

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, PA
WEDNESDAY, MARCH 18, 2009 7:30 P.M.

CALL TO ORDER

The regularly scheduled meeting of the Board of Supervisors was called to order by Chairman Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

JOHN R. HARRIS	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>
ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

1. State Representative Matthew Bradford introduced himself and invited residents to an open house next Saturday.
2. Worcester Township will be introducing an outdoor youth summer basketball league, in conjunction with Lower Providence and Upper Providence Townships.. Details will be forthcoming on the Township web site.
3. The local Boy Scout troop #133 will sponsor an Easter Egg Hunt in Heebner Park on April 4, 2009 at 11:00 a.m. The rain date is April 5, 2009 at 1:00 p.m.
4. James Garrity, township solicitor, announced an executive session was held on February 18 to discuss personnel issues and another was held on March 18 to discuss the three Mollick law suits and open records suit.

PUBLIC COMMENTS ON AGENDA ITEMS

In Summary:

Susan Caughlan, (address removed for privacy), addressed item #7, remarking that on a recent park and recreation task force survey, the top item of interest was trails, for walking, biking and hiking.

John House, (address removed for privacy), remarked he was in favor of the McGrane trail easement, as it is very accessible.

James Phillips, (address removed for privacy), inquired about item #5b, Resolution 2009-09 Tax Levy, and asked if it will be explained at that time & if residents can have input then. He commented the paper agendas had a smell and stink.

DeeDee McGrane, (address removed for privacy), remarked the trail is at the back of her property, and that she is very much in favor of it.

Being no additional Public Comments, the regular meeting resumed.

1. READING AND APPROVAL OF THE MINUTES OF FEBRUARY 18, 2009

A motion by Mr. Quigley and seconded by Mr. Harris and unanimously approved to dispense with the reading of, and approve the minutes of February 18, 2009 as written. (Copies were available for review.)

2. TREASURER'S REPORT

The Treasurer's report for February, 2009 net change on cash basis:

February 2009 Report:

General Fund	\$139,671.15
State	(\$28,153.50)
Capital Reserve	\$ 553.69

A motion by Mr. Quigley, seconded by Mr. Harris and passed unanimously to accept the Treasurer's Report for February, 2009 net change on a cash basis.

3. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Mr. Quigley, seconded by Mr. Harris and approved by all to pay the bills of the Township January and February in the amount of \$335,893.49.

5. SOLICITOR'S REPORT

Litigation Report

Mr. James Garrity announced since the last meeting, the Township has received a decision from the State on the Right to Know law that was partly in our favor, and partly against us. As a result, a decision should be made by the Board of Supervisors on how to proceed.

By way of motion by Mr. John Harris, to pursue an appeal for both issues.

Mr. Steve Quigley expressed concern about the fiscal welfare of the township and what it will cost.

A motion by Mr. John Harris, to pursue an appeal on the two decisions of the State of Pennsylvania, Mr. Arthur Bustard seconded. Motion passed by a vote of 2-1 with Supervisor Quigley voting against it.

5. MANAGER'S REPORT - GIVEN BY EUNICE KRIEBEL, ASSISTANT MANAGER

a. Worcester Fire Department Act 7 of 2008 Compliance Report

In compliance with Act 7 of 2008, the Township has received from the Fire Department an accounting of the expenditures made by them for the \$50,000 contribution made to the Fire Department in 2008.

b. Resolution 2009-05 Tax Levy

As part of the annual reporting with DCED the Township must prepare an annual resolution to send a copy to DCED noting the current real estate tax levy, even though it has remained unchanged.

A motion by Mr. Quigley and seconded by Mr. Harris and unanimously approved to pass Resolution 2009-05 Tax Levy.

c. Resolution 2009-06 Disposition of Records

A motion by Mr. Quigley and seconded by Mr. Harris and unanimously approved to pass Resolution 2009-06 Disposition of Records, for employment applications resumes for un-hired applicants.

At this point Mr. Steve Quigley shared his discussions with Mr. Cornell regarding how well the Worcester Fire Department records have been maintained.

Arthur Bustard announced that he attended the Fire Department Banquet and also was pleased at how they are conducting business.

d. Zoning Hearing Board Report

Presented by Mr. Joseph Nolan, township engineer:

Application 2009-03, Charles Caikoski, 3406 Skippack Pike, is requesting a special exception and or variance to expand non-conforming use for Cedars Country Store.

Mr. Steve Quigley questioned if Mr. Caikoski was the owner or tenant and who is the applicant.

Application 2009-01, T-Mobile, N.E. LLC, has a continuance from last meeting and will be heard at the March 24, 2009 meeting.

e. Revenue Status Report

Ms. Kriebel reported as of February 29, 2009, Worcester Township has not seen any decrease in township revenues as has been the case in other surrounding municipalities. Earned income tax, the township's primary source of revenue, is consistent with the 2009 budget.

Mr. Steve Quigley commented he spoke with Mr. Cornell, township manager, and Ms. Eunice Kriebel, assistant manager and treasurer, regarding quarterly budget updates to keep the tax payers informed.

6. ENGINEER'S REPORT

a. Mikelen Sidewalk Discussion

Mr. Joseph Nolan, Township Engineer, presented.

He explained this is a 4-lot subdivision, and the applicant has requested a waiver of sidewalks. Mr. John Harris asked how it would work if we reserved the right to install the sidewalks at a later date, Joseph Nolan explained there would have to be a sidewalk fund, or it would go back on the owner.

Mr. James Garrity disclosed the applicant is a member of his law firm but he himself has no interest in this subdivision. He then responded that Hatfield Township handles this type of situation with a sidewalk fund or assesses the property owner.

Mr. Steve Quigley said he would rather have the sidewalks installed now instead of later as future residents might resist, and this way the price will then be absorbed in cost of home. He indicated that this is an area of future development and needs a safe walking area.

A question was raised if a motion was need now Mr. Garrity and Mr. Nolan stated a motion would be part of the final plan approval.

Mr. Nolan then noted there are three road frontages and inquired it the Board wants sidewalks on all three frontages. Mr. Harris responded yes as the area will develop into a community with safety first. Mr. Joseph Nolan will pass the decision onto the developer.

b. Road Materials and Equipment Bid Award consideration

Having been duly advertised, bids were opened at 1:00pm on March 11, 2009. The low bid for stone was received from Highway Materials, Inc. located in Blue Bell, PA. The low bid for paving material was received from Glasgow, Inc. of Glenside, PA. The low bid for equipment rental was received from Harris Gramm Contractors of Collegeville, PA.

Mr. Joe Nolan presented.

The material bid contains 7 categories for stone and 6 for paving materials. There were only two bidders. Prior years had 7-8 bidders. This year's bid reflects a small increase in price, especially in the paving materials.

Mr. James Garrity revealed that Highway Materials, Inc. is a client of his firm.

The equipment rental bid has been in existence for 15 years, and involves renting equipment on an hourly basis to supplement the township road crew. The lowest bidder, Harris Gramm Contractors, has been awarded the bid in years past.

A motion by Mr. Steve Quigley, seconded by Mr. John Harris, and passed by all to award the bid for stone to Highway Materials, Inc. of Blue Bell, PA.; the bid for paving material

to Glasgow, Inc. of Glenside, PA.; and the bid for equipment rental to Harris Gramm Contractors of Collegeville, PA.

7. OTHER BUSINESS

a. McGrane Trail Easement Discussion

Mr. John Harris explained the Zacharias Trail, and that it was built with funding from the County. The McGrane property is under agreement with farmland preservation program and this trail is along the perimeter of the property. He is proposing a purchase of an easement for \$5,012, not ownership.

Arthur Bustard remarked it was in coordination with the county open space program.

A motion by Mr. Quigley and seconded by Mr. Harris and unanimously approved to authorize purchase of McGrane Trail easement.

PUBLIC COMMENTS (ANY TOPIC)

In Summary:

Mr. James Phillips, (address removed for privacy), remarked that at a meeting for the park and recreation task force, it was discussed that a cell tower could be going on the Dyke property on Germantown Pike and asked if it is possible to have T-Mobile improve the entrance from Germantown Pike. He inquired about the two issues the township is appealing. Mr. Garrity explained, and Mr. Phillips further asked if the township appeals and loses, will the township be responsible for plaintiff legal fees? He also asked about the tax levy, and if it was a new tax or a change.

Mr. James Mollick, (address removed for privacy), remarked the State said the township did not act in good faith and the township will be responsible for attorney's fees. He noted that the State did not find the Right to Know request to be too broad. He also asked if the Kumpf-Bell case has been settled.

8. ADJOURNMENT

There being no further business brought before this Board, Mr. Harris adjourned the regularly scheduled meeting at 8:15 p.m.

Respectfully submitted,

John V Cornell/Recording Secretary

Note: The minutes 3/18/09 were transcribed from audio recording.