

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, May 13, 2010 at 9:00 a.m. at the Schoonover Municipal Building with Scott R. Schaller presiding.

Members present: Scott R. Schaller, Mitchell K. Marcus and Robert (Bob) F. Spano, Sr. also present were Attorney Jennifer Ann Wise, Township Engineer R. Douglas Olmstead, Jr., P.E., Sewer Department and Golf Course/Clubhouse Director Robyn Pugh, Township Secretary Michele L. Clewell, Donna Kenderdine, Stenographer and numerous interested parties.

Public Comment on Agenda Items

Public comment was given regarding the excellent Mothers Day dinner held at the Country Club of the Poconos and commendation to the Supervisors on their hard work at the golf course.

Approval of Minutes

Scott Schaller made a motion to approve the April 8, 2010 and May 5, 2010 minutes. Bob Spano seconded the motion. Motion carried 3-0.

Approval of Payables

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

Public Hearing

Ordinance 174

Scott Schaller made a motion to open the public hearing on Ordinance 174; Revised Grease Trap Ordinance. Bob Spano seconded the motion. Motion carried 3-0.

Donna Kenderdine took a stenographic record of the proceedings.

Attorney Wise stated that this is an Ordinance to amend the Code of the Township, Part II General Legislation, Chapter 110 Grease Traps by removing all references to the Middle Smithfield Township Municipal Authority and substituting the name Sewer Department, by adding a definition for Grease Trap Management Program and Sewer Department and by amending Chapter 110, Sections §110-10, §110-11 and §110-12 and providing for severability and the repeal of prior inconsistent ordinances.

Attorney Wise stated that the proposed ordinance was advertised April 23, 2010 and April 30, 2010 and distributed to the required agencies. The proposed ordinance was

prepared by Dave Manter Building Code Inspector and Deb Ogden, previous Zoning Officer.

Scott Schaller asked if any member of the public had any comments regarding proposed Ordinance 174. No one responded.

Scott Schaller made a motion to close the public hearing. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to adopt Ordinance 174. Bob Spano seconded the motion. Motion carried 3-0.

Correspondences

A notice was received from the Delaware Water Gap National Recreation Area & Appalachian National Scenic Trail informing the public that the Transmission Line Public Scoping Comment Analysis Report is available for public review.

A thank you letter was received from the Bushkill Emergency Corps thanking the Supervisors for the donation.

A letter was received from the Bushkill Fire Company detailing the 2009 financial transactions used from Middle Smithfield Township donation to the fire company.

A letter was received from Suburban EMS detailing the 2009 financial transactions used from Middle Smithfield Township donation to the ambulance company.

A notice was received from the Monroe County Assessment Office that a refund is due to Kirk Zwilling in the amount of \$97.62 due to an incorrect building assessment. Scott Schaller made a motion to refund Mr. Zwilling \$97.62. Bob Spano seconded the motion. Motion carried 3-0.

A notice was received from the Monroe County Assessment Office that a refund is due to Gloria Yun in the amount of \$51.16 due to an incorrect building assessment. Scott Schaller made a motion to refund Ms. Yun \$97.62. Bob Spano seconded the motion. Motion carried 3-0.

Solicitors Report

Attorney Wise summarized a letter received from the Monroe County Board of Assessment Appeals which granted exemption to the following single golf holes that are owned by the Township; 9/94726, 9/94728, 9/93266, 9/119505, 9/119324 and 9/96970.

Resolution 05-2010-01

Attorney Wise presented Resolution 05-2010-01; public comment policy instituted for all regular and special meetings of the Middle Smithfield Township Board of Supervisors. This resolution would provide for public comment at the beginning of the meeting on the agenda as opposed to listing it at the end of the agenda as was previously the practice of the Township. The policy was extracted from a sample provided by the state. Scott Schaller made a motion to approve Resolution 05-2010-01. Bob Spano seconded the motion. Mitchell Marcus stated that this was given to us by PSATS (Pennsylvania State Association of Township Supervisors) and they are a good source. Motion carried 3-0.

Resolution 05-2010-02

Attorney Wise presented Resolution 05-2010-02; addressing consumption of alcohol by employees at the golf course and clubhouse at the end of their shifts and the institution of a required one hour waiting period; this Resolution would supplement the previously adopted Township CDL and Non-CDL Resolutions regarding alcohol consumption. Scott Schaller made a motion to approve Resolution 05-2010-02. Bob Spano seconded the motion. Motion carried 3-0.

Engineers Report

Catherine Driscoll and Charles Scrimale Minor Subdivision Plan; Doug Olmstead stated that a letter was received from Frank J. Smith Jr., Inc. P.L.S. requesting the minor subdivision plan be tabled. Scott Schaller made a motion to accept the letter to table action on the minor subdivision plan. Bob Spano seconded the motion. Motion carried 3-0.

Evergreen Estates II Conservation Subdivision Plan; Doug Olmstead stated that a letter was received from the applicant requesting the conservation subdivision plan be tabled. Scott Schaller made a motion to accept the letter to table action on the plan. Bob Spano seconded the motion. Motion carried 3-0.

The Crossings at Marshalls Creek Minor Subdivision Plan; Doug Olmstead stated that a letter was received from the applicant requesting the minor subdivision plan be tabled. Scott Schaller made a motion to accept the letter to table action on the plan. Bob Spano seconded the motion. Motion carried 3-0.

The Crossings at Marshalls Creek Land Development Plan; Doug Olmstead stated that a letter was received from the applicant requesting the land development plan be tabled. Scott Schaller made a motion to accept the letter to table action on the plan. Mitchell Marcus seconded the motion. Motion carried 3-0.

Doug Olmstead stated that the township was contacted regarding an issue with the Turkey Hill Minit Market project and it is his understanding that there was a minor change in the stormwater management system for the project. He stated that he has inspected the work conducted along Winona Falls Road to the stormwater piping system and related facilities and does not have any issue with the minor revision made to the system.

Mr. Olmstead stated that he will send a letter to Ms. Melissa A. Maupin District Permit Manager of the PA Department of Transportation explaining that the situation was discussed the Board of Supervisors and no opposition was raised by the Board.

Mr. Olmstead stated that the Township SALDO (Subdivision and Land Development Ordinance) is currently being reviewed by him for amending purposes and that the Supervisors should reaffirm the Woods Edge II Major Subdivision and Echo Lake Landing Land Development Plan.

Woods Edge II Major Subdivision; Doug Olmstead recommend reaffirmation of the final approval of the Woods Edge II Major Subdivision Plan, with the conditions, initially granted on November 20, 2007. The time limit for addressing the conditions of approval is one year from the date of this re-affirmed approval. If the specified conditions are not addressed within this one-year period the subject plan shall be automatically rejected with no further action by Middle Smithfield Township on May 12, 2011.

Mr. Olmstead stated that a letter would be sent to the applicant listing the conditions of the original approvals and if the conditions are acceptable, they would then sign the letter and return to the township within five (5) days. If the applicant does not return an original signed letter accepting the conditions then the plan is automatically withdrawn with no further action required on behalf of the Board of Supervisors.

Scott Schaller made a motion to reaffirm the Woods Edge II Major Subdivision Plan subject to receipt of a letter accepting the conditions and one-year deadline. Bob Spano seconded the motion. Motion carried 3-0.

Echo Lake Landing Land Development Plan; Doug Olmstead recommends reaffirmation of the final approval of the Echo Lake Landing Land Development Plan, with the conditions initially granted on April 9, 2009. The time limit for addressing the conditions of approval is one year from the date of this re-affirmed approval. If the specified conditions are not addressed within this one-year period the subject plan shall be automatically rejected with no further action by Middle Smithfield Township on May 12, 2011.

Mr. Olmstead stated that a letter would be sent to the applicant listing the conditions of the original approvals and if the conditions are acceptable, they would then sign the letter and return to the township within five (5) days. If the applicant does not return an

original signed letter accepting the conditions then the plan is automatically withdrawn with no further action required on behalf of the Board of Supervisors.

Scott Schaller made a motion to reaffirm the Echo Lake Landing Land Development Plan subject to receipt of a letter accepting the conditions and one year deadline. Bob Spano seconded the motion. Motion carried 3-0.

Sewer Directors Report

Robyn Pugh summarized the sewage treatment plant(s) and pump station report for the months of March and April.

Golf Course / Clubhouse Directors Report

Resolution 05-2010-03

Robyn Pugh presented Resolution 05-2010-03; Tax Anticipation Note, Series 2010, interest rate set at 2.14% in the amount of \$238,894.29, payable to Wayne Bank by December 31, 2010. Scott Schaller made a motion to approve Resolution 05-2010-03. Bob Spano seconded the motion. Motion carried 3-0.

Ms. Pugh summarized additional policies to the employee handbook. After further discussion, Scott Schaller made a motion to amend the employee handbook, direct Sherry Predmore; Human Resource Coordinator to include the policies discussed and adopt the related forms and procedures as set forth. Bob Spano seconded the motion. Motion carried 3-0.

No golf membership report at this time.

New Business

Hiring of Employees

Scott Schaller made a motion to hire Kara Reilly as seasonal golf-cart person, retroactively to April 23, 2010. Bob Spano seconded the motion. Motion carried 2-1. Mr. Marcus stated that he was unaware that an additional golf cart person was needed.

Scott Schaller made a motion to hire Keynon Truog as part time cook, retroactively to April 23, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Kamden Bryant as part time bartender, retroactively to April 23, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Eric Soler as seasonal golf operation Proshop, retroactively to April 23, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Christopher Gannon as part-time dishwasher / lifeguard, retroactively to April 26, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Philip Tumminello as part-time dishwasher, retroactively to April 29, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Ian Gibson as part time kitchen worker, retroactively to May 6, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Paul Kern as part-time cook, retroactively to May 6, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Eastern Monroe Regional Park Commission (EMRPC); Recommendations

John Ferro, Chairman of the EMRPC, discussed recommendations given to the Supervisors dated January 18, 2010 #2 and April 19, 2010 #2. After lengthy discussion Scott Schaller stated that a work session should be scheduled between the Supervisors of Middle Smithfield and Smithfield Townships' prior to approving the listed recommendations. Mr. Ferro stated that he will contact Smithfield Township.

Web Site Design Golf Course

No report made.

Authorization to Advertise FOB;

Scott Schaller made a motion to authorize the secretary to advertise and prepare bid specifications for FOB blacktop. Bob Spano seconded the motion. Motion carried 3-0.

Public Comment on New Business Topics

The salaries of the Country Club of the Poconos clubhouse and golf course employees were reviewed.

Scott Schaller made a motion to go into executive session at 10:10 a.m. to discuss employee and litigation matters. Mitchell Marcus seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to reconvene the meeting at 12:10 p.m. Bob Spano seconded the motion. Motion carried 2-0. Mr. Marcus was not present.

Scott Schaller made a motion to adjourn at 12:11 p.m. Bob Spano seconded the motion. Motion carried 2-0. Mr. Marcus was not present.

Respectfully submitted,

Michele L. Clewell
Secretary

5/13/2010 -

Amerigas	\$84.85
BMO	\$1,661.10
Claude Cyphers	\$577.21
CMRS-POC	\$800.00
Dennis Huber State Constable	\$93.50
Dunkelbergers Sports Outfitter	\$194.95
Eureka Stone Quarry (blacktop)	\$20,021.90
FedEx	\$22.47
Five Star Equipment	\$321.84
Kimball Midwest	\$900.01
Lewis True Value	\$787.39
Dave Manter (reimb)	\$330.23
Miggy's Corp 5	\$97.12
Montague Tool	\$416.91
One Point	\$88.66
PA Municipal Health Ins Coop	\$21,139.79
Penna One Call	\$35.10
Petty Cash	\$90.87
Pocono Record	\$1,309.32
Prosser Laboratories	\$25.00
R J Groner	\$200.00
Roger Metzgar, State Constable	\$142.00
Superior Plus Energy	\$3,861.30
Tulpehocken Spring	\$53.55
Total - General Fund	\$53,255.07

Golf Course and Clubhouse Account

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
04/15/2010	1533	Francis C. DiSalvo	-1,872.82
04/15/2010	1534	Postmaster	-1,130.43
04/15/2010	1535	Futures Golf Equipment	-9,999.00
04/21/2010	1536	Met-Ed	-5,372.67
04/21/2010	1537	PA American Water	-13.11
04/23/2010	1538	Blur Ridge Communications	-237.90
04/23/2010	1539	Canfields Pet & Farm	-155.80
04/23/2010	1540	Eastern Alarm Systems, Inc.	-171.00
04/23/2010	1541	GTS-Welco	-129.99
04/23/2010	1542	Kimball Midwest	-1,331.85
04/23/2010	1543	Lawson Products	-230.01
04/23/2010	1544	Nassau Broadcasting	-4,072.00
04/23/2010	1545	R&D Safe & Lock Works	-1,483.00
04/23/2010	1546	Sears	-2,083.97
04/23/2010	1547	Verizon	-545.16

04/29/2010	1547	Banko Beverage	-3,000.00
04/29/2010	1548	Ecolab	-1,385.68
04/29/2010	1549	Heller Gas Inc	-494.02
04/29/2010	1550	R&R Products	-74.34
04/29/2010	1551	Resort Beverage	-3,000.00
04/29/2010	1552	Serendipity Accounting & Taxes	-3,469.24
04/29/2010	1553	Strand Pool Supply LLP	-65.25
04/29/2010	1554	Sun Litho-Print, Inc.	-1,875.00
04/29/2010	1555	US Foodservice	-181.70
04/29/2010	1556	Verrastro Beverage	-3,000.00
05/03/2010	1557	Postmaster	-106.31
05/05/2010	1557	EZ Flow Plumbing & Heating	-172.10
05/05/2010	1558	Friedman Electric	-85.56
05/05/2010	1559	Home Depot	-1,326.77
05/05/2010	1560	R&R Products	-11.36
05/05/2010	1561	Royal Chemical	-1,859.36
05/05/2010	1563	Acroprint	-37.56
05/05/2010	1564	Apple Maintenance Services, Inc.	-1,500.00
05/05/2010	1565	Bay Industrial Co., Ltd.	-412.78
05/05/2010	1566	Central Equipment	-130.84
05/05/2010	1567	Commonwealth of PA	-35.00
05/05/2010	1568	Dempsey Uniform & Linen Supply	-222.85
05/05/2010	1569	Ecolab	-1,300.62
05/05/2010	1570	Father & Son Cleaning	-185.00
05/05/2010	1571	Fed Ex	-22.58
05/05/2010	1572	Fisher & Son Co., Inc.	-1,026.00
05/05/2010	1573	Foster E. Cramer, JR.	-1,000.00
05/05/2010	1574	George Roberts Productions, LLC	-995.00
05/05/2010	1575	Grass Roots Turf Products	-2,861.20
05/05/2010	1576	Marshalls Creek Plumbing	-664.13
05/05/2010	1577	Mountain Fuels	-515.07
05/05/2010	1578	Northeast Industrial Supply Co.	-28.24
05/05/2010	1579	R&R Products	-138.13
05/05/2010	1580	Strand Pool Supply LLP	-350.00
05/05/2010	1581	Turf Equipment & Supply Co.	-79.73
05/05/2010	1585	Verizon	-382.70
05/05/2010	1586	Whitehall Turf Equipment	-181.60
05/05/2010	1587	Wilson Sporting Goods	-281.77
05/06/2010	1588	Sysco of Central PA	-1,101.46
			<u>-62,387.66</u>
			<u>-62,387.66</u>

MIDDLE SMITHFIELD TWP. SEWER DEPARTMENT

Bill List May 13, 2010

Check-date	Check-#	Vendor Name	Check-amount	Reference
5/07/10	5113	ALLSTATE SEPTIC SYSTEMS	1,537.50	
5/07/10	5114	AQUA NET ENVIRONMENTAL, INC	52,905.00	Final Payment
5/07/10	5115	AT&T	256.53	

5/07/10	5116	COYNE CHEMICAL	2,820.00	
5/07/10	5117	Eagle Valley Printing	157.50	4 Boxes
5/07/10	5118	GRAYMONT CAPITAL INC	5,508.00	188558
5/07/10	5119	M & T BANK	70,422.50	Debt Service
5/07/10	5120		0.00	100044863148
5/07/10	5121	MET-ED	1,790.09	
5/07/10	5122	PROSSER LABORATORIES INC	20,720.20	
5/07/10	5123	SERENDIPITY ACCOUNTING & TAXES	3,769.23	
5/07/10	5124		0.00	
5/07/10	5125	STRAND POOL SUPPLY & SERV	7,506.75	
5/07/10	5126		0.00	570223102584198Y
5/07/10	5127	VERIZON	447.40	
5/07/10	5128	WASTE MANAGEMENT INC	5,417.92	
		Totals:	173,258.62	