

The reorganization meeting of the Middle Smithfield Township Board of Supervisors was held on Monday, January 3, 2011 at 9:00 A.M. at the Schoonover Municipal Building.

Members present: Scott R. Schaller, Mitchell K. Marcus and Robert (Bob) F. Spano, Sr. Also present were Township Solicitor Jennifer Ann Wise, Township Engineer R. Douglas (Doug) Olmstead, Jr., P.E., Sewer and Golf Course Director Robyn Pugh, Township Secretary Michele Clewell and several interested parties.

Chairman – Scott Schaller upon a motion of Bob Spano, second by Scott Schaller. Mitchell Marcus voted no. Motion carried 2-1.

Vice-Chairman – Bob Spano upon a motion of Scott Schaller, second by Bob Spano. Mitchell Marcus voted no. Motion carried 2-1.

Public Works Director – Bob Spano upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Operations Director – Bob Spano upon a motion of Scott Schaller, second by Bob Spano. Mitchell Marcus voted no. Motion carried 2-1.

Administrative Director – Scott Schaller upon a motion of Scott Schaller, second by Bob Spano. Mitchell Marcus voted no. Motion carried 2-1.

Treasurer – Scott Schaller upon a motion of Scott Schaller, second by Bob Spano. Mitchell Marcus voted no. Motion carried 2-1.

Assistant Treasurer – Bob Spano upon a motion of Scott Schaller, second by Bob Spano. Mitchell Marcus voted no. Motion carried 2-1.

Township Secretary and Administrative Coordinator – Michele Clewell upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Open Records Officer and Archives & History Coordinator – Michele Clewell upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Human Resources Coordinator & Finance and Budget Secretary – Sherry Predmore upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Township Solicitor – Jennifer Ann Wise, Esquire upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0. Mr. Marcus stated that although he approves of this appointment, the Township Solicitor position should be on a contracted basis, not a full time position in order to control expenses.

Planning Commission Solicitor - Jennifer Ann Wise, Esquire upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Special Legal Counsel – The Law Firm of Morgan, Hallgren, Crosswell & Kane, P.C. with Josele Cleary, Esq. being the representative, The Law Firm of Donald G. Karpowich, Attorney-At-Law, P.C. with Donald Karpowich, Esq. being the representative and the Law Firm of Schemery Zicoello, P.C. with Michael J. Zicoello, Esq. being the representatives upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Zoning Hearing Board Solicitor – the Law Firm of Matergia & Dunn with John Dunn being the representative upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Township Engineer – R. Douglas Olmstead, Jr. upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0. Mr. Marcus stated that although he approves of this appointment, the Township Engineers' position should be on a contracted basis, not a full time position in order to control expenses.

Director of Operations at Country Club of the Poconos – Robyn Pugh upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0. Mr. Marcus stated that although he approves of this appointment, this position should be on a contracted basis, not a full time position in order to control expenses.

Sewer Director – Robyn Pugh upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0. Mr. Marcus stated that although he approves of this appointment, this position should be on a contracted basis, not a full time position in order to control expenses.

Sewage Enforcement Officer – David Manter upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Alternate Sewage Enforcement Officer – Joe Squires upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Zoning, Code Enforcement Officer and BCO – Wayne Rohner upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Building Inspector(s) - David Manter and Building Inspectors Underwriters upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Tax Collector Committee Delegate - Sherry Predmore upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Tax Collector Committee Delegate Alternates - Michele L. Clewell & Robyn Pugh upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Appointment of Appeals Board for Codes - Maureen McGrath, with a 3 year term upon a motion of Scott Schaller, second by Bob Spano. Attorney Wise stated that the municipality may fill a position on the board of appeals with a qualified person who resides outside of the municipality when it cannot find a person within the municipality who satisfies the requirements. Scott Schaller stated that no other interested party has requested to serve on the Appeals Board for Codes and Ms. McGrath has been serving on this Board until her term expired, therefore, motion carried 3-0.

Chairman of Vacancy Board - Frances Malsch upon a motion of Scott Schaller, second by Bob Spano. Mitchell Marcus voted no. Motion carried 2-1.

Planning Commission - Robert Chartock, with a 4 year term upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Zoning Hearing Board - Bud Arnst with a 5 year term upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Emergency Management Director - Rick Porvaznik upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Parks & Recreation Director - Joyce Bush upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Regional Park Commission- John Ferro, Al Decker, Mitchell Marcus and Larry Shoemaker upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Economic Development Committee - Robert B. Chartock, Parin Shah, Ray White, Donald F. Henry and Darlene Winston upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Chairman – Bob Chartock upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Vice-chairman – Donald F. Henry upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Secretary – Darlene Winston upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Representative to COG - Robert F. Spano, Sr. with other two supervisors as Alternates upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Voting Delegate at PSATS Convention - Mitchell K. Marcus upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Regular meetings - Regular meetings of the Board of Supervisors for 2011 will be held the second Thursday of every month at 10:00 A.M. and December 29, 2011 at 10:00 A.M., upon a motion of Scott Schaller, second by Bob Spano.

Scheduled work sessions - Monday through Friday mornings at 10:00 A.M. as needed upon motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Set Treasurer's Bond - \$3,500,000 upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Assistant Treasurer's Bond - \$3,500,000 upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Employee Bond - \$500,000 upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Depository of the General Fund, Payroll Account and Investments - Wayne Bank upon a motion by Scott Schaller, second by Bob Spano. Motion carried 3-0.

Depository of the Sewer Fund - Wayne Bank upon a motion by Scott Schaller, second by Bob Spano. Motion carried 3-0.

Depository of the Golf Course Fund - Wayne Bank upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Depository for the State Fund - PNC BANK-MUNI-PLUS upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Bills that impact normal operation, are subject to discounts or penalties are payable when due with approval confirmation at the following meeting. (Examples, Payroll, taxes, electric, telephone, postage) upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Set mileage rate at IRS guideline for use of personal vehicle on township business. Effective January 1, 2011 the standard mileage rate is .51 cents per mile upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Other Business

Approval of the December 30, 2010 Minutes

Scott Schaller made a motion to approve the December 30, 2010 minutes. Bob Spano seconded the motion. Mitchell Marcus stated that he has a correction to the December 30, 2010 minutes. Mr. Schaller stated that at the last meeting Mr. Marcus stated that he had a correction to the December 9, 2010 minutes and based on the stenographic record the transcript does not

reflect his requested correction. Mr. Marcus stated that he paraphrased. Scott Schaller stated that he asked Attorney Wise to read from the transcript. Attorney Wise read page 96 and _____ of the December 9, 2010 public hearing transcript.

Mitchell Marcus also asked for a correction to the December 30, 2010 minutes with regard to the owners of CCP should own the clubhouse not the golf course as written. Scott Schaller instructed the Township Secretary not to correct the minutes.

Scott Schaller made a motion to approve the minutes as presented. Bob Spano seconded the motion. Motion carried 2-1.

Approval of the Payables

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

Solicitors Report

Attorney Wise presented Resolution 01-2011-01 Middle Smithfield Township Plan Application and Retainer Fee Calculation Form – Scott Schaller made a motion to approve Resolution 01-2011-01. Bob Spano seconded the motion. Motion carried 3-0.

Attorney Wise presented Resolution 01-2011-02 Middle Smithfield Township 2011 Fee Schedule - Scott Schaller made a motion to approve Resolution 01-2011-01. Bob Spano seconded the motion. Motion carried 3-0.

Attorney Wise presented Resolution 01-2011-03 Middle Smithfield Township Residential Building Code Fee Schedule - Scott Schaller made a motion to approve Resolution 01-2011-01. Bob Spano seconded the motion. Motion carried 3-0.

Attorney Wise presented Resolution 01-2011-04 Middle Smithfield Township Other Than Residential building Code Fee Schedule - Scott Schaller made a motion to approve Resolution 01-2011-01. Bob Spano seconded the motion. Motion carried 3-0.

New Business

Jim Dellavalle – River’s Edge Park Skills Area, Pump Track Proposal – Michele Clewell reported that she spoke with Mr. Dellavalle on December 20, 2010 confirming that he would be on the agenda to discuss the pump track proposal. Scott Schaller made a motion to table action as no one is present to discuss the proposal. Bob Spano seconded the motion. Motion carried 3-0.

Public Comment

The following topics were offered for public comment: advertising requirements to fill positions on township committees, boards and commission, township depositories, compensation paid to Supervisors, wind energy and snow plowing golf course paths.

Mitchell Marcus stated that the article in the Pocono Record today regarding MST vs. Ferro... looks like the Township is trying to stop people from talking. Mitchell Marcus made a motion to withdraw the action in court. The motion died due to a lack of a second.

There was also lengthy discussion regarding the policy for public comment at board meetings, and Roberts Rules of Order.

There being no further business the meeting adjourned at 10:20 A.M. upon a motion of Scott Schaller, second by Bob Spano. Motion carried 3-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
January 3, 2011

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A.J. Smith Electric Motor Service	\$18.00
Dennis Huber Constable	\$80.50
E.F.Possinger	\$11,700.00
GTS Welco	\$508.25
ISObunker, LLC	\$15,427.00
Matergia & Dunn	\$338.00
Monroe County Control Center	\$11,408.79
Monroe County Tax Collection Committee	\$519.00
PMRS (2011 admin fee)	\$660.00
PSATS	\$5.00
Reliable Sign	\$2,527.28
Roger Metzgar-Constable	\$67.00
S & W Starter	\$159.00
Stiff Oil Co.	\$7,842.52
Verizon Wireless	\$781.68
Waste Management	\$305.73
Total General Fund	\$52,347.75

