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

**APRIL 6, 2010
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, April 6, 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; Daniel K. Kerr, Township Manager; Beth F. DiPrete, Asst. Twp. Mgr./Finance Director/Treasurer; 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 7:07 P.M. Aaron, from the Spring-Ford American Government Class led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

Exelon – Update

Joe Szafran, Site Communications Manager for Limerick Generating Station, explained that the plant is currently in a refueling outage. This outage began on March 22, 2010 ending a run of 727 continuous days on-line for Unit 1, setting a record for Limerick, as well as the second longest in the history of the United States. He reported that inspections will be conducted in addition to the installation of equipment allowing for an increased production of mega watts for both units without any additional footprint, overhead, or cost to the consumer. He announced a Community Information Night planned for May 6th at The Loft at Limerick Country Club. A Siren Upgrade Project has been implemented. The main power transformer replacement has been delivered, and will be assembled on-site, with two more forthcoming later this year or next. They are delivered by rail.

Swearing in of New Police Officer

Chief Albany introduced the new Police Officer, Brian B. Tyler, and he gave a brief synopsis of his biography before swearing him in as a Limerick Township Police Officer.

PRPS (Pennsylvania Recreation & Parks Society) Award

Ms. Hegedus explained that the Parks and Recreation Committee recently received the PRPS Excellence in Programming Award for Limerick's Community Day in the Community Festivals and Special Events category. She thanked Angela Russell for filling in for her and taking over the Spring Kids and Paws Egg Hunt Events.

Bond Rating

Mr. Kerr announced that the Township has been given a AA+ Bond rating by Standard and Poor's, which is the highest rating possible for a local municipality of our size. Because of the rating, the Township can expect to pay less interest when the Bonds are floated for purchase, thus lowering the overall cost of the debt. The Board recognized Ms. DiPrete for her knowledge and diligence.

Consideration of Minutes:

Ms. DeWan requested that on Page 3, under Agreement of Sale where she asked if this purchase would cause an increase in taxes, it should read, "The Administration concurred that the refinancing will not increase the debt limit, and therefore there will be no increase in taxes needed to fund the purchase of this property."

Also, on Page 4, first sentence, should read, "Mr. Sperring recommended taking the suggested names under consideration at a later date".

Upon motion made by Ms. DeWan and seconded by Mr. Neafcy, the March 16, 2010 Board of Supervisors Meeting Minutes were unanimously approved, as amended.

Public Comments on Agenda Items: None.

Bills List: **Upon motion made** by Mr. St. Pedro and seconded by Mr. Neafcy, Bills List #7 for the period of 3/13/10 through 4/02/10 in the amount of \$325,308.00 was unanimously approved.

PUBLIC HEARING

Adoption of Ordinance to Refinance 2005 Sewer Bond: Mr. McGrory suspended the public meeting, and opened the public hearing for consideration of an Ordinance to Refinance the 2005 Sewer Bond. He presented two (2) exhibits for incorporation into the record, and then turned the hearing over to Gordon Walker, Financial Advisor. Thereafter, 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 available for Board consideration. **Motion was made** by Mr. St. Pedro and seconded by Mr. Neafcy, to approve Ordinance No. 312 Authorizing the Necessary Actions to Refinance the 2005 Sewer Bond. Motion passed unanimously.

Land Development Waiver Ordinance (Minor Additions): Mr. McGrory suspended the public meeting, and opened the public hearing for consideration of an amendment to the Subdivision and Land Development Ordinance for Minor Additions. He presented three (3) 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 available for Board consideration. **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to approve Ordinance No. 313 Amending the Subdivision and Land Development Ordinance for Minor Additions. Motion passed unanimously.

Subdivision and Land Development

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

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| a. Telvil-Landis | (#03-06): | Extended to 7/27/10 |
| b. Ziegler Estate Subdivision | (#07-20): | Extended to 7/23/10 |
| c. Northpointe Community Church | (#08-10): | Extended to 7/19/10 |
| d. 1310 Main Street | (#08-15): | Extended to 7/27/10 |
| e. Carr-Penn Road | (#09-03): | Extended to 6/23/10 |
| f. Limerick Car Wash & Quick Lube | (#09-06): | Extended to 7/09/10 |
| g. Iron Mountain Parking Expansion | (#09-10): | Extended to 6/02/10 |
| h. 430 Linfield Trappe Road | (#10-01): | Extended to 5/31/10 |

Development Projects:

Iron Mountain Parking Expansion (#09-10): The Applicant's attorney was present. Mr. McGrory reviewed the conditions for approval as set forth in the proposed Resolution. Applicant agrees with the conditions as stated. **Motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to approve Resolution SLD #09-10 (P/F) Granting Preliminary/Final Plan Approval for Iron Mountain parking Expansion, with waivers. Motion passed unanimously.

Ziegler Estate Subdivision (#07-20): Applicant's Engineer, Rich Hetrick, was present. He described the proposal for a 4-lot subdivision located on North Limerick Road. The Board previously granted Preliminary Plan approval, and at their last meeting, the Planning Commission recommended Final Plan approval subject to the Township Engineer's review letter, and waivers being granted. It was noted that the Planning Commission voiced a question regarding the Conservation Easement which Mr. Hassan satisfied, and there were no other concerns. **Motion was made** by Ms. Shuler and seconded by Ms. DeWan, to authorize the Township Solicitor to prepare a Final Resolution for Ziegler Estate Subdivision for consideration at a future Board meeting. Motion passed 4-0-1, with Mr. St. Pedro abstaining from the vote.

Carr-Penn Road (#09-03): The Applicant's Engineer from All County & Associates, Inc. was present. He described the proposed project for a 5,000 s.f. shop building/pole barn and parking area on 7-3/4 acres located at 57 North Penn Road, to be served by public sewer and an on-lot existing well. A discussion ensued regarding buffering and stormwater. It was noted that the Applicant has no intention of subdividing at a later date. The requested waivers were reviewed, and Applicant is requesting a deferral of sidewalks. **Motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to authorize the Township Solicitor to prepare a Final Resolution including waivers for Car-Penn Road for consideration at a future Board meeting. Motion passed unanimously.

Coale Subdivision (#09-09): Justin Tyson of Richard C. Mast Associates was present on behalf of the Applicants. A discussion ensued regarding the location of the driveways and the sight distance. It was noted that PennDOT must approve all driveways. Mr. McGrory recommended that a note be added to the recording Plan indicating that the two lots will take access off of Limerick Road, with the driveway locations to be determined. **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to authorize the Township Solicitor to prepare a Final Resolution for the Coale Subdivision for consideration at a future Board meeting, including the requirement that a note be added to the recording Plan indicating that the two lots will take access off of North Limerick Road,. Motion passed unanimously.

1310 Main Street (#08-15): It was noted that this project received Zoning Hearing approval in 2006, and has already obtained their PennDOT permit. The proposal is for an extension to the current building and to convert it into a pub/tavern. In addition, the Applicant proposes to build a 5,000 s.f. restaurant to the rear of the lot. There is no proposal for flood plain impact or wetland impact, and the Applicant is in agreement with all review letters. **Motion was made** by Mr. Neafcy and seconded by Ms. Shuler, to authorize the Township Solicitor to prepare a Preliminary Resolution for consideration at a future Board meeting. Motion passed unanimously.

Old Business

Sewer – Award Bid for Pump Station Renovations: Mr. Rosenthal advised that the bids for Pump Station Renovations were opened on March 10, 2010. He reviewed the bids received, noting that Omni Electrical requested permission to withdraw their bid due to an error they made with regard to the project specifications. He reported that the total construction cost for the three pump stations exceeds the budgeted figure. Therefore, the Sewer System Superintendent recommends proceeding with Pump Stations 6 and 4 upgrades, and defer Pump Station 3 upgrades to 2011. The bid is split into two parts; General/Mechanical and Electrical. Administration recommends that contracts be awarded to the low bidders as detailed in the Gilmore letter dated March 30th.

Motion was made by Ms. Shuler and seconded by Mr. Neafcy, to award the Bid for Pump Station Renovation project SWR #10-01 for General/Mechanical to Aqua Resources Inc. in the amount of \$92,378.00 for pump station #6 and #4 only. Motion passed unanimously.

Motion was made by Ms. Shuler and seconded by Mr. Neafcy, to award the Bid for Pump Station Renovation project SWR #10-02 for Electrical to A.N. Lync Co. Inc. in the amount of \$139,306.00 for pump stations #6 and #4 only. Motion passed unanimously.

Authorization – Advertise Zoning Ordinance Amendment: Mr. McGrory explained that the proposed Ordinance changes the terminology for setbacks and cleans up any inconsistencies. **Motion was made** by Mr. Neafcy and seconded by Ms. DeWan to authorize advertisement of a Public Hearing to consider a Zoning Ordinance Amendment. Motion passed unanimously.

New Business

Coale Subdivision – Component 1 Planning Module: **Motion was made** by Mr. Neafcy and seconded by Ms. DeWan, to authorize approval for the Coale Subdivision Component 1 Planning Module. Motion passed unanimously.

Escrow Release – McGrath Homes (The Villas #02-16): Mr. Kerr explained that this escrow release is being held pending two open space issues: 1) 20+ acres previously dedicated to the Township have now been properly transferred to the Township and recorded; and 2) The covenant documentation for the golf course was never prepared. Our Solicitor has been working on preparing these documents and they are currently in review. The escrow runs out at the end of today, and McGrath has given the Township and extension until the next Board meeting on April 20, 2010. **Motion was made** by Mr. Neafcy and seconded by Ms. DeWan, to approve the extension of the escrow release for McGrath Homes until the next Board meeting scheduled for April 20, 2010. Motion passed unanimously.

Authorization - Change Sewer Banking Services: Ms. DiPrete listed the criteria she was looking for in the proposals submitted for Sewer Banking Services. Her recommendation is for Penn Liberty Bank. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to authorize changing the Sewer banking services to Penn Liberty Bank. Motion passed unanimously.

Resolution – Revised Resolution for Depositories: **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to approve Resolution No. 2010-07 appointing Harleysville National Bank, Victory Bank, Phoenixville Federal Bank & Trust, First Niagara and Penn Liberty Bank as depositories of all Township Funds for 2010. Motion passed unanimously.

Discussion – Bidding Township Electricity Accounts: Mr. Kerr explained that electric will be de-regulated beginning in 2011, and therefore the Township will be required to bid out the purchase of electricity. He went on to explain the MUA (Municipal Utility Alliance) Procurement Program. **Motion was made** by Ms. DeWan and seconded by Mr. Neafcy, to authorize the Township Manager to execute the necessary documents to join the MUA Program through PLCM. Motion passed unanimously.

Zoning Hearing Board Advisories

ZHB #10-01, Andrew Casino – 86 Presidential Drive – The Board decided to remain neutral and not send opposition to the Zoning Hearing on the Zoning Application of Andrew Casino, ZHB #10-01.

Public Comments: None.

Mr. Kerr announced that the Board will need to adjourn into Executive Session to discuss matters of litigation and real estate. No action will be taken.

Mr. Neafcy suggested investigating the possibility of installing solar panels on the Township building. A brief discussion ensued.

Adjournment: There being no further business, **motion was made** by Mr. St. Pedro and seconded by Mr. Neafcy to adjourn the meeting at 8:45 P.M.

Respectfully submitted,

Daniel K. Kerr
Township Manager