

August 7, 2014
7:00 PM

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

ATTENDANCE

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

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

SPEAKERS FROM THE AUDIENCE

Sheldon Brymesser had concerns with the sign regulations as they are written as part of the Zoning Ordinance. As long as the sign does not interfere with the intersection or site distance, that is all that should be necessary. He didn't know anything about fees being involved. He also questioned why some of the farmers who are selling produce have not been grandfathered for their signs, because the families have been selling produce for generations. He mentioned the advertising that is being done by Giant about buying and selling locally. He asked the Board to take another look at the sign portion of the ordinance to see if it can revamped.

Mr. Kehoe questioned if Giant could be approached about buying from our township businesses if they are supporting the grow local/sell local program. The school has some connections with Giant. It may be an opportunity to help. Mr. Rogalski said Oak Grove and Ashcombe are mentioned in Giant's advertising, and sell their products to them.

Steve Paulus expressed his concerns with the changes to the zoning ordinance that affects his signs. The Planning Commission reviewed the amendments very thoroughly, but maybe some of these changes were misunderstood, and the fee issue was not mentioned. He has worked very hard with Mr. Rogalski to get approval for his signs for his farm business since the ordinance changes were passed. The fee for the PennDOT signs is \$800 each. With his business only being open May – November, that is a big chunk of money because he would need three. He paid money to have professional signs made and then someone came and took them down. Oak Grove and Ashcombe are the large scale operations when exploring the ideas of selling to Giant and other stores. When going through the process for his signs, he met with Greg numerous times. He got a letter signed by the property owner. There was never a question of the placement of the sign at the intersection of Route 174 and Lisburn Road. He hired a graphic designer, and made sure the sign was a certain size. The permit was approved verbally, but the paperwork was not completed. He wanted his sign up for Memorial Day because of selling beef. Greg went on vacation and when he returned the issue of the intersection was raised. The collector street matter was brought up, which the ordinance conflicts with PennDOT on the road designations. He has a lot of money invested in his operation. He has a neighbor providing lamb and another chicken from another. He received a denial letter from Greg and the sign came down but the post is still there. Now a variance is needed, which will be more money. And the

variance is because the township didn't update a section of the ordinance to match up with PennDOT's road designations.

Mr. Kehoe said the sign regulations also cover real estate signs, not just farm signs. The best practices from other townships were considered when we did our ordinance. Mr. Rogalski said the intent was to reign in some of the out of control stuff.

Mr. Paulus said the farmers only have a certain amount of time to put customers in their locations, and that is what the signs are supposed to help with. He spent a lot of money and did everything Mr. Rogalski asked of him. Farmers must do their own promotions. Some of us are being contacted by the Farm to Fork program. People come here because of the produce, and because of the job the farmers do. To be lumped with the real estate signs or big corporations is not right. Someone's word used to mean something. Eric Bricker is only open six weeks a year, and he needs to be able to draw the people in. Willis Brubaker is selling tomatoes and baked goods. He moved his sign so it isn't taken down. We work as a group, and the township is hurting all of us. He asked the Board to make a decision so he could put his sign up. His family needs it.

Mr. Simmons said he understands the point and the Board will see what we can do.

Traci Gleim, is a member of the Middlesex Township Planning Commission and a farmer. Farmers need to keep a voice in their local government. He mentioned a man who is building three greenhouses to grow tomatoes to sell to stores. He figured out how to use a commercial piece of ground by the railroad to for his business. We need jobs to pay our bills and taxes. Agriculture is on the move. Buying local is important. Dickinson College has a farm. The Walter Biddlesaw School is growing crops to sell. If you are growing local, you need a sign. He suggested the Board revisit the ordinance. Temporary directional signs are needed. Middlesex doesn't charge a fee. Everyone wants to promote agriculture and save it. The township should do what they can to help the little guy selling his produce. Government should help people get ahead, not fight them.

Mr. Kehoe said the township did not touch the regulations on having signs on your property.

Ben Shughart, of Trindle Road, questioned if any of the Board members are business owners, and how much time and money they have tied up in their businesses. It takes a lot of money to run a business, and a lot of money gets tied up. So why is the township requesting a lot of money to be spent to get a small sign on private property. A variance can cost hundreds. He sells his lamb in Steve's store. Without signs, how would you know the lamb is there? He asked the Board to have some sympathy for the small business owners.

Mr. Castle said the township spent a lot of time on the ordinance revisions. He suggested the Planning Commission look at it to see if they want to give us some ideas, but stay within the guidelines.

Mr. Simmons said there is a need here. Maybe a revision could be made, especially for people like Bricker. Maybe allow a directional sign with an arrow for the farmers. Mr. Paulus has a point. I have always been for the farmers. I know how tough it is. Try to come up with a solution to the problem. Get ideas and see what we can come up with for this year.

Mr. Rogalski said the enforcement and action was valid. To make a change would take about 90 days. The fee issue could be resolved easier. It could be changed at the next meeting.

Mr. Kehoe said the Board will start with the process of having Mr. Rogalski making a recommendation. Mr. Pykosh said procedurally, it has to go to the Planning Commission before the Supervisors. Mr. Kehoe said no one did anything wrong. We are enforcing what we have. There are two issues as he understands: 1) signs that can be measured by the weeks, or season of crop; and 2) sign at the intersection of Route 174 and Lisburn Road.

Mr. Brymesser said directional signs are very important. The grandfathering could rectify the situation. Brickers have been selling strawberries for decades, and always had signs. I think Steve Paulus' father sold corn, and there were probably signs.

Mr. Rogalski said those signs were not erected before the ordinance. Prior to the ordinance amendments, there was no directional signs allowed. Now we are allowing two.

Mr. Paulus suggested the newsletter would be a resource to promote agriculture. We have the farmers with the best produce in the school district. We need to educate the people on the importance of agriculture. He thanked the Board for their patience this evening.

EXECUTIVE SESSION

Mr. Kehoe announced that there will be an executive session held after tonight's meeting to discuss a personnel matter.

APPROVAL OF MINUTES

On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors, it was duly RESOLVED to approve the minutes of the July 10, 2014 regular meeting, with several editorial changes.

On the motion of Mr. Kehoe, and seconded by Mr. Simmons, and by majority vote of the Supervisors, it was duly RESOLVED to approve the minutes of the June 12, 2014 Audit workshop. Mr. Castle abstained from voting.

ADMINISTRATIVE REPORT

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the Administrative Report.

ROADMASTER REPORT

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

EMERGENCY MANAGEMENT REPORT No report.

UNFINISHED BUSINESS

PERSONNEL MANUAL

This matter was tabled. The Board will try to review the draft by next meeting, and get the draft cleaned up before it is reviewed by the employees.

ZONING HEARING BOARD APPOINTMENT

This matter was tabled. The Board will try to select two or three names for the next meeting and then make a decision.

FRANCHISE FEES

The Board of Supervisors expressed their interest in taking a portion of the franchise fees collected and putting it in a rainy day fund. This money could be used for whatever is needed at the time, whether it is to replace a building roof, or repair a sewer pump station. The PA Code says a specific reserve fund would have to be restricted for a specific use. Mr. Kehoe spoke to our auditing firm who said a “rainy day” fund in its purest form is the General Fund. The Auditor recommended that a spread sheet could be used to track the franchise fee allocations. The Board could set a percentage of the allocation to be used for discretionary spending for any issue, whether it is recreation, building, sewer, etc. The money would then be transferred for that use.

Mr. Castle understands the sewer must be paid for by the sewer users. Ms. Metzger shared her understanding of the use of General Fund money also. Mr. Pykosh mentioned he spoke to bond counsel about the liquidating sewer debt being paid for from the appropriate fund, and user fees. Supplemental payments may be able to be made as long as the liquidated debt structure is not changed.

The Board agreed to earmark 50% of the franchise fees to be put towards needed expenditures. The staff will check into the matter of what specifically the franchise fees can be used for, and the question of whether General Fund monies can be used for any purpose.

NEW BUSINESS

SEWER ORDINANCE 2014-05

The Board will consider the idea of using the water shut off as a tool for delinquent sewer accounts. A letter would be sent giving so much time for the sewer bill to be paid, and if it isn't, the township could request the public water to be shut off.

Mr. Kehoe said if the customer is communicating and engaging with the township, we don't have to go through with the water shut off. Mr. Castle questioned if shutting the water off is a conflict with the Second Class Township Code of providing the health, welfare, and safety of the residents. Mr. Pykosh said it is not a conflict.

Mr. Pykosh said other townships are using this method of shutting the water off to get customers to pay their bill. A letter would be sent indicating the township's intent and providing a date. The resident could share information if there are any medical reasons why the water can't be shut off.

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to authorize the advertisement of proposed Ordinance 2014-05.

TRINDLE STATION – PHASE 2, SECTION 6

Rick Castranio present. The Phase 2, Section 6 plan was approved by the Board in November 2011. There are two waivers being requested.

Mr. Pykosh prepared the standard agreement that must be signed and recorded with the plan. Also, a note must be added to the plan referencing the agreement.

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to grant the two waivers for Trindle Station, Phase 2, Section 6 as follows: 1) Section 403.6.17 – Reducing the plans to 18 x 24 prior to recording; and 2) Section 403.6.20 – Payment of Recreation Fees to be done at application for each building lot.

CHART OF ACCOUNTS

The requests being made by the Auditing firm are being worked on and incorporated into the proposed budget for 2015.

ALLENBERRY TAX ASSESSMENT APPEAL

Mr. Pykosh had the Stipulation and Joint Motion for the Agreed Order for Allenberry Incorporated Tax Assessment Appeal.

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to authorize the Solicitor to file the Stipulation for the Allenberry Tax Assessment Appeal.

VERIZON WIRELESS

Greg Rogalski mentioned that Verizon will be presenting a proposal at the September 11 meeting about putting a tower at the firehouse property. Mr. Pykosh said he has talked to their attorney about some ideas and options with the zoning requirements.

AMUSEMENT TAX

Mr. Simmons mentioned Allenberry is delinquent in paying their amusement tax. He questioned how much money is received from Williams Grove Speedway, and asked about the camping and box seats. He asked about putting counters at the gates because we deserve the right amount of tax money. The Board agreed to put the amusement tax on the next agenda to evaluate the amusement tax ordinance, interpretation of the ordinance for the speedway box seats and camping, and how to handle the delinquent tax due from Allenberry. Mr. Simmons mentioned Cold Springs is trying to get a gambling permit, and Rockwell's has arcade games.

BILLS

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

STAFF COMMENTS:

Mr. Kehoe would like to prepare a list of major expenses for 2015 as the budget is being worked on. He would also like to keep a list of items that could be used for applying for grants. He apologized for not moving on the Infrastructure Asset Management proposal from Barton & Loguidice. The Municipal Authority will be asked to make a recommendation.

There may be a new requirement for a Storm Water Authority to be created and appointed. Mr. Bruening said in Hampden Township the Sewer Authority handles this requirement. It is a long process.

There is a storm water training being held by COG on September 16. Mr. Kehoe will try to attend the first session which is for elected officials. Mr. Simmons will attend if Mr. Kehoe cannot. Also, a representative from the road department should also attend.

Mr. Bruening is working on a layout for the Parkview property. He showed a rough draft of the driveway access toward the tree line. The cars would pull up to the tree line, with the driveway access behind that. The Board agreed to have Mr. Bruening work with Ms. Lowery and the Recreation Board on a layout for the land.

Mr. Kehoe mentioned the newsletter, under the fire company article, should include the word “free” when mentioning the smoke detectors.

Mr. Kehoe mentioned there is an issue of questionable vehicles and persons parking in the area of Kuhn and Asper. This will be discussed at the next meeting. Mr. Rogalski will do some checking on this matter.

Mr. Castle asked for thoughts and prayers for the troops and their families. The next meeting is September 11 at 7 PM. The Agriculture Security meeting will be held on September 11 at 6 PM. The workshop with the fire company will be held on August 26 at 6 PM. The trivia question: What branch of the military is the oldest? ARMY. The quote of the day: “Happiness often sneaks in through a door you didn’t know you let open.” *John Barrymore*. God Bless America.

ADJOURN

The meeting was adjourned at 9:10 PM.

Respectfully submitted,

Marjorie E. Metzger
Secretary/Treasurer