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

**SEPTEMBER 10, 2009
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Thursday, September 10, 2009, in the Public Meeting Room of the Limerick Township Municipal Building with D. Elaine DeWan, Chairman, presiding.

Members Present: Supervisors Renee K. Chesler, D. Elaine DeWan, Joseph St. Pedro, Kara Shuler, and Kenneth W. Sperring, Jr.

Others Present: Bernadette Kearney, Esq., Township Solicitor; Khaled R. Hassan, P.E., Township Engineer; Joseph P. Platt, Traffic Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Finance Director/Treasurer; William J. Albany, Chief of Police; Martena Roshon, Director of Sewer Department and Community Planning; and Stuart L. Rosenthal, P.E., Sewer Engineer.

Call To Order: Ms. DeWan called the meeting to order at 7:17 P.M. John Lightcap led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

5K Run for the Park – Saturday, September 12, 2009 at the Community Park – 8:00 A.M. Race Registration

Yard & Leaf Waste Drop-Off Date – September 19, 2009 at Limerick Township Public Works Facility

Limerick Community Day 2009 – Saturday, September 26, 2009 from 10:00 A.M. to 4:00 P.M. at the Community Park

Fall Fling Car Show – Sunday, September 27, 2009 at the Community from 9:00 A.M. to 2:00 P.M.

American Red Cross Blood Drive – Monday, October 5, 2009 from 1:00 P.M. to 7:00 P.M. in the Township Building

Consideration of Minutes: Upon motion made by Mr. Sperring and seconded by Ms. Shuler, the August 20, 2009 Board of Supervisors Meeting Minutes were approved 3-0-2. Ms. Chesler and Mr. St. Pedro abstained from the vote.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Mr. Sperring and seconded by Ms. Shuler, Bills List #15 for the period of 8/15/09 through 9/04/09 in the amount of \$416,729.95 was unanimously approved.

Public Hearing: Stop Sign Ordinance – Sunset & Heffner Roads

Ms. Kearney suspended the public meeting, and opened the public hearing for consideration of a proposed Stop Sign Ordinance. She briefly reviewed the proposal for placement of a Stop Sign at the stop street of Sunset Road at the intersection of Heffner Road, and noted that the effective date would be five (5) days after the date of adoption of the Ordinance. Ms. Kearney then presented the following Exhibits to be incorporated in the record: 1) A copy of the Proposed Ordinance; 2) Letter dated August 31, 2009 to The Times Herald; 3) Proof of Publication; 4) Legal Notice; and 5) Attested Ordinance to the Law Library.

Mr. Platt briefly described the location of the Stop Signs, and the study prepared by Traffic Planning and Design, Inc. to see if the location meets multi-way stop warrants. He explained the criteria for installing multi-way stops, and noted that the sight distance for vehicles exiting Heffner Road onto Sunset Road is limited by a large diameter tree which the Limerick Township Historical Society is currently in the process of registering. This is deemed an impractical obstruction to sight distance. He reviewed the remaining warrants, and the recommendation from TPD is that a multi-way stop be installed.

There being no discussion from the Board nor questions from the public, Ms. Kearney closed the public hearing and moved back into the public meeting.

Mrs. Stiglic, owner of the large tree at the intersection of Sunset and Heffner Roads, asked for a copy of all documentation presented at the hearing. She also wanted to know when the installation will take place and if there will be sufficient notice given to motorists.

Mr. Platt explained that a sign will be placed approximately 300 ft. in advance of the intersection with a yellow flashing light, and at the intersection will be a Stop Sign with a red flashing light. The advance signaling shall stay in place for at least sixty (60) days.

Mrs. Stiglic asked the Board if they feel that if the Stop Signs don't work, will the tree be gone?

Motion was made by Ms. Chesler and seconded by Ms. Shuler, to approve Ordinance No. 309, Amending Section 170-14 A of Article II of Chapter 170 of the Limerick Township Code to Add a Stop Sign at the Intersection of Sunset Road and Heffner Road. There being no further public comment, the motion passed unanimously.

Subdivision and Land Development

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

- a. Allied Landscape & Contractor Supply Co.(#07-14): Extended to 12/16/09
- c. Robert L. & Carol A. Ganovsky (#09-05): Extended to 10/15/09

The following extension to the 90-day review period was accepted 4-0-1, with Mr. St. Pedro recusing himself from the vote.

- b. Ziegler Estate Subdivision (#07-20): Extended to 12/10/09

Development Projects:

Ziegler Estate Subdivision (#07-20): Ms. Kearney noted that the Applicant, his attorney, and engineer are present. She reviewed the Resolution as prepared. The Applicant is in agreement with the terms and conditions as set forth in the Preliminary Resolution.

Motion was made by Mr. Sperring and seconded by Ms. Shuler, to approve Resolution SLD #07-20 (P) granting Preliminary Plan Approval for the Ziegler Estate Subdivision. Motion passed 4-0-1 with Mr. St. Pedro recusing himself from the vote.

Resolution: Moscariello Development Co. Planning Module (Fruitville Road #05-12): Mr. Rosenthal described the parameters covered by the Planning Module which includes approximately 40 lots in the Fruitville Road Subdivision as well as the lots along Fruitville Road with existing homes. It does not include the homes on the side roads.

Motion was made by Mr. Sperring and seconded by Mr. St. Pedro, to approve Resolution No. 2009-33 for the Fruitville Road Subdivision (Moscariello Development Company) Planning Module. Motion passed unanimously.

Old Business

CVS Pharmacy – Zoning Hearing: Adam Laver of Blank Rome LLP was present on behalf of CVS Pharmacy in order to review the proposal and offer some alternatives for the Board’s consideration. It was the consensus of the Board that they will withdraw their opposition to the Zoning Hearing Board Application of CVS if the following conditions are met. During the times throughout the day when the School Zone lights are flashing, the text on the sign would be frozen with some type of safety message such as, Slow, School Zone, School Crossing. Other acceptable alternative messages could include the display of Amber Alerts, public services messages, and other related information. The Board also requested that Mr. Laver draft a letter to the Township Solicitor outlining the agreed upon alternatives as discussed.

Motion was made by Mr. Sperring and seconded by Ms. Shuler, to withdraw the Board’s opposition to CVS Zoning Hearing Board Application #09-14. Motion passed unanimously.

Road Dedication and Acceptance of Maintenance Bond – Pine Tree Estates (#97-14): Mr. Kerr noted that this issue was before the Board last Fall. The HOA organization has been established, and the open space properly turned over to the resident group. The Township Engineer and the Public Works Director have reviewed the condition of Pine Tree Road, and all road issues remain compliant with Township specifications. Administration recommends dedication of Pine Tree Road.

Motion was made by Mr. Sperring and seconded by Ms. Chesler, to approve Resolution No. 2009-34 Accepting the Deed of Dedication and the Maintenance Bond for Pine Tree Road. Motion passed unanimously.

Release of Construction Escrow - Pine Tree Estates (#97-14): Mr. Kerr noted that all issues are in order as noted in the Pennoni review letter, and the Administration recommends release of the construction contingency for the project. This mileage will be counted in on the Liquid Fuels for 2010.

Mr. Sperring said he would like this issue to be tabled until Staff can work out an agreement with the developer to compensate the Township for ten (10) years worth of Liquid Fuels money that was lost.

Motion was made by Mr. Sperring and seconded by Mr. St. Pedro, to table the release of construction contingency funds for Pine Tree Estates until the next Board of Supervisors meeting. Motion passed unanimously.

New Business

Journey Church – Neiffer Road, Parking Lot Expansion: Mr. Kerr advised that Journey Church is proposing a minor parking lot expansion, and the Administration believes this is an ideal project for the Board to consider waiving the requirements of Land Development. Pennoni believes Best Management Practices (BMP's) can be utilized on this project to control the additional storm water run-off.

Mr. Sperring left the meeting at 8:02 P.M.

Motion was made by Mr. St. Pedro and seconded by Ms. Chesler, to authorize the Solicitor to prepare a Resolution waiving the requirements of Land Development for Board consideration. Motion passed 4-0.

Mr. Kerr noted that this decision is to waive the entire Ordinance, but allows for alternate storm water controls that the Township Engineer will monitor through a Grading Permit process.

Reservation of Capacity Agreement – Blessed Teresa of Calcutta: Mr. Rosenthal explained that the Reservation of Capacity Agreement preserves Blessed Teresa's ability to purchase an additional EDU related to the Parish House. They have already purchased 18 EDU's.

Motion was made by Mr. St. Pedro and seconded by Ms. Chesler, to authorize the Chairman of the Board to execute the Reservation of Capacity Agreement for Blessed Teresa of Calcutta. Motion passed unanimously.

Declaration of Easement – Spring-Ford Area School District: Mr. Rosenthal explained that this Declaration of Easement was negotiated with the Spring-Ford Area School District for an easement across the School District's property through which the new interceptor will be built to the Blessed Teresa of Calcutta property, along the creek and across Swamp Pike.

Motion was made by Ms. Shuler and seconded by Mr. St. Pedro, to authorize the Chairman of the Board to execute the Declaration of Easement for Spring-Ford Area School District. Motion passed unanimously.

Approval – Disposal of Police Vehicle: Mr. Kerr stated that the Police Department has recently placed their new vehicles into service, and Chief Albany has requested authorization to send the 2004 Ford Crown Victoria with a Police Interceptor package to auction.

Motion was made by Mr. St. Pedro and seconded by Ms. Shuler, to approve placement at auction of the 2004 Ford Crown Victoria Police Vehicle. Motion passed unanimously.

Approval – GASB 45 Study by Duda Actuarial Consulting: Mr. Kerr explained that the GASB (Government Accounting Standards Board) requires that municipalities record a liability in the General Fund for the cost of any post-retirement benefits provided to employees. Joe Duda, our actuary, has submitted a proposal to prepare the 1/01/09 actuarial valuation of the post-retirement medical benefits for the Police Officers at a cost of \$2,500.00. This study was budgeted for in 2009.

Motion was made by Mr. St. Pedro and seconded by Ms. Chesler, to authorize the preparation of the GASB 45 Study by Duda Actuarial Consulting at a cost not to exceed \$2,500.00. Motion passed unanimously.

Discussion – MMO Valuations: Mr. Kerr reviewed the memo from Beth DiPrete detailing 3 options for consideration prior to the approval of the yearly Minimum Municipal Obligation (MMO) for the Township Pension Plans. By law the MMO's must be approved by the Board prior to September 30, 2009. The appropriated funds are then incorporated into the following year budget. Traditionally, the Administration has utilized the standard yearly valuation for the calculation of the MMO's. Pension law allows for alternate calculations if the governing body

so desires. Based on the reduced investments of both plans (Uniformed and Non-Uniformed) over the last couple of years, the Township's pension obligation is increasing and the Administration desires a discussion with the Board to determine if an alternate option should be utilized to lessen the burden on the 2010 Budget. A discussion ensued. The consensus of the Board was to go with Option B.

Zoning Hearing Board Advisories

ZHB #09-17 Hirshland Development Company, Heritage Crossing Shopping Center (Ridge Pike & Township Line Road): A brief discussion ensued before the Board elected not to send opposition, and allow the Zoning Hearing Board to hear the application.

Public Comments: None.

Ms. DeWan announced that the Board will meet in Executive Session following the meeting to discuss real estate and potential litigation. They will not reconvene.

Adjournment: There being no further business, **motion was made** by Ms. Chesler and Ms. Shuler, to adjourn the meeting at 8:20 P.M.

Respectfully submitted,

Daniel K. Kerr
Township Manager