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

**JANUARY 19, 2010
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, January 19, 2010, in the Public Meeting Room of the Limerick Township Municipal Building with Kenneth W. Sperring, Jr., Chairman, presiding.

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; 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; Karen M. Hegedus, Parks and Recreation Coordinator; Martena Roshon, Director of Sewer Department and Community Planning; and Stuart L. Rosenthal, P.E., Sewer Engineer.

Call To Order: Mr. Sperring called the meeting to order at 7:02 P.M. Pat, Zack and Jake led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

Discount Ski Tickets – Available at the Township Building.

Yard & Leaf Waste Drop-Off Date – Monday, February 1, 2010 at Limerick Community Park.

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

2010 Planning Commission Meeting Dates

Service Recognition – Corporal Fitz Duffy: Chief Albany announced that on January 6, 2010, Corporal Duffy completed 20 years of service with the Limerick Township Police Department, and he commended him for his outstanding community service over the years. Chief Albany presented Corporal Duffy with a plaque.

Consideration of Minutes: Upon motion made by Ms. DeWan and seconded by Mr. St. Pedro, the January 4, 2010 Board of Supervisors Reorganization Meeting Minutes were unanimously approved.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Mr. St. Pedro and seconded by Ms. Shuler, Bills List #2 for the period of 1/02/10 through 1/15/10 in the amount of \$394,874.88 was unanimously approved.

Monthly Reports: Upon motion made by Ms. DeWan and seconded by Ms. Shuler, the December, 2009 reports of the Treasurer, Zoning/Code Enforcement Office, Fire/Code Official, Public Works Department, Police Department, Parks & Recreation Department, Sewer Department Superintendent, and Sewer Engineer, were unanimously accepted.

Subdivision and Land Development

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

- | | | |
|---------------------------------|-----------|---------------------|
| a. Telvil-Landis | (#03-06): | Extended to 4/28/10 |
| b. 1310 Main Street, Linfield | (#08-15): | Extended to 4/28/10 |
| c. Northpointe Community Church | (#08-10): | Extended to 2/28/10 |

Development Projects:

NorthPointe Community Church (#08-10): Mr. McGrory reviewed the provisions of Resolution SLD #08-10 (P) for NorthPointe Community Church. The Applicant is in agreement with the terms and conditions as set forth in the Resolution and has already signed the Acceptance of Conditions.

Upon motion made by Ms. DeWan and seconded by Ms. Shuler, Resolution SLD #08-10 (P) granting Preliminary Plan Approval for Northpointe Community Church was approved 4-0-1, with Mr. Neafcy abstaining from the vote.

Hirschorn Tract Subdivision (#07-23): Mr. McGrory reviewed the provisions of Resolution SLD #07-23 (F) for Hirschorn Tract Subdivision. He noted that part of the approval for this subdivision includes obtaining Easements to an adjacent property, and therefore, he advised that a motion be made to authorize the Chairman to sign the Resolution after the Township is in receipt of a signed Acceptance of Conditions by the Applicant.

Motion was made by Ms. Shuler and seconded by Ms. DeWan, to authorize the Chairman to sign Resolution SLD #07-23 (F) as read Granting Final Plan Approval for the Hirschorn Tract Subdivision after the Township has received a signed Acceptance of Conditions by the Applicant. Motion was approved 4-0-1, with Mr. Neafcy abstaining from the vote.

Evans Tract/Industrial Park (Gambone) (#04-19): Ted Kochen with Gambone Development Company was present on behalf of the Applicant. He gave a brief history and time line of the project noting that there were sewer issues that had to be worked through. Thereafter, a potential tenant for the site, upon an environmental site assessment, backed away from the project for a

proposed surgical hospital due to the fact that Teleflex had contaminated the property. Gambone is currently in litigation with Teleflex for the resulting damages. In conclusion, the Applicant has been unable to develop this project in the past five years, and is asking for an extension on their approval.

Ms. DeWan requested that stormwater issues be reviewed.

Mr. Kochen noted that since 2005 the Act 209 fees have changed and stormwater management regulations have changed, and the Applicant agrees to pay the new Act 209 fees at the time of development and to bring the stormwater management up to current regulations as part of the conditions of approval in the Resolution. A discussion ensued regarding the waiver of curbing and sidewalks previously granted in the Resolution for Final Plan Approval.

Motion was made by Ms. DeWan and seconded by Mr. St. Pedro, to grant an extension to the five-year limit on the Preliminary Plan for Evans Tract/Industrial Park (#04-19), and to authorize the Township Solicitor to prepare a Resolution including the deferral/installation of curbing and sidewalks at the discretion of the Board, requiring Act 209 fees that are applicable at the time of application of the Building Permit, and requiring current stormwater management standards approved by the Township. Motion passed unanimously.

Old Business

CU #09-02 – Girish Sheth Conditional Use Order: Mr. McGrory prepared a Conditional Use Order for the Board's consideration. **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to approve the Conditional Use Order for the Girish Sheth Project, CU #09-02, with the terms and conditions as outlined in the Decision. Motion passed unanimously.

Discussion – G&B Sheds Sketch Plan Review (ZHB #09-22): Mike Furey, Esquire, was present on behalf of the Applicant, and briefly summarized the application to the ZHB for variances to relocate the shed retail business from Ridge Pike to the vacant lot on Lewis Road. He noted that the plan was revised pursuant to Staff Meeting comments and the Township Engineer's review letter. He made a brief presentation of the revisions. There was a brief discussion regarding changes to the impervious coverage, and the Board's concern with the visual aesthetics. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to drop the Board's opposition to Zoning Hearing Board Application ZHB #09-22 for G & B Sheds. Motion passed unanimously.

Approval – Revision to 2010 Employee Holiday Schedule: Mr. Kerr explained that during the Reorg Meeting the Board approved the Staff Holiday Schedule for 2010. It was later noticed that New Years Day 2011 falls on a Saturday, and therefore the legal holiday will be observed on Friday Dec. 31st, 2010. **Motion was made** by Mr. St. Pedro and seconded by Mr. Neafcy to approve the Revised 2010 Employee Holiday Schedule. Motion passed unanimously.

New Business

Memorial & Commemorative Donation Program for Limerick Twp. Parks System: Ms. Hegedus gave a presentation on a Memorial Donation Program, including the donation of trees, benches, stone pavers, and the wooden pickets. She requested input from the Board with any suggestions or recommendations. A discussion ensued. Mr. Kerr suggested that Peter Simone, the Township Planner and a registered landscape architect, may be able to take a look at the park and give some suggestions on what might grow out their. **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to approve the Memorial & Commemorative Donation Program for Limerick Township Parks System. Motion passed unanimously.

Randy Johnson of the Parks and Recreation Committee commented that the Committee is also trying to raise money for play grass, and he requested that in addition to the Board asking for donations from developers for trees, that they consider asking for monetary donations toward play grass or to help with the purchase of playground equipment.

Discussion – Approval of New Spring Valley YMCA Field Rental Agreement: Ms. Hegedus noted that the new Lease Agreement with Freedom Valley YMCA is a 3-year agreement for rental of three athletic fields at the Community Park for the Spring and the Fall seasons, as opposed to the previous 5-year contract.

Ms. DeWan asked if there would be a contract for the concession stand again. Ms. Hegedus noted that Paul Marchese decided not to handle the concession stand at the Community Park any longer, and it was decided that the Parks and Recreation Department will run concessions when various events are scheduled by staffing it with volunteers, and there is a possibility that the concession stand may be rented out to special events that are scheduled at the park. A discussion ensued.

It was suggested that the Township request a turf assessment by Penn State.

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to approve the New Spring Valley YMCA Field Rental Agreement. Motion passed unanimously.

Release of Maintenance Bond – Kennedy Ford (#02-18): Mr. Kerr advised that the Township Engineer has determined that all outstanding punch list items have been addressed and completed per the Record Plan, and all construction improvements have been completed in accordance with Township specifications. The Administration recommends release of the Maintenance Bond. **Motion was made** by Mr. Neafcy and seconded by Ms. DeWan, to approve release of the Maintenance Bond in the amount of \$18,418.05 for Kennedy Ford (#02-18). Motion passed unanimously.

Release of Contingency Escrow – Pottstown Honda Parking Expansion (#06-04): Mr. Kerr advised that the Township Engineer has determined that all issues with the parking lot expansion have been complete, and the Administration recommends release of the Contingency Escrow. **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to approve the release of Contingency Escrow funds in the amount of \$467,872.03 for Pottstown Honda Parking Expansion (#06-04). Motion passed unanimously.

Review – Perkiomen Township Cell Tower ZHB Application: Mr. Kerr explained that because Limerick Township's pump station property within Bradford Woods is within the notification area, Limerick was notified of an Application submitted to the Perkiomen Township Zoning Hearing Board by T-Mobile on a proposed cellular tower at 316 Township Line Road. In speaking with the Perkiomen Township Manager, their Board has not ruled on if they are opposed to it yet, but their concern is the height of the silo. The hearing is scheduled in Perkiomen Township on January 27th, and the Board must decide if the Township Solicitor should attend the hearing in opposition. A discussion ensued. The Board decided not to take any action.

Authorization to Advertise Bid for Pump Station Renovations: **Motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to authorize advertisement of the Sewer Department Bid for Renovations to Pump Stations #3, #4 & #6. Motion passed unanimously.

Sanatoga Master Plan – Scope of Services: **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to approve the Scope of Service Contract for Simone Collins to participate with the Limerick/Lower Pottsgrove Master Plan Study at a cost not to exceed \$10,000.00. Motion passed unanimously.

Resolution – PennDOT Agreement: Mr. Kerr explained that this Resolution authorizes him to sign an Agreement with PennDOT authorizing the Township to file the liquid fuels reports electronically, as well as any other grants the Township would file with PennDOT. **Motion was made** by Mr. St. Pedro and seconded by Mr. Neafcy, to approve Resolution No. 2010-05 authorizing the Township Manager to execute an Agreement to Authorize Electronic Access to PennDOT Systems. Motion passed unanimously.

Public Comments: None.

Mr. Sperring suspended the Public Meeting at 8:34 P.M., and the Board entered into Executive Session to discuss real estate and litigation.

At 8:55 P.M. the Public Meeting was reconvened, and Mr. McGrory explained that the Board discussed possible litigation regarding Zara Drive/Possum Hollow Industrial Park. **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to authorize the Township Solicitor to file

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suit to get the public improvements done in Possum Hollow Industrial Park. Motion passed unanimously.

Mr. McGrory announced that the Board will again enter into Executive Session to discuss real estate. No action will be taken.

Adjournment: There being no further business, **motion was made** by Ms. DeWan and seconded by Mr. St. Pedro, to adjourn the meeting at 9:00 P.M.

Respectfully submitted,

Daniel K. Kerr
Township Manager