

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

**MARCH 15, 2011
7:00 P.M.**

A meeting of the Limerick Township Board of Supervisors was held on Tuesday, March 15, 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; William J. Albany, Chief of Police; and Karen M. Hegedus, Parks and Recreation Coordinator.

Call To Order: Mr. Neafcy called the meeting to order at 7:10 P.M. Jennie and Megan from Spring-Ford High School, and Bob Brant led the Pledge of Allegiance.

Opening Comments/Announcements

THIS MEETING IS BEING RECORDED.

The Board held an Executive Session immediately prior to this evening's meeting to discuss Legal issues. No action was taken.

Yard and Leaf Waste Drop-Off – Monday, April 4, 2011 from 8:00 AM to 12:00 Noon at Limerick Community Park.

Public Hearing Scheduled - Wednesday, March 30, 2011 at 6:00 PM in the Township Building re: Conditional Use Application #10-04 ZacJacJen, LLC.

Donation – Tom Stan was present on behalf of the Spring-Ford Rotary Club. He presented a check to the Parks & Recreation Committee designated for playground equipment in Manderach Memorial Playground. This donation represents the net proceeds from their Children's Tent at last year's Community Day celebration.

Consideration of Minutes: Ms. DeWan said she wished to make an addition to her comments in the March 1, 2011 Minutes regarding unfunded Mandates that come down from the State and Federal Governments. The point she wishes to make is that those costs then fall on the local taxpayers when paying School Taxes and Municipal Taxes. **Upon motion made** by Mr. Sperring and seconded by Ms. DeWan, the March 1, 2011 Board of Supervisors Meeting Minutes were unanimously approved as amended.

Public Comments on Agenda Items: None.

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Bills List: Upon motion made by Mr. Sperring and seconded by Mr. St. Pedro, Bills List #6 for the period of 2/26/11 through 3/11/11 in the amount of \$284,597.31 was unanimously approved.

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

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|--------------------------------------|-----------|----------------------|
| a. Metro Acura | (#03-11): | Extended to 06/28/11 |
| b. Linfield Corporate Center Lot #53 | (#08-09): | Extended to 04/06/11 |
| c. Northpointe Community Church | (#08-10): | Extended to 07/08/11 |
| d. Limerick Car Wash & Quick Lube | (#09-06): | Extended to 07/05/11 |
| e. 826 North Lewis Road | (#09-08): | Extended to 05/25/11 |

Development Projects:

Northpointe Community Church (#08-10): Motion was made by Mr. Sperring and seconded by Ms. Shuler, to approve Resolution SLD #08-10 (F) Granting Final Plan Approval for Northpointe Community Church. Motion passed unanimously.

Blessed Teresa of Calcutta (#07-16): Motion was made by Mr. Sperring and seconded by Mr. St. Pedro, to approve Resolution SLD #07-16 (AP/F) Granting Amended Preliminary/Final Plan Approval for Blessed Teresa of Calcutta. Motion passed unanimously.

New Business

Presentation - New Piece of Playground Equipment for Manderach Playground: Ms. Hegedus gave a brief PowerPoint presentation, and stated that the Parks and Recreation Committee has been working for over a year to raise funds for additional playground equipment, collecting approximately \$11,146.00 to date. The total cost for the new equipment and installation would be approximately \$14,372.00. The Committee would like to have the new equipment in by the Fun Days event scheduled for June 12th which is a major fund raiser for the playground. In order to get the equipment in by June, it must be ordered by the end of March. The Committee asked the Board if the additional funds could be offered by the Township and replenished with future fundraising events over the balance of the year.

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Motion was made by Mr. St. Pedro and seconded by Mr. Sperring, to approve the purchase of playground equipment for Manderach Memorial Playground and to advance funds in the amount of \$3,225.89 which will be replenished with future fundraising events over the balance of the year. Motion passed unanimously.

Discussion - In-Law Suites/Sewer EDUs: Mr. Kerr explained that the Zoning Ordinance pertaining to In-Law Suites and the requirement for a covenant against the property noting that the use is limited to only relatives was instituted a few years ago to simplify the process for residents and relieve them of the burden of a Hearing to obtain Zoning approval. A request came in recently from a property owner who built an addition many years ago for a parent. The addition was constructed with everything but a kitchen stove (the item which legally would make this a separate dwelling unit). The owner wishes to install a stove for ease of the parent, but Township regulations requires the purchase of an additional EDU at \$4,826.00. The owner has posed a legitimate question as to why the extra EDU is required if the use has a covenant limitation. This issue is up for discussion to see if the Board would consider a general policy that would waive the requirement for another EDU for the In-Law Suites that are established by covenant, not stand alone buildings on the property. A discussion ensued. Mr. Kerr said he will look into enforcement for In-Law Suites, and get back to the Board.

Motion was made by Ms. Shuler and seconded by Mr. Sperring, to approve a policy which would eliminate the need for an additional Sewer EDU for In-Law Suites established under the guidelines of the Zoning Ordinance Covenant. Motion passed 3-2-0, with Mr. Neafcy and Mr. St. Pedro having the dissenting votes.

Confirmed Appointments

Albert Herr – Waiver of Land Development: A minor annexation plan was presented for the properties adjacent to the Limerick Diner. The subject property includes a vacant 3.5 acre tract that is attached to 403 West Ridge Pike which was a dental office. The property is under Agreement of Sale, although the buyer cannot afford the additional acreage. The property previously was deeded separately. Mr. Herr wishes to annex the 3.5 acres to Hide and Seek Self Storage, and then convey 403 West Ridge Pike to the prospective buyer. He is requesting a Waiver of the Land Development process, and is asking the Board to entertain his request to enter into a Professional Services Agreement to cover all Township costs.

Motion was made by Mr. Sperring and seconded by Ms. DeWan, to consider the project for a Waiver of Land Development and execution of a Professional Services Agreement to cover all Township costs. Motion passed unanimously.

Tri-County Toyota – Signage Discussion: Isles Cooper was present on behalf of Tri-County Toyota. He reviewed the Revised Plan that was submitted showing fewer signs, and smaller

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signage. Brian Kreiger was available to answer any questions from the Board. A lengthy discussion ensued. Mr. McGrory clarified that the Board agrees to withdraw its opposition for this relief conditioned upon the Applicant agreeing to time and temperature only on the electronic sign in accordance with the current Ordinance. If the Ordinance should change allowing more than time and temperature, the Applicant would have the right to any changes permitted by the revised Ordinance. The Applicant agrees to amend their Application to withdraw the variance request for wording other than time and temperature.

Motion was made by Mr. Sperring and seconded by Ms. DeWan, to send Mr. McGrory to the Zoning Hearing to withdraw the Board's opposition for relief conditioned upon the Applicant agreeing to time and temperature only on the electronic sign in accordance with the current Ordinance. Motion passed 4-1-0, with Mr. Neafcy having the dissenting vote.

Action Items:

Request for Plumbing Services: Mr. Kerr explained that the Sewer Department requires plumbing services to install and maintain meters on wells. The Township has been using the services of Eastern Environmental, however they have not been able to respond to Township requests on a timely basis. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve the proposal of Don Heimer at a rate of \$40.00 per hour for sewer meter installations and repairs. Motion passed unanimously.

Authorization to Advertise - Sewer Department Peroxide Bid: Mr. Kerr noted that the current agreement expires this year. The bid is structured with a one, two, or three year option. Last time a two year price was approved. **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to authorize advertisement of the Sewer Department Peroxide Bid. Motion passed unanimously.

Authorization to Advertise - PWD #11-01 Road Project: **Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to authorize advertisement of PWD #11-01 Road Project. Motion passed unanimously.

Approval - Temporary Zoning Position: Mr. Kerr noted that due to the recent resignation of the Township's Fire Code Official, there is a short-term need for additional Zoning support. Ms. Shuler asked what the qualifications are for this Zoning support position. Mr. Kerr reviewed the various functions, and a discussion ensued. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve a temporary position from Pennoni Associates for the Zoning/Code Department at a cost of \$70.00 per hour on a temporary basis for approximately 16 to 20 hours per week for a few months. Motion passed unanimously.

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Zoning Hearing Board Advisories

ZHB #11-04, John Middleton Company – 475 North Lewis Road: A discussion ensued regarding barbed wire/razor wire. The Board agreed to remain neutral and not send opposition to the Zoning Hearing on the Zoning Application of John Middleton Company, ZHB #11-04.

Public Comments: None.

Supervisor Comments

In reference to the Executive Session held prior to the meeting this evening, **motion was made** by Ms. DeWan and seconded by Mr. Sperring, to not object to the insurance company settlement in the Warble Case. Motion passed unanimously.


Mr. Neafcy asked the status on the Ordinance change regarding electronic signage, and Mr. Kerr advised that he has not had a chance to review the general outline with Staff as yet, but will get back to the Board.

Ms. Shuler asked that Mr. Kerr brief the Board on the Fire Study. He noted that a Preliminary Draft of the Fire Study was distributed to the Fire Companies, and further discussions are desired to review the details and implementation of the plan in order to make the best use of the resources in light of the growing cost issue, a concern with recruitment and retention of volunteers, and the growing demands on the volunteers with regard to training, raising money, and the increase in call volume in the Township. The ultimate goal is to maximize the resources, maintain the current volunteer effort, and assist the Fire Companies in a long-term business plan to carry the Township for the next 15 to 20 years. Mr. Jenaway will provide a briefing to the public at a future date.

Ms. DeWan commended Chief Albany on his recent Letter to the Editor that he wrote in The Mercury regarding volunteering.

Adjournment: There being no further business, **motion was made** by Mr. St. Pedro and seconded by Mr. Sperring, to adjourn the meeting at 8:14 P.M.

Respectfully submitted,


 Daniel K. Kerr
 Township Manager

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