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

**JULY 10, 2008
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Thursday, July 10, 2008, 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, David F. Kane, and Frank A. Kotch

Members Absent: Kenneth W. Sperring, Jr.

Others Present: John J. Iannozzi, Esq., Township Solicitor; Khaled R. Hassan, P.E., Township Engineer; Chad E. Dixson, Traffic Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Finance Director/Treasurer; and Karen M. Hegedus, Parks and Recreation Coordinator.

Call To Order: Ms. DeWan called the meeting to order at 7:08 P.M. Mike Polto, our Parks and Recreation Summer Intern from Lockhaven University led the pledge of Allegiance.

Opening Comments/Announcements: Ms. DeWan made the following announcements:

- Ø The Township Blood Drive was a success netting 40+ blood donations. The next Blood Drive is scheduled for October 6, 2008.
- Ø Boy Scout Troop 230 is hosting a car wash fund raiser on Saturday, July 12th at Bruster's Ice Cream beginning at 11:00 A.M. and lasting through the afternoon.
- Ø Spring-Ford Ice Hockey is hosting a car wash and bake sale at Fred Beans on Saturday, August 2nd from 10:00 A.M. until late afternoon.
- Ø McCormick Chiropractic has "adopted" a platoon in Iraq and is collecting much needed items to support the troops. Requested items include lip balm, licorice, power bars (no chocolate), peanuts, eye drops (like Visine) and loads of other items. Dr. McCormick and her staff will send all of the collected items to the "adopted" platoon and ensure their arrival. Drop-off donations are accepted at the office, 553 West Ridge Pike during normal office hours.
- Ø Limerick Fire Company Carnival begins Tuesday, July 15th and runs through Saturday, July 19th.
- Ø The Township Receptionist's daughter was in a serious accident this afternoon in front of the Township building. Please extend prayers and well wishes.

The audience was reminded that the meeting is being recorded. The Board met in Executive Session prior to the start of this evening's meeting to discuss personnel issues. **Motion was made** by Mr. Kotch and seconded by Mr. Kane, to dismiss Colin Collins from employment with Limerick Township effective July 18, 2008 after a 5-day suspension which is effective this date. Motion passed unanimously.

Consideration of Minutes: The following corrections were requested by Mr. Kotch to the June 26, 2008 BOS Meeting Minutes:

- Ø Under "Opening Comments/Announcements" the sentence should read: "The audience was reminded that the meeting is being recorded, and **Ms. DeWan** made the following announcements".
- Ø Under "Bills List" the sentence should read: "Upon motion made by **Ms. Chesler**".

Upon motion made by Mr. Kotch and seconded by Mr. Kane, the June 26, 2008 Board of Supervisors Meeting Minutes were unanimously approved as amended.

Public Comments on Agenda Items: Mr. Miller asked who Colin Collins is and what department he worked in. Mr. Collins was present and asked if he could discuss the issues.

Bills List: **Upon motion made** by Mr. Kane and seconded by Mr. Kotch, Bills List #13 for the period of 6/26/08 through 7/09/08 in the amount of \$728,823.90 was unanimously approved.

Monthly Reports: **Upon motion made** by Mr. Kotch and seconded by Mr. Kane, the June, 2008 reports of the Treasurer, Zoning/Code Enforcement Office, Public Works Department, and Parks & Recreation Department, were unanimously accepted.

Subdivision and Land Development

Extensions: **Upon motion made** by Mr. Kotch and seconded by Ms. Chesler, the 90-day review period extension to 10/13/08 for the Hirschorn Tract Subdivision (#07-23) was accepted. Motion passed 3-0-1, with Mr. Kane recusing himself from the vote.

Ribon Partnership, LTD (#08-01): Mr. Iannozzi reviewed the provisions of Resolution SLD #08-01(F), and Applicant is in agreement with the terms and conditions as set forth in the Resolution. Mr. Iannozzi requested formal action from the Board. **Upon motion made** by Mr. Kane and seconded by Mr. Kotch, Resolution SLD #08-01(F) granting Final plan approval for Ribon Partnership, was unanimously approved.

New Business

Adoption of Family Medical Leave Act (FMLA) Policy: Mr. Kerr explained that the Administration would like to incorporate the FMLA Policy into the Township's current Personnel Policy. **Motion was made** by Mr. Kane and seconded by Ms. Chesler, to approve the FMLA Policy for inclusion into the Limerick Township Personnel Policy. Motion passed unanimously.

Approval - Police Contract: Mr. Kerr explained that this is a 3-year contract beginning in 2009. It will provide for a 5% increase each year, and includes provisions for post-retirement health care which would be a 50% reimbursement if elected. **Motion was made** by Mr. Kane and seconded by Ms. Chesler, to approve the new three-year Police Contract. Motion passed unanimously.

Spring-Ford Youth Football: Mike Engro, VP, and Tom DiBello, Athletic Director for the Spring-Ford Youth Football and Cheerleading Program, made a presentation on their mission and goals for the young men and women participating in the program. The league is asking for the Township's monetary assistance in helping to pay some of the upfront costs such as equipment, insurance and the cost for referees. There were questions from the Board, and a discussion ensued.

Todd Smith, commended the league directors for their time and efforts in forming the Spring-Ford Youth Football and Cheerleading Program.

Mr. Miller, Kugler Road, asked if this would be just a summer program and how many games would be scheduled. He also asked how much practice time would be scheduled.

Motion was made by Mr. Kotch and seconded by Mr. Kane, to authorize a donation in the amount of \$6,500.00 to the Spring-Ford Youth Football and Cheerleading Program. Motion passed unanimously.

LLI / Sanatoga Rezone Request: Ed Campbell, Esquire, was present on behalf of O'Neill Properties Group. He explained that they are trying to develop the Overstreet parcel located across from the Chelsea Outlet Mall, and they are having significant success in attracting high quality retailers. O'Neill has submitted a request to the Township to consider extending the earlier modification to the LLI Interchange Overlay District to the Boyd parcel as well. This proposal would allow the minimum boundary distance for tracts of 100 acres or more, to be 500 feet as opposed to 1,000 feet, which would facilitate more flexibility in developing the site. O'Neill has no intention of developing residential on the property.

Ms. DeWan said the Township and its Comprehensive Plan Committee have been working on updating the Comprehensive Plan, and whatever happens in the Sanatoga region of the Township will impact both Limerick Township and Lower Pottsgrove Township. Therefore, she is recommending that the Applicant's request be tabled until the issues can be discussed at a Staff Meeting and a Point of Access Study can be done. **Motion was made** by Mr. Kotch and seconded by Ms. Chesler, to table the Sanatoga Rezone Request. Motion passed unanimously.

Point of Access Study - 422/Sanatoga: Attorney Campbell advised that a fully executed Professional Services Agreement, covering the cost of a Point of Access Study for the Route 422/Evergreen Road, Sanatoga Interchange, has been delivered to the Township Manager. Chad Dixson of Traffic Planning and Design, Inc. summarized the Point of Access Study as a traffic analysis, a conceptual design, and the alternatives.

Motion was made by Mr. Kane and seconded by Ms. Chesler, to approve TPD's proposal dated January 3, 2008 in the amount of \$175,000.00 for preparation of a Point of Access Study. Motion passed unanimously.

Construction Escrow Release - Buckman's Enterprises, LLC (#07-04): Mr. Kerr reported that Pennoni has approved the final aspects of this project. There are no public improvements for this project. **Motion was made** by Mr. Kotch and seconded by Mr. Kane, to approve the release of Buckman's Enterprise LLC Construction Escrow in the amount of \$49,707.80. Motion passed unanimously.

Construction Escrow Release - Stuart DeAlba/Sunset Estates (#04-20): Mr. Kerr explained that the Township received confirmation from the Sukonik Organization that they now own the Stuart DeAlba/Sunset Estates approved subdivision, and will assume the responsibility for the letter of credit. Sukonik wants to incorporate this subdivision into their Mountain View Estates subdivision and has agreed to post the appropriate escrow upon final approval of Mountain View Estates subdivision. Therefore, the DeAlbas are requesting the release of their Performance Bond. **Motion was made** by Mr. Kane and seconded by Mr. Kotch, to release the DeAlba Performance Bond in the amount of \$48,242.43. Motion passed unanimously.

Award Sale of PWD Equipment: Mr. Kerr explained that all equipment was bid via the Muni-bid web site. **Motion was made** by Mr. Kotch and seconded by Mr. Kane, to award the 2001 Sterling L-7500 Dump Truck with Attachments to Jason Rahn from Quakertown, PA in the amount of \$35,000. The 2003 Case 70 XT Skid Steer in the amount of \$13,500, and the 72" Sweepster 4-in-1 Bucket in the amount of \$1,000, are awarded to John Occhipinti from Oxford, New Jersey. Motion passed unanimously.

Mr. Kerr advised that there were no bids for the curb forms. **Motion was made** by Mr. Kane and seconded by Mr. Kotch, to send the 100 feet of curb forms to a public auction in August, 2008. Motion passed unanimously.

LTMA - Approval of Assumption Agreement and Issuance of Transition Notice: **Motion was made** by Ms. Chesler and seconded by Mr. Kane to approve the Assignment and Assumption of Authority Debts and Obligations Agreement. Motion passed unanimously.

Motion was made by Mr. Kotch and seconded by Mr. Kane, to approve delivery and service of the Transition Notice to Limerick Township Municipal Authority. Motion passed unanimously.

Mileage Rate Adjustment: Mr. Kerr advised that the IRS recently increased the mileage reimbursement rate for Township employees to 58.5 cents per mile. **Motion was made** by Mr. Kotch and seconded by Mr. Kane, to amend the Township mileage reimbursement rate from 50.5 cents to 58.5 cents per mile effective this date, July 10, 2008, and to authorize the Township Manager to convene the Board of Auditors for the same motion. Motion passed unanimously.

Approval - Fire Co. Special Events: Mr. Kerr advised that the Fire Company Special Events Calendar must be approved in order to allow for Workers' Compensation coverage for active members of the fire companies. **Motion was made** by Mr. Kotch and seconded by Mr. Kane, to approve the adjusted Special Events Calendar for Limerick Fire Company and Linfield Fire Company. Motion passed unanimously.

Public Comments: Mr. Miller, Kugler Road, questioned the waivers that were approved for Ribon Partnership. Also, he noted that the FMLA was accepted without discussion from the Board, and he asked what impact it will have and where it plugs into the Police Contract. His final question was directed to the solicitor asking if Colin Collins can be denied the right to speak.

Adjournment: There being no further business, the meeting adjourned by mutual consent at 8:24 P.M.

Respectfully submitted,

Daniel K. Kerr
Township Manager