

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Wednesday, June 10, 2009 at 9:00 a.m. at the Schoonover Municipal building. Scott R. Schaller presiding.

Members present: Scott R. Schaller, Robert (Bob) Spano, Sr., Ronald (Ron) Clewell. Also present, Jennifer Ann Wise, Esquire, and R. Douglas (Doug) Olmstead, P.E., Michele Clewell and several interested parties.

Scott Schaller made a motion to approve the minutes of May 14, 2009. Ron Clewell seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to approve the listed payables. Bob Spano seconded the motion. Motion carried 3-0.

Aflac	\$977.22	Miggy's Corp 5	\$29.81
District Court	\$126.00	Monroe County Control Center	\$16,351.64
EMC Insurance	\$6,482.01	Monroe Legal Reporter	\$75.00
IKON Office Solutions	\$300.32	Montague Tool	\$325.49
Met-ed	\$2,035.43	Montour Home Comfort	\$4,760.95
Metlife Insurance	\$908.40	Morgan, Hallgren, Crosswell	\$17.00
Prothonotary Monroe County	\$132.00	My NJ Office LLC	\$178.76
Monroe County Recorder of Deeds	\$115.50	Neopost Leasing	\$95.00
Montague Tool & Supply	\$6,474.29	PA American Water	\$33.25
Payroll -5/15/09	\$64,434.86	PenTeleData	\$5.85
PNC Bank	\$12,626.00	Petty Cash reimbursement	\$74.46
Shafers Auto (tires cleanup)	\$1,338.00	Pibh	\$38.35
Staples Credit Plan	\$422.08	PMRS (May pension)	\$12,072.86
Verizon	\$478.07	Pocono Produce	\$201.18
		Pocono Record	\$299.20
209 Enterprises	\$113.45	Ray Price Stroud Ford	\$100.00
Advanced Recovery Inc.	\$940.05	Richards Tree Farm	\$103.25
Amerigas	\$656.25	Smith Motor	\$19.06
AT&T (final)	\$42.85	Verizon Wireless	\$1,076.87
Avaya	\$117.59	Waste Management	\$14,123.59
Bradco Supply	\$21.03		
BWP Carquest	\$245.11		
Chemung Supply	\$76.80		
Cintas	\$290.08		
Claude Cyphers	\$350.07		
Cramers Home Center	\$54.56		
DES of Monroe County	\$168.00		
Donna Kenderdine	\$92.00		
E.M. Kutz	\$93.42		

Eureka Stone Quarry	\$2,217.90	Donations: Fire & EMS	
Five Star Equipment	\$756.06	Marshalls Creek Fire (EMS)	\$1,500.00
Frank J. Smith Jr., Inc.	\$3,780.00	Bushkill Emergency Corps	\$1,500.00
Gotta Go Potties	\$190.00	Suburban EMS	\$1,500.00
GTS-Welco	\$88.56	Med-Mobile EMS	\$1,500.00
Hanson Aggregates	\$144.79	Marshalls Creek Fire Co.	\$26,554.99
John Deere Credit (Backhoe)	\$27,870.88	Bushkill Fire Co.	\$6,839.92
Kimball Midwest	\$282.53	total donations	\$39,394.91
Lewis True Value	\$66.96		
Macmillan Oil	\$340.97		
Middle Smithfield Materials	\$80.00		
		<u>Total - General Fund</u>	<u>\$225,306.57</u>

Correspondence

The secretary reported that a letter from RRI Energy was received giving Notice of Submittal of an Application for a Renewed Operating Permit for the Shawnee Generating Station.

The secretary reported that a notice was received from the Delaware Water Gap National Recreation Area informing the public that an informal public listening session will be held on June 10, 2009 between 3:00 p.m. and 6:00 p.m.

The secretary reported that a letter was received from Rettew Associates, Inc. regarding their intent to submit an application to PA DEP and US Army Corps of Engineers for the Marshalls Creek Traffic Relief Study.

Notice of refunds due to taxpayers as a result of revised assessment was received from Monroe County Assessment Office. Scott Schaller made a motion to approve a refund to Kenneth Harrington in the amount of \$149.19 and Jason Scott/Daniel Tuttle in the amount of \$55.98. Bob Spano seconded the motion. Motion carried 3-0.

A notice from the Monroe County Recorder of Deeds was received explaining that a re-determination of transfer taxes on the Romero deed has been paid and the township portion is \$845.00 which was received in May.

Solicitors Report

Attorney Wise presented Resolution 06-2009-1 which updates the Township's "Premium Only Plan" whereby the municipality makes group medical insurance benefits available for employees and pays a portion of the premium required for coverage and allows its employees to pay their portion of the premium contribution with pre-tax dollars and establishes a salary reduction plan for its employees that comply with Section 125 of the Internal Revenue Code. Scott Schaller made a motion to adopt Resolution 06-2009-01. Ron Clewell seconded the motion. Motion carried 3-0.

Attorney Wise presented Resolution 06-2009-2 which states that the Township has adopted Joinder Deed Procedures for taxing purposes as requested by Greg Christine of the Monroe County Tax Claim Bureau which Resolution requires tax certificates prior to sale of any parcels after subdivision approval. Scott Schaller made a motion to adopt Resolution 06-2009-2. Bob Spano seconded the motion. Motion carried 3-0.

Attorney Wise presented the Eastern Monroe Regional Park Commission Artifact Agreement. She explained that between 2003-2006, Artifacts were excavated from the Shawnee-Minisink archaeological site located on Rivers' Edge Regional Park property. Therefore, the recovered Artifacts are the sole property of the consortium of municipality property owners (Smithfield, Middle Smithfield and Price Townships, the Borough of Delaware Water Gap).

The goals for the agreement are to:

1. Provide a secure and proper curation facility to house the Artifacts;
2. Create an inventory of the Artifacts;
3. Conduct laboratory analysis of the Artifacts;
4. Provide a report(s) documenting the Artifacts and excavations; and
5. Increase awareness and education about the importance of this archaeological site and the Artifacts.

Following the completion of these goals, or a time period specified Mr. Gingerich will return all Artifacts to the owner municipalities and/or the Eastern Monroe Regional Park Commission or curate the Artifacts until a storage facility, that is agreeable to all parties, is available for the safe keeping of the Artifacts.

John Petrizzo stated that the Board of Supervisors should consider housing the artifacts in our area and would like the Board to send a letter to the National Park Service requesting their help in housing the artifacts.

Scott Schaller made a motion to approve the Eastern Monroe Regional Park Commission Artifact Agreement. Ron Clewell seconded the motion. Motion carried 3-0.

After further discussion Scott Schaller made a motion to send a letter to Monroe County Historical Society and ask them if they would be interested in assisting us in creating a local museum to house the Artifacts upon their return. Ron Clewell seconded the motion. Motion carried 3-0.

Attorney Wise presented the Eastern Monroe Regional Park Commission Recommendations dated May 18, 2009.

Recommendation 1: EMRPC recommends that the word "possession" be removed from rules and regulation signs pertaining to firearms posted at both Mt. Nebo and Rivers Edge Parks.

Recommendation 2: EMRPC recommends that the Supervisors consider naming the group campground at Mt. Nebo Park in honor of Doyle Nelson.

There was discussion that the EMRPC submit cost proposals of the new sign due to the changes to the Board of Supervisors for approval prior to purchasing the sign.

Scott Schaller made a motion to approve the Eastern Monroe Regional Park Commission Recommendation #1 with the condition that the Middle Smithfield Township Board of Supervisors approves the cost of any sign prior to purchase. Ron Clewell seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to approve the Eastern Monroe Regional Park Commission Recommendation #2 to name the group campground at Mt. Nebo Park in honor of Doyle Nelson with the condition that the Middle Smithfield Township Board of Supervisors approves the cost of any new sign prior to purchase. Ron Clewell seconded the motion. Motion carried 3-0.

Attorney Wise reported that a letter was received from Barrett Township requesting a Proclamation for their Sesquicentennial celebration. Scott Schaller made a motion to approve Proclamation 06-2009-1. Bob Spano seconded the motion. The motion carried 3-0.

Engineers Report

Doug Olmstead reported that he has not heard anything regarding plan corrections and has forwarded an email to Attorney Cleary. Scott Schaller made a motion to table the request for escrow release. Ron Clewell seconded the motion. Motion carried 3-0.

New Business

The five year term for Scott LaBar of the Middle Smithfield Township Municipal Authority is set to expire. Scott Schaller made a motion to reappoint Scott LaBar to a five year term on the Middle Smithfield Township Municipal Authority Board. Bob Spano seconded the motion. Motion carried 3-0.

Attorney Wise reported that the first of three 2009 Fire and EMS donations have been approved and will be mailed out this week. She went on to explain that Blue Ridge Cable will disburse the cable franchise fee revenues to the township on a quarterly basis and the Supervisors will use those fees to pay the yearly donations to the emergency service providers but since only three payments will be received during 2009 only three payments will be made in 2009 and that each year thereafter there will be four payments (one per quarter) because the Township will then be receiving four payments per year.

The first payments were made to: Bushkill Emergency Corps, Suburban, Med-Mobil, and Marshalls Creek Ambulance as well as to Bushkill Fire Company, and Marshalls Creek Fire Company. The Supervisors are still waiting for Shawnee Fire Company to submit their required reports. Once the Shawnee Fire Company submits their report and it is reviewed they will also receive their first payment of 2009.

There was discussion regarding eliminating the Park and Recreation Board. Bob Spano stated that the topics of discussion would be included with the Supervisors agendas. Ron Clewell stated that he does not wish to disband the Park and Recreation Board. After further discussion, Scott

Schaller made a motion to table action on the elimination of the Park and Recreation Board. Ron Clewell seconded the motion.

There was lengthy discussion regarding joining with the Stroud Area Regional Police Department. Scott Schaller stated that after meeting with representatives of SARPC he was very frustrated as they wanted Middle Smithfield Township to pay for a study that would create a budget projection into 2014, when full coverage began. The study would be done by Danbury Consulting LLC. contacted by SARPC at a cost of \$6,000. Scott Schaller expressed concerns that the cost was exorbitant and merely created additional delays and the entire process has been drawn out too long.

Mr. Schaller stated that our township is growing and believes that we may need to have our own police force. He also stated that he is not willing to spend \$6,000 for an analysis of Chief Baujan's budget over a five year period when they admitted that the Chiefs budgets are always accurate.

After further discussion Scott Schaller made a motion directing the secretary to draft a letter to Stroud Area Regional Police Commission to decline participating in the study and thank the Commission, Chief Baujan and Detective Parrish for their generous donation of their time, knowledge and energy to this important endeavor. Bob Spano seconded the motion. Motion carried 3-0.

Scott Trethaway stated that he has met with the Supervisors and recognizes there is a problem and has given the Supervisors an alternative to a regional police department.

Scott Schaller made a motion to authorize Scott Trethaway to continue to formulate costs for a standalone police department. Bob Spano seconded the motion. Motion carried 3-0.

Attorney Wise questioned if the Supervisors will be compensating Mr. Trethaway for his time. The Board stated that Mr. Trethaway would not be compensated. Mr. Trethaway explained that he is volunteering his time and would like to continue volunteering his time working with the Board of Supervisors on this endeavor and would not be seeking any compensation.

Ron Clewell stated that as he is going out of office in six months, he will not vote on any police issues except to further investigate the feasibility of a department and as a taxpayer does not agree with raising taxes for a police force as the people have spoken and do not want one.

Scott Schaller stated that the quality of life in Middle Smithfield is going down and the Board of Supervisors is responsible for all the taxpayers.

There being no further business Scott Schaller made a motion to adjourn the meeting at 10:00 a.m. Ron Clewell seconded the motion. Motion carried 3-0.

Respectfully submitted,

Michele L. Clewell, Secretary

