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

**MAY 24, 2011
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, May 24, 2011, in the Public Meeting Room of the Limerick Township Municipal Building with Thomas J. Neafcy, 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, Jr., Esq., Township Solicitor; 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. Neafcy called the meeting to order at 7:20 P.M. Steve DeAngelis led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

Mr. Neafcy announced that the Board met in Executive Session to discuss Litigation.

Mr. Kerr advised that the Board will hold an Executive Session immediately following this evening's meeting to discuss Personnel issues.

The Limerick Twp. Planning Commission meeting scheduled for Thurs., May 26, 2011 at 7:00 PM has been cancelled.

Yard and Leaf Waste Drop-Off – Monday, June 6, 2011 from 8:00 AM to 12:00 Noon at Limerick Community Park.

Mr. Neafcy announced that he, Mr. Kerr, and Mr. St. Pedro attended the 2011 Greater Valley Forge Transportation Management Association's Annual Meeting on May 11th and Limerick Township and Simone Collins were awarded the 2011 Planning Leadership Award regarding the Sanatoga Interchange.

Consideration of Minutes: Upon motion made by Mr. St. Pedro and seconded by Mr. Sperring, the May 3, 2011 Board of Supervisors Meeting Minutes were unanimously approved.

Public Comments on Agenda Items: None.

Bills List: Upon motion made by Mr. Sperring and seconded by Ms. DeWan, Bills List #9 for the period of 4/30/11 through 5/20/11 in the amount of \$423,847.15 was unanimously approved.

Board of Supervisors
 May 24, 2011
 Page 2, Minutes

Monthly Reports: Upon motion made by Mr. Sperring and seconded by Ms. DeWan, the April, 2011 reports of the Treasurer, Zoning/Code Enforcement Office, Public Works Department, Police Department, Parks & Recreation Department, and Sewer Department Superintendent, were unanimously accepted.

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:

- | | |
|---|---------------------|
| a. Allied Landscape & Contractor Supply Co. (#07-14): | Extended to 9/02/11 |
| b. Pottstown Honda (#10-08): | Extended to 6/22/11 |

Development Projects

826 N. Lewis Road (#09-08): Mr. McGrory noted that the Applicant executed the Resolution prior to the meeting, and the Resolution is in place for formal action by the Board. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution SLD #09-08 (P/F) Granting Preliminary/Final Plan Approval for 826 North Lewis Road. Motion passed unanimously.

Pottstown Honda #10-08: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution SLD #10-08 (P/F) Granting Preliminary/Final Plan Approval for Pottstown Honda, with no waivers or referrals.

Mr. McGrory questioned whether Pottstown Honda will incorporate any streetscaping in their project, and he was advised that the Applicant declines to participate in the streetscape plans at this time, partly for economic and maintenance reasons. Mr. McGrory indicated that since the Resolution requires no waivers or deferrals he recommends that the Applicant do something in the future to try to enhance the streetscape. Mr. Neafcy added that he is disappointed that the Applicant will not work with the Township at this time.

Motion passed unanimously.

DISCUSSION ITEMS

Update – Emergency Operations Plan: Steve DeAngelis introduced himself and briefly reviewed his credentials before providing an update of the Emergency Operations Plan. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve the Limerick Township Emergency Operations Plan dated June 2011 and the Radiological Emergency Response Plan. Motion passed unanimously.

110093

Board of Supervisors
May 24, 2011
Page 3, Minutes

Signage/Zoning Amendments: Mr. McGrory introduced John Yakscoe from Triton Signs, noting that he has been instrumental in educating the Township Staff on how electronic signage works. The Board members engaged in a lengthy discussion, and question and answer session with Mr. Yakscoe. He indicated that after much research and over 20 years of working in the industry, there is no correlation between signage and traffic accidents. Ms. DeWan commented that she agrees with the 6 foot maximum height restrictions for the signs, and she believes there won't be a large number of businesses that will switch to electronic signage as it is cost prohibitive. Mr. St. Pedro and Mr. Neafcy said they would prefer a 5 foot height restriction. Mr. Sperring said he would agree with the 5 foot height restriction if a 1 foot base is not required. The Board agreed to compromise and change the maximum height to 5-1/2 feet. **Motion was made** by Mr. St. Pedro to change the height restriction from 6 feet to 5-1/2 feet. Mr. Neafcy suggested the Board defer this issue and allow Staff to work on some ideas and provide samples for the Board's consideration. Motion was deferred until further analysis.

Mr. McGrory advised that the other draft Ordinance before the Board pertains to temporary signage, and will include a definition of electronic signage, and prohibitive electronic signage for billboards. It will eliminate off premise temporary signs as well as other temporary signs.

It was brought to the Board's attention that there may be the option for business owners to lease electronic signage vs. purchasing. Ms. DeWan questioned the possibility of requiring a permit for temporary signage. Mr. McGrory said a permit cannot be required for temporary signage for non-profit organizations, although a variance could be requested. A lengthy discussion ensued, and then Mr. Kerr requested that the Board allow the Staff to further research the issues surrounding temporary signage before proceeding with a Public Hearing in this matter.

The Board wishes to move forward with advertisement of the proposed Ordinance regarding electronic signage. Mr. McGrory will include the provision for no electronic signage for billboards.

Motion was made by Mr. St. Pedro and seconded by Ms. DeWan, to authorize advertisement of a Public Hearing to amend the Zoning Ordinance. Motion passed unanimously.

Public Works Bid - 2011 Road Program: Mr. Kerr explained that Bids have been opened for the current year recycling and paving projects as follows: 1) To finish King Road; 2) to finish Metka Road; and 3) to repave Elio Circle. Estimated cost was a little over \$400,000.00, but the lowest bid was \$484,000.00. Therefore, the Board would need to approve another \$84,000.00 to proceed with all three projects. The recommendation was made, and it was the consensus of the Board to split the Metka Road project, completing the section from the Park entrance up to the first bridge. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to approve the road bid based on King Road, one-half of Metka Road, and Elio Circle. Motion passed unanimously.

Board of Supervisors
 May 24, 2011
 Page 4, Minutes

NEW BUSINESS

Appointment – Assistant Zoning/Code Enforcement Officer: Mr. Kerr introduced Timothy Haas to the Board, providing a brief synopsis of his background. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to appoint Timothy Haas to fill the Full Time Assistant Zoning/Code Enforcement Office position per the offer letter dated May 13, 2011. Motion passed unanimously.

Review - Cell Tower Ordinance Amendment: Mr. McGrory explained that a recent cell tower case came in which falls under a provision in the Township's Zoning Ordinance that permits in "Residential Agricultural Districts, a public utility facility customarily located in a Residential District to serve nearby residences". He does not think this phrase includes cell towers, and he opposes that cell tower case, standing firm with this interpretation. Therefore, to alleviate any question as to the interpretation of the Township's Zoning Ordinance, it is his recommendation to add the following phrase: "excluding cellular phone towers and related equipment and ground base cabinet structures". **Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to authorize advertisement of a Public Hearing to consider adopting a Cell Tower Ordinance Amendment. Motion passed unanimously.

Escrow Release – St. James Lutheran Church (#08-17): **Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to approve the release of Escrow funds in the amount of \$48,372.69 for St. James Lutheran Church (#08-17). Motion passed unanimously.

Escrow Release – Spring-Ford High School Expansion Project (#08-12): **Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to approve the release of Escrow funds in the amount of \$71,336.78 for Spring-Ford High School Expansion Project (#08-12). Motion passed unanimously.

Resolution – Amendment to Fee Schedule: **Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to approve Resolution No. 2011-12 Amending the 2011 Fee Schedule for the Sewer Department and the Police Department. Motion passed unanimously.

Resolution - Waiver of Land Development – Linfield Sports Park: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution No. 2011-13 for Waiver of Land Development for Linfield Sports Park. Motion passed unanimously.

PWD Sale of Backhoe – Recommendation to Award Sale of 2005 Case Backhoe: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to award the 2005 Case Backhoe to Eagle Power and Equipment for their trade offer in the amount of \$42,000.00. Motion passed unanimously.

110093

Board of Supervisors
May 24, 2011
Page 5, Minutes

Eagle Scout Project Review – Bulletin Boards for Limerick Community Park and Linfield Sports Park: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve the Eagle Scout Project to build bulletin boards for placement in Limerick Community Park and the new Linfield Sports Park. Motion passed unanimously.

Delta Development Contract: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve the Delta Contract until September 30, 2011. Motion passed 4-1-0, with Mr. St. Pedro having the dissenting vote.

ZONING HEARING BOARD ADVISORY

ZHB #11-06, Paul Thornhill for Cornerstone Family Church, - 319 Commerce Court: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to stay neutral in this matter and let the Zoning Hearing Board handle the variance request. Ms. Shuler questioned whether sewer issues/EDUs will be looked at by the Zoning Hearing Board. Mr. Kerr advised these issues are part of the normal review with a Certificate of Occupancy. Motion passed unanimously.

Public Comments

Linda Antonacci, from William Penn Villas, said she was told that an easement for water goes between two properties in their community and she wants to know if the residents have the right to deny the easement.

Mr. Sperring said that the developer's proposal is for forty (40) homes, but the buy right plan would only allow about eight (8) homes, and that is all that he would be willing to approve for that project. Therefore, if the rest of the Board is in agreement with him, he does not think the developer will buy the property. A discussion ensued. The Board said they will not support construction of 38 homes. Mr. McGrory advised that if a formal proposal would be received by the Township, a thorough review of all Ordinances pertaining to the issues would be performed. He recommended that the resident send a letter to the Township's Zoning Officer asking to be notified of any meetings involving that particular parcel of ground.

Supervisor Comments


Ms. DeWan noted that she is happy to see that various views have been hashed out this evening. It is good for the public to see that the Board has different opinions and ideas that they work through, and that they don't always agree on everything. She also acknowledged all the people who have fought and are fighting for our country, and also the Township's emergency services personnel.

Board of Supervisors
May 24, 2011
Page 6, Minutes

Mr. Kerr announced that the Board will be convening into Executive Session to discuss personnel issues. No action will be taken.

Adjournment: There being no further business, **motion was made** by Ms. DeWan and seconded by Mr. Sperring to adjourn the meeting at 8:50 P.M.

Respectfully submitted,


Daniel K. Kerr
Township Manager

110093