
LIMERICK TOWNSHIP - BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES

JUNE 7, 2016
7:00 P.M.

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, June 7, 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; Theodore C. Dmytryk, P.E., Township Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Treasurer; R. Brian Skelton, Chief of Police; Greta Martin Washington, Director of Community Planning/Zoning Officer

Call To Order: Mr. Neafcy called the meeting to order at 7:09 P.M. leading with the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

- Executive Session Immediately after the Meeting re: Real Estate
- Chinese Auction – Linfield Fire Company Saturday, June 11, 2016. Doors open at 5:30 P.M.
- American Red Cross Blood Drive – Tuesday, June 21, 2016 from 9:00 A.M. to 2:00 P.M. in the Township Building
- Remember to check our website for up-coming Parks & Recreation events

Consideration of Minutes: Upon motion made by Mr. St. Pedro and seconded by Mr. Sperring, the May 17, 2016 Board of Supervisors Meeting Minutes. Motion passes 4-0-1, with Ms. DeWan abstaining.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Ms. DeWan and seconded by Mr. St. Pedro, Bills List # 11 for the period of 05/14/16 through 06/03/16 in the amount of \$419,857.59 was unanimously approved.

PUBLIC HEARING

Ordinance- Approving Amendment to Mobile Home Park District – Chapter 184: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for consideration of an Ordinance which will amend the Mobile Home Park District Property to create a mix of residential dwelling types in neighborhoods in close proximity to the Main Street District. He presented seven (7) exhibits for incorporation into the record and proceeded with the Public Hearing. A Court

Board of Supervisors
 June 7, 2016
 Page 2, Minutes

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. There was general discussion from the residents, and then he adjourned the Public Hearing and moved back into the Public Meeting. With the Ordinance properly advertised and the Hearing properly conducted, the Ordinance was in position for Board consideration.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to approve Ordinance No. 367 Approving Amendment to Mobile Home Park District - Chapter 184. Motion Passed unanimously.

Ordinance- Map Change Amendment: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for consideration of a Map Change Amendment. He presented seven (7) 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. With the Ordinance properly advertised and the Hearing properly conducted, the Ordinance was in position for Board consideration.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to approve Ordinance No. 368 Approving Amendment to the Township Map. Motion passed unanimously.

Subdivision and Land Development:

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

- | | |
|--|------------------------|
| a. Peter N. Manfredi (#15-03): | Extended to 09/20/2016 |
| b. Linfield Corporate Center Lot 47R (#16-04): | Extended to 09/20/2016 |

Development Projects:

Name/File No.:	Buckman Enterprises (#16-02)
Location:	105 Airport Road
Review Phase:	Preliminary/Final Plan Review

Kim Kryder, Bursich Associates, Inc., and Richard Buckman, Buckman Enterprises were before the Board of Supervisors to review the plan that details the construction of a new warehouse on the site. They noted that they will comply with all issues noted within the consultant review letters which includes proper signage at the emergency access road exiting the site. They asked

Board of Supervisors
 June 7, 2016
 Page 3, Minutes

the Board to approve a request for Preliminary/Final and then they answered a few questions from the Board. No public comments were offered.

Motion was made by Mr. Sperring and seconded by Ms. Shuler, to authorize the Township Solicitor to prepare a Resolution for Board Consideration Granting Preliminary/Final Plan Approval for Buckman Enterprises (#16-02). Motion passed unanimously.

Name/File No.: SBA Towers (#16-05)
 Location: 120 Longview Road
 Review Phase: Preliminary/Final Plan Review

The applicant is before the Board to review a proposal to erect a wireless communication tower and antenna. The facility is to be installed on land that is designated as Open Space under the original development approvals for the Villa's and Linfield National Golf Course. An existing covenant will need to be amended to allow this wireless facility and the Board was presented with a copy of a draft of the First Amendment of Declaration of Covenants by Kleck Enterprises, LLC (the owner in title to the Golf Course Property). The Villas HOA supports the installation of the proposed cell tower facility. There were no Board or public comments pertaining to the plan.

Motion was made by Ms. Shuler and seconded by Mr. Sperring, to authorize the Township Solicitor to prepare a Resolution for Board Consideration Granting Preliminary/Final Plan Approval for SBA Towers (#16-05). Motion passed unanimously.

New Business

Release of Final Escrow and Contingency – Accolade Properties, 2 Highland Rd (#14-03): Mr. Kerr informed the Board that the development has been signed off by the Township Engineer. The developer has posted the required Maintenance Bond of \$1,700.00 based on the Emergency pull-offs for 18 months. As such, the Administration is recommending release of the final construction escrow, and the issue is before the Board for your approval.

Motion was made by Mr. Sperring and seconded by Mr. St. Pedro, to accept an 18-month Maintenance Bond in the amount of \$1,170.00 and approve the Release of Final Escrow and Contingency funds in the amount of \$12,756.70 for Accolade Properties (#14-03). Motion passed unanimously.

Award Bids

Project #16-02, Recycle and Overlay: Mr. Kerr reviewed bid information for Project #16-02 Recycle and Overlay, the bid opening was held on Wednesday, June 1, 2016 at 10:00 A.M. Mr. Bradford, Public Works Superintendent, recommends that the entire bid be rejected due to incomplete paperwork and numbers being higher than anticipated. Mr. Bradford is requesting

Board of Supervisors
 June 7, 2016
 Page 4, Minutes

authorization to adjust the product so a new bid will be in line with budget projections. A re-advertisement of the project will be required.

Motion was made by Ms. DeWan and seconded by Mr. Sperring, to reject all bids for Project #16-02 for Recycle and Overlay. Motion passed unanimously.

Motion was made by Mr. Sperring and seconded by Ms. Shuler to authorize re-advertisement for Project #16-02 Recycle and Overlay. Motion passed unanimously.

Approval - Granting of 61 Limerick Center Road and 73 Limerick Center Road Right-of-Ways to PennDOT: Mr. Kerr informed the Board that the Township acquired Right-of Ways from two properties to date that need to be transferred over to PennDOT. The Township Traffic Engineer is requesting approval of the Right-of-Way transfers.

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to approval Limerick Center Road Right-of-Ways transfer. Motion passed unanimously.

Approval - Moscariello 292 W. Ridge Pike Waiver Requests: Mr. McGrory reviewed a request submitted by Mr. Moscariello for the Board's consideration to waive a certain provision of the March 26, 2014 Opinion and Order of the Limerick Township ZHB which permits a maximum of 75 dwelling units to be constructed on the lands behind the Java Brewing complex. Specifically, the ZHB Order conditions approval on the applicant complying with the conditions of an August 9, 2007 Letter from Robert Brandt, Esq., on behalf of the Moscariello project which details 19 specific conditions on the design of the project. Further, the ZHB Decision permits the Board to waive any provision of the August 9, 2007 letter at your discretion. The Moscariello request dated June 2, 2016 is specific to item #19 which requires a voluntary contribution of \$100,000 is to be paid to the Township as part of the Development project. In consideration for this waiver of item #19, Mr. Moscariello is proposing that he prepay traffic impact fees for the project. He is also offering to install a trail to connect his Fruitville Road Development to an existing trail within the Oak Creek Development at a cost of approximately \$14,350. Mr. Moscariello is asking the Board to accept the offer contained in his letter dated June 2, 2016.

Motion was made by Mr. St. Pedro and seconded by Ms. Shuler, to accept the offer contained in the Rick Moscariello letter dated June 2, 2016. Motion passed unanimously.

Resolution – Grant Submission to DCED for LCP Master Plan: Mr. Kerr gave a brief overview of the need for a Limerick Community Park Master Plan. At the March 15th Board of Supervisors Meeting, the Board approved the submission of a grant application to DCNR to reimburse the Township up to \$25,000, toward the projected \$50,000 study. The desire of the administration is that with an award from the DCED Greenways, Trails, and Recreation Program (GTRP) grant of \$25,000, the preparation of a Master Plan for Limerick Community Park would be funded entirely through grant monies.

Board of Supervisors
June 7, 2016
Page 5, Minutes

Motion was made by Mr. Sperring and seconded by Ms. Shuler, to approve Resolution No. 2016-22 Authorizing Limerick Township to Submit a Grant Application for a Master Plan for the Community Park through DCED (Department of Community & Economic Development). Motion passed unanimously.

Discussion – Leaf Bags and Recycling Bins: Mr. Kerr discussed with the Board that the Township supplies of both Biodegradable Paper Leaf Bags and Recycling Bins are running low. He noted that there is adequate supply to finish out the year. Last year we entered into the 2015-16 bid to Dano Enterprises, Inc. with the Montgomery County Consortium of Municipalities for 500 leaf bags for \$0.366 each plus a \$360 one-time charge for Art Work. Due to the quantity we requested, we have not been able to purchase the bags we requested. Also, if we only order 500, our cost would be \$0.72 per bag – right now we sell 3 for \$1.00 (Home Depot sells 5 for \$1.88). With the higher cost of the paper leaf bags it does not make sense for us to continue with the program if residents can obtain them at a lower cost elsewhere. As for the recycling bins, we are hesitant to reorder for a similar reason and also that residents can obtain them for free from their private trash hauler. Mr. Kerr noted the recommendation from the administration that we finish our stock of leaf bags and recycle bins and discontinue the service. No Objections from the Board.

Discussion – Flood Damage Prevention Ordinance – Chapter 89: Mr. Kerr reviewed new issues that just came up with the newly adopted FEMA's Mandated Flood Plain Ordinance. In March 2016 we were mandated by FEMA to pass a new Flood Plain Ordinance based on their new flood plain calculations throughout the state. We have worked on the Ordinance for three years which included reviews by the State, County and FEMA. The Ordinances were advertised and approved by the Board back in March to meet a specific deadline so residents could obtain flood insurance. A few weeks ago we received a letter from FEMA stating there were three definitions that don't match FEMA desires. FEMA gave 60 days to amend Chapter 89, Flood Damage Prevention Ordinance. An amended Chapter 89, Flood Damage Prevention Ordinance has been prepared by the Solicitor's office to include some minor revisions to the Ordinance specifically, single manufactured homes are specifically prohibited to be placed in an Identified Floodplain Area and recreational vehicles located in Flood Zones A and AE must be on site for fewer than 180 days and must be fully licensed and ready for highway use. The Board expressed their frustration with the request and cost to advertise this mandated ordinance again when it should have been picked up by them the first time around.

Motion was made by Ms. Shuler and seconded by Mr. Sperring, to authorize advertisement of a Public Hearing for consideration and approval of a Flood Damage Prevention Ordinance - Chapter 89. Motion passed unanimously.

Discussion – Temporary Zoning Uses: Ms. Washington discussed temporary permits. Staff is interested in an opinion from the Board regarding interest in continuing to permit temporary sales of flowers and fireworks. This spring a vendor set up a tent at the Limerick Diner for the entire month of May and sold bedding plants, mulch, and other lawn & garden items. Sales of

Board of Supervisors
June 7, 2016
Page 6, Minutes

annuals and bedding plants by its very nature is a seasonal business with up to 1/3 of the annual gross sales occurring during the month of May. We heard from our local retail garden centers that this transient vendor had significantly impacted their businesses. Permitting the temporary sales of flowers and fireworks is redundant as this type of retail sales is already permitted by right in all of our commercial districts. At the direction of the Board, staff can propose amendments to our ordinance which could go into effect January 2017, well in advance of the temporary sales season next year. The Board offered their approval to move forward with the effort and place an end to the temporary sale use within the Township.

Zoning Hearing Board Advisories:

ZHB #16-04, Gary Carbone - 411 W. Ridge Pike: **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to oppose the Zoning Hearing Board Application. Motion passed unanimously.

ZHB #16-05, LLD Investments – 76 Lightcap Road: It was the consensus of the Board to remain neutral and let the Zoning Hearing Board handle the Application. Motion passed unanimously.

Public Comments

Mr. Andy Feick, 207 Meng Road, Schwenksville asked the Board if there is a way we can help and organize a safe way to clean up litter on Game Farm Road. Mr. Kerr suggested that we have a conversation with PennDOT or the Warden at Graterford Prison to clean up the road.

Mr. Clemens asked what the Cherry Ridge Maintenance Bond would cover. Mr. Kerr reviewed what is covered in the Maintenance Bond.

Supervisor Comments: None.

Adjournment: The Board will adjourn into Executive Session regarding Real Estate. No action will be taken, and the Board will not reconvene.

There being no further business, **motion was made** by Mr. St. Pedro and seconded by Ms. DeWan to adjourn the meeting at 9:05 P.M.

Respectfully submitted,


Daniel K. Kerr
Township Manager

140223