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

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**NOVEMBER 1, 2011**  
**7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, **date**, 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 7:05 P.M. Katie Roach led the Pledge of Allegiance.

**Opening Comments/Announcements**

**THIS MEETING IS BEING RECORDED.**

An Executive Session will be held immediately after this evening's Meeting to discuss Legal issues.

**Consideration of Minutes:** Upon motion made by Mr. St. Pedro and seconded by Ms. Shuler, the October 18, 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. Shuler, Bills List #20 for the period of 10/15/11 through 10/28/11 in the amount of \$180,151.39 was unanimously approved.

**Subdivision and Land Development****Confirmed Appointment**

**Gabe Betancourt and Nick Feola – 119 Possum Hollow Road:** Nick Feola of Bursich Associates was present along with Gabe Betancourt, owner of the subject property. Mr. Betancourt is proposing a 57,000 s.f. indoor/outdoor recreation facility for soccer and lacrosse, with two indoor fields and three outdoor fields. Mr. Feola described the location of the subject property, noting that Peter's Lane was constructed to provide access to the airport property as well as the subject property. It was discovered that there is an existing site distance issue with Peter's Lane, and therefore, an evaluation was done to relocate the driveway. It was determined to move the driveway to the South. The main parking lot in the front will be paved and has approximately 116 spaces. Additional parking will be provided at the fields and will most likely be gravel lots.

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Public water and sewer will be provided. The use is permitted by Conditional Use. Zoning will be required for direct access to an arterial road as well as setback relief. A discussion ensued. No action was taken.

### New Business

Approval – Berkheimer: Mr. Kerr explained that as part of the County-wide tax collection legislation enacted by the State, Board approval is required for the following Resolutions.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution No. 2011-35 Authorizing the Board to Appoint a Contact for Sharing Confidential Tax Information with the District for Official Purposes. Motion passed unanimously.

**Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to approve Resolution No. 2011-36 Authorizing Berkheimer to Impose and Retain Costs of Collection on Delinquent Taxes. Motion passed unanimously.

Approval - PEMA Reimbursement: Ms. DiPrete presented the following two Resolutions for Board approval.

**Motion was made** by Mr. St. Pedro and seconded by Mr. Sperring, to approve Resolution No. 2011-37 Authorizing Designation of Agent for Tropical Storm Lee. Motion passed unanimously.

**Motion was made** by Ms. DeWan and seconded by Mr. Sperring, to approve Resolution No. 2011-38 Authorizing Designation of Agent for Hurricane Irene. Motion passed unanimously.

Approval – Release of Garnishment Proceedings – Poplar Lane Estates: Mr. Kerr explained that Mr. McGrory will not be advising the Board on this issue due to a conflict. The Township's Conflict Counsel, Jill Zimmerman, has been negotiating with St. Edmonds Bank concerning their takeover of the Poplar Lane Estates property from David Erb Contractors. In essence, the bank obtained a Court Order garnishing all development impact and waiver fees which totaled close to \$40,000. A settlement has been agreed to in the amount of \$15,000. A discussion ensued.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve the release of \$15,000 payable to St. Edmonds Federal Savings Bank in exchange for the bank's withdrawal of the garnishment proceedings filed against Limerick Township, and contingent upon the Township obtaining a letter from the contractor withdrawing the Plan Application. Motion passed unanimously.

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Approval – Disposal of Evidence/Contraband: **Motion was made** by Mr. St. Pedro and seconded by Mr. Sperring, to approve the disposal of evidence/contraband. Motion passed unanimously.

Approval – Submission of Schuylkill Highlands Mini Grant Application: Mr. Kerr advised that Peter Simone alerted him to another Grant that the Township can pursue to assist with the Master Trail/Sidewalk Plan. If approved for the Grant, we would utilize this \$15,000 award towards the Township's 50% match required for the DCNR Grant Application.

**Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve the submission of an Application to the Schuylkill Highlands Mini Grant Program. Motion passed unanimously.

Update – MS4 Permit: Mr. Hassan explained that in September, e-mail notifications were sent out by DEP to municipalities as a reminder that the current General Permits will expire at midnight on March 15, 2013. The Township has been working towards complying with the General Permit with only a couple of outstanding items. A submission will be made to DEP in September, 2012, and at that time the Township will be in compliance.

Budget: Mr. Kerr explained that at the next meeting the Preliminary Budget will be presented to the Board for consideration and approval. Two items are being presented this evening based on the last Budget Workshop discussions. He noted that Mr. Bradford reprioritized the list of roads to be milled and repaved. Also discussed at the Budget Workshop was some unspent escrow monies that the Board approved for use on the road program. Mr. Bradford would like to start street sweeping again. He also provided a list of oil and chip roads. A discussion ensued.

In review of Capital Equipment, Administration is in need of a new server, and is requesting the use of Reserve Funds in the amount of \$20,000 for this purchase. Regarding the Police, an upgrade to their server is needed as well. They would also like to buy a storage shed. Concerning Public Works equipment, Mr. Bradford removed all the requests for new equipment, but is requesting replacement of two pieces of Parks equipment; the 2004 F550 dump truck and the 2005 tractor. The total amount requested from the Reserve Fund is \$133,000, which is down from \$607,000. Mr. Kerr noted that there are no new revenues going into that Reserve Fund due to the economy.

Mr. Neafcy extends thanks to the Department Heads for holding back and understanding the financial situation the Township is in. The Board appreciates their support in working with them until the economy can get back on track.

Public Comments: None.

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**Supervisor Comments**

Mr. Neafcy asked if the Township has received a response from DEP and Hilltop as a result of the meeting with them. Mr. Kerr advised that to date there has been no response to his correspondence. Mr. Neafcy requested that Mr. Kerr follow up with Senator Rafferty and Representative Quigley on this issue.

Mr. Neafcy announced that the Board will adjourn into Executive Session to discuss Legal issues, but no action will be required.

**Adjournment:** There being no further business, **motion was made** by Mr. Sperring and seconded by Ms. DeWan, to adjourn the meeting at 7:38 P.M.

Respectfully submitted,

  
Daniel K. Kerr  
Township Manager

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