

February 20, 2020
7:00 PM

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

ATTENDANCE

A.W. Castle, III, Chairman
Philip Kehoe, Vice Chairman
Carl Kuhl, Supervisor

Greg Rogalski, Engineer
Mike Pykosh, Solicitor
Karen Lowery, Secretary/Treasurer

SPEAKERS FROM THE AUDIENCE

Steve Paulus, 1381 Shuman Drive, reviewed the stormwater billing expense sheet and noticed that only a small portion of the township is in the MS4 area and the plan includes capital plan projects for stormwater drains. He asked what the MS4 projects are. Mr. Rogalski said the projects include retro fitting stormwater basins, inlet inserts, and creek bank restoration. Some of this work can be done by the DPW and some projects would need to be bid. Mr. Paulus asked about the project on Leidigh Drive. Mr. Rogalski explained that is a triple culvert and would need to be bid out, or at least part would need to be bid. Mr. Kehoe added that we have been working to see what work can be done internally to keep the costs down. Mr. Paulus said that in the past the general stormwater work was covered by the general fund. He added that the public is being told the stormwater fee is due to a mandate, but not the entire project is a mandate. Mr. Kehoe said that the MS4 compliance has also been funded by the general fund, but we are now in our third permit cycle and the costs keep increasing. Mr. Paulus added that if the Board goes with option 2, billing farms and single-family residences the same, the rate for single family residences would only increase \$0.06 per day. The farmers already do things to control the water and maybe the Board should look at raising taxes.

Mr. Kehoe said that it is not just a direct comparison of residences vs. farms, you have to consider non-profit and commercial properties as well. Option 2 would increase non-profits and commercial properties by 16%.

John Aigeldinger, 1447 Lutztown Road, said the comp plan is out of date and needs updated. The township has a garden plot area, but when will a composting area be added? The DAM party is already being advertised on Facebook and he would like to know if a noise ordinance is going to be put in place, since this issue was brought up last year when this same party happened. The township recently mailed out a township newsletter and a sewer newsletter, neither of which explained the MS4 and stormwater fee. The public needs to be notified through clear and transparent methods.

Sheldon Brymesser, 1463 Leidigh Drive, said he met with an environmental engineer at the state level who said there really wasn't any scientific research done to determine a starting point for the MS4, so he asked the Supervisors to delay stormwater fee so other methods can be looked into. And if the Board would pass the stormwater fee, he feels the audience should have input.

Ned Davis, West Shore Evangelical Free Church, said that they love being part of Monroe, but were unaware of how far the stormwater fee process had gone. He understands that WSEFC would be the second largest payer in the township of \$16,000. They are a church and don't have the luxury of increasing fees. He also understands there would be some type of credit program and would like to understand this more, as the church spent around 2 million dollars during the site development on stormwater. Mr. Kehoe said that the impact this would have to churches has not gone unnoticed.

Randall Tasker, 1000A Otto Drive, would like to see the state approached for funding, talk to Scott Perry and our Representatives. Money is being sent to other places in the world, but not taking care of things here.

Mr. Kehoe asked Mr. Brymesser if he was at liberty to share what was said at a recent meeting he had with Mr. Perry. Mr. Brymesser said Mr. Perry said not to jump into the stormwater fee. Ian Stamy added that basically everyone was scared to go against anything environmental because it could influence their political stand, but basically everyone in the room was against it and trying to find a way to get out of the MS4 requirements.

Mr. Kehoe added that the Senate has been Republican majority for 26 years and the House for 10 years and these laws were going into place during that time. He believes in what Representative Keefer, Senator Regan, and Congressman Perry do, but now their response is just don't set a stormwater fee. The liquidated damages and legal defense to just not do it could be detrimental to the township. Mr. Castle added that DEP is hands off and the Governor has no interest in the citizens of Monroe, so we need our legislators to speak up for the residents.

Mr. Kehoe added that we only have 6,000 residents and 2 family businesses were able to get a room full of state legislatures to sit down and have a meeting with them on this topic. He said this speaks volumes for how our community has tried to responsibly manage ourselves and the local farmers that are in this township. And Supervisors have been communicating with them as well. Mr. Kuhl has had conversations with Rep. Keefer updating the situation. We are moving forward, but we are also kicking and screaming. Our avenues are to delay the fee, avoid the fee or look into the appeal process, but none of that will help what we have to do tonight.

Mr. Castle said most people come to this township because they like the agriculture area. We strive to keep the area rural and he has a lot of faith in the engineering staff and thought maybe if we put together a list of work, we have done on our own to correct problems that would help our situation.

Mr. Kuhl said that we have spent money to have a consulting firm look at the overall operations of Monroe and they didn't feel that we needed to spend the money to redo the comp plan if there were no changes. There is only 1% of growth per year, so do we want to spend \$50,000 to \$100,000 if it hasn't changed. Mr. Aigeldinger said that all of townships around us are changing and Monroe hasn't changed yet. Mr. Kehoe suggested that comp plan is a discussion for another time, but not tonight.

Mike Brymesser, 1477 Leidigh Drive, said growing up on the farm his whole life there have always been concerns about water. They have probably done 2 million dollars' worth of work over the years to prevent water runoff and damages. They will be one of the higher paying

farms and would ask that the Board look at ways to spread out the fee instead of docking the farmers more.

CONSENT AGENDA

1. Approval of Minutes –January 6, 2020 Reorganization & Regular Meeting
- January 29, 2020 Special Meeting and Stormwater Workshop
2. Roadmaster’s Report 1/1/20 – 1/31/20
3. Engineer/Zoning Officer’s Report 1/1/20 – 1/31/20
4. Approval of Bills (as prepared)

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to approve Consent Agenda items as listed, with edits to the minutes as provided.

OLD BUSINESS

BAMBOO ORDINANCE

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to table the Bamboo Ordinance.

STORMWATER FEE STUDY UPDATE

Mr. Rogalski stated that in January GHD provided a document showing several options to choose from. Choosing an option on how to assess the stormwater fee will allow us to move forward with drafting the ordinance and advertising to complying with the sunshine law. We are still 4 to 5 months away from implementing the billing. He reviewed that the options included a set fee for single family residences with some type of sliding scale for certain types of farms and non-profits or a larger fee for single family residences (SFR) that would take away some of the sliding scale for the farms. For example, if all farms were considered SFR the fee would be around \$35 per quarter as a single equivalent residential unit (ERU). Non-profit and commercial fees would pay \$35 per ERU, depending on the impervious surface. Williams Grove Steam Engine Associate has 182 ERU’s is an example of one of the highest fees. Mr. Kehoe added that the range for SFR would be \$120 to \$140 per year and the impact is really on the family farms and the commercial and non-profits. Mr. Rogalski stated that the numbers provided tonight are not final and need to be reviewed again. Credit options have been mentioned, but details need to be finalized once a decision is made.

Mr. Kehoe added that if the township doesn’t comply with the work required by the MS4 permit there could be enforcement action taken against us by the DEP. Mr. Rogalski has heard the fines are \$10,000 per day per offense and he would hate for Monroe to be the target of this. Mr. Kehoe added that he is concerned about the cost of legal representation if we go against the mandate.

Mr. Tasker suggested just increasing the taxes since they are based on the assessed value. This would be fair and the Board wouldn’t have to determine how each group gets charged. Mr. Kuhl said that then non-profits would not pay a fee, such as the school and churches causing

even higher rates. Jason Nailor, who sat on the Stormwater Commission in Silver Spring Township, added that the school will pass along the fee to tax payers, so we are still going to pay their portion. Mr. Stamy asked if there is a calculation for the amount of water that the farms collect. Farmers collect runoff from everyone around them and it is frustrating that the farmers will still be charged. He added that MS4 doesn't have a number to show how much clean up is needed. Calculate a number first and then go from there. He added that his is on the Ag Steering Committee and the fee is hitting farmers from several angles with having to pay through conservation plan and manure management plan. If farmers comply with these plans and hopefully that will help with credits.

Mr. Garman asked if we have talked to other townships to see how they are handling this. Spreading the word and working together could help our case than fighting this alone. Mr. Kuhl said York County tried the approach to have the county work together on this, but it fell apart because there was too much finger pointing. The western portion of Cumberland County isn't affected by MS4, except for Shippensburg. The Federal government looked a population to density to determine urban areas that have to comply with MS4 requirements.

Mr. Kehoe said that a decision is needed tonight to keep the ball rolling on putting the process in place. That also gives us time to look into the appeal process or to see if the legislatures can do something.

Mr. Stamy said that there is no information and no facts of what the MS4 regulation are to fix and that should be determined before moving forward. Mr. Rogalski said that is some truth to that and some not, there was a very structured process Monroe had to go through and they wanted a 10% reduction. The township was issued a permit and there has been a law enacted, so proceed at your own risk if you don't choose to comply with it.

Mr. Paulus stated there were 3 options provided, but what about option of charging everyone in the township the same rate. Mr. Rogalski said there are 2,200 parcels which would calculate to approximately \$50 per quarter per parcel or \$200 per year. Mr. Paulus feels this would be a great option for all involved and not impact any area more than another.

Mr. Kehoe is concerned that those on fixed incomes will be affected more and it will also be harder to work through private/public partnerships which could be encourage and negotiated as part of the credit program.

Mr. Stamy asked what happens if the legislation gets rid of the MS4 requirements across the board then where would the township get the money since this isn't just for MS4 work. Mr. Kehoe said the work would be on a smaller level and then work into our annual operating budget, the fee could then possibly be a tax change. Mr. Rogalski added that the township can't support the road maintenance operation with just the liquid fuels money any longer.

Mr. Nailor mentioned that House Bill 1026 could cap how much farmers pay toward the stormwater fee. If the blanket amount is agreed upon the cap wouldn't affect the income. Mr. Kehoe added that the stormwater fee will be privately funded, not borrowing money which gives us the flexibility to recalculate and adjust the rate if need be. Mr. Rogalski added that after the first 2-years a recalculation should be done to make sure the numbers are working.

Mr. Swartz added that 4 options were provided and Mr. Paulus presented a 5th option which would decrease the administration fees and having to calculate credits being charged. Mr. Rogalski added that with the new option credits wouldn't be offered.

Ms. Weller said that as a single homeowner that it is important to maintain the township and our way of life and is willing to come up with the extra money to keep the farms do have to pay more.

On the motion of Mr. Kuhl, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors, it was duly RESOLVED to treat all parcels equally and instruct our engineer and consulting firm to calculate the amount based on the assumption of a third quarter start up.

Mr. Castle feels this is a good start and fair to everybody. And if we want to maintain the beauty and desirability of the township without fracturing our farmers than this is the way to go. Mr. Kehoe added that this would give time to Representative. Keefer and Senator Regan to help straighten this up.

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to authorized the solicitor to draft an ordinance implementing the stormwater fee.

Mr. Kehoe thanked everyone for coming out and being engaged in the discussion.

EMERGENCY MANANGEMENT – FUNCTIONAL NEEDS REGISTRY

Mr. Eberly said a draft form for the FNR has been provided. The biggest question is how the data will be securely stored and then shard with the appropriate individuals. Mr. Kuhl asked Ms. Lowery to contact our IT providers for input. The Board asked who all is to have access to this data. Mr. Eberly said the Emergency Management Coordinator and Deputy would have access and be able to share the information when appropriate with the proper agencies.

Mr. Eberly asked if the draft form was okay with the Board. Mr. Kehoe suggested the form be dated when it was completed, add a space for age, not date of birth, and adding a photo for those with Alzheimer or dementia is a good idea.

On the motion of Mr. Kuhl, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors, it was duly RESOLVED to work with the office staff to proceed with the Functional Needs Registry collection once proper storage has been determined.

FPR FOLLOW UP

Mr. Kehoe said that he heard from Representative Keefer who is working with other officials and the state to convert the current outdated guidelines with more updated and enforceable regulations.

CLOUSER ROAD DRAINAGE ISSUE UPDATE

Mr. Rogalski said that Mr. Gleeson created an agreement that clarifies the work to be done with the township and work to be done by the property owner.

UPDATES: 174/W. LISBURN INTERSECTION AND CURVES ON YORK ROAD

Mr. Rogalski said he provided a quote in December to relocate the warning flashers at the intersection of 174 and W. Lisburn Road at a cost of \$25,000. He recommends that we pursue the ARLE grant that will become available to help cover the cost.

The Board asked if there are other options available to help improve the intersection such as LED lights or a red flashing light on the stop sign and intersection lighting. Mr. Rogalski will look into these suggestions and see what is PennDOT approved. Mr. Kehoe added that if any of the options are approved, we could also use them on Locust Point Road and Old Stone House Road.

Mr. Rogalski said the curves on York Road have been visited and it was determined that some of the PennDOT signage is missing. PennDOT has agreed to repost the signs and evaluate if any additional signage is needed.

NEW BUSINESS

ACCEPT RESIGNATION OF BARB KEFFER, RECREATION BOARD

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors, it was duly RESOLVED to accept Barb Keffer's resignation from the Recreation Board.

TRINDLE STATION BOND REDUCTION, SECTIONS 5 AND 6

Mr. Rogalski has reviewed the request and recommends that Section 5 be reduced by \$53,407.41 and Section 6 be reduced by \$4,134.36.

On the motion of Mr. Kuhl, and seconded by Mr. Castle, and by unanimous vote of the Supervisors, it was duly RESOLVED to approve the bond reduction by \$53,407.41 for Section 5 and by \$4134.36 for Section 6 per Mr. Rogalski's memo dated February 10, 2020.

PORCHES OF ALLENBERRY PHASE II DEVELOPMENT PLAN

Justin Kuhn, representing the Porches of Allenberry, stated that comments have been addressed and the Planning Commission recommended approval of the plan and waivers.

Mr. Rogalski added that the waivers were approved as part of the preliminary plan and recommends approval contingent upon all comments being addressed. Mr. Pykosh would like to review the declaration plats.

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to approve the Porches of Allenberry, Phase II contingent upon comments being satisfied from the engineer's memo dated February 5, 2020 and the solicitor reviewing the declaration plats.

JM YOUNG PAYMENT REQUEST – ROOF

Mr. Rogalski said the punch list has been completed, except for the downspout boots that need to be fixed. He requests the Board authorize the payment, but not to issue until the work is completed.

On the motion of Mr. Castle, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to authorize preparing the final payment to JM Young for the roof work, but not to issue until the downspout boot work has been completed.

OLD STONE HOUSE ROAD SPEED LIMIT REDUCTION REQUEST

Mr. Rogalski said that a letter and petition signed by 40 people was submitted requesting the speed limit on Old Stone House Road be lowered to 25 mph. This is a state road, so a letter can be sent to PennDOT which will prompt them to perform a speed study. This is a gamble because they could ultimately recommend a higher speed limit. Or a letter could be sent to PennDOT requesting the speed limit be lowered due to the denser population of the area.

On the motion of Mr. Kuhl, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors, it was duly RESOLVED to send a letter to PennDOT requesting the speed on Old Stone House Road be reduced to the statutory 25 mph.

2020 ROAD PROJECTS/BID APPROVAL

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors it was duly RESOLVED to authorize bidding the seal coat, line painting and Blossom Terrace paving for 2020 per the memo dated February 5, 2020.

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to approve the two pipe replacements on Spring Lane for 2020 per the memo dated February 5, 2020.

JUSTIN EBERLY – LETTER OF SUPPORT REQUEST

Mr. Eberly requested a letter of recommendation from the township to be considered for the United States Fire Administration's Executive Fire Academy. He added that this is a 2-year program and there would be no cost to the township. Mr. Kehoe asked if the professional certification would change the relationship between the township and the volunteer Emergency Management Coordinator, such as the level of liability. Mr. Eberly said there would be no additional liability, just more tools to use for the community.

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to provide Mr. Eberly with a letter of recommendation for the Executive Fire Officer Program.

Mr. Eberly provided a monthly report showing items that he has been working on.

FIRE COMPANY ROOF REPAIR REQUEST

The fire company submitted a request to repair the roof at a cost of \$4,895.00. Deputy Fire Chief, Christopher Wilkening, was present and explained the roof had work done 5-6 years ago and needs to be resealed. Mr. Kuhl would like to make sure the roof company specializes in metal buildings.

On the motion of Mr. Kehoe, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to approve the roof repair at the fire house, not to exceed \$5,000.

FIRE COMPANY BUILDING PAINT BID

Mr. Castle stated the building painting was going to be bid and questioned the color scheme. Ms. Lowery said the Board had already agreed to keep the paint colors the same as they currently are. Mr. Kehoe suggested postponing the building painting since there is an unexpected roof repair that must be done.

On the motion of Mr. Kuhl, and seconded by Mr. Castle, and by majority vote of the Supervisors, it was duly RESOLVED to authorize bidding for the painting of the fire company building. Mr. Kehoe was opposed.

FIRE COMPANY RADIO REIMBURSEMENT REQUEST

Mr. Kehoe explained that the original radio project was for 26 radios at a cost of \$18,000. The 2019 budget included \$14,000 toward the radios, but the reimbursement request was submitted in early 2020. The 2020 budget only included \$10,000 toward the radios. He believes this was just a timing issue at the end of the year. Mr. Kuhl agreed and said this was not the fault of the fire company. Mr. Wilkening said that the work was delayed because they needed licensing for Adams County.

The Board agreed that the township and fire company need to work positively together and asked Mr. Wilkening if he had any suggestions. Mr. Wilkening said that communication is needed, but both sides need to back off a notch and items of concern need to be discussed. He added that the budget is the largest area of contention because it seems to happen too late and too fast. He suggested starting much earlier to discuss the budget numbers and plans. Mr. Kuhl said he would be interested in seeing a long-term plan for big ticket items. Mr. Wilkening said the Board just needs to send a request to the fire company for the information they would like.

On the motion of Mr. Kuhl, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors, it was duly RESOLVED to authorizing paying \$14,000 to the fire company toward the radio upgrade.

STAFF COMMENTS

Mr. Kuhl mentioned that Cap Cog will be sending out information about a safer grant to help the fire companies and retain volunteers.

Mr. Kehoe stated that he attending the Cumberland Valley School District Outreach meeting where he learned that CV is one of only a few school districts in the nation that have positive growth in all grade levels, with significant growth in kindergarten, 1st, 4th and 5th grades. Monroe Elementary school will be over capacity next year, so more classrooms will need to be added or redistricting will need to be done. Legislation also just passed that volunteer firefighters will have free access to college at state universities with specific regulations. He also learned that the school offers a gold pass, which gives senior citizens free access to athletic events and would like to have this added to the website. There was also a brief discussion about the study to convert the Good Hope Middle School to a 9th grade academy.

Mr. Castle would like to see something done with a nuisance ordinance and we need to keep moving on the wedding venue on Rt 74. Mr. Pykosh said this matter is in the courts.

Mr. Castle asked everybody to remember our troops, police officers and first responders. Trivia: What was the first product to issue a coupon in the US? Coca-Cola. Quote: "While I take inspiration from the past, like most Americans, I live for the future." – Ronald Regan.

Mr. Castle thanked Mr. Kuhl for nominating him for the Chairman position last month, but due to upcoming procedures, he would like to step down to Vice-Chairman.

On the motion of Mr. Castle, and seconded by Mr. Kuhl, and by unanimous vote of the Supervisors, it was duly RESOLVED to nominate Mr. Kehoe as the Chairman of the Board.

ADJOURN

The meeting was adjourned at 10:03 PM.

Respectfully submitted,

Karen M. Lowery,
Secretary/Treasurer

TO: Board of Supervisors
 FROM: Greg Hertzler, Roadmaster
 DATE: 1-30-2020
 SUBJECT: Roadmaster's Report

PROJECTS BEING WORKED ON

PROJECTS	NOTES	ESTIMATED COMPLETION DATE
Cut Brush		On Going
Curve Studys		On Going
Apply Salt brine	Anti ice	On going
Plow and salt roads		On going
Clean out shop	Unwanted items Fill in work	On Going
Build stand	For Brush cutting basket	2/29/2020
Replace broken bench boards		On going
Make new garden number signs		2/29/2020

PROJECTS COMPLETED

PROJECTS	NOTES	COMPLETION DATE
Cut Brush		On going
Fix winches	Pump stations that were broken	1/3/2020
Locate sewer line	New hook up Lisburn road	1/6/2020
Oil and chip Bid	Get bid together to go out	1/6/2020
LTAP Curve Study	Tech assist	1/7/2020
Plow drifts		1/9/2020
Roof inspection	Rear building	1/9/2020
Line painting Bid	Get bid togther to go out	1/10/2020
Fix signs	Wind damage	1/13/2020
Install and test brine tank	#4	1/15/2020
Trimmed bushes	Around rental hall	1/15/2020
Flagger class		1/15/2020
Receive salt		1/17/2020
Repair #1	Transmission leak	1/21/2020
Mix Salt and anti skid		1/21/2020
Haul salt brine	From Lower Allen Twp.	1/22/2019
Haul Anti skid		1/22/2019
Wax Floors	Office and rental hall	1/23/2020

Fix #1	Salt Spreader	1/23/2020
Fix #1	Air Dryer	1/23/2019
Take off brine tank on #4	Switch to get ready to cut brush	1/24/2020
Clean up trucks and equipment	After snow event	On going

Salted Roads 3 times in January

Plowed Roads 2 times

Pretreat Roads 2 times

MEMORANDUM

TO: Monroe Township Board of Supervisors

FROM: Gregory R. Rogalski, PE
Monroe Township Engineer/Zoning Officer

DATE: February 5, 2020

SUBJECT: January Activity Report
File Reference No. MNTWP MTG20

The following activities were performed during the period between 12/31/19 and 2/5/20:

ENGINEER

1. Reviewed one stormwater management application.
2. Reviewed proposed 2020 road projects including Blossom Terrace paving and Kuhn Road widening.

ZONING

1. Issued 3 Zoning Permits and 14 Building Permits for a total of \$3,360,000 in new construction.
2. Responded to phone calls and attended one meeting regarding requirements for zoning/building permits and zoning and subdivision and land development regulations.
3. Held office hours every other Tuesday from 8:30 AM to 12:00 PM which included 7 meetings with residents during those periods.

CAPITAL PLANNING

1. ACTION ITEM: Initial contact to be made with the property owner at Eppley & S. Locust Point Road (Lehrman) to inquire about possible dedication of right-of-way for future sight distance improvements at this location. **NOTIFICATION ISSUED, PROPERTY OWNER REVIEWING REQUEST.**
2. ACTION ITEM: Perform a survey of the residents in the Monroe Acres area to develop a project scope for modifications to the existing park area, with possible Rec Board involvement. Develop a Master Plan for the Monroe Acres area based on responses received from resident surveys, incorporating MS4 stormwater improvements. **SURVEY HAS BEEN DISTRIBUTED AND RESULTS HAVE BEEN TABULATED.**
3. ACTION ITEM: Establish a road maintenance capital planning document, which identifies future maintenance work for budgeting purposes. **BLOSSOM TERRANCE PAVING TO BE BID OVER THE WINTER AND SCHEDULED FOR SPRING 2020.**
4. ACTION ITEM: Make contact with property owners at the intersection of Trindle Road and Sinclair Road to obtain additional right-of-way for the signalization project. **PROPERTY ACQUISITION COMPLETE, CONSTRUCTION SCHEDULED FOR SPRING 2020.**

cc: A-File
File