
LIMERICK TOWNSHIP - BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES
OCTOBER 4, 2016
7:00 P.M.

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, October 4, 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; and Greta Martin Washington, Director of Community Planning/Zoning Officer

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

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

- Executive Session prior to meeting re: Litigation
- 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.
- Fire Prevention Week – Sunday, October 9, 2016 to Saturday, October 15th with the theme for 2016 being “Don’t Wait – Check the Date! Replace Smoke Alarms Every 10 Years”.
- Parents Night Out – Friday, October 14, 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*
- Trunk or Treat – Saturday, October 22, 2016 from 5:00 P.M. to 7:00 P.M. at the Limerick Community Park
- Star Party – Saturday, October 22, 2016 from 6:30 P.M. to 8:30 P.M. at the Limerick Community Park
- Budget Workshop Meetings – Saturday, October 22nd at 9:00 A.M., in the Township Building and Budget Discussions will continue to take place at our Board of Supervisors meeting all during October and November
- 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*

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- General Election – Tuesday, November 8, 2016
 - **Last day to REGISTER** before the NOVEMBER election is **October 11**
 - Last day to apply for a civilian absentee ballot: November 1
 - Last day for County Boards of Elections to receive voted civilian absentee ballots: November 4
- 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 Minutes of the September 6, 2016. Motion passed unanimously. Upon motion made by Mr. St. Pedro and seconded by Mr. Sperring, the Minutes of the September 20, 2016 Board of Supervisors Meeting Minutes were approved 3-0-2. Mr. Neafcy and Ms. DeWan abstained from the vote.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Ms. DeWan and seconded by Mr. St. Pedro, Bills List #20 for the period of 09/17/16 through 09/30/16 in the amount of \$201,984.47 was unanimously approved.

Subdivision and Land Development

Extension: Upon motion made by Mr. St. Pedro and seconded by Ms. Shuler, the following extension to the 90-day review period was unanimously accepted:

- a. West Mont United Soccer Association (#16-06)

Extension: Upon motion made by Mr. Sperring and seconded by Ms. Shuler, the following extension to the 90-day review period was unanimously accepted:

- b. Limerick View Shopping Center (#04-09)

Extension: Upon motion made by Mr. Ms. DeWan and seconded by Mr. Sperring, the following extension to the 90-day review period was unanimously accepted:

- c. Grass Sports Property, L.P. d/b/a The Far Post (#02-02A)

Confirmed Appointments:

Michael J. Clement – 41 Roberta Lane: Mr. Clement was before the Board, representing his client Mr. Anthony Giamo, to discuss their proposal for the 10 acre lot off of Roberta Lane. The first proposal shows 17 single family lots built around a cul-de-sac road; the by-right plan would yield 9 single family lots. Mr. Clement also reviewed another proposal for a high density townhome community based similar density of adjacent communities.

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Mr. Brian Maquire, 367 Linfield Trappe Road, questioned the square footage of the Open Space area on the Plan and of the landscaping that will be done to that area. The response was that they would work with the Township; however, at this time they are showing the Sketch Plans to show the housing unit options only.

Mr. Eugene Krasley, 50 Presidential Boulevard, questioned how the developer would be able to obtain water from the William Penn development and referenced a Recorded County Plan from June 2000 that shows an easement but does not depict a water line.

Mr. Clement read from an April 17, 2000 Easement Agreement which permits the extension of a water distribution system to his clients property.

Mr. George Haines, 212 Franklin Court, asked why the Plan does not show all the details. Mr. Clement stated that those Plans will come later in the land development process; tonight all they are asking the Board to consider is a change in Zoning that will allow this Concept Plan before going through the land development approval process. Mr. Haines explained that without those details, the public does not understand the full plans being proposed.

Mr. Clement asked the Board Chairman if the Township has the documentation of an approved water line, which the residents are referring, in the Township records. Mr. Neafcy said they would have to research this and pull the approved Plan for William Penn Villas and research, as did Mr. Dmytryk and Mr. McGrory.

Ms. Margaret Schweitzer, 476 Pebble Beach Drive, asked of the increased traffic and the plans to address this. Mr. Clement explained on the Sketch Plan the modifications they anticipate but commented that a 17 unit development would not have much impact.

Mr. Kerr explained the process for the public what the developer is asking of the Board this evening as a Confirmed Appointment. The developer simply has a Concept Sketch Plan, based on the meets and bounds of the property, to present to the Board to consider undertaking the full process to rezone the property. The Board has three choices; one, do nothing; two, say they are interested in entertaining a rezoning request; and three, not interested in entertaining a rezoning request. If the Board says they are interested, that does not mean the project is being approved this evening. The developer will then formally apply to the Township asking the Board to reconsider the Rezoning request. Then the Township will advertise Public Hearings and meetings where the developer will have to argue the merits of why the Board should consider the rezoning. During that process, the Board can at any time decide not to approve the rezoning. If the Board agrees that it makes sense to rezone the property and they formally adopt an Ordinance that changes the Zoning of this property, the developer has the right to come back with a formal Land Development Plan. At that time, they will come in with a fully engineered plan showing how they will construct the road, maintain stormwater, how they are going to address buffers and landscaping, plans for water, sewer, and utilities, and have adequate emergency access. These plans will be reviewed by the Township engineers to make sure they meet all the parameters of the Subdivision and Land Development Ordinances. Generally, the Board would approve a Plan

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that meets all these parameters. Therefore, this Concept Plan review is a very informal first step in a process that will provide the residents in the community ample time and opportunities to give their feedback to the Board.

Ms. DeWan asked Ms. Martin Washington if there is still a limit of twelve housing units in a cul-de-sac. Mr. McGrory stated that they have waived that in the past as long as there is sufficient emergency access, as that was the purpose for limiting the number.

Mr. McGrory informed the audience of a potential for litigation under the theory of reverse spot zoning challenge for a 99 unit Plan. If the Township wins the litigation, only nine (9) units would be allowed by-right. The developer is coming in with a compromise at 17 units to avoid going through litigation.

Ms. Shuler asked that the Board be given the documentation for the easement in question. Also, would the developer consider a further compromise of something in between the by-right of nine (9) and seventeen (17) units with a minimum on all units of having ½ acre lots? Mr. Clement stated that any plan with fewer than seventeen (17) units, it becomes economically unfeasible. Ms. DeWan cited traffic concerns for the reason for the Board's request for less than seventeen (17) units.

Mr. Jon Pichelman, 10 Presidential Boulevard, stated that he recollects a water line easement does come into their development but it stops across the street.

Mr. St. Pedro stated Mr. Krasley's concerns need to be addressed prior to his making any decisions.

Ms. Grace Pirog, 74 Presidential Boulevard, stated concerns over heavy equipment on their private roads in William Penn Villas. Mr. Clement stated Pennsylvania American Water would be the company that would install the water lines; therefore, he cannot speak of the equipment they would be using.

Mr. Barry Groves, 18 Presidential Boulevard, he moved into William Penn Villas in July 2000. Mr. Groves stated that William Penn Villas was created under the Planned Community Act of Pennsylvania which states that any recorded easement is null and void after seven (7) years if not acted upon. Mr. McGrory will have that researched.

At the conclusion of the discussion, no action was taken by the Board, both Mr. St. Pedro and Ms. DeWan did not want to make any decisions until more research has been done on the issues brought forth this evening.

Development Projects:

Name/File No.:	West Mont United Soccer Association, Inc. (#16-06)
Location:	560 Royersford Road
Review Phase:	Preliminary/Final Plan

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Mr. Robert L. Brandt, Esquire representing Mr. Michael F. Rufo, of Anchor Management Group, gave a brief overview of their development project for West Mont United Soccer Association, Inc. The project proposes to construct two (2) new synthetic turf soccer fields and to improve an existing natural turf soccer field for a total of 11 playing fields with proposed lighting; additionally, a restroom building for the facility and parking lot modifications were proposed. With these improvements, it will become a state-of-the-arts facility. The complex will be serviced with public sewer and a thorough review of EDUs has taken place. They received Planning Commission preliminary/final plan approval contingent upon them satisfying a zoning issue by providing the twenty-five (25) foot parking setback, the driveway is to be paved at the mouth of the drive, and compliance with all of the professional review letters including the requested waivers. The project received conditional use approval on February 20, 2001 and variances for the lighting on June 22, 2016.

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Mr. McGrory clarified the Act 209 Traffic Impact Fees as being based on the hours of use of the facility beginning after 6:15 P.M.; if that were to change, the Act 209 Fees would need to be reevaluated. Also, the EDU fees are based on 2 EDUs and if actual usage is above this, additional EDUs would need to be purchased. The developer was agreeable.

Ms. Shuler stated that the Board does not want to grant a waiver of sidewalks, but will agree to a deferral of that improvement only and not the other waivers being sought for roadway improvements. Mr. Neafcy made a recommendation to hire Fire Police on Ridge Pike on weekends to avoid traffic backups. Mr. Rufo said they have started that process and will continue to do so.

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to authorize the Township Solicitor to prepare a Resolution for Board consideration for West Mont United Soccer Association, Inc. (#16-06). Motion passed unanimously.

Name/File No.: **Sankey Tract (#07-03C)**
Location: **Swamp Pike/Ziegler Road/Metka Road**
Review Phase: **Preliminary/Final Subdivision Resolution**

Mr. Kerr gave a brief overview and explanation of the Resolution before the Board for consideration. The Land Development project for proposed 91 homes received Final Plan approval from the Board on December 1, 2015. As a condition of that Resolution, the Plans had to be recorded within one year or the approval becomes null and void. The Applicant has not yet committed to a builder for the project but has agreed to honor the commitment for deeding lands to the Township. This proposed subdivision plan is dividing the Tract into two lots. Lot 1 contains 25.242 acres to be dedicated to the Township. Lot 2 contains 18.954 acres to be retained for the approved development. Additionally, along with recording of a Subdivision Plan at this time, a Trail Easement along Ziegler & Metka Roads is being dedicated to the Township for use in building the trail to connect the Community Park with the Kurylo Preserve. The

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proposal to record this Subdivision Plan and Trail Easement is in return for a revised Resolution that will eliminate the December 1st deadline for recording the housing project.

Mr. David Slothower, 34 Metka Road, asked if the project is too dense for the area if the tract is subdivided. Mr. McGrory clarified that the approval was granted with this same 25.242 acres of Open Space being dedicated to the Township. The only thing that is changing is the timing of the land dedication to the Township as a compromise.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to approve Preliminary/Final Subdivision Resolution for Sankey Tract (#07-03C). Motion passed unanimously.

New Business

Authorization – Advertise PWD Projects

- Annual Fuel Quantities

Motion was made by Mr. St. Pedro and seconded by Mr. Sperring, to authorize Advertisement of the 2017 Annual Quantities Contract for Fuels. Motion passed unanimously.

Release of Escrow - Final Release of Escrow and Contingency # 07-10, West Mont Soccer: Mr. Kerr clarified that this is for a 2007 Project with West Mont Soccer, not their current Project that was discussed earlier.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to authorize the Release of Escrow in the amount of \$49,726.34 to West Mont Soccer (#07-10). Motion passed unanimously.

Discussion – Budget Updates

Mr. Kerr reviewed a presentation recapping the September 29th Budget meeting.

Limerick Fire Company was in to discuss their \$4.2 million building project, with a borrowing need of \$3.83 million. This is an increase from what the Board authorized last year in the 2016 Budget as part of the long-term capital improvements with an original estimate of \$3.2 million. The Fire Company also reviewed the replacement of their aerial truck, which was also approved last year at \$1.084 million borrowing need; the Fire Company confirmed that this estimate is still the same. The Board authorized the Fire Company to continue to move forward with the building project and the aerial truck and the Board will consider those funding options as we move through the 2017 Budget. No decisions were made on the funding; only that they can continue with those projects and the Board would continue to discuss funding options. Ms. DeWan noted that the residents will see in the near future (around November 5th) the demolition of the current fire house which is the first step in the building project, but commented that the fire trucks will be housed in a variety of temporary locations throughout the Township while still maintaining the response time for emergencies and services. The Township asked the fire

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company to build a building that will last 30-years and not to over-design, which they did and they have expressed that they are very happy with the design and the square footage. The Limerick Fire Company building project, in terms of cost per square footage with comparable fire company building projects in the area, is on the lower end from a square footage standpoint. As a reminder, several different design concepts and studies were reviewed; this led to them designing a new facility instead of renovating the old building, which turned out to be too cost prohibitive. The Board offered views on the necessity of supporting both of the volunteer fire companies in the Township as being sound financial planning for the community.

Chief Skelton was in attendance at the September 29th Budget Meeting and offered a review of the proposed re-structuring of the department in 2017, once all new hires are in place this year to bring the staffing level up to the approved level of 30 sworn officers. The plan will be to fill the vacate Lieutenant Position from the current Sergeant force. A request to add another Sergeant Position specific to the oversight of the Detective force was offered, for a total of four Detectives. In addition, Chief Skelton is proposing an additional Corporal Position for each of the platoons; therefore, all would be served by both a Sergeant and a Corporal. Mr. St. Pedro added that the Chief Emeritus position will no longer exist and could offset some of these new positions. The Board saw no issues with these requests.

In terms of Police capital needs, Chief Skelton proposed that three vehicles be rotated over with the purchase of three new cars and an additional new vehicle be purchased due to the expansion of the force to 30 officers. It was noted that Exelon has offered a donation of \$90,000 to be used toward the purchase of new police cars. Exelon representatives will be at the October 18th meeting to present this donation to the Township.

Chief Skelton also proposed a purchase of an armor plated vest for each patrol vehicle. The bullet proof vests currently worn by each officer do not stop bullets from high powered or assault rifles which have been used in recent National police related shootings. The cost is \$750 each, from a local vendor, and a need for twelve (12), one for each car was proposed. The Board expressed their desire to see the vests purchased immediately, as opposed to waiting until the 2017 Budget cycle, and authorized the expenditure from current year funds.

Planning and Zoning Department requested an Intern again this year to assist with the new GIS System along with another Fire Proof cabinet to store documents the Township is required to keep in perpetuity. A Master Plan Study for the Limerick Community Park is under consideration, which will include the newly acquired 24 acres; the Board is requesting that grant opportunities be researched to fund this Study. Also discussed and under consideration is for a new township logo and seal.

Fire Safety and Emergency Management departmental discussions were also offered. A request for an additional Fire Inspector was discussed to handle the second phase of our Fire and Life Safety program which would include a Rental Inspection Program and a Pre-Planning Program on all the Commercial properties in the Township. The Pre-Planning Program would map out in our GIS system where, for example, sprinkler systems are located and if hazardous waste

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materials are stored on site and the responding firefighters would know where everything is located. This would be a great safety program for our volunteer firefighters. This position would help enhance our Daytime Driver Program, as well. Mr. Kerr stated that the Limerick Fire Chief is reporting that their fire calls and nuisance calls (false alarms) are beginning to drop and they are attributing that to the Township's Fire and Life Safety Program.

Mr. Kerr reminded everyone that none of these items have been approved yet; this is just a recap of what was discussed at the Budget Meeting held on September 29th. More discussions need to take place and analyzed as the Budget for 2017 is developed.

Mr. Kerr also spoke of the Township looking at Architectural Designs for a new Police and Administration Building. After numerous studies, similar to the fire company, it was determined that the most cost effective way is to demolish the existing building and build a new building on the existing footprint but two stories high. The Administration is working through this design and should have cost estimates for the Board to consider by the end of the year.

A review of the current bid for the sale of the Township Sewer System was discussed in detail and Mr. Kerr reminded the Board and audience that bids are currently out on the street and the results are expected to be ready for Board consideration at their meeting on November 15th. It was noted that the budget presented to the Board that evening will take into consideration the results of the sewer bids and if staff needs additional time to analyze the results, a November 22nd meeting of the Board may be scheduled so the Board could authorize the advertisement of the Preliminary Budget.

Mr. Kerr also mentioned the impact the Right-to-Know Law has had on the Township and the possible need to add a position to comply with these requests. While we are not passing judgement on the Right-to-Know Law and the Public's right to gain information from governmental agencies, that Law is tying up township personnel and manpower excessively and to the point where staff is being hindered from doing their regular duties. Ms. Shuler asked Mr. Kerr to give examples of the blatant misuse of this Law. Mr. McGrory and Mr. Kerr both cited a few examples.

Mr. Kerr reviewed the upcoming meeting dates where budget discussions will take place and the timeline for having the 2017 Budget prepared and ready to be advertised for Public Viewing. Specifically noted was the Public Budget Meeting scheduled for Saturday, October 22nd in addition to the regularly scheduled Board meetings.

Mr. Neafcy made additional comments on the need for a new building for the Police and the Administration. Not only is the existing building in need of many costly repairs, but the Police Department is overcrowded and the Administration Department has no room for growth. The other Board members echoed those sentiments and added comments as to the Township's history of fiscal responsibility. Mr. Kerr noted that options on how to fund these projects will be provided at upcoming Budget and Board meetings once the results of the sewer bid are known.

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There were no public comments on any budget items offered from those in the audience.

Public Comments

Mr. Eugene Krasley, 50 Presidential Boulevard, commented on his appreciation for the work of the Board and the Staff and for being given the opportunity to be given the floor to state his opinions and for them listening. Ms. Shuler thanked him for his comments because it offers the Board a different point of view.

Supervisor Comments: None.

The Board adjourned into Executive Session regarding Real Estate. 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. St. Pedro to adjourn the meeting at 8:30 P.M.

Respectfully submitted,


Daniel K. Kerr
Township Manager

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