
LIMERICK TOWNSHIP - BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES
MARCH 1, 2016
7:00 P.M.

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, March 1, 2016, in the Public Meeting Room of the Limerick Township Municipal Building with Thomas J. Neafcy, Jr., Chairman, presiding. This meeting was advertised in The Mercury on January 6, 2016.

Members Present: Supervisors Thomas J. Neafcy, Jr., Kara Shuler, Kenneth W. Sperring, Jr., D. Elaine DeWan, and Joseph St. Pedro

Others Present: Joseph J. McGrory, Jr., Esq., Township Solicitor; Khaled R. Hassan, P.E., Township Engineer; Joseph P. Platt, P.E., Traffic Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Treasurer; Lt. R. Brian Skelton; Greta Martin Washington, Director of Community Planning/Zoning Officer, and Gregory R. Breyer, Director of Emergency Services

Call To Order: Mr. Neafcy called the meeting to order at 7:07 P.M. with the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

- Executive Session Immediately Prior to Meeting re: Real Estate and will hold an additional Executive Session Immediately After the Meeting re: Real Estate and Litigation
- Parents Night Out – Friday, March 11, 2016 from 5:30 P.M. to 9:30 P.M. at the Limerick Township Building – *Fee of \$20.00 per child, \$10 each additional sibling*
- Breakfast with the Bunny – Saturday, March 19, 2016 from 8:00 A.M. to 11:00 A.M. at Linfield Fire Co. with 4 seatings including breakfast buffet, photos with the bunny, and bake sale
- 9th Annual Comedy Show – Saturday, April 2, 2016 at Limerick Fire Station, Doors Open 6:30 P.M./Buffet Dinner 7:00 P.M./Show 8:15 P.M., \$25/person
- Remember to check our website for up-coming Parks & Recreation events

OATH OF OFFICE – FIRE POLICE OFFICERS

- Dennis F. Keller
- Joseph Bergen

Upon motion made by Ms. Shuler and seconded by Ms. DeWan, appoint Dennis F. Keller and Joseph Bergen as Limerick Fire Company Fire Police Officers were unanimously approved. Motion passed unanimously.

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Mr. Neafcy had the honor of performing the formal public swearing in ceremony for the new Fire Police Officers for Limerick Volunteer Fire Company.

Consideration of Minutes: Upon motion made by Mr. St. Pedro and seconded by Mr. Sperring, the February 16, 2016 Board of Supervisors Meeting Minutes were unanimously approved.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Ms. DeWan and seconded by Mr. Sperring, Bills List #5 for the period of 02/13/16 through 02/25/16 in the amount of \$134,586.13 was unanimously approved.

PUBLIC HEARING

Ordinance - Approving Flood Damage Prevention Ordinance – Chapter 89: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for consideration of the Flood Damage Prevention Ordinance – Chapter 89, incorporating mandated changes from FEMA pertaining to floodplain regulations and mapping. He presented four (4) exhibits for incorporation into the record and proceeded with the Public Hearing. A Court Reporter was present and the Notes of Testimony will be available at the Township Building for review. At the conclusion of the Hearing Mr. McGrory asked for questions or comments from the Board. Hearing none, he opened the floor for public comment. Hearing none, he adjourned the Public Hearing and moved back into the Public Meeting.

Motion was made by Ms. DeWan and seconded by Mr. Sperring, to approve Ordinance No. 363. Motion passed unanimously.

Ordinance - Approving Zoning Ordinance – Chapter 184: Mr. McGrory again suspended the Public Meeting and opened the Public Hearing for consideration of the Zoning Ordinance – Chapter 184, which cleans up the Zoning Ordinance due to changes which arose from incorporating the mandated changes from FEMA on the previously heard Flood Damage Prevention Ordinance. He presented six (6) exhibits for incorporation into the record and proceeded with the Public Hearing. A Court Reporter was present and the Notes of Testimony will be available at the Township Building for review. At the conclusion of the Hearing Mr. McGrory asked for questions or comments from the Board. Hearing none, he opened the floor for public comment. Hearing none, he adjourned the Public Hearing and moved back into the Public Meeting.

Motion was made by Ms. DeWan and seconded by Mr. Sperring, to approve Ordinance No. 364. Motion passed unanimously.

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Subdivision and Land Development

Extensions: Upon motion made by Ms. Shuler and seconded by Ms. DeWan, the following extensions to the 90-day review period were unanimously accepted:

- a. Peter N. Manfredi (#15-03): Extended to 06/22/2016

Confirmed Appointments:

SBA Towers, Inc.: Mr. Thomas J. Schlegel, Esq. of Fitzpatrick Lentz and Bubba, along with Mark Altrogge, P.E., of The Crossroads Group, LLC, were before the Board on behalf of SBA Towers, Inc. to discuss their request for a waiver from the land development process for construction of a telecommunication tower compound on the property located at 120 Longview Road, Linfield. Through the Zoning Hearing Board process, it was suggested to seek a waiver due to the diminutive nature of the project, disturbing less than 0.35 acres and requiring reviews limited to only Stormwater. The proposed tower will sit on golf course lands and access to this facility by a service vehicle has been negotiated to use the existing golf cart paths. This facility is an unmanned facility with no sanitary sewer, with service needs limited and estimated to be once a month to check the equipment. Access and Utility Easements have been negotiated with Exelon, who owns the small parcel fronting on Longview Road. Mr. Hassan clarified the intent for suggesting this waiver is for the Applicant to make one expedited application, while complying with all Ordinance requirements, but with needing one review with the Planning Commission and one review by the Board of Supervisors to request final approval before the final plan gets recorded, again, due to the small nature of the project. Mr. McGrory added the golf course lands are restricted from development by way of a covenant which both the Township and residents of the Villa's community are party to. There is a draft amendment to this covenant allowing for this use and all parties must agree to the changes before the tower can move forward, which the HOA has already done so in a formal letter to the Township. It is recommended that the amended covenant be incorporated into the development approval process. The Board unanimously agreed they had no objections to the project and SBA Towers, Inc. can move forward with submitting a formal application.

J & K Excavating, 319 W. Ridge Pike: Mr. Sperring recused himself from the discussion to avoid a conflict of interest. Mr. David M. Shafkowitz, Esq., attorney on behalf of the applicant, Mr. Steven F. Ware, Land Use & Town Planner, along with Mr. Kevin Dupell, owner of J&K Excavating, Inc., were before the Board seeking permission to move their existing business to this property. J&K Excavating's Application for a use variance was denied by the Zoning Hearing Board in December 2015 for their proposed use as office, warehouse, and outside storage. The proposed outside storage is the main issue with the ZHB as they seek zoning relief, as this storage would be for the parking of approximately 10-15 construction-oriented vehicles and excavating equipment. No road salt, landscaping, or building materials would be stored there. J&K Excavating works in 5 states, and they anticipate that the majority of their 30

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employees and the heaviest equipment will not be utilizing this location as they move from one project site to the next project site. It was noted that the previous use at this property was for a flooring business. Discussion took place on proposed landscaping and streetscaping which would shield the visual impact that their business use would have on the Township's Village Commercial Zoning District.

Conversations ensued between the Board and the Applicant on the types of vehicles and the applicant confirmed the storage of large trucks and equipment including snow plows in the off-season in the yard. The Board stated opposition to having large trucks pull in and out from Ridge Pike. The outside storage use does not conform to the Village Commercial Zoning District. The Board welcomed the office at this location, but the outside storage part of the business in another area in the township where that use is appropriate. The Board also clarified that his office use on Ridge Pike as conforming use, just not the large trucks since this is a residential neighborhood. The Board maintains their opposition and will advise the Zoning Hearing Board accordingly.

Oliver Cannady, Discussion on Committee Appointments: Mr. Oliver Cannady requested time before the Board to discuss Township Board-appointed committees. Mr. Cannady stated that the committees should be more diverse and representative of the Political Affiliation and Race of the residents in the Township with statistics cited as being 35.5% Democrats, 47% Republicans, and 17% Independents and as being 86.7% Caucasian, 3.7% African American, and 4.1% Asian/Indian. He did acknowledge that the Township may have had problems in the past getting people to volunteer, but with the explosive growth in the Township Mr. Cannady thought this should no longer be an issue. Mr. Cannady recommended there be a limit on the numbers of committees a person can serve on, as this is an impediment for people who would like to participate, citing the examples of five (5) individuals serving on two (2) committees, another five (5) individuals serving on three (3) committees, and one (1) individual serving on four (4) committees. Mr. Cannady also recommended the Township put a policy in place to notify the volunteer committee applicants on the decision of the Board after the Reorganization Meeting; currently only those who have been selected get notified. Mr. Cannady's third recommendation to the Board is for a commitment to insure the committees, as well as, the employees of the Township be more representative of the diversity in the community. Mr. Cannady thanked the Board for their time and the Board appreciated his input.

Jim Diehl, S. Reed Road: Mr. Jim P. Diehl, Esq., on behalf of Tri County Toyota and Tri County Chrysler Dodge Jeep Ram car dealerships (Ribon Partnership). They are interested in purchasing an adjoining 0.6 acre parcel at the end of N. Reed Road for the purpose of auto storage. In addition to obtaining Zoning and Planning approval, to be viable the project would require having N. Reed Road vacated at some point in time. This road currently is a cul-de-sac serving one lone residential dwelling (which the car dealership is also negotiating to purchase), having no utilities lying under the roadway, and will have to be crossed by the planned walking path (as part of the Township's Greenways Trails Master Plan) and could become a location for

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trail users to park. He noted that the road is a secondary fire access roadway for the car dealership, which was considered and accommodated for in their Concept Plan. Mr. Diehl stated they were before the Board to get a flavor of their support before continuing discussions with the Township Staff on the details of the project as they go through the Zoning Hearing Board and Planning processes. The Board gave favorable feedback to the project.

New Business

Appointment – Human Resources Generalist: Mr. Kerr introduced that during Budget discussions, the need for a dedicated Human Resources Generalist was approved and the Township received over 70 resumes in response to a recent advertisement to fill the position. The interview process is complete and the Staff recommends, Brendan Devlin.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to appoint Brendan Devlin to the position of Human Resources Generalist. Motion passed unanimously.

Approval — Authorization to Advertise:

- Subdivision and Land Development Ordinance – Chapter 155
- Stormwater Management Ordinance – Chapter 151

Mr. Kerr expanded on the Board's action for the public's information; these Chapter Ordinances have been prepared as an additional follow-up to the required Flood Damage Prevention Ordinance; similar to what was done with the Zoning Ordinance, incorporating the floodplain regulations and terminology as they affect Subdivision and Stormwater Ordinances. The Board is required to authorize advertising for a public hearing so formal approval can be granted.

Motion was made by Ms. DeWan and seconded by Mr. Sperring, to authorize advertisement of a Public Hearing for consideration and approval of a Chapter 155 Ordinance. Motion passed unanimously.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to authorize advertisement of a Public Hearing for consideration and approval of a Chapter 151 Ordinance. Motion passed unanimously.

Approval – Traffic Signal at Ridge Pike and Limerick Road Design Agreement: Mr. Kerr stated that as part of the 2016 Budget, the Board prioritized funds to follow through on their request to PennDOT to see if a traffic signal would be warranted. Mr. Platt summarized that PennDOT's preliminary analysis showed the traffic signal is warranted at Ridge Pike and Limerick Road, with some conditions. The next step in the process is to approve Traffic Planning and Design to complete the signal design, reports, studies, and plans per the PennDOT letter dated February 11, 2016. The approximate cost of the project is \$325,000, which includes tying in the three (3) traffic signals at Sunset, Swamp, and Lewis Roads. The costs will be covered by Liquid Fuel

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Money and Act 209 Traffic Impact Fees; it will not be coming from tax dollars. The projected timeline, which is dependent on PennDOT approval, will be late 2016 or early 2017.

Motion was made by Ms. DeWan and seconded by Mr. Sperring, to approve the Design Agreement with TPD for the Traffic Signal at Ridge Pike and Limerick Road. Motion passed unanimously.

Mr. Neafcy followed up with a question to Mr. Platt on the status of the Township's proposal to PennDOT for a speed reduction study for on Linfield-Trappe Road between Lewis and Township Line Roads. Mr. Platt replied that a submission was made earlier this year, but it is typically a 6-8 week turnaround with PennDOT. Specifics on the desired speed limits can be addressed with TPD's follow up with PennDOT.

Approval – Limerick Center Road – Project Overview & Authorization to Advertise the Bid: Mr. Kerr summarized that this is a project that the Township has been working on for well over two years at the intersection of Cherry and Limerick Center Roads (where there is a tree in the middle of the intersection). All PennDOT approvals have been received and TPD is preparing this project to be placed out to bid. The proposed schedule calls for the road to be closed right after school closes in June. The Township anticipates all condemnation proceedings will be in place by the time the bids will be considered by the Board. The project funding has been reviewed during Budget Discussions and has been incorporated into the Adopted 2016 Budget.

Motion was made by Ms. DeWan and seconded by Mr. Sperring, to authorize Advertisement of a Request for Proposal for the Limerick Center Road and Sidewalk Improvement Project. Motion passed unanimously.

Zoning Hearing Board Advisories: ZHB #16-02, Troy Kelius, 3385 Sanatoga Road: It was the consensus of the Board to remain neutral and let the Zoning Hearing Board handle the Application.

Public Comments: None.

Supervisor Comments

Ms. DeWan commented on the Township's New Website as being user-friendly and suggested to all to explore it and sign up for notifications and alerts.

Ms. Shuler questioned that status of the directional signs for Cherry Ridge. Mr. Platt responded that as of Friday they were waiting on a cost from their contractor. Ms. Martin Washington added that earlier today they executed a contract for the work but there is a 4-6 week turnaround to fabricate and install the signage. Ms. Shuler also asked about the timing of the traffic signal from the new apartments on Cherry onto Lewis Road. Mr. Platt is working with their Traffic

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Engineer before they make a recommendation to PennDOT. Ms. Shuler asked that the residents be updated that the Township is still working on this issue.

Mr. Sperring questioned Mr. Platt on the Eastbound left turn over the median into Citizen's Bank. Mr. Sperring recommended a "No Left Turn" sign similar to at Wawa; the Police Department can then write a citation on motorists that cut in front of oncoming traffic. Mr. Sperring added that it is very dangerous.

Mr. Kerr reminded everyone that the Spring-Ford Rotary fundraiser breakfast is this Sunday at the Friendship Firehouse and all the proceeds stay within the Spring-Ford Community.

The Board adjourned into Executive Session regarding Real Estate and Litigation. No action will be taken, and the Board will not reconvene.

Adjournment: There being no further business, **motion was made** by Ms. DeWan and seconded by Mr. Sperring to adjourn the meeting at 8:36 P.M.

Respectfully submitted,



Daniel K. Kerr
Township Manager