

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Tuesday, September 14, 2010 at 6:00 P.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 in attendance were Attorney Jennifer Ann Wise, Township Engineer R. Douglas (Doug) Olmstead, Jr., P.E., Sewer Director/Golf Course Director Robyn Pugh, Township Secretary Michele L. Clewell, numerous interested parties and two Pennsylvania State Constables.

Public Comment on Agenda Items

Toll Brothers performance bond reduction request and the Middle Smithfield Township Public Comment Policy was discussed.

Approval of Minutes

Scott Schaller made a motion to approve the August 12, 2010 minutes. Bob Spano seconded the motion. Motion carried 3-0.

Approval of the Payables

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

Bid Opening for Route 209 Sewer Line Extension

Doug Olmstead stated that the Route 209 Sewer Line Extension was advertised in the Pocono Record on August 19 and 24, 2010, a mandatory pre-bid meeting was held at the Schoonover Municipal Building on August 26, 2010 at 11:00 A.M. and sealed bids were received until 4:00 P.M. September 14, 2010.

Doug Olmstead opened and read aloud the bids received for the Route 209 Sewer Line Extension. A copy of the bid summary is made a part of these minutes.

Doug Olmstead recommended the Supervisors table their decision until the bids can be reviewed and to schedule a special meeting to either award or reject the bids.

Scott Schaller made a motion to table acceptance/rejection of the bids in order to allow Doug Olmstead, P.E., Attorney Wise, Fred Courtright P.E. of Achterman and Associates and Robyn Pugh to review the bids and to schedule a special meeting for Monday, September 20, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion directing Michele Clewell to advertise for a special meeting, Monday, September 20, 2010 at 10:00 A.M. to take action on the Route 209 Sewer Line Extension bids. Bob Spano seconded the motion. Motion carried 3-0.

Correspondence

A notice was received from RRI Energy regarding the Downstream Water User Notification as required under the Pennsylvania Department of Environmental Protection Act 32 for the Shawnee Combustion Turbine site. No action required.

A notice was received from the Monroe County Assessment Office that a refund is due to Robert & Ann Marie Riebel in the amount of \$132.57 due to an incorrect building assessment. Scott Schaller made a motion to refund Robert & Ann Marie Riebel \$132.57. 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 Dinakar Gnanamgari in the amount of \$39.01 due to an incorrect building assessment. Scott Schaller made a motion to refund Dinakar Gnanamgari \$39.01. Bob Spano seconded the motion. Motion carried 3-0.

A request to release fire escrow monies in the amount of \$34,200.00 for Paul & Anabelle Wisniewski was received. The property was inspected by Dave Manter, Building Inspector, who issued a letter stating that the property was cleaned up after the house fire. Scott Schaller made a motion to release the fire escrow monies in amount of \$34,200.00 to Paul & Anabelle Wisniewski. Bob Spano seconded the motion. Motion carried 3-0.

Solicitors Report

PennDOT Winter Maintenance Agreement: Attorney Wise presented Resolution 09-2010-01; adopting the PennDOT Winter Services Five Year Agreement and stated that at the last meeting the Supervisors tabled action on the contract as the incorrect road was shown. The revised contract now shows Lower Lakeview Drive instead of Route 0209 and everything else in the contract remains the same.

Scott Schaller stated that there is still a portion of Oak Grove Road that still remains in the states hands. Doug Olmstead reported that as part of the Marshalls Creek Bypass certain right-of-ways were to be turned over to the Township, however, after further evaluation those right-of-ways do not belong to the Township. There is a portion of Oak Grove Road, between the intersection of State Route 402 to just past the road that was never finished that still belongs to the state. Mr. Olmstead reported that the township will be contacting state representatives and PennDOT to discuss the issue as well as safety concerns with the Route 402 and Oak Grove Road intersection.

Scott Schaller made a motion to approve Resolution 09-2010-01; PennDOT Winter Maintenance Agreement. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to approve the PennDOT Winter Traffic Maintenance 5 year Agreement. Bob Spano seconded the motion. Motion carried 3-0.

Joinder Deed for William J. Warne: Attorney Wise presented Resolution 09-2010-02; Joinder Deed for William J. Warne for Lots No. 5, 6, 7, 8, and 9, as shown on a map entitled "Field Park". Scott Schaller made a motion to approve Resolution 09-2010-02. Bob Spano seconded the motion. Motion carried 3-0.

Ordinance 173, Revision to Exhibit "A" to include Alexander Court": Attorney Wise presented a revision to Exhibit "A" to include Alexander Court in Ordinance 173 as requested by Price Township. Scott Schaller made a motion to approve Revision to Exhibit "A" to include Alexander Court in Ordinance 173. Bob Spano seconded the motion. Motion carried 3-0.

Otis Elevator Contract Update: Attorney Wise stated that the signed elevator contract was received August 13, 2010 and recommended the Supervisors retroactively adopt the Otis Elevator Contract dated August 13, 2010. Scott Schaller made a motion to retroactively adopt the Otis Elevator Contract dated August 13, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Annual Renewal of the Memorandum of Understanding for Emergency Medical Services: Attorney Wise reported that all the EMS responders have signed the MOU. Scott Schaller made a motion to approve the signing of the one year agreement. Bob Spano seconded the motion. Motion carried 3-0.

Engineers Report

Catherine Driscoll and Charles Scrimale Minor Subdivision Plan: Doug Olmstead reported that a letter was received from Frank J. Smith Jr., P.L.S. requesting the minor subdivision plan be tabled and extending the time limit for an additional (90) days. Scott Schaller made a motion to table action on the Catherine Driscoll and Charles Scrimale Minor Subdivision Plan and extend the time limit to render a decision for an additional (90) days. Bob Spano seconded the motion. Motion carried 3-0.

Evergreen Estates II Conservation Subdivision: A letter was received from Joseph DiGregorio of Romec Inc. requesting the subdivision plan be tabled. Scott Schaller made a motion to table action on said plan. Bob Spano seconded the motion. Motion carried 3-0.

Toll Brothers; Performance Bond Reduction Request: A letter was received requesting partial release of the performance bond for Country Club of the Poconos, Sections 4 & 8 namely, Doral Court and Pinehurst Way. Mr. Olmstead stated that after inspecting the work along Doral Court on August 17, 2010 he can recommend a reduction of \$23,341.50, leaving \$138,239.78 in place.

He stated that a reduction for Pinehurst Way had previously been completed. Scott Schaller made a motion to release \$23,341.50 out of the performance bond for Toll Brothers, Country Club of the Poconos Sections 4 & 8. Bob Spano seconded the motion. Motion carried 3-0.

Doug Olmstead reported that Gilmore & Associates submitted a proposal to prepare Turning Movement Diagrams for the intersection of Oak Grove Road and Route 402 at a cost not to exceed \$1000.00.

Scott Schaller asked if this type of software can be purchased and Mr. Olmstead stated that the base software (AutoCAD) would cost about \$20,000.00; then the turning movement software is an additional cost over and above that price. Mr. Schaller stated that he would like Mr. Olmstead to attend a meeting with PennDOT before a decision to accept the proposal from Gilmore & Associates is accepted. No action taken. Scott Schaller stated that the proposal will show the radius of the vehicles having to turn onto Route 402 from Oak Grove Road.

Golf Course Directors Report

Country Club of the Poconos Clubhouse Events: Robyn Pugh provided a list of events dated October 14, 2010 for Country Club of the Poconos Clubhouse. She stated that golf play is up about 300 rounds compared to the information from last year.

Golf Course/Clubhouse Website: Robyn Pugh reported that Success Communications Group has proposed a three-stage development contract for the website.

Stage one of the contract has been completed at a cost of \$3,600.00, which included the URL, initial design and navigation elements, creation of a landing page and photographs and video. Ms. Pugh stated that stages two and three are proposed for a total contract price of \$9,725.00.

After further discussion regarding the need for a golf course website, Mitchell Marcus made a motion to table a decision on the remaining stages of website development until January 2011 in order to save money.

Scott Schaller stated that we spend \$3,000.00 a week in advertising and it is generating 50 golfers per day. Advertising the restaurant in October, November, December, etc. will generate income as the golf course is closed. Bob Spano asked what service charges would be levied to maintain the website.

After further discussion amongst the Supervisors, Scott Schaller made a new motion to table action on the remaining stages of developing the website from Success Communications until Monday's Board of Supervisors special meeting. Bob Spano seconded the motion. Motion carried 3-0.

Sewer Directors Report

Robyn Pugh summarized the Prosser Laboratory July and August 2010 reports.

Ms. Pugh reported that there is a sewage back flow issue on Valley View Circle within the Winona Lakes Development. Dave Scholtz of Prosser Laboratory is aware of the situation and continues to work on a solution. A report will be given to the Supervisors once information is available.

A notice was received from the Delaware River Basin Commission (DRBC) requesting information pertaining to the Winona Lakes Sewage Treatment Plant. Ms. Pugh stated that she is complying with their request.

A member of the audience requested that a monthly financial report be given at the Supervisors meetings on the golf course and clubhouse. Ms. Pugh stated that the information is available under the Right-To-Know Law.

New Business

Middle Smithfield Township Dog Park: Ms. Joyce Bush requested the Supervisors consider the Judy Putek Memorial Park be utilized as a dog park. She commended the board on the park and stated that she has numerous ideas to raise funds for a dog park.

Scott Schaller stated that he believes the Judy Putek Memorial Park is ideal.

Scott Schaller made a motion directing Doug Olmstead to meet with Ms. Bush for the purpose of outlining a dog park and obtain cost estimates. Mitchell Marcus seconded the motion. Motion carried 3-0.

2011 Minimum Municipal Obligation for MST Pension Plan: The MMO is the municipality 2011 bill for the pension plan and that the calculated obligation must be paid by December 31, 2011. Scott Schaller made a motion to submit the MMO report prepared by Sherry Predmore to PMRS. Bob Spano seconded the motion. Motion carried 3-0.

Eastern Monroe Regional Park Commission Recommendation July 18, 2010: Michele Clewell reported that a letter was sent to Smithfield Township and to Mr. John Ferro, Chairman of the EMRPC requesting what type of display cases and estimated costs for said cases that is to be installed at Mt. Nebo and Rivers Edge Parks. Mr. Ferro stated that Smithfield Township already purchased the display cases over one year ago, are being held in storage, and they just need someone to install them. Scott Schaller made a motion directing Dave Manter, Building Inspector, to install said cases. Bob Spano seconded the motion. Motion carried 3-0.

Middle Smithfield Township Planning Commission, Appoint New Member: There was discussion regarding the letters of interest the Supervisors received from residents to serve on the commission. Scott Schaller made a motion to appoint Carrie Wetherbee to fill the vacancy on the planning commission. Mitchell Marcus stated that Jeff Senholzi is more qualified to serve on the commission. Bob Spano seconded Scott Schaller motion. Mitchell Marcus voted no. Motion carried 2-1.

Hiring of Employees: Scott Schaller made a motion to hire Ellen Buchman as a seasonal part time Buser/Dishwasher retroactively to August 27, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Melinda DiDonato as a part time seasonal Waitress/Bartender retroactively to August 31, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Leonard Miller as a seasonal Ranger/Pro Shop Golf Operations retroactively to August 30, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Violetta Tedesco as a part time seasonal Golf Cart Person retroactively to September 13, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to hire Ana Burgos as a part time seasonal Bartender retroactively to September 13, 2010. Bob Spano seconded the motion. Motion carried 3-0.

Scott Schaller made a motion to appoint Donald Karpovitch, Esquire as outside counsel for pending township litigation matters. Bob Spano seconded the motion. Mitchell Marcus stated that this is the first time he was told about the need to hire an outside attorney for litigation matters. Mr. Marcus asked if there would be an initial meeting with no fees involved. Mr. Schaller stated yes. Motion carried 3-0.

An announcement was made that the Monroe Country Board of Elections is seeking poll workers for the next upcoming election.

There being no further business, Scott Schaller made a motion to adjourn the meeting at 7:45 p.m. Bob Spano seconded the motion. Motion carried 3-0.

Respectfully submitted,

Michele L. Clewell,
Township Secretary
September 14, 2010

9/14/2010

MIDDLE SMITHFIELD
TWP. SEWER
DEPARTMENT

Check-#	Vendor Name	Check-amount
5200	212 SOFTWARE	169.90
5201	ALLSTATE SEPTIC SYSTEMS	408.50
5202	AT&T	97.91
5203	COYNE CHEMICAL	2,820.00
5204	HESS COPY CENTER	255.00
5205	HIGH, SWARTZ, ROBERTS & SIEDEL	915.30
5206	M & T BANK	53,264.49
5207	MAIN STREET PRINTING AND COPY	44.10
5208	MET-ED	15,738.85
5209	PENNSYLVANIA AMERICAN WATER	287.37
5210		0.00
5211	PROSSER LABORATORIES INC	14,714.13
5212	POCONO RECORD	366.40
5213	SERENDIPITY ACCOUNTING & TAXES	3,269.24
5214	STRAND POOL SUPPLY & SERV	2,306.95
5215		0.00
5216	VERIZON	1,350.21
5217	WASTE MANAGEMENT INC	3,015.69
	Totals:	99,024.04

September 14, 2010

BMO	\$1,034.50	Kimball Midwest	\$610.32
Payroll 8-20-10	\$71,702.69	Krueger Sheet Metal	\$89.00
Payroll 9-3-10	\$64,462.36	Lehman Township (Halloween)	\$2,000.00
EMC Insurance	\$8,465.53	Luzerne County Cooperative	\$10.00
PNC Bank	\$12,626.00	Macmillan Oil	\$385.00
Prothonotary MC	\$102.00	MailFinance	\$95.00
MC Recorder of Deeds	\$297.00	Merkin Equipment	\$2,475.79
MC Twp Officials	\$85.00	Miggy's Corp 5	\$124.15
Luzerne County Cooperative	\$10.00	Montague Tool	\$578.64
AFLAC	\$704.44	One Point	\$6.07
PLCB	\$10.00	PA Dept of Transportation	\$25.00
PLCB	\$145.00	PA Municipal Ins Coop	\$22,427.49

PMRS	\$20.00	PA One Call	\$23.80
Met-life	\$809.60	PA American Water	\$35.71
Met-ed	\$2,292.89	PenTeleData	\$11.07
AFLCA	\$704.44	Petty cash	\$88.48
		PMRS	\$10,813.85
Allstate Septic	\$355.00	Pocono Record	\$399.20
ATCO International	\$133.56	Pocono Sew & Vac	\$565.74
AWSOM	\$2,500.00	Powells Sales & Service	\$2,230.52
Bradco Supply	\$1,361.98	R & S Auto	\$67.98
BWP Carquest	\$395.01	Reliable Sign	\$270.82
Canfields	\$150.00	Roger Metzgar	\$80.00
Cintas Corp	\$441.48	Sibum's Auto Parts	\$80.00
Calude Cyphers	\$333.32	Staples Credit	\$255.16
Cleveland Brothers	\$2,811.00	Superior Plus Energy Services	\$7,291.65
Day-Timer	\$40.83	Telco	\$11,425.85
DCED	\$180.00	TransAxle	\$215.55
Debbi Manter	\$1,850.00	Trophy Tire	\$113.00
Deluxe for Business	\$259.11	Verizon	\$1,658.71
Dennis Huber Constable	\$106.50	Verizon Wireless	\$801.83
DES Community Partners	\$45.00	Waste Management	\$298.74
Dunkelbergers	\$121.47	Palmisano Containers	\$476.80
ECCO Communications	\$102.74	James Sattur (reimb)	\$75.00
Ehrlich Co	\$255.00	Fire Escrow release	
Five Star Equipment	\$698.15	Paul & Anabelle Wisniewski	\$34,200.00
Giles & Ransome	\$489.36	Fire EMS donations	
Great America Leasing	\$304.50	Bushkill Emergency Corps	\$1,500.00
Hanson Aggregates	\$3,790.25	Bushkill Fire Co.	\$6,557.03
IKON Office	\$265.35	Marshalls Creek Fire & EMS	\$26,956.72
ISObunkers, LLC	\$2,239.22	Med-Mobile EMS	\$1,500.00
Jennifer Wise (reimbursement)	\$14.00	Shawnee Fire	\$6,557.04
Monroe County Bar Assn	\$90.00	Suburban EMS	\$1,500.00
West Payment Center	\$121.37	<u>Total - General Fund</u>	<u>\$327,802.36</u>

Middle Smithfield Township Golf Course and Clubhouse
September 14, 2010

<u>Num</u>	<u>Name</u>	<u>Amount</u>			<u>Amount</u>
1878	Dave Muller Equipment	-135.00	1859	Ana Burgos	-82.36
1879	Emergency Systems Sevice Company	-1,117.96	1860	BWP-Carquest Auto Parts	-402.06
1880	Erin Groome	-22.50	1861	Dempsey Uniform & Linen Supply	-1,335.49
1881	Friedman Electric	-298.35	1862	Draft Cleaning Services	-260.00
1882	Fry's Plastic	-43.28	1863	ENS Football Booster Club	-100.00
1883	Genesis Turfgrass Inc.	-2,937.00	1864	Fed Ex	-66.42
1884	Golf Cart Services, Inc	-7,376.00	1865	Fisher & Son Co., Inc.	-1,322.00
1885	Marshalls Creek Plumbing	-173.24	1866	Friedman Electric	-42.78
1886	Miggy's Corp 5	-57.82	1867	Fry's Plastic	-1,089.52
1887	Pocono Produce Company	-3,538.03	1868	Lewis True Value	-244.29
1888	Pocono Record	-149.70	1869	Met-Ed	-4,308.55
1889	R&R Products	-1,234.18	1870	Miggy's Corp 5	-226.40
1890	Success Communications Group	-15,176.30	1871	Mountain Fuels	-541.01
1891	Sysco of Central PA	-1,260.30	1872	PA American Water	-143.42
1892	US Foodservice	-2,490.71	1873	Pocono Record	-206.76
1893	Varkados Telecom, Inc.	-60.00	1874	Serendipity Accounting & Taxes	-2,000.00
1857	Airgas National Carbonation	-166.78	1875	Staples	-329.37
1858	Allstate Septic Systems, LLP	-285.00	1876	Sun Litho-Print, Inc.	-290.00
			1877	Waste Management	-414.69
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					<u>49,927.27</u>