

August 11, 2011
7:00 PM

The regular meeting of the Monroe Township Board of Supervisors was called to order by Chairman Simmons. The pledge of allegiance was said by all.

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

ANNOUNCEMENT

Mr. Simmons announced there was an executive session held prior to the meeting to discuss matters of litigation.

SPEAKERS FROM THE AUDIENCE

Werner Schmidt thanked the Board for putting the draft ordinances on line for residents to review. He had input and questions on the proposed Storm Water Management ordinance. He was asked to submit his comments in writing at least one week prior to the next meeting so there is time to consider responses. Mr. Schmidt asked the Board to consider the costs of the Locust Point Bridge project before endorsing the project. He questioned if the money could be used somewhere else in the state for a higher priority.

George McNeill asked for an update on the water issue at the intersection of Kuhn & Dogwood. Mr. Dwyer said the Supervisors, engineer, and roadmaster are still in the discussion phase. Mr. McNeill is concerned this is an area that freezes in the winter so he asked for the matter to be moved out of the planning stage.

APPROVAL OF MINUTES

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 minutes of the July 14, 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. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to accept the Zoning Officer's report.

UNFINISHED BUSINESS

FRANK LEBER - FINANCING

Bill Carlin and Paul Lundeen present. Mr. Carlin handed out and reviewed a proposal for the township to do some refinancing and to borrow new money for the southern sewer district. The Board agreed to hold a workshop to discuss the matter in detail so all the figures can be looked at in detail and have an understanding on the various courses of action available. Mr. Carlin said the preparatory work can be done in a few weeks, at no expense to the township.

Mr. Dwyer said the information seems most prudent to move forward with the refinancing of the early issues, along with adding \$1 million in new money, but he would like to have the workshop. The Board agreed.

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to advertise for a workshop to be held on September 15, 2011 at 6:00 PM. It was also agreed to move the regular September 8 meeting to September 15 at 7:00 PM.

STORM WATER MANAGEMENT ORDINANCE

Mr. Simmons said any questions or comments should be submitted at least one week prior to the next meeting. The authorization to advertise the ordinance will be approved at the next meeting.

DOG & SOLICITING ORDINANCES

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

DELINQUENT SEWER ACCOUNTS

The proposed policy is still before the Municipal Authority for review and action. **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.**

SCHOOL COMMITTEE - SAVE MONROE SCHOOL

Mr. Simmons spoke to Sue Sunday. There is a committee being worked on, which will

attend the school board meetings. Anyone interested in serving on the committee should contact the township office.

LOCUST POINT ROAD BRIDGE

Mr. Castle said the future planning and development should be considered in that area when deciding to replace the bridge. Mr. Simmons said the county planning department has submitted information on the development and expansion of that area. The bridge will not only serve Monroe Township, but also residents from York County and Silver Spring Township who use Locust Point Road. There is more traffic now on Williams Grove Road and going through Churchtown.

Mr. Dwyer said he has not been in favor of the bridge project from the get go. The money can be used better elsewhere, but unfortunately it cannot be. There are seven bridges within a four mile radius of this bridge, so if something would happen, traffic could be diverted. He does not object to the letter of commitment, but he will not vote yes to having the bridged replaced.

Mr. Simmons said we all pay a gas tax so if there is ever a time when PennDOT is willing to put a bridge in this township that has been there as long as he can remember, then it should be done. He is sure it will be heavier to handle the traffic.

On the motion of Mr. Simmons, and seconded by Mr. Castle, and by majority vote of the Supervisors it was duly RESOLVED to send a letter of support for the bridge project at Locust Point Road. Mr. Dwyer voted no.

SPEED LIMIT – KUHN ROAD

Mr. Bogar has reviewed the Vehicle Code and Pennsylvania Code. The appropriate course of action would be to not change the speed limit until a traffic study is performed. Mr. Bruening said to re-do the speed study to determine the 85% would cost approximately \$776. That would be to do a study at one area, the same one that was done before. The study could come out the same or it could be higher, and that is what it would be. To do a geometric study, which looks at curves, horizontal and vertical information, the cost would be approximately \$2,300. It would have to be done on the entire length of the road. Mr. Dwyer mentioned the option of going with the statutory speed of 25 mph.

Mr. Castle mentioned most people in that area want the speed reduced due to safety reasons. The traffic study has been done so why do it again.

On the motion of Mr. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to have the geometric study done on Kuhn Road by Remington Vernick and Beach for approximately \$2,300.

PENN WASTE – ORDINANCE REVISIONS REQUEST

Neil Slenker and Ed Ward present. Mr. Slenker was interested in getting the township ordinance adjusted to allow the waste contractor to proceed to the district justice to collect on delinquent accounts. The ordinance needs clarification. They are suggesting to get rid of the penalties and interest rates and set a flat \$10 rate late fee. Mr. Slenker said Penn Waste is willing to cover the costs of advertising the ordinance amendment. He is willing to provide a draft ordinance as a starting point. Currently there is about \$4,500 over the 120 days outstanding for Monroe Township. No one has been taken to the district justice yet until this issue is cleared up.

Mr. Castle said Penn Waste was the low bidder and they are doing a good job. He has not received any complaints. He suggested considering the amendment when the contract comes due. Mr. Simmons said he doesn't have a problem with it as long as Penn Waste is willing to pay for the ordinance advertisement.

The Board agreed to have Mr. Slenker put together a proposed ordinance draft to be reviewed.

Mr. Slenker was also concerned that the ordinance allows exemptions and asked that the township take a look at that section of the ordinance. Currently there are 108 exemptions. He believes the exemption is only for a business within the township, and is being interpreted differently.

NEW BUSINESS

TRINDLE STATION PHASE 2, SECTION 5 FINAL PLAN

This is a plan of 17 single family lots that has been approved as a conditional use and preliminary.

Mr. Bruening reviewed the engineer's comments dated August 5, 2011. There were no issues with the comments.

Mr. Bogar needs to review the improvement agreement and securities.

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to grant the waivers listed in the engineer's comments numbered 1-6. The 7th waiver was denied.

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 Trindle Station Phase 2, Section 5 final plan, contingent upon satisfaction of the township engineer and solicitor comments, and only 6 of the 7 waivers being granted.

The representative agreed to the conditions of the approval and will provide a letter.

TRINDLE STATION PHASE 2, SECTION 6 FINAL PLAN

This plan is for 22 lots. It provides the gravity sewer line to the Miller tract (DSG) on Sinclair Road, which removes the need for a pump station. Doug Gelder was present and said he will be putting the sewer in as soon as these plans are approved. He is ready to move and has had a pre-construction meeting with Mr. Bruening. The agreement for the sewer is in escrow right now pending the outcome of this meeting.

The representative stated Mr. Tamanini has no intention of putting a deed restriction concerning the sewer not being available to certain basements as gravity. A grinder pump would be required. This is Note #13 on the engineer's comments. Mr. Bruening said there will be a note on the plan stating this issue, but the Planning Commission had asked for a deed restriction in addition. The basements can be sewerred, but not by gravity. It is a buyer beware issue. Mr. Tamanini is concerned the lots will not be sellable. He does not object to the note on the plan. Mr. Dwyer said a builder should see the note on the plan.

The Board agreed a fence is required around the basins. The Board also agreed that a note must be placed on the plan concerning the basements for Lots 84, 63, 69, & 70 not being reached with gravity sewer, but a note does not have to be placed on the deed.

On the motion of Mr. Dwyer, and seconded by Mr. Castle, and by unanimous vote of the Supervisors it was duly RESOLVED to grant the Trindle Station Phase 2, Section 6 final plan waivers #1-9, and #11 listed on the township engineer's comments. Waiver #10 was denied.

Mr. Bogar would like to review the improvement agreement and bonding and the sewer easement agreement. Mr. Bruening said before any plans are recorded, the sewer must either be built or bonded.

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 Trindle Station, Phase 2, Section 6 final plan, contingent upon satisfaction of the township engineer and solicitor comments.

The representative agreed to the conditions of the approval and will provide a letter to the township.

TRINDLE STATION PHASE 2, SECTION 7 – DEED RESTRICTIONS

Mr. Bruening said the geometry of the cul-de-sac was changed and the sewer falls under the curbs and sidewalks. There are proposed deed restrictions in case there is a problem with the sewer. Mr. Bogar has concerns with the language of the deed restrictions and modifications are needed. The Board agreed to have the Solicitor provide some revised language.

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 Trindle Station Phase 2, Section 7 deed restrictions.

MIDDLE FARM HOMESTEAD FINAL PLAN

James Strong and David Miller present. The farm was divided into two lots and this plan now puts the farm back together.

Mr. Bruening reviewed the engineer's comments dated July 29, 2011, which were acceptable to the applicant.

On the motion of Mr. Castle, and seconded by Mr. Dwyer, and by unanimous vote of the Supervisors it was duly RESOLVED to grant the waivers as listed in the engineer's comments.

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 Middle Farm homestead final plan, contingent upon the township engineer's comments being satisfied.

The applicant agreed to the conditions and will provide a letter.

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. Rogalski reviewed the issues with the heating/air conditioning systems that were found during the retro-commissioning project. He suggested the thermostat should be moved and some problems be fixed instead of moving forward with the study. The assumption is the energy recovery units will not be used. There will be plan for the next meeting. There may also be more money available from the county. Mr. Simmons suggested getting prices for replacement costs and to see if there is any money out there to be found. He also asked about solar uses.

Mr. Bogar cannot attend the September 15 meeting, but will have representation from his office.

Mr. Dwyer is pleased that citizens are permitted to speak at the beginning of the meetings and feels public comment is very important. However, speakers from the audience should be respectful of how much time they use. Mr. Dwyer does not want us to become like other townships in which time limits are enforced. He believes that is very refreshing that the supervisors have not had to enforce the policy that imposes a time limit on each speaker, but perhaps a copy of the policy should be made available for attendees to review.

Mr. Castle asked for the troops and their families to be remembered. The next meeting is September 15. He offered condolences to the families of the three national guards and the seals who just passed. He offered condolences to the Kerstetter family. The benefit for David D. Heckert is scheduled for August 20. School starts August 24. Labor Day is September 5. God Bless America.

Mr. Simmons asked Mr. Bruening for a status report on the Cockley's Meadow sewer meter. Mr. Bruening said there was a contractor there today to make sure the flume would handle the peak. Now he must get three quotes for the work because it will be between the \$4,000 - 10,000 price. Mr. Simmons mentioned Mr. Kissinger reminded him of the sewer authority meeting and he attended.

ADJOURN

The meeting was adjourned at 9:35 PM.

Respectfully submitted,

Marjorie E. Metzger
Administrative Assistant