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**LIMERICK TOWNSHIP - BOARD OF SUPERVISORS**  
**MEETING MINUTES****SEPTEMBER 6, 2011**  
**7:00 P.M.**

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A meeting of the Limerick Township Board of Supervisors was held on Tuesday, September 6, 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:** John J. Iannozzi, Esq., Township Solicitor; 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 7:07 P.M. Dan Almeida led the Pledge of Allegiance.

**Opening Comments/Announcements****THIS MEETING IS BEING RECORDED.**

Mr. Neafcy announced that the Board met in Executive Session immediately prior to the Meeting to discuss Legal Issues.

Yard and Leaf Waste Drop-Off – Saturday, September 17, 2011 from 8:00 AM to 12:00 Noon at Limerick Township Public Works Facility.

American Red Cross Blood Drive – Monday, September 19, 2011 from 1:00 PM to 7:00 PM in the Township Building.

Limerick Township Police Association's 8<sup>th</sup> Annual Fall Golf Classic – Monday, September 26, 2011 beginning at 12:00 Noon, Turtle Creek Golf Club. All proceeds from the tournament go back into the community.

**Consideration of Minutes:** Upon motion made by Ms. DeWan and seconded by Ms. Shuler, the August 16, 2011 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 Mr. Sperring, Bills List #16 for the period of 8/13/11 through 9/02/11 in the amount of \$264,409.38 was unanimously approved.

**Subdivision and Land Development**

**Confirmed Appointment:** David V. Law, 48 Penn Road, Pottstown

Prior to submission of a Zoning Variance Application, Mr. Law would like feedback from the Board on his desire to operate an auto repair business on his property. He lives on the property

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in a single family home and wishes to operate the business inside the detached garage to the rear. Mr. Law read a statement to the Board. A discussion ensued and Mr. Law agreed to a restriction which would remove any variance for the auto repair operation if he were to sell the property. The Board instructed Mr. Iannozzi to draw up language for a covenant the Applicant could record and make part of the Zoning Hearing process. No further action was taken, and the Board offered to let the Zoning Hearing Board handle this Application without opposition.

**Development Projects:**

Almeida/Miller Lot Line Adjustment (#11-06): **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution SLD #11-06 (P/F) Granting Preliminary/Final Plan Approval for Almeida/Miller Lot Line Adjustment. Motion passed unanimously.

**New Business**

Appointment of Melissa Miles to the Agricultural Security Committee: **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to appoint Melissa Miles to fill the vacancy on the Agricultural Security Committee for 2011. Motion passed unanimously.

Approval – New Police Contract: **Motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to approve a new 3-year Police Collective Bargaining Agreement. Motion passed unanimously.

Mr. Neafcy read a statement.

Resolution – Execution of the 2011-2014 Master Casting Agreement: Mr. Kerr explained that this is a housekeeping item that is approved every 3 years. It permits PennDOT to work on Township manholes and associated castings within State roads. The purpose of this is so that Township manhole covers and lids can be adjusted as road projects are completed. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution No. 2011-22 Authorizing the Chairman of the Board to Sign the 2011-2014 Master Casting Agreement. Motion passed unanimously.

**Approval – Chelsea Public Improvement Dedications**

Mr. Iannozzi recused the Township Solicitors (Hamburg, Rubin, Mullin, Maxwell & Lupin) from the following issues regarding the Chelsea Improvement Dedications. All documentation was prepared and handled through the Law Offices of Edward A. Skypala, the Township's Conflict Counsel.

Resolution - Basin Maintenance: Mr. Kerr explained that this is the first of two construction related issues involving the dedication of Lightcap Road. An underground detention basin is part of the road design, and the Township had concerns with long term maintenance. The Agreement

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sets forth that the owner of the mall parcel will be responsible for all costs associated with the maintenance and or repair of this structure.

**Motion was made** by Ms. DeWan and seconded by Mr. St. Pedro, to approve Resolution No. 2011-23 Authorizing the Execution of an Agreement to Maintain the Lightcap Road Stormwater Basin. Motion passed unanimously.

Resolution - Lightcap Road Repair: The second construction related issue deals with the gas pipe line which crosses the road. Sunoco refused to be responsible for any paving costs associated with a repair they may need on the pipeline. The Township was of the same opinion, and as such this agreement requires the owner of the mall property to reimburse the Township for any costs to restore pipeline work. **Motion was made** by Mr. St. Pedro and seconded by Mr. Sperring, to approve Resolution No. 2011-24 Authorizing the Execution of an Agreement for the Maintenance and Repair of Lightcap Road in the Event it is Damaged Due to Work Within the Sunoco Easement. Motion passed unanimously.

Resolution - Dedication of Lightcap Road Improvements and Acceptance of Maintenance Bond: It was noted that all improvements and repairs have been signed off by both Public Works and Pennoni. **Motion was made** by Ms. Shuler and seconded by Ms. DeWan, to approve Resolution No. 2011-25 Accepting Dedication of the Public Improvements and Enter into the Maintenance Period, and Authorize the Release of Construction Escrow for the Chelsea/Philadelphia Premium Outlet Center Development. Motion passed unanimously.

Resolution - Dedication of Sewer Improvements: The Sewer Authority previously approved all paperwork and accepted a Maintenance Bond. Chelsea has held up on signing the final papers until Lightcap Road dedication was finalized. Due to the length of time since the sewer lines have been in operation, the Township does not feel a Maintenance Bond is required. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution No. 2011-26 Accepting Dedication of the Sanitary Sewer Improvements in the Chelsea/Philadelphia Premium Outlet Center Development. Motion passed unanimously.

Escrow Release – Philadelphia Premium Outlets/Chelsea (#06-01): The release of all construction escrows is a routine action once Maintenance Bonds are accepted. **Motion was made** by Ms. DeWan and seconded by Ms. Shuler, to approve the release of Escrow funds for Philadelphia Premium Outlets/Chelsea Project #06-01 in the amount of \$239,961.60. Motion passed unanimously.

Resolution - Deed of Dedication and Easements for Jonathans Way: The HOA has requested that the Township consider accepting dedication of the roadway surface. Bill Bradford has inspected the road and found that it has remained in satisfactory condition over the past 3 years since its completion. The Township Engineer has also approved all issues. **Motion was made** by Mr. Sperring and seconded by Ms. DeWan, to approve Resolution No. 2011-27 Accepting the Deed of Dedication for Jonathans Way. Motion passed unanimously.

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Approval – Release of Cash Escrow – Providence Oaks Development LLC (#09-11): **Motion was made** by Mr. St. Pedro and seconded by Ms. Shuler, to approve the release of Escrow funds for Providence Oaks Development, LLC, (#09-11) pending a letter from the owner saying he will replace the dead trees. Motion passed unanimously.

Discussion - PWD Road Dedications: Bill Bradford and Scott Croisette were in attendance to review the current status of the department in light of recent roadway dedications. Discussion ensued relating to the amount of lane miles added since 2000 and the fact that the road crew has remained at 10 full-time positions. Mr. Bradford reviewed the ongoing maintenance responsibilities aside from the winter snow plowing required. Also discussed was the increased work load of the Parks Crew in light of the additional acreage added since 2000. There is a steady increase in the demand for recreation facilities, and that is taking its toll on the current field because of the heavy use. The Board was receptive to a discussion during the Budget process for increased staffing, but needs to look at all departmental needs before any approvals to hire additional staffing. No action was taken by the Board.

Discussion – Credit Cards and Acceptance of E-Checks: Ms. DiPrete offered a review of the credit card payment program the Township instituted in the Spring and also asked the Board for permission to begin acceptance of E-Checks on the system. **Motion was made** by Mr. Sperring and seconded by Mr. St. Pedro, to authorize execution of the Agreement with Municipay to begin acceptance of E-Checks on-line for payment of sewer bills, permit costs, and for recreation activities. Motion passed unanimously.

### ZONING HEARING BOARD ADVISORIES

ZHB #11-08, Venezia Enterprises - 86 Airport Road: The Board decided to remain neutral and let the Zoning Hearing Board handle the Application.

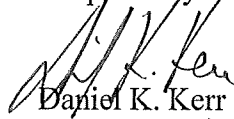
ZHB #11-09, Pottstown Auto Enterprises, Inc. t/a Piazza Hyundai of Pottstown – 84 Auto Park Boulevard: The Board decided to remain neutral and let the Zoning Hearing Board handle the Application.

Public Comments: None.

Supervisor Comments: None.

Adjournment: There being no further business, **motion was made** by Mr. St. Pedro and seconded by Ms. DeWan, to adjourn the meeting at 7.59 P.M.

Respectfully submitted,

  
Daniel K. Kerr  
Township Manager

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