

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, December 31, 2009 at 8:30 a.m. with Scott Schaller presiding.

The following members were present: Scott Schaller, Robert (Bob) F. Spano, Sr., and Ron Clewell. Also present were Township Attorney Jennifer Ann wise, Township Engineer R. Douglas (Doug) Olmstead, Jr., P.E., Sherry Predmore, Michele Clewell and numerous township residents.

Minutes from the December 9, 2009 meeting were approved upon a motion of Scott Schaller seconded by Ron Clewell. Motion carried 3-0.

Rich Kawski questioned the previous meeting minutes regarding the traffic signal at Route 209, Mt. Nebo and Oak Grove Road. Doug Olmstead stated that he was told by a Penn DOT representative that a resolution was done in 2003 accepting the traffic signal at the above intersection and a new resolution is not required.

Payment of the listed payable was authorized upon a motion of Scott Schaller seconded by Ron Clewell. Motion carried 3-0.

Correspondence

A letter of resignation was received from Jay E. Huffman who served on the Middle Smithfield Township Planning Commission. Scott Schaller made a motion to accept Mr. Huffman's letter. Ron Clewell seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to prepare a plaque for Mr. Huffman's many years of service and present it to him at the next meeting. Ron Clewell seconded the motion. Motion carried 3-0.

On behalf of the North Little League, Wayne Rohner presented the home run ball used in the first game and a plaque depicting a photo of the field dedication ceremony to the Board of Supervisors. Mr. Rohner stated that the home run ball was signed by the team mates of the Bushkill Youth Association Little League.

New Business

Sherry Predmore presented and summarized the amendments to the 2009 budget. She stated that total adjustments are \$151,468.00 or 4% of the general fund budget. Scott Schaller made a motion to approve the amendments to the 2009 budget as presented. Bob Spano seconded the motion. Motion carried 3-0.

Sherry Predmore stated that the proposed 2010 budget totaling \$6,970,858.00 was summarized at the last meeting and proper legal notice was placed in the Pocono Record for adoption. Scott Schaller made a motion to adopt the 2010 budget and Resolution 2009-12-03 fixing the tax rate for the year 2010 and all 511 taxes re-established and the collector retained for the year 2010. Bob Spano seconded the motion. Ron Clewell expressed concern about all of these items being presented in one motion.

Attorney Wise recommended that two separate votes take place for clarification purposes.

Ron Clewell voted yes on the 2010 general fund budget and a no vote on the sewer fund budget as he was not in favor of disbanding the municipal authority.

Scott Schaller made a motion to adopt the 2010 budget as read. Bob Spano seconded the motion. Ron Clewell voted to approve the 2010 general fund budget but not the sewer portion of the budget.

There was discussion regarding how many budgets there are to pass. Sherry Predmore stated that overall Middle Smithfield Township has three funds but only one budget.

Ron Clewell voted No to passing the 2010 budget. Motion carried 2-1.

Scott Schaller made a motion to approve Resolution 2009-12-03. Bob Spano seconded the motion. Motion carried 3-0.

Review Parking Regulations:

Doug Olmstead stated that the Board of Supervisors asked him to review the township parking regulations as we are in the process of revising the zoning ordinance. He stated that the township does have some current land development applications that could be affected by the current parking regulations.

Mr. Olmstead stated that he would recommend under Section 200-56.B.(1) of the Zoning Ordinance to read “each parking space shall be a rectangle with a minimum width of nine (9) feet when the stall angle is 90 degrees and nine and one-half (9.5’) feet when the angle is 45 degrees or 60 degrees. The minimum width for parking stalls in garages or car ports shall be ten (10’) feet wide. The minimum length of a parking space shall be eighteen (18’) feet (which includes a front overhang of three (3’) feet), except the minimum length shall be twenty-two (22’) feet for parallel parking”.

Scott Schaller made a motion directing the Solicitor to prepare the necessary documents to reflect the change to Section 200-56.B (1). Bob Spano seconded the motion. Public comment was then entertained.

Scott Schaller stated that there are two major projects in the works and are having trouble meeting the parking requirements as they are too stringent and it needs to be expedited and in the spirit of creating tax ratables and jobs, the parking requirements need to be changed.

Scott Schaller introduced Shergoh Alkiloni. Mr. Alkiloni stated that he is the developer for The Crossings at Marshalls Creek and stated that his land development and minor subdivision plans are before the township planning commission. He stated that he has five-hundred forty three parking stalls and based on the current zoning ordinance his project requires an additional ninety-six parking stalls.

There was lengthy discussion regarding how to change the parking area requirements wording while still maintaining ten foot parking stalls. Attorney Wise suggested an additional alternative approach could be to modify the ordinance to state that the number of spots required per square footage is reduced.

Mr. Olmstead stated that if an applicant wanted wider parking spaces they could come in for a conditional use.

Attorney Wise asked if under the current zoning ordinance under shopping centers the change says instead of X number of spots required it's reduced by 10%, would that still not be the same result without reducing the size of the parking slot. Doug Olmstead said yes.

Doug Olmstead stated that he would prepare a new draft for the parking regulation requirements and it will be available for review and discussion at the January 4, 2010 meeting.

Attorney Wise stated that she would prefer proposed ordinances be reviewed by the Board of Supervisors and discussed at a public meeting prior to Monroe County submission.

Public Comments

The PennDOT Park and Ride, municipal complex well filtration system, CCP golf course and Crystal Creek development were discussed.

Dave Manter, Middle Smithfield Township Building Inspector, joined the meeting and stated that Prosser Laboratories performed the water testing on the municipal complex. The filtration system approved by the Board of Supervisors at a prior meeting will correct the Ph balance, bacteria and the sulfur problem. Scott Schaller requested that a copy of the test be provided to the township.

There being no further business Scott Schaller made a motion to adjourn the meeting at 9:43 a.m. Ron Clewell seconded the motion. Motion carried 3-0.

Respectfully submitted,

Michele L. Clewell
December 31, 2009

