

August 9, 2012
7:00 PM

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

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

SPEAKERS FROM THE AUDIENCE

Walter Miller, 412 Lamp Post Lane, Camp Hill, was present to discuss a letter he received from Greg Rogalski concerning a violation at 1294 Brandt Road. He purchased the property from Harold Deardorff without the knowledge of an agreement being in place with the township concerning the use of the property. He bought it with the idea of it being an income property. He poured concrete in the lower level for garage space. This places an economic hardship on him.

Mr. Rogalski said Mr. Miller just needs to get a permit and pay the fee for the concrete work. He has asked Mike Pykosh to look at the agreement and advise the Board of the next step. It does appear to be a violation of the agreement.

Randy Jackson is following the sewer delinquency matter.

Mervin Ruppert complained about all the mud on the road from Oak Grove and asked if the township can do anything. Mr. Rogalski suggested contacting Mr. Lebo and the Conservation District. Mr. Rogalski will also contact Mr. Lebo.

Mark Farrell read the prepared report of the emergency calls and other events held for the fire company for the second quarter of 2012. This report will be kept on file and posted on the fire department's website.

Mr. Kehoe mentioned the work being done the past few months on updating the emergency operation plan, and asked if the fire company had any issues with it. Mr. Farrell said no.

Nevin & Pam Myers, 1290 Brandt Road, were present with the concern of what is happening at 1294 Brandt Road. Mr. Myer provided some background information on the matter, the hearings that were held, and the agreement between the township and Mr. Deardorff. His wife and him have endured quite a lot from this matter, and have protested along with other neighbors. Mr. Deardorff had a sewer lien and was in violation of the agreement with the township until the day he sold the property. This is unfair to the other residents, especially those adjacent. He asked the Board to uphold the agreement.

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 July 12, 2012 Regular meeting.

REPORTS

ROADMASTER'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 accept the Roadmaster's Report.

Mr. Kehoe mentioned the firehouse parking lot looks great. Mr. Castle said it was much needed.

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 accept the Zoning Officer's report.

UNFINISHED BUSINESS

TRASH/RECYCLING BID

A final correction was made on page 52 by the Solicitor.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to accept the Request for Proposal (RFP), and to advertise the bid package at this time.

AQUA BOND REQUEST

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to release the following bonds for the Aqua Water road cuts: 1) Permit 09-14 security in the amount of \$175,230; and 2) permit 10-01 security in the amount of \$71,925.

NEW BUSINESS

JOHN MUSSER FINAL SUBDIVISION PLAN

On the motion of Mr. Castle, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors it was duly RESOLVED to table the John Musser final subdivision plan.

SOUTH MIDDLETON TOWNSHIP MUNICIPAL AUTHORITY – LAND DEVELOPMENT

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to grant a 90 day time extension to the South Middleton Township Municipal Authority land development plan, as requested.

COCKLEYS MEADOW METER UPGRADE

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 July 3, 2012 proposal from W.G. Maldon in the amount of \$3,300. to install a wireless radio telemetry system to the Cockley's Meadow meter.

LEIDIGH PUMP CALIBRATION

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 July 17, 2012 proposal from Control Systems 21 in the amount of \$395. To calibrate the flowmeter at the Leidigh pump station.

STREET SWEEPER

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to advertise for bids for a used sweeper, as proposed.

MIDDLE FARM SEWAGE MODULE

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to transmit the Middle Farm sewage module to DEP.

WILLIAMS GROVE HISTORICAL STEAM ENGINE ASSOCIATION – SKETCH

Chris Hoover present. The Association is interested in making some improvements, constructing a few buildings, and adding restroom facilities. There is a concern with trying to comply with the storm water management ordinance. There are about 22 acres of impervious area, which includes the stone area for the flea market and existing driveways. The Association wants to add about two more acres of additional impervious area with buildings. To comply with the storm water ordinance, he must take all that area on the site back to meadow conditions. That would end in the result of the entire site being turned into a detention facility, or wouldn't allow the Association to make the improvements at all. He attended the Planning Commission meeting, where the Board expressed interest in trying to work with the Association and provide some type of relief. He also spoke with Kirk Stoner from the County Planning Commission, and the requirements of the county storm water ordinance which is not as stringent as the township ordinance. It allows for 80% credit for the impervious area on the site when storm water calculations are done. Mr. Hoover is asking the Supervisors to consider some type of partial waiver or relief from the storm water management requirements so they can comply and move forward with the project. The Association is looking at

purchasing adjacent land from Mr. Diehl, which is located in the direction that a lot of the water travels. At some point in the future it could be a consolidated parcel and the idea of using the Diehl property to help with the stormwater would be helpful.

Mr. Pykosh was concerned that the option exists that the Diehl farm could eventually be developed and then there would be a run off problem.

Mr. Bruening mentioned there is a sink hole near the property line that is also taking some water. Act 167 says you can't increase the peak flow of 100 years, or change the character. There are some options if the Board is considering some relief. This area is not part of the MS4 requirement, which is good.

Mr. Castle said he would like to be able to assist them if we can because they are an asset to the community. But we can't jeopardize the township. He suggested Mr. Bruening, Mr. Rogalski and Mr. Hoover sit down and discuss the options and come up with a couple ideas that might work that would be suitable and not jeopardize the township's position.

Mr. Hoover will see how close he can get to complying with the ordinance and then discuss the options. Mr. Simmons said he is not opposed to granting some relief and is interested in hearing what the options are.

SOUTH MIDDLETON TWP. MUN. AUTH. – UPDATED PROJECT BUDGET

Mr. Simmons mentioned the two meetings held with Monroe and South Middleton to discuss the sewer project. The original price of the project was approximately \$3.45 million. After negotiations, our share now is approximately \$2.15 million. Our share is down to 13.33% of the cost of many components of the project..

Mr. Castle mentioned Sam and Phil have done a whale of a job at looking out for the best of the township. He thanked them for looking into the percentages and costs.

Mr. Simmons thanked Mr. Bruening for his hard work in the process. He thinks the numbers are fair for both townships. We are paying our fair share, even though it is still a lot of money.

Ms. Sue Sunday attended the first meeting and noticed the hostility coming from across the table. Sam and Mark did a marvelous job in negotiating the lower rates, which were reduced almost 40%. Let's hope South Middleton does the right thing.

Mr. Kehoe noted the excellent job done by Mr. Bruening in pointing out this system was over-designed. The South Middleton Supervisors helped to facilitate our interactions which lead to our ability to negotiate. We worked within the confines that we were unable to change the design of the project even though it is over-designed. Remington Vernick & Beach did an excellent job in pointing out things to both Monroe Township and South Middleton Township. The southern district will get a rate increase for this debt, so let's pray South Middleton Authority will stick to what they said and accept the negotiated lower cost share.

Mr. Simmons mentioned there is a partial bond in place, but we may need to add to it for the entire project. Mr. Jackson asked what percentage we contribute now, and the response was 27%, but that goes down to 13.33% because we are not buying any more capacity.

Mr. Bruening will provide some information on where we are with the bond, and what additional funding may be needed.

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 updated project budget, where Monroe's share is \$2,157,544.

Mr. Bruening said there is a pre bid meeting on September 10 and the bids are due September 23. South Middleton stills needs the letter of compliance from us. They are looking to award the bid the beginning of 2013.

Mr. Rogalski noted that the DEP permit will be required for a building permit to be issued, and that DEP permit takes six months once it is applied for.

SEWER DEBT COLLECTION PROCESS

Mr. Pykosh did the title searches on the properties with sewer liens. The first letter he recommended goes to the property owner, stating we are collecting on the sewer lien and gives them 10 days to contact us to make payment arrangements. The second letter would go to the mortgage company, indicating the delinquent sewer lien, and being in their best interest to pay the lien on behalf of the borrower. These letters have been reviewed and approved by the Municipal Authority. Some people are already on payment plans, so they would not receive the letter. If nothing happens from the letters, then we consider other options such as a sheriff's sale, or reducing the judgment to a money judgment and collecting through the district justice.

Mr. Kehoe suggested highlighting the section of the letter that asks the homeowner to contact the township, making it simple. He asked if we have worked on the agreements with the two water companies. Mr. Bruening said there are notices that must be approved by the water companies that we will use to notify the home owner ahead of time. Mr. Kehoe mentioned the notice of delinquent collections that was included in the newsletter, and the more detailed notice that will be included in the upcoming sewer bills. He would be happy to be the sounding board and provide public relations input to anyone who takes exception to the policy. It is all about people being responsible. They are the ones who are carrying the burden.

Randy Jackson asked if the water companies are willing to work with us on turning the water off. Mr. Pykosh said they have agreed. Mr. Kehoe said they have done this with other townships.

SMTMA PAYMENT FOR SEWER DESIGN COSTS

Mr. Simmons said through July 9, 2012, our portion of the design costs of the sewer project is \$120,569.68. We should pay this and show we are in good faith paying our bills on time.

Mr. Kehoe suggested making the decision to pay, but holding the payment to see if South Middleton will agree with the % being 13.33. Mr. Bruening mentioned there is a contingency of 5%, so there could be a savings. We will settle up at the end.

Mr. Kehoe asked if the township makes the payment, are we waiving any right for future, if needed? Mr. Pykosh said he didn't think so.

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 payment of \$120,569.68, based on 13.33% of the current design costs to South Middleton Township Municipal Authority.

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

Mr. Bruening mentioned the drainage issue at 383 Stumpstown Road. An on-site meeting was held with Upper Allen and West Shore church representatives. Upper Allen Township agreed to pay for the pipe, and Monroe Township will install it. He does think there will be any problem with the walking path.

Mr. Bruening will provide an update on the sewer repair project, the budget, the H2O grant, and where we stand. Mr. Simmons suggested getting the road crew working on inspecting the clean outs in both districts, when their summer work slows down. Mr. Bruening said the new system has a lot of flow that is shouldn't Clean out caps have been mowed over, or knocked out. We can use the as-built plans to locate the laterals that are exposed and see if there is any remediation that can be done. The guys will keep tract of their time and will be paid from the northern or southern funds. A list of anything they find or correct will be made. Mr. Kehoe was concerned with the cost of this, especially knowing there are other things already going to affect the rate, so we should not charge the sewer districts yet. Mr. Bruening will get an idea of cost from Mr. Kerstetter.

Mr. Kehoe expressed his appreciation for the work Kent Kerstetter has been doing with the sewer. He has picked up on things and has been creative. He also thanked the Municipal Authority for getting the ball rolling on the collection process. They took the lead, and he is happy to support it.

Mr. Castle asked for the troops to be remembered. The next meeting is September 13. The township received \$22,386. from Cumberland County for an energy grant. School starts on August 27. God Bless America.

Mr. Simmons shared the letter from Bob Kissinger concerning the closing of the Criswell cul-de-sac entrance to the sewer plant property because of the construction project. This information will be shared in the newsletter, and we will make sure the fire company has access.

Mr. Simmons shared the thank you letter from the Cumberland Valley School district concerning the donation of the 2002 ATV Artic Cat 4-wheeler.

Mr. Simmons mentioned the donation request from the Halloween Parade committee. The Board was not interested in contributing because it was not included in the budget.

Mr. Simmons updated the Board on the West Shore EMS. They have taken a unit out of Mt. Holly. They are sending more Supervisors on their calls and getting their act together. They are running out of Lower and Upper Allen, and things are working well.

ADJOURN

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to adjourn at 8:45 PM.

Respectfully submitted,

Marjorie E. Metzger, Administrative Assistant