taken by individual board members; and the names of all citizens who appeared officially and the subject of their comments. Is there a motion to approve the minutes?"

Supervisor Caughlan moved to approve as written, the minutes of January 18, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve as written, the minutes of January 18, 2012.

PUBLIC COMMENTS

Maeve Vogan, Worcester, commented on the need for courtesy and respect from the Supervisors when residents are speaking at the meeting.

James Phillips, Worcester, commented on the need for aquifer testing near the Army Reserve Base site.

Mark Landis, Worcester, inquired about the status of the sign ordinance and commented on the size of the sign at Routes 73 and 363.

William Kazimer, Worcester, commented on the storage of materials at the former Transicoil site, near the Army Reserve Base.

Aldo Cuce, Worcester, thanked the Board for approving the TDR ordinance.

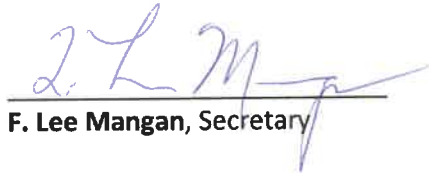
James Mollick, Worcester, commented on the statement from Maeve Vogan, emails related to the TDR ordinance and policy on solicitor spending.

Dorothy McGrane, Worcester, commented on contamination related to the Transicoil property and Army Reserve base.

ADJOURNMENT

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

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "F. Lee Mangan", is written over a horizontal line. The signature is stylized and cursive.

F. Lee Mangan, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, March 5, 2012 AT 9:00 A.M.**

WORK SESSION CANCELLED

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, MARCH 21, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

ARTHUR C. BUSTARD [X]

STEPHEN C. QUIGLEY [X]

SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS:

Chairman Bustard announced an additional resolution for consideration to support PSATS position on the prevailing wage bill will be considered under Other Business.

TREASURER'S REPORTS

The Treasurer's reports for February, 2012 net change on cash basis:

February, 2012 Report:

General Fund	\$235,850.48
State	(\$46,521.12)
Capital Reserve	\$487.74

James Mollick, Worcester, inquired about posting Treasurer's Reports online and about the expense item for code enforcement.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$411,379.12. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Township Manager, F. Lee Mangan

The meeting on February 28, 2012 was cancelled.
 The March 27, 2012 meeting was cancelled.
 Next meeting is scheduled for April 24, 2012.

609684

Land Development and Subdivision Update provided by Tiffany Loomis.

Tiffany Loomis informed the Board that the Planning Commission reviewed 3110 Heebner Road, a two lot subdivision and recommended preliminary / final approval.

A letter was received at the Township office from the equitable owner of the Mandracchia subdivision requesting an extension of time until September 28, 2012.

Supervisor Caughlan moved to grant the extension of time. Supervisor Quigley seconded the motion and inquired how many extensions can be requested. Chairman Bustard called the question and the motion passed unanimously

MJE Builders, 3110 Heebner Road, Preliminary / Final approval consideration for two lot subdivision

Ms. Loomis informed the Board that the applicant has withdrawn the Conditional Use Application that was pending for the same property.

Award Bid of 1991 Eger Beaver Chipper.

The item was purchased on December 4, 1991 for \$10,900. It was legally advertised on Municibid web site and sold for \$5,404.

Supervisor Caughlan moved to authorize the sale of the Eger Beaver chipper to the highest bidder. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Chadwick Place Grant Administration

Mr. Mangan explained that Land Concept Group applied for a DEP Grant for the Chadwick Place Development to make revisions to the retention basin. The intent is to improve water quality and habitat life. Pennsylvania Audubon sponsored and received the grant; however, the disbursement of funds must be administered by the Township.

Supervisor Caughlan inquired if prevailing wages would be necessary since the grant is for \$47,500.

Mr. Mangan noted that the agreement is subject to review by the Township Engineer and Solicitor. He further noted that the Homeowners Association of Chadwick Place will contribute funds of \$10,000.

Mark Landis, Worcester, inquired about costs to the Township and if there is a cap on the project.

James Garrity commented that there should be an agreement to reimburse the Township for out of pocket costs.

James Phillips, Worcester, inquired about mosquito control. Joseph Nolan, Township Engineer, explained that if properly designed, natural basins will not have mosquito issue due to the natural habitat.

Supervisor Caughlan moved to accept the Township as grantee for administration of funds subject to review. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously

Discussion and Resolution of TDR Application fees

Mr. Mangan announced that Joseph Nolan and James Garrity estimated the amount of time each would require to review the TDR application. Based on that input, the following schedule was suggested:

Five or less lots	\$1,000
Five to Ten lots	\$1,500
Ten or more lots	\$2,000

These fees are subject to review after one year to evaluate actual costs.

Supervisor Quigley inquired about the amount of research surrounding the fee calculations and commented that this should have been done prior to passing the ordinance.

Chairman Bustard stated that they have arrived at the best estimate.

James Mollick inquired if other municipalities' fees were researched, how the fees were determined, and why this was not completed earlier. He further commented on the Worcester TDR ordinance being unique.

Gordon Todd, Chairman of the Worcester Planning Commission, noted that fee schedules are not typically done as part of an ordinance but that fee determination is part of Township administration.

Supervisor Caughlan moved to accept the proposed fee schedule. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously

Cedars Village Overlay Ordinance amendment

Mr. Mangan introduced the ordinance noting that the draft has been circulated to the Board, Engineer and Solicitor. It has been on the Township website for review and he requested action to advertise the ordinance. Mr. Garrity confirmed that it was not a public hearing, only authorization to advertise.

Supervisor Quigley commented that he did not receive the draft ordinance until the afternoon of the prior day and did not have time to review it thoroughly but noted several zoning issues that should be addressed along with some vague definitions. He further expressed concern about the rush to advertise it in its current state.

Supervisor Caughlan commented that zoning issues will be addressed at land development review.

James Phillips recommended more public discussion prior to advertising and suggested tabling the issue.

James Mollick commented on reactions from the Board towards the residents and lack of consideration to residents, suggested the application of the receiving TDR area should have been in the original TDR ordinance, inquired about the purpose of the ordinance and who wrote it expressing that it was not pro business.

Gordon Todd commented on residents' perception being wrong that the ordinance was in the public view and the purpose tonight is to advertise the ordinance so the public can comment at the hearing.

Mark Landis expressed concern that once the ordinance is advertised, it involves costs and there are many conflicts regarding the business operations.

William Kazimer, Worcester, commented on the prohibited adult uses and requested clarification.

David Plager, Worcester, commented on the need to advertise and then be willing to discuss changes.

Charles Caikoski, representative for David Markel, noted that Mr. Markel owns 70% of the land in the Cedars Village area and he is opposed to the ordinance noting that it presents no viable opportunities but instead unreasonable requirements. He further stated that Mr. Markel owns 10 parcels in the area.

Dorothy McGrane commented on this being the first step in process and supports the advertising.

Supervisor Quigley inquired that if the owner of 70% of the land in the targeted area is not happy, why move ahead. He inquired if other residents of Cedars Village expressed interest in commercial and business enterprises and asked about installation of sidewalks.

Ciro Tornambe, Worcester, stated he was a resident of Cedars and this has been a three year process with eighteen additional land owners with interests in Cedars. He supports the buffers, hours of operation and encourages the advertisement.

James Phillips commented on the Board interrupting residents, the proposed ordinance representing spot zoning, and inquired about other areas being considered, and lack of discussion.

Rick DeLello, Worcester, commented on the Board's track record of passing ordinances once they are advertised with no time to consider discussion or changes.

James Mollick commented on the author of the ordinance not being able to provide clear definitions, the ordinance having contradictions and suggested the Board take Supervisors Quigley's comment into consideration.

Supervisor Caughlan moved to authorize advertisement of the Cedars Village Overlay Ordinance. Chairman Bustard seconded the motion. Chairman Bustard called the question and the motion passed two to one with Supervisor Quigley opposing.

ENGINEER'S REPORT

Joseph Nolan noted that his monthly report was sent to the Township, and he would be happy to answer any questions from the Board.

Annual MS 4 Update

Mr. Nolan stated the Stormwater Management Program was originally for a five year permit, but it has been extended for an additional four years. A new report is due to DEP by June 15, 2012. The report must include public comments. It consists of implementation and planning of six components:

1. Public Education and Outreach including website and links
2. Public Participation and Volunteers including Earth Day and Perkiomen Watershed volunteers
3. List of Discharge Inspections inspected by CKS Engineers
4. Construction site run off control – Montgomery County Conservation set standards
5. Post Construction run off control- basin inspections in Township
6. Pollution prevention and housekeeping measures including best management practices

DEP is urging the re-issue of permits with requirements to have the Township map, their stormwater system including outfalls, inlets, and piping.

Supervisors Quigley inquired if CKS is working with Worcester Elementary School Environmental Club.

Supervisor Caughlan inquired if a summer intern would be helpful.

Stormwater and Infiltration Amendment

Mr. Nolan introduced the amendment for Best Management Practices which provides guidelines for residents to use. The proposed ordinance has been reviewed by the Worcester Planning Commission and they will propose the ordinance and forward it to the Solicitor for review.

SOLICITOR'S REPORT

Executive Session Report - None

OTHER BUSINESS

Chairman Bustard introduced a resolution drafted by PSATS supporting prevailing wage updates on a state wide level. The bill will increase the ceiling for prevailing wages to \$185,000 and change worker classification.

Supervisor Quigley inquired about the County's position on the resolution.

James Garrity commented that this change would be State-Wide.

Supervisor Caughlan moved to support the PSATS resolution to update the prevailing wage act.

Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

APPROVAL OF THE MINUTES OF FEBRUARY 15, 2012

Supervisor Caughlan moved to approve as written, the minutes of February 15, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve as written, the minutes of February 15, 2012.

PUBLIC COMMENTS

James Phillips commented on the time spend on the Cedars Village advertisement; questioned spot zoning, notification to residents in the area and a Township employee accident.

Maeve Vogan, Worcester, inquired about the status of the Army Reserve Base and the sign ordinance.

Supervisor Quigley commented on article in a publication regarding directional signs and Worcester Township being an unfriendly place to sell real estate.

James Mollick refreshed memory on e-mails between resident and supervisors, quoted the General Council Article of January 1, 2009, and thanked the Board for access to public records.

Bruce Panco, Worcester, commented on the rush of advertising the Cedars Village ordinance, the two to one vote, and input from the business residents on the ordinance.

Mark Landis inquired about the status of the Turnpike sound barriers and use of the Boards' influence to help Township residents.

Dave Plager commented that the purpose of advertising is to receive input from residents and businesses.

Supervisor Quigley remarked that the road in the Cedars Village is a state road with no room to widen for sidewalks and inquired about the cost of improvements.

William Kazimer commented on the elimination of alcohol and illegal wording in the Cedars Village ordinance.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:50 P.M.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'F. Lee Mangan', is written over a horizontal line.

F. Lee Mangan, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, APRIL 2, 2012, 9:00A.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 had no informational items.

1. MANAGER'S REPORT

a. Subdivision & Land Development Update (current activity only)

Tiffany Loomis, Zoning Officer, provided the Board with an update of two new applications: Our Farm 42-lot subdivision sketch plan and a TDR application from Worcester Golf Course located on Green Hill Road.

b. Zoning Hearing Board Update

Mr. Mangan reported that the March 27th meeting was cancelled and the next meeting will take place on Tuesday, April 17, due to the primary election taking place on April 24th, and the Community Hall being unavailable.

2. ENGINEER'S REPORT

a. Materials and Equipment Bid Update

Joseph Nolan, Township Engineer, informed that Board that bids were opened on March 28th, and he is preparing a letter of recommendation, for award at the April 18th meeting.

Supervisor Quigley asked about the road contract, relative to the costs of paving materials. Mr. Nolan indicated that an index of escalating costs were in the bid for liquid fuels.

3. SOLICITOR'S REPORT

James Garrity, Township Solicitor, had no report.

4. OTHER BUSINESS

Gordon Todd, Planning Commission Chairman spoke about the draft Cedars Village Overlay Ordinance. He commented that the restriction on alcoholic beverages should be removed, the

phrase "hours of operation" should be changed to "hours of service" and that Curves, as defined, would be an allowable use.

Supervisor Quigley asked how the "no alcoholic beverage" clause got into the draft ordinance if not enforceable and inquired if the businesses in Worcester were contacted for input, real estate tax changes and expressed desire for sidewalks for safety and access. He suggested that a Worcester business association be established.

Mr. Todd responded that a change in use does not automatically get reflected in a re-assessed value. He further commented on the desire of current residents not to have sidewalks, and future uses would be subject to land development and could be addressed at that time.

Supervisor Caughlan made a motion to amend the ordinance by striking out the alcohol clause and changing the word "operation" to "service" and to advertise the amended ordinance. Supervisor Quigley seconded.

James Mollick, Worcester, commented on the lack of fairness to residents by having Mr. Todd at the work session to amend the Cedars Overlay Ordinance and not having this topic on the posted agenda or web site. He further commented on why Solicitor's recommendations were not followed in drafting the ordinance.

Chairman Bustard called the question and the motion passed unanimously to authorize advertisement of the amended Cedars Ordinance with the changes noted.

5. APPROVAL OF THE MINUTES OF FEBRUARY 6, 2012

Supervisor Caughlan moved to approve the minutes of February 6, 2012. Supervisor Quigley seconded the motion.

James Mollick remarked about his comments in the February 6, 2012 minutes and requested the Board give consideration to his request to change them.

Chairman Bustard called the motion and the motion passed unanimously.

6. PUBLIC COMMENTS

Maeve Vogan, Worcester, commented on the lack of attendance at meetings, and how televised meetings would allow residents to view them at their convenience, the newspaper reporting a meeting with the Township and School District Officials concerning athletic field lights and the lack of the Board announcing the meeting.

James Mollick commented on the upcoming televised school board meetings, sharing technology to televise Board of Supervisor meetings, legal matters concerning Board emails, and Township spending money on solicitor services.

Rick DeLello, Worcester, commented on the cancellation of the May work session, and rescheduling, Planning Commission comments related to ordinance development, and the lack of talk about Fairview Village development.

Supervisor Quigley asked to have the township manager contact the school district to obtain information on televising meetings, and have it on the agenda for the next meeting.

7. ADJOURNMENT

There being no further business or comments from the public, Chairman Bustard adjourned the meeting at 9:50AM.

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY APRIL 18, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.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 May 7th Board of Supervisors work session and joint meeting with the Planning Commission have been cancelled due to the PSATS Convention.

TREASURER'S REPORTS

The Treasurer's reports for March, 2012 net change on cash basis:

March, 2012 Report:

General Fund	\$165,812.51
State	\$155,329.64
Capital Reserve	\$598.81

James Mollick, Worcester, inquired about the expense item for public safety, state fund and a truck purchase.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$244,429.01. Supervisor Quigley seconded the motion.

James Mollick inquired about several items on the bill payment list including legal bill detail, and announced that the public should have access to the details for bill payment.

William Kazimer, Worcester, commented about operating in secrecy, Right to Know Law, and Township bills.

James Garrity, Township Solicitor, responded to the public comments about bill details.

Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Zoning Officer, Tiffany Loomis

Last meeting was April 17, 2012. Application #12-01 was granted. The Zoning Hearing Board held their annual reorganization, and no positions changed.

The next meeting is May 22, 2012.

Land Development and Subdivision Update provided by Tiffany Loomis.

Tiffany Loomis informed the Board that there were no new updates.

MJE Builders, 3110 Heebner Road, Preliminary / Final approval consideration for two lot subdivision

A representative for the applicant explained the proposed 2-lot subdivision. All comments from the last letter from the Township engineer and waivers have been addressed.

Supervisor Caughlan inquired about waivers and the tree line buffer.

Supervisor Quigley commented that the subdivision was to provide a building lot for a family member of the applicant.

Supervisor Caughlan moved to approve Resolution 2012-12 to grant Preliminary/Final approval for the 2-lot subdivision at 3110 Heebner Road. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Award Bid: 2012 Materials (Stone and Paving)

Joseph Nolan, Township Engineer, commented that bids were opened on March 28, 2012 and the low bidders were Highway Materials, Inc. of Blue Bell, PA for stone and Glasgow, Inc. of Glenside, PA for paving material.

Chairman Bustard asked how much the bids went up from the previous year.

Supervisor Caughlan asked if there was a fuel surcharge on delivery.

James Garrity, Township Solicitor, commented that Highway Materials, Inc. is a client of his law firm.

Supervisor Caughlan moved to award the stone bid to Highway Materials, Inc. of Blue Bell, PA and paving materials bid to Glasgow, Inc. of Glenside, PA.

James Mollick asked what the actual bid amounts were, and Chairman Bustard read the bid tabulation.

Chairman Bustard called the question and the motion passed unanimously.

Award Bid: 2012 Equipment Rental

Joseph Nolan, Township Engineer, commented that bids were opened on March 28, 2012 and the low bidder was Harris Gramm Contactors of Collegeville, PA.

Supervisor Quigley moved to award the equipment rental bid to Harris Gramm Contractors of Collegeville, PA. Chairman Bustard called the question and the motion passed unanimously.

Supervisor Quigley asked if the manager had reached out to the school district concerning the televising of Board meetings and athletic field lights. He further asked about the appointment of a new chief of the State Police in Skippack, and if that individual could come to a future meeting to be introduced.

Supervisor Quigley further inquired about real estate signs, the procedure used for taking them, and an update on the US Army Base and the legal research being conducted.

Mr. Lee Mangan, Township Manager, responded.

Mr. Garrity remarked that he had also spoken with the school district's attorney, and he acknowledged that the school district is responsible at this stage for moving the light issue forward.

ENGINEER'S REPORT

Joseph Nolan noted that his monthly report was sent to the Township, and he would be happy to answer any questions from the Board.

Authorization to Advertise: Infiltration Testing Ordinance

Mr. Nolan introduced the ordinance.

Supervisor Quigley moved to authorize advertising of the Infiltration Testing Ordinance, and Supervisor Caughlan seconded.

William Kazimer asked about infiltration testing for seepage beds, and infiltration of stormwater into sewer system.

Mr. Nolan commented that the Township had retained Miller Environmental to research infiltration and inflow, and this ordinance is not related to that issue.

Chairman Bustard called the question and the motion passed unanimously.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

Supervisor Quigley asked if Mr. Nolan was involved in naming the creek behind the elementary school, and why was Mr. Garrity charging the Township to do research on that issue. He commented that legal bills need to be monitored more closely. Mr. Garrity announced his time was requested by Supervisor Caughlan in response to the school's science club inquiry. Supervisor Caughlan said former Township Manager David Burman was aware of the request.

APPROVAL OF THE MINUTES OF MARCH 21, 2012

One change was made to correct the award of the Eger Beaver chipper to the "highest" bidder, not the lowest bidder, as was erroneously written.

Supervisor Caughlan moved to approve as amended, the minutes of March 21, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed

unanimously by all to dispense with the reading of and approve as amended, the minutes of March 21, 2012.

PUBLIC COMMENTS

David Plager, Worcester, commented about the plans for a dog park after an unleashed dog in Heebner Park jumped on him and commented on safety for residents using the park.

Supervisor Quigley commented about an accident on Morris Road, and asked who is responsible for line painting on roads and inquired if it is a single or double lane road.

Dorothy McGrane, Worcester, remarked she once supported a dog park, but has since changed her mind, citing recent news about veterinarians reporting increased business from dog park activity.

William Kazimer asked about speed signs on Germantown Pike, and the possibility of using the electronic speed sign on Germantown Pike. He announced that the Norristown State Hospital needs signs to restore for their produce sale, if the Township had any to donate.

James Mollick suggested that the Board let the public know about changes made at the April work session to the proposed Cedars Village overlay ordinance. He asked about a bridge purchase, solicitor costs for naming the creek behind the elementary school, and the solicitor's opinion on the Caughlan driveway issue, indicating there was nothing in the minutes authorizing the solicitor's input.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:43 P.M.

Respectfully submitted:


F. Lee Mangan, Secretary

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
Monday, May 7, 2012 AT 9:00 A.M.**

WORK SESSION CANCELLED

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY MAY 16, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.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 May 24th Planning Commission meeting has been cancelled.

The Board of Supervisors and some staff members attended the PSATS Annual Convention at the Hershey Lodge. There were discussion of township issues and speaker Governor Corbett. Several state resolutions were voted on.

Chairman Bustard announced that there would be a change in the order of the agenda and the Public hearing for Cedars Village would be first.

CEDARS VILLAGE OVERLAY ORDINANCE

James Garrity, Township Solicitor, opened the public hearing at 7:50 p.m. Chairman Bustard and Mr. Garrity provided a description of the ordinance. A court reporter was present to record an official transcript of the proceedings.

Maeve Vogan, William Kazimer, Ciro Tornambe, Marilyn Felty Freed, Gerald Werner, Kathleen Werner, Chase Kneeland, David Plager, Kimber David and Vincent Pupillo, all of Worcester, commented.

Kevin Carton, proprietor of restaurant in Cedars Village, commented.

The public hearing was closed at 8:52 p.m. and will be continued at 8:30 p.m. June 20th, 2012.

APPROVAL OF THE MINUTES OF APRIL 18, 2012

Supervisor Caughlan moved to approve the minutes of April 18, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve as amended, the minutes of April 18, 2012.

609684

TREASURER'S REPORTS

The Treasurer's report for April, 2012 net change on cash basis:

April, 2012 Report:

General Fund	\$369,280.08
State	\$155,335.46
Capital Reserve	\$653.10

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$174,156.03. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Zoning Officer, Tiffany Loomis.

Last meeting was April 17, 2012. Application #12-01 was granted. The next meeting is May 22, 2012 for two new applications.

Application 12-02, 1332 Dell Road, request for a variance from front yard requirement. Supervisor Caughlan inquired about vested rights.

Application 12-03, 3019 Germantown Pike, request for a variance from a flower shop to yoga studio. Mr. Garrity cautioned about issuing a variance for all commercial uses effectively re-zones the property. Supervisor Caughlan requested the Zoning Officer meet with the applicant to limit uses to low impact.

Land Development and Subdivision Update provided by Tiffany Loomis.

Tiffany Loomis informed the Board that there were no new updates.

US Army Base Report Update

Manager Lee Manger, announced the Joseph Manko, of Manko, Gold, Katcher & Fox, will present a detailed report at the next meeting, June 20, 2012 and look for further direction from the Board.

Resolution 2012-17, Municipal Depository / Tax Collector

Supervisor Caughlan moved to approve Resolution 2012-17. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Resolution 2012-18, VALIC retirement Account

Supervisor Caughlan moved to approve Resolution 2012-18. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Mr. Mangan announced that clearing for the Moran Trail will begin the week of May 29th, 2012 to clear out the undergrowth and define the trail.

ENGINEER'S REPORT

Joseph Nolan noted that his monthly report was sent to the Township, and he would be happy to answer any questions from the Board.

**2012 Road Improvement Project
Authorization to design and advertise**

Mr. Nolan advised the Board that the road master and he prepared the list that included the re-paving of North Wales Road that was deferred from last year.

Supervisor Quigley inquired about the possibility of future sewer installation in the Center Point area and the Engineer's study of 2006 noting health department concerns.

Supervisor Caughlan requested a detailed list of the proposed improvements to be approved at the next work session on June 4th, 2012.

Mount Kirk Pedestrian Bridge Replacement Update

Mr. Nolan announced that the abutments are in place and the bridge will be installed May 18th, 2012.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

None

PUBLIC COMMENTS

William Kazimer, Worcester, commented on the Mt. Kirk Bridge color and installation.

Maeve Vogan, Worcester, inquired about televising the meetings, the Moran Trail definition, and zoning application 12-03, 3019 Germantown Pike.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:25 p.m.

Respectfully submitted:


F. Lee Mangan, Secretary

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, JUNE 4, 2012, 9:00A.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 had no informational items.

APPROVAL OF THE MINUTES OF APRIL 2, 2012

Chairman Bustard commented that statements made by Planning Commission Chairman, Gordon Todd needed to be corrected.

Supervisor Caughlan moved to approve the minutes of April 2, 2012. Supervisor Quigley seconded the motion.

James Mollick, Worcester, remarked about his comments in the April 2, 2012 minutes. Lee Mangan, Township Manager, indicated he would review the audio and get back to Dr. Mollick.

Chairman Bustard called the motion and the motion passed unanimously.

1. MANAGER'S REPORT

a. Subdivision & Land Development Update (current activity only)

Tiffany Loomis, Zoning Officer, provided the Board with an update stating that the Our Farm property was toured by the Planning Commission.

b. Zoning Hearing Board Update

Tiffany Loomis, Zoning Officer, reported the last meeting was May 22nd. Application #12-02, 1335 Dell Road, was granted, after the applicant withdrew some requests. Application #12-03 was continued by the Zoning Hearing Board, to be heard at the next meeting, June 26, 2012.

Supervisor Quigley commented on several emails going back and forth about this application and why it was not discussed at the last public meeting of the Board of Supervisors. He indicated he has a concern with the timing and prohibiting uses now because of a possible future overlay ordinance.

c. Moran Trail Update

Mr. Mangan reported that a rough cut of the trail path will be cut this week. Finishing touches will then be completed by staff.

Supervisor Quigley questioned definition of trail.

In other information, Mr. Mangan reported to the Board that two changes had been made to the employee manual, related to an option for employees to opt out of health care coverage for a 50% incentive, and incorporating the existing tuition-reimbursement policy into the manual.

2. ENGINEER'S REPORT

a. 2012 Road Improvement Project

Joseph Nolan, Township Engineer, informed the Board that the scope of work has been provided to the Board for review. The Township's roadmaster and engineer collaborated on the list of priorities, with a total projected cost of \$364,000. The proposed work related to Fawn Road will come from separate funds.

Supervisor Caughlan asked about the portion of Mill Road between Merrybrook and Kriebel Mill Road.

Mr. Nolan reported that much of the proposed work for 2012 included drainage repairs to minimize additional road damage in the future.

Supervisor Caughlan moved to advertise the 2012 Road Improvement Project. Supervisor Quigley seconded the motion.

James Mollick inquired about advertising procedures, a previous Right to Know request he submitted, and road repairs related to drainage problems.

Mr. Mangan reported that the roads selected for the 2012 project as the preferred roads chosen by the Township Engineer and Roadmaster. None of them have been resurfaced within the last 3-5 years.

Maeve Vogan, Worcester, asked about North Wales Road paving citing the construction vehicles in the area due to the turnpike widening.

Chairman Bustard called the motion and the motion passed unanimously.

b. Valley Green Sanitary Sewer Project

Joseph Nolan, Township Engineer, informed the Board that this report was generated as a result of a meeting with DEP. The Valley Green Wastewater Treatment Plant was constructed of steel in the 1970s, expanded in 1988 and 1993, with a total capacity of 230,000 gallons per day. The original plant is no longer functional, and DEP requested that it be put back on line or reduce the permit capacity. The township must upgrade the plant to meet the current standards and keep the current capacity for future development.

Chairman Bustard remarked that this proposed work would bring the township into compliance with DEP, and noted that the Berwick Place Wastewater Treatment plant is in similar condition.

Supervisor Quigley asked about standard use, the bid process, how long planning will take, and will it meet DEP's timetable.

Mr. Nolan replied that it will take about 2-3 years.

Supervisor Caughlan commented that it is two separate projects, upgrade of plant and extend area of coverage. She asked if we can require developers to pay for upgrades.

Chairman Bustard said the proposal is for \$1.7 million.

Mr. Mangan indicated that there are two options. The project can be financed and charged to the 850 users or an inter-fund transfer from the General Fund to the Wastewater Fund to be repaid later which would eliminate financing charges.

Supervisor Quigley commented on the sewer project in Fairview Village causing many residents to be upset that the Township paid for installation and that the property owners have benefitted when the house is sold.

Mr. Nolan asked the Board for authorization to proceed with negotiations with DEP.

Mr. Nolan noted that the 537 Plan needs to be revised and DEP wants revised scope of work, which would include revising the 537 Plan. DEP also requested a schedule and time frame with the plan.

Supervisor Quigley remarked that expanding sewer lines invites development.

Susan Caughlan made a motion to authorize CKS Engineers to update the 2006 study with the Palmer tract included, Berwick Place future needs to be reviewed and consideration to the Cedars Ordinance. Supervisor Quigley seconded.

James Mollick requested an explanation of the proposed inter fund transfer.

Maeve Vogan remarked that this topic should be discussed at a night time meeting noting that it will cost residents a lot of money and has been delayed for many years.

Steve Quigley remarked about new sand mounds that have been required by the Health Department for many residents costing over \$45,000.

Chairman Bustard called the motion and the motion passed unanimously.

c. Mount Kirk Pedestrian Bridge update

Mr. Nolan reported that the bridge was installed, is functioning and looks good. He complimented the public works department.

Supervisor Quigley asked about the paint, and if it was designed to look that way.

3. SOLICITOR'S REPORT

James Garrity, Township Solicitor, had no report.

4. OTHER BUSINESS

None

5. PUBLIC COMMENTS

Maeve Vogan asked about the Heyser Zoning Hearing Board application, and why the two buildings are not zoned the same. She further asked about employee benefits and why an incentive was being offered to opt out. Mr. Mangan replied that it would save the Township money.

James Mollick asked about email communication between the solicitor and supervisors. He continued by reading an email from Mr. Garrity related to attorney-client privilege, and who authorized Mr. Garrity to express an opinion, costing the Township more money.

Oliver Smith, Worcester, commented that the Board should preserve the Palmer property, referencing that 80% of voters in Worcester supported open space.

John Heyser, Worcester, thanked the Board for causing problems over a barn.

Tiffany Loomis, Zoning Officer, asked if she could have the solicitor review the Zoning Hearing Board's application with Mr. Heyser.

Supervisor Quigley asked if it was appropriate for the Board to discuss a zoning application before the Zoning Hearing Board. Supervisor Caughlan said the application seemed broad and he wants all uses but restaurants and funeral homes. Mr. Heyser said he will request the use of office space and personal services only.

Mr. Garrity commented that will require an amendment to his application.

ADJOURNMENT

There being no further business or comments from the public, Chairman Bustard adjourned the meeting at 10:40AM.

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER VOLUNTEER FIRE DEPARTMENT
 WORCESTER, PA
 WEDNESDAY JUNE 20, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

ARTHUR C. BUSTARD [X]

STEPHEN C. QUIGLEY [X]

SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS:

Chairman Bustard thanked the Worcester Volunteer Fire Department for allowing the Board to hold the meeting in their air conditioned facility.

The Board of Supervisors and residents heard a presentation from Mr. Nolan, Township Engineer, regarding a cost analysis of the Wastewater Treatment facilities. Further details will be presented at the July 18, 2012 meeting.

Supervisor Caughlan announced that Paul Steuer, an Eagle Scout candidate, has completed a loop trail through the woods at Heyser Field. Signage will be installed later. She thanked Cedar Ridge Nursery for donating the wood chips.

Chairman Bustard informed the residents that Worcester Township recently received a PECO Green Region Grant Award. This money will be used to offset costs of the Moran Trail.

US Army Reserve Base Report: Manko, Gold, Katcher & Fox

Chairman Bustard introduced Joseph Manko, Esquire, & Matthew Sullivan, Esquire, of the law firm of Manko, Gold, and Katcher & Fox of Philadelphia. They made a lengthy presentation based on their engagement by the Board of Supervisors on the proposed transfer of the property.

A detailed, verbatim record of their presentation is included as Appendix A.

The presentation closed at 8:30 p.m. with the Board requesting the Township Manager follow up with Manko, Gold, and Katcher & Fox by means of written correspondence requesting action from DEP.

PUBLIC HEARING: CEDARS VILLAGE OVERLAY ORDINANCE (CONTINUED)

Chairman Bustard opened the hearing at 8:35 p.m. and James Garrity, Township Solicitor, provided a description of the ordinance. A court reporter was present to record an official transcript of the proceedings.

John Kennedy, Professional Land Planner, was present to propose a revised ordinance. He is representing David Markel, a 73% landowner in the Cedars Village.

Marilyn Teed, Craig Schloer, Gordon Todd, Vincent Pupillo, Mark Landis, and Ciro Tornambe, all of Worcester, commented.

Supervisor Quigley inquired if the consultants reviewed the Township’s Comprehensive Plan.

The public hearing was continued indefinitely at 9:40 p.m. until the Board has time to review the input. Supervisor Quigley recommended that it be on the July agenda for discussion.

PUBLIC HEARING: INFILTRATION TESTING ORDINANCE

Solicitor James Garrity opened the public hearing at 9:41 p.m. and provided a description of the ordinance.

Joseph Nolan, Township Engineer, explained that this is a result of the new requirements for storm water best management practices. It involves seepage pits and infiltration standards.

Supervisor Caughlan inquired about insufficient depth of soil and how to take corrective actions.

Rick DeLello, Worcester, inquired as to what action would require compliance with the new ordinance.

William Kazimer, Worcester, commented on the depth of the facility and roof water runoff.

The hearing was closed at 9:50 p.m.

Supervisor Caughlan moved to approve Ordinance 12-236, Infiltration Testing Ordinance. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all.

APPROVAL OF THE MINUTES OF MAY 16, 2012

Supervisor Caughlan moved to approve the minutes of May 16, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve the minutes of May 16, 2012.

TREASURER’S REPORTS

The Treasurer’s report for May, 2012 net change on cash basis:

<u>May, 2012 Report:</u>	
General Fund	\$630,024.34
State	\$155,337.58
Capital Reserve	\$695.60

Supervisor Caughlan moved to accept the Treasurer’s Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$251,717.79. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT**Zoning Hearing Board Update**

The last meeting was May 22, 2012. Application #12-02 was granted. The next meeting is June 26, 2012 for one continued application.

Land Development and Subdivision Update provided by Tiffany Loomis.

Tiffany Loomis informed the Board that there were no new updates.

Manager Lee Mangan announced the construction of the Moran Trail is moving forward and should be completed by mid-July, 2012.

ENGINEER'S REPORT

Joseph Nolan noted that his monthly report was sent to the Township, and he would be happy to answer any questions from the Board.

Bids for the 2012 Road Improvement Project will be opened July 12, 2012 at 1:00 p.m.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

Supervisor Quigley inquired about the status of the ordinance regulating athletic field lighting at the High School. James Garrity responded he needs authorization and guidance from the Board to draft the ordinance. Chairman Bustard commented that they are still waiting for technical information and field use guidelines.

Supervisor Caughlan commented on the sign ordinance and its need to be addressed. James Garrity responded that it is a two part ordinance and can be discussed at the work session on July 2, 2012.

PUBLIC COMMENTS

Mark Landis commented on the notice of changing the of location of the meeting.

Ronald Evans, Worcester, commented on the meetings of the Board of Supervisors with Methacton School District regarding the field lights.

Vince Pupillo complimented the improved Zacharias Trail and inquired about a manhole.

George Yerger, Worcester, commented on the warranty on the re-paving of roads.

Rick DeLello, commented on the length of time (three years) on development of the Cedars Village Overlay ordinance before outside professional input was received.

Maeve Vogan, Worcester, commented favorably on the presentation made by Mr. Kennedy regarding the Cedars Village overlay ordinance.

James Mollick agreed with the two prior statements regarding the professional land planner.

Susan Watson, Worcester, commented on the progress regarding public sewers in the Center Point Village area. Specifically, she noted concerns about failing septic systems and the possibility of falling property values.

Chairman Bustard noted that at the July, 18, 2012 meeting, an update to the Valley Green Wastewater Treatment Plant would be presented.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 1015 p.m.

Respectfully submitted:



F. Lee Mangan
F. Lee Mangan, Secretary

609684

Appendix A

US Army Reserve Base presentation made by Joseph Manko, Esquire & Matthew Sullivan, Esquire of Manko, Gold, Katcher & Fox of Philadelphia

Mr. Manko: I must say it has been thirty five years since I was up here representing you in a curative amendment, in the barn, in the summer, with not only no air conditioning but it didn't have much of anything, and you have come a long way.

What I would like to do, I would like to have basically, for the benefit of the public who may have not had a briefing, have Matt tell you where we are, with respect to, from the beginning, what the Department of Defense has to do and what they are doing, and what they haven't done and what we have to make them do, and then take whatever questions you or the public have.

Mr. Sullivan: So Lee sent us the files that you had on this site and we looked through those files. We also have spoken with DEP, corresponded with DEP a little bit, and the basic status of the site is this: The site is one of the ones identified on the 1998 Multi-Site Agreement. That was an agreement that the Department of Defense entered with PA DEP and it establishes what they need to do to clean up the various government-owned properties around the Commonwealth, this being one of them. The ultimate end point of the process for any site is to achieve what they call a resolved status. And for a site like this where there have been certain contaminants detected in the past that means one of two things. They either get PA DEP to agree to that there is no further action required at the site or they take it through Act 2 and they get an Act 2 approval. An Act 2 approval means that they do a certain amount of site characterization and they do testing to show that they meet all of the applicable cleanup standards and they submit reports to that effect, which PA DEP would then approve. If they go that route, that would end the process. They are not there yet. They are currently still in the process of doing site characterization work, and the correspondence from DEP indicates that they are not yet satisfied with the amount of characterization done, in particular with respect to ground water. So there have been a series of reports submitted by the consultants for the government which have outlined the sampling results that have been done and each time DEP comments on them, the last iteration of that occurred in roughly February of last year. And DEP's responses to that report in particular outline the need to do ground water characterization at the site. There were certain contaminants detected in ground water back in the early to mid-90s. The subsequent ground water sampling showed lower values than were initially detected and there was at least some thought at the time that it was because of the nearby cleanup of the other North Penn site. But DEP still wants them to do further ground water characterization at this site. DEP is also looking for them to do additional sampling of a few discrete areas of the site, namely some sumps and pits that were used in prior operations by the government. And they did some sampling of the storm water ditch in front of the site and DEP questioned whether or not they had used the right values and whether they had done the right kind of sampling. So, to date, the consultants for the Army have neither resubmitted a report that addresses those comments nor have they done the additional work that would address those comments. So it is, at least from that perspective, in a holding pattern.

After we completed our review, we contacted DEP to outline a couple of other areas that we thought were worth looking at, and I think you all have our letter in front of you which outlined those areas. In addition to what DEP identified, we particularly want to see some characterization done or we think it would be appropriate to do some characterization of the silos themselves. There has been minimal sampling of the water in the silos and in particular the soil under the silos and there is a potential for impact there from prior operations. There is a prior outfall from the two sewage treatment plants that were ultimately replaced by the sand mound that's there now which used to outlet to a creek across the street. We think it would be appropriate to do some sampling of that creek and the sediments to show that there is no impact there. And there is one other storm ditch on the site which, as far as we can tell

has never been sampled. That's the one, looking at this picture (on the screen in the front of the room) is sort of in the bottom right corner. So it looks like they have done sampling of the storm ditch that comes out in the middle of the building but they have never sampled this one. And it would be appropriate to do some sampling there. We have conveyed those comments to DEP, and DEP is at this point, waiting for the Department of Defense and their contractor to take the next step.

Before this property would be transferred, as I mentioned, the Department of Defense would have to convince DEP that nothing else is required or they would have to go through the Act 2 process and get an approval. They have not done any of the steps under either of those two paths, so they haven't prepared a Finding of Suitability for Transfer which is what they would do right before they transfer the property, which would require DEP sign off, they have not initiated any of the steps to go through Act 2.

Joe spoke today with the regional counsel for Southeast Region for DEP.

Mr. Manko: Matt, in addition to being a good lawyer, is also an engineer. So, he just went over the technical aspects of what needs to be done. I just want to back up for a second and explain why Act 2 is important. Before 1995, there was no way in which you could get the state to bless a cleanup. You wind up litigating with them and something kind of a consent order. In 1995 they came out with a program that would, if you properly characterized anything that's identified as a contaminant, they would give you a standard to achieve. And once you achieved that standard, you could get protection. It is important because the protection is two types of things. Number one, the state will not ask you to do any more clean up and number two, no one else can ask you to do any more clean up. It does not protect you if somebody, a neighbor says they got cancer, things of that nature, but it's called clean up liability protection. From our standpoint, the township must get that, because if the township takes over the property, either possessing it and/or owning it, they step into strict liability which means they would end of fighting with the Corps and the Department of Defense. A. B, the standards that are promulgated really go to the use. And to the extent that the township would like to use this for park purposes they need to meet the residential use standards which are more stringent than a commercial or industrial standard. The other standards are to show no pathways of exposure but from our standpoint, and I'm saying "our", the township wants it for a park, they want to clean it, there are standards for residential use. When they signed the Multi-Site agreement, in 1998, there was attached to it, a number of sites that the Department of Defense agreed that they would take through this Act 2 process, thereby giving them the protection, and whoever got the transfer, that protection.

What I have experienced in another situation, and I will be very candid with you, is the Frankford Arsenal, which was built for the Civil War, I mean, it was a science fair in terms of what was there compared to what's here. The Corps has been kicking, screaming, dragged to clean up that site so it could be turned into some productive commercial use. Here the township would like to have the park sooner than later but I think it is our job to make sure that when they are able to take it, they take it free of any concerns from a public health safety and with a strict liability protection that they get from Act 2. So the job is to get the Corps, Department of Defense, hiring the Corps as their engineer, to meet the standards. The standard we want them to meet is a residential standard for park purposes and what they have done at this point, as Matt says, is first you have to identify the contaminants of concern then you have to put them up against the standard to see if you have to do anything. In our view, from a residential standard, they're going have to do something in terms of cleaning up ground water and soil. If they haven't sampled in every place where they should, then you don't get any protection, because you only get protection for what you identify. So when Matt is talking about site characterization, that's the first step. Once the site characterization is adequate, DEP can say ok, now give me your cleanup plan. It is our job from the township's standpoint, to make sure that DEP gets everything they can in that characterization, so nothing is left off the table. At this particular point, they haven't finished the site characterization, they haven't given the notice of intention to comply with Act 2, and, we started, I think, in March or late February, when Lee (Mangan) called us, there's email exchanges from March, no

response until April, then we get DEP to go after them. For the township to start saying, we're going to sue you, we're going to do this kind of thing, it's not on my recommendation at all. And again, it's not like you have to have the park by July 30th or the world will end. You'd like to have it clean and soon as you can. So, what we have done, we have made sure that the counsel for DEP who is in charge of this program, is very well aware of it. Now, Jim (Garrity) would know, Andy Hartzell, he happens to be a terrific lawyer and a good friend of many of the environmental lawyers. So we are dependent on Andy to get the staff people to get after the Corps and that's what we did tonight. I said we have a meeting tonight what can I tell you, he says I'm going in tomorrow morning, I can't do it right now, and get ahold of Dustin Armstrong who is a staff person and find out why the Corps hasn't responded. That is what we can do as lawyers. One thing also, which is not a law school kind of thing, is you've got state representatives, you've got congressmen, people like that, you've got to be able, at some point, when this foot dragging continues, to be able to have the Corps on the carpet to be able to explain why they're not living up to what they agreed to do in 1998. So that, one of the things that, assuming that we don't get a complete turnaround, and they get a religion and here they are, and they're doing it, is to brief your elected officials, not just yourselves, but going up as far as Congress to make sure that that gets done, because they will tell you as they have told me with the Frankford Arsenal, well we didn't get an appropriation this year, we have this, you know, we don't have the money, we don't have the staff, kind of thing. The money is the money and the staff is they go out for consultants and the consultants are dying to do the work but they're not going to do the work unless they're paid and they're not going to do it unless the Corps says this is what has to be done. So we basically have to go after and make that wheel squeak. And I think we've tried to explain the process. If they were going to do this ASAP, we could probably get this thing wrapped up this year. But it's just, you look at the emails, and what happened in the month when they never got back to you? So we've got to get the pressure up on them and I think at this point if you've got questions about the procedure or where we are or what's missing, etcetera, we're here to answer them and if you want to take comments from anybody, it's up to you.

Chairman Bustard: You talked about characterization of the site, ok, and it's a terminology that I'm not all that familiar with so you expanded on it, told me that that's where they test.

Mr. Manko: It's an investigation. Any area of possible concern, they've got to test.

Chairman Bustard: OK, who determines what's an area of possible concern? Do we have any way to go in there and say hey this was here 30 years ago, are you testing that? Are you testing that? Do we identify that? Does DEP identify that?

Mr. Manko: Both.

Mr. Sullivan: It's them and DEP. Them, being the government and DEP but we've also now pushed to say, hey don't forget about these other areas, places you should be looking as well.

Chairman Bustard: You identified like 6 or 7 different items here in areas that you were talking about and you made the point in this that you've seen this in the past where the silos have problems underneath them and that type of thing. Can you give me a little background on where you've seen this type of stuff and what leads you to that conclusion?

Mr. Manko: I'm going to lean on my engineer and associate here.

Mr. Sullivan: Who actually is going to lean vicariously on the technical consultants we have back in the office. We have two in-house engineers who've worked on other sites and that was one of their comments, was that they typically use the type of fuels that they used in the missiles, the solvents they used to clean them, often wound up underneath the silos, in the soils and ground water. So, if they haven't tested that, they should be testing it.

Mr. Manko: Our in-house senior engineer used to be with Westinghouse and before that was with the Department of Defense on Superfund sites so we rely on him very heavily.

Chairman Bustard: OK, I know one of the things that concerned me when we first talked about this back in 2006 and 2007 was the amount of water that was in those silos there. Apparently they filled one of them just for use as part of the fire department that they had there, was practicing, and they wanted the water available. I was informed at that time that they have to take all of the water out of there and test it and everything. They haven't done any of that then, because there is still water in there.

Mr. Sullivan: There is still water. Lee (Mangan) and I actually did a site visit, and Julie (Lanzillo) a couple of months ago and we met the building manager and did a walk through and actually went to the silos, and yeah, one of them is still shown as totally full of water and the other two, when we opened the hatch to look, certainly had water in them.

Mr. Manko: I have had experience with a municipality in Bucks County where they actually took contaminated ground water, they put it up in a water tank for the fire department to use and we said to them all you're going to do is spread it all over the place. Don't do that.

Chairman Bustard: OK, the other thing is I know when we walked through the building there, we were concerned about the lead-based paint, the asbestos and everything else that we saw in there. They were telling the fact that they took the fire range out so there was no lead poisoning available and that, but...

Mr. Manko: I'm glad you said that, Art because the Act 2 is for soil and ground water. It doesn't cover the interior kinds of contaminants so it really would be up to us, in other words we can get the department to say well it might be violating this law or that law but it's not part of the Act 2. So if they were to do everything they needed to do under Act 2 and left that kind of area to be done, we would say we're not going to take it until you do this, and in fact, we'll go to the EPA and say, hey, you know, they've got lead paint. In other words, if they're violating any law it's easy. If not, we're not going to get it through Act 2, so we're going to have to negotiate.

Chairman Bustard: OK, now it was my understanding that when they had the base decommissioning act that went through it did say in there that it had to be environmentally clean. Is that incorrect? Was that not in that Act? It was in this separate 1998 Cooperative Agreement?

Mr. Manko: It wouldn't be in the Multi-Site Agreement.

Chairman Bustard: OK. But it wasn't in the BRAC Act that was closing these.

Mr. Sullivan: It says in the Multi-Site Agreement that you have to achieve a resolved status. A resolved status basically means clean. It doesn't mean that there's nothing there but it means that you would meet the Act 2 standards.

Chairman Bustard: For the sake of argument, we get a characterization of the entire place there, based on what we know and we find out 10 years down the road that there's one pit over there for some reason that has a lot of contamination in there, is going to cause problems. Who is liable to clean that up?

Mr. Manko: I thought you might ask something like that. What happens if you don't identify every contaminant? To the extent that you wind up negotiating with them for the takeover, I would make sure that you except from any kind of release from them anything that is subsequently found.

Chairman Bustard: OK, so in other words they're responsible for anything.

Mr. Manko: That's sort of like the suspenders. Right now, for the first protection is for us to be able to come up with every possible area that there could be from the prior use so to make DEP make them do that testing.

Mr. Sullivan: And, under Superfund, under CERCLA, they're going to remain liable for any contamination that's out there that they caused. They own that liability. The issue becomes how do you prove it?

Mr. Bustard: I was just going to say they own the liability. Have you ever seen an instance where they have been successfully remediated after it's been found 10 years ago and they have given away all of this stuff? In other words, have you ever been able to get back and get the federal government to do anything with it?

Mr. Manko: Yes. The other site that I have, this Frankford Arsenal, the client, when they bought it, long before I ever met them, basically was required to release the Army. Well that release doesn't stand up when you have a one-sided negotiation. In other words, the liability can be joint and severable, but what we want to make sure is the township isn't part of the joint liability. They will never get out from their liability for anything they may miss. And then when they comply with Act 2 it basically satisfies the state. OK?

Chairman Bustard: I guess what I am trying to find out is can a township go to the federal government and say you've got to clean that up by next year?

Mr. Manko: Well, they can say it.

Chairman Bustard: Basically, is it going to be a long legal battle to do something like that or are they going to recognize it?

Mr. Manko: The Department of Defense is not exempt from lawsuits. Most of the worst sites in America are former energy and defense sites.

Mr. Sullivan: And it just highlights the need to make sure that they fully and properly characterize the site. That's where we are now, is making sure that they go out and do all of the testing they need to do, to the greatest degree of certainty you can achieve, identifying anything that's out there now.

Mr. Manko: If it's not clear, the BRAC requirements are federal requirements. Act 2 goes well beyond those, into soil and ground water. So, when they signed onto that, it was "aha."

Chairman Bustard: OK, and when they were telling us 2 years ago that they were doing an environmental assessment, they were not characterizing the site, they were talking to the neighbors about what the traffic would be, I take.

Mr. Manko: That's some assessment!

Ms. Caughlan: That's NEPA. That's different.

Chairman Bustard: So I misunderstood what they were talking about the environmental assessment, because they have not done it then.

Mr. Manko: It's inadequate what they have done so far.

Chairman Bustard: OK, alright, any questions, Steve?

Mr. Quigley: Let Susan go.

Ms. Caughlan: Going back to Act 2, how does that interface with off-site ground water testing? Because I know that Act 2 requires on-site and that they are supposed to test to be sure that there is not off-site migration. You know how they propose to test? Will they actually test off-site properties?

Mr. Manko: DEP can get them to do so if in fact you can show that the ground water flow is taking a contaminant off-site.

Mr. Sullivan: DEP has already asked them to do so.

Ms. Caughlan: To do off sites?

Mr. Sullivan: Part of their 2011, the last set of comments they sent to the Department of Defense's contractor, was saying you need to characterize ground water and part of that characterization we want you to sample wells within a quarter-mile.

Mr. Manko: And that's for ground water, but as Matt indicated from the sediment standpoint of the creek where the discharge took place, that's off-site too.

Ms. Caughlan: Exactly. Not necessarily potable but it could filter down into potable. Because if they adequately characterize on-site and there are limited exposure paths on that location because the township obviously is never going to dig it up for any reason, I think that DEP would probably require deed restrictions even under Act 2, do you think... That there would be no soil disturbance?

Mr. Manko: You're mixing a couple things up. I think to the extent you have off-site wells, they should be sampled.

Ms. Caughlan: Oh yes, that's different.

Mr. Manko: To the extent that there is off site contamination in the soil, it would be unusual.

Ms. Caughlan: They are not required to test that, correct?

Mr. Manko: Well if you have soil contamination up to a boundary line, you can't just say, ok, that's as far as we're going to go. You'd have to show that it didn't go off site. But generally, the soil disposal is more local than where the ground water can go.

Ms. Caughlan: And the migration path is usually through the water.

Mr. Manko: Yes. And once you clean up the soil, you've eliminated the source of future ground water contamination.

Ms. Caughlan: That would be the goal, correct? So we either isolate it onsite to where there is no exposure to the public or if it migrates off site it's identified and in some way remediated before we take it.

Mr. Manko: It's still exposure to the public if it's on site.

Mr. Sullivan: And they won't get an Act 2 approval until they've done that.

Mr. Manko: The problem is, they don't care. I'll be very blunt. It's not their most important job to spend money in Worcester Township.

Ms. Caughlan: Right. Which is why we're going the route that we are and why we've asked you to step in, because we know we need those protections. We know we need the additional leverage.

Mr. Manko: And your political people need to know they are on very solid ground.

Ms. Caughlan: Could you talk a little bit more about the building. I think there is some confusion in the public when people speak of asbestos and lead, I think the public automatically thinks contamination, whereas there are some issues with asbestos and lead in place, that may not be required to be remediated, I think that we need to understand that a little better.

Mr. Manko: Friable versus non-friable.

Mr. Sullivan: There have been surveys of the building. I can't remember off hand when the last one was done, but it's probably been a good ten years since the last one was done.

Ms. Caughlan: There was one in '04.

Mr. Sullivan: '04, ok so, eight years ago they did a full building survey for asbestos, lead-based paint, and radon. There was, Art referred to earlier, there used to be a gun range in the building, and so there had been lead contamination identified with the indoor firing range but that had been cleaned up as far as we can tell from the records. So, the outstanding items would be the lead-based paint, which they identified on various doors, windows, surfaces in the building and the asbestos-containing materials and where they predominantly found those was in vinyl tiles and a couple of partitions, but they were not identifying a lot of asbestos in the pipe insulation or those kind of things. When you look at the Finding of Suitability for Transfer documents that they'll put together to transfer the site, if you look at a draft one of those, they'll often mention the lead-based paint and the asbestos and while it's not an Act 2 requirement, they're going to look to make sure that it's in a safe condition, so if the lead paint's there, that it's not peeling and chipping. If the asbestos is there it's not in a friable condition or in a condition that's at risk of exposing people.

Mr. Manko: We get down to sort of the short strokes with those kinds of things, to the extent that it's not disturbed but it's not friable, like the vinyl floor, if you take up the vinyl floor, you have to handle it as asbestos-containing material. What you need to do if we're going to wind up taking it over otherwise and occupying it in any way, is to have an inspection maintenance plan so that you watch that it doesn't ever get in a position where it could become friable. They're not going to say, ok we'll stay on the hook for that but I would basically try to negotiate some type of a fund with which you could have somebody do that kind of work.

Ms. Caughlan: Do you think we could do that?

Mr. Manko: We can ask for anything and if it's reasonable, well, when I said short strokes, right now we've got big areas of soil contamination that they say, oh, where? So I mean, we get down to that, yes, that's the kind of thing you can do. And worse comes to worse, if you wind up getting everything else done, you just make sure it's just another building, it's like any other building.

Mr. Quigley: I have a few questions. I guess the first thing is, when you said about being a superfund type site, I see it more as a sinking fund site. I'm just making the correlation we're going to sink a lot of funds into this building before we're all said and done. You talked about all of the restrictions and the

problems you found in the research you did. I think you summed it up, this place in Worcester is pretty far down probably on the list of the sites that the government has. Do you have any idea how many actual sites the government's trying to give over to different municipalities or trying to unload? Hundreds? Thousands?

Mr. Manko: Steve, there aren't a lot of municipalities that want these sites. So I think it's a bit unusual for you to be in that position.

Chairman Bustard: But they're unloading thousands of them.

Mr. Manko. Oh yeah, they want to get out as fast as they can.

Mr. Quigley: So, when you say they're unloading thousands of them, once again, the Frankford Arsenal, I remember that, as a kid, when they tried to unload that, and still there are problems. I'm just worried, once again, the pecking order, where Worcester is on this small, less than 20-acre site compared to these major sites throughout the country.

Mr. Manko: They've started it. They're obligated to do it. You're not going to spend a lot of money on our law firm. Our job is to make sure that DEP does its job in enforcing the agreement that they got them to sign. And we just have to make it such that, in other words, if they hadn't started the thing and they said, ah, we'll get to that when we get to that, it's one thing. They're in the process of doing it. They're just going to do what anybody else who wants to get rid of something does, they're going to do as little as they can. And we just have to make sure that DEP will keep after them and we will tell them what needs to be. Now if DEP says, no, Matt, that's unreasonable, they asked for it, then we have a problem with DEP. We haven't had that.

Mr. Quigley: Right. I think the other concern that I would have is that you mentioned about there are certain requirements that they have to fix. There are some other things that don't fall under that umbrella that the residents could really come back against the township in the future with recourse and how do we really protect ourselves with that and I guess to just sum it up I could go for 15 or 20 minutes with some of the questions I have but as you said that there's a lot of problems with the site, not many municipalities want to take on a project like this. A lot of times it's individuals or corporations, the O'Neill's of the world willing to clean these sites up but that's all I have.

Chairman Bustard: You know, whether we take it or somebody else takes it, it still has to be cleaned up. Like I said, we have to make sure.

Mr. Manko: It's just a question of how clean is clean.

Mr. Bustard: Well, how clean is clean?

Mr. Sullivan: And not by you. That's the ultimate goal.

Mr. Bustard: I understand. But it has to be done, ok, otherwise it is going to impact the residents around there.

Mr. Manko: The transfer of the Frankford Arsenal was in 1981. I'm still working on it.

Mr. Sullivan: They haven't found big pockets of contamination here that need to be cleaned up either. We're still in the characterization stage of making sure that there is no...

Chairman Bustard: But from reading your report there is concern about water, you know, contaminated water migrating off the facility.

Mr. Manko: Just as you're concerned that you are low on the list of squeaky wheel this is also not a major site compared to some of the others things, which, I mean I was telling Susan before, we've got unexploded ordinances from the Civil War in the Frankford Arsenal they were finding, and stuff like that.

Mr. Quigley: Well, you made mention about, Art just said, about not a lot of, maybe, contaminants there. They haven't even done the basic thing. We've all been through those missile silos and the water is there. I mean if they weren't even smart enough to take a water sample out of those silos, you know, where does it start and where does it stop?

Mr. Manko: It's not a question of smart. They just didn't want to spend the money.

Mr. Quigley: It's the government, I know.

Mr. Bustard: But, no matter what happens, it might be sitting there for 30 years but sooner or later they're going to have to clean it up.

Mr. Manko: Act 2 covers the water, it covers the soil but the asbestos and the lead is outside of Act 2.

Chairman Bustard: What worries me a little bit now is that we've got, you know, contaminants in the storm water that's leeching out there all the time now. So I've got a problem with the neighbors around there having problems with environmental contamination coming through their properties as a result of this not getting cleaned up now.

Mr. Manko: Again, Art, if any of them are on wells, those wells need to be sampled. Because that gives us proof. You just match the fingerprint that where did it get there, this does not naturally occur. This isn't a fracking situation, with shale, but this is one where it's got to be for them.

Mr. Quigley: The residents incur that cost if they wish to do that? They should have their wells tested?

Mr. Manko: No. What I am saying is that that should be part of the requirement that if we can show that the ground water contamination doesn't stop at the property line but the flow is naturally there, they have to go do that.

Mr. Sullivan: And that's what DEP told them to do is you need to see whether or not there's ground water contamination.

Mr. Manko: They have to do the sampling.

Mr. Quigley: It's on the residents to do the sampling?

Mr. Manko. No.

Mr. Bustard: It's on DEP

Mr. Quigley: But DEP is not doing it. But if you wait for DEP to do it and maybe 2 years, 4 years, 5 years before they do it, in the meantime, a resident's sitting there and all this stuff is leeching into their water system they don't know that, so if they wait for DEP to come in, as you said, they're not even answering

your emails. If I was a homeowner there, I had children, or even my wife, I'd be concerned about the water.

Mr. Manko: if I was on well water, and right near the site, I probably would spend a couple of bucks to take a sample.

Ms. Caughlan: Or just filter your water.

Mr. Manko: Yeah, but I would sample it first before you spend the money for the filter. And anything you find out, give it to Lee (Mangan) and he'll get it to us.

Chairman Bustard: But from your contacts with DEP, you're getting the feeling that they are starting to move and push the Department of the Defense to get some of this stuff done?

Mr. Manko: Relying on the relationship we have with DEP which Jim (Garrity) can tell you is a pretty good relationship. One. Number two, the director who I've been working with for thirty-some years is retiring July 7th. There is a new regional director. We met with him Monday and he said would you please come to me and tell me what problems you're working on and how I can get them resolved and this is on that list.

Ms. Caughlan: It's been asked occasionally what would happen, what would the scenario be if a private party had taken this site or was on the list to receive this site. Would it be any different in terms of what needed to be done?

Mr. Manko: No.

Ms. Caughlan: Could a private party get anything going quicker than we can?

Mr. Manko: No. It would probably be much more difficult to get something going. You people are elected to represent all of the people in this township.

Ms. Caughlan: And, in fact, could a private party, if it took the site for an industrial or residential use, they could be digging things up, they could be putting in foundations, moving soil around.

Mr. Manko: Everything that we don't want you to do, we wouldn't want them to do.

Ms. Caughlan: And everything we would agree, the township agrees we don't do, would there be any way to, for the township to restrict a private party from digging things up, putting in foundations, moving a lot of soil?

Mr. Manko: Before you pass some type of an ordinance you want to make sure that anybody who says hey, you know, government's overreacting, that you've got some good ground with this particular area that we are concerned with. I think what Steve (Quigley) said is if you're drinking water from a well and you're nearby and you've never tested it, especially if it doesn't smell quite right, or doesn't taste quite right that is something I would love to have... It's not DEP that's holding it up, it's the Corps. I'd love to have DEP pay for it, so the individual didn't but it's not a lot of money to have it sampled once and then if need be you could put a filter on. Those are, it's funny, they are the kinds of costs that are cost recovery costs which you could then ask the government to pay for but if you think the township is low on the list, I mean, that's got to be really low on the list. But any person who does that should keep a record of it in addition to giving the information over, should be a record of what it cost too, because if we ever get down across the table from the Corps, we have all these unreimbursed cost recovery

responses by people and that would be something that would be eligible if somebody had contaminated ground water and we cleaned up the well.

Ms. Caughlan: What I was concerned with, with the question about a private party taking the site is, is the township being more protective of our residents by working on taking the site if we can than if we just let it go to whatever private applicant would be approved by the Army.

Mr. Manko: I don't think you would just let it go to somebody else. You'd have the same kinds of concerns.

Ms. Caughlan: Well if the transfer had been approved for, say, a private applicant, then the township would not be involved at all. Our input from the Army was that the site is considered unzoned so I don't even know that we would have zoning authority over it.

Mr. Manko: I don't think anybody is going to want to take it over. They'd probably have to get some kind of approval and I think that would be a darn good reason to say "uh uh."

Ms. Caughlan: We're trying to look out for the interest of the residents as well as provide a public park service but given the expenses it has been asked, should the township really take this on, and one question is are we being more protective of our residents by stepping up and doing this ourselves or should we just let private industry come in and do whatever would be approved by the Army?

Mr. Manko. A, I think you are being more protective and B as I said before, other than the initial work that we did, it's really for us to try to make sure that DEP does its job. It's not like DEP doesn't have an agreement with these people. If there was no Multi-Site agreement, you'd be really pushing up hill. But because of that Agreement, you're not going to spend a lot of money for professional people. You're not going to need to have consultants come out and do that other than possibly testing a well or two that looks like it might be within the zone of danger. It's going to be low key.

Ms. Caughlan: It's been my observation that DEP in general has been on our side in terms of reviewing the Environmental Condition of Property reports and saying "uh oh, we need these five extra things tested or whatever."

Mr. Manko: Absolutely. It's true, but they've got a whole desk full of things they do. And they have had a budget cut and they had staff reduction. And Dustin Armstrong is the same guy working with the Arsenal but he's one person there and it's our job to make sure that he gets beat up on the head for not getting any response, in a nice way. But I will say this, Governor Corbett's appointments, have been very "business friendly" and I reviewed a Bill this afternoon where they're going to put 30-day and 60-day time limits on DEP to turn permits around. Unfortunately, that would not be this case but I think that there is all the more reason why they're going to be more responsive.

Mr. Bustard: Ok, good, we had a couple more questions.

Mr. Quigley: Mr. Manko, you're certainly aware of this, now's the time for me to ask the question. Is there a waiting list for people looking for these properties?

Mr. Manko: Do I know of anybody?

Mr. Quigley: Well, are they a hot commodity?

Mr. Manko: DEP, I think, still has a list of sites that are available but contaminated. They call them Brownfields. This is unusual, because you want to turn this, not only into reuse, but you want to turn it into a Greenfield.

Mr. Quigley: Right.

Ms. Caughlan: It's easier to make it into a Brownfield. Just like Chemical Road. Cover it over with macadam, put something on top of it and never disturb the soil. Make sure there's not off site ground water contamination and you're good to go.

Mr. Manko: Correct.

Mr. Bustard: You get commercial, it's a lot easier.

Mr. Manko: That would never get you to the residential standard, statewide health standard.

Ms. Caughlan: Exactly.

Mr. Quigley: But the commercial person who buys it, it's up to him to have the problems, and I guess that's, from my perspective from looking at it...

Mr. Manko: He's looking for the same clean up liability protection you're looking for. The difference is he would have a deed that says you can't do this, you can't do that. Any time they tear up the parking lot it opens up the whole question, all that kind of stuff. You want to have it so that you have no future obligations.

Mr. Quigley: I think if I was a developer I couldn't imagine personally trying to take over a site like that and investing the money in a rural area where it's got a return on investment.

Mr. Manko: I can see the headline in the local paper, you know, fool buys Nike site. I mean, you know?

Mr. Quigley: Thank you, enough said.

Mr. Vincent Pupillo, Worcester: Early in your presentation, you said something to the effect that the township, we want this to be residential grade or residential quality...

Ms. Caughlan: Standards.

Mr. Pupillo: Standard.

Mr. Manko: Because a park has to meet that standard.

Mr. Pupillo: OK. But, so if an industrial developer goes in there they don't have to meet that same standard under the Act 2?

Mr. Manko: Right. Correct.

Mr. Pupillo: So, you guys should do whatever you need to do to make sure you keep control of the situation there, because if an industrial user gets in they get off a little scot free.

Mr. Manko: The problem could arise where the Multi-Site agreement doesn't specify what standard, it just says they have to get Act 2 protection. But if the government comes in and says, we're going to clean it up but we're not going to clean it up to residential standards.

Mr. Pupillo: Well then I say the township needs to really stay on this thing.

Mr. Bustard: For what it's worth, could you give me your name and address so I have it in the...

Mr. Manko: It's a good point.

Mr. Pupillo: Vince Pupillo, Fawn Road.

Mr. Bustard: Thank you. In the back.

Ms. Vogan: Hi, I'm Maeve Vogan. I live over on Dell Road. I wanted to know, you said that there's a large field, that there's a large portion of land of the 20 acres that might be contaminated. About what percentage, or about how many acres?

Mr. Manko: I don't know that we said a large area. There are areas that haven't been looked at. Not large areas, areas where, from prior usage they should have looked at this because it may have been exposed.

Ms. Vogan: So, are you thinking of when, of what you've seen so far, are you thinking that it's going to be a half an acre, an acre, spread over the 20 acres or are you thinking it's going to be 5 acres of contamination? Just from your best judgment.

Mr. Sullivan: Off the top of my head, I'd say it's more towards the former. There are some discreet areas of the property, like the one storm water ditch where they really haven't done sampling. The ground water would be site-wide but that's not, when you talk about how big the areas of potential contamination are, I think of it in terms of the soil.

Ms. Vogan: I was only talking about the soil.

Mr. Sullivan: That's what I assumed. So there's one area in the northeast corner of the site that they really haven't looked at where they used to do some missile assembly and handling activities that they should do some sampling there. They need to clarify an area of spoils and they need to look at a ditch so altogether, it's maybe a couple of acres.

Mr. Manko: Matt came out here and went through all of the papers that Lee (Mangan) got from DEP and wrote an email to DEP, with a copy to the township, where there were 6 areas of former usage that were areas of concern and an area of concern is an area where it should be investigated. It doesn't necessarily mean that it needs to be remediated but it's got to be investigated.

Ms. Vogan: I understood that and I read the report from a few years ago or at least skimmed it. It really didn't say that there particular areas that were of concern. So thank you so much for your work.

Mr. Manko: You're welcome.

Mr. Plager: Dave Plager of Worcester. You could argue both ways to take this property or not take the property. What's really got me concerned is you're dealing with the government, the federal government and you can go through everything you want to go through and they can put things off a little bit and what really scares me is we take the property and then find out several years later there's a

major league problem which nobody knew about. But it's there. And it's always been there. And once again you go to the DOD and say give us some money to fix it up or you fix it up and all they do is "Well, we'll get back to you when we can." In the meantime, you've got a piece of property that nobody can live on or work on or stand on because there are potential problems. And if we know it and don't keep people off then we've got a significant liability.

Mr. Manko: I don't mean to differ with you but you can get on your bike and go to Norristown and that's the state and you do have the state holding the federal government responsible.

Mr. Plager: You didn't let me finish. The problem is this. Someone says you've got to pay Worcester a million dollars, whatever the number is, and they say fine, we'll get to it when we get to it and you'll be dealing years and years and years. It's not like I owe you six dollars and I write you a check. It doesn't go that way. The people you're dealing with, it's not your money they've got, it's our money and they don't have the same type of "let's fix it now because it's the right thing to do" and that's what's got me scared. It really does. And of course the other half is if we don't take it who does take it and then what?

Mr. Bustard: Are they going to clean it up then too, so?

Mr. Plager: I don't really know but I'm just saying you got to think about both ends. Neither solution sounds good to me.

Dr. Mollick: Jim Mollick, Worcester. Can we get a copy of that letter?

Mr. Garrity: I don't know what letter he's talking about.

Dr. Mollick: The letter you sent to the Supervisors.

Mr. Manko: Email?

Dr. Mollick: Or email, whatever you sent.

Mr. Manko: There's an email to the DEP. It's a public record at DEP.

Dr. Mollick: Yeah, it's not legal advice is it?

Mr. Quigley: No.

Mr. Manko: It's the 6 areas that we felt had potential...

Mr. Garrity: Even if there's legal advice, it went to a third party.

Mr. Manko: It wasn't legal advice.

Dr. Mollick: So we can get a copy of it right?

Mr. Bustard: Yeah.

Mr. Manko: Yeah. They have a copy, DEP has a copy, we have copies. It's basically the six that Matt summarized in the beginning.

Dr. Mollick: I appreciate a man of action which you seem to be and one of the problems here has been inaction for about 10 years and I've gone through the file that you went through and we see in the file,

and you probably saw it too, there's a document authored by Supervisor Caughlan where she actually marks out all the sites that are potential problems, including asbestos, including lead paint, including all the contaminated areas on the site. So I think if anybody wants to look at all the contaminated areas there's one document that has them all labeled, A, B, C, D, E, F...

Mr. Bustard: That's the ones that we have identified so far. He's pointing out that there's a lot of, that maybe we need to check somewhere else too.

Ms. Caughlan: It's probably the same ones.

Dr. Mollick: I'm making a statement. If anybody's interested to see what they are you guys have had the same document to look at as well.

Mr. Manko: Lee gave us everything.

Dr. Mollick: Right and I looked through the file as well to check it out. I think too, and I kind of agree with the gentleman back there, you know, in a way, and I don't agree, I don't think we can go ahead and buy a toxic waste site so we can control a toxic waste site so we have control of it. You know, I understand how he feels and everything else but I don't want to buy a toxic waste site just to control it. That's why we have you two guys to make sure that if we do take control, all the protection is built in so we don't get stuck with a site that the Army doesn't take care of completely now and in the future.

Mr. Manko: If I were asked the same question in my municipality I would do what this Board has done. A. B, they're never going to let anybody develop it until it's clean. First of all they don't have the right to develop it because they don't even own it and C, other than perhaps nearby wells that could be sampled just to make sure that they're not toxically contaminating their family, I don't see you putting a fence around it. People aren't there playing games and stuff like that. I assume they're not using the site in a way that could jeopardize them, other than the ground water contamination that could be in a well.

Dr. Mollick: Art, are you having people complain to you about the surrounding area, about the water or something?

Chairman Bustard: Not yet. But it worried me when I read the thing here that they wanted to check the ground water contamination and make sure that it hasn't migrated. That's what's started to get me worried in the situation because if it's contained right there then that's the Department of Defense's problem and everything else and we can work with DEP to get it remediated.

Mr. Manko: The soil is easier because it's not going to move around and it is the source of contamination. When it rains, it's going to leech out into the ground water.

Chairman Bustard: Right. So what I'm looking at is long term there could be a problem here?

Mr. Manko: And I'll be honest with you. What Andy said today was it looks like the soil will eventually be OK but they do have concerns about the ground water which in part comes from here.

Chairman Bustard: I was going to say, how does the soil change?

Mr. Manko: It means we got called in March and its 10 years old but nothing happened for nine and a half years.

Chairman Bustard: At least everything went downstream right?

Mr. Manko: Well, that's why we want to check the sediment.

Dr. Mollick: I appreciate the work that you've done. It sounds like you're doing a great job. I have two questions for you and don't take offense, this is not an offensive question, how much have we spent so far, to date, on this and how much do you anticipate it's going to cost us in the future to get your job done?

Mr. Manko: I think that what we have done, most of the time was really going through everything that happened here. I think what we need to do know is just bird dog the DEP.

Dr. Mollick: Is it going to cost, how much it is going to cost?

Mr. Manko: You tell me how long it's going to take for us to continue to bird dog DEP. I can pick up the phone like I did today and in three minutes I got a promise that's he's going to go over and talk to Dustin in the morning. So, I mean, 3/10s of an hour is not going to be a big number. I don't expect this to be a large legal bill for you.

Dr. Mollick: See, I guess my question, the reason I ask is you keep talking about this Franklin job from 1981, I mean that seems to be a lot of time and effort you're putting into that job.

Mr. Manko: Absolutely. But, I mean, this was the Civil War detention for the North.

Dr. Mollick: But you don't know Worcester. We've got our own Civil War here. Ask Mr. Garrity. He's got a shore house from the civil war. I have one more question. At this point, what do you see the plan going forward? Is there a plan going forward?

Mr. Manko: The plan going forward is to get the DEP to get the Corps to be responsive.

Chairman Bustard: I need to know what's going to happen environmentally down there before we do anything, ok, so I've got to find out if DEP's going to get the Department of Defense moving forward to get us that information. I've made a point that I'm not taking this until I'm sure it's clean.

Dr. Mollick: And you know what, I agree with you 100%.

Chairman Bustard: So, but the problem is I can't make a decision until I know what's going to be done and once I know what's going to be done...

Mr. Manko: I would say this, if I find DEP dragging their feet, which I haven't, then I think your State Rep can pick up the phone and call the regional director. We have a meeting with him early next month and this is on the list. I want to get from him some kind of a timetable where they're going to keep after the Corps. I mean I could pick up the phone and yell at the Corps too but that's not the same. I'm not a party, we're not a party to that agreement. DEP is. They are the enforcer in this. And thank God they are because if you didn't have this, I would tell you never take this site.

Mr. Quigley: Isn't Representative Moyer still working for the DEP? Jay Moyer?

Chairman Bustard: Jay Moyer, yeah. We have explored some of the political, if you will, in the background. That's a once and done deal, you know, you don't want to get that involved until you absolutely have to.

Mr. Manko: Exactly.

Chairman Bustard: OK, so what I want to do is I want to find out what DEP is going to be able to get them to do and if we're not satisfied with it then we go to the political route and start getting the political people calling the Department of Defense and everything else.

Mr. Manko: Let me make a suggestion. If you want to write a letter to us saying, this is over ten years old now, and I understand that you're going to be meeting with the DEP and make sure this is on the list, I will give that letter to the new regional director on July 2nd. But at this point I would not call in the heavy guns.

Chairman Bustard: It's premature.

Mr. Manko: It's just going to get the staff people annoyed at you.

Chairman Bustard: That's one of the reasons we gave them a couple years down there to decide what to do and the person that we were dealing with at DEP did retire in that time which is one of the problems that we've had, ok, and it became evident by the end of last year that things were moving from the Department of Defense's point of view that were not advantageous to us. Which is one of the reasons we brought you guys in to say, you know, what do you have, what do we need to know ok, to move forward and by them coming here and itemizing this for us we now know where we need DEP to work on. And we're going to see what DEP does.

Dr. Mollick: There's been more movement on this project in the last month than there has in the last 10 years.

Mr. Manko: Well, it's not moving fast enough for us. I'm a very patient person. I'm 72 years old. I'm going to die before this is over. But, I mean, all our firm does is, and Jim can tell you, this is what we do, we do environmental energy work. We're not a big city firm. We don't have the big hourly rates kind of thing. I don't see this as something where we're going to need to have an assessment on people to pay our legal bill.

Ms. Caughlan: Could I ask a quick question? Mr. Sullivan was there anything that you found in looking through the documents and in your site visit that had not been previously identified by DEP as a site that needed, an area that needed further work? Did you identify any additional areas?

Mr. Sullivan: I think the one storm ditch.

Ms. Caughlan: OK

Mr. Sullivan: I don't think DEP had ever identified that.

Ms. Caughlan: Is that the one where there was an oil leak from the old oil heater?

Mr. Sullivan: I think that's the other one that they have sampled. It's the one where we had identified the release that reached that storm sewer.

Ms. Caughlan: Right. OK.

Mr. Sullivan: There's a second storm swale that I don't think anybody ever sampled.

Mr. Manko: That was the wastewater treatment?

Mr. Sullivan: No, the wastewater treatment outfall was always piped as far as we can tell.

Ms. Caughlan: Thank you.

Mr. Quigley: Mr. Manko, a question as far as moving this forward I thought we were supposed to take ownership of this somewhere in year 2012. Where is that timeframe now? How long do we wait before we pull the plug on it, if we pull the plug on it?

Mr. Manko: Well, you don't have to pull the plug.

Mr. Quigley: It just keeps here in limbo. If we don't take it can the Army go back and say ok you guys didn't take it ...

Mr. Manko: They have to meet the agreement's requirements.

Mr. Quigley: They can't go to somebody else. They have to meet the agreements before the can go to XYZ company and move on.

Mr. Manko: With all due respect to the general state government, they're the party who is in the position to enforce it.

Mr. Quigley: Right, so we can just sit there with the property...why we would want to do that...

Mr. Manko: For the last 10 years, that's what's happened. When we looked at it, Matt came back and I said, these people are not going to take this until it's done, because first of all, it wouldn't get done and second of all, you'd have liability.

Chairman Bustard: Right.

Mr. Quigley: Well, I think that between the Supervisors, we need some public meetings once again to get back on track with the use of that building before we spend a lot of time and energy. What are we really going to do with the property besides a park with a building sitting there that if it goes another 2 years, 5 years, 7 years and it hasn't been occupied. At least when the Army was there, there was heat on in the building and it was being used and it was a bit more functional. The longer it sits there, it deteriorates and then the township is faced with more problems.

Chairman Bustard: Well, the more it deteriorates, the less likely we are to take it too, which is a push against.

Mr. Manko: One of the things that you ought to ask, and this is asking, it's not under Act 2, is for them to keep the building habitable. They don't have to do that but it would be embarrassing for them to let it go to rot in the middle of your township.

Ms. Caughlan: So let's include that in the letter. A suggestion about the building.

Mr. Kazimer: William Kazimer, Fairview Village. The emphasis seems to be on nearby wells possibly being polluted. But isn't it true that underground, underwater contamination can travel miles?

Mr. Manko: Yeah, I just said that if I were you I would start with the ones that are closest to the property because if, unless, since the soil hasn't been cleaned up, whatever contamination is it could be going, continuing. It's not like there was one slug and it went down and now it's past this area. So you would start with the ones that are most exposed before you would do anything else. There should be a whole sampling plan. If you find there's contamination then we've got to get DEP to chase that as far as it can

be done. I just don't want to see your residents paying to put things on that they shouldn't have to put on and winding up with a claim against the government. Cause that's really bad to have a person have a claim against the government.

Mr. Kazimer: Well, I live in Fairview Village. I have city water now but I still use my well for watering plants.

Mr. Manko: Do they live?

Mr. Bustard: Only when he waters them.

Mr. Kazimer: Isn't it possible though that the Nike site could pollute my well a mile away?

Mr. Manko: It could but if there are wells between you and the Nike site, I'd start with the ones that are closer.

Mr. Kazimer: But it is possible?

Chairman Bustard: That's one of the reasons that we're concerned about it and we want to get DEP moving on it.

Ms. Caughlan: But we also have to look at geology. And that's the other side of the ridge.

Mr. Manko: It's going to follow whatever the subsurface flow is.

Chairman Bustard: OK, well I think we've beat this up pretty good. I appreciate very, very much your report tonight. We'll take it all under advisement. We will do that letter, I think it makes sense.

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 MONDAY, JULY 2, 2012, 9:00A.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

The Zoning Hearing Board meeting scheduled for July 25, 2012 has been cancelled due to no new or continued applications.

APPROVAL OF THE MINUTES OF JUNE 4, 2012

Supervisor Caughlan noted one correction regarding the Heyser Zoning Application to read "applicant was requesting all uses."

Supervisor Quigley questioned why Mr. Heyser appeared before the Board of Supervisors.

Supervisor Caughlan moved to approve the minutes as amended of June 4, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

1. MANAGER'S REPORT

a. Zoning Hearing Board Update

Tiffany Loomis, Zoning Officer, reported the last meeting was June 26th. Application #12-03, 3019 Germantown Pike was granted with classification for business use only.

b. Moran Trail Update

Mr. Mangan reported that the Moran Trail is almost completed and a dedication will be planned with the Township, Montgomery County Lands Trust and staff.

2. ENGINEER'S REPORT

a. Valley Green Sanitary Sewer Project

Joseph Nolan, Township Engineer, informed the Board that DEP is requiring updates to the Valley Green WWTP or they may revoke the 90K gallon extra capacity that is not currently being utilized. He submitted a plan to DEP with a proposed 27 month improvement program to be completed by October, 2014. It is awaiting DEP's approval and authorization.

He further reported that the revision to the 2006 Center Point Sewer Expansion is underway.

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be done. I just don't want to see your residents paying to put things on that they shouldn't have to put on and winding up with a claim against the government. Cause that's really bad to have a person have a claim against the government.

Mr. Kazimer: Well, I live in Fairview Village. I have city water now but I still use my well for watering plants.

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Mr. Bustard: Only when he waters them.

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Ms. Caughlan: But we also have to look at geology. And that's the other side of the ridge.

Mr. Manko: It's going to follow whatever the subsurface flow is.

Chairman Bustard: OK, well I think we've beat this up pretty good. I appreciate very, very much your report tonight. We'll take it all under advisement. We will do that letter, I think it makes sense.

3. SOLICITOR'S REPORT

a. Sign Ordinance Discussion

Lee Mangan, Township Manager, made a preliminary recommendation that signage for the Center Point Village area is delayed until a decision is made regarding the village overlay district re-zoning.

James Garrity introduced the recommended changes for offsite premises signs noting that the Pennsylvania Court actions have legitimized their existence and recommends action by the Board of Supervisors to regulate the placement of such signs to eliminate site specific relief.

A draft ordinance was submitted to the Board several months ago. Mr. Garrity is looking for further input from Board prior to advertising. It should regulate location, size, illumination and site specific. Signs of the nature are currently allowed in Light Industrial areas only. Discussion regarding height and distance in relation to cart way pursued. Internal illumination will be discussed at a later date. All agreed on 35' in height, allowing 300 sq. ft. and a standalone ordinance separate from the general sign ordinance.

Mark Landis, Worcester, inquired about illumination time being limited, tax on signs, and how Virginia state law prohibits them.

Maeve Vogan, Worcester, inquired about towers being used for signs and opening up more requests for cell towers.

b. Cedars Village Overlay Ordinance Discussion

Mr. Garrity noted that there are currently two ordinances presented to the Board; one prepared by the Worcester Planning Commission and one from Mr. Kennedy, representative for David Markel, which has many differences. Mr. Garrity pointed out the major differences; 1) elimination of classes 2) use of outdoor dining and smaller residential side yard setbacks, 3) types of buffering 4) additional uses 5) financial institutions with a drive through.

Mr. Kennedy commented on the elimination of the classes and how homes currently zoned residential could utilize the Village Ordinance based on property size, required setbacks and uses based on proposed three classes.

Supervisor Quigley commented on Planning Commission being misled and who exactly wrote the ordinance, TDR's being tied to the development, and distribution of wealth.

Supervisor Caughlan responded the residents provided input, Worcester Township Planning Commission, and professional consultants all had input, and commented that residents of Cedars requested the overlay. She requested Mr. Kennedy provide input on how to buffer current residents from the commercial village.

Mr. Kennedy suggested taking the two proposed ordinances and integrating them: suggested that a 3% impervious coverage is impossible with commercial use and proposed a 25 – 30% building coverage with double impervious coverage; He further noted that the TDR cost does not allow comparable development.

Chairman Bustard suggested that the impervious coverage was out of line and that the TDR's should be part of the expansion since the property in question is currently a non-conforming property with outstanding violations.

Gordon Todd, Chairman of Planning Commission, reviewed the proposal from Mr. Kennedy and agrees with some of the changes regarding setbacks, drive through, and impervious surfaces. He suggested coordinating the changes in a less formal environment.

Supervisor Quigley suggested the Planning Commission review the two proposals and draft a revised ordinance combining the two versions to make sure everyone is happy.

Ciro Tornambe, Worcester, expressed frustration over another delay in determining property's use for the future. He further suggested that all discussions be in public to allow input.

Mark Landis suggested expediting the process to speed up advertising the new ordinance.

Maeve Vogan commented on the Board trying to eliminate all business in Worcester and putting demands on businesses noting everyone wants the most out of their property value. She further suggested the Board stop fighting and move forward to keep taxes down and eliminate the TDR's from the Village concept.

Rick DeLello, Worcester, stated that drawing up the proposed ordinance taking three years is a misrepresentation. Villages need economic viability to be worthwhile for consumers and residents who live there. There should have been professional input earlier.

Supervisor Quigley expressed concerns of taxation effects on the properties with the overlay and transfer of TDR's.

Chairman Bustard suggested Mr. Kennedy and the Worcester Planning Commission meet and discuss it at their next meeting on July 26, 2012 and report to the Board of Supervisors in August, 2012.

4. OTHER BUSINESS

None

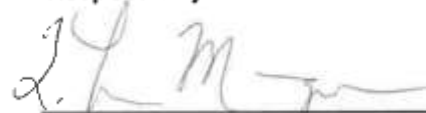
5. PUBLIC COMMENTS

None

ADJOURNMENT

There being no further business or comments from the public, Chairman Bustard adjourned the meeting at 10:50 AM.

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER VOLUNTEER FIRE DEPARTMENT
 WORCESTER, PA
 WEDNESDAY JULY 18, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

ARTHUR C. BUSTARD [X]

STEPHEN C. QUIGLEY [X]

SUSAN G. CAUGHLAN [X]

INFORMATIONAL ITEMS:

Chairman Bustard commented that at the last meeting on June 20, John Kennedy, land planner representing David Markel, presented an alternative plan for the Cedars Village Overlay Ordinance during the public hearing. At the July work session the Board recognized that some parts of the alternative plan had same advantageous ideas. They requested the Worcester Township Planning Commission to review the alternative plan and report back to the Board at the August 6th work session. The ordinance will then be discussed at the August 15th meeting and will re-advertise for a public hearing in September.

Manager Lee Mangan reported that the Moran Trail is being completed and there will be a dedication in August.

APPROVAL OF THE MINUTES OF JUNE 20, 2012

Supervisor Caughlan moved to approve the minutes of June 20, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve the minutes of June 20, 2012.

TREASURER'S REPORTS

The Treasurer's report for June, 2012 net change on cash basis:

June, 2012 Report:

General Fund	\$712,843.77
State	\$155,361.07
Capital Reserve	\$808.17

James Mollick, Worcester, inquired about additional materials in the Board members' binders referencing the April, 2012 Treasurers report.

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

James Mollick, Worcester, requested detailed information be provided to the public and questioned two vendor payments, one for a New York bus trip and the other being the solicitor's invoice.

Maeve Vogan, Worcester, questioned the date on the list of invoices compared to the date on the Treasurer's report in the packet.

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$239,249.20. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Tiffany Loomis, Zoning Officer and Land Use officer.

There is no update and the July meeting is cancelled because there are no new applications.

Land Development and Subdivision Update provided by Tiffany Loomis.

Ms. Loomis informed the Board of one new application, Our Farm located at Berks & Potshop Roads. It is a revised sketch plan and will be reviewed by the Worcester Planning Commission.

Hilltop Estates / Cane Subdivision - removed from agenda due to incomplete documents.

2012 ROAD IMPROVEMENT

Lee Mangan read the letter of recommendation from CKS Engineers naming Reid Paving Contractors Inc., of Gilbertsville, PA as low bidder for the base contract price of \$375,195. An option of \$40,375 for Fisher Road is included for a total bid amount of \$415,570. Reid Paving Contractors received the award in 2011 and CKS Engineers recommended awarding the 2012 contract to them.

Supervisor Caughlan moved to award the 2012 Road Improvement Contract to Reid Paving Contractors Inc. in the amount of \$415,570. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

OFF PREMISES ADVERTISING SIGN ORDINANCE

The Board noted that they want to see the final draft prior to authorization to advertise. It will be reviewed at the work session on August 6, 2012.

ENGINEER'S REPORT

Joseph Nolan, Township Engineer, was absent from the meeting.

CENTER POINT SEWER UPDATE

Lee Mangan reported that CKS Engineers needs additional technical input to complete the Center Point Sewer Update so it is not currently available.

Susan Watson, Worcester, expressed concern about delays and inquired as to who receives the hook up costs and inquired about the Township's position on bids for failing septic systems.

Charlie Watson, Worcester, inquired about feasibility studies on expansion, ownership of the Valley Green WWTP and who maintains the plants.

Supervisor Quigley responded that the Board has been looking at the situation for months and it is at minimum a two year process.

Supervisor Caughlan explained that the engineer is researching the expansion area to include the Hickory Hill area, explained options to homeowners regarding failing septic systems, and expressed concerns about financing.

Chairman Bustard explained that currently there are only 800 residents connected to the Worcester public sewer system.

Mark Chiappetta, Worcester, commented on sewer studies performed years ago, the Valley Green Plant and DEP compliance, and using general fund reserves for financing. He further expressed falling property values and inability to get re-financing.

Supervisor Caughlan assured Hickory Hill and Crest Terrace areas will be included in the future study. She noted that there are two phases to the study, the expansion and repairs to the existing plant with DEP threatening to revoke the permit for an underutilized 90,000 gallon capacity and the need to work with them.

Steve Rock, Worcester, commented on the need to improve the sewer some twenty years ago, being a long-time resident and paying taxes but all falling on deaf ears. He further expressed frustration about the infrastructure and street curbs being too high, rising costs, and code issues in Worcester. He expressed concern about an open door policy and the need for the Board to address details.

Suzanna Cipollini, Worcester, commented on recent conversation with the Township Engineer and the availability of funds for sewer expansion and connections. She commented on the seepage from neighbor's sand mound and requested a date for repairs and accountability.

Chase Kneeland, Worcester, commented on the availability of over 200 connections in 2003 and DEP revoking the connections because of failing plants. He recommended the Township do whatever necessary to maintain the connections and to get the necessary money.

Supervisor Caughlan noted the analysis of the rates and projected rate increase performed by the former manager and assured the residents the issue will be addressed.

Harry Alderfer, Worcester, commented on Montgomery County dictating the necessity for new septic systems and requested relief for homeowners.

James Garrity, Solicitor, expressed the complexity of the situation explaining that sanitary sewer systems must be paid by the users, not general taxpayers. The Township 537 Plan mandates how each property will address sewer issues and it must be coordinated with the County and the DEP.

James Phillips, Worcester, commented on roads being torn up for water and the need for relief when selling houses by receiving a letter from the Township regarding public sewer availability in the future.

Jeff Piney, Worcester, commented on being a builder and homeowner and can see both sides.

Sean DeHaven, Worcester, commented on County inspectors stating that any septic system over 45 years old will fail and requested a final date for hookup with plans and costs.

Supervisor Caughlan suggested a public informational meeting scheduled for September when vacations are over with the Township Engineer present to discuss the whole package.

James Garrity suggested waiting until all the numbers are known.

Steve Urban, Worcester, inquired about the Township's process for allowing additional cooking facilities and bathrooms that require larger sand mounds to be installed, noting there was an addition on the house next to him and he did not receive any notice of a request for variance.

Roger Anders, Worcester, requested the manager look into possible grants and final costs for the September meeting.

Maeve Vogan commented on the cost of \$50,000 for a sand mound and requested specific mailings for related issues.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

Supervisor Quigley motioned to improve a working relationship between the supervisors by having the manager research other township's relationships between supervisors, planning commission members and the zoning hearing boards. He noted that the Manager is an employee of the Board of Supervisors and they need to give him direction. The Planning Commission and Zoning Hearing Board should be independent boards.

Chairman Bustard acknowledged that there is a process problem that is part of an infrastructure problem. He requested the Manager research other surrounding townships to see how their process plans are structured.

Supervisor Quigley stated that he has repeatedly requested the public sewer issue be placed on the agenda but other members pick and choose different topics.

PUBLIC COMMENTS

Steve Rock inquired about the U.S Army Base noting contamination of over 15 years.

Maeve Vogan commented on the hostility between the Board members causing discomfort and the need to work as a team, noting public behavior and knowing roles and responsibilities

David Plager commented on the new Pennsylvania voter ID law and noted the County seminar to explain the system.

Carol Lang, Worcester, inquired about a dog park and its feasibility.

Rick DeLello, Worcester, inquired about providing the public with midyear budget to actual financial reports and requested the Chairman of the Board should set the tone for the meetings.

James Mollick requested the 2006 sewer study be placed on line, commented that Cedars Overlay Ordinance was the priority last month, not the sewers, and open space purchased by the Township at

the expense of taxpayers should be open to the public for all to enjoy. He further commented on the protected Heyser e-mail and the availability of money for residents with failing septic if open space had not been purchased.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:20 p.m.

Respectfully submitted:



F. Lee Mangan, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 MONDAY, AUGUST 6, 2012, 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:10 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

None

APPROVAL OF THE MINUTES OF JULY 2, 2012

Supervisor Caughlan moved to approve the minutes of July 2, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

1. MANAGER'S REPORT

a. Zoning Hearing Board Update

Tiffany Loomis, Land Use & Zoning Officer, reported a new application was submitted to be heard at the August 28th meeting. The application is from Center Square Golf Course.

b. Subdivision & Land Development Update

Tiffany Loomis reported that the Planning Commission received a sketch plan for the Our Farm property at 1600 Potshop Road.

c. Peter Wentz Farmstead Fee Waiver Request

A fence permit application was received, along with a request to waive the approximately \$34 fee.

Supervisor Caughlan moved to waive the fee for the Peter Wentz Farmstead fence permit.

Supervisor Quigley seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

d. Township Social Media Use Plan

Julie Lanzillo, Director of Parks and Recreation, provided the Board with an update on social media use by the township.

Supervisor Quigley inquired about the ability to post video of township meetings on social media sites.

e. Moran Trail Dedication

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Lee Mangan, Township Manager, announced the dedication ceremony for Thursday, August 9th at 3pm.

Mr. Mangan also announced that a special meeting has been tentatively scheduled for Thursday, September 13th on the issue of the sewer plant upgrade.

Supervisor Caughlan moved to authorize the special meeting for the sewer plant upgrade on Thursday, September 13th. Supervisor Quigley seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

2. ENGINEER'S REPORT

Joseph Nolan, Township Engineer, informed the Board that he had nothing to report, but the firm is updating the Center Point sewer study and continuing with Valley Green Wastewater Treatment Plant preliminary design. There has been no response from DEP at this point to the plan of action that was sent to them.

Mr. Nolan indicated that he will be able to provide the Board with a lot more detail at the September 13th meeting, including drawings and schematics.

Supervisor Caughlan confirmed the meeting will be related to the Valley Green plant and surrounding area, not to the Berwick plant.

3. SOLICITOR'S REPORT

James Garrity, Township Solicitor, introduced the request for advertisement of what is now called the Billboard Overlay District Ordinance. He commented that it has been circulated and revised several times and will be circulated to the staff and Supervisors.

Supervisor Caughlan asked for clarification on the right of way setback requirements.

Chairman Bustard asked for clarification between the version sent by Mr. Garrity on Thursday, and the version sent by Supervisor Caughlan on Friday.

Supervisor Quigley commented on the changes made to the proposed ordinance.

Supervisor Caughlan commented that the changes were to be protective of the residents in the area.

Supervisor Caughlan moved to authorize for advertisement the Billboard Overlay District Ordinance, as prepared by the solicitor. Supervisor Quigley seconded the motion.

James Mollick, Worcester, inquired about the number of drafts of the ordinance.

Supervisor Caughlan moved to authorize for advertisement the Billboard Overlay District Ordinance, as prepared by the solicitor to be heard at a public meeting on September 19th. Supervisor Quigley seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

4. OTHER BUSINESS

Chairman Bustard read a prepared statement.

"At our last Wednesday monthly meeting, Steve made a motion to have the Township Manager review the role of a Supervisor in dealing with the staff and various boards. I didn't second it at that time although I mentioned that I thought it was appropriate for Lee to review procedures and I have been reviewing that motion considering the processes we have been using with the various boards and meetings that we attend. It has been stated in our meetings that the Supervisors are having difficulty moving forward as a united board. It's a point that I am unfortunately forced to agree with and our meetings are not moving forward as expeditiously as I desire.

In discussions with our Township Manager, it has become apparent that lines of communication are not as clear cut as they should be. And over the past several years, we have tried various ways of handling the process not only in dealing with the staff but these meetings and getting information to the residents... upgrading the web page, posting agendas before the meetings, periodically having meetings with the Planning Commission to provide them direction. We have generally improved our communication with the residents compared to years ago, as Julie (Lanzillo) just emphasized today.

Nevertheless the problem is not with the people letting us know their opinions. No one in Worcester can say that its residents are afraid to make their opinions heard. In a republic, which is designed by the principle of representation, the people do not directly decide which, they decide WHO will decide. It is the job of the Supervisors to decide, and I want us to be able to move forward as efficiently as possible. And that involves not only the Supervisors dealing with the boards and staff, but how we present the information to the residents and how we receive those decisions in our open monthly meetings.

So after consideration of what Steve had mentioned in his motion last month, I'd be willing to entertain a motion to have our Township Manager review the process of how the Supervisors are working with the staff and various boards and how we are presenting the information to the residents at our meetings and make recommendations to us in October as to how he feels we can improve the process and procedure to effectively run the township better. Basically, I want him to look at the situation that we have here and see what we can do to improve our communication."

Mr. Quigley, made a motion that the Township Manager look into the workings as Chairman Bustard suggested and take Mr. Bustard's paper, so there is no misunderstanding, and look into the capability of the items Mr. Bustard presented.

Ms. Caughlan commented about the Township Manager being busy with important issues, including the sewer plants, developments and zoning issues and revising ordinances. She expressed her desire not to burden the manager with this and have him work on important issues.

Chairman Bustard seconded the motion.

Maeve Vogan, Worcester, commented that this was the right thing to do and was proud and thanked Mr. Bustard for his actions to clearly define rolls.

Supervisor Caughlan referenced an article in Township News as a source of information for rolls of supervisors.

James Mollick commented favorably.

Chairman Bustard called the question and all approved the motion.

Supervisor Quigley remarked on the relationship of the size of the office staff and the size of the community. He referenced Supervisor Caughlan's opinion that the manager is busy and he made a motion that the Worcester Board of Supervisors go from three supervisors to five supervisors to distribute the work load.

Chairman Bustard called the question. There was no motion.

Chairman Bustard commented that he understood where Supervisor Quigley was coming from.

Supervisor Caughlan remarked she was concerned about the cost.

Supervisor Quigley made a motion that the Board of Supervisors should relinquish health insurance provided to the Board to save money.

Chairman Bustard called the question. There was no motion.

Supervisor Quigley commented he would be willing to cover the salaries of the additional Supervisors if legally allowed, to eliminate burdening the tax payers.

Supervisor Caughlan provided a personal work product of open space figures going back to the beginning of the township purchasing public land, trails and preserving over 400 acres of working farmland.

5. PUBLIC COMMENTS

Dave Plager, Worcester, commented on the proposed five-member Board of Supervisors being the residents' choice and the small parking lot at the Moran Trail.

Supervisor Quigley responded that a petition is circulating to get the 5-member Board issue on the upcoming ballot.

Marilyn Teed, Worcester, commented on voting districts and having at-large candidates being difficult. She also inquired about the informational meeting held at Wentz's Church concerning the Cedar Village Overlay concept, and requested a list of who was notified.

James Mollick commented on Supervisor Caughlan's open space report, requested to have Board meetings on social media sites and further commented on Right to Know petition issues related to a driveway issue and personal emails.

Maeve Vogan expressed disappointment that the historical ordinance was not discussed; she commented on a barn torn down recently, asked about costs for township supervisors, and inquired about the Army Base status and the availability of money for other park projects.

ADJOURNMENT

There being no further business or comments from the public, Chairman Bustard adjourned the meeting at 10:05 A.M.

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY
 August 15, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

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

INFORMATIONAL ITEMS:

Chairman Bustard announced that there will be a special meeting September 13, 2012 for the purpose of discussing the expansion of the Valley Green Wastewater plant and service. It will be held at the Worcester Township Community Hall at 7:30p.m.

APPROVAL OF THE MINUTES OF JULY 18, 2012

Supervisor Caughlan moved to approve the minutes of July 18, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously by all to dispense with the reading of and approve the minutes of July 18, 2012.

TREASURER'S REPORTS

The Treasurer's report for July, 2012 net change on cash basis:

July, 2012 Report:

General Fund	\$770,819.4
State	\$559,210.55
Capital Reserve	\$851.64

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$194,266.97. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

HILLTOP ESTATES, CANE SUBDIVISION – DEDICATION OF PUBLIC IMPROVEMENTS

Joseph Nolan, Township Engineer, noted the punch list is complete; the maintenance bond is in order and recommended accepting dedication of Nicole Drive.

Supervisor Caughlan moved to accept dedication of public improvements for the Cane subdivision. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Tiffany Loomis, Zoning Officer and Land Use officer.

Next meeting is scheduled for August 28, 2012 with one application by Center Square Associates, Inc. of 2620 Skippack Pike for signage relief and to install a "green sign".

CEDARS VILLAGE OVERLAY ORDINANCE

Mr. Mangan announced that at the joint session of the Planning Commission and the Board on Monday, August 6, 2012 several items in the ordinance were agreed upon and clarified. Gordon Todd, Planning Commission Chairman made his final recommendations.

Supervisor Quigley noted the map change, inquired why the funeral home was now included and inquired if the property owner was notified.

Chairman Bustard opposed the change disallowing a drive-thru and suggested a conditional use hearing option to permit a drive-thru with Board of Supervisors conditions. The Board had discussion regarding drive-thru for banks and fast food restaurants.

Chairman Bustard expressed concern about setbacks for outside dining and a discussion ensued including input from Gordon Todd and Township Solicitor, James Garrity.

Supervisor Caughlan expressed concern about the multi-family resident clause and age of the structures. She further questioned the residential buffer clause and requested clarification and questioned the density of Class 2 and impervious coverage.

Supervisor Quigley commented that some incentive must be given to eliminate empty buildings.

Maeve Vogan, Worcester, commented on the height of the fences being too high, encouraged small businesses with drive through, and asked clarification on the buffers and commended the board on decision of the light fixtures.

John Kennedy, Land Planner representing David Markel, noted his presence at the joint meeting and requested clarification on buffers, removal of drive-thru needing a conditional use hearing, fence height, building coverage not being acceptable, and height of lighting fixtures. He further commented on the outdoor seating, buffers and impervious coverage.

Rick Mast, representing Vincent Pupillo, objected to size of lots and zoning issues being lumped together; he further commented on height of lighting fixtures requiring more poles for added safety.

Mark Landis commented on impervious coverage being contradicted in the ordinance and inquired about voting on an incompletely written ordinance.

Chuck Ciakowski, Worcester, inquired about the availability of the ordinance prior to advertising.

Ciro Tornambe, Worcester, commented on outdoor dining being shielded to eliminate noise to neighbors and inquired about the use of exercise facilities in the ordinance.

James Garrity addressed terms of "Similar Use", "Events" requiring permits, and the revised map including the funeral home but noting that it is not a permitted use.

James Mollick, Worcester, commented on the Cedars Village Overlay Ordinance on the Township web site, inquired who wrote the ordinance and what changes were made from the draft.

Supervisor Quigley moved to advertise the Cedars Village Overlay Ordinance with the proposed changes. Supervisor Caughlan seconded the motion.

Mark Landis questioned the Board's decision to move ahead and advertise.

James Mollick agreed with the statement by Mark Landis.

Chairman Bustard called the question and the motion passed unanimously.

ENGINEER'S REPORT

Joseph Nolan, Township Engineer, had no report.

SOLICITOR'S REPORT

James Garrity, Township Solicitor, had no report.

OTHER BUSINESS

None

PUBLIC COMMENTS


Mark Landis, Worcester, inquired about progress with the sound barriers and the billboard ordinance, stating that the state has money available for sound barriers.

James Mollick, Worcester, commented on the closing of the WAWA store in Center Point and inquired if the Board had been contacted by them.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:55 p.m.

Respectfully submitted:



F. Lee Mangan, Secretary

609684

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 TUESDAY September 4, 2012, 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:02 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

Special meeting regarding sewer will take place Thursday, September 13th, at 7:30 p.m. at Worcester Township Community Hall. The regularly scheduled meeting of the Worcester Planning Commission will be moved to the Worcester Administration Building, 1721 Valley Forge Road.

APPROVAL OF THE MINUTES OF AUGUST 6, 2012

Lee Mangan, Township Manager, made a correction to the last page regarding two motions that did not receive a second. The minutes should reflect there was "No motion."

Supervisor Caughlan moved to approve the minutes of August 6, 2012. Supervisor Quigley seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

1. MANAGER'S REPORT

Mr. Mangan announced that quotes for modifications for air conditioning in the Community Hall have been received and the work will be scheduled for early in the season.

He informed the Board there is one remaining issue with the sign ordinance for business owners to provide input and authorization for advertising will be scheduled for an upcoming meeting.

a. Zoning Hearing Board Update

Tiffany Loomis, Land Use & Zoning Officer, reported the Board granted the waiver request from Center Square Associates and that there were no new applications.

b. Subdivision & Land Development Update

Tiffany Loomis reported that the Planning Commission received the Iannella subdivision plan located on Dell Road. It will be reviewed by the Planning Commission.

The Mandraccia subdivision will be before the Planning Commission for final approval.

2. ENGINEER'S REPORT – None

3. SOLICITOR'S REPORT

James Garrity, Township Solicitor, requested clarification on the Cedars Village Overlay Ordinance he drafted versus the ordinance received from Supervisor Caughlan regarding setbacks and buffering for outside dining.

Mr. Bustard requested clarification from Mr. Garrity as to when the proposed Cedars Village Overlay Ordinance will be advertised. Discussion and questions ensued.

Supervisor Quigley inquired about the installation of access roads and changing road frontages.

Maeve Vogan, Worcester, commented on 150' verses 200' for setbacks.

Ciro Tornambe, Worcester, commented on a solid fence verses a semi-solid fence.

Marilyn Teed, Worcester, inquired about stone fences, setbacks in other communities, the need to attract business, not restrict them. She further commented on expanding the area of the Village Overlay District to include several non-conforming businesses.

Rick DeLello, Worcester, commented on 150' verses 200' for setbacks as being agreed upon previously and solid fences defeated purpose of outside dining.

Supervisor Caughlan motioned to approve the setbacks and buffer and authorize advertisement of the ordinance in the final version. Chairman Bustard seconded the motion. Chairman Bustard called the motion and the motion passed unanimously.

4. OTHER BUSINESS

Supervisor Quigley inquired about Pennsylvania Turnpike barriers and availability of financing.

5. PUBLIC COMMENTS

Marilyn Teed commented on the "No Impact Home Based Business" clause not encouraging business and number of cars and traffic limitations should be the determination for impact verses number of employees. She further commented on increasing intensity in the area and suggested the power line be the boundary.

Rick DeLello commented on e-mail received by the Solicitor not being sent to all supervisors.

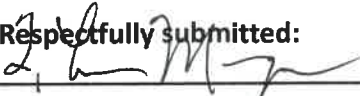
James Garrity clarified the term of "no Impact Business" being directly from the MPC.

Supervisor Caughlan further explained the Home Base Business Amendment adopted by Worcester Township in 2011 of which was adopted for the purpose of being in compliance with the PA Municipalities Code.

ADJOURNMENT

There being no further business, Chairman Bustard adjourned the meeting at 9:45 A.M.

Respectfully submitted:



 F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY SEPTEMBER 19, 2012 - 7:30 P.M.

CALL TO ORDER by Chairman Bustard at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE:

PRESENT:

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

INFORMATIONAL ITEMS:

The Zoning Hearing Board meeting for September 25, 2012 has been cancelled. No new applications were received.

The November Board of Supervisors meeting will be moved from November 21 to November 14, 2012, due to the Thanksgiving Holiday.

The latest edition of the Worcester newsletter is at the printer and will be in mailboxes soon. A digital copy is available on our web site.

The Supervisors have received the final version of the Cedars Village Overlay Ordinance. Mr. Bustard will call for a motion under other business to authorize the advertisement.

PUBLIC HEARING: Billboard Overlay District Ordinance 2012-237

Public Hearing Opened at 7:34 p.m.

James Garrity, Solicitor, provided an extensive background of the ordinance.

A court reporter was present to record an official transcript of the proceedings.

David Brooks, Worcester, inquired on previous court challenges on internal illumination.

Rick DeLello, Worcester, raised concern about the lack of inclusion of LED lights.

Supervisor Caughlan moved to approve Ordinance 2012-237, Billboard Overlay District Ordinance. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Public Hearing Closed at 7:50 p.m.

APPROVAL OF THE MINUTES OF AUGUST 15, 2012

Supervisor Caughlan moved to approve the minutes of August 15, 2012 with one correction. Supervisor Quigley seconded the motion and passed unanimously by all to dispense with the reading of and approved the amended minutes of August 15, 2012.

TREASURER'S REPORTS

The Treasurer's Report for August, 2012 net change on cash basis:

August, 2012 Report:

General Fund	\$1,013,689.01
State	\$229,214.73
Capital Reserve	\$2,053.98

Supervisor Caughlan moved to accept the Treasurer's Report. Supervisor Quigley seconded the motion. There were no comments from the Board. Chairman Bustard called the question and the motion passed unanimously.

PAYMENT OF THE BILLS OF THE TOWNSHIP

Supervisor Caughlan moved to pay the bills of the Township in the amount of \$184,562.29. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

2013 MMO – Non-Uniformed Pension Obligation (MOTION):

Supervisor Caughlan moved to approve 2013 MMO – Non-Uniformed Pension Obligation in the amount of \$59,782.00. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

**North Penn Water Authority – Extension of Term
Resolution 2012-20**

Supervisor Caughlan moved to approve North Penn Water Authority – Extension of Term, Resolution 2012-20. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

MANAGER'S REPORT

Zoning Hearing Board Update provided by Tiffany Loomis, Zoning Officer and Land Use Officer.

September 25, 2012 meeting was cancelled. There are no new applications.

Land Development and Subdivision Update

Tiffany Loomis informed the Board of requests for extension of time for the Mandracchia and lanella Subdivisions.

Supervisor Quigley commented on how many times we can extend.

Supervisor Caughlan moved to accept the extension of time for the lanella and Mandracchia Subdivisions. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Mr. Mangan announced that the preliminary budget will be presented in November, 2012.

ENGINEER'S REPORT

Joseph Nolan, Township Engineer, announced that the preconstruction meeting for the 2012 road project will be held September 21, 2012. Liquid fuel money will be utilized and work should begin within a few weeks.

Morris Road Investors – 2750 Morris Road Land Development Resolution

Mr. Nolan stated that "preliminary & final" was received in September, 2011 for phasing and site approval. The applicant has obtained two tenants and requested a minor revision to eliminate construction of six foot wide loading docks and replace them with a 10' bump-out.

Approval for Phase 1A includes landscaping and modifications to the storm water, additional parking area and improvements on Schultz Road.

The escrow numbers have been submitted and the Land Development Agreement is being processed by the Solicitor.

Supervisor Quigley inquired about measures to prevent left turns onto Schultz Road.

Supervisor Caughlan inquired about island plantings and what is being deferred in Phase 1A.

Mr. Nolan addressed both concerns.

William Kazimer, Worcester, inquired about the current usage of the property.

Agnes Ferrara, Worcester, complained about the noise from the demolition.

Supervisor Caughlan moved to pass Resolution 2012-12 approving revisions for Morris Road Investors, 1770 Morris Road Land Developments. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

Stony Creek Farms Revised Landscape Plan

The Township staff and engineer met with the Developer several months ago and requested a revised landscape plan. The plan was submitted to the Engineer for review and it met the intent of the ordinance. It contains 2,190 trees, three more than the previous plan. It has been provided to the Homeowners Association and the Landscape Committee and both have no objections. The developer has agreed to complete all landscaping for Phase I & II before fall, 2012.

Supervisor Quigley inquired about replacement of dead trees.

Supervisor Caughlan confirmed the planting schedule to be completed before Phase IV.

Kim McClintock, Worcester, inquired about aeration of the retention basins.

Supervisor Caughlan moved to approve Stony Creek Farms Revised Landscape Plan. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

SOLICITOR'S REPORT

James Garrity, Township Solicitor, announced an executive session to discuss potential litigation involving the noise ordinance.

OTHER BUSINESS

Supervisor Caughlan moved to advertise the Cedars Village Overlay Ordinance. Supervisor Quigley seconded the motion. Chairman Bustard called the question and the motion passed unanimously.

PUBLIC COMMENTS

Maeve Vogan, Worcester, requested an update of the special meeting for the sewer expansion, inquired about interior painting of the meeting hall, requested progress on an ordinance for historical structures, inquired about the status of the sign ordinance and television access for meetings.

Ciro Tornambe, Worcester, inquired about the date of the public hearing for the Cedars Village Overlay Ordinance.


William Kazimer expressed concern about air conditioning the meeting hall since it is an older structure without insulation.

Kim David, Worcester, requested a line item for open space in the 2013 budget.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:35 p.m.

Respectfully submitted:


F. Lee Mangan, Secretary

609684

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, PA
MONDAY, OCTOBER 1, 2012 9:00 A.M.

CALL TO ORDER

Arthur Bustard called the regularly scheduled work session to order at 9:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C BUSTARD
 SUSAN G. CAUGHLAN
 STEVEN C. QUIGLEY

INFORMATIONAL ITEMS

None

PUBLIC COMMENTS

None

1. APPROVAL OF THE MINUTES OF SEPTEMBER 4, 2012

Susan Caughlan made a correction to her comments. A motion by Susan Caughlan, seconded by Steve Quigley and passed by all to dispense with the reading of, and approved as amended, the minutes of September 4, 2012.
 (Copies were available for review.)

2. MANAGER'S REPORT

ZONING HEARING BOARD UPDATE – by Tiffany Loomis, Land Use Officer

Ms. Loomis reported that no new applications were submitted. The October meeting will be cancelled.

SUBDIVISION AND LAND DEVELOPMENT UPDATE - by Tiffany Loomis, Land Use Officer

Ms. Loomis reported that at their last meeting, the Worcester Township Planning Commission recommended approval of the Ianella subdivision, contingent upon the last review of CKS Engineers.

Supervisor Caughlan asked if the WTPC reviewed the historical structure ordinance.

Mr. Mangan said the 2013 budget will be presented at the November business meeting allowing time for adoption at the December business meeting.

He further reported that the sign ordinance will be presented at the October business meeting.

The solicitor's report will include an item discussed in executive session requiring a motion by the Board.

Chairman Bustard inquired about the window proposal for the Community Hall. Mr. Mangan replied.

Supervisor Quigley asked about updates from Joseph Manko, Esq. concerning the Army Reserve Base. Mr. Mangan replied that there are no current updates. He commented that the Army is seemingly taking a position that they are not going to do anything with the groundwater issue, which is a Township concern.

Supervisor Caughlan commented that DEP is also concerned about the groundwater issue.

3. TOWNSHIP ENGINEER'S REPORT

MS-4 Stormwater requirements

Joseph Nolan, Township Engineer, gave a report.

Approximately 8 years ago, DEP issued permits to certain townships, including Worcester. It originally was a 5 year permit, and was extended for 3 years. The current permit expires March 14, 2013.

A new application was submitted to DEP in September by the Township.

The new program will require a continuation of the original 6 permit objectives.

Mr. Nolan outlined the new permit requirements for 2013: township-wide storm sewer mapping to be completed by March 2014; a new Stormwater management ordinance must be adopted by March 14, 2014; there must be compliance of Total Maximum Daily Load (TMDL) for sediment in impacted watersheds by March 2014.

Mr. Bustard asked if CKS will be able to incorporate their mapping into the Next Level system that the township uses for administrative needs.

The Stormwater mapping will include location of all inlets, storm pipes and outlets. The new ordinance must incorporate all current Best Management Practices, volume control and water quality control measures. CKS recommends a standalone ordinance, which will apply to all township properties, not just new developments.

The Township incorporates 3 watersheds within its boundaries: Wissahickon Creek (0.62%), Skippack Creek (75.82%) and Stony Creek (23.56%). The first two have TMDLs but Stony Creek does not. CKS recommends we should include all three.

Wissahickon Watershed: Worcester is required to remove 161 pounds per year of sediment from the stormwater. CKS recommends the township clean out the 6 storm inlets in the area of Acorn Drive to meet this requirement.

Skippack Creek: Worcester is required to remove 29,252 pounds per year of sediment from the stormwater. DEP will let the township take credit for recent projects, which amounts to 18,684 pounds. CKS recommends naturalization of the Defford Road Basin, which would be an estimated 19,491 pounds. This must be completed by March, 2014.

Chairman Bustard asked if the township can get credit for township basins that are naturalized by private residents.

Mr. Nolan commented that a Growing Greener grant is available for which the township can apply. There is a 15% local match and CKS will prepare an application for the township. There is an application deadline of October 26, 2012.

Supervisor Caughlan asked if this was the same program that Chadwick HOA used.

Mr. Nolan summarized that the township must maintain what is already being done and complete storm sewer system mapping, adopt the new ordinance and comply with new TMDL limits in the Wissahickon and Skippack Creek watersheds.

Chairman Bustard asked how often the TMDL requirements might be modified.

Supervisor Quigley asked about what should be budgeted for this program. He further commented that he feels it is important to educate the residents that the issues the township is facing are DEP-mandated issues.

Supervisor Caughlan asked about the small impact of a rain garden at a private residence. Mr. Nolan expressed concern about relying on private residents being responsible for maintaining the DEP requirements imposed on the township. Mr. Nolan said it might impact the water quality, but we cannot take DEP credit for it.

Chairman Bustard asked if the Zacharias Creek was the major flow into the Skippack Creek and asked about the potential need to clean out the Zacharias Creek in the future.

Mr. Ciro Tornambe, Worcester, commented on the additional measures that could be taken. Mr. Nolan indicated that a private resident could do work, but then an easement would need to be given to the township, so the township can control and maintain these measures.

Supervisor Caughlan asked about a tree grant and its impact on these requirements. Mr. Nolan said it would not help with sediment measures.

Supervisor Quigley remarked that the current sewer situation the township is facing should be looked at in conjunction with this newly revised DEP mandate.

Mr. Mangan commented that it is wise to promote among private residents possible actions that could impact water quality.

Supervisor Caughlan asked about the development of an Environmental Action Committee of township volunteers to assist with public outreach. Mr. Nolan said DEP would only recognize the value of the committees work, not the mere existence of a committee.

4. TOWNSHIP SOLICITOR'S REPORT

Joseph M. Bagley, Esq. commented that the Board of Supervisors held an executive session after the last meeting, with discussion of potential enforcement through a civil action, with Joanne Foster as a potential defendant.

Chairman Bustard said it is time to move forward.

A motion by Susan Caughlan, seconded by Steve Quigley and passed by all to approve enforcement action.

5. OTHER BUSINESS

None

PUBLIC COMMENTS

Mr. Ciro Tornambe asked about the current status of the Cedars Village Overlay ordinance.

Mr. Rick DeLello, Worcester, remarked on the sewer presentation meeting materials available online. Mr. Bustard said that the township is in the process of soliciting information from the impacted residents and another special meeting is going to take place to discuss the results of the survey. The meeting is tentatively scheduled for October 24, 2012.

6. ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard adjourned the regularly scheduled work session at 9:53A.M.

Respectfully submitted,



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY OCTOBER 17, 2012 - 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:

1. The Zoning Hearing Board meeting for October 23rd has been cancelled. No new applications were received.
2. Another reminder, the November Board of Supervisors meeting will be moved from November 21 to November 14th, due to the Thanksgiving Holiday
3. Methacton High School is hosting the Pac-10 Conference Cross Country Tournament in Heebner Park on Thursday, October 18th.

PUBLIC HEARING: Cedars Village Overlay District Ordinance and Map Amendment, 2012-235

The Public Hearing opened at 7:32pm.

James Garrity, Solicitor, provided a background of the ordinance.

A court reporter was present to record an official transcript of the proceedings.

Supervisor Caughlan commented on the Montgomery County Planning Commission review letter, and said that anything in that letter can be done with amendments in the future and should not hold up the ordinance.

No public comments. The Public Hearing was closed at 7:36pm.

Chairman Bustard indicated he is ready to move ahead. Supervisor Quigley agreed. Supervisor Caughlan agreed but wanted to address the issue of amendments.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and passed by all to approve Ordinance 2012-235, Cedars Village Overlay District Ordinance & Map Amendment.

Supervisor Caughlan made a motion to send the comments in the MCPC letter to the Planning Commission for their review.

Supervisor Quigley asked why it was coming back now, when they have been reviewing it for months.

After further discussion, Supervisor Quigley seconded the motion.

Mark Landis, Worcester, remarked about the need for amendments, more public hearings, and making a motion concerning amendments immediately after the ordinance was passed.

Solicitor Garrity responded that this was draft number six, and that if the Board does not act now, it may never get passed.

Chairman Bustard called the motion and it passed unanimously.

APPROVAL OF THE MINUTES OF SEPTEMBER 19, 2012

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 September 19, 2012.

TREASURER'S REPORT

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

September 2012 Report:

General Fund	\$1,204,830.05
State	\$229,272.46
Capital Reserve	\$2,163.30

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for September, 2012.

William Kazimer, Worcester, asked about any requirement for the Supervisors to maintain a larger capital reserve.

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 \$354,898.08.

MANAGER'S REPORT

a. Zoning Hearing Board Update

The September 25th and October 23rd meetings were cancelled. No new applications had been received.

Tiffany Loomis, Land Use and Zoning Officer provided the report noting that one application has already been received for November.

b. Land Development and Subdivision Update

Tiffany Loomis, Land Use and Zoning Officer provided the report.

Revisions were received for 1335 Dell Road and 3245 Stump Hall Road, and plans will be distributed this week.

Mr. Mangan remarked that at the November work session he will report on sign ordinance recommendations.

He further commented that the 2013 budget will be presented at the November 14th business meeting.

Mr. Mangan commented there will be a second special meeting for the Center Point sewer area on October 24th.

Supervisor Caughlan asked about the response to the sewer survey sent out by the township.

Supervisor Quigley asked about Joseph Manko and the status of the Army Base. Mr. Mangan authorized Mr. Manko's firm to write a letter regarding the failure of the Army to address issues regarding continuing failure of the Army to address concerns.

Supervisor Caughlan asked if this failure was due to a lack of federal money. She wanted to know what the legislators locally could do at the federal level. Mr. Mangan expressed concern about dim prospects of such help, citing the larger Frankford Arsenal project in Philadelphia (also represented by Mr. Manko's firm) has not been resolved in roughly 30 years.

ENGINEER'S REPORT

a. Monthly Activity

Supervisor Quigley inquired of Mr. Nolan where DEP is in the sewer study process.

Supervisor Caughlan asked if Mr. Nolan was updating the 537 plan. He responded no.

b. Meadow Lane Subdivision, Acceptance of Sewer Lines

Mr. Nolan provided a summary of the 4-house project, constructed by MJE Builders. A low pressure main was designed to handle those 4 lots but also the 6 lots developed by Zaveta on Hollow Road, and some other Hollow Road residences. There has been a request by a resident to connect and that cannot happen until the township takes dedication.

It was originally designed to handle 13 connections.

Supervisor Bustard asked if the lines were built to township specifications. Mr. Nolan confirmed they were.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept Meadow Lane Subdivision Sewer Lines, Resolution 2012-21, with corrections on "Whitpain" reference to "Worcester".

SOLICITOR'S REPORT

Mr. Garrity commented on the Methacton High School athletic field lights. He indicated he originally did not want to move forward as long as there were issues with the school and neighbors. He has been advised that there is no current consensus between the two groups,

however, he believes that the township should not wait any longer for the negotiations, and should move forward with presenting an ordinance.

OTHER BUSINESS

None

PUBLIC COMMENTS

Maeve Vogan, Worcester, commented on Mr. Garrity's report about the high school lights. She asked the Board what way they are going to write the ordinance. Mr. Bustard said they were writing a light ordinance.

Herb Rothe, School Board member, remarked about the talks with neighbors. Superintendent Quinn has been meeting with John Harris, representing the neighbors. He wanted the Board to know that the school district is working to get the agreement done.

Supervisor Quigley asked if the Supervisors do not write the ordinance, and there is an agreement between the school district and the neighbors, who gets involved if there is a problem? Mr. Garrity said the township must write some type of ordinance, related to zoning. The township is not involved in an agreement between residents and the school.

Supervisor Caughlan commented on the list of requirements mentioned by Mr. Rothe, and suggested they could be incorporated into the ordinance. Mr. Garrity said the lights would be permitted by conditional use. The school board is welcome to offer any conditions, but Mr. Garrity said that the ordinance will be written to reflect zoning related issues, and no other items that are not reflective of zoning concerns.

William Kazimer spoke about reduced property values if the lights are allowed

Herb Rothe spoke about the list of conditions between the neighbors and school district. He remarked about how those conditions need to be formally incorporated.

Mr. Garrity said the ordinance will be simple. Mr. Garrity said that some conditions may be part of the zoning hearing board conditional use. It becomes binding if it gets attached as conditions to the conditional use decision. Mr. Garrity said an appropriate inclusion would be height of the fixtures.

Supervisor Quigley asked about the resident committee. He asked if there are people from both sides of the aisle on the committee. He also asked if the athletic director has researched what other districts do.

Rick DeLello, Worcester, remarked about Matthew Shelly's (Montgomery County Planning Commission) Cedars Village letter. He commented about township revenue and current year projections. Supervisor Bustard remarked the township is doing well this year.

Mr. DeLello further commented on the high school light issue and concerns about allowing a small group of residents so much voice on a matter affecting the entire township population.

Mark Landis commented on the minutes on the web site, saying they were no longer there. Julie Lanzillo demonstrated they are on the web site.

Mr. Landis further asked if the township has a person certified to measure sound. Mr. Mangan affirmed.

Kim Brown, Worcester, commented on the lack of athletic field lights at Methacton High School and how the children in the community need them.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:21P.M.

Respectfully submitted:



F. Lee Mangan, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, WORCESTER, PA
 MONDAY NOVEMBER 5, 2012, 9:00 A.M.**

CALL TO ORDER by Arthur Bustard at 9:05 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

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

INFORMATIONAL ITEMS

None

APPROVAL OF THE MINUTES OF OCTOBER 1, 2012

Supervisor Caughlan moved to approve the minutes as amended of October 1, 2012 and Supervisor Quigley seconded the motion. All approved and the motion was passed.

1. MANAGER'S REPORT

a. Update on Hurricane Sandy

Lee Mangan, Township Manager, read the list of streets that were closed and spoke of downed power lines. He reported that the Public Works department labored many hours and thanked them and the Fire Department for their cooperation and the great response in keeping the Township safe and informed. The schools were back in session by Wednesday.

Supervisor Bustard gave thanks to the road crew for working all hours.

Supervisor Quigley had conversation with the Manager to discuss additional equipment for future emergency needs.

Supervisor Caughlan commented on possible forthcoming FEMA money and about Emerald Ash Borer Seminars and future attendance at such seminars.

Mr. Mangan responded.

b. Zoning Hearing Board Update

The October 23rd meeting was cancelled.

The next regularly scheduled meeting is November 27th.

Tiffany Loomis, Zoning Office, provided an update and reported three new application were received for the November 27, 2012 meeting.

1. Valley Forge Road and Morris Road for a use change from dentist office to dwelling
2. 3036 Griffith Road for setback requirements
3. 3137 Stump Hall Road for variance for construction of barn.

c. 2060 Bustard Road Sign Approval

Tiffany Loomis informed the Board that the sign is designating a "Century Farm" designation by the Pennsylvania Department of Agriculture.

Supervisor Caughlan congratulated him for being a Century Farm in the Township & inquired if the sign is consistent with the State regulations.

Chairman Bustard disclosed the applicant is related to him.

Supervisor Caughlan moved to approve the sign at 2160 Bustard Road. Supervisor Quigley seconded the motion. All approved and the motion was passed.

d. 2974 Germantown Pike – NOV and compliance

Ms. Loomis informed the Board that this is a fourteen acre parcel. A new pole barn and landscaping business have been recently located on this parcel without permits. The business is a non-conforming business. The owner of the parcel should have applied for land development and notices of violation were sent to the owner and tenant.

James Garrity, Township Solicitor, confirmed that there were no building permits, it's an illegal business, and no zoning approval or grading permits were acquired. The owner / applicant must go to the Zoning Hearing Board for the commercial landscaping business.

e. US Army Reserve Base Update

Mr. Mangan informed the Board that he received notice from DEP that the Army filed a Finding Of Suitable to Transfer. Only DEP was notified but they failed to respond within the 30 day review period. Mr. Manko, of Manko, Gold, Katcher & Fox LLP will be in negotiations on behalf of the Township with the Army and Pennsylvania DEP.

2. ENGINEER'S REPORT

Joseph Nolan, Township Engineer, informed the Board that his monthly report was sent today. The 2012 Road work was interrupted due to Hurricane Sandy and will continue this week.

Chairman Bustard inquired about the use of State money due to the date of completion.

Mr. Nolan responded that we would apply for an extension.

3. SOLICITOR'S REPORT

Mr. Garrity informed the Board that an Agreement for field lighting at the Methacton High School was in the process of being secured between the residents and the school district.

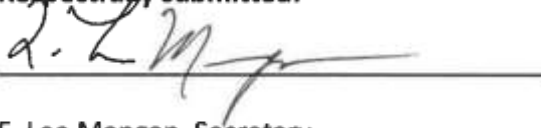
4. OTHER BUSINESS - None

5. PUBLIC COMMENTS - None

ADJOURNMENT

There being no further business to come before this Board, Chairman Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 9:32 a.m.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'F. Lee Mangan', is written over a solid horizontal line.

F. Lee Mangan, Secretary

609684

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY, NOVEMBER 14, 2012 - 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:

Motions & Resolution

APPROVAL OF THE MINUTES OF OCTOBER 17, 2012

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 October 17, 2012.

TREASURER'S REPORT

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

October 2012 Report:

General Fund	\$1,250,525.23
State	\$229,275.50
Capital Reserve	\$1,213.62

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for October, 2012.

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 \$189,318.49.

Declaration of Emergency Disaster

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the Declaration of Emergency Disaster – Hurricane Sandy.

Lee Mangan explained it is a program where the township attempts to document the excessive cost and the federal government may provide funding.

Advertise 2013 Budget

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the advertising of the 2013 Budget.

William Kazimer, Worcester, commented on items in the capital improvement section.

Advertise Sewer Rate

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the sewer rate advertisement.

Mr. Mangan commented on a report prepared by CKS Engineers in 2011.

Supervisor Caughlan commented that it is a \$7 increase per quarter.

Mr. Mangan provided a report on the 2013 Budget, capital projects. He provided information on the proposed lease/purchase of a John Deere 35D excavator. The goal is to own in 5 years. This piece of equipment will allow our work crews to do much more involved road work.

Mr. Mangan further commented on plans to extend the Zacharias Trail from Hollow Road, south, to the rear entrance of Heebner Park. It is approximately 1 mile in length, with the need for one minor bridge to cross the Zacharias Creek. Originally proposed to be a two-year project, it is now proposed to be done in one year, to allow for reduced costs in engineering and legal advertising fees.

Mr. Mangan described the 2013 budget in terms of revenue. The \$2.2 million is primarily earned income tax as only about \$46,000 comes from real estate tax payments. We have been blessed by the fact that while we are in a down economy, it has not affected the earned income tax in Worcester.

As for general fund expenses, it shows a 6% growth over the previous 2012 budget. There is a proposal to finish the administration building, for a second floor conference room, storage area, and make the second floor generally more useful.

There is a proposed \$40,000 for continuation of improvements to the Community Hall. Heebner Park basketball courts were supposed to be resurfaced in 2012, and it has been carried over to 2013. The Township would also like an update on the Act 209 study. Supervisor Caughlan remarked it was last done in 2003. Mr. Mangan indicated that McMahon Associates was requested to prepare a presentation in December, and a committee of citizens must be created, to be concluded in January.

There is also a proposal to upgrade to a high band radio system in partnership with the Worcester Volunteer Fire Department. There will be vehicle-based high band radio systems to allow everyone from the fire department, township public works, state police, and Montgomery County to communicate at the same time in an emergency.

Supervisor Quigley asked about the excavator purchase, and will it cut down on work by outside contractors. Mr. Mangan said it would require 3 to 4 employees to use this piece of equipment and he is working with Joe Nolan to create work procedures on road repair with the new equipment.

Supervisor Quigley further commented about the capital expense of the trail extension along Hollow Road. Supervisor Caughlan asked if the trail extension could be eligible for a DCNR grant. Mr. Mangan responded that he felt that communities with money on hand are more likely to be seen favorably by DCNR.

Dave Plager asked about the trail surface. Mr. Mangan replied that portions may be macadam.

Supervisor Caughlan clarified the Act 209 study which relates to roads, and the study only lasts for 10 years, so in 2013, we are required to update it. Supervisor Caughlan asked if Act 209 fees could be used for the study and Mr. Mangan replied that only a portion was eligible.

MANAGER'S REPORT

a. Zoning Hearing Board Update

Tiffany Loomis, Land Use and Zoning Officer, provided the report noting that there were 3 new applications for November's hearing.

12-05, Griffith Road, requesting relief of a projection of a covered porch patio.

12-06, Valley Forge Road. Worcester Township Planning Commission reviewed the application with the applicant. The applicant wants the second structure on the property to be an in-law suite.

12-07, 3117 Stump Hall Road, Southfield Farm, LLC, is requesting to construct a new stable within 81 feet of the property line.

Supervisor Caughlan asked about application 12-05, asking where the porch is to be sited.

Supervisor Quigley asked about application 12-07, and if it was a preserved property. The applicant's attorney, Patrick Hitchens, Esq. with Timony & Knox, was present and replied. Supervisor Quigley asked if township money was used for the conservation easement.

Supervisor Caughlan said that the proposed use is allowable under the easement. She asked if it is planned to be used as a commercial facility. Supervisor Caughlan further commented that the WTPC has been discussing an accessory structure ordinance that could impact their request.

Supervisor Bustard asked if the stable is planned to go in the same place as the barn planned to be knocked down.

Supervisor Caughlan confirmed that the township did contribute to the farmland preservation.

Supervisor Caughlan commented on Application 12-06. She asked if the applicant was going to review the lists of requests. Counsel for the applicant (Bernadette A. Kearney, Esq. with Hamburg, Rubin, Mullin, Maxwell, & Lupin) was present to respond. Supervisor Caughlan asked about the two detached dwellings on the property and expressed concern about in-law suites on properties not served by public sewer. Ms. Kearney inquired if the property could be tied into Upper Gwynedd's sewer system. Mr. Nolan indicated that there would need to be a revised 537 plan, approval from Upper Gwynedd, and that it is not merely as simple as tying in. Supervisor Caughlan commented that she would want to require the property to be able to handle the extra load, citing a replacement field for the septic system.

Mr. Nolan replied that if there is an existing house, you must define an alternative location on the property and further indicated that the previous dentist office probably produced more load than two residential dwelling units.

Supervisor Quigley asked who is living in which structure.

William Kazimer asked if a civil engineer provided documentation that the land is suitable for the sewage that needs to be disposed of, and if proves not to be suitable, can the engineer be sued?

b. Land Development and Subdivision Update

Tiffany Loomis, Land Use and Zoning Officer, provided the report.

c. Sign Ordinance Update

Mr. Joseph Gambone, attended the recent meeting of the Planning Commission concerning signage needs of commercial tenants. Mr. Gambone will return with suggestions, and the staff is waiting for that report.

d. Minor Subdivision Ordinance Amendment.

Mr. Nolan is comfortable with the proposed ordinance.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the minor subdivision ordinance for advertising.

Rick DeLello, Worcester, asked for clarification. Mr. Nolan explained that this would simplify the process for property owners wanting to move a lot line, and lessen the burden with a property owner having a minor change, as compared to a 20-lot subdivision.

e. Accessory Uses & Structures Uses Ordinance Amendment.

Tiffany Loomis, Land Use and Zoning Officer, provided the report on the proposed ordinance. This reflects the WTPC final recommendation.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the Accessory Uses and Structures ordinance for advertising.

Maeve Vogan, Worcester, asked about housing chickens on her property, and would this relate to her request. The accessory structure is primarily for animals, and if she builds a chicken coop, would that be permitted?

Mr. Mangan remarked that there was a great deal of wood debris and yard waste due to the recent hurricane. A number of complaints have been received from adjacent neighbors, concerning open burning that was occurring. The Fire Department received these complaints. He did not propose action this evening, but did want to present it to the board.

Supervisor Caughlan commented that she did not think the township had a choice, due to state law. Mr. Mangan remarked that if the township had an ordinance it would give more power to staff and the fire department to enforce.

Supervisor Caughlan asked about the amendments that were discussed at the November Work Session concerning the Cedars Village Overlay Ordinance, and if they could be advertised with these

others. Mr. Mangan reported that the solicitor had not yet provided a report on those proposed revisions.

ENGINEER'S REPORT

a. Monthly Activity

Mr. Nolan reported that the road program is still underway and is hoped to be completed by next week. PennDOT was sent a request to extend liquid fuels due to the week that was lost from the hurricane.

Supervisor Caughlan asked if Mill Road had been resurfaced between Kriebel Mill and Merrybrook.

Supervisor Quigley asked about contact with more residents concerning the sewer study. Mr. Mangan replied that about 15-16 property owners had not responded to the survey and he has communicated with them and is expecting a response from those homeowners to the survey.

SOLICITOR'S REPORT

Mr. Garrity was not present due to a scheduling conflict.

Chairman Bustard commented that on Monday the first draft of the light ordinance for the high school was received.

OTHER BUSINESS

None

PUBLIC COMMENTS


Rick DeLello said it would be helpful to see actual versus budget figures, especially on the expense side. He further said that if the solicitor had a prior commitment, he should have sent a replacement, since he has done so in the past.

Maeve Vogan asked about the status of having Board meetings televised. She also asked about the Army Base status, when bills will be available on the web site, and the status of the community hall air conditioning. She also asked about the Cedars Ordinance Amendment, and if they were those items proposed by Matt Schelly. She thanked the Board for the detail in the budget.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:36 P.M.

Respectfully submitted:


 F. Lee Mangan, Secretary

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY DECEMBER 3, 2012, 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

None

APPROVAL OF THE MINUTES OF NOVEMBER 5, 2012

Supervisor Caughlan made five wording changes and moved to approve the minutes as amended of November 5, 2012 and Supervisor Quigley seconded the motion. All approved and the motion was passed.

MOTIONS AND RESOLUTIONS

Cedars Village Ordinance – Authorization to advertise

Supervisor Caughlan suggested amending the provision for open space to read “Shall” instead of “Should” for five acre lots and moved to authorize for advertisement the amended Cedars Village Ordinance. Supervisor Quigley seconded the motion. All approved and the motion was passed

1. MANAGER’S REPORT

Mr. Lee Mangan announced that the notice for budget review was advertised and will be adopted at the December 19, 2012 meeting.

a. Township Traffic Engineer Appointment

Supervisor Caughlan moved to approve the appointment of McMahon Associates as Township Traffic Engineers. Supervisor Quigley seconded the motion. All approved and the motion was passed.

Lee Mangan, Township Manager, acknowledged the receipt of proposed Act 209 updated from McMahon Associates dated June 13, 2012. He recommended the Board approve services totaling approximately \$26,000, incorporating items 1 – 3 of the proposal.

Susan Caughlan inquired if the traffic study would include a.m. and p.m. peak hours and if the committee has the option of using both results.

Supervisor Caughlan moved to accept McMahon Associates proposal for Items 1 – 3b. Supervisor Quigley seconded the motion. All approved and the motion was passed.

b. Waiver of Land Development: Meadowood

Timothy Woodrow of Woodrow Associates presented a master plan of the Meadowood Development. The need for campus improvements were presented to the Board and because of the minor nature of the improvements, Mr. Woodrow requested a waiver of Land Development.

Joseph Nolan, Township Engineer, has reviewed the plan of improvements and had no objections to the waiver but requested plans for proposed grading and landscaping.

Supervisor Caughlan inquired about posting escrow.

Mr. Woodrow responded that Meadowood would enter into a professional agreement with the Township for reimbursement for legal and engineering fees.

Supervisor Caughlan moved to approve Meadowood waiver of Land Development with requirement for professional services agreement in place for reimbursement of professional fees. Supervisor Quigley seconded the motion. All approved and the motion was passed.

2. ENGINEER'S REPORT

Joseph Nolan, Township Engineer, presented the Board with a summary of the Valley Green WWTP project to include improvements required by DEP. A Corrective Action Report was presented and approved by DEP. An upgrade to the plant will be required and Mr. Nolan presented pictures of the existing conditions at the plant and the proposed improvements.

Supervisor Quigley inquired about the calculations for the holding tank capacity and availability of grant money and time frame required by DEP.

Mr. Nolan proposed partial demolition of the existing facility, building temporary tanks and bypass facilities to allow a new treatment plant to be built. The projected costs including contingencies are estimated to be approximately \$2 million dollars. These actions would keep the Township current with the DEP Correction Action Report. Mr. Nolan requested authorization from the Board to proceed with final design and preparation of bid packets.

Chairman Bustard inquired about financing.

Manager Mangan noted that bonding or borrowing would be necessary. He will provide details at the December 19th meeting.

James Garrity, Township Solicitor, noted that a Financial Advisor might be present at the December meeting.

Supervisor Caughlan commented on the best product to be integrated with the existing facility and noted complaints about odors and possible elimination with the new plant.

Supervisor Caughlan moved to authorize final design for the Valley Green Wastewater Treatment Plant. Supervisor Quigley seconded the motion. All approved and the motion was passed.

3. SOLICITOR'S REPORT

Mr. Garrity informed the Board that a draft ordinance for proposed lighting was ready.

Supervisor Caughlan commented it is not ready for advertising. It needs additional technical specifications and professional standards. She proposed that the Manager be authorized to obtain a lighting Engineer to include technical specifications along with cost proposals to assure no off site visibility.

Chairman Bustard noted the ordinance provides parameters for lighting and that it's not necessary to spend money on a professional lighting engineer.

Supervisor Quigley noted that common sense determines that glare and illumination are inevitable and the ordinance is providing the best guidance available.

Supervisor Caughlan stated that an expert is needed now citing the change when a professional was involved in the preparation of the Cedars Village Ordinance.

Supervisor Quigley noted that the Cedars professional used common sense and commented on small groups of residents overseeing ordinances.

Chairman Bustard recommended the ordinance be tabled until the December 19, 2012 meeting.

4. PUBLIC COMMENTS


Rick DeLello, Worcester, requested that the Montgomery County Planning Commission review letter regarding the Cedars Overlay Ordinance be posted on the web and appreciates the lighting ordinance be moved forward.

James Mollick, Worcester, commented that he could not find the agenda on the web, inquired as to who wrote the lighting ordinance and further commented that a professional already reviewed it and spending additional money is not necessary to make it so specific that it is not usable.

ADJOURNMENT

There being no further business to come before this Board, Chairman Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 10.32 a.m.

Respectfully submitted:


 F. Lee Mangan, Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 WORCESTER, PA
 WEDNESDAY, DECEMBER 19, 2012 - 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 read a prepared statement:

"I have several informational items for tonight's meeting. Under the managers report we are deleting the Governmental Process Presentation and will reschedule it in January due to the length of tonight's meeting.

As you will notice from the agenda tonight we have an item for consideration on the advertisement of an ordinance permitting Stadium lights for the Methacton School District. The Times Herald incorrectly reported several days ago that a school board member told the school board and the audience at their meeting, that we will be voting on the lights for the football field tonight and that he wanted as many people as possible to attend tonight's meeting. This report was an incorrect interpretation of the process that state law requires us to follow in passing a change in our ordinances. If we can achieve agreement on the proposed ordinance presented we can vote to advertise it tonight for a public hearing, which will be at our next nightly meeting in January. The Supervisors discussed the proposed ordinance at our work session on December 3rd. At that time there was significant disagreement on the language and I tabled it until tonight. The Solicitor has made some changes to the proposal in order to try to narrow some of the concerns expressed during our work session. By state law we cannot vote tonight on approving the ordinance, we have to advertise at least 30 days before holding the hearing. Further, if we decide at that public hearing to change any portion of the proposed ordinance we can't approve it, instead we have to vote to re-advertise and hold another hearing at least 30 days later. It is thus incumbent on the supervisors to make sure that the ordinance we vote to advertise represents at the least a good faith effort and has a possibility of being passed in the form advertised, rather than wasting hundreds of dollars in fees for repeated advertising. That repeat advertising does happen, which is why we try to talk out the issues at our work sessions before voting at the general meeting. I am sorry that the Times Herald did not contact the Township about this action, before publishing.

We have a large agenda tonight and I want to move as expeditiously as possible through it. Accordingly I am adjusting the placement of the agenda items and moving the motion to advertise the ordinance for the Methacton School District to the first item discussed tonight. Thank you."

Advertisement of Methacton School District Light Ordinance

Chairman Bustard read a prepared statement providing a summary of the ordinance details:

"We have in front of us an ordinance that has been changed to accommodate some of the various criticisms made during our work session. We have focused our attention on making sure the illumination is focused on the fields and the glare from that illumination is minimized to the extent possible. Under section B 2 we have placed the setback for the lighting standards to insure that it cannot fall onto a neighboring property if some sort of disaster would befall it. In B3 we have made sure that the illumination is designed by a certified lighting professional, so we have someone who knows what they are doing in designing the fixtures. In addition, we have specified that they incorporate the maximum cutoff possible to eliminate the spillover of light onto neighboring properties. We specify the technical means that can be used to achieve this control, so that the designer knows just how serious we are in our concerns.

Section b 4 specifies the footcandles of illumination that is allowable at the property line. We have specified that the controls of the lights need to be both automatic and have a manual override control. We have further limited the intensity of the illumination to the minimum safe level that is appropriate for the type of activity on the fields. We specified the Illuminating Society of North America as the authority on this. We have suggested that these levels be provided by the applicant during the conditional use hearing. We have further indicated that the township will hire its own lighting professional to review the application to verify that the design meets all the specifications, including the minimum safe level of illumination for the respective use, requested by the Township.

There are a few general requirements but these are the ones that we have highlighted for your review. As the ordinance is currently written, the School District will need to make an application for a conditional use hearing before the Supervisors, asking for approval to erect the lights on the athletic fields. At that conditional use hearing the Supervisors can approve the application if the applicant has proved his case in meeting the conditions specified in the ordinance. In addition, the Supervisors can place certain restrictions on the School District at that hearing, in terms of use and general conditions, appearance of the fields and activities, as part of their approval.

Moving forward, the process is the following: Tonight we will go over the ordinance and vote to advertise or not advertise the current ordinance draft. Assuming the ordinance is advertised it will be at least 30 days before we can hold a public hearing. At that public hearing the ordinance will be open to comments from the public. The Supervisors can then vote to approve, deny or decide to consider it further. If they vote to deny they can then rework the ordinance and start the process over again, or simply let it drop.

If they vote to consider it further they can bring it up at a later meeting, to vote on it. Assuming the ordinance eventually passes it will be up to the School District to decide if it makes sense for them to make an application to put lights on the fields. It is expected that if the School District makes application for the conditional use they will provide the Township with what they consider a reasonable field use policy to which they will adhere going forward. In that regard I should note that Superintendent Quinn has been meeting with the immediate neighbors of the High School to draft an agreement that will possibly govern those conditions as part of their conditional use application. So today we have a draft ordinance that our Solicitor has prepared that he feels addresses the issues needed in an ordinance for stadium lights at the High School, with the understanding that application will be through the conditional use process. On that note I will open the floor for any comments from the board about a motion to authorize the ordinance for advertisement."

Supervisor Caughlan remarked that the ordinance has been discussed at length. She said that she believes all interested parties need to see the ordinance at this point.

Supervisor Quigley commented that to this point, there has been a small group of residents involved in the discussion, setting agenda and writing this policy, and fears it is a slippery slope with setting

precedent in the township. He wants to stress the word "all" used by Supervisor Caughlan, in terms of who should be involved in the process related to this ordinance.

He continued that the money being used by the school district and township represents all, not just a few residents. When you live near a facility, certain things come with living near a facility. A motion was made by Supervisor Caughlan, seconded by Supervisor Quigley. Chairman Bustard called the question and it was passed by all to advertise Methacton School District Light Ordinance.

William Kazimer, Worcester, commented that he had not had a chance to review the ordinance, but commented on item B2. Mr. Bustard reminded him the item on the floor is whether or not to advertise the ordinance for a public hearing. Mr. Kazimer further commented that many of the residents lived there before the high school was there and someone told him the properties there will depreciate 20%.

Frank Batsen, Worcester, commented that he is a 46-year resident of Hollow Road. He read a letter that he sent to the Board on May 26, 2008, a copy of which was sent to School Board and the Times Herald.

Ron Evans, Worcester, commented that it is time to "get off your fat butts" and make this happen. He is 100% in favor of the lights. Please do it now.

Chairman Bustard commented that some members of the AP Government Class from Methacton High School were in the audience.

APPROVAL OF THE MINUTES OF NOVEMBER 14, 2012

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 November 14, 2012.

PUBLIC HEARINGS:

Jim Garrity, Solicitor, announced that there were three ordinances for public hearing tonight.

A court reporter was on hand to record the proceedings of the public hearings.

Minor Subdivision and Land Development Plan Requirements

The public hearing was opened at 7:55. It was closed at 7:57. Mr. Garrity commented that it is to expedite the approval process for minor subdivisions and land development in the township. The types of development are specifically defined in the ordinance.

Supervisor Caughlan asked Joe Nolan, Engineer, if requirements for wetlands, and steep slopes will exist in the minor subdivision ordinance. Mr. Nolan indicated that this is for things such as lot line adjustments, or a reverse subdivision. Supervisor Caughlan expressed concern that the applicants will need to provide the township with appropriate information on environmental considerations. Mr. Nolan said they are required. Mr. Garrity referred to item C1C for water courses and wetlands on the next page and flood plains on page 3.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve Ordinance 2012-238 Minor Subdivision and Land Development Plan Requirements.

Agricultural and Accessory Uses and Structures Ordinance

The public hearing opened at 8:02pm.

Mr. Garrity remarked that this ordinance collects from various places all of the regulations regarding agricultural buildings, accessory uses and structures and puts them in one place, and addresses some inconsistencies in the zoning ordinance. Most of the ordinance is probably text from the existing ordinance, but it is now collected in one place.

Supervisor Caughlan remarked this was the product of a lot of work from the Planning Commission.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve Ordinance 2012-239 Agricultural and Accessory Uses and Structures Ordinance.

Amendments to Cedars Village Overlay District

The public hearing opened at 8:04PM.

Mr. Garrity remarked that the Cedars Village Overlay ordinance was adopted and afterwards the Montgomery County Planning Commission (MCPC) sent a new set of recommendations. There were 9 or 10 suggestions from the MCPC for amendments. The Worcester Township Planning Commission (WTPC) reviewed the letter and decided that 4 of the recommendations were worthy, and the Board agreed. The 4 amendments are to make appropriate provision for common open space, insert a new parking setback and provide that there could not be a multiplicity of single family dwellings on a large lot.

Rick DeLello, Worcester, commented on the changes relative to common open space and how much that would actually be, what criteria would determine appropriate, and if it is following a guideline. Supervisor Caughlan responded that the WTPC wanted the ability to require a certain amount of open space, but wanted that to be a discussion item at the land development phase.

The Public hearing was closed at 8:08pm.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve Ordinance 2012-241 Amendments to Cedars Village Overlay District.

MOTIONS AND RESOLUTIONS**TREASURER'S REPORT**

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

November 2012 Report:

General Fund	\$1,190,586.80
State	\$229,280.28
Capital Reserve	\$2,569.20

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for November, 2012.

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 \$605,757.96.

2013 Budget

Mr. Lee Mangan, Township Manager provided a summary.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve the 2013 Budget.

Jim Mollick, Worcester, commented on page 1, revenues, charges for services, and what it represented. Eunice Kriebel, Treasurer, responded. He further asked what WWTP represented.

He commented on \$170,000 in increased revenue and asked what the spending offset is for that increased revenue, specifically salaries and benefits in certain departments. Eunice Kriebel explained the reallocation of salaries and benefits across different departments to illustrate the perceived change. He further asked about LRA Army Base expenses.

Sewer Rate

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to approve Ordinance 2012 - 240 Sewer Rate.

Authorize to advertise an ordinance for Montgomery County Collection of Delinquent Real Estate Taxes

Chairman Bustard said this was a request from the County. Mr. Mangan further explained the county is trying to streamline the process. Eunice Kriebel commented that the county has instituted a fee which will be passed on to townships and this ordinance allows the township to collect those fees.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to advertise an ordinance for Montgomery County Collection of Delinquent Real Estate Taxes

Preliminary/Final Subdivision Approval – Ianella Subdivision

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to provide preliminary/final approval for Ianella Subdivision, Resolution 2012-24

Preliminary/Final Subdivision Approval Mandracchia Subdivision

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to provide preliminary/final approval for Mandracchia Subdivision, Resolution 2012-25

MANAGER'S REPORT**a. Zoning Hearing Board Update**

Tiffany Loomis, Land Use and Zoning Officer, provided the report. Ms. Loomis said the Dubner application heard on 12/18/12 was continued to January.

The application for 2272 Valley Forge Road has also been continued to January.

The application for 3117 Stump Hall Road was heard and approved at the prior meeting.

Supervisor Quigley asked if there was a demo permit in front of the township for that property and asked about the types of structures. Supervisor Quigley commented on taxpayer money spent on preserving properties and what happens when a landowner comes in and starts making changes on that property, unless there are structural problems.

Chairman Bustard asked if the Zoning Officer could go back to the applicant and request that they keep the silo on the property.

b. Land Development and Subdivision Update

Tiffany Loomis, Land Use and Zoning Officer, provided the report.

c. Sign Ordinance Update

Mr. Mangan reported that Mr. Joe Gambone, owner of the Center Point Shopping Center, came in for a presentation and would like to install a monument sign. The WTPC is reviewing that and will report back to the BOS.

d. Governmental Process Presentation

Tabled

ENGINEER'S REPORT

a. Monthly Activity

Mr. Nolan reported the road program has been completed and final report has been submitted to PennDOT to utilize liquid fuels.

Supervisor Quigley asked about the latest development concerning the sewer study in the Hickory Hill area. Mr. Mangan plans to have a full report at the January meeting. He feels that there is a well-informed populous with strong opinions.

SOLICITOR'S REPORT

Mr. Garrity had no report.

OTHER BUSINESS

None

PUBLIC COMMENTS

Bill Kazimer asked about the commercial sewer rates. Mr. Nolan replied the amount of usage by commercial properties is extensive. By contrast, a normal residential property uses 15,000-18,000 gallons per 90 days.

Mr. Kazimer further commented on overflow pumping in the Adair Drive area in excessive rain circumstances.

Cheryl Brumbaugh, Worcester, requested information on the plantings in phases 1 and 2 in Stony Creek Farms. Mr. Nolan reported they are ongoing. Further, she asked about any money held in escrow at the completion of tree plantings to cover anything. Mr. Nolan said that once his firm guarantees the work, the developer must post a maintenance bond for the trees.

Jim Mollick commented on the lighting ordinance and how quickly it went through. After numerous concerns were expressed by Supervisor Caughlan, it was tabled. Tonight, Supervisor Caughlan had no comments, so what happened between the last meeting and now? Mr. Bustard said that he talked with the solicitor and that changes were made. Mr. Bustard said that no discussions were between the Board members on this ordinance. Mr. Mollick further asked if the Board talked to any residents. Mr. Bustard said yes, it is his job to talk to residents. Mr. Mollick asked about Dr. Quinn. Mr. Bustard said it is part of his job to talk to people, and that he did talk to Dr. Quinn (Methacton School Superintendent).

Jim Mollick further commented on an email he sent to Mr. Mangan about cable access and archiving videos on YouTube. He offered to give a free unedited DVD to the township.

ADJOURNMENT

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 8:49 P.M.

Respectfully submitted:


A handwritten signature in black ink, appearing to read 'F. Lee Mangan', is written over a horizontal line. The signature is stylized and includes a long horizontal stroke extending to the right.

F. Lee Mangan, Secretary