

**MINUTES
WORCESTER TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
February 19, 2025 - 7:00 PM**

CALL TO ORDER

The meeting was called to order at 7:01 PM by Chair Rick DeLello.

ATTENDANCE

Member Steve Quigley was not present at the meeting.

ANNOUNCEMENTS:

Chair DeLello announced that there were technical difficulties, and the audio and video equipment was not functioning.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Bill McGrane expressed his displeasure with the comments made by the Supervisor from Skippack Township at the January 15, 2025 Worcester Township Board of Supervisors meeting related to Worcester Township's lack of monetary contribution to the Skippack EMS company. He confirmed his support for the services provided and indicated that there should be a contribution but stressed that it should be tied to Worcester's utilization of those services. Mr. McGrane continued to indicate that it would be inappropriate to provide funding at this time as it was not budgeted for 2025. He also reiterated his displeasure with what he categorized as offensive comments made by the Supervisor from Skippack Township during the January 15, 2025 Worcester Township Board of Supervisors meeting.

Tim Creelman asked for an update on the ongoing zoning violations at 1616 Whitehall Road.

Chair DeLello provided a background that certain deadlines were set via enforcement procedures, and the property did not comply. He further indicated that the Township was pursuing the matter with all legal recourses available. Chair DeLello continued to explain that the Township couldn't go into too much detail as the matter had become a matter of potential litigation.

Township Manager, Dan DeMeno explained that there was a February 7, 2025 deadline to either come into compliance or file an appeal to the Zoning Hearing Board for use and dimensional issues. He confirmed that there was legal recourse available, and the Township would be going down that path. Mr. DeMeno further confirmed that the details could not be discussed as it was a matter of potential litigation.

Mr. Creelman explained his concerns that the previous single family dwelling use had now turned into the Headquarters of a Construction Company. He indicated that there were many types of construction

vehicles and equipment operating and being stored at this location. Mr. Creelman further explained that it was his understanding through conversations with Mr. DeMeno that there were no permits for any of the structures, grading, or changes that had occurred at this property. He reiterated his belief that the property was now being used as the Headquarters of a Construction company/Depot and that no one wants to live near such an operation due to the ongoing loud noises made at all times of the day and night, seven days a week.

Mr. DeMeno confirmed that all the issues Mr. Creelman discussed were addressed in the Notices of Violation issued to the property owner.

Mr. Creelman explained that this matter was brought to the Township's attention over a year ago. After Mr. DeMeno was hired, he alleged that he was told by Mr. DeMeno that the Township hoped to have the matter resolved by the end of the year. Then, he was allegedly told that there was a February 7, 2025 deadline, and now it's February 19, 2025 with nothing to his knowledge tangibly done. Mr. Creelman then asked whether anything had been filed in court.

Mr. DeMeno responded, indicating that nothing had been filed as of yet but would be soon.

Chair DeLello explained that the Board's goal in enforcement is to work with the resident to come into compliance. He further indicated that, in this instance, the property owner did not come into compliance through that normal process. Chair DeLello continued by verifying that the timeline described by Mr. Creelman was accurate, and not ideal, but reiterated that the usually successful method of bringing properties into compliance by working with the resident did not work this time.

Mr. Creelman then asked whether any fines had been issued to the property owner.

Mr. DeMeno explained that fines would not be appropriate for zoning violations as it is a civil matter by law rather than a criminal matter. He continued to state that the matter needed to go before a judge in civil court, and that in his experience, citations would not hold up in court because the Judge could assert that the Township was trying to represent a civil matter as a criminal one.

Wendy McKenna, Township Solicitor, indicated that the Township has been trying to get the property into compliance. She continued to state that the Township needed to wait for the February 7, 2025 deadline, and that this process takes time. Ms. McKenna reiterated that this was now a matter of litigation, and the Township would be moving forward with the legal process.

Mr. Creelman asked what he could expect to hear at the March Board meeting as far as progress on this matter was concerned.

Chair DeLello explained that it depended on the court. He indicated that the Township intended on filing, and he hoped that happens, but he can't provide a definitive due to potential unforeseen circumstances.

Mr. Creelman asked whether the Township expected the property owner to come before the Zoning Hearing Board for relief.

Chair DeLello explained that the Township had expected that the property owner would have, but that they ultimately ended up not doing so.

Ms. McKenna explained that it was too late for the property owner to file an appeal and that it was unlikely that they would file for a variance at this point in time.

OFFICIAL ACTION ITEMS

1. Consent Agenda

- a motion to approve a consent agenda that includes the following items:
 - i. December 18th Business Meeting minutes;
 - ii. January 15th Business Meeting minutes;
 - iii. Treasurer's Report and other Monthly Reports for January 2025; and
 - iv. bill payment for January 2025 in the amount of \$755,846.91

Vice Chair Lou Betz requested to table the December 18, 2024 and the January 15, 2025 Business Meeting minutes.

Mr. Betz made a motion to approve the Treasurer's Report and other Monthly Reports for January 2025 and bill payment for January 2025 in the amount of \$755,846.91.

The motion was seconded by Chair DeLello and the motion was approved unanimously.

MOTION

a) Motion to adopt Church Road No Parking Ordinance

Mr. DeMeno provided background concerning the history of the proposed ordinance, including the fact that the Township was approached by residents to investigate a potential sight line issue at the intersection of Church Road and Wheat Sheaf Lane. He explained that the Board authorized the Township Traffic Engineer, Bowman, to conduct the sight line study which they ultimately prepared and issued. Mr. DeMeno continued to explain that when the ordinance was brought before the Board for approval, another group of residents voiced their concerns over what was proposed. He then indicated that staff subsequently modified the ordinance in a way that would address the safety concerns identified in Bowman's study by restricting parking along Church Road at the minimum distance from the intersection called for within said study. Mr. DeMeno further stated that the current draft of the ordinance reflected that minimum safety requirement.

Ms. McKenna opened the Hearing and entered exhibits B1 through B6 into the record:

- B1 – Bowman Sight Line Study
- B2 – Draft January 7, 2025 Board Meeting minutes
- B3 – Legal Notice
- B4 – Proof of Publication
- B5 – Email to the Montgomery County Law Library
- Draft Ordinance

Vice Chair Betz stated that this ordinance was an attempt to help. He continued to state that it could always be changed in the future if it doesn't help as intended.

Chair DeLello agreed.

Vice Chair Betz made a motion, seconded by Chair DeLello, and the motion was approved unanimously.

b) Motion to approve agreements for Variety Club RACP grant

Mr. DeMeno provided background concerning Variety Club's project that the RACP grant funded and explained that the RACP grant was a State grant managed by the County. He further explained that there was a provision that required host municipality written permission through the vehicle of a Cooperation Agreement wherein the host municipality would reimburse any expenses misused by Variety Club to the State. Mr. DeMeno indicated that a separate Pass-Through Hold Harmless Agreement between the Township and Variety Club was prepared to ensure that the Township bears no liability or responsibility whatsoever in such an event.

Ms. McKenna confirmed statements made by Mr. DeMeno adding that she had seen this done in other municipalities with the RACP grant. She also indicated that there was a need to finalize some language before the agreement could be fully executed.

Chair DeLello stated that this was a reimbursement grant wherein the grantee is reimbursed for expenses following the submission of relevant documents by the grantee. He then asked Ms. McKenna what would cause an issue for the Township to reimburse the State.

Ms. McKenna expressed uncertainty, suggesting that provision could be triggered by some sort of fraud on the grantee's part.

Chair DeLello explained that he had concerns since the "Pass-Through" agreement was not yet finalized in its language.

Ms. McKenna indicated that it was possible to table this matter until the language issue is resolved.

Chair DeLello tabled the matter indicating that it could come back after the paperwork was "ironed out" and noted that he understood this was a time-sensitive matter.

c) Motion to approve resolution providing funding to Skippack EMS

Chair DeLello explained that it was his philosophy to allow people to share what they want to share at Board meetings. He further explained that Skippack EMS had been before the Board last summer. Chair DeLello continued to state that Skippack EMS overwhelmingly handles the largest number of Worcester calls even if they didn't cover the entire Township. He further stressed that this is a health safety issue and asked Mr. DeMeno for raw numbers.

Mr. DeMeno stated that 65-80% of all calls on an annual basis were covered by Skippack EMS. He continued to explain that residents' concerns were taken into consideration when drafting the Resolution. Mr. DeMeno indicated that the Resolution required access to Skippack EMS's annual audit and quarterly invoicing. He further explained that the \$225 per call amount was the same as what Skippack Township did for Skippack EMS. Mr. DeMeno also indicated that another Resolution could be passed in the future to adjust if needed.

Vice Chair Betz indicated that he agreed with what Mr. McGrane said earlier in the meeting. He stressed that he was in support of providing funding to Skippack EMS but requested that the matter be

tabled for one more month. Vice Chair Betz explained that he wanted to see a detailed report before he takes further action.

Chair DeLello indicated that there was more work to be done, but expressed a desire to cover the current month in the event the Board is comfortable with funding after seeing a detailed report.

The matter was tabled until the next meeting.

OTHER BUSINESS

There was no other business.

PUBLIC COMMENT

Dominique Bernardo, CEO of the Variety Club, provided background concerning the RACP Grant they received. She explained that Variety Club had done everything above-board, crossed every “t” and dotted every “i”. Ms. Bernardo indicated that everything was ready to go for reimbursement and they were suddenly informed of this requirement by the County. She continued to explain that Variety Club wouldn’t be moving forward with further construction until they are reimbursed the money they need through the grant process. Ms. Bernardo expressed dissatisfaction with the tabling of the agreements indicating that she was under the impression it was ready for signature through previous correspondence with the Township Solicitor’s office.

Ms. McKenna indicated that the language of the agreement needed to be revised to completely protect the Township from any liability. She explained that this needed to be done before the Board could move forward with the agreement.

Chair DeLello thanked Ms. Bernardo for her comments and indicated that the paperwork was not ready for approval.

Bob Andorn asked the Board when it was discovered that the AV equipment didn’t work. He explained that the meeting had been difficult to hear in the audience and suggested that Township staff check the equipment ahead of the meeting to see if it is functional.

Chair DeLello explained that the equipment was working as of the prior Friday, but the process can be changed moving forward.

Mr. Andorn reiterated his prior request to have more information provided for the public regarding bill payment. He stressed his wish to see what payments for which vendors were applied to which line items. Mr. Andorn expressed his belief that there was no alignment between the bill payment and financial report and reiterated his request for more detailed information to be shared with the public. He continued by echoing Mr. McGrane’s comments regarding Skippack EMS contributions while stressing that he was not opposed to funding, but opposed to the process, as it had not been budgeted. Mr. Andorn continued to express his desire to see an analysis that was done by the Township Manager. He alleged that the Supervisor from Skippack Township was “doom and gloom”, but Skippack EMS was not in the red. Mr. Andorn expressed concern that Worcester would be funding their surplus. He also wished Variety Club success but thanked the Board for trying to get protections in the final agreements. Mr. Andorn went on to say that Worcester Township’s website was “leaps and bounds”

better than Skippack Township's website. He explained he had difficulty finding information on Skippack's website and couldn't determine how Skippack Township funded Skippack EMS.

Barry Evans, president of Skippack EMS explained that there was a substation in Worcester Township covering Worcester Township. He indicated that most calls came in while their station was up. Mr. Evans explained that the Revenue was showing projections of what would happen in the future such as issues with Medicare. He further explained that Skippack EMS would be in trouble if something wasn't done. Mr. Evans discussed the need for a \$400,000 reserve for emergencies like COVID-19 and stressed that Skippack EMS was volunteer-run, but staff were paid. He explained that payroll was \$1.2 million and that while the State prison's non-payment of bills was a State problem, it was also a Skippack EMS problem. Mr. Evans also explained that Skippack had taxes since the 19090's which had been recently supplemented. He also indicated that Skippack EMS's returns were available online.

Bill McGrane expressed his opinion that Skippack EMS sent the wrong person to speak for them at the last Board meeting. He indicated that the Township map showing service areas didn't match the area discussed by Mr. Evans. Mr. McGrane requested a definition for "service call" in the proposed resolution explaining that it wasn't the term used in the monthly report provided by Skippack EMS. He continued to express his belief that the Turnpike should be responsible for calls made on the turnpike. Mr. McGrane continued to express his desire to see more data before the Board came to a decision.

Chair DeLello explained that the Township wouldn't be obligated to provide payments under the Resolution as it wasn't an agreement. He continued to explain that the Township would do its best, but couldn't be perfect.

Burt Hynes discussed the last three years of Zoning Hearing Board meetings concerning the Palmer property. He indicated that the Zoning Hearing Board upheld the Township Zoning Ordinance's validity and expressed his hope that the Township would continue its course in defending the Zoning Ordinance in the event of an appeal by the applicant.

Bill McGrane explained that Worcester Township, a traditionally rural second class Township, passed the population threshold to add more Supervisors beyond the current three-member Board. He indicated that a referendum could be put forth to increase the number of members of the Board of Supervisors.

ADJOURNMENT

The meeting was adjourned at 8:27 PM