

July 14, 2011
7:00 PM

The regular meeting of the Monroe Township Board of Supervisors was called to order by Chairman Simmons. There was a moment of silence in memory of David D. Heckert. The pledge of allegiance was said by all.

Mr. Castle said David D. Heckert was a long time member of the fire company and a personal friend. They were in law enforcement together. Dave served his country and Monroe Township, and led the fire company with much help. Dave was a great asset to this township. Mr. Farrell announced the viewing will be held on Sunday from 1-4 PM, and the service will be held at the Malpezzi Funeral Home on Monday at 11 AM.

ATTENDANCE

Samuel M. Simmons, III, Chairman
A.W. Castle, III., Supervisor
John Dwyer, Sr., Vice-Chairman

Marjorie Metzger, Administrative Assistant
James Bogar, Solicitor
Greg Rogalski, Zoning Officer
Mark Bruening, Engineer

SPEAKERS FROM THE AUDIENCE

Kevin Moyer was present as the Vice-President of the Cumberland Valley School Board. He is not in support of the Monroe School closing. He has been a resident for 22 years and has two daughters. He knows the teachers, staff and parents and has a passion to maintain the integrity of the school. He is Chairman of the Policy Committee, and helped save over \$300,000 in tuition for HACC. He worked with the teacher contract negotiations and worked to get the tax increase lowered from 2.9 to 2.4. He has done a lot of fiscal responsibility. There are nine members on the Board, 3 representing Monroe/Middlesex combined. The administration presents a budget that must be approved by the school board, along with all other decisions. There was no serious consideration given to closing Monroe School. He will do everything in his power not to close the school. To get people on the Board to vote for something you are passionate about, you need to earn their trust and respect, which he has done over the years. He stands in line to be Board President next year. A Company has been hired to do a population study that should provide results in October. Class sizes are down at Monroe and Middlesex, but other schools are crowded. That may mean some redistricting may be considered.

Mr. Castle said he will not be at ease; he will be at attention on the school matter. People are very upset. He has some options to be considered for keeping the school open. He appreciates anything Mr. Moyer can do for the township.

Mr. Dwyer said none of us will remain at ease. If Mr. Moyer has the Monroe School at heart, then why did the Supervisors find out about the possible school closing from another school board member? Mr. Moyer represents us, just like the Supervisors serve the township residents. Was it the right thing to do not to inform the Supervisors about the rumor of the school closing? Mr. Moyer said he did not take the rumor seriously, and didn't know that suggestion would get out to the public.

Mr. Dwyer said both President Shaffner and Superintendent Harner have said the possible closing is not off the books as far as 2013. What will Mr. Moyer do to assure us he is fighting for our school? Mr. Moyer said he understands the dynamics of the school board and how to work with them to get a vote. Mr. Dwyer said Mr. Moyer was elected to represent the township, not be cordial to the school board members. In the future it would behoove us and Mr. Moyer to do a great service if anything of this significance comes up to inform us. Otherwise, Mr. Moyer would not be talking to us today.

Dick Martin was concerned with the speed limit on Kuhn and said there is a gravity problem and people don't think about using a lower gear to slow them down. He asked if there has been consideration given to the number of accidents, walkers, bikers, and the deer. Common sense says 35 mph is a good speed.

Werner Schmidt reserved his comments on the speed limit until it is brought up on the agenda. He asked for the proposed Storm Water Ordinance, and all other draft ordinances to be put on the website so residents can review them prior to the Board taking action on them.

Cass Gibson asked who Frank Leber works for and how does he get paid, and if this information is disclosed. Numbers are shared but there is nothing for the public to review. Mr. Bogar said Mr. Leber is hired by Monroe Township to advice on municipal finance matters and his fees are part of the transaction. He works for Rhodes & Sinon. Mr. Dwyer said Mr. Leber comes to give information briefing. The packet is given at the meeting so the most up-to-date information on the market is available. The information can be reviewed the next day at the township office. Maybe in the future we could request a few additional copies for the audience because the more we share, the better.

Phil Kehoe said he received the note concerning the School Committee, will start communications with Sue Sunday and Foster Berkheimer, and will provide a list of names by the next meeting for the Board to consider.

Concerning the speed limit on Kuhn Road, it is our own neighbors who are not obeying the speed limit. He was raised not to do certain things where you sleep. The state police can't be there all the time. If there are enough tickets handed out, maybe people would behalf themselves. Mr. Dwyer mentioned the incentive for the state police to hand out tickets because currently they received 50% of the traffic violations and there is a proposal for them to receive the 100%.

Thyra Sperry is concerned with the 45 mph on Kuhn. People who go 35-45 have been rear ended. What about the contractors who don't live there. It is dangerous. People walk, jog and bike every day, or pull out of driveways. It is in the middle of a residential development.

Mark Farrell said most people will drive faster than the posted speed limit. Slower is warranted. He said Monroe is a great school and he encouraged the school board to cut costs, such as delaying building a new administration building. Monroe is the furthest from the center of the school district. He suggested closing Green Ridge or something close to the Carlisle Pike. If Monroe is

closed, we should have the option to join South Middleton school.

Craig Golfieri asked how a speed limit can be based on data that was collected where people are violating the law to begin with. Every action has a reaction. If the road is posted at 45, people will go 55-60, which is more of a concern. He doesn't understand the benefit of raising it. There is no traffic being backed up. It is a residential neighborhood. Common sense must prevail. Old Stone House Road is 35 mph and that road is designed for more traffic than the residential roads of White Rock. Put yourselves in the shoes of the people who live there.

Carol Caplinger said the speed limit should be 35. The road has turns and it makes it unsafe to get out of the side streets. There are people who walk, walk their dogs, and children. It must be safe for bikers, hikers, and traffic. She can keep her life exciting without accidents on that road.

Paul from West Shore EMS announced that Larry Roberts started the medic unit 26 years ago and built it into what serves Cumberland, Perry, and Franklin Counties. Larry retired June 30. Mr. Simmons said he serves on the advisory board and this is a top notch company who is honest and does the job as cheap as they can.

Nancy Codner is speaking for the deer in requesting a slower speed limit.

Rebecca Niehman was present on behalf of the Monroe PTO and wants to work with everyone to keep the school open. The PTO meets with the school board and Dr. Harner regularly. The administration building is needed.

Carol Ciafre asked about the construction along Kuhn Road from the water company and had concerns that they are not repairing individual's property unless they really keep after them. People should not have to do that. She asked about the inspections. She is very unhappy with the work that has been done. Mr. Rogalski said there is an escrow that is posted along with the road cut permit. Aqua oversees the project. The township does spot inspections.

John of Dogwood Terrace said the road is not ready for a 45 mph. The township will put the cheap oil and chip on the road. We need good service. We have kids and shouldn't have a speedway.

Kim Cole supports the 35 mph. She has talked with the roadmaster about the road cuts. Are there plans to pave Kuhn Road? The newer part of Kuhn seems to have a better grade of pavement. Are there other road cut plans? Mr. Simmons said there are no plans as of now to pave Kuhn Road. Mr. Rogalski said phase 4 will begin this fall in the area of Asper & Valley View Drive and some behind Oakhill for a tank replacement, and then Maxele. Restoration will be next spring.

Phil Kehoe announced there is a project meeting on July 20 at Mr. Farrell's location on Asper Drive. An email will be going out to the development.

Heather Dunn mentioned the one way in and one way out of White Rock and when there is an accident or flooding, there is no way out. Please keep the 35 mph.

APPROVAL OF MINUTES

On the motion of Mr. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to approve the minutes of the June 9, 2011 Regular meeting.

REPORTS

ROADMASTER'S REPORT

On the motion of Mr. Dwyer, 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

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to accept the Zoning Officer's report.

AGENDA CHANGE – MICHELLE KEARNS – SPEED LIMIT KUHN ROAD

Michelle Kearns and Jason Kelso, on behalf of Ms. Kearns, were present. Ms. Kearns said other people have touched on her points. She thanked the Board for the opportunity to speak. She can't sit and let the 45 mph happen. The Board needs to undo what was done. Many residents are concerned about it. She submitted a petition with 128 signatures indicating it is an issue. There are no sidewalks, dangerous curves, deer, people biking walking and running, and at least nine bus stops along Kuhn Road for elementary school children. 45 mph is inviting disaster and someone will get killed. Kuhn Road was built for the sole purpose of White Rock. It is a residential, local road. Creek Road is 35 mph. She asked the Board to re-evaluate the information and reconsider the decision and use common sense and the legal points. It is the Board's duty and obligation to the citizens who voted for them.

Mr. Kelso went over the outlined information that was submitted to the Board prior to the meeting which provided background information, statutes for speed limits, PennDOT Publication, and summary for the request to make the speed limit a more reasonable speed on Kuhn Road. Mr. Bruening provided information on the difference between speed control and speed regulation. He also provided information on the statutory speeds or using the 85 percentile and how Automatic Traffic Recorders are used. The ordinance was based on the 85 percentile. The study performed showed that there were 1,652 trips within the 36-45 mph speed, which is 65%.

Mr. Simmons asked what the consequences would be if the speed was dropped to 35 mph. Mr. Bogar said the ordinance was created based on the study that was required by the rules and regulations. If the ordinance is to be changed, another study may be needed. That is the procedure to follow. Mr. Bruening said he could do some measuring for site distances, vertical curves, humps, and the stop signs where people enter the roads. Then consider what is appropriate. Curves will be 25, so will the whole road be posted according to the worst curve? Mr. Kearns mentioned the advisory signs along

Kuhn that show the road is unsafe.

Mr. Dwyer referred to the law 3363 that was provided where it talks about providing the township some discretion in determining what speed is reasonable. It appears a speed can be reduced by 10 mph, so is another study required? The law provides authority to post the 35 mph. The 85 percentile determined the speed at 45 mph, minus the 10 allowed, would make the speed 35 mph. The Solicitor needs to review the options because the township must do things according to the book. Mr. Simmons agreed.

Werner Schmidt agrees the enemy is the people themselves. He reviewed the history of how the speed limit was originally set at 25 mph, and the residents complained, so the township did the traffic study and changed the speed to 45mph, and now the residents are complaining again. Enforcement is needed to get the speeders. He believes the engineer led the township in the right direction when the 25 mph was established as the statutory speed. He agrees with exercising the judgment and discretion of establishing the 35 mph. Someone needs to challenge the law about using the 85%, and he suggested a letter be sent to Representative DeLozier.

Mr. Dwyer said the law provides us with the opportunity to amend or modify the ordinance, to raise or lower the speed limit accordingly. The board is hearing what the people are saying and we are here to represent you. The ordinance would have to be advertised, which is expensive, but every life is worth the cost, to assure the public welfare and safety, we will do the right thing.

Mr. Schmidt mentioned the section of Kuhn Road, from Spring to Cur-Lee, that is not a township road yet. He mentioned the 35 mph on Creek and Leidigh where the judgment has been made that these roads should not be more than 35, as well as past Supervisor Castle's house. He also felt that anyone who signed the petition should have pledged not to speed. Putting signs up won't solve the problem. Those who feel strongly can pester the police.

Jane Lerch mentioned not all the signatures on the petition are from White Rock. Some are near the bottom of Kuhn Road.

Richard Recorden said there is a lot of emotion in this matter. He did a lot of work on the roads as an engineer. You cannot regulate the terminally stupid. Any time you go 35 mph, people stack up behind you. The 35 signs will not make a difference to the people who are going to kill your children. He believes the section of Kuhn Road, from Asper to the bottom, is a different situation. It is wider, straight, and no houses. Only a cop will stop the people, not the signs. Don't make criminals out of everyone else in the lower section of the road.

John Constance is against the 25 mph, the 45 is too high, and the 35 mph is great. You can't regulate stupidity. To say there are no stupid drivers in White Rock is wrong. Most of the curves are big and slow turns. He mentioned a year ago he was passed by a motorcycle with a passenger in the middle of the s curve.

On the motion of Mr. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to turn over the speed limit material to the Solicitor to

examine and determine what the Board can pursue and the procedure involved.

MONROE SCHOOL COMMITTEE

Mr. Phil Kehoe said a good number for the committee would be 15-20 people. Anyone interested in serving on the committee should contact the township office or Mr. Kehoe. A list of suggestions will be provided to the Supervisors for their next meeting.

UNFINISHED BUSINESS

FRANK LEBER - FINANCING

Mr. Simmons attended the South Middleton Township Municipal Authority meeting where they announced the price of the project could be going up to about 14 million, but it has not been finalized. The project is to be bid in November. We would have the option of making payments monthly over two years, or paying all at one time. When a bond is done the money does not have to be used for two years. Once we have concrete numbers from South Middleton, Mr. Leber will get back to us with our options for financing.

Mr. Dwyer mentioned our cost in the southern district to upgrade the plant is to meet the Chesapeake Bay standards. The sewer rates will go up again. There is no way around it unless the Congress and Senate say enough is enough. He had asked about the water coming out of the discharge pipe, and was told it is potable but could make you sick, but won't kill you. How high do we have to raise the limit coming out of the plant? It isn't killing the fish or oysters in the Chesapeake Bay. He urged people to contact their Senators because it is out of control.

Mr. Cass Gibson mentioned that Baltimore and Washington are exempt from all these regulations.

Mr. Simmons mentioned the President and EPA are pushing this and continue to say more, more, and more. South Middleton wants us to purchase another 13 % capacity and we say no. The only way to reduce rates is to have more building. Mr. Dwyer said if a developer wants to build, the must pay for the capacity, not the township.

STORM WATER MANAGEMENT ORDINANCE

Mr. Bruening has provided the draft. Mr. Dwyer and Mr. Bogar had a few minor changes to be made. Once the ordinance is in final form it will be advertised.

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to table the Storm Water Management Ordinance.

DOG & SOLICITING ORDINANCES

Mr. Rogalski will provide a legal draft of the ordinances by the next meeting.

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to table the Dog & Soliciting Ordinances.

DELINQUENT SEWER ACCOUNTS

Mr. Bogar said the rules and regulations are from 2004 so it is appropriate to review them and instruct the Municipal Authority to take action at their next meeting to adopt the proposed changes for collecting delinquent sewer fees. Then the Supervisors would have to take action. The major change is to give people who are delinquent two quarters on the user fees three options to pay: 1) to pay within ten days the entire amount due; 2) to enter into an agreement with a minimum payment due within ten days; and 3) to file a lien.

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to table the delinquent sewer rules.

LOCUST POINT ROAD BRIDGE

Mr. Simmons attended a meeting with PennDOT. Kirk Stoner from Cumberland County Planning Commission is putting together some information on development in that area. It will cost more to build the bridge because they can't find any bed rock. We all pay a gas tax and that bridge goes to Dillsburg. People from Silver Spring use it, as well as being an alternate for traffic from Williams Grove and Carlisle to get around flooding or detours. He would like to see the Supervisors support the project. This matter will be placed on the next agenda for action.

Mr. Dwyer said the project will cost more money, indirectly through the state. It is a state project, funded through the state, for a state bridge.

On the motion of Mr. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to table the Locust Point Bridge matter until the next meeting.

NEW BUSINESS

TRINDLE STATION PHASE 2, SECTION 5 & 6 FINAL PLANS

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to grant a time extension through August 31, 2011 to the Trindle Station Phase 2, Section 5 and Section 6 final plans, as requested.

MILEAGE RATE

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to not increase the mileage rate because the budget did not include the increase.

PENN WASTE – ORDINANCE REQUEST

Mr. Bogar said the trash/recycling collector, Penn Waste, would like the township to change our ordinance. It is not clear what they are asking for, he is not sure the township should make the change and if it would benefit Penn Waste then why shouldn't they pay for it.

On the motion of Mr. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to contact Penn Waste and ask them to provide more information on their ordinance request and to ask a representative to be present at the next meeting. They should also consider offering to subsidize the request.

Mr. Dwyer mentioned Penn Waste is providing superb service.

BILLS

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

STAFF COMMENTS

Mr. Bruening said he is in the process of applying for ARLE grants for the guide rail replacement on Eppley Road; signalization at Sinclair and Trindle Roads; and flood proofing Creek and Leidigh. Applications are due July 29. Grants will probably not be available until next year.

Mr. Simmons said the turnpike agreed to not require the guiderail across the turnpike bridge.

Mr. Rogalski said the work has been completed by Norfolk Southern on Sheaffer Road. Hopefully it will alleviate the flooding issues on Sheaffer and York Roads.

Mr. Rogalski reported the retro-commission grant money is coming. Barton Associates has done some preliminary work and a draft should be ready for the next meeting.

Mr. Dwyer said another issue in White Rock that needs addressed is the policy for cleaning of culvert pipes, swales and ditches. It is not the township's responsibility to keep them clean. People got flooded this spring that never got water before from the large amount of rain. After investigating the area, it was found that new paths were formed because of leaves and debris that have accumulated over the years. Big culverts under the streets are the township's responsibility, but the home owners must help each other out.

Mr. Dwyer said community day was the best and the fireworks were the greatest, 27 minutes long. It is remarkable. Everything is paid for by donations, what is sold during the year, and what is charged to the vendors. It doesn't cost the township anything to conduct community day. There will be a better band next year.

Mr. Dwyer applauded the residents for attending the meeting tonight and for the Kearns to get

involved as citizens. We appreciate what has been done. We should have more of that.

Mr. Castle asked for the troops and their families to be remembered. The next meeting is August 11. The township received \$4,323 for the recycling efforts, and \$4,147 from state police fines. The township building can be used as a cool down zone for those who do not have air conditioning. It is a place to get out of the heat. He offered condolences to Mark Bruening on the passing of his mother, and also to the Heckert family. God Bless America.

Mr. Simmons thanked all the township employees, especially Karen LaCroix, for their efforts with community day. Everything runs smooth every year. Mr. Castle said next year the band will be top notch, it is Cheap Sneakers.

Mr. Simmons thanked the residents for attending the meeting tonight, they are appreciated. This is how we get to know what you feel and if we can do what you want by the regulations. Talk to your neighbors to get them to slow down.

Mr. Simmons mentioned the \$408,000 grant to do some sewer repairs in the southern district. The bids will go out this fall and work can be done through the winter. Mr. Bruening is hoping this work will reduce the flows up to half, which would be about 120,000 gallons per day. Mr. Simmons said the people from South Middleton say they are paying our bills. Mr. Dwyer said the township provided them a plan to reduce the flows a year ago so they are aware of what we are working on.

ADJOURN

The meeting was adjourned at 9:35 PM.

Respectfully submitted,

Marjorie E. Metzger
Administrative Assistant