

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

**DECEMBER 21, 2010
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, December 21, 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: Khaled R. Hassan, P.E., Township Engineer; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Finance Director/Treasurer; and William J. Albany, Chief of Police.

Call To Order: Mr. Sperring called the meeting to order at 7:08 P.M. Robert Fimognari led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

The Board held an Executive Session prior to this evening's meeting for a legal update.

American Red Cross Blood Drive – Wednesday, December 29, 2010 from 1:00 PM to 7:00 PM in the Township Building

Reorganization Meeting, BOS – Monday, January 3, 2011 at 7:00 PM

Reorganization Meeting, Elected Auditors – Tuesday, January 4, 2011 at 6:00 PM

Recognition – Eagle Scout / Robert F. Fimognari, Jr.: Mr. St. Pedro read the Resolution, and presented Robert Fimognari with a plaque honoring him for attaining the rank of Eagle Scout for his project involving helping the local elementary school to convert their courtyard into an outdoor environmental classroom. **Motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to approve Resolution No. 2010-31 Honoring Robert F. Fimognari, Jr. Upon Attaining the Rank of Eagle Scout. Motion passed unanimously.

Consideration of Minutes: Upon motion made by Mr. Neafcy and seconded by Mr. St. Pedro, the December 7, 2010 Board of Supervisors Meeting Minutes were unanimously approved.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Mr. Neafcy and seconded by Ms. DeWan, Bills List #23 for the period of 12/04/10 through 12/17/10 in the amount of \$182,602.14 was unanimously approved.

Monthly Reports: Upon motion made by Ms. DeWan and seconded by Mr. Neafcy, the November, 2010 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.

PUBLIC HEARING

Lewis Road Overlay Zoning and Subdivision and Land Development Ordinance Amendment: Mr. McGrory suspended the Public Meeting and opened the Public Hearing for consideration of the Ordinance. He presented six (6) exhibits for incorporation into the record and proceeded with the Public Hearing. There being no questions or comments from the Board, Mr. McGrory opened the floor for public comment. There being no questions or comments from the public, he closed the Public Hearing and moved back into the Public Meeting. The Ordinance has been properly advertised and the Hearing has been properly conducted. Therefore, the Ordinance is in position for Board consideration. **Motion was made** by Ms. DeWan and seconded by Mr. St. Pedro, to approve Ordinance No. 319 Amending the Lewis Road Overlay Zoning, and Subdivision and Land Development Ordinance. Motion passed unanimously.

Subdivision and Land Development

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

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| a. Linfield Corporate Center Lot #53 | (#08-09): | Extended to 3/29/2011 |
| b. NorthPointe Community Church | (#08-10): | Extended to 4/11/2011 |
| c. Limerick Car Wash & Quick Lube | (#09-06): | Extended to 4/05/2011 |
| d. Raymond & Bonnie Clarke | (#10-07): | Extended to 2/16/2011 |

Development Projects:

Spring-Ford Area School District - 9th Grade Center: Mr. McGrory explained that this Resolution is to waive the entire Land Development approval process. Mr. Hassan confirmed that he reviewed the proposal and he is in agreement. **Motion was made** by Mr. Neafcy and seconded by Ms. DeWan, to approve Resolution No. 2010-32 Waiving Land Development for Spring-Ford School District – 9th Grade Center. Motion passed unanimously.

Raymond & Bonnie Clarke LD (#10-07): Mr. McGrory reviewed the conditions of approval as set forth in the proposed approval resolution. The Applicants agree with the conditions as stated. **Upon motion made** by Ms. DeWan and seconded by Mr. St. Pedro, Resolution SLD #10-07 (P/F) Granting Preliminary/Final Plan Approval for Raymond & Bonnie Clarke LD was unanimously approved.

Spring Valley YMCA (#09-07): Nick Feola was present on behalf of the Applicant. He explained that the Applicant decided to relocate their corporate offices to this facility resulting in a reduction in the footprint of the building, but increasing the gross square footage which is still within the allowable expansion under the Zoning. They have received a clean review letter from Pennoni and are in compliance with all other review letters. Mr. Sperring requested confirmation from Mr. Hassan that there is new stormwater management in place as a result of problems with neighboring properties and the difficulty encountered in getting the Y back to the table to resolve these stormwater issues. **Motion was made** by Mr. Neafcy and seconded by Ms. Shuler, to authorize the Township Solicitor to prepare a Resolution for Board consideration Granting Revised Preliminary/Final Plan Approval for Spring Valley YMCA. Motion passed unanimously.

Venezia Enterprises (#10-04): The Applicant's Engineer was present on their behalf. She described the proposal for a 39 space gravel parking lot which will help their operation for seasonal storage. Applicant will be in compliance with all review letters. **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to authorize the Township Solicitor to prepare a Resolution for Board consideration Granting Preliminary/Final Plan Approval for Venezia Enterprises. Motion passed unanimously.

Confirmed Appointment

Brandolini – Limerick Crossing: The VP of Leasing with Brandolini Companies was present for discussion to review a plan to revise the parking lot based on a new tenant. They report that Acme will be leaving soon and they have another grocery store that desires to use the same space. Mr. Kreiger of Bursich Associates reviewed the deficiencies in the current parking lot due to the new tenant's request for more parking spaces which will require removal of planting isles and restriping down to 9' wide stalls. Three waivers would be required. They also desire a larger loading dock in the rear which will require the need of a variance for the drive in the back, and another variance request for impervious coverage. A discussion ensued regarding reduced stall sizes and parking lot landscaping. The consensus of the Board is that Brandolini should put together a proposal for the Board's consideration. No action was taken.

Business Action Items

Release of Maintenance Bond – The Woods at Hanover (#03-22): **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to approve release of the Maintenance Bond in the amount of \$59,128.00 for The Woods at Hanover (#03-22). Motion passed unanimously.

Resolution – Adopting the 2011 Budget: **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan to approve Resolution No. 2010-33 for Adoption of the 2011 Final Budget.

Ms. Shuler said she agrees with the Budget they created, and she understands that nobody wants a tax increase, but she feels that prices will always be going up. She would like to see a "Maintenance Tax" increase of perhaps \$15.00 per household on an annual basis, which would be used to maintain the naturally rising costs to do business. This would prevent a large tax increase down the road, which is inevitable.

Motion passed 4-0-1, with Ms. Shuler having the dissenting vote.

Resolution – Setting the 2011 Tax Millage Rates: **Motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to approve Resolution No. 2010-34 setting the 2011 Tax Millage Rates. Motion passed unanimously.

Award – Public Bid for Disposal of Township Property: **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to accept bids for the sale of Township Property. Motion passed unanimously.

Resolution - Authorizing Condemnation of PECO Right-of-Way: The following documents are before the Board for approval: Letter of Agreement for Sale in Lieu of Condemnation; Fee Simple Deeds for Lewis Road Right-of-Way, South Side and North Side; Drainage Easement Agreement; and Deed for Temporary Construction Easement. **Motion was made** by Ms. DeWan and seconded by Mr. St. Pedro, to authorize the Chairman of the Board of Supervisors to execute the necessary documents for the PECO Right-of-Way on Lewis Road. Motion passed unanimously.

Motion was made by Ms. DeWan and seconded by Mr. Neafcy, to approve Resolution No. 2010-35 Authorizing the Condemnation of Portions of Certain Real Estate Owned by PECO Energy, and Acceptance of Deed in Lieu of Condemnation. Motion passed unanimously.

Approval - Severance Agreement: **Motion was made** by Ms. DeWan and seconded by Mr. St. Pedro, to terminate Martena Roshon and approve the Severance Agreement. Motion passed unanimously.

Public Comments: A resident requested that the Agenda be posted on the internet prior to the meetings.

Adjournment: There being no further business, **motion was made** by Mr. Neafcy and seconded by Mr. St. Pedro to adjourn the meeting at 8:00 P.M.

Respectfully submitted,

Daniel K. Kerr, Township Manager

