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

**JULY 20, 2010
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, July 20, 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, Joseph St. Pedro, Kara Shuler, and Kenneth W. Sperring, Jr.

Members Absent: Thomas J. Neafcy, 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; 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 7:06 P.M. Sgt. Brian Skelton led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

Household Hazardous Waste & Electronics Collection Program- Saturday, August 21, 2010 from 9:00 AM to 3:00 PM at Spring-Ford Flex School

Brian Skelton – 20-Year Service Recognition: Chief Albany reviewed the numerous letters of recognition Sgt. Skelton has received over his 20 years of service to the Limerick Township Police Department and presented him with a plaque.

Planning Commission – 7/22/10 Meeting is canceled.

Consideration of Minutes: Upon motion made by Ms. DeWan and seconded by Mr. St. Pedro, the July 6, 2010 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. DeWan, Bills List #14 for the period of 7/01/10 through 7/16/10 in the amount of \$924,676.85 was unanimously approved.

Ms. Shuler questioned the \$60,000.00 reduction in the Budget from last year. Mr. Kerr explained that this reduction is due to the Board's efforts to reduce litigation in the past few years.

Monthly Reports: Upon motion made by Ms. DeWan and seconded by Mr. St. Pedro, the June, 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

CU #10-03, East Coast Marine: Mr. McGrory suspended the public meeting and opened the public hearing for consideration of Conditional Use Application #10-03, East Coast Marine. He presented eight (8) exhibits for incorporation into the record and proceeded with the public hearing. After questions and comments from the public, he closed the public hearing and moved back into the public meeting. He explained that the Board has 45 days to issue its Findings of Fact and Conclusions of Law. Counsel moved for admission of Exhibits "A-1" and "A-2".

Subdivision and Land Development

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

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| a. Telvil-Landis | (#03-06): | Extended to 10/25/10 |
| b. Limerick View Shopping Center | (#04-09): | Extended to 11/10/10 |
| c. Ely Property Subdivision | (#05-21): | Extended to 11/11/10 |
| d. 28 Brownback Road | (#07-21): | Extended to 10/29/10 |
| e. 430 Linfield-Trappe Road | (#10-01): | Extended to 08/31/10 |
| f. Limerick Auto Body Inc. | (#10-03): | Extended to 10/29/10 |

Development Projects:

17 Faust Road (#09-02): Paul Newlin noted that the Applicant is in agreement with the Resolution as prepared, with the exception of the voluntary contribution noted in 2.g. referencing the 6-01-10 Pennoni review letter which requires 4 light fixtures at \$2,800.00 each. Mr. Newlin asked that the Board reconsider the 1 light vs. 4 as was initially proposed.

Mr. Hassan stated that lighting is required under Land Development, although it is at the discretion of the Board to entertain this request or keep the Resolution as is. Mr. Hassan noted that he has no preference either way. He made note that there are some residences that have their own lights in front of their houses for safety reasons.

Mr. Sperring emphasized that the cost for this waiver is only 60%, not 100% as in some other townships.

Mr. Hassan noted that the Code under Section 155.17 requires installation of a light at the intersection and at 300 ft. intervals. He asked how far the cul-de-sac is.

Mr. Newlin answered 1,100 feet. He said the Code is vague when it comes to lighting, and he does not agree with the fact that it is 300 feet. He briefly explained his interpretation of the Code and the previous discussion regarding the outdoor lighting, noting the one light was removed because of the neighbors.

Ms. DeWan asked if the 4 lights fit the Ordinance.

Mr. Hassan said it is not only the Township Ordinance, but it is regulated by the IESNA. I understand your point and that there are enough people in the neighborhood that have sufficient outdoor lighting, but from a calculation standpoint I think it is accurate as stated. The other section is 155-17.A. which states that street lights shall be installed at all entrances with public roads and then again every 300 feet. So the cul-de-sac is about 1,100 feet, which will require a total of 4 street lights, but again, it is the Board's decision how to move forward with this.

Ms. DeWan said she is prepared to stay with it as it is written.

Mr. St. Pedro agreed.

Ms. Shuler said the area of the Township there is not lit up except for the personal homes pointed out by Mr. Hassan, but she feels she has to stick with what the Ordinance says.

Mr. Hassan added that because of the way the road was designed he does not think the Township has any intention to take dedication.

Mr. Sperring said they want to be a fair and consistent Board, and not put themselves in a position to pick and choose. Everybody gets treated the same.

Mr. Newlin agreed to execute the Resolution as prepared.

Motion was made by Mr. St. Pedro and seconded by Ms. Shuler, to approve Resolution SLD #09-02 (F) Granting Final Plan Approval for 17 Faust Road. Motion passed unanimously.

28 Brownback Road (#07-21): The Applicant signed the Resolution prior to the meeting and therefore was not present. Ms. DeWan had a question about the waivers. Mr. McGrory explained that there were prior waivers granted that are no longer being utilized, and there are new waivers requested that needed approval. **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to approve Resolution SLD #07-21 (F) Granting Revised Final Plan Approval for 28 Brownback Road. Motion passed unanimously.

Limerick HC Realty Partners, LP (#05-18A): Representatives were present on behalf of the Applicant and advised that the Resolution was executed prior to the meeting. Mr. McGrory asked for confirmation that there is no Traffic Impact Fee, but there is a waiver fee. This was confirmed by Mr. Hassan. **Motion was made** by Ms. DeWan and seconded by Mr. St. Pedro, to approve Resolution SLD #05-18A (A/F) Granting Amended Final Plan Approval for Limerick HC Realty Partners, LP. Motion passed unanimously.

Old Business

Resolution - 422 Master Plan: Mr. Kerr explained that this is a planning study on improvements that need to be done on Route 422. It has nothing to do with the proposed tolling. **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to approve Resolution No. 2010-16 Endorsing the Principles and Strategies of the US 422 Corridor Master Plan.

Joe Zlomack, The Limerick Post, asked if the interpretation that Mr. Kerr offered is reasonable as his understanding is that the Resolution says if you accept this proposal you “agree to implementation of strategies”, and one of the potential strategies is, indeed, the tolling of Route 422. Does that mean that this Board is endorsing the tolling of Route 422 as part of the Master Plan?

Mr. Sperring and Mr. St. Pedro both said they are not in favor of tolling Route 422. A brief discussion ensued. Mr. Kerr clarified that the Resolution is talking about land use opportunities to reduce congestion. It is a land use study by DVRPC. This is not the tolling study which was started by Montgomery County and the local State Representatives. The tolling is in conjunction with Montgomery County’s effort to get I-80 tolled, and when that failed, they decided to take a look at tolling Route 422. This Resolution is a totally separate ongoing effort with DVRPC.

Mr. Zlomack asked if tolling is proposed for implementation, will the Board be asked again if it wants to accept the prospect of tolling?

Mr. Kerr answered that he believes this will be presented separately. He briefly explained that Route 422 is owned by the Federal Government, and they won’t allow tolling until there is an entity or mechanism through which to control the tolling monies. PennDOT has not agreed to control the monies as yet, and the three Counties i.e. Montgomery, Chester, and Berks, are trying to get together to create an authority to control the toll money. The Federal Government will not even consider where the tolls will be used specifically for Route 422, until there is a mechanism in place.

Mr. Zlomack explained that the Limerick Post, Sanatoga Post, Pottstown Post, and the Main Street Post, are all on-line news sources that specifically cover municipalities. The Main Street Post specifically covers businesses along the 422 Corridor.

Motion passed unanimously.

New Business

Electric Purchasing Agreement: Mr. Kerr explained that Constellation Energy is the preapproved supplier under the Municipalities Utility Alliance through the Pennsylvania League of Cities and Municipalities. Constellation has provided four years worth of rates to purchase electricity from them. The rates fluctuate daily. Therefore, these are current rates as of today. A PowerPoint presentation was provided. The Administration is recommending an Agreement to Purchase Electricity for only a two-year period as this will provide us time to investigate if solar options are feasible for any Township property to reduce our electric demand and costs. Constellation will require a liquidation payment if the contract is changed to accommodate a reduction in the purchase of electricity. They have agreed to waive this liquidation penalty if the Township enters into a solar project with them. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to approve a two-year Agreement to Purchase Electricity with Constellation Energy. Motion passed unanimously.

Change Order – Pump Station #4: Mr. Rosenthal reviewed the Change Order, noting that there is a substitution of equipment resulting in a savings of \$1,397.00. This is a trial requested by the System Superintendent, substituting a new pump controller that gives less communication capabilities between the Pump Station and the Treatment Plant, but gives the same capabilities at the Pump Station as the older piece of equipment. **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to approve the Change Order for Pump Station #4 resulting in a savings of \$1,397.00. Motion passed unanimously.

Appointment - Act 209 Committee Members: Mr. Kerr explained that Jim Bladel (Brandolini Companies) and Neil Sukonik (Sukonik Builders) have both agreed to fill the two vacant positions on the Act 209 Committee, rounding out the 5 members from the business community working or having business interests within the Township. **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to appoint six Planning Commission members, and Jim Bladel of Brandolini Companies and Neil Sukonik of Sukonik Builders, to the Act 209 Traffic Impact Advisory Committee. Motion passed unanimously.

Public Works Dept. – Award of Sale of 2004 F-350 Pick-up: Mr. Kerr advised that two bids were received. It is the recommendation of William Bradford, Superintendent, to Award Sale of the 2004 F-350 Pick-up to Topton Borough for the amount of \$16,000.00. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to Award Sale of the 2004 F-350 Pick-up to Topton Borough for the amount of \$16,000.00. Motion passed unanimously.

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Zoning Hearing Board Advisories

ZHB #10-06 Girish Sheth – 430 Linfield-Trappe Road: The Board decided not to send opposition and allow the Zoning Hearing Board to hear the application.

Mr. Kerr announced the Board will be meeting in Executive Session after adjournment to discuss real estate, but will take no action at that time.

Public Comments: None.

Adjournment: There being no further business, **motion was made** by Ms. DeWan and seconded by Ms. Shuler to adjourn the meeting at 8:56 P.M.

Respectfully submitted,

Daniel K. Kerr
Township Manager