

July 12, 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

Randy Jackson thanked the Board for their delinquency policy for sewer payments. The people paying their sewer bill are covering the costs of those who are not paying.

Sue Sunday announced the Friends of Churchtown are holding an ice cream social in the parking lot of the Mt. Zion Lutheran Church on August 7, from 6-8 PM, in conjunction with National Night Out.

Dick Beaty mentioned the West Shore Tax Bureau, which is now Cumberland County Tax Bureau, is moving to the Carlisle Pike area on August 1. They needed more office space because of the consolidation. The new location is more centralized and is better for Monroe Township residents. Collections have been okay. Mr. Beaty mentioned he may want to speak later on the matter of trash/recycling.

APPROVAL OF MINUTES

The Board talked about recalling the discussion that was held at the last meeting concerning the waiver for the recreation payment, and the desire to not pay it up front in one lump sum, but rather as each lot processes a building permit for the Sinclair Road subdivision plan. This would be beneficial to the developer. Although there was discussion about this at the last meeting, there was no recollection of any type of motion being made on this matter. Therefore, it was decided to amend the minutes as follows: Page 5, paragraph 1, remove the following from the motion "and to include in the developer's agreement that the recreation fee in lieu of is to be collected at the time of a building permit issuance, with a note being added to the plan and the developer's agreement being recorded."

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 minutes of the June 14, 2012 Regular meeting, as amended.

REPORTS

ROADMASTER'S REPORT

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

ZONING OFFICER'S REPORT

Mr. Kehoe asked about the vegetation on Brindle Road. Mr. Rogalski said there are about five properties in the township he is dealing with, to include Lisburn, Kiner, Trindle, Grantham, and Brindle. The one on Brindle he has dealt with for about three years and the owner is unknown. Then the District Justice has thrown out some of the citations.

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

Mr. Pykosh provided input on the language for the extensions, and provided a revised contract to be used with the RFP.

Mr. Kehoe was concerned with putting a specific price in the bid for the extension years. The only way to get a better price would be to rebid. Was any type of escalator clause considered, or price index, or a certain percentage. Mr. Pykosh said it must be a specific price, or a certain percentage. Mr. Castle was concerned with the cost of bidding. He is looking for flexibility to get the best cost to protect the people. Mr. Simmons feels the costs may get better.

Mr. Pykosh said the proposal is for a three year contract, with two option years. If the options are not good, then it is rebid at that time. The contract cannot be negotiated.

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to accept the Request for Proposal (RFP), with the changes proposed by the Solicitor, and to have an RFP in final form at the next meeting for bid package approval for advertising at that time.

AQUA BOND REQUEST

Mr. Rogalski said the work should be completed by the next meeting, and a final inspection is needed.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to table the Aqua request for bond release.

SINCLAIR ROAD – PHASE 1 FINAL

Mark Hackenberg and Doug Gelder present. Their request is for a waiver of the recreation

fee to be paid at the time of the building permit application process, consistent with the traffic and emergency service fees, instead of a onetime payment prior to the recording of the plan. They have been working with Mr. Bruening and Mr. Pykosh on a draft agreement. The waiver request was recommended to be approved by the Planning Commission last evening. This would be relief of Section 403.6.20.

The other item discussed at the last meeting was for the stone back fill in lieu of the full gravel fill. The ordinance was reviewed and this does not require a waiver. There are standards under PennDOT 408, which a note was added to the plan. Mr. Bruening said this requires additional inspections, costs and activities to use the excavated material. Mr. Kehoe asked if the developer must identify which type of fill they will use before starting the project. Mr. Bruening said they can decide as they go along.

Mr. Hackenberg asked for the recreation fee waiver for the entire project. He also had a few points of clarification on the developer's agreement. The Board agreed the waiver would be for Phase 1 only.

There was discussion as to what happens if a lot is sold before the building permit is requested, or if someone buys a double lot. Also, the township needs to put a deadline for the entire amount being paid, such as 5-6 years. This was also a concern of the Planning Commission. It was determined the township and developer could come to some understanding to protect all parties.

Mr. Rogalski said fees are paid at the time of certificate of occupancy with the Trindle Station development, and this seems to work. What is done for Phase 1 must be done for all phases. The township wants to work with the developers that already have lots approved. We need kids for the school. The Board agreed to have Mr. Rogalski come back with a payment proposal for the recreation fee.

Mr. Bruening reviewed his engineer's comments date June 7, 2012.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to grant the following waivers for the Sinclair Road, Phase 1 final subdivision plan: 1) provide a park and Recreation Report (402.5.4); 2) Soils structure and characteristics shall be provided for all proposed detention basins with an embankment that is 6" or more in height (SWMO 98-2, 304.4.3); 3) Side lot lines shall be radial to street lines for a distance of half the lot depth (611.4.1); 4) Street trees are required along all road frontages (618.3); 5) Storm Water Management waiver from soils structure and characteristics (SWMO 98-2, 304.4.3); and 6) Temporary or permanent cul-de-sac streets shall not exceed a centerline distance of 500' in length measured from centerline intersection with a street which is not a cul-de-sac to center of the cul-de-sac turn around or provide access to more than eleven (11) dwelling units (602.13).

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 to pay the recreation fee at the time of a building permit, and to enter into a developer's agreement that is acceptable to the Supervisors. This is a waiver of Section 403.6.20, and is for Phase 1 final of Sinclair road

subdivision.

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 Sinclair Road Phase 1 final subdivision plan contingent upon the township engineer's comments dated June 7, 2012 being satisfied.

APPOINTMENT TO SCHOLARSHIP COMMITTEE

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to appoint Penny Ginter to serve on the Lehrman Scholarship Committee.

Mr. Castle mentioned Wilmer Harris is a great guy who served 38 years as a school teacher and retired in 1993 as the guidance counselor. He has lived in Monroe Township since 1957 and has done a lot for the community. He would like to invite Mr. Harris to a meeting and present him a Monroe Proud award.

Other folks who have served on the committee to "Save Our School" include Phil Kehoe, Heather Dunn, Ginny Boynton, Sue Sunday, and John Dwyer. These people attended the school board meetings, and supported the Supervisors view point. He has called this committee "The Band of Residents". He would like to present Monroe Proud awards to them. Mr. Kehoe said the diversity pulled the group together. Sue Sunday said the story here is the fact that the people from all segments of the community stood up and was here. The task was to get someone to speak at each meeting. The people took this issue to heart. There were emails and phone calls and attending the meetings. It was one of the finer moments of the township. Mr. Kehoe mentioned everyone was professional and polite.

Mr. Castle said Penny is a lifelong resident of Monroe Township and graduated from Cumberland Valley and Shippensburg University. She taught 28-30 years and coached girl's basketball. She knows the system and loves Monroe Township. He thanked the Board for supporting her appointment.

NEW BUSINESS

BOILING SPRINGS TRIATHLON

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 Boiling Springs Triathlon to be held on August 11, 2012.

JOHN MUSSER 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 John Musser sewage module to DEP.

CHARLES & MARY HOCKENBERRY FINAL SUBDIVISION PLAN

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to acknowledge and approve the signing of the Charles & Mary Hockenberry final subdivision plan. The majority of this plan is within Carroll Township and a very small portion is in Monroe Township.

EMERGENCY OPERATIONS PLAN

Mr. Simmons asked how we prepare for hazards with the railroad, or chemical spills. Mark Farrell said the fire company is required to have a hazardous material refresher, and there are resources available from the county and beyond. Mr. Simmons asked who inspects the railroad bridges. Randy Jackson said there are track inspectors who report to the federal railroad administration. If there are problems, the township would be notified. Mr. Jackson can set up some training with the railroad and fire company.

Mr. Simmons asked about the train that runs on the Williams Grove property, which is private. Mr. Jackson said that is a private property concern. He suggested if anything happens anywhere, the best thing is stay away until the railroad people get there. Mr. Rogalski said Williams Grove has a permit from Labor & Industry for the boiler on the train.

Mr. Castle mentioned the railroad accident in 1960-61 that involved chlorine at Brandtsville.

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to adopt the Emergency Operations Plan as drafted. A letter will be sent to Jon Anschutz.

TRINDLE STATION – PHASE 2, SECTION 2 FINAL SUBDIVISION PLAN

Mr. Bruening said there were storm water changes made that were significant so the plan must be re-recorded.

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 storm water changes to Trindle Station Phase 2, Section 2 final subdivision plan, and to re-sign the plan to be recorded.

TRINDLE STATION – PHASE 2, SECTION 2 BOND REDUCTION

Frank Tamanini present. He mentioned how difficult it is to get bonding, and asked the township to consider a more fair number when establishing bond amounts. He feels the work can be completed for lesser amounts than proposed by Mr. Bruening.

Mr. Bruening explained that there is a difference in costs for a private person compared to a township because of the Municipalities Planning Code and ordinances that say a township must use prevailing wage. An individual can negotiate prices. A township must use prevailing wage costs in case it would have to bid a project and do the improvements. Prices also depend on how much work

is being done, a large or small project. It is his job to protect the township if a developer defaults. A bond is percentage of the face value.

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 bond reduction for Trindle State Phase 2, Section 2 in the amount of \$16,360.54.

Mr. Bruening will continue to work on numbers for determining the amount of bond required for Trindle Station, Phase 2, Section 7.

PENN PRODUCTS – SECTION M

Mr. Bruening said there are new people involved. There is another attorney and there has been a takeover of the Board. An agreement has been put together for the escrow, but the improvement bond has not been done. All paperwork and documents must be submitted by August 2, 2012 in order to get this portion of road added to the liquid fuels. The people involved have been notified of what is required by that date.

CHANGE ORDER – KREIDER SEWER REPAIRS – WHITE ROCK

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 #1 in the amount of \$3,483.70 for B.R. Kreider for repairs to the southern sewer system.

PAYMENT TO KREIDER – SEWER REPAIRS – WHITE ROCK

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to approve payment #2 to B. R. Kreider for repairs to the southern sewer system in the amount of \$95,229.74.

SOUTHERN SEWER CREDIT

On the motion of Mr. Kehoe, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to agree to the credit of \$9,441.59 for flow in the southern district.

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. Rogalski said he is looking at the complaint policy, how complaints are handled, and what we do with them specifically. The District Justice is not interested in repetitive fines.

Mr. Pykosh requested to meet with the Board in executive session after the meeting to discuss potential litigation matters.

Mr. Castle asked for the troops to be remembered. The next meeting is August 9. He offered his condolences to the Murray family. A donation will be made to the Wounded Warrior Project. National Night Out is August 7. God Bless America.

Mr. Kehoe mentioned Community Day was a fantastic time with everyone in the township. An outstanding program was put together and was run smoothly. He expressed his thanks for that. The fireworks were exceptional. As he was going home he noticed the road department and staff were cleaning up and putting things away. He expressed his appreciation. Mr. Castle suggested sending thank you letters to all the employees.

Mr. Simmons suggested putting the National Night Out on the bulletin board out front. He thanked everyone for attending the meeting, there were some new faces.

ADJOURN

On the motion of Mr. Castle, and seconded by Mr. Kehoe, and by unanimous vote of the Supervisors it was duly RESOLVED to adjourn at 9:00 PM.

Respectfully submitted,

Marjorie E. Metzger, Administrative Assistant