

October 11, 2012

The regular meeting of the Monroe Township Board of Supervisors was called to order by Chairman Simmons. Pledge of Allegiance was said by all.

ATTENDANCE

Samuel M. Simmons, III, Chairman
A.W. Castle, III, Vice Chairman
Phil Kehoe, Supervisor

Michael Pykosh, Solicitor
Mark Bruening, Engineer
Greg Rogalski, Zoning Officer
Marjorie Metzger, Administrative Assistant

EXECUTIVE SESSION

Mr. Simmons announced the Board held an executive session prior to this meeting to discuss legal matters.

SPEAKERS FROM THE AUDIENCE

Cass Gibson mentioned the tax increase being proposed by the county, and the need to look at alternatives. He asked the Board to consider looking at the health insurance and pension coverage's.

Randy Jackson asked for an update on the Trindle Station developer, which is to be cutting down some trees, installing the privacy berm, and getting rid of standing water. Mr. Bruening said a meeting was held with the developer last week, with the new contractor, and work is expected within the next two weeks. The work is to be done this fall.

Reza Azizkhan also is concerned with the proposed county tax increase, and said many members of the community are against it. A lesser increase would be appreciated.

The Board agreed to send a letter to the county concerning their proposed tax increase.

APPROVAL OF MINUTES

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the minutes of the August 9, 2012 meeting, as amended.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the minutes of the September 13, 2012 meeting, as amended.

ROADMASTER REPORT

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the Roadmaster's Report.

ZONING OFFICER'S REPORT

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the Zoning Officer's report.

UNFINISHED BUSINESS

TRASH/RECYCLING CONTRACT

Mr. Kehoe read a prepared statement, which was the results of the investigation into the Trash and Recycling contract bid, and recommendation to award. This statement will be kept on file.

Mr. Castle said he was not involved in the investigation, but he is involved with bidding contracts, and you don't ever want to miss a signature or name of the company in a contract.

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED that in consideration of the investigation and Mr. Kehoe's statement, to award the bid for trash/recycling contract for the years 2013, 2014, and 2015 to Penn Waste. The flat rate fee is \$15.25 per month, and per tag rate is \$3.50 per tag/bag.

SINCLAIR ROAD – FINAL PHASE 1

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to re-affirm the prior approval of the Sinclair Road final phase 1 subdivision plan, and to grant an additional 90 days to satisfy any outstanding matters and get the plan recorded.

SEWER LATERAL INSPECTIONS

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to direct two members of the road crew to work with the township engineer to inspect the sewer laterals in Churchtown, with the funds to cover the cost coming from the General Fund.

The work on the lateral inspections is research in nature. The work will be kept to a minimum and will be a random sampling. The as built maps will be used, and the information will be organized as to what is found, starting at the bottom and working up. Postcards will be sent to the residents informing them of the process.

NEW BUSINESS

2012 AUDIT SERVICE

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to announce their intention to hire Smith Elliott Kearns to provide the auditor service for 2012. This will be advertised for final action in January 2013.

Mr. Kehoe questioned if there would be a possibility of savings by having the same auditor do the township and fire company audits. Mr. Farrell said the fire company uses a CPA to meet the state requirements for a non-profit organization.

2013 TENTATIVE BUDGET OF ALL FUNDS

Mr. Simmons mentioned looking at the contributions provided to the organizations and possibly cut back. The sewer rates will be nasty in the southern district. The northern district will remain the same. The street light tax has to be increased, as well as the hydrant tax in the southern district. We need to decide if we want a real estate tax or not.

Mr. Kehoe mentioned the computer server that needs to be replaced. We have received one quote for \$9,100, and suggested getting a second opinion. This will be done for the next meeting so a decision can be made to move forward.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the tentative budget of all funds for 2013, and to advertise it to be available for inspection.

WEST SHORE CHURCH – REQUEST FEE WAIVER

The roof of the church needs to be repaired due to hail damage. The church has agreed to pay for Pennoni's services, above the cost of the initial \$250 fee. There is an additional amount of \$1,431, which represents the fee of \$9.00 per \$1,000 of cost. This amount is being requested to be waived. The insurance is covering the \$150,000 for the repair, but the permit fees are not included.

Mr. Kehoe was not comfortable with waiving the fee because of it being income for the township. Mr. Castle remembers when the church was built there were a lot of waivers granted. The Board agreed to set a policy for these types of waiver requests and make it a part of the fee schedule for next year. The Board agreed the church gives back to the community in many ways.

On the motion of Mr. Castle, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors it was duly RESOLVED to waiver the fee of \$1,431, as requested by the West Shore Evangelical Free Church.

APPALACHIAN TRAIL – REQUEST FEE WAIVER

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to deny the request to waive the fee of \$201. in engineering costs for the Appalachian Trail Conservancy.

The Board requested a letter be sent to the Conservancy stating the tone of their letter was not appreciated. This may be the last time any fees are waived on their behalf. Mr. Rogalski

mentioned the fees were waived for the permits that the township has already absorbed, and this project is not resolved.

BASEBALL ASSOCIATION – REQUEST FOR DIAMTEX

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the Baseball Association’s request for 140 ton of diamatex material. The township purchases the material and the baseball association pays for the freight.

The Baseball Association also asked for a water spigot at Founders Field. This matter will be communicated with the Roadmaster, who may be able to get them access to water from the rear building near the old concession area.

SOUTH MIDDLETON TWP. MUN. AUTH. – LAND DEVELOPMENT PLAN

Lance Hoover of Glace Associates and Bob Kissinger present. The engineer’s comments dated October 10, 2012 were reviewed. The consistency letter was received today from Cumberland County. The NPDES permit has not been issued yet.

Mr. Pykosh mentioned the possibility of a walking path being added, as suggested by the Planning Commission. The Board agreed not to include the path because it would add cost to the project.

Mr. Kehoe asked what percentage of cost of the project was for the Chesapeake Bay and what percentage is the capacity expansion. Mr. Hoover said the plant capacity is going from 750,000 gallons per day to 1.5 million. He estimated about 40 percent is for compliance with Chesapeake and 60 percent is expansion.

There was a lengthy discussion on the bids that were just opened for the sewer expansion project. The Board was concerned with the extremely high bids, especially with them coming in \$6 million over estimate. Mr. Hoover said the references have been checked, as well as the current, future and past projects done by the low bidders. Everything has checked out. With regard to the bid for general construction, the SMTMA has requested an in depth review, line by line to find the discrepancies or areas of potential cost reductions. A substantial amount of information has been requested from the low bidder. Re-bidding has been brought up.

Mr. Kehoe addressed Mr. Gibson in the audience stating the cost burden for the bid overage will far exceed several years of the health insurance and pension premiums, that he previously expressed concern over. Monroe has invested a fair amount of money in Remington, Vernick & Beach to review and analyze the plan. We have offered it to the South Middleton Township Municipal Authority, and it has been ignored. We need to hear how the cost will be brought down and whether we have the right numbers. We have to share 37% of the \$6.3 million overage. He is disappointed with Mr. Kissinger’s public statement made in The Sentinel about compliance with the Chesapeake Bay Initiative is driving this project and not that the size of the plant is being doubled.

Mr. Simmons said Monroe Township was never asked about doubling the plant size. He can't understand how the engineer for SMTMA can be this far off in the estimates. There were bids for school projects in the newspaper today that came in under bid price. This is pathetic. He knows what would happen if he was on the SMTMA. He suggested going back to DEP and remove the Cadillac. A lot of that stuff is not needed. To ask our residents to pay this, there has to be capacity to sell. Thirty-one percent in this market is crazy. He is disgusted. We have asked for things and SMTMA directs it not to be given to us. We have been begging for information. We want someone to sit on the SMTMA board, and have been told we don't deserve it. Just listen to someone else because who you are listening to doesn't know a whole lot. We have waived over \$100,000 in fees and permits and this is what we get.

Mr. Kehoe said Monroe has tried to keep open communication's with SMTMA. He would like to hope the solution to this missed estimate is more than just rate increases. We are trying to do our part and our share, but the dilemma is what to do next.

Mr. Pykosh asked if there is any talk of going to DEP for an extension, look at the engineering, and possibly re-bidding. There is a deadline. Mr. Hoover said there are multiple deadlines. The bids had to be opened by the end of September 2012. The compliance deadline DEP is not willing to back off of. It was extended once at the beginning. September 2015 is the deadline. In order to be in compliance, you need one year of data completed, so that would make the deadline for completion in September 2014.

Mr. Bruening asked if Monroe can approach DEP and request a time extension. Mr. Hoover said the first thing is to determine the changes, things to be removed or done differently, whether it is for cost or performance. There must be a justification for re-bidding. The numbers have to be verified and cost reductions must be significant. Mr. Kehoe mentioned the value engineering that was provided by Remington, Vernick & Beach, and that it should not be ignored. We must all approach this with an open mind. He knows the design must be approved by SMTMA, but we need to get things out on the table. Mr. Bruening said he is available to help, but the help must be wanted.

Mr. Kehoe suggested if the project goes out for re-bidding, that Monroe be able to help with the review. We would appreciate the open communication.

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to grant the waiver for the South Middleton Township Municipal Authority land development plan, as requested, as follows: 1) Preliminary Plan application is required for land development (301.1.1).

Mr. Kissinger said he will be meeting with the residents of Criswell Drive to review the project and the closing of the cul-de-sac. He mentioned there has already been a two year extension on the project, but that doesn't mean he will shy away from asking DEP.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the South Middleton Township

Municipal Authority land development plan, contingent upon the township engineer's comments dated October 10, 2012 being satisfied.

SEWER PROJECT – KREIDER – CHANGE ORDER #2

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to approve Change Order #2 for B. R. Kreider & Son in the amount of \$6,549.61.

SEWER PROJECT – KREIDER – PAY CERTIFICATION #3

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the Pay Certification #3 for B. R. Kreider & Son in the amount of \$81,133.15.

Mr. Bruening said with the help of township staff, we have calculated flows of sewer since 2005 to present and have provided a draft. We have had a couple of good storm events and the flow is going down. We are seeing improvements. Mr. Simmons said the township is doing something to solve the problem.

BILLS

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the bills as prepared.

STAFF COMMENTS:

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to remove Michael Higgins as primary Sewage Enforcement Officer, and appoint Tim Wargo of Hoover Engineering in his place, which is the current alternate SEO.

Mr. Kehoe is interested in improving the process for posting draft vs. final minutes. He suggested draft minutes being marked accordingly when they are posted on the website. Once they are approved, then the draft marking would be removed, indicating the minutes are finalized. Mr. Simmons agreed the draft should be posted, not wait until they are finalized.

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED that all township minutes from the various Boards and Commissions be clearly marked as draft prior to making them available to the public, and then replace the draft minutes with the final approved minutes.

Mr. Simmons apologized for the way he sounded earlier this evening, but he has never been at a meeting and bullied and talked to as a child, and made to feel like nothing as with the

SMTMA. He took it and didn't say anything, but couldn't do it anymore. He apologized for this evening.

Mr. Bruening suggested getting the zoning map on the website. Mr. Kehoe said he would work with the staff to get it done. Mr. Rogalski said the county has an incorrect version of our zoning map on their website.

Mr. Castle mentioned the information he received concerning the roof leaking at the fire house. Mr. Mark Farrell said the information provided is the second bid received. The roof has been leaking for a while and is getting worse. The first estimate was over \$20,000. The material is temperature sensitive for application.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the firehouse roof repair at a cost of \$5,840. to be done by Susquehanna Valley Roofing Services. The Scope of work includes option 1 for roof repair in the amount of \$4,295, plus option 3 for the k-gutter in the amount of \$1,545.

Mr. Simmons suggested next year sitting down with the fire company to review their audit and budget so things can be budgeted properly. We need to work together. Mr. Simmons directed the secretary to ask Smith Elliott Kearns what would be involved in having them review the fire company budget and audit. Mr. Farrell said the fire company budget does not include maintenance of the building. He suggested an annual amount be included in the budget each year for building maintenance.

Mr. Castle asked for the troops and their families to be remembered. The next meeting is November 8 at 7 PM. The township received \$41,753 for firemen's relief. Trick or Treat will be held on October 31, from 6-8 PM. The township has treat bags available and there is candy at the back of the room. God Bless America.

Mr. Simmons apologized for losing his temper. But how can a bid be that far off. It is 31% off.

ADJOURN

The meeting was adjourned at 8:50 PM.

Respectfully submitted,

Marjorie E. Metzger
Administrative Assistant