
LIMERICK TOWNSHIP - BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES
SEPTEMBER 6, 2016
7:00 P.M.

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, September 6, 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 with Robert Sebia, Law Clerk; Khaled R. Hassan, P.E., Township Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Treasurer; R. Brian Skelton, Chief of Police; and Greta Martin Washington, Director of Community Planning/Zoning Officer

Call To Order: Mr. Neafcy called the meeting to order at 7:05 P.M. Limerick Fire Company led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

- Executive Session re: Real Estate & Litigation
- Community Yard Sale – Saturday, September 10, 2016 – 8:00 A.M. to 12:00 P.M. at the Limerick Community Park, \$10.00 per space, must pre-register
- Linfield Fire Co. 12th Annual Golf Outing – Monday, September 12, 2016 at Linfield National Golf Course, 12:30 P.M. Registration, Shotgun Start at 1:30 P.M.
- Montgomery County Household Hazardous Waste Collection Program – Saturday, September 17, 2016 from 9:00 A.M. to 3:00 P.M. (or until the truck is filled) at the Springfield 9th Grade Center, 400 South Lewis Road, Royersford
- Limerick Police Association's 13th Annual Fall Golf Classic – Friday, October 7, 2016 at Turtle Creek Golf Club, 10:30 A.M. Registration, Shotgun Start at 12 P.M. *REGISTRATION DEADLINE is Friday, September 23, 2016*
- Hayride of Horrors – Friday, Saturday, & Sunday, October 28, 29 & 30, 2016 at Linfield Fire Company, 1077 Main Street, Linfield from 6:30 P.M. – 10:00 P.M. – *Fee: Adults - \$10.00, Children under 12 yrs.- \$5.00*
- Remember to check our website for up-coming Parks & Recreation events
- Recognition – Honoring Limerick Fire Company
 - *95th Anniversary*

To honor Limerick Fire Company, Station No. 54, on their 95th Anniversary celebration, Mr. Neafcy read the proposed Resolution aloud and presented a formal copy to members of the Fire Company who were in attendance to accept it. Mr. Thomas Walters, President of Limerick Fire Company, thanked the Board of Supervisors and the residents of Limerick Township for their

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continued support of the Fire Company. Ms. Shuler thanked the members who came out to represent the Fire Company and acknowledged that there are many more active firefighters not present who the Board was not able to personally thank but will at the formal banquet. Ms. DeWan mentioned that she once again heard compliments this past weekend from someone who works for the County on what a great job the Station does.

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to approve Resolution No. 2016-28 Honoring Limerick Fire Company. Motion passed unanimously.

Consideration of Minutes: Upon motion made by Ms. DeWan and seconded by Mr. St. Pedro, the August 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. St. Pedro, Bills List #17 for the period of 08/13/16 through 09/01/16 in the amount of \$397,717.31 was unanimously approved.

PUBLIC HEARING

Community Development Block Grant Program: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for the Community Development Block Grant Program and presented one (1) exhibit for the record, the Proof of Publication, showing this Hearing was properly advertised. Mr. McGrory proceeded with the Public Hearing by introducing Nicole Rodden-Bowen, a consultant of Capital Access, the Community Development Block Grant Administrator for Limerick Township. Ms. Rodden-Bowen explained that this is the second of two Annual Public Hearings required for submission of the grant application, which is due September 23, 2016, to the Pennsylvania Department of Community & Economic Development for the Housing Rehabilitation Program. The first Public Hearing was held on August 16, 2016.

Based on our entitlement grant, Limerick Township has been allotted \$198,692 to continue our owner occupied housing rehab program for the elderly, disabled, and low income residents within the Township who meet the income and program guidelines used for eligibility. The Township hopes to complete ten homes with the 2016 funding, although this could be reduced if we have properties which need substantial improvements.

The purpose of this public hearing is to answer any questions, or accept any comments, from the Supervisors or the public regarding the application. Mr. Neafcy commented that the income threshold is such that it enables the Township to help many people in need. Ms. DeWan commented, for public information purposes, that residents should be aware that applications are available at the Township Building and on our website. Additionally, if a family has an emergency, such as a heater that fails, they should apply for assistance under this program and if

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funds are available and they qualify, they may be able to get assistance. Ms. Rodden-Bowen clarified that applications are processed on a first come-first served basis, however, depending on the severity of the emergency, assistance may be provided to them quickly. Hearing no other comments, Mr. McGrory opened the floor for public comment. Hearing none, he adjourned the Public Hearing and moved back into the Public Meeting and asked for the Board's consideration of two separate Resolutions.

Mr. Kerr explained the first Resolution is to authorize submission of a CDBG 2016 Application to the State for Limerick's Entitlement Grant. **Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to approve Resolution No. 2016-29 Authorizing Submission of a Community Development Block Grant Application for 2016. Motion passed unanimously.

Mr. Kerr continued that the second Resolution is due to Carl Royer's retirement, as he had previously administered this program and held this position; the Township needs to designate someone else to fill this compliance officer (responsible employee) position as required by the Rehabilitation Act. The Act provides that no qualified person with handicaps shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance, and is therefore, a requirement of the CDBG Program.

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to approve Resolution No. 2016-30 Designating Daniel K. Kerr as a Responsible Employee in accordance with Section 504 of the Rehabilitation Act of 1973. Motion passed unanimously.

Ordinance – Chapter 124 - Peddling and Soliciting: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for consideration of this Ordinance which will amend Chapter 124 of the Limerick Township Code to remove temporary sales from all areas of the Township. He presented five (5) 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. Ms. Greta Martin Washington gave a brief presentation. 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 Mr. St. Pedro and seconded by Ms. DeWan, to approve Ordinance No. 370 Amending Chapter 124 Entitled "Peddling and Soliciting". Motion passed unanimously.

Ordinance – Chapter 184 - Temporary Sales Use and Temporary Sign Regulations: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for consideration of this Ordinance which will amend Chapter 184. He presented seven (7) exhibits for incorporation into the record and proceeded with the Public Hearing. A Court Reporter was present and the Notes

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of Testimony will be available at the Township Building for review. Again, Ms. Greta Martin Washington gave a brief presentation. 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. Shuler and seconded by Mr. St. Pedro, to approve Ordinance No. 371 Amending Chapter 184, Amending Temporary Sales Use Regulations and Temporary Sign Regulations. Motion passed unanimously.

Legal

Settlement – Carlson vs. Limerick Township Police Department: Tabled.

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 12/19/2016 |
| b. LCC Lot 47R (Rothman) | (#16-04): | Extended to 12/19/2016 |

Confirmed Appointments:

Chris Canavan, Walnut Creek Acquisitions, L.P – Country Club Drive: Mr. McGrory noted for the record that he and Mr. St. Pedro had previously recused themselves from these discussions when the land development was in the preapproval process due to being members of the Spring Ford Country Club however, the Country Club had since settled with the previous owner of this parcel; since this project is under new ownership there is no longer a conflict of interest.

Mr. Chris Canavan began with explaining that their development entity is Walnut Creek Acquisitions, L.P., however, they operate as a homebuilder under the name WB Homes. WB Homes has agreed to purchase the approved housing development adjacent to Spring Ford Golf Course. The plan has already approved under the previous owner, but WB Homes wish to change the layout slightly to accommodate their intended style of homes, consisting of eighty-four (84) quad homes. They presented their concept plan to offer a sense of the quality and village-like setting they are looking to build. It was noted that with their revised plans (even with the largest style home used for all units showing the maximum possible configuration) their footprint reduces the overall building coverage and the impervious coverage from the previously approved plan.

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Since the proposed plan changes are very minor, they are requesting from the Board a restated final land development approval resolution reflecting Walnut Creek Acquisitions, L.P. as the developer.

One point of discussion concerned the required fifty foot (50') buffer area depicted on all four sides of the previously approved plan where no structures, buildings, or any other structure shall be constructed, stored, or placed. WB Homes asked for the buffer to be in accordance with the Zoning Ordinance, but they would be agreeable to this provision for a 50' buffer if only it be required on the Golf Course side, not on the preserved farmlands side. Patio placement would infringe into this 50' buffer on the farmland side by about 6-8 feet. Ms. Shuler stated she would be in agreement with only having this restriction limited to the golf course side of the plan. Ms. DeWan commented that WB Homes' request for relief borders on preserved farmlands which will never be developed; therefore, it will not have any negative impact. Mr. St. Pedro complimented Mr. Canavan on his presentation and plans and has no issue with the request for relief.

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to approve the Amended Final Resolution #14-04 for Club Views at Springford. Motion passed unanimously.

Development Projects:

Name/File No.: Linfield Corporate Center Lot 47R – Rothman (#16-04)
 Location: Enterprise Drive
 Review Phase: Preliminary Resolution

Mr. Kerr stated that the signed resolution has not come back from the Applicant; therefore, we recommend the motion be tabled until the Board meeting.

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to table the Preliminary Resolution #16-04 for Linfield Corporate Center Lot 47R. Motion passed unanimously.

New Business

Approval – Limerick Township Fire Companies and the Fire Police to assist on Saturday, September 10, 2016 for the Fireworks Display for Spring-Ford Country Club:

Motion was made by Ms. Shuler and seconded by Mr. Sperring, to authorize the Limerick Township Fire Companies and Fire Police to assist on Saturday, September 10, 2016 for the fireworks display at Spring-Ford Country Club. Motion passed unanimously.

Resolution – Budget Amendment: Ms. DiPrete stated this is the second budget amendment for the year and it is typical to do three during the year to adjust to actual financial conditions. Ms.

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DiPrete reviewed the major changes within this amendment to the General Fund, the Road Improvement Fund, the Sewer Fund, and the Sewer Capital Fund. Based on this amendment, projections reflect approximately \$80,000 in cash reserves for the end of the year, which is less than the last few years. Mr. Kerr added that commercial permit fees are down from projections, but noted that these projects are still on our books but they just did not materialize this year. Also noted, the recurrent permits for tenant changes from commercial entities, such as the outlet mall, were down this year. It was also noted that residential permits and projections were on target.

Motion was made by Ms. Shuler and seconded by Mr. St. Pedro, to approve Resolution No. 2016-31 adopting the 2016 Budget Amendment. Motion passed unanimously.

Resolutions – 2017 Pension MMOs (3): Ms. DiPrete explained this is a yearly action item at this time of year as the 2017 Minimum Municipal Obligation's must be adopted by the end of September, but may be amended until December 31, 2016 for budgeting purposes, as they are included in the 2017 Budget. 2017 MMOs total \$607,841 a slight increase of about \$2,800 over 2016 MMOs. The Police MMO did not see a significant increase because the Police Contribution will increase from 1.5% to 2.0% in 2017. The Non-uniform Defined Benefit Plan MMO continues to decrease as participants leave/retired. This however, causes an increase in the Defined Contribution Plan MMO as those retiring employees are replaced with employees in the Defined Contribution Plan.

Mr. Kerr added clarification for the public's benefit; the Township is required by law to budget for the official obligation of our three pensions, but the historic State reimbursement fund will contribute back to the Township. Mr. Kerr elaborated on a statewide pension budget issue with their deficit approaching \$30-\$40 billion and there is a lot of speculation on how they are going to solve their budget issues. One of the plans the State is pushing to solve the pension crisis is the bundling of all pensions together which would include local municipal, state teachers, and state workers into one pension. Local municipal organizations (which include First Class Townships, Second Class Townships [Limerick], and Boroughs) are contesting this plan based on the historic funding that the State has provided to every municipal. The reason the State has historically done this is to offset the cost of unfunded mandates. As an example, if any township or borough hires a police officer, they are obligated by Pennsylvania State Law to provide a certain level of benefits including pensions and health care. Therefore, the State has set up a fund (funded through insurance pools and surcharges) to reimburse townships for the cost of providing police services. We've been hearing subtly that the State now wants to change this and use that money to fix the State pension crisis. The State Associations, such as PSATS and the PA League of Cities and Municipalities, have been fighting any consolidation of our pension plans. PSATS performed a study and it basically said that 80% of local pension funds are solvent. In Limerick Township, our pensions are 91% funded which is a fantastic rating.

Mr. Kerr continued, the Limerick Board of Supervisors is occasionally updated on this issue from PSATS and we support the efforts to not consolidate the State pensions and to let the local

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municipalities to handle their own pensions. This topic will come up again as we go through our budget discussions and residents should be aware of and talk to their State Legislators to fight against pension consolidation.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to approve Resolution No. 2016-32 Accepting the 2017 Minimum Municipal Obligation for the Limerick Township Police Pension Plan. Motion passed unanimously.

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to approve Resolution No. 2016-33 Accepting the 2017 Minimum Municipal Obligation for the Non-Uniformed Employees Pension Plan. Motion passed unanimously.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to approve Resolution No. 2016-34 Accepting the 2017 Minimum Municipal Obligation for the Limerick Township Retirement Savings Plan. Motion passed unanimously.

Discussion – 2017 Budget and Meeting Dates: Mr. Kerr referenced a list of proposed public budget workshop discussion dates for the upcoming 2017 Budget. He reviewed the timeline starting with internal departmental budget discussions taking place through most of September with Public Workshop Meetings being held in October. In November, by law we need to have Board action authorizing the advertisement of the preliminary budget which is presented to the public and open for comment with final approval happening by December 20, 2016.

Discussion ensued concerning public meeting dates for the upcoming 2017 Budget so they can be properly advertised.

Public Comments

Mr. Frederick (Rick) Fidler, 47 Benner Road, commented on the front page article in The Mercury concerning the Township getting some preliminary estimates on the worth for the possible sale of the sewer system. Mr. Fidler stated that, as the Board is aware, he has spent a lot of time over the past three (3) years working with Pennsylvania American Water trying to get the public water lines extended down into Linfield and to his disappointment, that effort has not been successful. He envisions similar issues if the sewer system were sold. Mr. Fidler stated the sewer system makes more sense in the hands of the township versus a private company that has only one motivation, which is profit. Mr. Fidler wants the Board to consider this if it ends up looking like it makes sense to sell. He feels it is best for the welfare of the community and for the residents for the township to continue to own it.

Mr. Patrick Morroney, 502 Limerick Center Road, echoed Mr. Fidler's comments that selling the sewer plant to a for-profit company would be detrimental and questioned the jobs of the sewer employees. Mr. Neafcy stated that the discussions are preliminary at best and there is no

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consensus between the Board members to sell. Mr. McGrory added that every scenario involves the sewer employees keeping their jobs. Mr. Neafcy added that the one thing the Board is in total agreement with is the protection of all of the employees.

Mr. Anthony Dieciedue, 821 N. Lewis Road, presented a letter from him and his wife, Carole, to the members of the Board regarding an on-going complaint about the noise in the 800 block of N. Lewis Road due to the condition of the roadway. He also commented on the weeds in the creek. Mr. Kerr stated he would talk to PennDOT about this situation and added that the Public Works Department cannot help, as it is not a township road.

Supervisor Comments

Mr. Kerr announced that the Township has been in receipt of a preliminary notice from PennDOT on an 8-12 week bridge rebuild project over the railroad track, which they are doing next spring or summer, in Linfield and would require Main Street to be shut down once again.

Mr. Kerr also updated the Board on The Villas, which is the second project the Township had to take over from a developer to complete. The final paving has been completed and after many years of working on this issue it is another success story for Limerick Township. The Villas HOA are very happy and they thanked the Township, the Board, and Khal's team at Pennoni.

Ms. Shuler asked for an update on the Limerick Center Road and West Cherry Lane intersection. Mr. Kerr said the project turned out wonderful and he credited Kara for stating a few years ago that the Township needed to work on completing the sidewalks on Limerick Center Road down to the Limerick Elementary School. Mr. Joseph Platt, the Township Traffic Engineer, brought the intersection up right away when he (Kerr) first started at the Township that it needed to be fixed. Fortunately, the timing worked out with the road project coming together and being awarded the grant from PAHWF for the sidewalks. The sidewalks are currently being completed now near the intersection. This is another project that has been in motion for several years and it was a great effort by everyone.

Ms. Shuler also asked of the status of the traffic signal at S. Limerick Road and Ridge Pike. Mr. Kerr said TPD resubmitted plans back to PennDOT based on their comments and it looks like it should go out to bid this year and is on target to be constructed this year or early next year. On another project just down the road from there, PennDOT provided feedback for the townhouses proposed by Mr. Moscariello behind Java Brewing which requires a second entrance. Preliminary feedback from PennDOT is that deceleration and turning lanes will be required, which will require restricting parking on Ridge Pike which includes in front of the Post Office. This will be something that will be coming before the Board for further discussion as Mr. Moscariello's project progresses and comes before the Board again. Mr. Kerr did state that Staff took a preliminary look at the parking for the residents and had accommodated the resident parking with the restriction PennDOT is imposing for the new traffic signal. Everyone else

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should have on-lot parking. The post office pull in mail drop will be affected but there is a parking lot. The Township will continue working on this and closer studies will take place.

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

Adjournment: There being no further business, **motion was made** by Mr. St. Pedro and seconded by Ms. DeWan to adjourn the meeting at 8:08 P.M.

Respectfully submitted,


Daniel K. Kerr
Township Manager

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