

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, January 4, 2010, in the Public Meeting Room of the Limerick Township Municipal Building.

Members Present: Supervisors D. Elaine DeWan, Thomas J. Neafcy, Jr., Joseph St. Pedro, Kara Shuler, and Kenneth W. Sperring, Jr.

Others Present: Joseph J. McGrory, Esq., Township Solicitor; William J. Bryant, P.E., Township Engineer; Joseph P. Platt, Traffic Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Finance Director/Treasurer; 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 7:04 P.M. Jonathan Traywick, Jr. led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

Oath of Office and Introduction of New Supervisor: The Honorable Walter F. Gadzicki, Jr., D.J. swore in the following individuals to their respective offices:

- Thomas J. Neafcy, Jr. Supervisor
- Kara Shuler Supervisor
- Joseph St. Pedro Supervisor
- Frederick L. Fidler Elected Auditor
- Mark S. Painter, Sr. Tax Collector

Appointment of Officers

- **Board - Temporary Chairman**

Motion was made by Mr. Neafcy and seconded by Mr. Sperring, to appoint Mr. McGrory as the Temporary Chairman of the Board for the purpose of accepting nominations for the position of Chairman of the Board. Motion passed unanimously.

- **Board - Chairman**

Mr. McGrory called for nominations for the position of Chairman of the Board. **Motion was made** by Mr. Neafcy and seconded by Mr. St. Pedro, to nominate Mr. Sperring for the position of Chairman of the Board. There being no other nominations, **motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to close the nominations and appoint Mr. Sperring as Chairman of the Board of Supervisors. Motion passed unanimously.

- Board - Vice Chairman

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to nominate Ms. Shuler for the position of Vice Chairman of the Board. There being no other nominations, the Board unanimously voted to appoint Ms. Shuler to the position of Vice Chairman of the Board of Supervisors.

- Township Secretary

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to appoint Daniel K. Kerr as Township Secretary. Motion passed unanimously.

- Township Assistant Secretary

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to appoint Marianne Egan as Township Assistant Secretary. Motion passed unanimously.

- Township Treasurer and setting of Bond

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to appoint Beth F. DiPrete as Township Treasurer and setting bond at \$10 million. Motion passed unanimously.

- Approval of Manager Bond

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to approve the Manager Bond in the amount of \$25,000.00. Motion passed unanimously.

Appointment of Employees

- Roadmaster

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to appoint William R. Bradford as Roadmaster. Motion passed unanimously.

- Fire Code Official/Emergency Management Coordinator

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to appoint Dennis E. Rumler as Fire Code Official/Emergency Management Coordinator. Motion passed unanimously.

- Open Records Officer

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to appoint Township Manager, Daniel K. Kerr, or Interim Township Manager, as Open Records Officer. Motion passed unanimously.

Appointment of Professional Consultants

- Solicitor

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint Joseph J. McGrory, Jr. as the Township Solicitor at the hourly rate of \$170.00, and \$235.00 for matters involving real estate. Motion passed unanimously.

- Conflict Counsel

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to appoint Edward A. Skypala as Township Conflict Counsel at an hourly rate of \$160.00 as detailed in the letter dated 11/09/09. Motion passed unanimously.

- Special Labor Counsel

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to appoint John P. McLaughlin as Special Counsel for Labor Matters at an hourly rate of \$300.00 for a partner and \$250.00 for an associate, per an e-mail to Ms. DiPrete dated 10/30/09. Motion passed unanimously.

- Engineer

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint Pennoni Associates, Inc. as Township Engineer according to the fee schedule detailed in the letter dated 11/03/09. Motion passed unanimously.

- Traffic Engineer

Motion was made by Mr. Neafcy and seconded by Mr. St. Pedro, to appoint Traffic Planning and Design, Inc. as Township Traffic Engineer according to the fee schedule detailed in the letter dated 10/30/09. Motion passed unanimously.

- Sewer Engineer

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to appoint Gilmore & Associates, Inc. as Township Sewer Engineer according to the fee schedule detailed in the letter dated 11/20/09. Motion passed unanimously.

- Zoning Officer and Code Enforcement Officer

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Pennoni Associates, Inc. as Zoning Officer and Code Enforcement Officer at an hourly rate of \$70.00. Motion passed unanimously.

- Building Code Official

Motion was made by Ms. Shuler and seconded by Mr. St. Pedro, to appoint Systems Design Engineering, Inc. as Building Code Official at an hourly rate of \$58.00 per letter dated 12/30/09. Motion passed unanimously.

- Auditing Firm

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to approve Resolution No. 2010-01 appointing Maillie, Falconiero & Company, L.L.P. as Township Auditing Firm to conduct the 2009 audit according to the fee schedule detailed in the letter dated 11/20/09. Motion passed unanimously.

- Pension Investment Advisor

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to appoint Smith Barney as the Pension Investment Advisor for both the Uniform and Non-Uniform Pension Plans, and to appoint VALIC as the Pension Investment Advisor for the Non-Uniform Defined Contribution Plan. Motion passed unanimously.

- Pension Actuarial Consultant

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Duda Actuarial Consulting as the Pension Actuarial Consultant for both the Uniform and Non-Uniform Pension Plans. Motion passed unanimously.

Ms. Shuler thanked all of the professionals that were reappointed and noted that they all agreed to keep their rates the same as last year.

Appointments to Boards, Commissions and Committees

- Planning Commission

- Member 4-year term

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to re-appoint Samuel F. Barilla, Jr. to a 4-year term expiring on 12/31/13. Motion passed unanimously.

- Member 4-year term

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Marta S. Pecharo to a 4-year term expiring on 12/31/13. Motion passed unanimously.

- Member 1-year term (Unexpired Term)

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to appoint Jonathan J. Traywick to fill the unexpired term expiring on 12/31/10. Motion passed unanimously.

- Board Representative

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to appoint Kara Shuler as the Board Representative to the Planning Commission. Motion passed unanimously.

- Zoning Hearing Board

- Member 5-year term

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to re-appoint Michael D. Durante to a 5-year term expiring on 12/31/14. Motion passed unanimously.

- Member 3-year term (Unexpired Term)

Motion was made by Mr. Neafcy and seconded by Mr. St. Pedro, to appoint Samuel J. Augustine to fill the unexpired term expiring on 12/31/12. Motion passed unanimously.

- Alternate Member 1-year term (Unexpired Term)

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint John W. Lightcap, III to fill the unexpired vacancy expiring on 12/31/10. Motion passed unanimously.

- Parks and Recreation Committee

- Member 5-year term

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint Kris Bautsch to a 5-year term expiring on 12/31/14. Motion passed unanimously.

- Special Projects Liaison

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to appoint Margaret C. Schweitzer as the Special Projects Liaison for 2010. Motion passed unanimously.

- Board Representative

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to appoint Thomas J. Neafcy, Jr. as the Board Representative to the Parks and Recreation Committee. Motion passed unanimously.

- Emergency Services Committee

- Board Representative – Kara Shuler
- 2 Township Administrative Representatives – Beth F. DiPrete and Daniel K. Kerr
- Chief of Police – William J. Albany
- Emergency Management Coordinator – Dennis E. Rumler
- Citizen Rep – _____
- Citizen Rep - Jim Ginnetti
- 2 Limerick Fire Company Reps – Chief & Member
- 2 Linfield Fire Company Reps – Chief & Member
- 2 Trappe Ambulance Reps – Chief & Member
- 2 Friendship Ambulance Reps – Chief & Member

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Supervisor Kara Shuler, Beth F. DiPrete, Daniel K. Kerr, William J. Albany, Dennis E. Rumler, 2 Citizen Representatives, 2 Representatives from Limerick Fire Company, 2 Representatives from Linfield Fire Company, 2 Representatives from Trappe Ambulance, and 2 Representatives from Friendship Ambulance to the Emergency Services Committee for 2010. Motion passed unanimously.

- Limerick Township Municipal Authority

- Member 5-year term

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint Joseph St. Pedro to a five-year term expiring on 12/31/14. Motion passed unanimously.

- Vacancy Board Chairman

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to re-appoint Thomas M. McGrory as the Vacancy Board Chairman for 2010. Motion passed unanimously.

- UCC Board of Appeals

- Member 5-year term (Electrician)

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to re-appoint Jason Carr (Electrician) to a five-year term expiring on 12/31/14. Motion passed unanimously.

- Industrial Development Authority

- Member 5-year term

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to appoint Chris Haring to a five-year term expiring on 12/31/14. Motion passed unanimously.

- Member 3-year term (Unexpired Term)

Mr. Sperring announced there is a vacancy on the IDA Committee to fill an unexpired 3-year Member term. Anyone interested in filling the position should submit their information to the Township for Board consideration. Mr. McGrory explained the function of the IDA Committee.

- Pension Committee

- Uniform Pension Plan - 2 Township Representatives and one Member Representative

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to appoint Beth F. DiPrete and Joseph St. Pedro as Township Representatives and R. Brian Skelton as a Member Representative for 2010 for the Uniform Pension Plan. Motion passed unanimously.

- Non-Uniform Pension Plan – 2 Township Representatives and one Member Representative

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Beth F. DiPrete and Joseph St. Pedro as Township Representatives and Gerard Giorgio as a Member Representative for 2010 for the Non-Uniform Pension Plan. Motion passed unanimously.

- Non-Uniform Defined Contribution Pension Plan – 2 Township Representatives and one Member Representative

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to appoint Beth F. DiPrete and Joseph St. Pedro as Township Representatives and Tom DiMarzio as a member Representative for 2010 for the Non-Uniform Defined Contribution Pension Plan. Motion passed unanimously.

- Township Administrator

Motion was made by Ms. Shuler and seconded by Mr. St. Pedro, to appoint Daniel K. Kerr as Pension Administrator for 2010. Motion passed unanimously.

- Open Space Committee

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint Mary DeAlba, Linda Lohr, Lin Braddick, William Miller, and Brian E. Reiter to the Open Space Committee, with Thomas J. Neafcy, Jr. as the Board Representative for 2010. Motion passed unanimously.

- Act 209 Committee

Motion was made by Ms. Shuler and seconded by Mr. Neafcy, to appoint Samuel F. Barilla, Jr., Anthony C. Giamo, Rick Moscariello, Marta S. Pecharo, James G. Reading, R. Gregory Richardson, and John B. Seber, to the Act 209 Committee for 2010. Motion passed unanimously.

- Agricultural Security Committee

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Mary DeAlba, John B. Seber, Raymond Waltz, and John A. Weaver to the Agricultural Security Committee for 2010, with Kenneth W. Sperring, Jr. as the Board of Supervisors Representative for 2010, and noting there is one vacancy remaining. Motion passed unanimously.

- National Flood Insurance Program - Official in Charge

Motion was made by Mr. St. Pedro and seconded by Ms. Shuler, to appoint D. Elaine DeWan as the National Flood Insurance Official for 2010. Motion passed unanimously.

- Limerick/Lower Pottsgrove Master Plan Committee

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to appoint Kenneth W. Sperring, Jr. and Joseph St. Pedro as Board Representatives, and D. Elaine DeWan as an Alternate to the Limerick/Lower Pottsgrove Master Plan Committee for 2010. Motion passed unanimously.

Community Block Grant Program

- Community Development Officer

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to appoint Daniel K. Kerr as the Limerick Township Community Development Certified Officer for 2010. Motion passed unanimously.

Resolution - Depositories of Township Funds

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to approve Resolution No. 2010-02 appointing Harleysville National Bank, Victory Bank and Phoenixville Federal Bank & Trust as depositories of all Township Funds for 2010. Motion passed 4-0-1, with Mr. St. Pedro abstaining.

Resolution - 2010 Fee Schedule

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to approve Resolution No. 2010-03 setting the 2010 Fee Schedule for Limerick Township. Motion passed unanimously.

Resolution - Appointment of EIT/LST Tax Collector and Tax Hearing Officer

Motion was made by Mr. St. Pedro and seconded by Ms. Shuler, to approve Resolution No. 2010-04 appointing H. A. Berkheimer Associates as Tax Collector for all EIT and LST taxes, and as Limerick Township Tax Hearing Officer for 2010. Motion passed unanimously.

Approval - Township Meeting Dates

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to approve the 2010 meeting dates for the Board of Supervisors, Parks and Recreation Committee, and Emergency Services Committee. Motion passed unanimously.

Mr. Sperring confirmed that the Board of Supervisors has changed their meeting nights from Thursday evening to Tuesday evening.

Approval - Township Holidays

Motion was made by Mr. Neafcy and seconded by Ms. Shuler, to approve the 2010 Holidays for the Township Non-Uniform employees. Motion passed unanimously.

Approval – Recycling Administrator

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to appoint Hough Associates as Recycling Administrator for 2010 per the Agreement dated 09/08/09. Motion passed unanimously.

Yard and Leaf Waste Drop-Off Dates for 2010

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to approve the 2010 Yard and Leaf Waste Drop-Off Dates. Motion passed unanimously.

PSATS Convention - Certify Voting Delegate

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to appoint Kara Shuler as voting delegate to the PSATS Annual Convention for 2010. Motion passed unanimously.

Mileage Rate Reimbursement

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to approve mileage reimbursement for Township employees at the current rate established by the Internal Revenue Service which is fifty cents (50¢). Motion passed unanimously.

Approval - Limerick and Linfield Fire Companies Schedule of Events

Motion was made by Mr. Neafcy and seconded by Ms. DeWan, to approve the Limerick and Linfield Fire Companies Schedules of Events for 2010. Motion passed unanimously.

REGULAR BUSINESS

Announcements

Christmas Tree Drop-Off – Limerick Community Park until January 31, 2010

Consideration of Minutes: Upon motion made by Ms. Shuler and seconded by Mr. St. Pedro, the December 10, 2009 Meeting Minutes were approved 4-0-1, with Mr. Neafcy abstaining.

Bills List: Upon motion made by Mr. St. Pedro and seconded by Ms. Shuler, Bills List #1 for the period 12/05/09 through 1-01-10 in the amount of \$327,045.13 was approved 4-0-1, with Mr. Neafcy abstaining.

Subdivision and Land Development

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

- | | | |
|--------------------------------------|-----------|-----------------------|
| a. Linfield Corporate Center Lot #53 | (#08-09): | Extended to 4/06/2010 |
| b. Limerick Car Wash & Quick Lube | (#09-06): | Extended to 4/12/2010 |
| c. Coale Subdivision | (#09-09): | Extended to 4/13/2010 |
| d. Iron Mountain – Parking Expansion | (#09-10): | Extended to 4/13/2010 |
| e. GB/Evans Tract | (#04-19): | Extended to 1/19/2010 |

New Business

Award – PWD Recommendation to Award 2010 Annual Quantities for Fuel: Mr. Kerr reminded the Board that in December when the 2010 Annual Quantities bids were opened there were no bidders for the fuel, and the Board authorized re-advertisement for fuels only. Only one bid was received which was opened on December 29th. Administration recommends approval for Oehlert Brothers to be awarded the contract for all fuels at the bid price of \$118,441.00.

Motion was made by Ms. DeWan and seconded by Ms. Shuler, to award the 2010 Annual Quantities Contract for all Fuels at the bid price of \$118,441.00, to Oehlert Brothers. Motion passed unanimously.

Discussion - Land Development Plan Reviews: Mr. Sperring explained that the Administration desires to review with the Board how the informal or “sketch” phase of a proposed development should be handled, noting that in the past the Board permitted an initial review of development plans during Staff Meetings. Two members of the Board and a member of the Planning Commission attended Staff Meetings and reported back to their respective Boards on the details of the proposed development. The feedback offered was then used by the developers to complete the design and obtain formal land development approvals. Board and Planning Commission participation at Staff Meetings was ended in early 2009. Since that time, developers have been scheduled before the Board to discuss issues of importance prior to the start of design.

Mr. Neafcy commented that this process will allow for the discussions to be more open, and allows for greater input from the residents.

Mr. Kerr commented that the Administration recommends that only land owners, or those under Agreement to purchase, or have authorization from the land owner to attend, may be scheduled to come in for a Staff Meeting.

Approval – 2010 Public Notice Advertising: Mr. Kerr noted that based on individual feedback he has received, there may be a desire to move all advertising back to the Mercury. **Motion was made** by Mr. Neafcy and seconded by Mr. St. Pedro, to approve returning the Township’s Public Notice Advertising to The Mercury. Motion passed unanimously.

Approval – Police Building Change Order: **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan to approve the Police Building Change Order in the amount of \$1,228.05. Motion passed unanimously.

Public Comments: None.

Board of Supervisors
January 4, 2010
Page 13, Minutes

A brief discussion ensued within the Board for clarification of the Land Development Plan Review process.

Adjournment: There being no further business, **motion was made** by Ms. DeWan and seconded by Ms. Shuler, to adjourn the meeting at 7:48 P.M.

Respectfully submitted,

Daniel K. Kerr
Township Manager