

A special meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, March 18, 2010 at 3:15 p.m. at the Schoonover Municipal Building with Scott Schaller presiding.

Members present: Scott Schaller, Mitchell K. Marcus and Robert (Bob) F. Spano, Sr. Also present were Attorney Jennifer Ann Wise, Robyn Pugh and Michele Clewell.

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

Attorney Wise notes for the public that the March 18, 2010 payables list shows the fourth quarter 2009 donation to the Marshalls Creek Fire-EMS, Marshalls Creek Fire Company, Bushkill Emergency Corps, Suburban EMS, Med-Mobile, Shawnee Fire Company and Bushkill Fire Company.

### **Bids**

Robyn Pugh summarized the golf cart lease bid(s). *Editorial Note: golf cart bids were publically opened at and announced at the Board of Supervisors meeting held on March 12, 2010. A motion was made and accepted to table awarding the bid contract(s) until March 18, 2010, in order to have additional time to review all the documents received.*

Ms. Pugh recommended awarding the three year golf cart lease contract to Golf Car Specialties for fifty (50) used carts at \$89,910.00.00 and one beverage cart at \$4,500.00 with a one year renewal option of renewal.

Scott Schaller made a motion to award the golf cart lease bid to Golf Car Specialties for the used carts with the three (3) year option and enter into the agreement with Yamaha. Bob Spano seconded the motion. Public comment was entertained.

There was lengthy discussion regarding the specifics of the golf cart bid specifications.

Attorney Wise stated that the Board of Supervisors should be reviewing the new model golf cart bids not the used model bids as the advertised bid specifications stated manufacturers latest model and since EZ Go and Yamaha each manufactured 2010 golf carts, or equal the latest model would be new carts. It is irrelevant that used golf cart prices were included, the specifications advertised asked for manufactures latest model, or equal, not used. There was discussion to re-advertise for golf carts. Scott Schaller stated that there is no time to re-bid for golf carts as the golf course is opening April 1<sup>st</sup>.

Scott Schaller made a motion to award the golf cart lease to Golf Cart Services for fifty (50) new carts and one beverage cart for a one year lease for total of \$44,256.00. Bob spano seconded the motion. Motion carried 3-0.

At the request of the Board of Supervisors, Dave Manter, Middle Smithfield Township Building Inspector joined the meeting in the event any questions were asked regarding the painting and carpeting bid specifications.

Following review of the Country Club of the Poconos interior paint bids, Scott Schaller made a motion to award the contract to Certa Pro for the painting of the main clubhouse, guardhouse and maintenance shed for a total of \$19,215.53 and based on the fact that the bid bond was not complete, Certa Pro is to provide the additional \$140.00 bid bond to the Township within twenty (20) days of the awarded bid. Bob Spano seconded the motion. Motion carried 2-1.

Attorney Wise stated that four bids for carpeting were received and during the opening of the bids on March 12, 2010 the representative of Giant Flooring requested that their bid be withdrawn. Attorney Wise explained that a bidder cannot, after hearing the amount of the other bids publicly announced, elect to arbitrarily withdraw a bid. The decision to allow a bidder to withdraw its bid is at the discretion of the Board of Supervisors, who, in the bid advertisement, reserved the right to waive irregularities, reject bids, for any reason and so forth. The Board of Supervisors taking notice that the bid bond for Giant Floor did not equate to the amount of the bid and that the bidder had made a typographical error rejected the bid for Giant Flooring.

Scott Schaller made a motion to approve the withdrawal of the Giant Flooring bid. Bob Spano seconded the motion. Motion carried 3-0.

Following review of the Country Club of the Poconos clubhouse carpet bids, Scott Schaller made a motion to award the contract to Floor Source for \$29,303.05 for carpet only. Bob Spano seconded the motion. Motion carried 2-1.

### **Golf Course Director Report**

Robyn Pugh presented Resolution 03-2010-05; Middle Smithfield Township, t/a Country Club of the Poconos Golf Course, 2010 Golf Membership Rates. Ms. Pugh summarized the 2010 golf rates.

Following discussion to extend the discounted time period on membership, Scott Schaller made a motion to approve Resolution 03-2010-05 with the deadline to receive a 10% discount on 2010 golf membership to April 15, 2010. Bob Spano seconded the motion. Motion carried 3-0.

### **New Business**

Scott Schaller made a motion to hire Joseph Squires for public works and as Sewage Enforcement Officer, retroactively to January 11, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Mitchell K. Marcus as Assistant Administrative Director, retroactively to January 14, 2010. Bob Spano seconded the motion. Mitchell K. Marcus abstained on voting for himself. Motion carried 2-1.

Scott Schaller made a motion to hire Christina Brown as Food and Beverage Manager for Country Club of the Poconos Clubhouse, retroactively to February 11, 2010. Bob Spano seconded the motion.

Following the vote on the list of newly hired employees, Mr. Marcus asked if these positions were advertised. Mr. Schaller stated employment positions were advertised with the exception of the Sewage Enforcement Officer (PA DEP has a list of qualified SEO's and those individuals were contacted by the Township) and another advertisement will be placed for golf course and clubhouse positions. Following additional discussion regarding the Food and Beverage Manager and the liquor license, the motion carried 3-0.

Attorney Wise stated that the liquor license will be in the name of Middle Smithfield Township and Christina Brown will be the name on the license as the Manager.

Scott Schaller made a motion to hire Bruce Klvana as Golf Course Superintendent retroactively to February 16, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Sue Wekheiser as Golf Course Professional retroactively to February 22, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Louis Scaltrito as Proshop Attendant and Maintenance personnel retroactively to February 22, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to terminate employment of Bruce Klvana as Golf Course Superintendent effective March 4, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to terminate employment of Deborah Ogden effective March 15, 2010. Bob Spano seconded the motion. Motion carried 2-1.

Scott Schaller made a motion to terminate employment of Catherine Galinus effective March 15, 2010. Bob Spano seconded the motion. Motion carried 2-1.

Scott Schaller made a motion to hire William Parr as Golf Course Superintendent retroactively to March 15, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller announced that the Revised Zoning Ordinance #172 is ready for public hearing and made a motion to set the public hearing date for May 5, 2010 at 9:00 a.m. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to appoint Michele Clewell as the Open Records Officer. Bob Spano seconded the motion. Motion carried 3-0.

R. Douglas (Doug) Olmstead, Jr. P.E. was present for this portion of the meeting.

Scott Schaller stated that members of their respective boards for Country Club of the Poconos POA South, Country Club of the Poconos HOA North and Reserve at Pond Creek were asked to be here today to discuss a few issues raised at the last work session.

Ms. Darlene Winston President of the CCP POA South, and speaking for the north side, south side and the Reserve at Pond Creek, stated that a majority of the homeowners within CCP want a gated community and have come up with two (2) options:

#### Option #1

1. Continue providing the manned gate at the front entrance with the costs being absorbed by the residents of CCP and Reserve at Pond Creek;
2. Provide the back gate with a camera and an automatic arm that would allow access during golf and restaurant hours but after golf course and restaurant hours, allow the residents to have a key card as the automatic gate would not be in operation until the golf course re-opens with the Township covering the initial cost for this but the residents of CCP and Reserve at Pond Creek paying for the maintenance; and
3. Enter into a 99 year lease to offset the amount the Township would lose regarding the liquid fuels allocation that it will not receive due to the gate remaining on a Township road.

#### Option #2

1. Front Gate House would have a camera system between the hours of 6:00 a.m. to 6:00 p.m.; be staffed from 6:00 p.m. to midnight and then from midnight to 6:00 a.m. a keyless entry; and
2. Enter into a 99 year lease to offset the amount the Township would lose regarding the liquid fuels allocation that it will not receive due to the gate remaining on a Township road.

Ms. Winston stated that option one is the better of the two as having someone staffing the gate 24/7 is more personable for both the Community and the Township.

Attorney VanBlunk, representing the north side association, stated that the camera system for the back gate was the Township's idea and they are happy with the keyless entry for the back gate but if the general public begins to use the back gate then the camera system would need to be installed.

Attorney Wise asked if the Township were to bid the gate and camera system for the back gate out, would the three entities consider sharing the costs. Gary Summers, representing the north side association, spoke for all three associations and stated yes.

After further discussion Attorney Wise summarized for all parties present, what the resident of CCP and Reserve at Pond Creek deemed the preferred approach in the anticipation of another workshop:

1. have a staffed Front Gate House;
2. pay the liquid fuels to the Township based on what the Township would have received with the language of an agreement to be worked out; and
3. Township to get pricing on a camera system for the back gate.

Following additional discussion, Scott Schaller stated that the next Board of Supervisors meeting is April 8, 2010 and the three entities and Board of Supervisors should hold a work session to redefine the camera system pricing and discuss the lease agreement for the Front Gate House.

Ms. Winston requested the liquid fuels allocation amounts paid to MST over the last five years.

The Board of Supervisors thanked the CCP and Reserve at Pond Creek board members for working together.

#### **Public Comment**

Emergency access onto Tom X Road from Village Drive, the Tom X highway occupancy permit and grease trap inspections were discussed.

Attorney Wise provided dates that Dave Manter will be conducting grease trap inspections.

There being no further business, Scott Schaller made a motion to adjourn the meeting at 6:06 p.m. Bob Spano seconded the motion. Motion carried 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary

**March 18, 2010**

PA Municipal Health Ins. Coop		\$20,540.54
Payroll 3/19/10	\$48,575.78	PenTeleData \$5.85
BMO	\$650.49	PNC Bank \$12,626.00
Awsom	\$120.00	R.K.R. Hess \$2,250.20
Monroe Cty Recorder	\$142.00	Reliable Signs \$76.00
Prothonotary of Monroe Cty	\$42.00	Verizon \$1,233.26
209 Enterprises	\$1,443.15	
ABE Materials-Easton	\$884.78	4th Qtr 2009 donations from Franchise fee
AWSOM	\$2,500.00	Marshalls Creek Fire -EMS \$1,500.00
Chemung supply	\$194.80	Marshalls Creek Fire \$24,982.53
Donna Kenderdine Reporting	\$115.50	Bushkill Emergency Corps \$1,500.00
Five Star Equipment	\$127.38	Suburban EMS \$1,500.00
Ikon Office Solutions	\$715.80	Med-Mobile \$1,500.00
Met-ed	\$89.15	Shawnee Fire \$6,434.89
Michael DiTondo	\$800.00	Bushkill Fire \$6,434.90
Monroe County Treasurer	\$3,157.13	
Neopost Leasing	\$95.00	<i>Total listed donations</i> <b>\$43,852.32</b>
P&S Garage	\$135.60	
PA American Water	\$35.71	<b>Total General Fund</b> <b>\$ 140,408.44</b>

**MIDDLE SMITHFIELD TWP. SEWER DEPARTMENT**

**Bill List March 18, 2010**

Check-date	Check-#	Vend-#	Vendor Name	Check-amount	Reference
3/17/10	5085	212SOF	212 SOFTWARE	84.95	WD357
3/17/10	5086	ACTION	ACTION LIFT, INC	137.29	134185
3/17/10	5087	ALLSTA	ALLSTATE SEPTIC SYSTEMS	285.00	P116414
3/17/10	5088	BUSHKI	BUSHILL GROUP	1,424.50	MSTMA-004
3/17/10	5089	CLEWEL	MICHELE CLEWELL	11.50	Expense reimbursement
3/17/10	5090	CMRS	CMRS-POC	1,000.00	postage
3/17/10	5091	PROSSE	PROSSER LABORATORIES INC	454.40	S01658
3/17/10	5092	SEREND	SERENDIPITY ACCOUNTING & TAXES	3,269.24	156
3/17/10	5093	STRAND	STRAND POOL SUPPLY & SERV	1,739.35	
3/17/10	5094	WASTE	WASTE MANAGEMENT INC	1,352.19	821002225108212
Totals:				9,758.42	