

June 12, 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

Michael Pykosh, Solicitor

Mark Bruening, Engineer

Samuel M. Simmons, III, Supervisor

Greg Rogalski, Zoning Officer

Marjorie Metzger, Administrative Assistant

SPEAKERS FROM THE AUDIENCE

Randy Jackson asked if there has been progress in collecting sewer delinquencies. Mr. Kehoe said yes, we continue to act and move forward. We have started discussions on the liens that have been outstanding for a long time and evaluating what to do next.

Mr. Jackson said the trees between him and Tamanini are dead and asked Mr. Bruening to check them. He also asked Mr. Bruening to look at the area where the street was to be extended to meet Monroe Street from the Trindle Station development. The drainage pipes and headers have been removed and backfilled. Mr. Rogalski said Mr. Tamanini made a statement about bringing a revised plan in for not extending that street.

APPROVAL OF MINUTES

**On the motion of Mr. Kehoe, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the minutes of the May 8, 2014 regular meeting, with several editorial changes.**

**On the motion of Mr. Kehoe, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the Zoning Ordinance workshop minutes from April 10, 2014.**

**On the motion of Mr. Kehoe, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the minutes of the May 8, 2014 workshop with Representatives Delozier and Reagan with a couple editorial changes.**

**On the motion of Mr. Kehoe, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the minutes of the May 21 joint workshop with the Supervisors and Municipal Authority.**

## LIBRARY REPORT

Sue Erdman was present and gave an update on the programs being offered at the Joseph Simpson library. Programs for adults are improving. Sue Simmons provided statistics on the amount of people using the library, types of services being used, items being borrowed, the summer reading program, and the benefits to the community. Mrs. Simmons also defined the increase in library use by township residents. She mentioned funding for the library is becoming a serious matter. They have asked the County for additional funding, which was turned down. They are asking all municipalities in the county for additional funding.

Mr. Kehoe placed this matter on the next meeting agenda to be discussed by the entire board. We will do anything we can do.

Mr. Simmons mentioned the library board and Ms. Simmons work tirelessly and they need the money. We need the library.

## LISBURN MEADOWS – SEWER CONNECTIONS

A letter was received, signed by Doug & Mary Stouffer, Tharon & Margaret Gilreath, Nick & Teri Kostelac, and Jerry & Shelly Johnston.

Doug Stouffer thought the boring for lateral connections was set and the township would be doing the boring, using one contractor. What changed? It is a financial concern. His cost estimate to connect to the sewer is \$13,000 - \$18,000. The boring would add an additional \$3,500. This is a connection fee to make up for the costs the township is incurring to make the connection. The liability of the boring would be put on the homeowner for the contractor to connect to the main. He mentioned there was a sink hole opened up within five feet of where he is proposing to connect, which took three loads of stone to fill. It makes you wonder what is going on with the main sewer line.

Tharon Gilreath said he agreed to the postponement of the sewer connection in 2001, and appreciated the extension. His estimate to connect now is \$11,500 to over \$12,000. That doesn't include the tapping fee, so that would take it to over \$16,000. That does not account for any rock. And now he is being asked to bore under the road, which will take his cost to over \$20,000. He had no issues before, but now he has an issue with paying the extra money. His lawyer advised him that the homeowner will ultimately be responsible if anything in the road goes wrong, or anything at the neighbors goes wrong, or anything down the line goes wrong. If he hires the contractor, he is responsible. He does not want to hire the contractor to bore under the road and have that responsibility. He thanked the Board for the opportunity to speak.

Nick Kostelac said he runs a construction company that does schools and townhomes and things like that. He has never seen a private citizen do the boring under any PennDOT road. They have very strict standards. There could be four contractors doing four bores and anything could go wrong. He doesn't think any of the homeowners have the insurance for that. He purchased his house 4-5 years ago and knew the sewer was coming. We all have children, college expenses, mortgages. He asked why the boring all changed. It doesn't seem right.

Jerry Johnston is concerned with the liability issue. In January 2014 he was excited to put his stake in his yard where he wanted to connect. We received the letter that the township was doing the boring. Why did the township change their mind? He questioned what happens if they don't hook up? He assumes a lien would be placed on the property. He suggested he could pay the tapping fee of \$4,016 to keep the lien off the property. He would pay the quarterly user rate and the township would be getting their money. He would work on his connection in steps because he doesn't have the \$20,000. He needs more time to make it more comfortable. The homeowners do not want to pay for the boring because of the liability. He questioned if the township lied about the boring?

Mr. Kehoe took exception to the statement about the township lying. The original discussion was whether the township could do the boring under the road for less than the \$4,000 tapping fee. That was the plan. Then we realized there have been private residents boring under township roads to connect to sewer. There is a new home next to the Joe Carr field that connected to the main. Homes within the 150' must connect to the sewer. If the township did the boring for the four homes in question, that would have set a precedent and the regulations would have to be changed. Mr. Bruening stated the regulations say any home within the 150' must connect to the sewer, whatever the cost may be. Mr. Kehoe said the liability issue has been brought to his attention this evening is a new item that has not been discussed.

Mr. Bruening said there have been two other lots on the other side of the road. They posted bonding for the tapping and boring for when the lots are sold in the Parkview Meadows subdivision. It is also written in the deeds, and that is what the regulations require. The Township must be the permittee of the highway occupancy permits from PennDOT. We already have the four permits. Those laterals from the main to the property line must be done by a contractor who is licensed and insured with liability. The Township will inspect for compliance with the regulations and according to the HOP permit. Once that is accepted, it becomes the responsibility of the township. Anything in the right-of-way that has been accepted and dedicated is the township's responsibility. From the lateral to the house is inspected by the building codes officer. PennDOT will sign off on the permit that it is completed and the township is responsible, other than the warranty period which is the contractor's responsibility.

Mr. Gilreath was concerned if the contractor reneges or goes bankrupt, then the homeowner is responsible because we hired him.

Mr. Pykosh said the township cannot do the work and then bill the homeowners over time. That is considered a loan and is not permitted by the Second Class Code.

Mr. Simmons suggested the option of the township hiring Wilbur Plumbing to do the four borings and the homeowners paying out right. It would have to be paid up front and all four homeowners would have to agree. The township was trying to lessen the burden by doing the boring and allow the homeowners to make payments over a period of time, but we can't do that. Mr. Bruening said a temporary construction easement would be needed from each homeowner to bring the line under the road and terminate it at each property.

Mr. Kehoe asked about the question raised about paying the tapping fee but not hooking on, in a way to buy some time. Mr. Pykosh said the idea is to have people hook into the system. We have that issue in another area where people are paying the fees but have not hooked in. The idea is to get more users. A ten year extension has been given. To pay the quarterly fee and get nothing for it should be a concern. Mr. Simmons said there is someone in Cockleys Meadow who has done that.

Mr. Kehoe took an informal non-binding survey, if the township is allowed to do the boring as a consolidated contract for all four homes, are the four homeowners all willing to pay the fee for the boring up front? That question will be answered at the next meeting after Mr. Pykosh researches the township's ability to do this.

Mr. Simmons thanked the residents for the way they acted this evening.

Mr. Kehoe said it is very frustrating. He is aware of the costs. In government, you can't run things like a business. We will try to get through this as painlessly as possible.

#### ADMINISTRATIVE REPORT

Mr. Kehoe mentioned this is a new report. The report as prepared is really good.

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present 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 present it was duly RESOLVED to approve the Roadmaster's report.**

#### ZONING OFFICER'S REPORT

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

#### EMERGENCY MANAGEMENT REPORT

**On the motion of Mr. Kehoe, and seconded by Mr. Simmons, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the Emergency Management report.**

NEW BUSINESS

COLUMBIA GAS – STORMWATER MANAGEMENT WAIVER REQUEST

Bill Osley and Bill Timmermeyer were present. There is an expansion project planned on Simmons Road to upgrade the equipment for the natural gas line.

Mr. Bruening said an easement is needed from Five Way Partners. An HOP permit is needed. Appendix 6 must be recorded.

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to grant the storm water waiver request for Columbia Gas.**

UNFINISHED BUSINESS

ATHLETIC FACILITY RESERVATION POLICY

Mr. Kehoe mentioned the reservation policy is used for various purposes, such as team tournaments, leagues for multiple months or entire seasons, and individual events, so the \$250 deposit that was talked about at last month's meeting would not work. He suggested getting the policy approved, get it published, and make updates as needed. Mr. Pykosh mentioned adding language for the hold harmless requirement for any disputes under number 9. Also, add language for personal injury. He will provide the changes to Karen.

Mr. Pykosh said the form should be signed by the person responsible for the event. Mr. Kehoe said there is a separate form that is signed. Mr. Pykosh wants to make sure the signed form refers to the policy document. It needs to be linked.

Mr. Kehoe said he has asked Karen to look at the hall rental form and policy and use the same updated language that is relevant.

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the Athletic Facility Reservation Policy, with the changes provided by Mr. Pykosh.**

MASTER PLAN FOR PARKVIEW LAND

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to table the master plan for the Parkview land.**

NEW BUSINESS

SILVER SPRING TOWNSHIP MUTUAL AID

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the mutual aid agreement with Silver Spring Township.**

AGRICULTURE SECURITY REQUEST

A request for inclusion in the agriculture security area has been received from Ian & Melanie Stamy, and John & Diane Stamy. The request will be reviewed by the Planning Commission and Agriculture Security Committee on July 2, 2014. The Board of Supervisors will take final action on September 11.

ALTERNATE SEWAGE ENFORCEMENT OFFICER

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to appoint Gary Morrow as an alternate sewage enforcement officer.**

ZONING HEARING BOARD RESIGNATION

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to accept the resignation of Gary Neights from the Zoning Hearing Board.** A letter of appreciation will be sent to Mr. Neights for all he has done for the township. The office is in the process of preparing a list of individuals interested in serving in this position.

FARM VIEW FIVE MILE RUN

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to approve the Farm View five mile run to take place on August 10, using Eppley, Brindle, and Clouser Roads, contingent upon receiving the required liability insurance coverage. Also, approval for using Locust Point Road will have to be approved by PennDOT.**

RESOLUTION 2014-08 – SIGN POLICY

**On the motion of Mr. Simmons, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors present it was duly RESOLVED to adopt Resolution 2014-08, which is for a sign maintenance policy.**

PERSONNEL MANUAL

Mr. Kehoe suggested reviewing the manual for the next meeting. The charts are a good idea, but there are some questions that need to be clarified, such as the fire company being independent but shown on the chart. It was agreed to have the Supervisors, Solicitor, and Administrative Assistant review the manual and make comments and suggestions to clean it up before it is released for all the employees to review. It may alleviate some confusion. The Board wants this to be a positive item.

BILLS

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

STAFF COMMENTS:

Mr. Bruening said letters were sent to the other two residents of Lisburn Meadows who must connect to the sewer. The main is on their side of the road. However, there is about one foot on PennDOT right-of-way, which requires a permit. The Board approved Mr. Bruening to proceed with getting PennDOT permits for these two properties.

Mr. Pykosh said a letter should be sent with regard to the sinkhole at 218 Meadow Lane, which is on the edge of the right-of-way.

Mr. Pykosh requested to meet with the Board in executive session to discuss a potential matter of litigation. The Board set the time and date for June 24, 2014 at 6:00 PM.

Mr. Simmons invited everyone to community day on June 21 and to enjoy the fireworks.

Mr. Kehoe asked about putting the U.S. congressmen in the Facts to Know. They are listed in the quarterly newsletters because there is not enough room in the Facts to Know.

Mr. Kehoe suggested having a workshop with the fire company in August to begin discussions on the 2015 budget. Dates will be checked. We also need to consider adding a category in the budget for MS4, and also make the changes to the chart of accounts that have been suggested in the audit report.

Mr. Kehoe asked for the troops and their families to be remembered. July 10 is the next meeting. The township office is closed on July 4. July 21 is community day, and we still need vendors and help. The Township received \$14,964 as our first rebate for the health insurance cooperative. We also received \$3,806 for our recycling efforts in 2012.

Mr. Simmons had a copy of the West Shore EMS advisory committee report.

ADJOURN

**The meeting was adjourned at 8:50 PM.**

Respectfully submitted,

Marjorie E. Metzger  
Administrative Assistant