

**WORCESTER TOWNSHIP BOARD OF SUPERVISORS
REORGANIZATION MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, WORCESTER, PA
MONDAY, JANUARY 4, 2010 11 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 CAUGHLAN [X]

INFORMATIONAL ITEMS

Arthur Bustard announced two executive sessions were held since the last meeting: one to review personnel and one to interview an interim manager.

**1. REORGANIZATION OF THE BOARD OF SUPERVISORS
A MOTION TO APPOINT A TEMPORARY CHAIRMAN**

A motion by Steven Quigley, seconded by Susan Caughlan and approved by all to appoint Arthur Bustard as Temporary Chairman.

A MOTION TO APPOINT A TEMPORARY SECRETARY

A motion by Susan Caughlan, seconded by Steve Quigley, and approved by all to appoint Eunice Kriebel as Temporary Secretary.

A MOTION TO APPOINT THE CHAIRMAN

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all to appoint Arthur Bustard to the position of Chairman of the Board of Supervisors.

A MOTION TO APPOINT THE VICE CHAIRMAN

A motion by Arthur Bustard, seconded by Steve Quigley and approved by all to appoint Susan Caughlan to the position of Vice Chairman of the Board of Supervisors.

A MOTION TO APPOINT THE SECRETARY

A motion by Susan Caughlan, seconded by Steve Quigley and after discussion regarding absence of a township manager, the motion was withdrawn.

2. MOTION TO APPROVE REORGANIZATION RESOLUTION 10-01.

Arthur Bustard announced changes to the resolution to reflect "Acting Roadmaster" to be "Roadmaster" and notice that the vacancy in Agricultural Security Area Committee must be a

supervisor member. The current member is no longer on Board of Supervisor so they must be replaced.

Steve Quigley asked about other appointments and engineer and legal services falling under the \$10,000 threshold for state bidding requirements.

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all to pass Reorganization Resolution 10-01.

Mr. Garrity clarified that the motion made Susan Caughlan a member of the Agricultural Security Area Committee and left two vacancies on the Board of Code Appeals.

3. A MOTION TO APPROVE THE TREASURER'S BOND IN THE AMOUNT OF TEN-MILLION DOLLARS

A motion by Susan Caughlan, seconded by Steve Quigley, and approved by all to approve the Treasurer's Bond in the amount of Ten-million dollars.

4. RESOLUTION NO. 10-02 AUTHORIZING APPROVING FIRE DEPARTMENT ACTIVITIES FOR 2010

A motion by Steven Quigley, seconded by Susan Caughlan and approved by all to adopt Resolution No. 10-02 authorizing approving fire department activities.

5. RESOLUTION NO. 10-03 REVISED FEE SCHEDULE TO UPDATE FEES

A motion by Steve Quigley, seconded by Susan Caughlan and approved by all to adopt Resolution No. 10-03 Revised Fee Schedule.

6. AWARD BID-BERWICK GENERATOR

Joseph Nolan, Township Engineer, reviewed the bid and qualifications and recommended awarding the bid to Catanzaro Electric of Green Lane, Pa in the amount of \$68,900.

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all to award the Berwick Generator Bid to Catanzaro Electric in the amount of \$68,900.

7. READING AND APPROVAL OF THE MINUTES OF DECEMBER 7, 2009

A motion by Steve Quigley, seconded by Susan Caughlan, approved by all to dispense with the reading of, and approve the minutes of December 7, 2009.
(Copies were available for review)

James Mollick of Worcester commented on condensed minutes and the Sunshine Law.

James Garrity suggested re-voting on the resolution and allowing public comments.

Resolution 10-01 public comments:

James Mollick inquired about prior discussion of the resolution and solicitor position

A motion by Susan Caughlan, seconded by Arthur Bustard to pass Resolution 10-01 as previously amended. Motion passed by a two to one vote with Steve Quigley voting against.

Minutes of December 7, 2009

Arthur Bustard opened the floor for any additional public comments on the minutes.

609423

A motion by Steve Quigley, seconded by Susan Caughlan, approved by all to dispense with the reading of, and approve the minutes of December 7, 2009.

8. PUBLIC INFORMATION

The Board of Supervisors interviewed two individuals for interim manager and wants to hire one on a temporary basis for \$80 per hour with minimum of four hours per day pending personal interview.

A motion by Susan Caughlan, and seconded by Steve Quigley to approve to conditionally hire an interim township manager at the economic stated terms.

Jim Phillips inquired if this person would be hired permanently.

Jim Mollick asked about the search committee for the permanent manager.

Steve Quigley suggested a notice to the public about the deregulation of electric rates and review of sewer plant situation. He suggested the new Board research key issues and get residents involved and join with other local municipalities.

PUBLIC COMMENTS

Phillip Burke, Grange Avenue, commented on his neighbor's property

Chris Drummond, 1045 Anvil Drive, commented on his neighbor's property.

James Garrity addressed their concerns noting that it is under review by CKS Engineers.

Jim Mollick commented on Mr. Burke's and Mr. Drummond's remarks.

Chase Kneeland asked for an update of the County Open Space Program.

9. ADJOURNMENT

There being no further business to come before this Board, the public reorganizational meeting of the Worcester Township Board of Supervisors is adjourned by Mr. Bustard at 11:58 A.M.

Respectfully submitted:


 Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
MINUTES
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, PA
WEDNESDAY, JANUARY 20, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
SUSAN G. CAUGHLAN
STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

None

1. TREASURER’S REPORTS

The Treasurer’s reports for December, 2009 net change on cash basis:

December 2009 Report:

General Fund	\$425,549.95
State	(\$8,475.00)
Capital Reserve	\$25,935.25

A motion by Mr. Quigley, seconded by Ms. Caughlan and passed by all to accept the Treasurer’s Reports for December, 2009 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Mr. Quigley, seconded by Ms. Caughlan and passed by all to pay the bills of the Township in the amount of \$310,891.15.

3. MANAGER’S REPORT

a. PA Department of Transportation Liquid Fuels Web Site Access Resolution 10-05

A motion by Ms. Caughlan and seconded by Mr. Quigley and approved by all to pass Resolution 10-05: PA Department of Transportation Liquid Fuels Web Site Access

609423

b. A Motion to Approve Worcester Township as a One Road District

A motion by Mr. Quigley and seconded by Ms. Caughlan and approved by all to approve Worcester Township as a one road district.

Chase Kneeland, Berks Road, inquired about a One Road District. Arthur Bustard responded.

c. Request to add Susan Caughlan to the Township health insurance plan

As per section 606, subsection 7 (c) (1), the Board of Supervisors acknowledges receipt of correspondence requesting the addition of Susan Caughlan on the township's health insurance policy.

A motion by Mr. Quigley seconded by Mr. Bustard, Ms. Caughlan abstained, acknowledging receipt of letter requesting to add Susan Caughlan to the Township Health Insurance Policy.

d. Zoning Hearing Board Report:

The next meeting is on January 26, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road: A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **This application will be heard on January 26, 2010 at the request of the applicant.**

09-17, 3214 Fisher Road: Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **This applicant will be heard on 1/26/2010.**

James Garrity, solicitor, will be attending the hearing to represent the Board of Supervisors for application 09-17 to defend the notice of enforcement for the violation.

New Applications:

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B)(1) to permit the construction of a garage located outside the building envelope.

Nick Imperial, Fisher Road, asked about township personnel measuring the neighbor's property.

Phillip Burke, Grange Avenue, asked about the township opposing an operation of business from home.

James Garrity replied about vested rights issues being involved.

Lois Imperial, Fisher Road, asked for an explanation of vested rights.

Solicitor James Garrity responded.

William Kazimer, Fairview Village, asked about the Township opposing the appeal and variance.

James Garrity said the solicitor will be there to support enforcement of the violation notice.

Lois Imperial, Fisher Road, asked about the site visit.

James Mollick, Country View Lane, commented on code compliance and permits.

e. Revised Fee Schedule, Resolution 10-04

Arthur Bustard noted that a few updates were made since the Reorganization Meeting which required approval.

Mark Landis, Schultz Road, asked if it represented a tax increase.

Arthur Bustard responded.

William Kazimer, Fairview Village, commented on small print.

A motion by Mr. Quigley and seconded by Ms. Caughlan and approved by all to pass Resolution 10-04 Revised Fee Schedule

4. SOLICITOR'S REPORT

a. Executive Session Report

No executive session was held since the last public meeting.

5. ENGINEER'S REPORT

A. Wentz Church Road Bridge Repair Advertisement Authorization

Joseph Nolan explained the project stating that the location is north of Skippack Pike and involves repairing barriers and wing walls. Access easements have been obtained from property owners but the Township will wait for spring to begin construction because it involves concrete.

Steve Quigley stated that all property owners should be notified of work prior to beginning to avoid any property damage.

Nick Imperial, Fisher Road, commented on an issue with the Fisher Road culvert.

A motion by Mr. Quigley and seconded by Ms. Caughlan and approved by all to authorize the advertisement of the Wentz Church Road Bridge Repair.

a. Water Street Road - Kriebel Mill Road Bridge Repair to proceed with engineer work and design.

Joseph Nolan introduced and explained that this project is a line item in the 2010 budget. Steve Quigley questioned alternative plans for traffic and access to the road, suggesting the possibly of opening the other end of road to allow access.

Nick Imperial, Fisher Road, asked about the Wentz Church Road repairs.

Joseph Nolan stated that the road will not be shut down.

A motion by Mr. Quigley and seconded by Ms. Caughlan and approved by all to authorize the advertisement of the Water Street Road-Kriebel Mill Road Bridge Repair.

6. READING AND APPROVAL OF THE MINUTES OF DECEMBER 16, 2009

James Mollick, Country View Lane, commented on the completeness of the minutes under the Zoning Hearing Board report.

William Kazimer, Fairview Village, commented on the completeness of the minutes.

Don Richardson, Kriebel Mill Road, commented on the Kriebel Mill Road Bridge

Phillip Burke, Grange Avenue, commented on information concerning the December 7th, 2009 minutes.

A motion by Mr. Quigley, and seconded by Ms. Caughlan and approved by all to dispense with the reading of, and approve as written, the minutes of December 16, 2009. (Copies were available for review)

7. OTHER BUSINESS

Steve Quigley commented that he recently toured the North Penn Army Base on Potshop Road and asked when the conveyance from the Army might take place.

Susan Caughlan reported that Gordon Todd, Chairman of the Planning Commission and an architect, has offered his services to review the condition of the building. We will have further discussion at the work session.

PUBLIC COMMENTS

Chase Kneeland, Berks Road, commented on the Kriebel Mill Road Bridge and the Zoning Hearing Board.

Steve Quigley noted that Mr. Kneeland was on the Board of supervisors for 12 years and inquired why the road wasn't permanently opened then.

Joseph Pacholski, Shefley Lane, commented on the township's response to correspondence.

Bruce Pancio, Ayreshire Drive, commented on the meeting minutes, televising the meetings, the minutes on the web, the Moran property and township manager search.

William Kazimer, Fairview Village, commented on the pledge of allegiance.

Ron Evans, Hollow Road, commented on Mr. Kazimer's comment.

Phillip Burke, Grange Avenue, commented on Worcester's roads and a violation notice from 2006.

Oliver Smith, Fisher Road, inquired about status of a noise ordinance.

Nick Imperial, Fisher Road, commented on a noise ordinance

Mark Landis, Schultz Road, commented on a noise ordinance.

Chris Drummond, Anvil Drive, commented on his neighbor's property, and a land development plan.

Phillip Burke, Grange Avenue, commented on trucks parked on the property line.

Lois Imperial, Fisher Road, inquired about a violation.

James Mollick, Country View Drive, commented on violation notices, the bridge at Kriebel Mill Road, the Moran property, resumes, and the Township staff.

James Mollick commented on 2009-064 Appeal, zoning enforcement and permits.

Joseph Pacholski, Shefley Lane, commented on residents going to the township office.

8. ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:09 P.M.

Respectfully submitted:



Eunice C. Kriebel
Eunice C. Kriebel, Assistant Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, FEBRUARY 1, 2010 8:00 A.M.

CALL TO ORDER

The regularly scheduled work session of the Board of Supervisors was called to order by Chairman Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

None

1. MANAGER'S REPORT

a. The Conservancy of Montgomery County Signage: Discussion

The Conservancy of Montgomery County requested installation of a 2-sided, pole mounted sign located on County View Lane to commemorate conservation of 2209 North Wales Road and requested a waiver of permit fee. Ordinance 150-147 requires Board of Supervisors approval of commemorative signs.

Arthur Bustard asked for the sign dimensions.

Steve Quigley asked for the type of construction material for the sign.

Jim Mollick, Country View Lane, commented on the sign

- A motion by Susan Caughlan, seconded by Steve Quigley and approved by all to waive the fee for the sign permit and approve the sign installation.

b. North Penn Army Reserve Base/Park & Recreation Task Force Update: Discussion

The North Penn Army Reserve Base on Berks Road is scheduled to be conveyed from the US Army to Worcester Township in late 2011, at the earliest. The facility and grounds can only be used for park and recreation/leisure services as part of the no-cost transfer, which was sponsored by the National Parks Service.

Susan Caughlan provided an update and noted that the environmental study is currently ongoing. At the Park and Recreation Task Force meeting on January 25th, Gordon Todd,

architect and Chairman of the Planning Commission, provided some initial suggestions on ideas for building modification or demolition.

Arthur Bustard, referencing a prior RFP, stated that once we have Gordon Todd's suggestions the Township will move forward.

Steve Quigley asked if an appraisal was performed.

Jim Mollick, Country View Lane, commented on the building, and the Park and Recreation Task Force.

c. Charity Bike Race Proposal: Discussion

The township has been approached by an individual who would like to hold a Township road biking event on Saturday May 22 to benefit the SPCA. John Bickel submitted the request estimating 100 riders.

Steve Quigley asked about Township involvement.

Arthur Bustard inquired about Township liability.

Susan Caughlan asked through what organization is Mr. Bickel working.

James Garrity, Township Solicitor, informed the Board that an insurance certificate would be required.

Steve Quigley suggested Mr. Bickel do a formal proposal with a suggested route for the race.

d. Stony Creek Farm Request

Edmund Mullin, attorney representing Stony Creek Farms' developer, noted that they are requesting an amendment to the AQRC ordinance that restricts occupancy to those aged 55 and older. They expected to sell 50 units per year but to date have sold only 31 or 15 per year. The Fair Housing Act allows an age-restricted community to have up to 20% of its occupants under age 55. Accordingly, the developer is requesting the Board to revise the ordinance to allow up to 20% of the occupants to be age 45 or older, instead of 55 or older. The ordinance will still prohibit children under the age of 19, thereby not having any impact on the school district.

James Garrity noted that the existing 31 residents who already purchased homes under the prior restriction would need to sign off on any changes.

Susan Caughlan commented on the requirements of the Federal Fair Housing Act; and stated that no children under 19 years of age would be permitted as permanent residents.

The Board suggested Mr. Mullin draft a proposed revision to the ordinance and return to the Board of Supervisors for review.

e. Zoning Hearing Board Report

The last meeting was January 26, 2010.

The next meeting is scheduled for February 23, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **Continuance requested by applicant to be heard at the March 23, 2010 meeting.**

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **The matter was heard by the Zoning Hearing Board on January 26. The hearing has been continued due to more testimony to be heard on February 23, 2010.**

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B)(1) to permit the construction of a garage located outside the building envelope. **Continuance requested by applicant to be heard at the February 23, 2010 meeting.**

NEW applications to be heard on February 23:

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks.

The deadline to submit applications for the February meeting is 2/1/2010.

2. Engineer's Report

None

3. Solicitor's Report

A .Executive Session report

James Garrity reported one executive session was held January 29th, 2010, to discuss two real estate items. One was the purchase of a trail easement and the other a Pennsylvania Turnpike condemnation of township-owned property in conjunction

with the widening of the Northeast extension. They also discussed a personnel issue to secure a permanent township manager.

READING AND APPROVAL OF THE MINUTES OF JANUARY 4, 2010

James Mollick, Country View Lane, commented on remarks about the Sunshine Law and the manager search committee.

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all to dispense with the reading of, and approve as written, the minutes of January 4, 2010. *(Copies were available for review.)*

5. OTHER BUSINESS

Arthur Bustard proposed a resolution to establish a meeting protocol for public comment at meetings, to include setting a time limit of five minutes for each comment.

Jim Mollick, Country View Lane, commented on the proposed policy.

Susan Caughlan remarked that the policy is intended to keep meetings under control and give everyone the opportunity to speak.

Jim Mollick commented on policies, the Zoning Hearing Board meetings, video cameras, family harassment, oath of office, and the former township manager.

David Brooks, Overhill Road, commented that political comments are not appropriate for public meetings and should be disregarded.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 8:44 a.m.

Respectfully submitted,


 Eunice C. Kriebel, Assistant Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MINUTES
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, FEBRUARY 17, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN G. CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS:

None

1. TREASURER'S REPORTS

The Treasurer's reports for January, 2010 net change on cash basis:

January 2010 Report:

General Fund	(\$229,463.70)
State	(\$11,412.65)
Capital Reserve	\$150,014.76

A motion by Mr. Quigley, seconded by Ms. Caughlan and passed by all to accept the Treasurer's Reports for January, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Ms. Caughlan, seconded by Mr. Quigley and passed by all to pay the bills of the Township in the amount of \$316,280.50.

3. MANAGER'S REPORT

a. Snow Storm Update

Daniel Fox, interim manager, provided an update on the recent snow storm activity, congratulating the public works department and thanking residents for their patience. A total of 284 man hours and 238 tons of salt were utilized during the storm. The

County is working on obtaining an emergency status through PEMA, and aid money might be forthcoming.

Steve Quigley commented on the new public works building, providing a rest area for the department. He asked about salt obligations and limits. Daniel Fox responded

Steve Quigley asked about distinguishing ownership of township, county, and state roads.

Caren Segal, Green Hill Road, asked about county and state roads.

Wini Hayes, Fisher Road, asked about intersections.

Arthur Bustard reminded residents that the fire department has requested residents assist the department by shoveling snow around hydrants for safety.

b. Receipt of 2008 Liquid Fuels Tax Fund Audit / Financial Report

The audit of liquid fuels fund was received by the township. It is free of comments and available in the Township office for review.

Susan Caughlan inquired about the early release of funds for 2010.

c. Meeting protocol for public comment resolution discussion

Daniel Fox read the proposed resolution, 2010-06.

Arthur Bustard commented on the public comment period before and after the meeting. This resolution is a standard format used by other townships throughout Pennsylvania. This is a formal policy document.

James Garrity, Solicitor, confirmed the wording was from the "Township News" publication almost verbatim, except Worcester Township provides more opportunity for public comment than is required by law."

Steve Quigley commented that the chairman has the authority to rule out unimportant or redundant items but questioned a freedom of speech issue.

James Garrity said the First Amendment is not violated by this resolution because residents are given the opportunity to speak before official action is taken, as well as during board discussions and at the end of the meeting.

Susan Caughlan said PSATS has legal counsel and they reviewed it for constitutionality.

Rick DeLello, Stony Creek Road, commented on the resolution.

Dorothy McGrane, Stump Hall Road, commented on the resolution.

James Mollick, Country View Lane, commented on the resolution.

Nicholas Imperial, Fisher Road, commented on procedures.

Wini Hayes, Fisher Road, commented on the resolution and timely meetings.

Kim McClintock, North Wales Road, commented on the 5-minute time limit.

A motion by Ms. Caughlan seconded by Mr. Bustard, passed with Mr. Quigley voting against, approving Resolution 2010-06: Meeting protocol for public comment

d. Zoning Hearing Board Report:

The next meeting is on February 23, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road. Variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **This application will be heard on March 23, 2010 at the request of the applicant.**

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on February 23, 2010.**

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B)(1) to permit the construction of a garage located outside the building envelope. **Continuance requested by applicant to be heard at the February 23, 2010 meeting.**

New Applications to be heard February 23:

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks.

10-03, 2536 Quail Run Road, a variance to permit the construction of a 280 S.F. addition to a single-family home allowing the maximum building coverage of a lot to be greater than 15%.

e. Demolition Permit Request

A demolition permit has been filed by Penn DOT for a house located at 2508 Morris Road.

Arthur Bustard stated that North Wales Road is being re-aligned at the intersection with Morris Road, which requires demolition of the house and noted that the Board must approve all demolition permits.

Susan Caughlan voiced concerns about the history of the house and inquired about rerouting the road. She requested discussion with Penn DOT and asked the Township manager or engineer to ask about alternatives to demolition, which would still allow the realignment.

Steve Quigley noted that the intersection needs to be realigned for safety reasons.

Arthur Bustard indicated he has no problem discussing with Penn DOT, but does not want the project delayed.

f. Insurance Policy Update

Daniel Fox stated that the 2010-2011 premium is approximately \$76,000, a saving of \$8,000 from the 2009-2010 year, plus the Township received a dividend check of approximately \$3,000. The majority of the savings was attributed to a change in the Township's Workers Compensation rates.

4. SOLICITOR'S REPORT

a. Executive Session Report

One executive session was held on February 16th, concerning the search for a permanent manager which the Board anticipates will be resolved in approximately a 2 to 4 week time frame.

James Mollick inquired about applications.

b. Authorization to appeal OOR decision 2009-1064

James Garrity explained the history of the appeal which involves ten items on a Right to Know request filed by James Mollick. The request was partially granted and partially denied and Dr. Mollick appealed the denial. Tuesday, February 16th was the last day for the township to file an appeal and this is the only meeting to approve the appeal. The solicitor's office filed the appeal yesterday and is requesting direction from the Board whether to continue or withdrawal the appeal. The issue involved in the appeal is emails on personal email accounts of Board

members. Mr. Garrity also noted that an inquiry by his office established that there are no such emails in existence.

Susan Caughlan inquired whether the Township's position on this issue would be compromised if we do not continue with this appeal.

Mr. Garrity responded that the Office of Open Records might appreciate it if the Township withdrew the appeal since no records exist.

Steve Quigley stated it should have been brought up at the February work session which would have given the Board time to review and authorize the appeal.

Mr. Garrity acknowledged the missed meeting and deadline and stated that the Township would not be billed for his office's fees to prepare this appeal if the appeal is withdrawn. He added that no one can predict the outcome or whether a withdrawal of the appeal will be used against the township.

Maeve Vogan, Dell Road, commented on the appeal.

Mr. Garrity responded.

James Mollick commented on honesty and the solicitor's invoices.

Herb Rothe, Bustard Road, commented on the appeal.

Wini Hayes commented on the Solicitor's comments and the issues in the appeal.

Steve Quigley commented on spending money on law suits.

A motion by Susan Caughlan, seconded by Steve Quigley and passed by all to withdraw the appeal.

5. ENGINEER'S REPORT

- a. **Annual equipment and materials contracts were prepared and were advertised February 10th & February 17th to be opened in March and awarded at the April Board meeting.**

Joseph Nolan explained that bids are to be opened March 10th. The contracts include seven types of stone and paving materials along with equipment on an as-needed basis.

Mr. Nolan also reported that the new Public Works building is complete but needs final grading and repaving which will include grading behind the administration building.

b. Drainage improvements, including proposed rain garden behind the Township Administration Building

Joseph Nolan is seeking input from Board regarding installation of a rain garden behind the Township Building which will help handle the stormwater runoff from the township parking lot which is already being directed into the area. The rain garden will consist of plantings that are conducive to wet areas. This installation will help meet the township's required activities under the MS-4 stormwater program.

Susan Caughlan commented that the plants take up excess water which reduces the outflow into streams.

Mr. Nolan suggested that the township prepare a brochure on rain gardens for resident education, which is another component of the MS-4 program requirements.

Caren Segal inquired about the roads scheduled for paving.

Mr. Nolan responded that Berks, Mill, and portions of Kriebel Mill Road are scheduled for repaving, including repairs to drainage culverts.

6. OTHER BUSINESS

Steve Quigley asked about the status of the Exxon Station at Routes 363 and 73.

Daniel Fox reported that the site was inspected by the Township and there are new pipes connecting to the tanks and concrete repairs. There have been questions about whether a canopy is proposed. Mr. Fox confirmed that no canopy can be installed without an application to the Zoning Hearing Board.

Steve Quigley inquired about the beer distributor proposal presented at a previous meeting. James Garrity said the Liquor Control Board will approve the license, but will give the Board opportunity for input.

Jean Mackin, Berwick Place, commented that the noise from the sewer plant at Mount Kirk and Germantown is getting louder.

Joseph Nolan responded about the generator and the operators leaving doors open for ventilation. Mr. Nolan will inspect the generator and report back to the manager whether anything can be done to alleviate the noise.

7. READING AND APPROVAL OF THE MINUTES OF JANUARY 20, 2010

James Mollick commented about format and preparation of the minutes.

609423

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all as corrected, (item #6 Mr. Burke's comment, adding the word "minutes" at the end) to approve the minutes of January 20, 2010. Copies were available for review.

PUBLIC COMMENTS

Robert Hayes, Fisher Road, inquired about the house on Morris Road for which a demolition permit has been filed.

Bruce Pancio, Ayeshire Drive, commented about enforcement and the OOR appeal.

Chase Kneeland, Berks Road, commented on the realignment at North Wales and Morris Roads and on dogs in Heebner Park.

James Phillips, North Wales Road, commented on the demolition permit and the realignment of North Wales Road.

Oliver Smith, Fisher Road, commented on the Board's microphones and a noise ordinance.

Denise Hale, Berwick Place, commented on the generator noise and the flag on the cell tower at Mt. Kirk Park.

Michael Simeone, Kriebel Mill Road, commented on the public comment policy.

Richard Allen, Whitehall Road, commented on the cell tower flag pole and the house on Morris Road

James Mollick commented on freedom of speech, the OOR appeal, severance agreements, and the Supervisor's oath of office.

Nicholas Imperial commented on the house on Morris Road.

8. ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:42 P.M.

Respectfully submitted:


 Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MINUTES
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, MARCH 1, 2010 - 8:00 A.M.

CALL TO ORDER by Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	X
SUSAN CAUGHLAN	X
STEPHEN C. QUIGLEY	X

609423

INFORMATIONAL ITEMS

None

1. Manager's Report:

a. Employee Handbook/Policy

Daniel Fox, Interim Manager, presented a draft policy that included updates of new federal and state laws

Susan Caughlan noted that there was an extensive review of the handbook and anything that was not updated could be included in a supplement.

Arthur Bustard questioned vacation time for part time employees.

James Mollick, Country View Lane, inquired about new laws.

A motion by Ms Caughlan, seconded by Mr. Quigley and passed by all to accept the employee handbook as submitted.

b. Noise Ordinance Discussion

Daniel Fox explained the purpose of moving ahead with a noise ordinance.

Arthur Bustard expressed concerns about enforcement and creating more problems and noted the need to purchase a decibel meter.

Susan Caughlan noted that the ordinance came up in conjunction with the PECO substation and noted that East Norriton and several other surrounding Townships have similar ordinances and Worcester could review their handling of enforcement.

Oliver Smith, Fisher Road, encouraged the Board to move ahead and have PECO comply

A motion by Susan Caughlan, seconded by Steve Quigley and approved by all as corrected, (item #6 Mr. Burke's comment, adding the word "minutes" at the end) to approve the minutes of January 20, 2010. Copies were available for review.

PUBLIC COMMENTS

Robert Hayes, Fisher Road, inquired about the house on Morris Road for which a demolition permit has been filed.

Bruce Pancio, Ayeshire Drive, commented about enforcement and the OOR appeal.

Chase Kneeland, Berks Road, commented on the realignment at North Wales and Morris Roads and on dogs in Heebner Park.

James Phillips, North Wales Road, commented on the demolition permit and the realignment of North Wales Road.

Oliver Smith, Fisher Road, commented on the Board's microphones and a noise ordinance.

Denise Hale, Berwick Place, commented on the generator noise and the flag on the cell tower at Mt. Kirk Park.

Michael Simeone, Kriebel Mill Road, commented on the public comment policy.

Richard Allen, Whitehall Road, commented on the cell tower flag pole and the house on Morris Road

James Mollick commented on freedom of speech, the OOR appeal, severance agreements, and the Supervisor's oath of office.

Nicholas Imperial commented on the house on Morris Road.

8. ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:42 P.M.

Respectfully submitted:


 Eunice C. Kriebel, Assistant Recording Secretary

c. Zoning Hearing Board Report

The last meeting was February 23, 2010.

The next meeting is scheduled for March 23, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **Continuance requested by applicant to be heard at the March 23, 2010 meeting.**

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on March 23, 2010.**

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B)(1) to permit the construction of a garage located outside the building envelope. **Granted February 23, 2010.**

NEW applications heard on February 23:

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks. **Continuance requested by ZHB to allow 30 day period for public comment to be heard at the March 23 meeting**

10-03, 2536 Quail Run Road, a variance to permit the construction of a 280 S.F. addition to a single-family home allowing the maximum building coverage of a lot to be greater than 15%. **Granted February 23, 2010.**

The deadline to submit applications for the March meeting is 3/1/2010.

d. Pioneer House Repairs

Worcester Township received a proposal from 18th Century Restoration Inc. for \$15,900 to begin Phase II of restoration of the Pioneer House.

Arthur Bustard noted that the Township did stabilization of the structure last year and the money to continue restoration this year is in the budget.

Susan Caughlan inquired about the boarded up windows.

Stephen Quigley inquired about the drainage and water issues at the foundation.

Susan Caughlan noted that there are no locks on the shutters and is concerned about vandalism and noted that the neighbors will be informed of the restoration and that the structure is a valuable historical resource.

Thomas Bookheimer, Public Works Director, responded.

Phillip Burke, Grange Avenue, commented on the proposal.

James Mollick commented on the restoration and vandalism.

A motion by Ms. Caughlan, seconded by Mr. Quigley and passed by all to accept the proposal from 18th Century Restoration Inc. and proceed with Phase II.

e. Berwick Place WWTP Screening

Daniel Fox noted that the proposed screening is the result of comments made at the last meeting regarding increased noise coming from the Berwick Place Wastewater Treatment Plant.

Joseph Nolan, Township Engineer, researched the complaint and made a recommendation to plant evergreen trees and a fence to provide a year round buffer. He spoke with the plant operators and will pursue a ventilation project at the plant to alleviate heat build up in the facility causing the operators to leave the doors open for ventilation. The plant is currently having a new generator installed and Mr. Nolan will contact the contractor to add the ventilation to the project.

It was noted that there are funds already in a township account which are designated for landscaping at this site and can be used to plant the trees and construct the fence.

David Brooks, Overhill Drive, commented on a possible source of the noise.

f. 2009-10 Salt Contract

The heavy snow falls this winter have resulted in use of 100% of the salt allocation from the Co-Stars Contract. The township received two proposals for supply of salt through out the remaining season. The current price from American Rock Salt Company is \$44.84 per ton and the proposals from American Rock Salt Company and Oceanport LLC. were for \$65.90 & \$73.00 per ton respectively.

A motion by Ms Caughlan, seconded by Mr. Quigley and passed by all to accept the proposal from American Rock Salt Company if the Manager and Public Works Director deem it necessary to order additional road salt this season.

g. Public Works Report

Daniel Fox introduced the Public Works Director, Thomas Bookheimer. Mr. Bookheimer reported that snow removal had been the top priority of the Public Works crew so far in 2010, resulting in many overtime hours and a few equipment malfunctions. Spring projects include pulverizing the horse ring at Heyser Field, preparing the mowers for the season, and getting the recreation fields to be ready by April. He will review seasonal help requirements with the manager.

Oliver Smith complimented the public work staff for the job well done on snow removal.

h. Park & Recreation Report

Julie Lanzillo, Park & Recreation Director, presented a report of the findings of the Park & Recreation Task Force indicating that the tasks assigned to them had been completed and the report was given to the Board.

The application for a Green Region grant from PECO was submitted and it will be utilized for Heyser Field, should we receive an award.

The deadline for the DCNR grant application is April 21st. A meeting is scheduled with a DCNR representative for late March to obtain feedback on the potential for a grant for the extension of the Zacharias Trail.

She requested input from the board regarding the use of the concession stands at Heebner Park.

Stephen Quigley indicated that he had no issues with tents at the other park location for concession stands, with Arthur Bustard agreeing.

Susan Caughlan asked whether insurance and health department certificates would be addressed.

Maeve Vogan, Dell Road, indicated that the Fire Department chief will be in contact with the Township regarding the use of tents & stands.

2. Engineer's Report

a. MS-4 Report

Joseph Nolan, Township Engineer presented the MS-4 stormwater compliance report for 2009 and indicated that this is the seventh year for the MS-4 program. He stated that the township's website has been updated to include a separate section dedicated solely to the MS4 program. Posters containing information on stormwater management and pollution have been distributed to the Worcester Elementary school to help educate the students on this issue. Lastly, 25% of the township's storm sewer outfalls have been sampled to determine if any pollutants are in the stormwater being discharged to the streams. There was no evidence of any pollution in any of the collected samples.

The annual report will be sent to DEP by June 10th, 2010.

Arthur Bustard inquired about the road maintenance contract and if the Engineer had evaluated the road repairs done last year. He noted the replacement of three culvert pipes and expressed concern that if the Township moves ahead with everything on the list, we will be over budget.

Susan Caughlan requested a cost estimate for repairs on Green Hill Road.

3. Solicitor's Report

a. Executive Session report

James Garrity, Solicitor, noted that the Board held two Executive Sessions, one on February 23 and one on February 24th to conduct manager interviews.

4. APPROVAL OF THE MINUTES OF FEBRUARY 1, 2010

James Mollick, Country View lane, inquired about the preparation of the minutes.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to dispense with the reading of, and approve as written/ the minutes of the meeting February 1, 2010. (Copies are available for review.)

5. Other Business**a. Rain Garden**

Joseph Nolan presented a report in conjunction with drainage issue at the rear of the administration building. A \$3,000 grant may be available for the installation of a rain garden at this location. It requires a maintenance agreement and installation at a location that is open to the public. He also proposed a brochure for public education.

Arthur Bustard noted that this will help solve the water pumping issues and parking lot run off.

Stephen Quigley inquired about implementation and if a college internship would be possible.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to have the Engineer design the rain garden and apply for the grant.

b. Stephen Quigley commented on reports from the Park & Recreation and Public Work directors to provide more information and transparency to the public.

609423

PUBLIC COMMENTS

Phillip Burke, Grange Avenue, recommended a correction to the minutes regarding a Pennsylvania Commonwealth Court Decision.

James Mollick, Country View Lane, handed a document to the Board and commented on the five minute policy, driveway issue, state police enforcement, RTK status, and open space representation.

David Plager, Fieldcrest Way, commented on ZHB application 09-17, Reimel, 3214 Fisher Road.

ADJOURNMENT

There being no further business to come before this Board, Arthur Bustard adjourned the regularly scheduled Board of Supervisor's Meeting at 9:46 A.M.

Respectively Submitted,

Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY MARCH 17, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN G. CAUGHLAN
 STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

1. Daniel Fox, Interim Manager, is absent and Eunice Kriebel is filling in for him.
2. The Board of Supervisors has interviewed a candidate for the position of Township Manager and there will be further discussion under Other Business.
3. Letters of interest to serve on the UCC Board of Appeals have been received by the Township and will also be discussed under Other Business.

1. TREASURER'S REPORTS

The Treasurer's reports for February, 2010 net change on cash basis:

February 2010 Report:

General Fund	(\$162,235.56)
State	(\$18,577.66)
Capital Reserve	\$150,040.88

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to accept the Treasurer's Reports for February, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to pay the bills of the Township in the amount of \$344,227.42.

3. MANAGER'S REPORT

a. AQRC Ordinance Amendment Proposal

An amendment to the AQRC district ordinance was proposed at the work session on February 1, 2010 to lower the minimum age to 45 from 55 years of age for up to 20% of the residents.

Stephen Quigley explained the reasoning behind lowering the age.

Susan Caughlan noted that the developer should contact the individual homeowners who have already purchased property in the community to inform them of the change.

James Garrity, Township Solicitor, noted that 80% of the residents will still be required to be 55 years or older and only 20% will be allowed to be 45 years of age or older.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to authorize advertisement and distribution of the proposed ordinance to the Montgomery County and Worcester Planning Commission for review.

Kim McClintock, North Wales Road, commented on the ordinance and its enforcement, impact on rentals, and requests for additional concessions. He requested notification of the hearing.

Kimber David, Bean Road, commented on the proposed changes.

James Mollick, Country View Lane, commented on conflict of interest.

William Kazimer, Germantown Pike, questioned text change and forthcoming public hearings on the change.

b. Zoning Hearing Board Report:

The next meeting is on March 23, 2010.

February 23, 2010 Decisions:

10-01, 2112 Bustard Road, Zoned LPD. A variance from Section 150-77 (B) (1) to permit the construction of a garage located outside the building envelope. **GRANTED February 23, 2010**

10-03, 2536 Quail Run Road, a variance to permit the construction of a 280 S.F. addition to a single-family home allowing the maximum building coverage of a lot to be greater than 15% **GRANTED February 23, 2010**

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **This application will be heard on March 23, 2010 at the request of the applicant.**

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on March 23, 2010.**

609423

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks. **CONTINUANCE REQUESTED BY ZHB TO ALLOW 30 DAY PERIOD FOR PUBLIC COMMENT TO BE HEARD AT THE MARCH 23, 2010 MEETING**

No New Applications to be heard March 23

Susan Caughlan stated that the Worcester Township Planning Commission reviewed Application 07-32 for Kriebel Mill road and recommended that it not be approved due to the width of the driveway.

James Phillips, North Wales Road, commented on the opposition.

Stephen Quigley stated that the Zoning Hearing Board is an independent board and the decision should be up to them, but noted that the Planning Commission reviewed the application and they should be backed by the township.

Maeve Vogan, Dell Road, commented on the expense of the solicitor

James Mollick questioned the listing of items on the agenda.

Gordon Todd, Bustard Road, Chairman of the Worcester Planning Commission, commented that the ZHB had final decision and that all property owners within 500 feet were notified of the application.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to authorize the Township Solicitor to oppose the application.

c. Seasonal/Part-Time Help

Thomas Bookheimer, Roadmaster, has requested permission to hire three seasonal employees to assist with mowing and park maintenance.

Stephen Quigley commented that this allows use of the Public Works staff for in house work.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to authorize hiring of three seasonal employees to supplement the Public Works Department.

4. SOLICITOR'S REPORT

a. Executive Session Report

James Garrity reported that an executive session was held March 9th, 2010 to interview a prospective township manager.

5. ENGINEER'S REPORT

a. Annual equipment rental and materials bids recommendations

Annual equipment rental and materials bids were advertised February 10th & February 17th and publically opened March 10th.

Joseph Nolan prepared a summary of bids and made his recommendations to the Board, noting that the stone and paving material is a per ton bid.

Stephen Quigley questioned the number of bids received.

Susan Caughlan noted the "No Bid" for three items.

William Kazimer questioned the amount of the bid.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to award the equipment rental bid to Harris Gramm Contractors of Collegeville, PA. (Cost details were available for review)

A motion by Stephen Quigley, seconded by Susan Caughlan, and approved by all to award the road materials bid to Highway Materials, Inc of Blue Bell, PA for stone and Glasgow, Inc. for paving materials. (Cost details were available for review)

James Garrity, Solicitor stated for the record that Highway Materials, Inc. is a client of his firm.

b. 2010 Road Program

A proposal from CKS Engineers was received on March 4, 2010 with recommendations on the proposed 2010 Road Program. The cost estimate of recommended improvements exceeds the budget so some projects may need to be eliminated or postponed.

Art Bustard requested more time to review the proposal and noted that Berks Road is on the list of improvements. He noted that the Pennsylvania Turnpike Commission will be utilizing Berks Road for their detour during the Morris Road bridge reconstruction project and does not want the road work that was done last year to be damaged by heavy construction vehicles using the road.

Joseph Nolan will inspect the road to determine if the previous drainage work will be damaged by deferring final paving. He noted that he would like to award the bid by May, 2010.

Maeve Vogan, Dell Road, inquired about Kriebel Mill Road repairs.

Joseph Pulkowski, Shefley Road, commented about Berks Road damage caused by the Pennsylvania Turnpike detour.

William Kazimer commented about repairs on Griffith Road gutters.

c. Public Works office paving

Joseph Nolan, Township Engineer, estimated that cost to grade, stone and pave the parking area around the new maintenance office will be approximately \$25,000. The Board of Supervisors agreed to move ahead with the project by utilizing the

township equipment contractor and the new bid prices for stone and paving materials noting that the bid prices for the up coming year are lower than last year.

OTHER BUSINESS

1. Arthur Bustard received two additional letters of interest for serving on the UCC Appeals Board which will complete the membership. They were received from Charles DiLiberto and George Marks.

James Phillips, North Wales Road, commented that he is also in the construction business and requested to be added to the list for the future.

James Mollick commented on the advertising procedures

Stephen Quigley commented on the procedure and how often the Board is utilized noting that board members must be in the building trade or related professions.

William Moran commented on compensation and qualifications of the members of the UCC Board.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to approve the appointment of Charles DiLiberto and George Marks to the UCC Board of Appeals.

2. Arthur Bustard announced the progress of the search for a permanent manager. Thirty applications were received, six applicants were interviewed, and three of those were selected for second interviews. One candidate, David Burman, stood out with 20 years experience, 10 of which were in the public sector.

James Mollick commented on the experience and selection.

A motion by Arthur Bustard, seconded by Susan Caughlan, and approved by all to extend a contract to David Burman for the permanent position of Township Manager.

7. APPROVAL OF THE MINUTES OF FEBRUARY 17, 2010

Gordon Todd noted that item six regarding the Gulf Station should read as Exxon Station.

James Mollick comment on lack of detail in the minutes.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to dispense with the reading of, and approve as written the minutes of February 17, 2010.(Copies were available for review.)

8. PUBLIC COMMENTS

James Phillips, North Wales Road, commented on runoff from adjoining property, township manager candidates, and campaign contributions.

Richard DeLello, Stoney Creek Road, commented on a sidewalk snow removal ordinance.

James Mollick commented on labels, campaign contributions, RTK appeals, two minute rule, and selling of open space rights.

Ronald Evans, Kriebel Mill Road, commented on the Board of Supervisors patience.

William Kazimer requested the ability to use the microphone from his seat.

Stephen Quigley commented on the need to have a representative from the Fire Department attend township public meetings to address concerns and questions. He further commented on the School District emergency situation during the recent heavy rains and the need for a school board liaison present.

James Phillips commented that the school board budget will be on the internet and expressed need for an emergency management plan.

Ronald Evans commented on the great job by the Public Works crew on the recent snow removal.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 9:18P.M.

Respectfully Submitted,



Eunice C. Kriebel, Assistant Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, APRIL 5, 2010 ~ 8:00 A.M.

CALL TO ORDER Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	☒
SUSAN CAUGHLAN	☒
STEPHEN C. QUIGLEY	☒

INFORMATIONAL ITEMS

Susan Caughlan met with Retired Colonel David Jones, the new Project Manager for the Army Reserve Base regarding the Phase II environmental study. The study is underway and the township will be informed of the results in the next several months.

1. Manager's Report:

a. Clearwire USA variance application

Joseph Bagley, solicitor, commented that since it involves possible litigation, it should be addressed in an executive session. An executive session was scheduled immediately after the work session.

b. Authorization to have Engineer assess 2017 Bethel Road

Joseph Nolan, Township Engineer, noted that the property owner requested a site investigation by the Township because of recent improvements made on the property.

Karen Arena, 2017 Bethel Road, stated that she has eight to nine inches of standing water in the yard and has lost several trees due to the slope of the neighbor's property. The neighbor has increased the driveway which caused more impervious coverage. She inquired as to where the homeowner's verses the Township's responsibility lies.

The Board of Supervisors authorized the Township Engineer to assess 2017 Bethel Road.

c. 2121 Weber Road Planning Module

The planning module for 2121 Weber Road has been finalized and approved by DEP.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to accept the On-Lot Sewage Operation and Management Agreement for 2121 Weber Road.

d. Mill Road Traffic Control

Upon receipt of several complaints of excess speeding, the Township is reviewing measures to control traffic after speed signs failed.

Angela Eubank, Mill Road, commented on speeding cars that killed a pet dog crossing the road and expressed her concern about children waiting for the bus along the road, and the "T" intersection at Grange Avenue.

Robert Lojewski, Mill Road, commented on poor signage on the road and asked whether a stop sign could be placed at Anvil Drive due to poor sight distance.

Joseph Nolan explained the criteria for the Penn DOT studies that can be done, including speed and stop sign studies.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize CKS Engineers to do a speed study.

e. Traffic Light Modification: Valley Forge & Water Street

The removal of the overhead street lamp was put on hold until the Board has time to review the letters just received from Penn DOT and McMahon Associates.

f. Morris Road Traffic Detour

McMahon Associates, Traffic Engineers, have assisted the Township in conjunction with Detours proposed by the PA Turnpike Commission during re-construction of the Morris Road Bridge over the Turnpike. A temporary traffic signal will be installed on Skippack Pike at the Shearer and Weber Road intersections. McMahon suggested that weight limit, local traffic only, and no truck signs be installed.

Susan Caughlan suggested sending a letter to the County since Schultz Road is a County Road to request their cooperation in implementing temporary all-way stop signs at the intersection of Schultz and Weber roads.

Mark Landis, Schultz Road, commented on being pro-active at the County and State level.

James Mollick, Country View Lane, commented on need for action.

g. Public Works Report

Thomas Bookheimer, Roadmaster, reported that 1800 Century Restoration Inc. is working at the Pioneer House doing restoration, that new guard rails have been installed on Hollow Road, and that the staff is ready for spring mowing and field preparation.

He also noted that three seasonal employees will be hired for the summer months.

h. Parks & Recreation Report

Julie Lanzillo, Park & Recreation Director, stated that the Park and Recreation Task Force submitted their final report regarding the Army Base to the Board for review and they have dissolved the committee.

She presented concerns and solutions regarding a draft rental agreement for concession stands and requested input from the Board of Supervisors to approve a final document. Field maintenance concerns were also discussed resulting from increased usage, safety and the need for rotation of the fields. A request to convert the open space field at the Heebner Park entrance into a soccer field was received from the soccer associations but the Director and Board recommended to leave it as open space to facilitate other activities as needed.

Arthur Bustard recommended Ms. Lanzillo develop a tier level user fee schedule and return to the Board for approval.

Maeve Vogan commended on fines to violators or withholding permits in the future.

Richard DeLello, Stony Creek, commented on the multiple users and how to determine who the violators are.

Douglas Fennimore, Public Works Staff in charge of field maintenance, commented that the Township knows who the violators are.

i. Land Use Report

Noise Ordinance Discussion

Tiffany Loomis, Land Use Officer, presented background for the discussion. Currently the Township has only a peace and good will ordinance to regulate noise. Recent complaints about ATV's, motorcycles, contractors and waste haulers have prompted the discussion as well as concern over the PECO substation being built on Fisher Road.

Arthur Bustard inquired about enforcement.

Susan Caughlan noted that it will need to combine decibel calibration and meters for noise, and the ordinance will exclude home owner's necessary repairs.

Stephen Quigley commented that it is encroaching on property rights.

Joseph Bagley, Solicitor, commented that an expert witness several years ago referred to ambient levels.

Maeve Vogan commented on noise and the PECO substation.

Gordon Todd, Bustard Road, commented on duration, pitch and neighborhood church bells.

James Mollick commented on enforcement.

Oliver Smith, Fisher Road, commented on moving forward.

j. Zoning Hearing Board Report

The last meeting was March 23, 2010: The next meeting is scheduled for April 27, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007.

Continuance requested by applicant to be heard at the April 27, 2010 meeting.

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on April 27, 2010.**

10-02, 2575 Muirfield Way, a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks. **Application withdrawn on March 23.**

NEW applications to be heard on April 27:

10-04, 2709 Township Line Road, Clearwire USA, LLC, a variance to permit the installation of antennas to an existing water storage tank and place related equipment adjacent to the tank base on the subject property for the construction and operation of an unmanned fully automated wireless communications facility.

k. Subdivision & Land Development Report

Tiffany Loomis announced that one new subdivision application was received for a “reverse subdivision” on Barley Lane combining three lots into two. The Worcester and Montgomery Country Planning Commissions must still review.

She presented a status report on other subdivisions and land developments.

2. Engineer’s Report

a. 2010 Road Program

A letter from CKS Engineers dated March 4, 2010 was sent to the Township outlining the proposed work to be done and the associated costs noting that the estimated costs exceeded the budget. Mr. Nolan recommended not delaying the seal and wearing coats on Berks Road as the 2009 repairs will not hold up another year. This will entail two – three weeks of intermittent lane closures.

Susan Caughlan asked whether these repairs can wait until school is closed because of the detours due to the Morris Road bridge work with Mr. Nolan indicating that it could be in the contract.

Arthur Bustard inquired about the Kriebel Mill & Water Street Roads repair work and Mr. Nolan recommend deferring the road repair and proceeding with the drainage pipe only.

Stephen Quigley agreed with Mr. Nolan’s suggestion but to include Green Hill Road.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to accept the road proposal as presented by CKS Engineers.

b. Administration Building Public Sewer

Mr. Nolan stated that a 6” line was installed during the construction of the new fire house for future connection of the administration building to the public sewer. He proposed the public sewer be installed prior to the rain garden to eliminate future disturbance of the garden. He estimated a cost of \$5,000 for plumbing and trenching.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to waive the tapping fee for the Township and proceed with the Plan presented by CKS Engineers.

Maeve Vogan commented on the removal of the old septic system.

c. Wentz Church Road

The bid was awarded for the repair of the culvert at the creek which will result in the road being closed for approximately two weeks. The cost included traffic control and the road will be posted. It will not be closed until the school year is over. A notice will go in the next newsletter.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to close Wentz Church Road after school is out for culvert repairs.

3. Solicitor’s Report

Executive Session report - None

4. Other Business

a. Methacton School District Resource Officer

Dr. Quinn, Superintendent of Schools, expressed interest in presenting a plan to the Board regarding Security Resource Officers. The Board approved the presentation at the next meeting scheduled for April 17, 2010.

b. UCC Board/Procedures

The application form is in the final draft awaiting approval from the Solicitors office.

Joseph Bagley commented on the need for a fee to accompany the application, noting that Whitpain Township requires a \$450 fee noting that there can be two fees, one for application and review and one for an actual hearing.

Arthur Bustard recommended different fees for residential and commercial and requested it be final by the next meeting.

Stephen Quigley suggested moving ahead since we need to follow the UCC and the state requires a board and application, and that the members of the UCC will make the final decisions.

Susan Caughlan noted that if the UCC Board is not in place, the application would automatically be approved.

5. APPROVAL OF THE MINUTES OF MARCH 1, 2010

James Mollick, Country View Lane, commented on UCC Board and true accounting in minutes.

Maeve Vogan, Dell Road, commented on the status of the Berwick Place landscaping and fence.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved to dispense with the reading of, and approve as written, the minutes of the meeting March 1, 2010. (Copies are available for review.)

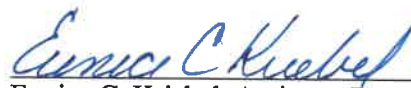
PUBLIC COMMENTS

James Mollick commented on minutes, UCC Board, manager resumes, RTK requests, solicitor and the two minute rule.

ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard, adjourned the regularly scheduled work session of the Board of Supervisor's Meeting at 10:25A.M.

Respectfully submitted:



Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA.
 WEDNESDAY, APRIL 21, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN G. CAUGHLAN
 STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

1. Members of the Board of Supervisors attended the annual PSATS convention in Hershey, PA last week. They attended several seminars and workshops that were very informative.
2. There will be an executive session after the meeting tonight to discuss potential litigation from Clearwire, former employee lawsuit and possible real estate purchase.
3. The Township is working with Montgomery County through McMahon Associates to help control traffic on Shearer, Schultz, and Berks with the upcoming Morris Road closure. State Police will be requested to assist in traffic control on Monday, May 3rd.

1. TREASURER'S REPORTS

The Treasurer's reports for March, 2010 net change on cash basis:

March 2010 Report:

General Fund	(\$217,966.34)
State	\$183,482.42
Capital Reserve	\$152,253.62

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for March, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$313,781.48.

609423

3. **MANAGER'S REPORT**

a. Resolution 2010-07: Eagle Scout – Burges Unwalla

Arthur Bustard read Resolution 2010-07 recognizing the accomplishment of Burges Unwalla in preparing, planning and implementation of construction of four owl nesting boxes for Mill Grove.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Resolution 10-07.

b. Methacton High School – Security

School Board member, James Phillips, requested the Superintendent of Methacton School District meet with David Burman, incoming Township Manager, to introduce himself. Mr. Phillips also presented the Board with information on the School Resource Office Program and what it means to the School District.

c. Clearwire US LLC – ZHB Application 10-04

Joseph Bagley, Solicitor, requested this be deferred to executive session because of potential litigation.

Mark Landis, Schultz Road, commented on the location of the proposed cell tower and the tax exempt status.

Richard Allen, Trooper Road, commented on his ownership of the adjoining property and opposed the application.

William Moran, Kriebel Mill Road, commented on tax exempt status of the property.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to send the solicitor to oppose the application at this location.

d. Natural Lands Trust – Variety Club Camp

Natural Lands Trust requested support of grant application for a conservation easement on the Variety Club property located on Potshop & Trooper Roads.

Susan Caughlan noted that the application deadline is today and without Township support, the chance of funding would be drastically decreased. The County is applying for a 2011 DCNR grant.

Arthur Bustard commented on the deed restriction when the property was given to the Variety Club organization.

Stephen Quigley commented on the good deeds of the organization but noted the need for better management.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to support the grant application without commitment for funding.

e. Resolution 2010-08: Fee Schedule addition for UCC Appeal Board

Arthur Bustard noted that the only change was adding Section Q to the schedule to establish fees for UCC Appeals. It is a two tier level fee with \$100 for application review and \$450 for complete advertising and hearing.

Mark Landis commented on the printed schedule reflecting only one fee of \$450.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Resolution 10-08.

f. Resolution 2010-09: Montgomery County Consortium By-Law

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve resolution 10-09.

g. Zoning Hearing Board Report

The last meeting was March 23, 2010.

The next meeting is scheduled for April 27, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road.: A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. **Continuance requested by applicant to be heard at the April 27, 2010 meeting.**

09-17, 3214 Fisher Road: Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A continuance was requested by the Zoning Hearing Board due to more testimony to be heard on April 27, 2010.**

10-02, 2575 Muirfield Way: a variance to permit the construction of a pool located outside the building envelope, and to construct a fence within the rear and side yard setbacks. **Application was withdrawn on March 23.**

NEW applications to be heard on April 27:

10-04, 2709 Township Line Road: Clearwire USA, LLC, a variance to permit the installation of antennas to an existing water storage tank and place related equipment adjacent to the tank base on the subject property for the construction and operation of an unmanned fully automated wireless communications facility.

#10-05, 2005 Valley Forge Road: HMB Realty, LLC, a variance to permit the canopy to encroach into the front yard setback and the district yard setback for a property line

with an adjacent single family residential district AND to permit the expansion of a non-conforming structure, including vertical expansion.

#10-06, 3019 West Germantown Pike: a variance to permit the replacement of the existing sign which is non-conforming.

Arthur Bustard noted that there were two new applications.

Susan Caughlan commented on HMB Realty application #10-05 and the location being in the center of Center Point Village. She proposed that the Worcester Township Planning Commission review the application prior to the ZHB.

Richard Allen, Potshop Road, commented as owner of 3004 and 3006 Skippack Pike and stated that he opposed the application for a canopy.

James Mollick, Country View Lane, commented on the process involving the Planning Commission, the Comprehensive Plan, sending the solicitor to oppose the canopy and the chairman of the Planning Commission being the architect.

Gordon Todd, Planning Commission Chairman, commented that the Commission is an advisory board only and that he is the architect for the project and would reclude himself from the discussion.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to send the solicitor to the Zoning Hearing Board to continue Application 10-05, 2005 Valley Forge Road until after the Planning Commission reviews the application or to oppose the application if not continued.

Susan Caughlan commented on application 10-06, 3019 West Germantown Pike, and noted the size increase and requested input from the Planning commission.

Christopher Drummond, Anvil Drive, inquired about the location.

William Kazimer, Germantown Pike, inquired about the location.

Mark Landis, Landis Road, commented on the solicitor versus a board member attending the meeting to oppose.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to send the solicitor to the Zoning Hearing Board to continue the application 10-06, 3019 West Germanton Pike, until after the Planning Commission reviews the application or to oppose the application if not continued.

h. Park Concession Policy

Following discussion at the last two Board work sessions, a proposed policy for the sale of concessions by athletic field permit holders on township property is available for comment and consideration. The proposed policy allows permit holders to sell concessions, as approved by the Montgomery County Health Department, with a tiered security deposit structure and possible permit revocation if violations occur.

Susan Caughlan commented that it was geared to athletic field use and non-profit organizations were not addressed. She expressed concern about the "No Parking on Grass" and "No grills allowed" pertaining to Heyser Field, organizations being the applicant, and requested more time to review the policy.

Mauve Vogan, Dell Road, commented on lower fees and a one time usage.

Mark Landis commented on organizations that could not apply for concession stand use because they did not have field usage.

Daniel Fox, Interim Manager, thanked the Board of Supervisors for the opportunity to work with them and Worcester Township.

4. SOLICITOR'S REPORT

a. Executive Session Report

An executive session was held on April 5th, 2010 to discuss potential litigation with Clearwire and an offer to purchase open space.

5. ENGINEER'S REPORT

a. Mill Road Traffic Safety

Joseph Nolan, Township Engineer, reported that the speed and stop sign study was completed and it warranted a 25 MPH speed and a multi way stop sign at Anvil and Mill Road intersection. He also noted that a study was completed in 2005 that warranted stop signs at Kriebel Mill and Mill Road intersection but was never implemented.

Arthur Bustard questioned if traffic will back up if two stop signs are installed or will they add to safety.

Joseph Nolan responded that sight distance is the reason for installation and that it should not be affected.

Christopher Drummond, commented in favor of both stop signs and requested that a stop sign at Hollow Road intersection be considered.

John Purcell, Mill Road, commented on Hollow Road and the illegal parking on Kriebel Mill Road.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to prepare an ordinance for two stop signs and the 25 MPH posting on Mill Road.

b. Wentz Church Road Bridge Repair – bid recommendation

Joseph Nolan reported that on April 14, 2010, ten bids were received and open. The low bid was \$83,876.90 from Gateway Project Management of Schwenksville, Pa. to install and new guardrail and restore erosion.

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to approve the Wentz Church Road Bridge Repair bid recommendation.

c. Overhead lamp @ Valley Forge & Water Street Roads decision

Joseph Nolan reported on correspondence from McMahon Associates, traffic engineers, from PENN Dot regarding the overhead light at intersections being installed for safety reasons.

Arthur Bustard expressed concern about liability if removed.

Susan Caughlan commented on the type of fixtures not being appropriate for a rural area and requested review of overhead lights in the future.

6. OTHER BUSINESS

None

7. APPROVAL OF THE MINUTES OF MARCH 17, 2010

James Mollick commented on the wording of “commented” versus “questioned” conflict of interest, campaign contributions, and video of meetings on the Township website.

Arthur Bustard commented that at the PSATS convention last month he attended a seminar on video and audio taping of meetings and will move forward with the suggestion.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as written, the minutes of March 17, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Phillip Burke, Grange Avenue, commented on speeding on Grange Avenue.

Arthur Bustard responded that the Township will move the speed sign to Grange Avenue to help control speed.

Susan Caughlan commented on contacting the School District to have buses conform to speed limits.

Rick DeLello, Stony Creek Road, commented on the School Department of Transportation in regards to speeding buses and Stony Creek Homeowner speed study

Joseph Nolan commented that an ordinance is required for 25 MPH in developments.

Nicholas Imperial, Fisher Road, commented on the Wentz Church Road closure and Fisher Road being used as a cut through.

Oliver Smith, Fisher Road, commented on use of microphones and the proposed noise ordinance.

William Kazimer, Germantown Pike, inquired about Security Officers at Methacton High & Worcester Elementary Schools, and Lower Providence police have no authority in Worcester. He also commented on the proposed change to the AQRC ordinance and federal law compliance.

Mark Landis, Schultz Road, commented on costs for SRO and not needed at Worcester Elementary School, the noise ordinance relating to the PECO substation and how they will minimize noise. He further commented on the noise studies done for the widening of the PA Turnpike.

Stephen Quigley stated that the noise ordinance will allow every resident to enjoy their property.

Chris Drummond questioned the enforcement of zoning violations on Grange Avenue.

Phillip Burk commented on insufficient buffers and parking setbacks at the Grange Avenue location. He further commented on neighbor's garage and lean-to.

James Mollick questioned litigation, architect for the HMB Realty Zoning application, UCC Board appointments, RTK 10-64 appeal decision, and e-mail communications, wasted taxpayers money, 14th amendment to the constitution and suggested law firm search.

Stephen Quigley commented that he will not engage in internet operations of the township.

Gordon Todd, Bustard Road, commented on the HMB Realty application and review by the planning commission.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:35P.M.

Submitted:



Eunice C. Kriebel, Assistant Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, MAY 3, 2010 ~ 8:00 A.M.

CALL TO ORDER Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE
 PRESENT:

ARTHUR C. BUSTARD	☒
SUSAN CAUGHLAN	☒
STEPHEN C. QUIGLEY	☒

INFORMATIONAL ITEMS

None

1. Manager's Report:

a. MCPC – Alvin Rothenberger Property, 2020 Schultz Road

Montgomery County Planning Commission is requesting support of their efforts to preserve this property and enhance the Peter Wentz Farmstead which it adjoins.

Arthur Bustard noted that it consists of 5.58 acres and the current owner will have life rights to remain in the house.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to support MCPC grant application for 2020 Schultz Road.

b. Request for authorization to advertise AQRC Ordinance

Amendment to allow 20% of the dwellings to be occupied by persons of at least 45 years of age. No change is proposed to the section of the ordinance that prohibits persons under 19.

This item was removed from the agenda and a hearing will be in July, 2010

c. Park & Recreation Report

1) Draft Concession Policy Status

A draft policy was presented to the Board at the last regular meeting and there have been suggested changes to the draft. Julie Lanzillo, Director of Park & Recreation presented the revised draft of the concession policy.

There was a discussion of liability, indemnification, grills at Heyser Field, security deposits, recycling, and third party use of concession stands. It was decided that Worcester Public Works Department will mark designated parking area at the Heyser Field location when necessary for an event.

Final vote was deferred to the May 19th Board of Supervisors meeting.

Maeve Vogan, Dell Road, commented on the third party use of concession stands.

d. Land Use Report

1) Draft Noise Ordinance Status

Tiffany Loomis, Land Use Officer, presented a draft ordinance.

Stephen Quigley commented on weekend enforcement and lack of training for decibel meter.

James Garrity, Solicitor, commented on enforcement difficulties, certification of individuals using meter, calibration of instruments and the generation of additional complaints.

Susan Caughlan commented on the PECO substation and compliance.

Arthur Bustard commented on ATV and motorcycles concerns.

Mark Landis, Schultz Road, commented on the distance and conditions of measurements.

William Minor, Quarry Hall Road, commented on the quality of life and go carts in the neighborhood on small lots.

James Mollick commented on government regulations.

Gordon Todd, Bustard Road, commented on police enforcement.

Donna Minor, Quarry Hall Road, commented on lack of consistent enforcement policy.

The Board decided to move forward and tighten language to continue to revise the proposed ordinance.

e. Zoning Hearing Board Report

The last meeting was April 27, 2010.

The next meeting is scheduled for May 25, 2010.

Conclusions/ Decisions of applications:

#09-17, 3214 Fisher Rd. Appeal from an enforcement notice dated July 28, 2009 to permit applicant to store landscaping equipment on their property as part of their landscaping nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business.

Applicants have until June 1, 2010 to submit their findings of fact to the Zoning Hearing Board then a decision shall be rendered within 45 days.

Continued applications:

#07-02, 1545 Kriebel Mill Road: A variance to permit the construction of an additional single family dwelling on a new flag lot. **The applicant requested a continuance to the June 22, 2010 meeting.**

#10-04, 2709 Township Line Road: A variance from sections 150-11 & 150-15 to permit the property to be used for establishment of a wireless communications facility and for the installation of antennas at approx. 52' in height on an existing 40' water storage tank. **The applicant requested a continuance to be heard at the May 25, 2010 meeting.**

#10-05, 2005 Valley Forge Road: A variance from section 150-114 to permit the canopy to encroach into the front yard setback and the district yard setback for a property line with an adjacent single family residential district: A variance from 150-162.1 and 150-162.2 to permit the expansion of a non-conforming structure, including vertical expansion. **The applicant requested a continuance to be heard at the May 25, 2010 meeting.**

#10-06, 3019 W. Germantown Pike: A variance from sections 150-147(D) (F) to permit the replacement and expansion of the existing sign which is non-conforming. **The applicant requested a continuance to be heard at the May 25, 2010 meeting.**

NEW applications to be heard on May 25, 2010:

#10-07, 3111 Heebner Road: Variance from sections 150-37(C) to permit the proposed addition to encroach 5' into the side yard setback; Variance from section 150-181 to permit the proposed chimney to project into the side yard 6 additional inches over the allowance of 18" totaling 24".

#10-08, 3473 Stump Hall Rd. Variance from sections 150-177(B)(3) to permit the construction of a pool located outside the building envelope and section 150-182(A) to permit the construction of a 6' fence within the rear and side yard setbacks.

f. Subdivision & Land Development Report

Land Development application for the DePhillippo property, 1074 Grange Avenue, has been withdrawn.

Jajope Subdivision, North Wales and Morris Roads, has received DEP approval for the planning module.

Terra Landscaping, Grange Avenue, received comments from the Montgomery County Roads and Bridges Department which must be addressed before County recommends approval of the land development.

g. Draft Report of WTPC Zoning Ordinance priorities

1) Prioritize list of ordinances to be revised or added

Susan Caughlan commented on moving up some priorities and inquired about the time frame for revisions.

Arthur Bustard commented on moving forward with the noise ordinance, lot line changes, temporary signs, home occupations, and sport courts noting that the township loses money on ZHB applications and these changes will eliminate the \$500 fee to residents.

Susan Caughlan commented on the stormwater and inflow & infiltration and that the grading and excavation ordinance is required.

Andy Detterline, representing Visteon Properties, Morris Road, inquired about the procedure for ordinance review.

2. Engineer's Report

a. 1653 Landis Road, Seaman Property

Joseph Nolan, Township Engineer, prepared a review letter on the property at the request of the Township. Necessary swale and drainage work will be done by the Township and the homeowner will do driveway improvements to eliminate the flooding on the road and property.

b. Status of Road Projects

CKS Engineers will prepare contract documents to proceed after school is out of session.

The Wentz Church Road Bridge replacement will proceed after school is out and the preconstruction meeting was deferred.

3. Solicitor's Report

a. Executive Session report

There was an Executive Session following the April 21, 2010 Board meeting to discuss possible litigation and real estate purchase.

b. Preserve at Worcester – Oversight Agreement

The developer has agreed to one final change and the Township is waiting for a response from Little Washington regarding an indemnification clause.

James Mollick, Country View Lane, commented on the location of the Preserve at Worcester and Board conflict of interest.

4. Other Business

a. Memorial Benches – Heebner Park

Susan Caughlan commented that requests have been made to the Township for memorial benches and referenced other municipalities with similar policies.

Stephen Quigley commented on setting policy that can not be stopped when parks have sufficient benches and inquired if other Townships have provided input to problems that might be associated with the benches or policy.

Susan Caughlan suggested the Township set fees, location and installation procedures.

David Plager, Fieldcrest Way, commented on his contribution of a memorial bench to the park several years ago indicating that it is a good policy.

Julie Lanzillo, Park & Recreation Director, will research maintenance issues and other Township policies and concerns.

b. Morris Road Traffic Detour Update

David Burman, Township Manager, reported that implementation of the detour has been delayed until 2:00 Tuesday, May 4th, 2010. Montgomery County Roads and Bridges Department has been contacted with regards to the Schultz and Weber Road intersection and has approved installation of a temporary three way stop. The Pennsylvania Turnpike Commission is working with the Township and will install warning beacons and remove right hand turn signs at the intersection.

Mark Landis, Schultz Road, commented about flashing lights in front of his property, traffic signals at Skippack Pike, and the cost of road repair due to increased traffic.

c. Alternate Uses of Park Fields

Susan Caughlan commented on fields located in the park areas that are not currently being utilized for athletics and suggested alternate use to eliminate weekly mowing.

Thomas Bookheimer, Roadmaster, suggested mowing the field west of the ball field on Heebner Road and along the Hollow Road trail twice a year instead of fine mowing weekly.

Arthur Bustard commented that Heyser Field must be mowed more frequently.

Thomas Bookheimer is to present a mowing management proposal to the Board.

5. APPROVAL OF THE MINUTES OF April 5, 2010

The written minutes were inadvertently omitted from the packets for the Board of Supervisors and public so approval of the minutes was tabled until the June 7, 2010 meeting.

Stephen Quigley commented about a recording device to eliminate controversy.

PUBLIC COMMENTS

Richard DeLello, Stony Creek Road, inquired about a possible ZHB decision appeal for 3214 Fisher Road and the township's position and a request for a speed study in Stony Creek Development.

James Mollick, Country View Way, commented on the Preserve at Worcester, campaign contributions, campaign listings, meetings, Appeal 10-64, attorney client privilege, websites, and e-mail chains.

ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard, adjourned the regularly scheduled work session of the Board of Supervisor's Meeting at 9:42 A.M.

Respectfully submitted:


Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
WORCESTER TOWNSHIP COMMUNITY HALL
FAIRVIEW VILLAGE, PA.
WEDNESDAY, MAY 19, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

- ARTHUR C. BUSTARD
- SUSAN G. CAUGHLAN
- STEPHEN C. QUIGLEY

609423

INFORMATIONAL ITEMS:

NONE

1. TREASURER'S REPORTS

The Treasurer's reports for April, 2010 net change on cash basis:

April 2010 Report:

General Fund	(\$100,185.11)
State	\$166,679.22
Capital Reserve	\$152,385.48

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Report for April, 2010 net change on cash basis.

James Mollick, County View Lane, commented on road and management expenses.

Maeve Vogan, Dell Road, commented on the detail of the Treasurer's Report.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$241,902.22.

3. MANAGER'S REPORT

a. RESOLUTIONS:

2010-10: Adoption of Updated Emergency Operations Plan

David Burman, Township Manger, explained that this was prepared by the Township's

Emergency Management Coordinator, John Kelly, and it brings the Township into compliance with the state and federal programs. This will assist the Township and Fire Department in obtaining emergency funding if needed.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Resolution 10-10.

2010-11: Adoption of Amendment to Act 537 Plan for On-Site Sewage Related to Kibblehouse Subdivision

This is an amendment to the official Township Plan. This is a formality required by DEP.

Susan Caughlan stated that this is not a motion for public sewer but conformation of on-lot septic systems per the approved plan.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Resolution 10-11.

b. Morris Road Detour: Update

David Burman noted that the Township has received complaints regarding the backup of traffic on Valley Forge Road at the intersection of Stump Hall Road and at the intersection of Skippack Pike. Township officials have met with URS Corporation, Engineers for the Pa Turnpike widening, and McMahon Associates, Township Traffic consultants. A survey and timing of the traffic lights will be completed and the Township will work with the PA Turnpike Commission for additional signage.

Susan Caughlan thanked the residents for their information and patience.

Stephen Quigley commented on the night noise at the Morris Road bridge reconstruction site and commented on the lack of signage on Morris Road.

c. Noise Ordinance: Status of Draft and Additional Recommendations

Mr. Burman stated that there are two separate areas of concern. One ordinance will address heavy and industrial equipment noise and another ordinance will be drafted for residential equipment noise. He noted that the drafts should be complete by the work session on June 7, 2010. He further commented that there is no measurable way to determine level of noise generated from ATV and motorcycles since they move or stop when measurements are being recorded. He will research other neighboring municipalities and possibly set hours of operation and set back restrictions.

d. Park Concession Policy: Status of Draft

Mr. Burman commented that the staff is working on a revised draft.

e. Sunny Brook Development: Request for Speed Limit Signage

The Township is reviewing and will report recommendations after downloading real time data from the portable speed sign to determine actual speeds. Concerns will then be addressed.

f. Zoning Hearing Board Report

The last meeting was April 27, 2010.

The next meeting is scheduled for May 25, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road.: A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. The applicant has requested to be removed from the agenda and has agreed to waive any time requirements under the PMPC and local ordinances. Additionally, the applicant has agreed to pay any costs associated with re-advertising. After learning the township's objections, the applicant is considering other options, including submission of a new plan to get Worcester Township Planning Commission approval.

09-17, 3214 Fisher Road: Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. Applicants have until June 1, 2010 to submit their findings of fact to the Zoning Hearing Board then a decision shall be rendered within 45 days.

NEW applications continued from April 27:

10-04, 2709 Township Line Road: Clearwire USA, LLC, a variance to permit the installation of antennas to an existing water storage tank and place related equipment adjacent to the tank base on the subject property for the construction and operation of an unmanned fully automated wireless communications facility. Continuance requested by applicant for indefinite time while they search for another Township site.

#10-05, 2005 Valley Forge Road: HMB Realty, LLC, a variance to permit the canopy to encroach into the front yard setback and the district yard setback for a property line with an adjacent single family residential district AND to permit the expansion of a non-conforming structure, including vertical expansion. An indefinite continuance was requested by the applicant. This application was reviewed by the Worcester Township Planning Commission and they recommended an alternative design for the canopy.

#10-06, 3019 West Germantown Pike: a variance to permit the replacement of the existing sign which is non-conforming. Continuance requested by the applicant to be heard at the May 25, 2010 meeting. The Worcester Planning Commission recommended that they adhere to the current zoning.

New Applications to be heard May 25:

#10-07, 3111 Heebner Road, VARIANCE TO PERMIT THE PROPOSED ADDITION TO ENCROACH 5' INTO THE SIDE YARD SETBACK. VARIANCE TO PERMIT THE PROPOSED CHIMNEY TO PROJECT INTO THE SIDE YARD 6 ADDITIONAL INCHES OVER THE ALLOWANCE OF 18" TOTALING 24".

#10-08, 3473 Stump Hall Road, VARIANCE TO PERMIT THE CONSTRUCTION OF A POOL LOCATED OUTSIDE THE BUILDING ENVELOPE AND THE CONSTRUCTION OF A 6' FENCE WITHIN THE REAR & SIDE YARD SETBACKS.

#10-09, 1770 Hawks Nest Lane, VARIANCE TO PERMIT THE CONSTRUCTION OF A POOL LOCATED OUTSIDE THE BUILDING ENVELOPE AND TO PERMIT THE CONSTRUCTION OF A 6' FENCE WITHIN THE REAR YARD SETBACK.

Arthur Bustard expressed concerns about Application 10-05 and the Township Planning Commission recommendations if the Applicant incurs additional expenses revising their plans only to have the Zoning Hearing Board entirely deny the application.

Robert Hayes, Planning Commission member, commented that there were only three members reviewing the application and it was a split opinion regarding the type of roof.

James Garrity, Township Solicitor, stated that the Planning Commission does not have the right to give the ZHB direction.

Stephen Quigley stated that the decision should be left to the Zoning Hearing Board.

Arthur Bustard commented that the Planning Commission can review for compliance with the Township Comprehensive Plan but should report their recommendation to the Board of Supervisors to be relayed to the Zoning Hearing Board.

Gordon Todd, Planning Commission Chairman, stated that the Planning Commission should review sign and canopy applications for prominent areas of the Township because they affect the entire Community. He also acknowledged that he is the architect for the, HMB Realty, LLC, and the revision costs will not be excessive.

James Garrity noted that Zoning Hearing Board applicants have 60 days to be heard and decision should be made based on zoning, not aesthetics. If the variance is granted, the Boards will have input when the process goes to the Land Development stage. He further stated that the Township needs to set procedure to eliminate continuance requests.

Susan Caughlan commented on Application 10-09, Hawks Nest Road, stating that the requested variance for relief from the rear yard set back is very close to Township

Property that will be utilized in the future for trails and may not be an appropriate variance. She recommended relocation of the pool and pool house.

Stephen Quigley noted that some trails in Heebner Park are near to back yards and do not affect the walkers in the park or the near neighbors.

Arthur Bustard stated that it is the job of the Zoning Hearing Board and if the Township Board has concerns, they should send a letter to the ZHB to express concerns.

Stephen Quigley commented on the School Board meeting being held in a small room and the Township should address the code to see if there is an occupancy violation. He also noted trash behind the vacant bank building on Germantown Pike.

Herbert Rothe, School Board Member, commented on both auditoriums being in use at school but stated there was sufficient seating for all.

Arthur Bustard stated that the Township Manager is in contact with the School Superintendent and he will relay the concern.

Ronald Evans, Kriebel Mill Road, commented on empty seats at the School Board meeting.

4. SOLICITOR'S REPORT

a. Executive Session Report

There were no executive meetings since that last one was announced at the work session.

b. Appointment of Solicitor for UCC Board of Appeals

James Garrity noted the receipt of an appeal to the UCC Board and the Township must amend the UCC resolution to appoint a solicitor to represent the Board.

Arthur Bustard recommended the ZHB solicitor also represent the UCC Board since he is familiar with the Township.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve the appointment of the firm of Robert Brant, Esquire, to represent the UCC Board of Appeals.

Nicholas Imperial, Fisher Road, commented on the last executive session.

James Mollick commended about possible conflicts of interest with Mr. Brant.

c. Mill Road Stop Sign and Speed Ordinance: Authorization to Advertise

Mr. Garrity noted that copies of the ordinance were in the Board's packets and requested authorization to advertise Ordinance 2010-226.

Arthur Bustard commented that this will authorize the speed limit to be reduced to 25 MPH and stop signs to be installed.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve the advertisement of Ordinance 2010-226.

d. Worcester Beverage: Status of Application for Liquor License

Mr. Garrity announced that this is a transfer of a beer distributor license, RE: LID 63574, from Norristown Borough to Worcester Township to be located in the shopping center at Routes 363 and 73. Pennsylvania Municipal law requires township review of the transfer. He suggested that the applicants can address the Board if they have concerns. He further commented that the PA Liquor Board regulates hours of operations.

Stephen Quigley commented on parking and safety issues, late night trucks and forklifts and inquired if the Planning Commission will have the opportunity to review but has no concerns with accepting the liquor license.

Arthur Bustard stated that the shopping center has been in existence for years and the beer distributorship is not expanding the footprint of the building and they have a driveway and access behind the store.

Susan Caughlan stated that she does not want to micromanage Township businesses.

James Mollick commented on the significant investment by this applicant.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all a motion to approve as the receiving municipality the transfer of the distributorship license #D-3086 to the Center Point Shopping Center, LP located at, 2960 Skippack Pike, Norristown, Pa 19403.

e. Resolution 2010-12 Acceptance of Deed of Dedication and Easement for Sunny Brook Pump Station.

Upper Gwynedd Township cannot own facilities outside their township boundaries so Worcester Township will accept the title and the Upper Gwynedd Towamencin Sewer Authority operates and maintains the pump station.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all a motion to approve Resolution 10-12.

5. ENGINEER'S REPORT

a. Project Status

Joseph Nolan, Township Engineer, reported that he submits a monthly status report to the Board of Supervisors each month. Finalization of the 2010 road project is underway with bid openings scheduled in time for awarding at the July 21, 2010 meeting. Repair work is being done on Woodlyn Road prior to being overlaid by the Developer of the Stables.

Stephen Quigley inquired about the status of the Center Point Sewer Study for Hickory Hill Road and Center Point.

Mark Landis, Schultz Road, commented on the Reimel property status.

6. OTHER BUSINESS

None

7. APPROVAL OF THE MINUTES OF April 21, 2010

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as written, the minutes of April 21, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Mark Landis commented on the new manager, night work on the Turnpike, the proposed noise ordinance, and sound barriers for the Turnpike.

Nick Imperial commented on a dump in Worcester on wetlands and well contamination concerns

Gordon Todd commented on draft report of ordinances from the Planning Commission and requested Joseph Nolan's attendance at a future meeting for input.

James Mollick commented on Zoning Hearing Board process, layers of government, Worcester Preserve, campaign contributions, legal actions causing Township expense, and a RTK request

Mark Landis commented on a neighbor's concerns about a restaurant in the Township becoming a nightclub.

Richard DeLello, Stoney Creek Road, commented on the restaurant's owners having multiple facilities.

609423

Maeve Vogan commented on the parking at the restaurant.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:04 P.M.

Submitted:



Eunice C. Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, JUNE 7, 2010 ~ 8:00 A.M.

CALL TO ORDER Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

Worcester Township was awarded a PECO Green Region Grant in the amount of \$5,000 for improvements to Heyser Field. Matching funds, which are in the 2010 budget, are required.

An executive session will be held today to discuss personnel and real estate.

1. Manager's Report:

a. Traffic Signal Maintenance Agreement with Towamencin Township–Valley Forge & Morris Roads

This agreement, which pertains to maintenance and costs, dates back to 2008. Upper Gwynedd and Towamencin Townships have already approved it.

After a brief discussion, the Board unanimously approved a motion by Susan Caughlan and seconded by Steve Quigley, to approve the traffic signal maintenance agreement with Towamencin Township for Valley Forge and Morris Roads.

b. Request for waiver of fees for re-roofing permit at Peter Wentz Farmstead
 Montgomery County and the Peter Wentz Farmstead have requested a waiver for the re-roofing permit fee of \$64.

Arthur Bustard commented that this has been done in the past for the county and state and reminded the Board that it must approve fee waivers

Steve Quigley added it has also been done for the school district.

David Burman, Township Manager, warned that these items should be reviewed on a case by case basis, because larger projects may involve greater costs to the Township, in terms of reviews and inspections.

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to waive the re-roofing permit fees in the amount of \$64 for the Peter Wentz Farmstead.

609423

c. Morris Road Detour – traffic concerns

David Burman reported that there were a few resident complaints, but the traffic is being diverted to many other Township roads. On Landis Road, the Township's Speed Sentry device counted over 1800 vehicles during a 4-day period, and many were travelling over the speed limit.

Mr. Burman has requested assistance from the State Police, who indicated enforceable signage must be in place. The State Police Community Outreach officer will assist.

A quote has been requested of McMahon Associates for a traffic study for Landis Road.

Arthur Bustard asked resident Mark Landis, Schultz Road, for input on the traffic issues and requested that Mr. Burman have a report at the June 16th Board meeting concerning the speed data.

d. Noise Ordinance - status

The Manager is preparing a draft for the Board's review.

e. ATV Ordinance - status

The Manager reported the staff has collected several sample ordinances and will prepare a draft for the Board's review.

f. Zoning Hearing Board Report

The last meeting was May 25, 2010.

The next meeting is scheduled for June 22, 2010

The Solicitor requested clarification from the Board on his participation concerning application 10-05.

Conclusions/ Decisions of applications:

#09-17, 3214 Fisher Rd. Appeal from an enforcement notice dated July 28, 2009 to permit applicant to store landscaping equipment on their property as part of their landscaping nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **Applicants have until June 1, 2010 to submit their findings of fact to the Zoning Hearing Board then a decision shall be rendered by July 16th.**

#10-06, 3019 W. Germantown Pk. A variance from sections 150-147(D)(F) to permit the replacement and expansion of the existing sign which is non-conforming. **Granted May 25, 2010.**

#10-07, 3111 Heebner Rd. Variance from sections 150-37(C) to permit the proposed addition to encroach 5' into the side yard setback. Variance from section 150-181 to permit the proposed chimney to project into the side yard 6 additional inches over the allowance of 18" totaling 24". **GRANTED May 25, 2010**

#10-09, 1770 Hawks Nest Lane. VARIANCE TO PERMIT THE CONSTRUCTION OF A POOL LOCATED OUTSIDE THE BUILDING ENVELOPE AND TO PERMIT THE CONSTRUCTION OF A 6' FENCE WITHIN THE REAR YARD SETBACK. **GRANTED 5/25/2010**

Continued applications:

#07-02, 1545 Kriebel Mill Rd. A variance to permit the construction of an additional single family dwelling on a new flag lot. **THE APPLICANT HAS REQUESTED TO BE REMOVED FROM THE AGENDA AND HAS AGREED TO WAIVE ANY TIME REQUIREMENTS UNDER THE PMPC AND LOCAL ORDINANCES. ADDITIONALLY, THE APPLICANT HAS AGREED TO PAY ANY COSTS**

ASSOCIATED WITH RE-ADVERTISING. AFTER LEARNING THE TOWNSHIP'S OBJECTIONS, THE APPLICANT IS CONSIDERING OTHER OPTIONS, INCLUDING SUBMISSION OF A NEW PLAN TO GET WORCESTER TOWNSHIP PLANNING COMMISSION APPROVAL.

#10-04, 2709 Township Line Rd. A variance from sections 150-11 & 150-15 to permit the property to be used for establishment of a wireless communications facility and for the installation of antennas at approx. 52' in height on an existing 40' water storage tank. INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATE LOCATIONS LOCATED WITHIN WORCESTER TOWNSHIP.

#10-05, 2005 Valley Forge Rd. A variance from section 150-114 to permit the canopy to encroach into the front yard setback and the district yard setback for a property line with an adjacent single family residential district. A variance from 150-162.1 and 150-162.2 to permit the expansion of a non-conforming structure, including vertical expansion. CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE JUNE 22, 2010 MEETING.

#10-08, 3473 Stump Hall Rd. Variance from sections 150-177(B)(3) to permit the construction of a pool located outside the building envelope and section 150-182(A) to permit the construction of a 6' fence within the rear and side yard setbacks. CONTINUANCE REQUESTED BY ZONING HEARING BOARD TO BE HEARD AT THE JUNE 22, 2010 MEETING DUE TO INSUFFICIENT TESTIMONY. APPLICANT IS TO PROVIDE EXACT MEASUREMENTS REGARDING LOCATION OF POOL AND REPRESENT LOCATION OF FENCE ON PROPOSED PLAN.

NEW applications to be heard on June 22, 2010:

None

g. Subdivision & Land Development Report

David Burman presented a status report on the activity of active subdivisions and land developments.

2. Engineer's Report

a. Kriebel Mill Road Bridge

Joseph Nolan, township Engineer, reported that he prepared two possible layouts for the bridge located at Water Street. He asked what level of improvement the Board desired, as either layout would improve the existing conditions. He also reminded that Water Street is a state road, so Penn DOT will need to be involved.

Arthur Bustard reminded that the work is in the 2010 budget.

Susan Caughlan said she spoke with residents and they prefer minimally invasive change. The design of the new bridge abutment was discussed.

Joseph Nolan said there are standard Penn DOT guidelines and noted that the current design is not safe.

The Board consensus was for the engineer to move forward with design of a 34 foot culvert.

3. Solicitor's Report

a. Executive Session report

The Solicitor reported that no executive sessions have been held since the last Board meeting, but that one will be held today to discuss land and personnel issues.

b. Resolution – Agreement of Sale of Property to PA Turnpike Commission

James Garrity reported that he wants to discuss this agreement with the Board. The PA Turnpike Commission has provided money for trees to screen the stormwater basin.

c. Concession Agreement – Status of Review

James Garrity reported the document has been edited numerous times. He reviewed it last week and had several minor revisions. He suggested that the final document be presented to the Board at their meeting on June 16th, with a reminder that this is a living document and may need to be modified once implemented.

4. Other Business

David Burman met with the PA Turnpike Commission staff on June 4th and was informed that they were working during the day time hours only.

James Garrity also reminded the Board to put the oversight agreement for The Preserve subdivision on the June 16, 2010 agenda.

5. APPROVAL OF THE MINUTES OF APRIL 5, 2010

The April minutes were inadvertently left out of the May 3, 2010 meeting materials. In section 2A, the word “bridge” should be replaced with road.

No public comments

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to dispense with the reading and approve as amended the minutes of the meeting of April 5, 2010 (copies were available for review).

6. APPROVAL OF THE MINUTES OF MAY 3, 2010

Susan Caughlan had a few comments.

Under Manager’s report, noise ordinance, end of the section states “to pass” and it should say “continue to revise.”, under the SALDO report, Terra, the county “recommends” not “approves.” and the word “part” on the first page should be “party,”

James Mollick, Country View Lane, commented on the Solicitor’s Report and litigation topics. James Garrity said that it is also a personnel matter.

James Mollick further commented on The Preserve at Worcester, potential conflicts of interest, public comments in the minutes, the RTK lawsuit, the list of RTK requests on the Township web site, and transparency.

Steve Quigley commented that the Board and Manager are looking into a video process for public meetings.

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to dispense with the reading and approve as amended the minutes of the meeting of May 3, 2010 (copies were available for review).

PUBLIC COMMENTS

Mark Landis, Schultz Road, commented on the Turnpike widening project and night work and requested more proactive behavior from the Board.

David Burman said that he tries to meet with the Turnpike contractors weekly for updates.

Arthur Bustard said the Township has very limited recourse with regard to the Turnpike Commission.

Rick DeLello, Stoney Creek Road commented regarding the resolution for the strip of land behind Deep Meadow Lane.

Phillip Burke, Grange Avenue, commented on speed study results. David Burman reported that no speed sign data was available prior to two weeks ago.

James Mollick commented on the recent election. Arthur Bustard reported that political issues are not relevant to the business of the Board.

James Mollick further commented on a dump and investigation and the Reimel Zoning Hearing Board file.

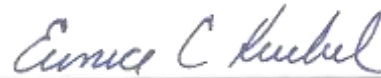
M. Sessa, 18th Century Restoration was present to provide an update on the Pioneer House renovation. David Burman apologized that this item was not on the agenda, and asked if Mr. Sessa could return to a future work session. Mr. Sessa agreed, and commented that the project is virtually complete. The shutters and doors have been installed.

Phillip Burke commented on a dump and wetlands.

ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard, adjourned the regularly scheduled work session of the Board of Supervisor's Meeting at 9:04 A.M.

Respectfully submitted:



Eunice Kriebel, Assistant Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA.
 WEDNESDAY JUNE 16, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN G. CAUGHLAN
 STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

NONE

1. TREASURER'S REPORTS

The Treasurer's reports for May, 2010 net change on cash basis:

May 2010 Report:

General Fund	\$242,538.49
State	\$166,679.31
Capital Reserve	\$152,509.39

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Report for May, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$219,626.49.

3. MANAGER'S REPORT

a. Morris Road Detour and Update on Traffic Conditions

- 1) Night work being done on the Morris Road Turnpike Bridge is not consistent with what the Turnpike Commission told the Township. David Burman, Manager, requested permission to draft a letter to the Turnpike Commission, with copy to State Representatives expressing the Township's opposition to night work and requesting better communication.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve the letter be drafted as requested.

2) Mr. Burman reported excessive speed and increased traffic volume on Landis Road. He requested approval of a traffic study in the amount of \$3,100 to be performed by McMahon Associates to include a comprehensive speed study and recommendations for Landis Road. Mr. Burman also requested the procurement of a second speed monitoring sign for approximately \$3,700. He reported additional concerns regarding insufficient time for traffic to turn at the Valley Forge and Morris Roads intersection heading eastbound.

Arthur Bustard inquired as to the need for a study with Joseph Nolan responding.

Susan Caughlan commented on the proposal indicating that the Township has enforcement capabilities through the State police.

Stephen Quigley commented on the need for control on all roads and cautioned about setting precedents.

Joseph Nolan commented that not all controls work at all locations and the need for traffic engineering expertise.

Mark Landis, Schultz Road, commented on meetings with State Police, enforceability of speeds, and initiation of ticket writing.

William Kazimer, Germantown Pike, commented on residents outside and the use of the evidence obtained from speed monitoring equipment.

John Diesel, Landis Road, commented on prior conversations with Township Supervisors and law enforcement agents, responsibility to citizens, and sharing information with police and engineers.

Nicholas Imperial, Fisher Road, commented on increased traffic and speeding.

James Mollick, Country View Lane, commented on tabling the motion, the timing of the proposal and police monitoring.

Robert Racquet, Water Street Road, commented on children playing organized sports and solar powered signs.

Chase Kneeland, Berks Road, commented on enforcement problems.

Kurt Dietrich, Barley Lane, commented on rotation of police locations and traffic on Wentz Church Road.

A motion by Susan Caughlan, seconded by Arthur Bustard for McMahon Associates to perform a traffic study on Landis Road. The motion was withdrawn by Susan Caughlan until further information is available.

b. Noise Ordinance – Status Update

David Burman noted that the Township has reached out to neighboring townships for sample ordinances. The response showed various levels of enforcement throughout the county. He will draft an ordinance based on the Rutgers University standards. A decibel meter and training will be needed. He further noted that a sound engineer would likely be required to assist with more challenging enforcement efforts.

Susan Caughlan thanked the residents for their information and patience.

Stephen Quigley commented on the night noise at the Morris Road bridge reconstruction site and commented on the lack of signage on Morris Road.

c. ATV Ordinance – Deferred to Planning Commission

Mr. Burman commented that the Solicitor has identified this as a usage issue and the Worcester Planning Commission will make it a priority. He further requested input from the Board on how they would like the new draft ordinances from the Planning Commission to be presented.

d. Park Concession Policy / Sales Permit

Mr. Burman commented that this has been in the drafting stage for months and thanked Julie Lanzillo and Susan Caughlan for their efforts. He summarized the policy, noting that the Township's Insurance agents have reviewed the policy.

Susan Caughlan commented that it provides for only one tent per activity.

David Burman stated that this is to regulate damage to the turf and suggested a change to allow additional tents with prior written approval.

Maeve Vogan, Dell Road, commented on suggested changes and consistency.

Kurt Dietrich, Barley Lane, commented on insurance concerns, turf damage and Township being named as additional insured in certificates of insurance.

William Kazimer, Germantown Pike, commented on the Dyka property and enforcement of the noise ordinance.

Nicholas Imperial, Fisher Road, commented on the proposed noise ordinance, peace and good order and enforcement.

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to adopt the Park Concession Policy with one change to allow for multiple tents with prior written permission from the Township.

e. Zoning Hearing Board Report

The last meeting was May 25, 2010.

The next meeting is scheduled for June 22, 2010.

Continued applications:

07-02, 1545 Kriebel Mill Road. A variance to permit the construction of an additional single family dwelling on a new flag lot. The applicant requested an indefinite continuance on June 7, 2007. The applicant has requested to be removed from the agenda and has agreed to waive any time requirements under the PMPC and local ordinances. Additionally, the applicant has agreed to pay any costs associated with re-advertising. After learning the township's objections, the applicant is considering other options, including submission of a new plan to get Worcester Township Planning Commission approval.

09-17, 3214 Fisher Road, Appeal from an enforcement notice dated July 28, 2009 to permit applicants to store landscaping equipment on their property as part of their landscaping and nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. Applicants have until June 1, 2010 to submit their findings of fact to the Zoning Hearing Board then a decision shall be rendered **BY JULY 16TH, 2010.**

10-04, 2709 Township Line Road, Clearwire USA, LLC, a variance to permit the installation of antennas to an existing water storage tank and place related equipment adjacent to the tank base on the subject property for the construction and operation of an unmanned fully automated wireless communications facility. **INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATIVE LOCATIONS WITHIN WORCESTER TOWNSHIP.**

#10-05, 2005 Valley Forge Road, HMB Realty, LLC, a variance to permit the canopy to encroach into the front yard setback and the district yard setback for a property line with an adjacent single family residential district AND to permit the expansion of a non-conforming structure, including vertical expansion. Continuance requested by applicant to be heard at the May 25, 2010 meeting. **CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE JUNE 22, 2010 MEETING.**

#10-06, 3019 West Germantown Pike, a variance to permit the replacement of the existing sign which is non-conforming. **GRANTED MAY 25th, 2010.**

#10-07, 3111 Heebner Road, a variance to permit the proposed addition to encroach 5' into the side yard setback. Variance to permit the proposed chimney to project into the side yard 6 additional inches over the allowance of 18" totaling 24". **GRANTED MAY 25th, 2010**

#10-08, 3473 Stump Hall Road, variance to permit the construction of a pool located outside the building envelope and the construction of a 6' fence within the rear & side yard setbacks. **CONTINUANCE REQUESTED BY ZONING HEARING BOARD TO BE HEARD AT THE JUNE 22, 2010 MEETING DUE TO INSUFFICIENT TESTIMONY. APPLICANT IS TO**

PROVIDE EXACT MEASUREMENTS REGARDING LOCATION OF POOL AND REPRESENT LOCATION OF FENCE ON PROPOSED PLAN.

#10-09, 1770 Hawks Nest Lane, variance to permit the construction of a pool located outside the building envelope and to permit the construction of a 6' fence within the rear yard setback. **GRANTED MAY 25th, 2010**

4. SOLICITOR'S REPORT

a. Executive Session Report

An executive session meeting was held at the end of the Work Session on June 7th, 2010 to discuss real estate and personnel issues. It was announced at the work session.

b. Preserve at Worcester Oversight Agreement

James Garrity, Solicitor, summarized the agreement and commented that it is required by DEP and adapted from their standard form.

Chase Kneeland, Berks Road, commented on the location of the property.

James Mollick commented on conflict of interest and a dormant project.

Kim McClintock, North Wales Road, commented on Stoney Creek Farms.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to accept the Oversight Agreement between Worcester Township and Little Washington Wastewater Company.

c. Cognata-Dietrich Lot Consolidation – Resolution 2010-13- Preliminary / Final Approval

This is located on Barley Lane and is consolidating three lots into two.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to accept Resolution 2010-13; Cognata/Dietrich Lot Consolidation Preliminary / Final Subdivision Approval.

5. ENGINEER'S REPORT

a. Project Status

Joseph Nolan, Township Engineer, submitted a monthly status report to the Board of Supervisors. This month's report lists 19 items of various projects throughout the Township.

He reported that bids for the 2010 road work will be opened June 23, 2010 and on June 22, 2010 there will be a preconstruction meeting for the Wentz Church Road Bridge.

b. Ventilation Contract at Berwick WWTP

Joseph Nolan reported that this has been advertised twice with no response and requested that the Board add it to the contract for the generator by Change Order #1. It will eliminate excessive heat in the building. The proposed cost is \$7,847.

Arthur Bustard inquired about elimination of motor burnout.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to approve Change Order #1 for ventilation at the Berwick Place WWTP in the amount of \$7,847.

6. OTHER BUSINESS

Maeve Vogan commented on the Moran Property and the UCC Board decision.

Arthur Bustard commented that the County Commissioners agreed to fund the Moran Property and they are getting the agreement prepared.

Mr. Burman reported that the UCC Board of Appeals met to hear an appeal regarding sprinklers at a proposed Community Center. Although the official transcript of the hearing is not yet available, Mr. Burman summarized that the Central Schwenkfelder Church will install sprinklers but a different type of system to meet the intent of the Code.

James Mollick commented on procedure for "other business".

7. APPROVAL OF THE MINUTES OF May 19, 2010

Mark Landis corrected his comment on page 7 referring to the Arena property.

Nicholas Imperial commented on a potential dump.

James Mollick commented on a dump, wetlands and the content of the minutes.

John Diesel, Landis Road, commented on politics in the meeting, sewer treatment plants and alternatives.

Stephen Quigley commented on the sewer plants being on the agenda and a priority.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as amended to reflect Mr. Landis's correction for the Arena property, the minutes of May 19, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Nicholas Imperial thanked David Burman regarding a site visit and commented regarding the status.

Kim McClintock commented on State police services, radar, and speeds in the Township.

Vico Cognata, Barley Lane, commented on speed on Skippack Pike compared to Wentz Church Road.

Gordon Todd, Bustard Road, commented on the Moran property, the UCC Board of Appeals, and ordinance revisions for sprinklers.

John Vercelli, Mill Road, commented on signage for Mill Road at Kriebel Mill Road.

David Burman reported that he is looking into civilian enforcement of parking regulations. He has contacted Lt. Buckley of the State Police and spoke with the Superintendent of Schools and requested cooperation from athletic coaches.

Mark Landis commented on the Pennsylvania Turnpike Authority, Schultz Road traffic, traffic lights, increased truck usage on road, and signage.

William Kazimer commented on meter maids, and duties of constables and deputies.

James Mollick commented on slander, RTK law suits, management of Township money, transparency in government and obstruction of justice. *

Nicholas Imperial commented on Board members' receipt of literature.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:36 P.M.

Submitted:



Eunice C. Kriebel, Assistant Recording Secretary

*At the September 15, 2010 Board of Supervisors Meeting, there was a change in the minutes reflecting "obstruction of information."



WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, JULY 7, 2010 ~ 8:00 A.M.

CALL TO ORDER Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

On Tuesday, July 6, 2010, two of the public works employees noticed smoke behind a house and upon further investigation found a fire, called 911 and alerted the residents. Peter Praczek and Andrew Curtis were recognized for their actions. The source of the fire was thought to be a mulch pile close to the house. Mr. Burman cautioned residents about the proximity of mulch piles to homes, particularly in view of the excessive heat that the area is experiencing.

1. Manager's Report:

a. Sanitary Sewer connection for Municipal building – Contract Award

Three bids were received, ranging from \$4,300 to \$5,470 to connect the administration building into the sanitary sewer line. Pete Russo Inc. was the lowest bidder at \$4,300.

James Mollick, Country View Lane, commented on bidding the job.

A motion by Steve Quigley and seconded by Susan Caughlan and approved by all to award the bid to Pete Russo Inc.

b. Morris Road Detour – Traffic Concerns

David Burman, Township Manager, and the Roadmaster reviewed the signage on Landis and Shearer Roads. Changes will be made to make the speed enforceable and Trooper Holstein and Lt Buckley, State Police in Skippack, will investigate.

Because Schultz Road is a County road, the Township will work in conjunction with the County to control speed.

c. Noise Ordinance – Status

The Staff is finalizing the ordinance and is close to presenting it to the Board for review. It will be drafted from the Rutgers University standards.

d. Zoning Hearing Board Report

The last meeting was June 22, 2010.

The next meeting is scheduled for July 27, 2010

There were no new applications during the month of June.

Conclusions/ Decisions of applications:

609423

#09-17, 3214 Fisher Rd. Appeal from an enforcement notice dated July 28, 2009 to permit applicant to store landscaping equipment on their property as part of their landscaping nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A decision shall be rendered at the July 27th hearing. All parties have agreed to postpone the decision from July 17th, 2010 until July 27th.**

#10-05, 2005 Valley Forge Rd. A variance from section 150-114 to permit the canopy to encroach into the front yard setback and the district yard setback for a property line with an adjacent single family residential district. A variance from 150-162.1 and 150-162.2 to permit the expansion of a non-conforming structure, including vertical expansion. **Granted June 22, 2010 with the condition that the height of the canopy be identified on the canopy.**

#10-08, 3473 Stump Hall Rd. Variance from sections 150-177(B)(3) to permit the construction of a pool located outside the building envelope and section 150-182(A) to permit the construction of a 6' fence within the rear and side yard setbacks. **Granted June 22, 2010.**

Continued applications:

#07-02, 1545 Kriebel Mill Rd. A variance to permit the construction of an additional single family dwelling on a new flag lot. **THE APPLICANT HAS REQUESTED TO BE REMOVED FROM THE AGENDA AND HAS AGREED TO WAIVE ANY TIME REQUIREMENTS UNDER THE PMPC AND LOCAL ORDINANCES. ADDITIONALLY, THE APPLICANT HAS AGREED TO PAY ANY COSTS ASSOCIATED WITH RE-ADVERTISING. AFTER LEARNING THE TOWNSHIP'S OBJECTIONS, THE APPLICANT IS CONSIDERING OTHER OPTIONS, INCLUDING SUBMISSION OF A NEW PLAN TO GET WORCESTER TOWNSHIP PLANNING COMMISSION APPROVAL.**

#10-04, 2709 Township Line Rd. A variance from sections 150-11 & 150-15 to permit the property to be used for establishment of a wireless communications facility and for the installation of antennas at approx. 52' in height on an existing 40' water storage tank. **INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATE LOCATIONS LOCATED WITHIN WORCESTER TOWNSHIP.**

NEW applications to be heard on July 27, 2010:

None

e. Subdivision & Land Development Report

David Burman presented a status report on the activity of active subdivisions and land developments.

2. Engineer's Report

a. Engineering Report, Project Status.

Arthur Bustard inquired about drainage and paving on Woodland Avenue.

b. 2010 Road Improvement Program – Contract Award

Nine bids were received and opened on June 23, 2010. The bid included two portions, a base amount, and an alternate add on for base repair work on Kriebel Mill Road

A. H. Cornell of Jamison, Pa was the low base bid. This contract includes milling and overlay on Mill, Berks, and portions of Green Hill Roads and three cross pipes in the amount of \$326,044. The price for the alternate add on for Kriebel Mill Road between Fawn and Stump Hall Roads was \$38,900 for a total of \$364,944, which is over the 2010 approved budget amount.

Arthur Bustard inquired about the Kriebel Mill portion of the bid and whether it would deteriorate if not paved.

Joseph Nolan responded and Stephen Quigley noted possible add on costs of maintenance and repairs if paving is postponed.

A motion by Steve Quigley and seconded by Susan Caughlan and approved by all to award the 2010 Roadway Improvement Program to A.H. Cornell in the amount of \$364,944.

3. Solicitor's Report

a. Executive Session report

None

b. Resolution 2010-15 – Agreement of Sale of Property to PA Turnpike Commission

James Garrity noted that this is in lieu of condemnation. The property is located off Bethel Road and will be used as a detention basin for the Pennsylvania Turnpike widening. The approved amount is \$127,800.

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to approve Resolution 2010-15 – Agreement of Sale of Property to Pa Turnpike Commission

c. Ordinance No. 2010-226-Mill road Stop signs and speed Ordinance.

Public Hearing opened at 8:20 a.m.

Mr. Garrity explained that this is for 25 MPH on Mill Road and for the installation of stop signs in both the east and west directions at Anvil Drive.

The public hearing was closed at 8:21 having no questions or comments.

A motion by Steve Quigley and seconded by Susan Caughlan and approved by all to pass Ordinance 2010-226, Mill road Stop Signs and speed Ordinance.

d. Authorization to Advertise AQRC Ordinance

This is a change to the existing ordinance. It will require 80% of the units to have one occupant age of 55 or older and will allow 20% of the units to have one occupant, age 45 or older. This is in accordance with the Federal Fair Housing Standards exemption.

Stephen Quigley inquired if the existing owners will receive a letter notifying them of the change.

Susan Caughlan clarified that this is an authorization to advertise the amended AQRC ordinance only. There will be a public hearing in September.

A motion by Steve Quigley and seconded by Susan Caughlan and approved by all to approve the advertisement of the revised AQRC Ordinance.

4. Other Business

a. Memorial Benches

This is a discussion to receive a consensus from the Board to expend time and staff effort to develop policy on benches.

Susan Caughlan commented that the township is in the process of developing three additional parks and the program would be timely.

Stephen Quigley requested the Staff research other surrounding Township's policies and noted that now is the time to look at resident's donations of all kinds.

David Burman reminded the Board that this policy will involve additional expenses and maintenance costs and a firm policy must be established.

The Board all agreed to have the Township staff research policies.

b. Methacton School District Presentation: school resource officer.

Dr. Timothy Quinn, Superintendent of the Methacton School District, Bud Carroll, Lower Providence Chief of Police, Joseph Dunbar, Lower Providence Township Manager, Mark Stead, School Resource Officer, and Janeen Marzewski, Safety Coordinator for Methacton School District, along with School Board member Herbert Rothe, were all in attendance.

Bud Carroll provided a presentation on the current School Resource Office program being implemented at Methacton School District buildings in Lower Providence Township. He indicated the Methacton School Board and Lower Providence Board of Supervisors are behind the program 100%. The officer provides security, educational support, and relationships with the students. They are requesting a similar post in the Methacton High School, located within Worcester Township.

Bud Carroll's presentation indicated that the program was initially funded by a grant, started at Arcola Middle School, which is the largest middle school in Montgomery County.

Steve Quigley asked if there was a reduction in Lower Providence Township incidents. Susan Caughlan asked about the 2008-09 bomb threats, was the SRO involved.

James Mollick, Country View Lane, inquired about Lower Providence Board of Supervisors reception of the SRO program.

Rick DeLello, Stoney Creek Road, commented about the continuity at the middle school and anticipated reductions at high school.

Sue Gabriel, Hawks Nest Lane, commented on support for the program.

Susan Caughlan asked Dr. Quinn if they were looking for financial support. Dr. Quinn indicated he would provide the Board with a proposal.

Mark Landis, Schultz Road, inquired about the School District moving ahead with or without Worcester Board of Supervisor support.

Joseph Dunbar remarked there is an expense to Lower Providence Township, and they will provide costs to Worcester.

Maeve Vogan, Dell Road, inquired if the same officer will be at the middle and high school.

Dave Plager, Fieldcrest Way, supports the idea.

Chase Kneeland, Berks Road, inquired how many hours the SRO is at the middle school.

Susan Caughlan remarked that the high school currently employs security officers.

Dr. Quinn indicated there is a security protection service, without the same training or results as the SRO.

Arthur Bustard asked what they Lower Providence representatives wanted at this time, and requested a hard copy of their presentation for review.

Dr. Quinn responded that they would like to extend the SRO program into the high school.

Susan Caughlan inquired if the state police could offer the same service.

Dr. Quinn said they do not have a full time officer, and it would be a rotating shift therefore not building relationships with the students and more costly.

5. APPROVAL OF THE MINUTES OF JUNE 7, 2010

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to dispense with the reading and approve as amended the minutes of the meeting of June 7, 2010 (copies were available for review).

Jim Mollick commented on several items he felt should have been included in the minutes.

PUBLIC COMMENTS

Arthur Bustard opened the public comment period, requesting that speakers keep to no more than five minutes.

Mark Landis commented on \$2 million contribution of the township to the fire department, and suggested the Township hold meetings in their new air conditioned building. He also remarked favorably on the new manager.

Rick DeLello asked for an update on the speed limit sign on Stoney Creek Road

Chase Kneeland supported the memorial bench program.

James Mollick commented on three separate Right to Know requests, emails, and letters from the solicitor.

Lois Imperial, Fisher Road, thanked Dave Burman for the job he is doing.

ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard, adjourned the regularly scheduled work session of the Board of Supervisor's Meeting at 10:40 A.M.

Respectfully submitted:


Eunice Kriebel, Assistant Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA.
 WEDNESDAY JULY 21, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN G. CAUGHLAN
 STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

The Township Manager has been working to correct the microphone system so everyone can hear the discussion during the meeting.

1. TREASURER'S REPORTS

The Treasurer's reports for May, 2010 net change on cash basis:

June 2010 Report:

General Fund	\$ 263,825.41
State	\$ 166,791.20
Capital Reserve	\$152,652.17

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Report for May, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$222,574.47.

3. MANAGER'S REPORT

a. Morris Road Detour and Update on Traffic Conditions

Communications have improved between the Turnpike commission, the Contractor and the Township. There has been night work but the township has not received any complaints. The manager is still working on speed and excess traffic issues on Landis, Schultz, and Shearer Roads.

Arthur Bustard inquired if they are on schedule.

The manager will confirm the schedule and report back to the board.

b. Zoning Hearing Board Report

The last meeting was June 22, 2010.

The next meeting is scheduled for July 27, 2010

Conclusions/ Decisions of applications:

#09-17, 3214 Fisher Rd. Appeal from an enforcement notice dated July 28, 2009 to permit applicant to store landscaping equipment on their property as part of their landscaping nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A decision shall be rendered at the July 27th hearing.**

#10-05, 2005 Valley Forge Rd. A variance from section 150-114 to permit the canopy to encroach into the front yard setback and the district yard setback for a property line with an adjacent single family residential district. A variance from 150-162.1 and 150-162.2 to permit the expansion of a non-conforming structure, including vertical expansion. **GRANTED June 22, 2010**

#10-08, 3473 Stump Hall Rd. Variance from sections 150-177(B)(3) to permit the construction of a pool located outside the building envelope and section 150-182(A) to permit the construction of a 6' fence within the rear and side yard setbacks. **GRANTED JUNE 22, 2010**

Continued applications:

#07-02, 1545 Kriebel Mill Rd. A variance to permit the construction of an additional single family dwelling on a new flag lot. **THE APPLICANT HAS REQUESTED TO BE REMOVED FROM THE AGENDA AND HAS AGREED TO WAIVE ANY TIME REQUIREMENTS UNDER THE PMPC AND LOCAL ORDINANCES. ADDITIONALLY, THE APPLICANT HAS AGREED TO PAY ANY COSTS ASSOCIATED WITH RE-ADVERTISING. AFTER LEARNING THE TOWNSHIP'S OBJECTIONS, THE APPLICANT IS CONSIDERING OTHER OPTIONS, INCLUDING SUBMISSION OF A NEW PLAN TO GET WORCESTER TOWNSHIP PLANNING COMMISSION APPROVAL.**

#10-04, 2709 Township Line Rd. A variance from sections 150-11 & 150-15 to permit the property to be used for establishment of a wireless communications facility and for the installation of antennas at approx. 52' in height on an existing 40' water storage tank. **INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATE LOCATIONS LOCATED WITHIN WORCESTER TOWNSHIP.**

NEW applications to be heard on July 27, 2010:

None

609423

4. SOLICITOR'S REPORT

a. Executive Session Report

There were no executive sessions held since the last meeting. There will be an executive session held at the end of tonight's meeting tonight to discuss the following three items: 1.) Litigation for Office of Open Records, Docket #0557; 2.) Real estate easement for the Graham Property. 3.) Potential purchase of additional property.

5. ENGINEER'S REPORT

a. Project Status

Joseph Nolan, Township Engineer, submitted his monthly status report to the Board of Supervisors.

Arthur Bustard requested an update on the Wentz Church Road Bridge.

Joseph Nolan responded that they are on schedule and the road should be opened by the end of July, 2010.

6. OTHER BUSINESS

None

7. APPROVAL OF THE MINUTES OF May 19, 2010

James Mollick commented on the solicitor's report, Preserve at Worcester, potential conflict of interest and dormant projects were incorrect in his opinion. He further commented on items omitted from the minutes. He further commented on the posting of a RTK request and a campaign mailer.

Mark Landis, Schultz Road, commented on the motion that was withdrawn by Susan Caughlan and inquired what it was.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as amended to reflect the motion to approve a speed study for Landis Road, in the minutes of June 16, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Oliver Smith, Fisher Road commented on the noise ordinance.

Maeve Vogan, Dell Road, commented about the timing of the noise ordinance and PECO compliance.

Lois Imperial, Fisher Road, commented on a landscaping business, campaign platforms and involvement in environmental issues.

Nicholas Imperial, Fisher Road, commented on Supervisor Caughlan's remarks and a web site.

William Kazimer, Germantown Pike, commented on the amended minutes, discrimination, and course of actions.

Stephen Quigley commented on researching video taping the meetings.

Caren Siegel, Green Hill Road, commented on returning phone calls to residents and equal treatment.

James Mollick commented on an affidavit from Mr. Garrity and its accuracy, e-mails, status of driveway issues, attorney client privilege, Office of Open Records ruling, and Montgomery County watching RTK outcome.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 8:02 P.M.

Submitted:



Eunice C. Kriebel, Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, AUGUST 2, 2010 ~ 8:00 A.M.

CALL TO ORDER Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

Today's Joint Meeting of the Board of Supervisors and Planning Commission has been cancelled to accommodate the agenda for the Board of Supervisors Meeting. The next Joint Meeting is scheduled for October 4, 2010.

Today's Agenda Item #4, State Police SRO report, will be moved to #1, to allow them to make their presentation earlier.

1. Pennsylvania State Police Presentation: school resource officer

Lt. Buckley and Trooper Hulstine of the PA State Police Skippack Barracks made a presentation on the School Resource Officer Program offered by the PA State Police. They outlined program goals, SRO Duties, Program Guidelines, a required letter of agreement, and estimated an average overtime rates. The SRO can be full or part time, one officer, or a rotating schedule of a core group. Hours can be customized to the needs of the school.

Arthur Bustard asked if the State Police have offered this program elsewhere. Lt. Buckley responded they have the experience to do it.

Stephen Quigley asked if other places had used the full or part time option. Lt. Buckley responded that in Delaware County and Dauphin County, both had used a core rotation of officers. Mr. Quigley further asked if State Troopers really wanted to do this as part of their duties.

Susan Caughlan commented on the potential for gender diversity when using a core group of rotating officers.

Arthur Bustard asked about the necessary timeline to implement. Lt. Buckley remarked that they would need a commitment to move ahead, post the positions, and a January 2011 start date is possible at this time.

Stephen Quigley noted that he's been in the Township 36 years and his last experience with the State Police involved an encounter at the Worcester Golf Course where he had to

inform the office that was parked there about recent problems and the office responded indifferently.

Trooper Hulstine requested that Mr. Quigley's impression of the State Police not be that of one incident that occurred and base it on the response of his last 36 years.

Mark Landis, Schultz Road, commented on the impact to regular on-duty officers working in the Township. Lt. Buckley replied that an SRO does not take any officers off the road. They are in addition to the force.

James Mollick, Country View Lane, commented on the SRO having firearms.

Rick DeLello, Stoney Creek Road, commented on them working since Lower Providence Township already has an SRO in the other school district buildings, a school district or township issue, continuity with the middle school/Lower Providence SRO, and lack of a school district representative at this meeting.

Lieutenant Buckley remarked that he has already shared his information with Superintendent Dr. Quinn of the school district.

2. Manager's Report:

a. Resolution 2010-16, Designation of Agent for Execution of PEMA Grant Application

David Burman, Township Manager, explained this authorizes the Treasurer to prepare a grant application that could provide reimbursement for the most expensive 48 hours related to the February 2010 snowstorm.

A motion by Steve Quigley and seconded by Susan Caughlan and approved by all to pass Resolution 2010-16 Designation of Agent for Execution of PEMA Grant Application.

b. Resolution 2010-14, Disposition of Public Records as Listed

David Burman explained the resolution is necessary to destroy outdated records, which were itemized in the resolution, and copies available for public review.

Susan Caughlan asked if records from 1925 could be provided to the Historical Society.

Mr. Burman said he would check with State law.

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to pass Resolution 2010-14, Disposition of Public Records as Listed.

c. Resolution 2010-18, Opposition to House Bill 2431

This proposed bill in the State House, would force local government mergers and consolidation. It would establish the county as the basic level of local government.

Arthur Bustard remarked that the PA State Association of Township Supervisors (PSATS) is recommending local municipalities oppose this bill noting that the people's voice should be heard at the local level.

A motion by Steve Quigley and seconded by Susan Caughlan and approved by all to pass Resolution 2010-18, Opposition to House Bill 2431.

d. Authorization to Advertise Zoning Ordinance Amendment

This amendment includes the first round of amendments from the Worcester Planning Commission, including revisions to fencing requirements, light industrial and the definition of agricultural.

James Garrity, township solicitor, commented that if even one word is changed, it would have to be re-advertised.

Arthur Bustard asked if there was time to review before the Board's September meeting and before it goes to the County.

Mr. Bustard tabled the authorization and requested the Amendment not be forwarded at this time to the County Planning Commission.

e. Noise Ordinance

David Burman sent another draft to the Solicitor's office last week, and is waiting for the review before formal consideration to advertise.

f. Morris Road Bridge replacement

David Burman sent a letter to the contractor and project manager telling them a) The Township wants consistency between action and what we are being told and b) the Township objection to night work.

Traffic concerns on Schultz Road, a County road, were discussed with the County, and the Township asked for formal documents on the establishment of speed limits. He will defer to the engineer and solicitor for direction.

Arthur Bustard asked David Burman for an update at August 18th meeting.

David Burman recommended a speed study for Landis Road, between Potshop and Skippack Pike. The Board requested further information.

Arthur Bustard commented there is a dangerous stream crossing.

Joseph Nolan, Township Engineer, remarked on a proposal submitted by McMahon Associates, traffic engineer.

Arthur Bustard tabled the study until the next meeting.

g. Zoning Hearing Board Report

The last meeting was July 27, 2010.

The next meeting is scheduled for August 24, 2010

Conclusions/ Decisions of applications:

#09-17, 3214 Fisher Rd. Appeal from an enforcement notice dated July 28, 2009 to permit applicant to store landscaping equipment on their property as part of their landscaping nursery business; alternatively a variance from section 150-11 to permit them to operate their landscaping business. **A decision was rendered at the July 27th hearing. The decision allowed for use but with several conditions. James Garrity said they have 30 days to appeal the decision and can ask the court for a "stay".**

Continued applications:

#07-02, 1545 Kriebel Mill Rd. A variance to permit the construction of an additional single family dwelling on a new flag lot. **THE APPLICANT HAS REQUESTED TO BE REMOVED FROM THE AGENDA AND HAS AGREED TO WAIVE ANY TIME REQUIREMENTS UNDER THE PMPC AND LOCAL ORDINANCES. ADDITIONALLY, THE APPLICANT HAS AGREED TO PAY ANY COSTS**

ASSOCIATED WITH RE-ADVERTISING. AFTER LEARNING THE TOWNSHIP'S OBJECTIONS, THE APPLICANT IS CONSIDERING OTHER OPTIONS, INCLUDING SUBMISSION OF A NEW PLAN TO GET WORCESTER TOWNSHIP PLANNING COMMISSION APPROVAL.

#10-04, 2709 Township Line Rd. A variance from sections 150-11 & 150-15 to permit the property to be used for establishment of a wireless communications facility and for the installation of antennas at approx. 52' in height on an existing 40' water storage tank.

INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATE LOCATIONS LOCATED WITHIN WORCESTER TOWNSHIP.

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.
VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

Continuance until September 28, 2010

NEW applications to be heard on August 24, 2010:

None

h. Subdivision & Land Development Report

David Burman presented a status report on the activity of active subdivisions and land developments, including that of Terra Landscaping, 3481 Germantown Pike, which was submitted along with their Zoning Hearing Board application.

Susan Caughlan asked if the older enforcement issues have been resolved.

Joseph Nolan responded.

Susan Caughlan asked how the LDS application interfaces with the ZHB application.

Joseph Nolan said the Worcester Planning Commission should wait for a Zoning decision, because those issues need to be addressed before Land Development can be considered.

James Garrity asked if the Planning Commission wants to review Zoning applications. He suggested sending it to the WTPC and notifying the land owner this is happening.

Joseph Nolan will ask the Lower Providence engineer to re-establish the municipal boundary on the property.

609423

David Burman announced that Township staff sent notices to all property owners in commercial districts, and 65 letters to all property owners in all commercial districts related to signage issues.

3. Engineer's Report

a. Engineering Report, Project Status.

Joseph Nolan said his summary for July was complete and would be at the Township office this week.

b. 2010 Road Improvement Program

The contract has been awarded, executed contracts were received, and he has met with Penn DOT to secure liquid fuels funds. A pre-construction meeting will be in 1-2 weeks.

The contract involves milling and overlay, allowing roads to remain open most of the time except where pipe are being removed and replaced.

Susan Caughlan asked if any scheduled closures can be put on the township web site, with notices mailed to residents.

Joseph Nolan also provided an update on the Wentz Church Road Bridge repair, noting that the Road should be open August 3rd.

4. Solicitor's Report

a. Executive Session report

An executive session was held after the July 21 meeting to discuss OOR Appeal 557, and attorney/client privilege issue. The Board took no action.

b. Motion to Approve Cost Sharing for Appraisal of Palmer Farm

James Garrity reported that the township has been talking for years about the possible preservation of this property. An appraisal has been suggested, because it is a unique property with non-conforming use and split zoning.

Susan Caughlan reported she had met with the Palmer family again this year, along with Jake Lea, Montgomery County Lands Trust. MCLT would lead the application to DCNR for a grant. The first step is an appraisal which will cost about \$4,000. MCLT suggested the landowners should split the cost with township.

Arthur Bustard said the property is located at Routes 73 and 363 where the closed gas station is located and that it makes sense to spend \$2,000.

Steve Quigley said he would abstain from a vote due to the fact that his brother-in-law farms part of the property.

Maeve Vogan, Dell Road, asked the size of the property? Susan Caughlan responded 55 acres.

A motion by Susan Caughlan and seconded by Arthur Bustard and approved by both (Steve Quigley abstaining) to approve cost sharing for the appraisal of the Palmer farm, up to \$2,000.

5. APPROVAL OF THE MINUTES OF JULY 7, 2010

A motion by Susan Caughlan and seconded by Steve Quigley and approved by all to dispense with the reading and approve as amended the minutes of the meeting of July 7, 2010 (copies were available for review).

James Mollick commented on several items he felt should have been included in the minutes.

PUBLIC COMMENTS

Arthur Bustard opened the public comment period, reminding speakers to comment on issues before the board, and requesting that speakers keep to no more than five minutes.

Lois Imperial, Fisher Road, commented on the Zoning Hearing Board application 09-17 and decision, and an enforcement letter.

Tiffany Loomis, Township Land Use Officer, commented on the matter described by Mrs. Imperial and indicated that the situation is under investigation and there were no assurances that the draft violation notice would be sent.

Maeve Vogan, Dell Road, commented on the SRO presentation and cost figures.

Oliver Smith, Fisher Road, commented on the short unpaved road across from Schwenkfelder Church.

Mark Travetti, Mill Road, commented about the status of repairs on Mill Road.

James Mollick commented on zoning enforcement and the procedure.

David Burman remarked that all zoning complaints go in a queue and are prioritized based on staff input.

ADJOURNMENT

There being no further business to come before this Board, Mr. Bustard adjourned the regularly scheduled work session of the Board of Supervisor's Meeting at 9:53 A.M.

Respectfully submitted:



Eunice C Kriebel, Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA.
 WEDNESDAY, AUGUST 18, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN G. CAUGHLAN
 STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

Township Offices will be closed on September 6, 2010 in observance of the Labor Day Holiday.

Due to the Labor Day Holiday, there will be no Board of Supervisors' Work Session in September. The next meeting of the Board of Supervisors will take place on September 15, 2010 at 7:30 P.M.

Since there are no applications before the Zoning Hearing Board for August, the meeting of the Zoning Hearing Board scheduled for August 24, 2010 has been cancelled.

1. TREASURER'S REPORTS

The Treasurer's reports for July, 2010 net change on cash basis:

July 2010 Report:

General Fund	\$ 281,980.34
State	\$ 166,791.32
Capital Reserve	\$152,787.86

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Report for July, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$243,913.16.

3. **MANAGER'S REPORT**

- a. **Authorization to Advertise Zoning Ordinance Amendment – Includes revised definition of “Agriculture”, amendments to “Light Industrial” Zoning District, regulations pertaining to “sports courts”, revised fencing regulations.**

Arthur Bustard explained the proposed changes.

Stephen Quigley inquired about public availability for review and if they are posted on the Township web site.

James Mollick, Country View Lane, inquired about the process and Board members involvement with the Planning Commission.

Gordon Todd, Planning Commission Chairman, responded.

Stephen Quigley inquired if any active farmers in Worcester were asked for input.

William Kazimer, Fairview Village, inquired if the revised definition of AGR will include landscape businesses.

A motion by Stephen Quigley, seconded by Susan Caughlan and passed by all to approve the Authorization to advertise the Zoning Ordinance Amendment.

- b. **Request for Waiver of Land Development for Modular Structures – Methacton High School – 1001 Kriebel Mill Road**

David Burman, Township Manager, provided an overview of the request. Methacton High School had one single modular structure that was removed to allow room for two updated modular structures. This requires Land Development process.

Robert Walsh, 2001 Front Street, Harrisburg, architect for the school district, commented that a 16x16 foot trailer will be replaced by two more modern trailers.

Susan Caughlan inquired if the footprint is the same.

Stephen Quigley asked Mr. Walsh to define the terms “old” and “new” concerning the trailers.

Arthur Bustard commented that a waiver is needed before the school year starts.

Joseph Nolan, township engineer, reminded that the new structure must comply with building code.

Susan Caughlan asked if this also waives escrow costs.

James Garrity, township solicitor, remarked that posted escrow has been waived previously, but the requestor is charged out-of-pocket costs. Mr. Walsh stated that he believed the school district would be amenable to that.

A motion by Stephen Quigley, seconded by Susan Caughlan and passed by all to approve the request for waiver of land Development for Modular Structures, Methacton High School, 1001 Kriebel Mill Road, with the provision that the district pay the Township's out-of-pocket costs.

c. Request for Phasing of Previously Approved Land Development Plan – Montgomery Presbyterian Church – 3260 Morris Road

Final approval was granted June 2009. A letter has been received requesting phasing which must be authorized by the Board.

Stephen Quigley inquired if outstanding issues from the prior development were completed. Joe Nolan responded they were all incorporated into the new land development plan.

Gordon Todd, architect for the project, commented that the project was always intended to be phased, but was omitted in the final approval. All stormwater and landscaping items will be part of Phase I.

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to approve the request to phase the previously approved and recorded Land Development Plan: Montgomery Presbyterian Church, 3260 Morris Road, consistent with Resolution 10-17.

d. Morris Road Bridge Replacement

David Burman reported that the detour has resulted in some increased traffic and speeds on local roads. A letter has been sent to Montgomery County concerning Schultz Road requesting an engineering study to correctly post the speed. A speed monitoring device has been placed at Clyston Road, with data forwarded to the PA State Police. No recent noise complaints resulting from night work have been received. Penn DOT is not scheduled to work at night this week.

Stephen Quigley asked if the project is on schedule.

David Burman remarked that he has been told that the bridge is to be completed by December, slightly behind the original expected date of completion.

e. Zoning Hearing Board Report – No new applications

The last meeting was July 27, 2010.

The meeting scheduled for August 24, 2010 has been cancelled, as no applications are scheduled to be heard.

The next scheduled meeting will be September 28, 2010.

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE SEPTEMBER 28, 2010 MEETING.

4. **SOLICITOR'S REPORT**

a. **Executive Session Report**

There were no executive sessions held since the last meeting.

b. **Public Hearing to Consider Adoption of AQRC Ordinance**

Public Hearing opened at 8:00PM

James Garrity introduced the ordinance and provided background. The proposed amendment would permit 20% of the residents to be age 45 or older instead of the current 55 or older requirement for all residents.

Edmund Mullin, counsel for the applicant, remarked that federal housing law allows for 20% occupancy by those age 45-plus. No children under the age of nineteen will be allowed to reside in the development. This could result in additional sales, additional transfer taxes, and completion of the development faster.

Eric Van Rieker, planner for the applicant, commented that there will still be a maximum of four residents per unit. Density, zoning and open space will remain unchanged. Earned Income Tax would be positively impacted by the 45-plus age bracket.

609423

Stephen Quigley asked about potential negative response from current residents in development.

James Garrity opened the floor for public comments at 8:04 p.m.

David Plager, Fieldcrest Way, inquired what would happen if an existing resident become pregnant. Edmund Mullin replied.

Kim McClintock, North Wales Road, commented on the trucks coming in and out, concessions already granted to the developer, and ongoing proposals since year 2000.

Edmund Mullin commented on changes to the development and confirmed that only 20% of the units can be occupied by individuals 45 or older.

James Mollick, Country View Lane, commented on a supervisor's earlier comments on the development as well as private meetings involving this development.

Susan Caughlan responded regarding Commonwealth Court law and private meetings.

James Garrity commented that if there was a private meeting with the applicant, it would not be in any way illegal.

William Kazimer, Germantown Pike, commented on the school district's responsibility to educate children up to the age of 21, questioned sump pump hook ups and commented on Federal Regulation Title 24.

James Garrity closed the public hearing at 8:28 p.m.

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to approve Ordinance 2010-224, Adoption of AQRC Ordinance.

5. **ENGINEER'S REPORT**

a. Engineering Report

Joseph Nolan, Township Engineer, submitted his monthly status report to the Board of Supervisors.

b. Update on 2010 Road Improvement Program

Construction has started with pipe removal on Berks Road. He anticipates the road to be closed one day. The work schedule will be posted on the Township's web site.

c. Update on Wentz Church Road Bridge

The work is 98% complete and the road is re-opened. A Change Order was requested by Penn DOT for the detour resulting in \$1,600 additional costs for detour sign rental, per Penn DOT requirements. He requested Board approval of the change order.

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to approve an additional \$1600 for sign rental.

d. Water Street Road Bridge

The design will be completed by year end. Joseph Nolan commented that it is more practical to defer construction until next summer to eliminate school bus conflicts. He proposed to bid in the spring and defer the work until mid-June.

Stephen Quigley inquired about the budget for the project and will it increase by delaying the work.

6. OTHER BUSINESS

David Burman reported on a request received from the Worcester Volunteer Fire Department to use the gravel area behind the township garage for training purposes. Insurance coverage is to be verified. Susan Caughlan cautioned to assure there is no public access to that area during training activities.

He thanked Julie Lanzillo for providing the power point presentation to the public during the meeting.

7. APPROVAL OF THE MINUTES OF JULY 21, 2010

Arthur Bustard read a statement of laws pertaining to minutes. Stephen Quigley asked if that would be the extent of minutes in the future.

Maeve Vogan, Dell Road, asked if the treasurer's report will still be included.

Stephen Quigley asked about the status of video taping the minutes.

James Mollick commented on governmental transparency, how subjects will be defined, who does the minutes, items he believed should be included in the July 21 minutes the developer of Stony Creek Development, and commented on a possible conflict of interest.

Kim McClintock noted that he provided the Board with notes on his comments.

William Kazimer complimented Art Bustard for explaining the Sunshine Law and commented on minutes revealing subject of comments, and 8:00 a.m. meetings.

Stephen Quigley remarked that he will follow up on video minutes online.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as written the minutes of July 21, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Arthur Bustard reminded the public that this is a 5-minute limit comment period, not a question/answer session.

Rick DeLello, Stoney Creek Road, commented on getting an update on the status of speed sign in Sunny Brook Development, the North Wales Road closure, and transfer tax money could be ear-marked for videotaping meetings.

Wini Hayes, Fisher Road, commented about public comments at meetings.

James Mollick, commented on the Sunshine Act, federal trial tapes, notes at meetings between Board members, zoning procedures, appeals, written procedures and an enforcement issue.

Nicholas Imperial, Fisher Road, inquired about an enforcement letter.

Stephen Quigley commented on David Burman being involved in RTK procedures.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 9:10 P.M.

Submitted:


Eunice C. Kriebel, Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY SEPTEMBER 15, 2010 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN G. CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS:

There are two changes to the agenda this evening.

The Preliminary Approval Consideration for the Preserve at Worcester 39-Lot Subdivision will not be considered by the Board since it would be inappropriate to do so until a final decision is rendered and written with regard to the Conditional Use application.

The Kibblehouse/Rotelle Conditional Use will not be heard tonight because the developer requested removal from the agenda and a ninety day extension. Another mailing will be sent to residents for that hearing.

1. TREASURER'S REPORTS

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

August 2010 Report:

General Fund	\$ 315,890.65
State	\$ 169,661.72
Capital Reserve	\$ 155,762.03

A motion by Stephen Quigley, seconded by Susan Caughlan and passed by all to accept the Treasurer's Reports for August, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$426,758.09.

609423

3. **MANAGER'S REPORT**

a. **Zoning Hearing Board Report**

The meeting scheduled for August 24, 2010 was cancelled, as no applications were scheduled to be heard.

The next scheduled meeting will be September 28, 2010 – **Three new applications**

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE SEPTEMBER 28, 2010 MEETING.

Anthony Hiblen, Engineer for the North Grange applicant was present. He explained that the parcel is located partially in Worcester and partially in Lower Providence. There is a joint zoning hearing board appeal to both Townships. He further commented that there is a privacy fence with vegetation proposed in the front yard for screening and noted that the building has been reduced to one story and there is no proposed parking in Worcester Township.

Susan Caughlan commented that the Worcester Planning Commission has reviewed the plan and prefers to have only the stormwater facilities in Worcester with the commercial facilities in Lower Providence. She further commented that commercial loading and unloading is not permitted in the AGR district in Worcester and stated that the building is still too large.

Arthur Bustard commented on outside storage.

Fred Oskanian, property owner, commented that he wants to beautify the property and will continue the buffer the commercial activities.

#10-11 - 3438 MILL RD - ZONED – “R175”

VARIANCE FROM SECTION 150-177(B)(3) TO PERMIT THE CONSTRUCTION OF A POOL OUTSIDE OF THE BUILDING ENVELOPE AND WITHIN THE SIDE YARD SETBACKS

#10-12 - T-MOBILE NORTHEAST, LLC - 1732 WHITEHALL RD - VARIANCES FROM THE FOLLOWING SECTIONS OF THE CODE TO PERMIT THE INSTALLATION OF WIRELESS ANTENNAS TO AN EXISTING 92’ HIGH PECO TOWER AS A WIRELESS COMMUNICATION USE:

VARIANCE FROM SECTION 150-11 TO PERMIT THE PROPOSED CELLULAR TELEPHONE USE.

INTERPRETATION AND/OR VARIANCE FROM SECTIONS 150-15 AND 150-187 TO PERMIT CELLULAR TELEPHONE ANTENNAS BE LOCATED ON THE EXISTING PECO TOWER SITE AT A HEIGHT OF 87’.

VARIANCE FROM SECTION 150-13 TO PERMIT A 10’ x 20’ CONCRETE PAD WITH EQUIPMENT CABINETS WITHIN THE SIDE YARD SETBACK

609423

Arthur Bustard questioned if this tower is in addition to or instead of a tower already under consideration.

Susan Caughlan commented that the Board had opposed prior applications that were not on municipal property and recommended the Board send the solicitor to oppose the application. She noted that the Township’s proposed location at Nike Park is situated at a higher altitude and the Township will lose money if located at the current site proposed.

Maeve Vogan, Dell Road, commented that she believes the applicant is Clearwire, not T-Mobile.

Floyd Nellet, Jr., Berks Road, suggested approval of the Whitehall Road site to save the view from Nike Park.

Dana Comly, Whitehall Road, commented on effects to neighbors and health issues.

William Kazimer, Germantown Pike commented on the preceding actions, cost of the attorneys’ objection and the height of the antenna above the PECO tower.

Gordon Todd, Bustard Road, asked if the motion was for a continuance or to oppose.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to oppose ZHB Application 10-11 unless that applicant agrees to continue the hearing.

b. Consider change in Township Employee Manual regarding normal work hours of Public Works Department (requested by the Department)

David Burman received a request to change the working hours for the public works department from the current 7:30 a.m. to 4:00 p.m. to proposed hours of 7:00 a.m. to 3:30 p.m.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to approve the change in the township employee manual regarding normal work hours of the Public Works Department.

c. Minimum Municipal Obligation – Actuarial Amount to be Budgeted for Calendar Year 2011

This action is related the employee pension contribution for 2011 and presented to the Board.

Stephen Quigley inquired how it compared to previous years.

d. Sunnybrook Estates request for speed signs

David Burman reported that no speed study is necessary in the Sunnybrook Estates development because it meets the Penn DOT criteria of a residential development. Therefore speed signs may be posted if the Board adopts an ordinance authorizing the statutory speed limit.

e. Sanitary Sewer Service

David Burman informed the Board that the Township will be developing a RFP (request for proposal) for professional services for the maintenance and operation of all wastewater treatment plants and pump stations owned by the township.

4. ENGINEER'S REPORT

a. Engineering Report

Joseph Nolan, Township Engineer, noted that the monthly report for August, 2010 was presented to the Board.

Arthur Bustard inquired if the Wentz Church Road Bridge replacement was complete.

b. Preliminary/Final Approval Consideration of Guardino Subdivision – 3155 Methacton Avenue

Joseph Nolan noted that he reviewed the plan, which is located on the North side of Methacton Avenue. CKS has reviewed the shared driveway agreement. He noted several waivers that were requested and the site will be served by public water and sewer.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to award preliminary/final approval of Guardino Subdivision – 3155 Methacton Avenue

c. Consideration of Waiver for Sand Mound in Front Yard Setback – 2863 Crest Terrace

Worcester Township's Land Development/Subdivision ordinance requires sand mounds be located in the rear yard setback. Montgomery County Health Department made six attempts at this location and the rear yard did not support the septic system. After

reasonable attempts, the front yard was the only approved location, requiring Board approval.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to approve a waiver for a sand mound in the front yard setback – 2863 Crest Terrace

d. Update on 2010 Road Improvement Program and Approval of Change order #1

Joseph Nolan reported that all the agreements are complete for the 2010 Road improvement project. During the design process, it was determined that a tree on Kriebel Mill Road should be removed. The price to remove the tree and restore was \$1,500 and he requested approval of the change order to incorporate the removal.

Susan Caughlan inquired if the property owner was notified.

Joseph Nolan confirmed contact with the owner, noting that it was also a sight distance concern for the resident.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to approve change order #1

5. SOLICITOR'S REPORT

a. Executive Session Report

No executive sessions were held.

b. Resolution to Amend Resolution 2009-20 Regarding the Graham Agricultural Easement

On October 5, 2009, the Board authorized a \$99,000 contribution to the state/county farmland preservation program to purchase an agricultural conservation easement. The resolution addressed the farm easement only. A trail easement was not addressed. The correct resolution should be to approve a \$51,018 contribution to the conservation easement with the county and state and \$47,981 for a trail easement purchased by the Township only.

David Manilla, Valley Forge Road, inquired if a court could pierce the veil in the future and void the condemnation.

James Garrity, Township Solicitor, confirmed if the Owner changed their mind, the township could condemn the property. However this is an amicable transaction with an agreement already signed. This resolution is a formality for the Board of Assessments and to act within Montgomery County's Act 319.

A motion by Susan Caughlan, and seconded by Stephen Quigley and approved by all to amend resolution 2009-20 regarding the Graham Agricultural Easement

c. Resolution to Authorize Condemnation of Graham Trail Easement

James Garrity explained that this is a formal action to insure that the purchase of the trail easement does not breach Act 319. In addition, the authorization of condemnation by a municipality results in no transfer tax to the owner. He confirmed that a mutual agreement has been signed by both parties.

A motion by Susan Caughlan, and seconded by Stephen Quigley and approved by all to approve the resolution to authorize condemnation of Graham Trail Easement

d. Public Hearing: Preserve At Worcester Conditional Use For Transfer Of Development Rights Under Growing Greener Ordinance

The public hearing was opened at 8:29 p.m. A court reporter was present to record and produce a transcript of the proceedings.

James Garrity explained the hearing is only for the TDR, not plan approval.

Susan Caughlan explained the Transfer of Development Rights and Growing Greener Ordinance allowing the Township to preserve streams, riparian corridors, and open space.

The public hearing was closed at 10:15 p.m.

6. OTHER BUSINESS

a. Appointment of new Right-to-Know Officer

David Burman, Township Manager, was recommended to fill the position of the Right-to-Know Officer.

A motion by Susan Caughlan, and seconded by Stephen Quigley and approved by all to appoint Township manager David Burman as the Right to Know Officer.

7. APPROVAL OF THE MINUTES OF AUGUST 18, 2010

Arthur Bustard stated that, 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.

James Mollick, Country View Lane, commented on minutes of May, 2008 regarding AQRC comments.

A motion by Stephen Quigley, and seconded by Arthur Bustard and approved by all to amend the minutes of June 16, 2010 as noted.

8. PUBLIC COMMENTS

Maeve Vogan, Dell Road, commented on legal costs associated with right to know requests.

James Mollick, commented on the goal of tracking right to know time.

A motion by Susan Caughlan, and seconded by Stephen Quigley and approved by all to track time associated with each right to know request and post it on the Township website.

Nicholas Imperial, Fisher Road, commented on private meetings to resolve situation on Fisher Road.

Phillip Burke, Grange Avenue, commented on lost revenue that could have been used for compliance enforcement by the Township not imposing fines on his neighbor's violations.

Maeve Vogan commented on wanting to know costs for right to know requests.

James Garrity responded that it is not legal to use fines for the purpose of generating revenue.

James Mollick commented on emails from solicitor to Board members, attorney client privilege, incorrect redactions, and an unpaved driveway.

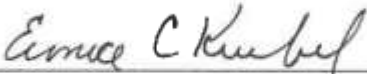
Wini Hayes, Fisher Road, commented on Growing Greener ordinance, attacks on residents and the TDR process.

Ronald Evans, Mill Road, commented on remarks against the Township.

ADJOURNMENT

There being no further business brought before this Board, Arthur Bustard adjourned the regularly scheduled meeting at 10:41P.M.

Submitted:


 Eunice C. Kriebel,
 Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, OCTOBER 4, 2010 ~ 8:00 A.M.

CALL TO ORDER by Arthur Bustard at 8:00 A.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

There will be a Joint Meeting of the Board of Supervisors and the Planning Commission this morning at 9:30 AM.

At the evening meeting on October 20, 2010, the Board of Supervisors will hold a public hearing to consider and act on the proposed Zoning Ordinance Amendment.

Also at the evening meeting on October 20, 2010, the Board of Supervisors expects to discuss and act on the Conditional Use Application for the Transfer of Development Rights at the Preserve at Worcester.

1. Manager's Report:

David Burman, Township Manager, commented that the zoning ordinance amendments scheduled for a public hearing on October, 20, 2010 require additional review for practical application. He requested the Board rescind the motion to advertise that had been adopted on August 18, 2010.

A motion by Susan Caughlan, seconded by Stephen Quigley, and passed by all to rescind the motion for advertising the zoning ordinance amendments.

Susan Caughlan commented that there will be public discussion in the future.

James Mollick, County View Lane, commented on the delay.

Resolution 2010-23 – Bethel Hill United Methodist Church 240th Anniversary

Arthur Bustard announce that there will be a celebration at the church next Sunday to recognize the anniversary.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to approve Resolution 10- 23 Bethel Hill United Methodist Church 240th Anniversary.

a. Authorization to Advertise Noise Ordinance

David Burman noted that this has been through several revisions and requested the Board review it further prior to requesting authorization to advertise.

b. Zoning Hearing Board Report (Current Activity Only)

The last meeting was September 28, 2010 – Three new applications were heard
The next meeting is scheduled for October 26, 2010

Conclusions/ Decisions of applications:

Mr Burman noted that application ##10-10, North Grange LLC, 3481 Germantown Pike is still open with additional testimony to be heard.

#10-11 - 3438 MILL RD - ZONED – “R175”

VARIANCE FROM SECTION 150-177(B)(3) TO PERMIT THE CONSTRUCTION OF A POOL OUTSIDE OF THE BUILDING ENVELOPE AND WITHIN THE SIDE YARD SETBACKS – **GRANTED 9/28/2010**

Continued applications:

#07-02, 1545 Kriebel Mill Rd. A variance to permit the construction of an additional single family dwelling on a new flag lot. **THE APPLICANT HAS REQUESTED TO BE REMOVED FROM THE AGENDA AND HAS AGREED TO WAIVE ANY TIME REQUIREMENTS UNDER THE PMPC AND LOCAL ORDINANCES. ADDITIONALLY, THE APPLICANT HAS AGREED TO PAY ANY COSTS ASSOCIATED WITH RE-ADVERTISING. AFTER LEARNING THE TOWNSHIP’S OBJECTIONS, THE APPLICANT IS CONSIDERING OTHER OPTIONS, INCLUDING SUBMISSION OF A NEW PLAN TO GET WORCESTER TOWNSHIP PLANNING COMMISSION APPROVAL.**

#10-04, 2709 Township Line Rd. A variance from sections 150-11 & 150-15 to permit the property to be used for establishment of a wireless communications facility and for the installation of antennas at approx. 52’ in height on an existing 40’ water storage tank. **INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATE LOCATIONS LOCATED WITHIN WORCESTER TOWNSHIP. AWAITING MPC TIME REQUIREMENT WAIVER**

#10-12, T-MOBILE NORTHEAST, LLC 1732 WHITEHALL RD. ZONED – “AGR”

VARIANCES FROM THE FOLLOWING SECTIONS OF THE CODE TO PERMIT THE INSTALLATION OF WIRELESS ANTENNAS TO AN EXISTING 92’ HIGH PECO TOWER AS A WIRELESS COMMUNICATION USE: VARIANCE FROM SECTION 150-11 TO PERMIT THE PROPOSED CELLULAR TELEPHONE USE.

INTERPRETATION AND/OR VARIANCE FROM SECTIONS 150-15 AND 150-187 TO PERMIT CELLULAR TELEPHONE ANTENNAS BE LOCATED ON THE EXISTING PECO TOWER SITE AT A HEIGHT OF 87’.

VARIANCE FROM SECTION 150-13 TO PERMIT A 10’ x 20’ CONCRETE PAD WITH EQUIPMENT CABINETS WITHIN THE SIDE YARD SETBACK.

INDEFINITE CONTINUANCE REQUESTED BY APPLICANT FOR THE PURPOSE OF REVIEWING THE FEASIBILITY OF ALTERNATE LOCATIONS

Arthur Bustard inquired if the applicant requested a continuance.

Catherine Durso, representative from T-Mobile was present and confirmed this application is in addition to the Nike Park Site. She distributed a map to the Board, Engineer and Solicitor noting that the two sites are 1.5 miles apart. The antenna on the PECO tower would not extend above the tower.

Stephen Quigley inquired about the loop and coverage area and modern technology.

Ms. Durso responded that there are limited channels with more users and applications requiring more frequent "hand offs" so technology has increased the need for additional towers, not decreased it.

NEW applications to be heard on October 26, 2010:

#10-13, 2500 Creekside Drive, Zoned R175, Corner Lot Property.

VARIANCE FROM SECTIONS 150-182 (A)(B)(G)(H) TO PERMIT CONSTRUCTION OF A 5' FENCE LOCATED IN THE FRONT, SIDE, AND REAR YARD SETBACKS WITH 4 OPERABLE GATES.

(DUE TO THE PROPERTY BEING LOCATED ON A CORNER LOT THERE ARE 2 FRONT YARDS: SECTION 150-196.)

c. Subdivision & Land Development Report – Current Activity Only

The Preserve at Worcester has a Conditional Use Hearing scheduled for the October 20, 2010 meeting.

A revised plan for the Rhodes Subdivision was received by the Township September 28, 2010.

Terra Landscaping land development plan has been submitted to the Township. It will be considered after the decision of the Zoning Hearing Board is rendered.

Arthur Bustard complimented the Public Works Department on their response to the heavy rain storms last week.

David Burman noted that they worked overnight coordinating road closures and clearing debris with the state police and fire department.

1. Engineer's Report

a. Engineering Report, Project Status

Joseph Nolan, Township Engineer, reported that the 2010 road project and the Wentz Church Road bridge replacement are both completed.

The generator at the Berwick Place Wastewater treatment plant has been installed and the ventilation will be completed this month.

Susan Caughlan noted that this should help to abate the noise.

Mr. Nolan acknowledged the recent seven to eight inches of rain that equated to more than a 100 year storm which did cause some flooding and noted that there's no capacity of this nature that can be planned for.

Maeve Vogan, Dell Road, commented on inspection of the Kriebel Mill Road Bridge after the storm.

2. Solicitor's Report

a. Executive Session Report – September 27, 2010

James Garrity, Township Solicitor, announced an executive session on September 27, 2010 for personnel issues.

James Mollick requested more specifics and referenced the Sunshine Law.

Mr. Garrity replied that it was regarding compensation and benefits for the next year's budget.

3. Other Business

None.

4. APPROVAL OF THE MINUTES OF AUGUST 2, 2010

Stephen Quigley requested correction of his statement regarding the State Police.

The Board tabled the motion pending further research and verification of the wording.

PUBLIC COMMENTS

Charles Eppolito, Fisher Road, commented on baseball fields and parking.

Stephen Quigley commented on possible parking lot expansion.

James Mollick commented on Zoning Hearing Board appointments, the Terra Landscaping application, the township solicitor and credibility of the Board.

ADJOURNMENT

There being no further business to come before this Board, Arthur Bustard adjourned the regularly scheduled Board of Supervisor's Meeting at 8:57A.M.

Submitted:



 Eunice C. Kriebel, Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY OCTOBER 20, 2010 @ 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN G. CAUGHLAN
 STEPHEN C. QUIGLEY

INFORMATIONAL ITEMS:

None

1. TREASURER'S REPORTS

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

September 2010 Report:

General Fund	\$ 318,167.88
State	\$ 169,780.42
Capital Reserve	\$ 283,671.85

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for September, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$733,280.34.

3. SOLICITOR'S REPORT

a. Executive Session Report – October 14, 2010

An executive session was held October 14, 2010 to discuss employee relations and benefits. It was an informational meeting only.

b. Supervisor's Discussion and Possible Decision on Preserve at Worcester Conditional use Application for Transfer of Development Rights Under the Conservation Subdivision Ordinance

Mr. Garrity explained that a public hearing was held on September 15, 2010 to receive public comment on this matter and the record was closed.

Arthur Bustard commented that this is the first development under the Conservation Subdivision Ordinance with TDR's (transfer development rights) from a property on Whitehall Road to North Wales Road.

Susan Caughlan commented that she considered all the conditions in the ordinance and all five conditions were met.

Stephen Quigley commented on time and effort by staff, Board and Engineer to preserve land and this Developer presented the best plan available.

Susan Caughlan commented on the historic house and prefers to have the 1734 house remain.

James Garrity noted that the developer agrees to have the house remain but not restore it.

A motion by Susan Caughlan seconded by Stephen Quigley and passed by all to approve the TDRs from Whitehall Road to North Wales Road with the provision that the historic house on tract 2220 Skippack Pike remain.

James Mollick, Country View Road, expressed his right to object under the Sunshine Law allegedly that the Board of Supervisors took official action without allowing public comment.

4. MANAGER'S REPORT

a. Authorization to Advertise Zoning Ordinance Amendment

David Burman, Township Manager, reported on the wording for the fence ordinance that previously delayed the advertising.

Rick DeLello, Stony Creek Road, inquired about copies of the ordinance outlining the changes and the availability.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize advertisement of Zoning Ordinance Amendment.

b. Update on Memorial Bench & Tree Program

Mr. Burman informed the Board that the draft policy is almost complete and it will allow the public to purchase benches or trees in various township parks to honor family members.

609423

c. Update on Morris Road Bridge Replacement

After contacting Penn DOT and the PA Turnpike officials, Mr. Burman has learned that the bridge replacement is scheduled to be complete and the bridge should be open in December, 2010.

d. Zoning Hearing Board Report

The last meeting was September 28, 2010. The next scheduled meeting is October 26th – **1 new application, 2 continued applications**

2 CONTINUED APPLICATIONS:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

Arthur Bustard reviewed the decision not to send the solicitor to oppose the variance stating that in prior years the Township took the property owner to court to bring the property into compliance and this would allow for conditions to be in the zoning decision.

Stephen Quigley disagreed noting that that it will bring economic growth to Worcester and the owner has spent time and money to improve the corner. He further commented that if there are violations in Lower Providence they should appeal to Lower Providence for relief.

Susan Caughlan was concerned with the size of the building and it's proximity to the township boundary line.

Nicholas Imperial, Fisher Road, commented on commercial building close to his property and phone calls to residents.

James Mollick, Country View Road, commented on previous vote not to appeal and meeting with Lower Providence.

Lois Imperial, Fisher Road, commented on loading and unloading in AGR district not being addressed in other areas.

Jeannie Steigerwalt, Grange Avenue, commented favorably on the decision to oppose the application.

Terry Coznell, Grange Avenue, commented on unsightly condition of property and owners abandonment of the property

Phillip Burke, Grange Avenue, commented on business in other people's back yards, restoration of the house on the property, landscaping and capital improvements to the property.

A motion by Susan Caughlan, seconded by Arthur Bustard to send the solicitor to oppose ZHB application 10-10 North Grange LLC. The motion carried with a two to one vote with Stephen Quigley opposing.

CONTINUANCE REQUESTED BY ZONING HEARING BOARD DUE TO MORE TESTIMONY TO BE HEARD AT THE OCTOBER 26, 2010 MEETING.

#10-12 - T-MOBILE NORTHEAST, LLC - 1732 WHITEHALL RD - VARIANCES FROM THE FOLLOWING SECTIONS OF THE CODE TO PERMIT THE INSTALLATION OF WIRELESS ANTENNAS TO AN EXISTING 92' HIGH PECO TOWER AS A WIRELESS COMMUNICATION USE:

VARIANCE FROM SECTION 150-11 TO PERMIT THE PROPOSED CELLULAR TELEPHONE USE.

INTERPRETATION AND/OR VARIANCE FROM SECTIONS 150-15 AND 150-187 TO PERMIT CELLULAR TELEPHONE ANTENNAS BE LOCATED ON THE EXISTING PECO TOWER SITE AT A HEIGHT OF 87'.

VARIANCE FROM SECTION 150-13 TO PERMIT A 10' x 20' CONCRETE PAD WITH EQUIPMENT CABINETS WITHIN THE SIDE YARD SETBACK

APPLICANT HAS REQUESTED TO BE HEARD AT THE OCTOBER 26, 2010 HEARING, AFTER A CONTINUANCE HAD PREVIOUSLY BEEN REQUESTED.

NEW APPLICATION

#10-13, 2500 CREEKSIDE DR, ZONED - "AGR" - CORNER LOT PROPERTY
 VARIANCE TO PERMIT CONSTRUCTION OF A 5' FENCE LOCATED IN THE FRONT, SIDE, AND REAR YARD SETBACKS WITH 4 OPERABLE GATES.
(DUE TO THE PROPERTY BEING LOCATED ON A CORNER LOT THERE ARE 2 FRONT YARDS: SECTION 150-196.)

609423

5. ENGINEER'S REPORT

a. Waiver of SALDO for fence in known easement at 2101 Deep Meadow Lane

A letter was received by the township requesting release from restriction of a fence in easements which is part of the SALDO ordinance. Joseph Nolan requested a legal agreement to be recorded with the property to allow access to the property if necessary in the future.

A motion by Susan Caughlan, seconded by Stephen Quigley approved by all to waive SALDO restriction on a fence in a known easement at 2101 Deep Meadow Lane subject to a recorded written agreement with the owner.

6. OTHER BUSINESS

Stephen Quigley commented on high grass on Germantown Pike at the intersection of Quarry Hall that needs to be addressed.

7. APPROVAL OF THE MINUTES OF SEPTEMBER 15, 2010

Phillip Burke expressed discrepancy in his comments opposing commercial property at Grange Avenue and Germantown Pike that it was for neighbor's property instead. He further corrected his statement about fines being used for revenue, he stated punitive and compliance issues instead.

William Kazimer, Germantown Pike, commented on a discrepancy in his comments about the height of the PECO tower. He had referred to how much higher the antenna will be above the PECO tower.

James Mollick commented on his reference to plural driveways, stating that he only referred to one driveway.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve with the three prior corrections, the minutes of September 15, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Rick DeLello commented on the decision to send the solicitor to the ZHB and inquired if the property is in violation as of now.

Phillip Burke inquired if violation notices were issued to the property owner at Grange Avenue and Germantown Pike. He commented that he was initially apposed to the project but after hearing testimony, he changed his mind. He further commented on phone calls by residents to oppose the variance.

James Mollick commented on remarks about residents and from residents, mentioned his equal and civil rights referencing the 14th Amendment, a driveway

issue and the solicitor's opinion, changes in the RTRK procedures, Lower Providence's meetings, the sunshine law, and public comment periods.

William Kazimer commented on the last minute decision by the Board regarding Terra Landscaping and the owner spending money to improve the stormwater and correct flooding issues. He referenced last month's statement by the owner.

Nicholas Imperial commented on the lack of landscaping and stormwater management plans from his neighbor, violations of parking, and inspections of the property by township officials.

Lois Imperial, Fisher Road, inquired if their neighbor had a plan of improvements.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 8:50 P.M.

Respectfully submitted:



Eunice C Kriebel, Recording Secretary

609423

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, NOVEMBER 1, 2010 @ 8:00 A.M.

CALL TO ORDER by Arthur Bustard at 8:00 A.M

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

1. The Proposed Budget for Calendar Year 2011 will be presented for review and authorization to advertise at the November 17, 2010 Board of Supervisors' Meeting.
2. Any interested applicants to serve on the Zoning Hearing Board or Planning Commission should send their resumes to the Township for consideration.
3. Stephen Quigley inquired if the Roadmaster will be making a presentation.

1. Manager's Report:

a. Request for Consideration of Park Memorial Bench and Tree Program

This policy allows residents to honor deceased family members and beautify all the Township's parks. The Township will determine types of trees and the benches will be heavy duty. There will be guidelines for costs and number of letters for plaques.

Stephen Quigley expressed concern about donor's rights to the benches and trees. He suggested that ownership be clarified.

Susan Caughlan commented that the Park Director, Julie Lanzillo, has done a lot of research and reviewed several surrounding townships' programs in drafting this policy.

Rick DeLello, Stoney Creek Road, commented on the lack of costs in the policy and the Board responded that that is still to be addressed.

A motion by Stephen Quigley, and seconded by Susan Caughlan and approved by all to approve Park Memorial Bench and Tree Program.

b. Resolution 2010-24 – Earned Income Tax Collector

Act 32 of 2008 requires that County wide tax collectors consolidate as of January, 2012. Montgomery County has the option to exercise the contract early with a beginning date of January, 2011.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to pass Resolution 2010-24 – Earned Income Tax Collector

c. Zoning Hearing Board Report (Current Activity Only)

The last meeting was October 26, 2010

Application 10-10 is still active with the record closed. The decision from the ZHB is anticipated November 23, 2010.

Conclusions/ Decisions of applications:

**#10-12, T-MOBILE NORTHEAST, LLC 1732 WHITEHALL RD. ZONED – “AGR”
VARIANCES FROM THE FOLLOWING SECTIONS OF THE CODE TO PERMIT THE INSTALLATION OF WIRELESS ANTENNAS TO AN EXISTING 92’ HIGH PECO TOWER AS A WIRELESS COMMUNICATION USE:**

VARIANCE FROM SECTION 150-11 TO PERMIT THE PROPOSED CELLULAR TELEPHONE USE.

INTERPRETATION AND/OR VARIANCE FROM SECTIONS 150-15 AND 150-187 TO PERMIT CELLULAR TELEPHONE ANTENNAS BE LOCATED ON THE EXISTING PECO TOWER SITE AT A HEIGHT OF 87’.

VARIANCE FROM SECTION 150-13 TO PERMIT A 10’ x 20’ CONCRETE PAD WITH EQUIPMENT CABINETS WITHIN THE SIDE YARD SETBACK.

GRANTED 10-26-2010

#10-13, 2500 Creekside Drive, Zoned R175, Corner Lot Property.

VARIANCE FROM SECTIONS 150-182 (A)(B)(G)(H) TO PERMIT CONSTRUCTION OF A 5’ FENCE LOCATED IN THE FRONT, SIDE, AND REAR YARD SETBACKS WITH 4 OPERABLE GATES. (DUE TO THE PROPERTY BEING LOCATED ON A CORNER LOT THERE ARE 2 FRONT YARDS: SECTION 150-196.)

GRANTED 10-26-2010

Continued applications:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES,

TRASH & RECYCLABLES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS. CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE SEPTEMBER 28, 2010 MEETING. RECORD CLOSED. ZONING HEARING BOARD HAS TAKEN RENDERING A DECISION UNDER ADVISEMENT. THE DECISION IS TENTATIVELY SCHEDULED FOR ANNOUNCEMENT AT THE NOVEMBER 23rd, 2010 ZONING HEARING BOARD MEETING

NEW applications to be heard on November 23, 2010:

#10-14 BETHEL HILL UNITED METHODIST CHURCH 2000 BETHEL RD ZONED - "R-175" VARIANCE FROM SECTIONS 150-147(D) (E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

Susan Caughlan requested the application be submitted to the Planning Commission for review and Mr. Burman confirmed that all applications are forwarded to the Planning Commission.

Maeve Vogan, Dell Road, requested conformation if the Bethel Hill United Methodist Church application will be sent to the Planning Commission for review.

d. Subdivision & Land Development Report – Current Activity Only

A Master Plan has been submitted by Meadowood Corporation for determining the EDU's requirement. CKS Engineers will review the plan.

The Preserve subdivision plan will go before the Board of Supervisors for preliminary approval at the November 17, 2010 meeting.

The Rhoads Subdivision was to be reviewed at the October 28th, 2010 Planning Commission meeting, however the Engineer for the applicant was not available so it will be heard on November 11, 2010.

2. Engineer's Report

a. Resolution 2010-22 – Adoption of Lower Perkiomen Watershed Conservation Plan

Several years ago Lower Perkiomen Watershed prepared a conservation plan. Adoption of this plan by all municipalities will help secure future funding for all entities.

Susan Caughlan commented that the advantage to Worcester Township is to receive additional funding for projects that impact the Skippack Creek.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to approve Resolution 2010-22 – Adoption of Lower Perkiomen Watershed Conservation Plan

3. Solicitor's Report

a. Executive Session Report

There were no executive session meetings.

4. Other Business

David Burman, Township Manager, reported that the noise ordinance is at the solicitor's office for final review and should be ready to present to the Board for a motion to advertise at the meeting on November 17, 2010.

5. APPROVAL OF THE MINUTES OF AUGUST 2, 2010

These minutes were tabled at the October meeting to verify wording of Stephen Quigley.

James Mollick, Country View Lane, commented on who prepares the minutes and inquired about the subject of the executive session in July.

A motion by Stephen Quigley, and seconded by Susan Caughlan, and approved by all to dispense with the reading of, and approve as written, the minutes of the meeting August 2, 2010.

(Copies are available for review.)

6. APPROVAL OF THE MINUTES OF OCTOBER 4, 2010

James Mollick commented on the public comments being more specific.

James Garrity remarked the minutes require only the subject of a public comment, not specifics.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as written, the minutes of the meeting October 4, 2010.

(Copies are available for review.)

PUBLIC COMMENTS

Rick DeLello commented on the decision to send the solicitor to the ZHB.

Oliver Smith, Fisher Road, commented on expediting the noise ordinance.

James Garrity responded that since PECO is a public utility, they may try to argue that the ordinance is not enforceable against them.

Susan Caughlan commented that PECO offered compliance.

James Mollick commented on property file reviews, the cost of sending the solicitor to the Zoning Hearing Board, the Township staff meeting with Lower Providence's staff, and a driveway.

Susan Caughlan commented on the meeting between Lower Providence's and Worcester's staff and complimented the Manager for the great job.

ADJOURNMENT

There being no further business to come before this Board, Chairman Arthur Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 8:41A.M.

Respectfully submitted:


Eunice C Kriebel
Eunice C Kriebel, Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, NOVEMBER 17, 2010 @ 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN G. CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

609423

INFORMATIONAL ITEMS:

Penn DOT is closing Stump Hall Road in Skippack Township through March 2011 for road repairs

There is an opening on the Planning Commission and two Zoning Hearing Board appointments that expire at year end. Any interested parties should submit a resume and letter of intent to the township office.

1. TREASURER'S REPORTS

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

October 2010 Report:

General Fund	\$ 259,732.81
State	(\$ 30,202.35)
Capital Reserve	\$ 283,756.79

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for October, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$185,169.12.

3. MANAGER'S REPORT

a. Authorization to Advertise Proposed Budget for 2011

David Burman, Township Manager, reported on the proposed 2011 budget, as prepared by township staff, with a focus on the General Fund. Copies of the proposed budget were available for review.

Mr. Burman reported on the capital improvement projects for 2011, including truck safety modifications, bridge replacement, emergency generators for the administration building and garage, administration building security enhancements, and the pedestrian bridge in Mt Kirk Park.

He requested authorization from the Board for the engineer to perform a sewer rate study. He indicated that a recent request for proposal was sent out to interested parties for operations of the Township's sanitary sewer systems. While final recommendations have not been made, the initial indication is that there will be significant cost savings, and these have been incorporated into the proposed 2011 budget.

He also reported that the work of the township administration including public works is handled by only 11 full-time employees and three part-time seasonal employees, commending the staff on their accomplishments.

William Kazimer, Germantown Pike, asked why the legal fees were reduced for 2011.

James Mollick, Country View, agreed with Mr. Burman's compliments to the staff, and commented on the solar panel budget item from the 2010 budget.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to authorize advertisement of the proposed budget for 2011. Copies of the budget may be reviewed on the township web site, and at the administration office.

b. Authorization to Advertise Noise Ordinance

Mr. Burman informed the Board that the ordinance is ready for advertisement. It will allow for the training of a noise officer, maximum permissible sound levels, specific prohibitions and exceptions and provide for remedies and enforcement.

William Kazimer asked how many noise complaints are received, who enforces, and what will be the cost.

James Mollick commented on the ordinance, sympathized with living next to noisy neighbors and stated his opinion that PECO would not comply.

David Plager, Fieldcrest Way, commented on neighbors with an ATV, lack of police enforcement and the need for an ordinance.

Nicholas Imperial, Fisher Road, commented on ATVs, the ordinance clarifying noise level and his opinion that PECO will not comply.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to authorize advertisement of Noise Ordinance.

a(1). Engineering Study for Sewer Rate Review

Mr. Burman requested the Board approve an engineering study to review sewer rates and projected capital improvement costs, noting that there has never been a sewer rate increase.

Susan Caughlan thanked David Burman for the time and effort that went into producing the RFP for the sanitary sewer systems.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize the engineer to perform a sewer rate study and program to review sewer plant capital improvements.

c. Authorization to Expedite Purchase of Administrative Vehicle using COSTARS contract.

Mr. Burman reported that the current vehicle used by township administration has 105,000 miles, and requires \$1,200 in repairs to pass inspection due this month. The 2011 budget would have called for the purchase of a new vehicle and he is requesting the Board consider the purchase now. A Ford Escape four-wheel drive can be obtained for \$21,833 through the Co-Stars program.

Stephen Quigley asked about the need for a vehicle with four-wheel drive. Mr. Burman said it was for the safety of township staff in off-road and inclement weather situations.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize the purchase of a new administrative vehicle using the COSTARS contract.

d. Periodic Report on Fire Department Activity

Mr. Burman summarized a written report submitted by the Worcester Volunteer Fire Department.

In the third quarter of 2010, they dispatched 62 calls with 1,293 personnel calls. They performed 9 drills, with 23 fire police calls. There was one structure fire with damage estimated at \$75,600.

Mr. Burman reported that the Fire Department is currently involved in their annual fund drive and appreciates the community support to continue their service.

The annual craft fair will be November 20, 2010.

Arthur Bustard commented on the department's services and the dedication of the volunteers to the community.

e. Periodic Report on Pennsylvania State Police Department Activity

Lt. Buckley of the Skippack Barracks was present to address the Board.

He summarized the October report to the township, including one attempted homicide, among 179 calls to the State Police. He cautioned residents to lock their car doors, as most auto-related crime in the area is committed by local youths looking for an easy target.

He reviewed traffic accidents, and commented on the noise complaints noting that there is an ordinance covering unreasonable noise.

Stephen Quigley asked if they received many noise complaints, and Lt. Buckley reported 80 to date in Worcester this year.

Rick DeLello, Stoney Creek Road, asked if there were any staffing issues coming up in the next budget. Lt. Buckley responded that there is a minimum staffing requirement that is maintained and that more staff is always welcome but he feels the current levels are adequate.

f. Update on Morris Road Bridge Replacement

Mr. Burman reported that the Pennsylvania Turnpike Commission has indicated they are on schedule for opening in December. There will be some additional work in the spring.

g. Zoning Hearing Board Report (current activity only)

The last meeting was October 26, 2010. The next meeting is November 23, 2010 at 6:30pm.

2 CONTINUED APPLICATIONS:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

The record is closed. The Zoning Hearing Board has taken the decision under advisement. The decision is tentatively scheduled for announcement at the November 23rd meeting.

NEW APPLICATIONS TO BE HEARD NOVEMBER 23, 2010

#10-14 BETHEL HILL UNITED METHODIST CHURCH

2000 BETHEL RD. ZONED - "R-175"

VARIANCE FROM SECTIONS 150-147(D)(E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

Arthur Bustard said he was not clear about the applicant's desire, based on the materials submitted. There was a conflict between the drawing and the written description. Mr. Bustard noted that internal illumination is not allowed.

Susan Caughlan commented that the application was not clear on whether the applicant wants to expand one or two signs and suggested opposing the application unless the applicant agrees to continue the hearing until clarification is submitted.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to oppose the application unless a continuance is requested to get more clarification.

NEW APPLICATION TO BE HEARD ON DECEMBER 21, 2010:

#10-15 3206 STUMP HALL RD

ZONED - "R-175"

VARIANCE FROM SECTION 150-37(C)(1) TO PERMIT AN ADDITION TO BE BUILT PROJECTING 19'6" INTO THE SIDE YARD SETBACK. SETBACK REQUIREMENT FOR THE SIDE YARD IS 35'.

h. Preliminary Approval Consideration – Preserve at Worcester 39-Lot Subdivision

Mr. Sal Paone, developer and Timothy Woodrow, engineer for the developer, were present. Mr. Paone reported this project has been 6 years in the making, having worked closely with Natural Lands Trust on the plan as this is the first Worcester development under the Conservation Subdivision ordinance. They are requesting multiple waivers of the current subdivision and land development ordinances because development conditions are considerably different under conservation subdivision.

Stephen Quigley expressed concern with road widths and asked about signs at the entrance.

Mr. Paone replied that where houses are located, the streets are wider, and turning radius tests were done with the largest fire truck.

Susan Caughlan commented on the pedestrian crossing bridges being wide enough, asked whether there were sidewalks on both sides of streets, and commented that North Wales Road should not be widened except for acceleration and deceleration

lanes. Ms. Caughlan inquired if speed signs would be installed and discussed the requested waiver of the setback from primary conservation areas. She also asked Mr. Paone to consider monuments for boundaries around the out-parcel on Whitehall Road, and to provide trail access to the Whitehall Road open space along the PECO corridor if the township receives permission from PECO. She also asked Mr. Paone to insure that the lots restricted by stormwater easements or natural conditions would have those restrictions recorded to provide notice to future buyers.

Arthur Bustard asked Mr. Paone to consider rolled curbing instead of Belgian block curb on the interior roads.

Joseph Nolan, township engineer, commented that most of the waivers are technical in nature and were requested because the current subdivision and land development ordinances do not address conditions under the Conservation Subdivision ordinance. He has no problem with the items requested.

James Garrity, township solicitor, prepared a draft resolution that will be revised based on these discussions.

Susan Caughlan remarked that under the Conditional Use decision all three parcels of open space are to be offered first to the township.

James Mollick commented on giving land to the township, if future dedication of land is part of the resolution, and when were plans submitted.

James Garrity explained the TDR (Transfer of Development Rights) and the ordinance's requirements regarding the ownership of open space.

Mark Landis, Schultz Road, commented on how much the roads would be narrowed and if the fire chief reviewed the plans, inquired about package plant for sewer and if this is part of the sewer rate study.

William Kazimer commented on fences in conservation areas and having it recorded in the deeds for these properties, he disagreed that narrower roads discourage speeding, and commented on the three member board.

Joseph Nolan commented that the narrowest street is 18 feet wide and it is a one way street and the other roads are 30 feet wide.

Gordon Todd, Bustard Road, commented that this is a preliminary approval, not final, and the Planning Commission has been working with the developer for years so fine tuning can take place at a later time.

Kim David, Berks Road, complimented the Township for moving ahead with this Conservation Subdivision project and the developer for being willing to work with the Township.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to grant preliminary approval for The Preserve at Worcester, 39-lot subdivision with items of concern as noted in the board's discussion.

4. **ENGINEER'S REPORT**

a. **October Engineer's Report**

Mr. Nolan reported that his October report was included in the Board's materials. The only current project is the bridge at Kriebel Mill Road.

Arthur Bustard commented that the Wentz Church Road project is done and asked if the ventilator and HVAC projects are being completed at the Berwick WWTP.

5. **SOLICITOR'S REPORT**

a. **Executive Session Report – November 15, 2010**

Mr. Garrity reported that an executive session was held November 15, 2010 to discuss a personnel evaluation and Office of Open Records decision#08-63, regarding whether to appeal and file a motion for reconsideration of the decision.

Mr. Quigley commented on the need to stop wasting money and provide the requestor with the email.

Mark Landis, Schultz Road, inquired on the estimated cost to the residents to appeal. He requested that money be used for township needs, not legal expenses.

William Kazimer commented on the statement and asked what will be gained and inquired if the Board had an estimate of costs.

Steve Quigley said that \$10,000 has been spent on email for nothing. If we grant Dr. Mollick's wish, all correspondence is public.

James Garrity noted that the issue is attorney-client privileged, not emails between Board members.

James Mollick commented on rulings concerning disruptive Right to Know requests by the Office of Open Records. He stated his opinion Susan Caughlan relinquished Attorney Client Privilege and the Board is deceitful.

A motion by Susan Caughlan, and seconded by Mr. Bustard the motion passing with a two to one vote with Mr. Quigley opposing, to appeal and move for reconsideration of the decision.

Jeannie Steigerwalt, Grange Avenue, stated her appreciation of the State Police presentation and their work.

6. OTHER BUSINESS

None

7. APPROVAL OF THE MINUTES OF OCTOBER 20, 2010

James Mollick commented on the Zoning Hearing Board report, his remark about a previous vote not to appeal, a meeting with Terra Landscaping and Joseph Dunbar, and a driveway issue.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to dispense with the reading of, and approve as written the minutes of October 20, 2010. (Copies were available for review.)

8. PUBLIC COMMENTS

Tiffany Loomis, Land Use Officer, provided further detail on ZHB application 10-14, clarifying the lighting issue.

Rick DeLello commented on the discussion of speed limit signs at the Preserve. He asked for clarification on the application process for the Zoning Hearing Board and Planning Commission, and commented on the over simplification of the legal fees.

Mark Landis commented on the township not spending money on roads and speeds, but spending \$100,000 on legal issues.

Nicholas Imperial commented on legal procedures, a letter from Mr. Garrity with ten issues on neighbors' property, but only one addressed, and property measurements without boundary pins.

Lois Imperial, Fisher Road, commented on property surveys without pins, forced survey on neighbors and PECO's property.

James Mollick commented on a meeting with Lower Providence Township, taping of township meetings being done gavel to gavel, and the cost of a DVD.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 10:05 P.M.

Respectfully submitted:


Eunice C. Kriebel, Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, DECEMBER 6, 2010 @ 8:00 A.M.

CALL TO ORDER by Arthur Bustard at 8:00 A.M

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD
 SUSAN CAUGHLAN
 STEPHEN C. QUIGLEY



INFORMATIONAL ITEMS

1. The joint meeting of the Planning Commission and Board of Supervisors scheduled for December 6, 2010 at 9:30 AM has been cancelled.
2. The meeting of the Planning Commission scheduled for December 9, 2010 at 7:30 PM has been cancelled.
3. The Township will be putting up for bid a 1998 Ford Explorer on the municipal auction site municibid.com. Once listed, a link to the auction will be posted on the township web site, www.worcestertwp.com
4. The PA Turnpike Commission has announced that additional work still needs to be completed on the Morris Road Bridge and they do not anticipate opening Morris Road until early January, 2011.
5. The Montgomery County Lands Trust honored Worcester Township last night for their Open Space Program.

Manager's Report:

- a. **Request for authorization to advertise Ordinance concerning participation in the Delaware Valley Health Insurance Trust pursuant to the Pennsylvania Intergovernmental Cooperation Law**

This is a trust established to provide health benefits to municipalities in South Eastern Pennsylvania contracting through Aetna and Delta Dental. They provide the same benefits at a lower cost resulting in a 5% decrease in premiums. Worcester Township's coverage will take effect April 1, 2011.

James Mollick, Country View Lane, commented on insurance plan comparisons, inquired if it is a PPO or HMO.

609423

Maeve Vogan, Dell Road, commented on families joining both plans.

A motion by Stephen Quigley, and seconded by Susan Caughlan and approved by all to advertise an Ordinance concerning participation in the Delaware Valley Health Insurance Trust pursuant to the Pennsylvania Intergovernmental Cooperation Law.

Susan Caughlan thanked David Burman for the time spent and for saving the township money.

b. Request to Re-Appoint the Firm of Bee Bergvall & Company as Auditors for fiscal year 2010.

The firm of Bee Bergvall & Company proposed to audit the book of the Township for 2010 at a fee of \$11,000, a \$500.00 increase from 2009.

A motion by Susan Caughlan, seconded by Stephen Quigley and approved by all to re-appoint the firm of Bee Bergvall & Company as auditors for fiscal year 2010.

c. Request for Authorization to Advertise Bids for Supplemental Snow Removal Services.

Mr. Burman explained that in past years Worcester Township has utilized sub-contractors for large developments like Milestone and Sunnybrook for snow removal operating under an emergency basis but the dollar amounts have exceeded the 2nd class township code limits. This advertisement is for supplemental snow removal services.

A motion by Susan Caughlan, seconded by Stephen Quigley and approved by all to approve authorization to advertise bids for Supplemental Snow Removal Services.

d. Discussion: Methacton School District School Resource Officer (SRO)

David Burman met with Dr. Quinn, Methacton School Superintendent, and was informed that the School District is moving forward with plans to create the district's own police force utilizing Lower Providence Police officers.

Arthur Bustard confirmed the school is moving ahead and wanted discussion and determination.

Stephen Quigley inquired about Lower Providences' authority to establish police districts.

James Garrity, Township Solicitor, explained procedures for establishing police districts.

Susan Caughlan commented on school board members not being fully aware of implications.

James Garrity and David Burman are to get additional information and report back to the Board.

Rick DeLello, Stoney Creek Road, commented that a face to face meeting might be more productive.

e. **Zoning Hearing Board Report (Current Activity Only)**

The last meeting was Tuesday, November 23, 2010
The next meeting is December 21, 2010

Conclusions/ Decisions of applications:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

GRANTED 11-23-2010 with conditions

Continued applications:

#10-14 BETHEL HILL UNITED METHODIST CHURCH 2000 BETHEL RD
ZONED - "R-175"

VARIANCE FROM SECTIONS 150-147(D)(E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE DECEMBER 21, 2010 MEETING.

The township expects a letter this week clarifying the application.

NEW applications to be heard on December 21, 2010:

APPL #10-15 3206 STUMP HALL RD
ZONED - "R-175"

VARIANCE FROM SECTION 150-37(C)(1) TO PERMIT AN ADDITION TO BE BUILT PROJECTING 19'6" INTO THE SIDE YARD SETBACK. SETBACK REQUIREMENT FOR THE SIDE YARD IS 35'.

609423

APPL #10-16 1810 BERKS RD

ZONED - "R-175"

VARIANCE FROM SECTION 150-37(A) TO PERMIT AN ADDITION APPROX. 967 SQ. FT (+/-) TO BE BUILT WITHIN THE FRONT YARD SETBACK DUE TO THE EXISTING NON-CONFORMING LOCATION OF THE SINGLE FAMILY DWELLING. SETBACK REQUIREMENT FOR THE FRONT YARD IS 60'.

f. Subdivision & Land Development Report – Current Activity Only

The Township received a request for re-instatement of the DePhillippo Land Development Plan.

Jojope Subdivision submitted final plans and the township engineer will be reviewing them.

The Kibblehouse / Rotelle Subdivision requested an extension through December, 2011.

g. Authorization for letter to MCPC regarding trail on Moran Property.

Susan Caughlan reported that the township will be acquiring a trail easement through the property. The easement is close to settling with Montgomery County Lands Trust holding the conservation easement. This trail will connect the Moran property to Evansburg Park trails. Montgomery County needs Township commitment concerning the trail easement since it is scheduled to close by year end.

Stephen Quigley commented that the benefits of this trail have been discussed previously and will assist students from the High School in gaining access to Evansburg Park.

James Mollick commented on approval contingent upon access to property and opening one of the access roads to through traffic.

Rick DeLello, Stoney Creek Road, commented on limits of commitment and drawbacks of written documents.

Susan Caughlan commented that opening one of the access roads would increase traffic and costs.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to approve Authorization for letter to MCPC regarding trail on Moran Property.

2. Engineer's Report

The monthly report has been submitted to the Board of Supervisors.

Arthur Bustard inquired about the status of the Kriebel Mill Road Bridge. Joseph Nolan, Township Engineer, reported that he has met with Penn DOT and the design stage will be complete by early next year.

Susan Caughlan inquired about the Berwick Place generator project with Mr. Nolan reporting that the ventilation change order will be completed before year end which will complete the project.

Stephen Quigley inquired about a request from Meadowood to utilize the access right of way on Valley Forge Road for a secondary driveway and if Meadowood will reimburse the Township for any costs. Mr. Nolan responded that he will review the original plans and obtain input from Penn DOT who may require road improvements.

Arthur Bustard expressed concerns about the range of sight at that location and suggested the installation of a traffic light on Skippack Pike at their current driveway should be reviewed.

Susan Caughlan inquired about Meadowood relocating their current driveway on Skippack Pike to align with Hollow Road. Mr. Nolan responded that it is always safer to align a driveway with a road but it must meet with Penn DOT's approval.

Stephen Quigley commented on speed signs that are more pleasing to the eye for the Sunnybrook Development. Mr. Nolan responded that they must be approved by Penn Dot and be enforceable.

609423

3. Solicitor's Report

a. Executive Session Report

There were no executive session meetings.

4. Other Business

None

5. APPROVAL OF THE MINUTES OF NOVEMBER 1, 2010

James Mollick commented on following the Sunshine Law and posting meetings on line with a Township server dedicated to meetings.

Stephen Quigley responded that the manager is looking into costs and feasibility.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to dispense with the reading of, and approve as written, the minutes of the meeting of November 1, 2010. (Copies are available for review.)

6. PUBLIC COMMENTS

James Mollick commented on Terra landscaping, a meeting between Worcester and Lower Providence, the cost of sending the solicitor to the hearing, and a non-criminal investigation. He further commented on the Right to Know process, audio taping after meetings and the electronic media policy.

Rick DeLello commented on speed signs, driver communication, sidewalk snow removal policy, and the inability of the Homeowners Association to impose fines. Susan Caughlan commented on conversations with Sunnybrook residents and their desire not to have a snow removal ordinance.

James Garrity noted that this is a policy issue for the Board that will simply reinforce common law.

ADJOURNMENT

There being no further business to come before this Board, Chairman Arthur Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 9:12 A.M.

Respectively Submitted,


Eunice C Kriebel, Recording Secretary

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, DECEMBER 15, 2010 @ 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN G. CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

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INFORMATIONAL ITEMS:

The Turnpike Commission informs us that the Bridge on Morris Road is now expected to reopen in mid January, 2011

1. TREASURER'S REPORTS

The Treasurer's reports for November, 2010 net change on cash basis:

November, 2010 Report:

General Fund	\$ 379,504.57
State	(\$ 30,399.16)
Capital Reserve	\$ 287,388.79

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for November, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$209,377.40.

3. MANAGER'S REPORT

a. Request to Appoint Operator of Sanitary Sewer Systems Under Professional Services Agreement

David Burman, Township Manager, reported Worcester Township has two wastewater treatment plants serving approximately 850 customers. Given the highly technical nature of work involved in operating and maintaining a sanitary sewer system, as well as the fact that the Township does not directly employ any licensed operators, the Board of Supervisors may treat this proposed contract as a professional services contract. In July, 2010, the Board authorized the preparation of a request for proposal (RFP) under the Second Class Code. The Township

received three responses which were evaluated by the staff using specific criteria. Miller Environmental, Inc. received the highest technical ranking. Mr. Burman, along with the Township Engineer, the Assistant Township Manager and the Director of Public Works, that the Board appoint Miller Environmental Services to operate and maintain the Township's sanitary sewer systems, for an initial term of three (3) years, at an annual cost in year one of \$177,074, which is approximately \$25,000 less than that of the second highest ranked firm..

Susan Caughlan thanked Mr. Burman for the detailed RFP and was impressed with Miller Environmental Inc's proposal.

Stephen Quigley inquired about responses to emergency services. Mr. Burman responded.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to appoint Miller Environmental, Inc. as operator of Sanitary Sewer Systems under the Professional Services Agreement, as recommended by staff.

b. Consideration and Adoption of 2011 Budget

Mr. Burman informed the Board and public that there is no tax increase or large expansion of services. The budget was duly advertised in the local paper, as well as on the Township's web site.

James Mollick, Country View Lane, commented on the increase in benefits, the "see bottom" note on the budget in various places, and various payroll expenses. David Burman responded with information and clarification.

Rick DeLello, Stony Creek Road, commented on line item for "Management Consulting", the Parks and Recreation Task Force recommendations concerning the Army base budget, and the method for estimating revenue from the Earned Income Tax.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to approve the 2011 budget.

c. Consideration and authorization of Real Estate Tax Levy with No Increase for 2011

Mr. Burman noted that the millage for 2011 is still .05 mills.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize the Real Estate Tax Levy with no increase for 2011.

d. Zoning Hearing Board Report

The last meeting was November 23, 2010. The next meeting is Tuesday, December 21, 2010 at 6:30pm.

Continued applications:**#10-14 BETHEL HILL UNITED METHODIST CHURCH 2000 BETHEL RD
ZONED - "R-175"**

VARIANCE FROM SECTIONS 150-147(D)(E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

NEW applications to be heard on December 21, 2010:**#10-15 3206 STUMP HALL RD
ZONED - "R-175"**

VARIANCE FROM SECTION 150-37(C)(1) TO PERMIT AN ADDITION TO BE BUILT PROJECTING 19'6" INTO THE SIDE YARD SETBACK. SETBACK REQUIREMENT FOR THE SIDE YARD IS 35'.

**#10-16 1810 BERKS RD
ZONED - "R-175"**

VARIANCE FROM SECTION 150-37(A) TO PERMIT AN ADDITION APPROX. 967 SQ. FT (+/-) TO BE BUILT WITHIN THE FRONT YARD SETBACK DUE TO THE EXISTING NON-CONFORMING LOCATION OF THE SINGLE FAMILY DWELLING. SETBACK REQUIREMENT FOR THE FRONT YARD IS 60'

4. ENGINEER'S REPORT

None

5. SOLICITOR'S REPORT

There was no executive session report.

a. Consideration of Authorization to Execute the Public Access Easement Agreement in connection with Preservation of Moran Property

Mr. Garrity reported that the agreement is not in final form but all the financial issues have been resolved and approved.

Arthur Bustard commented that this will preserve 81.1 acres with public access.

Susan Caughlan commented on the long process with Montgomery County Lands Trust, Mr. Moran and the Township coming to agreement.

James Mollick commented on the property being land locked on a dead end road and no trail access.

Susan Caughlan responded that the property has frontage on Kriebel Mill Road and Grange Avenue and the trail on Kriebel Mill Road will make access safe for pedestrians, bicycles, and hikers.

A motion by Susan Caughlan, and seconded by Stephen Quigley and approved by all to authorize the execution of the Public Access Easement Agreement in connection with Preservation of Moran Property.

b. Public Hearing concerning Adoption of "Noise Ordinance"

Public Hearing opened at 8:06 P.M.

A Court Reporter recorded a transcript of the proceedings.

Arthur Bustard provided background of ordinance noting that it has been reviewed by the Planning Commission and the solicitor.

Stephen Quigley commented on enforcement and training personnel.

Agnes Ferrara, Shady Lane, commented on availability of the ordinance's text and sound barriers for the turnpike.

Rick DeLello commented on Section F3 and a possible conflict.

Mark Landis, Schultz Road, commented on construction noise and night work.

James Mollick commented on ambient noise and government regulation.

Christopher Drummond, Anvil Drive, commented the ordinance pertaining to surrounding Townships, gun noise, and noise devices being regulated.

Stephen Quigley commented that this is the first step for neighborhood issues.

Susan Caughlan suggested researching other Township's ordinance regarding Mr. Landis suggestion.

Arthur Bustard agreed with the comment regarding too much government interference but acknowledged that something to regulate noise must be done.

Public Hearing closed at 8:42 P.M.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to adopt Ordinance 2010-225 "Noise Ordinance"

c. Public Hearing Concerning Adoption of "Zoning Ordinance Amendments"

Public Hearing opened at 8:44 P.M.

A Court Reporter recorded a transcript of the proceedings.

Arthur Bustard introduced the ordinance noting that this has been discussed for over a year. It will clarify many definitions and change others relating to the AGR district, sport courts, fencing, and Limited Industrial.

Susan Caughlan commented on Limited Industrial and garage heights.

Stephen Quigley expressed concern about the proposed Limited Industrial changes.

The Board discussed the proposed changes separately with the AGR revisions first, the private tennis and sports courts second and the fence height third.

James Mollick commented on all three proposals inquiring why changes were made in AGR, commented on appropriate changes for private tennis and sport courts, and 6' fences and property lines for fencing.

Limited Industrial zoning had several proposed changes and the Board opened comments to the public after discussion.

Agnes Ferrara commented on need for a berm, disapproved of the incinerator and the North East extension expansion.

Jessica Landis, Schultz Road, commented on the incineration of animals with toxins and carcinogens.

Jeremy Greene, Horseshoe Drive, commented on only two parcels being zoned L.I. and possible separate zoning for each.

Richard Minehart, Weber Road, commented on enough distractions in area already.

Thomas Croke, Schultz Road, commented on limiting materials being trucked in for incineration and on the size of parking lot.

Frank Well, Berks Road, commented on lights and noise that currently exist and multi tenant building being too close to the residential area and property values dropping.

Erin McCann, Horseshoe Drive, commented on opposition to incinerator and building heights.

Wini Hayes, Fisher Road, commented on height of 65' tower visibility and Township changing zoning concerns, and animals concerning medical waste and EPA being regulator.

Edith Senderak, Horseshoe Drive, commented in opposition to zoning changes.

Agnes Ferrara commented on original opposition to construction.

Mark Landis commented on taxes paid by property owner, diesel power backup, radio active waste and private wells in the area.

James Mollick commented on proposed tenant, and who proposed the language change.

Caren Sigel, Green Hill Road, commented on emails as communication and the need to get information to residents.

Gordon Todd, Bustard Road, Chairman of the Planning Commission, commented on prior statements, Visteon property being zoned L.I. prior to their purchase and the height concept relative to the floor area ratio in the zoning ordinance.

Eric Costello, Horseshoe Drive, commented on his reason for moving here and incinerator are not acceptable, who is tenant and why not propose a variance instead of ordinance change.

Dorothy McGrane, Stump Hall Road, commented in opposition to L.I. changes and suggested addressing the fence, sport courts and AGR changes separately.

Lee Veneziale, Schultz Road, commented on being a resident since 1969 and not receiving any letter regarding this zoning change.

Chase Kneeland, Berks Road, commented on lack of knowledge regarding the tenant.

Wini Hayes commented on the process working by allowing residents to be heard.

Richard Minehart commented on the hearing process and against the incinerator.

The public hearing was closed at 10:20 P.M.

A motion by Susan Caughlan, seconded by Stephen Quigley, to not approve sections 2, 3, & 4, dealing with Limited Industrial and to approve Section 1 dealing with definition of AGR and sports courts, Section 5, regulations on private sport courts, Section 6, height of fences on residential properties, and Sections 7 through 10 regarding standard ordinance language and approved by all.

6. **OTHER BUSINESS**

None

7. **APPROVAL OF THE MINUTES OF NOVEMBER 17, 2010**

Chris David, Bean Road, commented on the reference to Mr. Garrity as Township Engineer and suggested it be corrected to "solicitor".

James Mollick commented on his remarks being incorrect, and the gavel to gavel rule.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to dispense with the reading of, and approve as amended the minutes of November 17, 2010. (Copies were available for review.)

8. **PUBLIC COMMENTS**

Chris Drummond commented on the need for open communication and a re-submission of the land development application for the DePhillippo property on Grange Avenue.

Mark Landis thanked the Board for hearing the public's comments and commented on the speed study for Landis Road.


Rick DeLello commented on the need for televising the meetings and open communication.

James Mollick commented on the Terra Landscape ZHB hearing, legal bills for RTK processing and web site postings.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 10:43 P.M.

Respectfully submitted:



Eunice C. Kriebel
Eunice C. Kriebel, Recording Secretary

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