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

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**SEPTEMBER 24, 2009  
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Thursday, September 24, 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:** Joseph J. McGrory, Esq., Township Solicitor; Khaled R. Hassan, P.E., Township Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Finance Director/Treasurer; Martena Roshon, Director of Sewer Department and Community Planning.

**Call To Order:** Ms. DeWan called the meeting to order at 7:07 P.M. The Pledge of Allegiance was led by Linfield Fire Company Fire Chief Jason Bolonski, and Limerick Fire Company Fire Chief Kenneth T. Shuler.

**Opening Comments/Announcements**

**THIS MEETING IS BEING RECORDED.**

10/01/09 Planning Commission Meeting is canceled.

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 Park 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.

Yard & Leaf Waste Drop-Off Date – October 24, 2009 at Limerick Township Public Works Facility.

Gateway Employment Resources, Inc. Night at the Races – Friday, November 6, 2009 from 6:00 P.M. to 10:00 P.M. at The Loft at Limerick Golf Club, 675 North Lewis Road. Tickets are \$30.00 - includes a buffet dinner.

State Fire Commissioner Mann - Gold Certificate Presentations: State Fire Commissioner Ed Mann presented both Linfield and Limerick Fire Companies with Gold Certificates in recognition of the achievement by both companies for reaching the goal of 100% of all active members having received Level 1 State Fire Training.

Linfield Fire Company – Trinley Park – Approval for Hayride: Linfield Fire Company is again asking for use of Trinley Park for their annual Halloween Haunted Hayride scheduled for October 16 through 18. This is an annual approval which was missed when the Fire Company put forth their yearly activities for approval for Workers' Comp coverage. **Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to approve the Linfield Fire Company use of Trinley Park for the Halloween Haunted Hayride. Motion passed unanimously.

The Township received a plaque from Spring-Ford Youth Football for its previous donation of funds to help get their program under way.

**Consideration of Minutes:** Upon motion made by Mr. Sperring and seconded by Mr. St. Pedro, the September 10, 2009 Board of Supervisors Meeting Minutes were unanimously approved.

**Public Comments on Agenda Items:** None.

**Bills List:** Upon motion made by Mr. St. Pedro and seconded by Ms. Chesler, Bills List #16 for the period of 9/05/09 through 9/18/09 in the amount of \$138,909.71 was unanimously approved.

**Monthly Reports:** Upon motion made by Ms. Chesler and seconded by Mr. Sperring, the August, 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 Ms. Chesler and seconded by Mr. St. Pedro, the following extensions to the 90-day review period were unanimously accepted:

- |                                      |           |                      |
|--------------------------------------|-----------|----------------------|
| a. Hirschorn Tract Subdivision       | (#07-23): | Extended to 12/24/09 |
| b. Lot #53 Linfield Corporate Center | (#08-09): | Extended to 1/6/2010 |
| c. 17 Faust Road                     | (#09-02): | Extended to 12/24/09 |
| d. Carr-Penn Road                    | (#09-03): | Extended to 12/29/09 |

### **Development Projects:**

**Robert & Carol Ganovsky (#09-05):** Tom Smith of Conver and Smith Engineering was present on behalf of the Applicants. He explained that he previously made a presentation before the Board for the 5,400 s.f. beer distributorship. The project has since received a recommendation

from the Planning Commission for Final approval, and the Applicant agrees to comply with all review letters. They are now in the process of obtaining all permits from PennDOT and the Conservation District.

Mr. McGrory gave an update on the Traffic Impact Fee issue, explaining the calculation process. Initially the Traffic Impact Fee was figured to be \$80,000 but has subsequently been negotiated down to \$30,000+. The Township has expedited the land development approval process in support of local business. A discussion ensued regarding the possibility of the Applicant obtaining a Traffic Study in order to try to lower the Traffic Impact Fee further.

**Motion was made** by Mr. St. Pedro and seconded by Ms. Chesler, to authorize the Township Solicitor to prepare a Resolution for Board consideration Granting Final Plan approval for Robert L. and Carol A. Ganovsky (#09-05). Motion passed unanimously.

Telvil-Landis (#03-06): Mr. McGrory recused himself from the discussion because the firm of Hamburg, Rubin, Mullin, Maxwell & Lupin represents the Applicant. Mr. Kerr explained that the Applicant has asked for time before the Board to discuss a proposed revision to the Final Plan which would eliminate the secondary entrance off of North Limerick Road and turn it into an emergency egress. The main entrance off of Metka Road will remain. The revised plan will still call for the same number of lots, but will require a change to the configuration of the open space. If the design change is acceptable, the developer will be seeking another time extension next month in order to work out the details. This development is a key contributor to the Graterford Road Pump Station project and is not expected to construct for at least another year.

**Motion was made** by Mr. Sperring and seconded by Ms. Chesler, to approve the proposed revision, which should be linked to the Revised Final Plan submission for Telvil-Landis.

Tom Neafcy, 103 West Linfield-Trappe Road, asked if this open space links up with or comes close to any of the open space on the northern end of the Township. A lengthy discussion ensued.

Motion passed unanimously.

### **Old Business**

Resolution – Journey Church Request for Relief from Land Development: Mr. McGrory explained that the Resolution is a complete waiver of all land development items. Mr. Kerr said Journey Church is not required to execute a Professional Services Agreement because they will be doing all work through a Grading Permit which has a built-in escrow provision.

**Motion was made** by Ms. Chesler and seconded by Mr. St. Pedro, to approve Resolution No. 2009-35 Granting Relief from Land Development for Journey Church. Motion passed unanimously.

### **New Business**

Discussion - Revised Plan - John Ohler, 28 Brownback Road (#07-21): John Ohler, owner, explained that his project currently has Preliminary Plan Approval, and it calls for a small cul-de-sac which will be used as access for all the lots. He claims that due to the current economy, the value of the lots cannot support the cost of the road work and he proposes individual driveway access for the lots. He is requesting clear direction from the Board on how to finalize the design for reconfiguration of access to the minor subdivision. A lengthy discussion ensued. No action was taken.

Dedication – Glenview Estates (#02-05): Mr. Kerr explained that all issues have been inspected by both the Township Engineer and Township Public Works Director and are compliant with Township requirements. The roads have been in the hands of the HOA for 18 months since they were taken from the developer. Administration recommends dedication of Sofia Court and Nicholas Court.

**Motion was made** by Ms. Shuler and seconded by Ms. Chesler, to approve Resolution No. 2009-36 Accepting the Deeds of Dedication for Glenview Estates. Motion passed unanimously.

Dedication - Rose Tree Estates (#02-14): Mr. Kerr explained that all issues have been inspected by both the Township Engineer and Township Public Works Director and are compliant with Township requirements. The roads have been in the hands of the HOA for 18 months since they took them from the developer. Administration recommends dedication of Bella Rosa Court.

**Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to approve Resolution No. 2009-37 Accepting the Deeds of Dedication for Rose Tree Estates. Motion passed unanimously.

Approval - Police Renovation Bids: Mr. Kerr reported the results of the Police Building Renovation Bids. He explained that three of the bidders have been qualified, but there is a problem with the low bidder for the Plumbing Contract and Administration may request that it be tabled until the next meeting. If the low bidder would be deemed not qualified, the next bidder up for the Plumbing Contract has already been qualified. The next lowest bid was FMA Contracting in the amount of \$38,717.00.

Mr. Sperring questioned whether someone will be monitoring the work for quality since the bids came in so low, and Mr. Kerr advised that he has requested a Construction Management Contract

from the architect so they can be available to monitor the work. Also, Jim Michener with the Public Works Department will be monitoring all work.

**Motion was made** by Mr. St. Pedro and seconded by Mr. Sperring, to award the Police Renovation Bid for General Contractor to F. W. Houder in the amount of \$138,247.00.

Tom Neafcy, 103 West Linfield-Trappe Road, asked why the Board is moving forward with this project in light of the economic situation and the recent lay-off of Township employees.

Ms. DeWan and Mr. Kerr both responded saying the physical condition of the building as well as the processing of arrests are two main factors. Also, the work is being bid in a slower economy thereby saving on labor costs, and the supplies and building materials are at a low right now. A discussion ensued.

Mr. Neafcy asked if the current staffing levels will be maintained in the coming year, and how this move will impact the budget for next year.

Motion passed unanimously.

**Motion was made** by Ms. Chesler and seconded by Ms. Shuler, to award the Police Renovation Bid for Mechanical Contractor to Air Control Tech in the amount of \$89,430.00. Motion passed unanimously.

**Motion was made** by Ms. Shuler and seconded by Ms. Chesler, to award the Police Renovation Bid for Electrical Contractor to Gaudelli Brothers in the amount of \$69,200.00. Motion passed unanimously.

**Motion was made** by Ms. Chesler and seconded by Ms. Shuler, to table the Police Renovation Bid for Plumbing Contractor for Chris Wolff in the amount of \$28,500.00 for more information.

A discussion ensued.

Motion passed unanimously.

It was decided to set a Special Meeting on Thursday, October 1, 2009 at 9:00 AM to award the Bid for Plumbing Contractor.

Approval - Authorization to Purchase Police Dept. Furniture (Under State Contract - No Bid Required): Mr. Kerr reported that the furniture proposals from various vendors for the renovated Police Building total \$67,798.26.

**Motion was made** by Ms. Chesler and seconded by Ms. Shuler, to accept the proposals for purchase of Police Department Furniture as detailed in Ms. DiPrete's memo to the Board dated 9/17/09 in an amount not to exceed \$67,798.26. Motion passed unanimously.

Resolutions – Acceptance of 2010 Minimum Municipal Obligation for Police Pension Plan, Non-Uniformed Employees Pension Plan, and Defined Contribution Pension Plan: Mr. Kerr presented the Resolutions for consideration and approval.

**Motion was made** by Mr. Sperring and seconded by Ms. Chesler, to approve Resolution No. 2009-38 Accepting the 2010 Municipal Obligation for the Limerick Township Police Pension Plan in the amount of \$239,231.00. Motion passed unanimously.

**Motion was made** by Mr. St. Pedro and seconded by Ms. Chesler, to approve Resolution No. 2009-39 Accepting the 2010 Municipal Obligation for the Limerick Township Non-Uniformed Employees Pension Plan in the amount of \$123,265.00. Motion passed unanimously.

**Motion was made** by Ms. Shuler and seconded by Ms. Chesler, to approve Resolution No. 2009-40 Accepting the 2010 Municipal Obligation for the Limerick Township Retirement Savings Plan in the amount of \$47,383.00. Motion passed unanimously.

The Board adjourned into Executive Session at 8:57 P.M. Mr. McGrory advised there will be action upon the Board's return from Executive Session. The meeting reconvened at 9:25 P.M.

Ms. DeWan advised that the Board met in Executive Session to discuss the Ridgeview Trailer Park. Mr. McGrory explained that there are two matters of litigation that have been ongoing for the past ten years, and there has been extensive negotiations with the owner. An Agreement has been reached, and the owner has agreed to fix the pipes inside the trailer park so that there are no longer any I/I problems with the sanitary sewer system. These lines will be done to the satisfaction of the Public Works Department, not necessarily to Township specifications. Owner has agreed to sign a Covenant running with the land establishing setbacks between the mobile home units and utility buildings, etc. Owner will install a water line for a fire hydrant. In addition, a payment in the amount of \$10,000.00 will be made to the Township to cover expenses associated with the negotiations.

**Motion was made** by Mr. Sperring and seconded by Ms. Chesler, to authorize the Chairman of the Board to execute the Agreement and Covenant with RHG Properties, LLC. Motion passed unanimously.

Discussion – Home Depot Condemnation: Mr. McGrory advised that the Township received a request from Rob Lewis asking that the Board condemn the Mellon property which is the only property along Ridge Pike that has not reached an amicable agreement with the developer.

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He recommended to the Board that this matter be tabled until the next meeting in order to try to resolve the issues. No action was taken.

**Public Comments:** None.

**Adjournment:** There being no further business, **motion was made** by Mr. St. Pedro and seconded by Ms. Chesler, to adjourn the meeting at 9:32 P.M.

Respectfully submitted,

Daniel K. Kerr  
Township Manager