

A special meeting of the Middle Smithfield Township Board of Supervisors was held on October 17, 2011 at 10:00 A.M. at the Schoonover Municipal Building with Robert (Bob) F. Spano, Sr. presiding.

Members present: Bob Spano, Sr., and Mitchell Marcus. Also attending, Township Secretary Michele Clewell, (1) Pennsylvania State Constable and numerous interested parties. Members absent, Scott Schaller and Township Solicitor Jennifer Ann Wise.

New Business

Bob Spano stated that a letter of resignation has been received from Scott R. Schaller effective today at 12 Noon.

Bob Spano read the letter signed by Scott Schaller. Mitchell Marcus asked Mr. Spano to read the letter again in order for everyone to understand its contents.

Mr. Marcus stated that Mr. Schaller wants to resign as a Supervisor but still work here as the Administrative Director and Treasure.

Mitchell Marcus asked if Scott Schaller was going to attend the meeting.

There were numerous statements made that Mr. Schaller cannot serve as the Administrative Director and Treasure if he is not a Township Supervisor.

There were several inquiries made as to why the Township Solicitor is not present for such an important issue and that legal advice is needed.

Mr. Marcus stated that Bob Spano, as Chairman could adjourn the meeting until legal advice is received.

There was discussion as to who would sign checks. Bob Spano stated that this is why he believes Scott Schaller wanted to keep the positions of Administrative Director and Treasure is to be able to sign checks.

Scott Schaller joined the meeting.

Bob Spano made a motion to accept Scott Schaller's letter of resignation as a Township Supervisor but allow him to continue as the Administrative Director and Treasure. Scott Schaller seconded the motion.

Scott Schaller stated that he will not resign as everything as Mitchell Marcus will not sign checks. Mr. Marcus stated that we should wait until legal counsel can be consulted.

Scott Schaller stated that he would resign all positions if someone else is the Administrative Director and Treasure.

When asked if Mitchell Marcus would be the Treasure and Administrative Director for the next (2)

months, Mr. Marcus stated that he would consider it.

When asked if he received legal counsel that he could remain as the Administrative Director and Treasure, Mr. Schaller stated yes.

Mitchell Marcus made a motion to adjourn the meeting. Motion died due to a lack of a second.

Mitchell Marcus made a motion to adjourn the meeting until legal counsel can be consulted. Motion died due to a lack of a second.

Bob Spano made a motion to reject the first letter submitted by Scott Schaller. Scott Schaller seconded the motion. Motion carried 3-0.

After lengthy discussion Scott Schaller presented a new letter of resignation whereby he would resign as Township Supervisor and Treasure but continue as Administrative Director.

Bob Spano made a motion to accept the new letter of resignation of Scott Schaller as Township Supervisor and Treasure but continue as Administrative Director. Mitchell Marcus stated that he will not accept the letter as it has to be all or nothing.

A question was asked if the Administrative Director is a paid position. The answer was yes.

The motion was seconded by Scott Schaller. Roll call – Bob voted yes, Mitchell Marcus voted no, not under those terms. Scott Schaller stated that he will abstain and out of the rule of necessity of voting he will vote in favor of accepting his letter of resignation.

Scott Schaller then left the meeting.

A question was asked if Scott Schaller submitted a letter of abstention. The answer was no.

Mitchell Marcus asked for a second to adjourn the meeting. The motion died due to a lack of a second.

Bob Spano made a motion directing Michele Clewell to advertise for letters of interest for a Township Supervisor and have a work session on November 1, 2011 to review the letters of interest. Motion died due to a lack of a second.

Bob Spano asked if would need to get Scott Schaller to rejoin the meeting in order to get a second on his motion. He stated \$250,000.00 bail on a \$10,000.00 fine, what a joke.

Mitchell Marcus made a motion to adjourn the meeting. Motion died due to a lack of a second.

While leaving the room to get Scott Schaller to rejoin the meeting, Bob Spano said “he was embarrassed when I was carried out of here...and your all gonna pay for this”.

Scott Schaller to rejoin the meeting.

Bob Spano made a motion to advertise for a new Supervisor and to review the letters of interest at the November 1, 2011 and November 2, 2011 work session. Mitchell Marcus stated that he is not voting as he does not have the solicitor to advice.

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

Respectfully submitted,

Michele L. Clewell
Township Secretary
October 17, 2011