

**LIMERICK TOWNSHIP - BOARD OF SUPERVISORS  
PUBLIC MEETING MINUTES**

**FEBRUARY 7, 2017  
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, February 7, 2017, in the Public Meeting Room of the Temporary Limerick Township Municipal Building located at 155 S. Limerick Road, Suite 100 with Kara Shuler, Chairman, presiding. This meeting was advertised in The Mercury on January 8, 2017.

**Members Present:** Supervisors Kara Shuler, Kenneth W. Sperring, Jr., and D. Elaine DeWan

**Members Absent:** Supervisors Joseph St. Pedro and Thomas J. Neafcy, Jr.

**Others Present:** Joseph J. McGrory, Jr., Esq., Township Solicitor; Khaled R. Hassan, P.E., Township Engineer; Daniel K. Kerr, Township Manager; and Beth F. DiPrete, Asst. Twp. Mgr./Treasurer

**Call To Order:** Ms. Shuler called the meeting to order at 7:07 P.M. Ryan Wall led the Pledge of Allegiance.

**Opening Comments/Announcements**

**THIS MEETING IS BEING RECORDED.**

- Executive Session prior to the meeting re: Real Estate
- Remember to check our website for up-coming Parks & Recreation events including information on:
  - Parents Night Out
  - Coffee Break Talks for Seniors, which starts up again this month
  - Registration is Open for the 2017 Shamrock Summer Camps
  - Hiring Camp Counselors and Volunteer CIT's

**Consideration of Minutes:** Upon motion made by Ms. DeWan and seconded by Mr. Sperring, the January 17, 2017 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 #3 for the period of 01/14/2017 through 02/03/2017 in the amount of \$631,630.60 was unanimously approved.

**Subdivision and Land Development**

**Development Projects:**

<b>Name/File No.:</b>	<b>Texas Roadhouse Seating Addition (#16-11)</b>
<b>Location:</b>	<b>70 Buckwalter Road</b>
<b>Review Phase:</b>	<b>Preliminary/Final Plan</b>

150247

Board of Supervisors

February 7, 2017

Page 2, Minutes

Mr. Andres Guarderas, Managing Partner of Texas Roadhouse, was present and reviewed their proposal to expand the seating capacity of their existing restaurant to meet their growing business needs. This 494 square-foot building addition would accommodate an additional forty-two (42) seats. The Applicant is also proposing various improvements such as replacing a portion of concrete sidewalk, adding a downspout, and landscaping.

Mr. Hassan explained why, even though this seems like a simply request, this project qualifies for Land Development. Mr. Hassan also stated there are no waivers are being asked for by the applicant and the applicant has been made fully aware of the fees associated with the Land Development project.

**Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to authorize the Township Solicitor to prepare a Preliminary/Final Resolution for Board consideration for Texas Roadhouse Seating Addition (#16-11). Motion passed unanimously.

**Name/File No.:** William L. & Carol L. Royce (#16-12)  
**Location:** 506 & 530 Swamp Pike  
**Review Phase:** Preliminary/Final Plan

Mr. Paul Yaskowski of Urwiler & Walter, Inc. along with the applicants, William L. and Carol L. Royce were before the Board to review their proposal to adjust the lot line of 506 & 530 Swamp Pike. Mr. Yaskowski explained that the proposed lot line adjustment of two (2) lots is for the purpose of conveyance of land only. Lot 1 is proposed to be adjusted from 9.757 acres to 18.044 acres, with Lot 2 is proposed to be adjusted from 11.501 acres to 1.836 acres. Both lots will contain existing single family detached dwellings to be serviced by existing on-lot septic and individual wells. The lots will comply with the zoning dimensional requirements for the R-1 Residential-Zoning District. No other improvements, except for a new septic system area for Lot 2 are being proposed at this time, nor are any waivers being requested.

In response to Ms. Shuler's question regarding the motivation for this change, Mr. Royce stated there are two (2) reasons, the first reason being the parcel would become eligible under Pennsylvania Act 319, the Pennsylvania Farmland and Forest Land Assessment Act (Clean and Green). Act 319 is a state law passed in 1974, and amended in 1998 by Act 156 that allows land parcels which are 10 acres or more in size and which are devoted to agricultural and forest land use, to be assessed at value for that use rather than Fair Market Value. The other reason is that the other home on the adjacent lot (where their daughter lives) is a smaller home and if in the future he were to sell it with the 11 acres of land, it would not make as much financial sense as it would if the land was included with his larger home.

Mr. Hassan stated the applicant has shown on their proposed plan to dedicate the area between the legal right-of-way and the ultimate right-of-way to the centerline of Swamp Pike is to be dedicated to Limerick Township. A description of the area to be dedicated shall be submitted for

Board of Supervisors  
 February 7, 2017  
 Page 3, Minutes

review and approval and a Deed of Dedication would then be prepared by the Township Solicitor.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to authorize the Township Solicitor to prepare a Preliminary/Final Resolution for Board consideration for William L. & Carol L. Royce (#16-12). Motion passed unanimously.

**Name/File No.:** Linfield Corporate Center Lot 11 (#16-13)  
**Location:** Keystone Drive  
**Review Phase:** Preliminary/Final Plan

Theodore A. Kochen, P.E., Project Manager for Linfield Corporate Center, LP was before the Board to review their proposal to adjust the lot line of Lot 11 of the Linfield Corporate Center. The lot will be divided and consolidated with adjacent lots, no Land Development will be taking place at this time and the applicant will comply with the professional review letters. The subdivision will incorporate 4.116 acres into Lot 4 (AutoPark) and 1.229 acres would go to Lot 12, and do away with Technology Court, an alternative cul-de-sac design submitted in the original land development plan. The subdivision was a cleanup for the corporate center project, but it was also noted that this subdivision will accommodate future Land Development plans of the AutoPark Lot 4.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to authorize the Township Solicitor to prepare a Preliminary/Final Resolution for Board consideration for Linfield Corporate Center Lot 11 (#16-13). Motion passed unanimously.

### New Business

Approval – Special Inspection Consultant, Police/Administration Facility: Mr. Kerr stated that it is the recommendation of the Township Construction Manager, Gorski Engineering, that the Township hire Earth Engineering to perform all Special Inspections (which includes soil, steel, and concrete) for the new Municipal Complex. These inspections are required of the Township per the contract documents. Five proposals were obtained and reviewed by Staff and Consultants and for qualifications and cost.

**Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to approve Earth Engineering for Special Inspection Consultant for Police/Administration Facility Project #17-01. Motion passed unanimously.

Approval – Change Order No. 2 – Pump Station #6: Mr. Hassan presented the Change Order Request to the Board for Structural Tie-In Modifications requested to the Pump Station. Mr. Hassan gave a brief description of the discrepancies which led to requiring this change order. Blooming Glen Contractors provided quotes for this change to the original contracted project.

Board of Supervisors  
February 7, 2017  
Page 4, Minutes

**Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to approve Change Order #2 for an amount not to exceed \$135,891.10. Motion passed unanimously.

### **Old Business**

Final Release of Escrow – SLD #06-03 - 57 Neiffer Road: Mr. Hassan stated the Township received a request from the developer, Sukonik Oak Creek, LP, to release the maintenance bond. Inspections took place and all the major items were finalized which were included in the basin punchlist dated November 23, 2016. Pennoni outlined in a letter a list of outstanding items, which Neil Sukonik proposed to post a cash escrow for in the amount of \$15,500, with the intent to complete when the weather permits this spring. It was confirmed that the Township has received the \$15,500 cash escrow and the Administration is recommending that the Bond be released for this project.

**Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to approve Final Release of the Escrow in the amount of \$37,646.69 for SLD #06-03 – 57 Neiffer Road. Motion passed unanimously.

Final Release of Landscaping Escrow – SLD #05-18C - Heritage Crossing Citadel: Mr. Kerr stated that the proper documentation has not been received yet on this action and asked the Board for a motion to table it for the next meeting.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to table the Final Release of the Landscaping Escrow for SLD #05-18C – Heritage Crossing Citadel. Motion passed unanimously.

Resolution – Tax Exempt Loan Incurred by Limerick Fire Company: Mr. Kerr added this last minute item to the agenda, stating that the request was just received by Limerick Fire Company as requested by the bank for the closing on the Limerick Fire Company Construction Loan. The Resolution was reviewed by the Township Solicitor and it was confirmed that the resolution does not place any burden on the Township for that loan. The purpose of the resolution is so that the Fire Company is able to obtain tax-free financing and for that, you need a municipal component.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution 2017-09 to Authorize and Approve Tax Exempt Loan Incurred by Limerick Fire Company. Motion passed unanimously.

### **Public Comments**

Mr. Kerr gave a quick update that the Pre-Construction meeting will be held on Friday, February 10<sup>th</sup> for the Police/Administration Municipal Complex project. The Historical Society provided pictures of the time capsule which had been placed in front of the Township Building in 1979; since the capsule is not scheduled to be opened until 2023, our Public Works Department will

Board of Supervisors  
February 7, 2017  
Page 5, Minutes

dig it up with the Historical Society present and it will be stored then re-buried after construction of the building is complete.

Mr. William Grater, 47 E. Cherry Lane, was in the audience and spoke about his continued concerns with vehicle headlights onto his property along with dirt and dust affecting the exterior of his dwelling. The Board and Mr. Kerr noted that it was the Township's assumption that all issues had been resolved but agreed to review again and get back to Mr. Grater in the near future.

**Supervisor Comments**

Ms. DeWan complimented the Public Works Department along with the Police and Administration Staff on all the hard work to execute the move of the township offices. Ms. DeWan also expressed her appreciation to the Neilson organization for renting the temporary office space at a below market rate to the Township.

**Adjournment:** There being no further business, **motion was made** by Ms. DeWan and seconded by Mr. Sperring to adjourn the meeting at 7:42 P.M.

Respectfully submitted,



Daniel K. Kerr  
Township Manager

150247