

The Middle Smithfield Township Board of Supervisors organizational meeting was held on Monday, January 7, 2013 at 7:00 p.m. at the Schoonover Municipal Building.

Members present: Mitchell K. Marcus, Annette Atkinson, Michael Dwyer. Also in attendance, Township Solicitor Michael Gaul, Township Engineer Fred Courtright, Township Secretary Michele Clewell and numerous interested members of the public.

### **2013 Organization**

**Chairman** – Annette Atkinson upon a motion of Michael Dwyer, second by Annette Atkinson. Mitchell Marcus voted no. Motion passed 2-1.

**Vice Chairman** – Michael Dwyer upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Public Works Director** – Michael Dwyer upon a motion of Annette Atkinson, second by Michael Dwyer. Mitchell Marcus voted no. Motion passed 2-1.

**Administrative Director** – Annette Atkinson upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Assistant Administrative Director** – Mitchell Marcus upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Operations Director** – Annette Atkinson upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Assistant Operations Director** – Michael Dwyer upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Treasurer** – Michael Dwyer upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Assistant Treasurer** – Annette Atkinson upon a motion of Mitchell Marcus, second by Michael Dwyer. Motion passed 3-0.

**Township Secretary and Administrative Coordinator** – Michele Clewell upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Budget & Finance Coordinator** – Raymond Wolfe upon a motion of Michael Dwyer, second by Annette Atkinson. Motion passed 3-0.

**Building Inspector(s) & BCO** – BIU with David Manter being the representative upon a motion of Annette Atkinson second by Mitchell Marcus. Motion passed 3-0.

**Human Resources Coordinator** – Michele Clewell upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Insurance and Risk Management** – Mitchell Marcus upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Open Records Officer** – Michele Clewell upon a motion of Annette Atkinson, second by Michael Dwyer. Motion passed 3-0.

**Public Works Dept. Coordinator, Parks Liaison & Banquet Hall Coordinator** - Erin Groome upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Recycling Coordinator** – Wayne Rohner upon a motion of Michael Dwyer, second by Annette Atkinson. Motion passed 3-0.

**Sewer Department Coordinator** – Lisa Philips upon a motion of Annette Atkinson, second by Michael Dwyer. Motion passed 3-0.

**Tax Collector Committee Delegate** – Raymond Wolfe upon a motion of Michael Dwyer, second by Annette Atkinson. Motion passed 3-0.

**Tax Collector Committee Delegate Alternate** – Annette Atkinson upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Township Solicitor** – The firm of KingSpry with Michael Gaul being the representative upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Township Solicitor Alternate** – The firm of Newman, Williams Mishkin with Gerard Geiger being the representative upon a motion of Mitchell Marcus, second by Michael Dwyer. Motion passed 3-0.

**Special Legal Counsel** – The firm of Siana, Bellwoar and McAndrew, LLP upon a motion of Mitchell Marcus, second by Annette Atkinson. Motion passed 3-0.

**Planning Commission Solicitor** – The firm of Weitzmann and Weitzmann LLC with Todd Weitzmann being the representative upon a motion of Mitchell Marcus second by Annette Atkinson. Motion passed 3-0.

**Planning Commission Solicitor Alternate** – the firm of KingSpry with Michael Gaul being the representative upon a motion of Mitchell Marcus, second by Annette Atkinson. Motion passed 3-0.

**Zoning Hearing Board Solicitor** – The firm of Matergia and Dunn with John Dunn being the representative upon a motion of Mitchell Marcus, second by Annette Atkinson. Motion carried 3-0.

**Township Engineer** – Gilmore & Associates with Fred Courtright being the representative upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Township Engineer Alternate** – Borton Lawson with Deanna Schmoyer being the representative upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Sewage Enforcement Officer** – BIU with Dave Manter being the representative upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Sewage Enforcement Officer Alternate** – Jeryl Reinhardt upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Zoning Code Enforcement Officer** – Wayne Rohner upon a motion of Annette Atkinson, second by Michael Dwyer. Bob Pohlman questioned the appointment of Mr. Rohner. Annette Atkinson stated that the Supervisors are appointing Mr. Rohner based on their experience with him. Motion passed 3-0.

**Zoning Code Enforcement Officer Alternate** – BIU with Dave Manter being the representative upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Appeals Board for Building Codes (3 year term)** – John Baptist upon a motion of Mitchell Marcus, second by Annette Atkinson. Motion passed 3-0.

**Chairman of the Vacancy Board** – Bob Pohlman upon a motion of Michael Dwyer, second by Annette Atkinson. Motion passed 3-0.

**Economic Development Committee (2 year term)** – Debbie Kulick, Robert Hetu, Noreen Lowris, Carrie Wetherbee and Carl Wilgos upon a motion of Annette Atkinson, second by Michael Dwyer. Motion passed 3-0.

**Emergency Management Coordinator** – John Ferro upon a motion to confirm by Mitchell Marcus second by Michael Dwyer. Motion passed 3-0.

**Emergency Management Committee** – Michael Dwyer, Mitchell Marcus, Richard Porvaznik, William Trainor, and Yvette Ebontene, RN, BSN, FN-CSA upon a motion by Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Golf Course Advisor Board (annual appointment)** – Ray White, Mike Sweeney, Mark Oney, Wayne Bolt, Don Henry, Craig Wetherbee and Buz Radican upon a motion of Michael Dwyer second by Annette Atkinson. Motion passed 3-0.

**Parks & Recreation Board (5 year term)** – Karen Conway upon a motion of Mitchell Marcus, second by Annette Atkinson. Motion passed 3-0.

**Parks & Recreation Director** – Mitchell Marcus upon a motion of Michael Dwyer, second by Annette Atkinson. Motion passed 3-0.

**Regional Park Commission (annual appointment)** – Larry Shoemaker, John Ferro, Albert Decker, Jeff Reichl and Mitchell Marcus being the liaison upon a motion of Mitchell Marcus, second by Michael Dwyer. Motion passed 3-0.

**Planning Commission (4 year term)** – Robert Early and Carrie Wetherbee upon a motion of Annette Atkinson, second by Michael Dwyer. Motion passed 3-0.

**Representative to COG** – Michael Dwyer with the other two supervisors as alternates upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Voting Delegate at PSATS Convention** – Mitchell Marcus upon a motion of Annette Atkinson, second by Michael Dwyer. Motion passed 3-0.

**Zoning Hearing Board (5 year term)** – Frank Primrose upon a motion of Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Treasurers Bond** - \$1,000,000.00 upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Assistant Treasurers Bond** - \$1,000,000.00 upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Blanket Employee Dishonesty Bond** - \$1,000,000.00 upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Depository of the General Fund and Payroll Account** – Wayne Bank with investments in PLGIT and Invest upon a motion by Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Depository of the Sewer Fund** – Wayne Bank upon a motion by Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Depository of the Golf Course Fund** – Wayne Bank upon a motion by Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Depository for the State Fund** – PNC Bank-Muni Plus upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Bills that impact normal operation** are subject to discounts or penalties are payable when due with approval confirmation at the following meeting upon a motion by Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Regular meetings** – Regular meeting will be held the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of every month with the exception of January, November and December. The January meeting will be 1/24/13, November will be 11/14/2013 and December will be 12/5/2013 and 12/30/2013, with the meetings being held at 7:00 p.m. upon a motion by Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Scheduled Work Sessions** – Work sessions will be held Monday thru Sunday at 8am, 9am, 10am, 2pm, 6pm and 7pm as needed throughout 2013, with every Friday at 8am with the exception of the 3<sup>rd</sup> Friday at 2pm being the primary work session day upon a motion by Annette Atkinson, second by Mitchell Marcus. Motion passed 3-0.

**Set mileage rate at IRS guideline for use of Personal Vehicle on Township Business** – 56.5 cents per mile upon a motion of Michael Dwyer, second by Mitchell Marcus. Motion passed 3-0.

**Salary, Benefits and Personnel Package** – Adopt as written upon a motion of Annette Atkinson, second by Michael Dwyer. Motion passed 3-0.

## **Other Business**

### **2013 Presentation**

Annette Atkinson present a power point presentation; Middle Smithfield Township 2013 Preview. The Mission, vision, events and plans proposed for 2013 were presented.

- The Board of Supervisors will be inviting HOA/POA board members to an informal meeting on February 23, 2013 from 10:00 a.m. to 1:00 p.m. to share ideas and to discuss how they can increase their buying power if working together.
- Mike Dwyer expanded on the presentation and reviewed the proposed 2013 Public Works Department road projects as well as the recycling spring cleanup enhancements.
- Upcoming events were presented, cleanup, Easter Egg Hunt, A Day in the Park and Truck or Treat

## **Approval of Minutes**

Michael Dwyer made a motion to approve the December 27, 2012 minutes. Annette Atkinson seconded the motion. Motion passed 3-0.

## **Report of Executive Session(s)**

Attorney Gaul reported that he met with the Supervisors prior to tonight's meeting to discuss pending legal matters and the Hott PA zoning appeal case.

## **Golf Cart Lease**

Michael Dwyer reported that the Supervisors received the sealed bids and opened the bids at the December 27, 2012 meeting.

Michael Dwyer made a motion to send the Notice of Intent to Golf Car Specialties for the (60) new golf carts and (1) beverage cart for a term of (3) years with Middle Smithfield Township providing the annual maintenance. Mr. Dwyer stated that a question was received regarding the E-10 fuel and E-15 fuel and the research shows that they stop selling the fuel until more testing is done. Mitchell Marcus seconded the motion. Motion passed 3-0.

## **Treasurers Report**

Michael Dwyer stated that although we are at the beginning of the month, financially we are doing well and the Township does not have to be concerned with debt from prior years; we do not have to do excessive borrowing.

Approval of Payables – Michael Dwyer made a motion to approve the General Fund payables in the amount of \$113,329.57. Annette Atkinson seconded the motion.

Richard Kawski questioned the cleaning bills and asked what it covers. Annette Atkinson stated that someone comes in and cleans the admin building once a week, and the other building in the back. Mr. Kawski stated that he has an invoice and that it does not coincide with the bills on the statements. Michael Dwyer stated that some are cost coded, split between different accounting codes, for example, the Golf fund is charged for any cleaning of the Clubhouse. Mr. Kawski asked about a contract, Annette Atkinson stated that there is no cleaning contract. Attorney Gaul stated that there is no entitlement to the job but comparative quotes could be obtained. The Supervisors stated that they will review the matter.

Joe Catalfamo asked about all the mortgages, public bonds and underwriters. Attorney Gaul stated that he believed that Mr. Catalfamo was referring to the Township's recent refinancing of its sewer debt, and that the Board of Supervisors does not receive any personal benefit from it.

Motion passed 3-0.

Michael Dwyer made a motion to approve the Liquid Fuels payables in the amount of \$9,509.19. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve the Sewer Fund payables in the amount of \$11,265.58. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve the Golf Course Fund payables in the amount of \$10,530.30. Annette Atkinson seconded the motion. Motion passed 3-0.

Wayne Bank Commitment Letter F-450 Ford Truck with Plow – Michael Dwyer made a motion to accept and acknowledge the commitment letter for the purchase that was confirmed at the last meeting. Annette Atkinson seconded the motion.

Larry Dymond asked what the interest rate is and if the dealer was asked. Michael Dwyer replied that Wayne Bank interest rate is 2.99% and the dealer was offering 6%.

Motion carried 3-0.

### **Solicitors Report**

Attorney Gaul stated that Resolutions 01-2013-01, 02, 03, 04, and 05 are to reaffirm the township fees for zoning, land use applications, residential and non residential building codes and golf course rates. Mitchell Marcus made a motion to adopt Resolutions 01-2013-01, 02, 03, 04 and 05 as written. Annette Atkinson seconded the motion. Motion passed 3-0.

Resolution 01-2013-06 Resolution Adopting a Township Volunteer Appointee Attendance Policy  
Annette Atkinson made a motion to adopt Resolution 01-2013-06 as written. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution 01-2013-07 Establishing the Compensation for the Township Real Estate Tax Collector Commencing the 2014 Tax Year – Attorney Gaul stated that this resolution established the compensation for the township real estate collector for their elected term starting in the 2014 tax year. Michael Dwyer made a motion to adopt Resolution 01-2013-07 as written. Annette Atkinson seconded the motion. Motion passed 3-0.

Internship Agreement – Attorney Gaul stated that he has reviewed the agreement provided by East Stroudsburg University and has no objections with the document and that Annette Atkinson would execute the document as the Administrative Director. Mitchell Marcus made a motion to adopt the Internship Agreement and appoint the Administrative Director to execute the document. Annette Atkinson seconded the motion. Motion passed 3-0.

Intern Hiring (non-agenda item) – Annette Atkinson made a motion to allow the Administrative Director to hire interns for necessary jobs within the budget allotted for interns, with wages set at minimum wage with a cop of 20 hours per week. Michael Dwyer seconded the motion. Motion passed 3-0.

## **Engineers Report**

White Heron Lake Minor Subdivision Plan – Fred Courtright stated that his understanding is, is that this plan is to be tabled until the January 24, 2013 meeting. Michael Dwyer made a motion to table the decision until the Board of Supervisors January 24, 2013 meeting. Mitchell Marcus seconded the motion. Motion passed 3-0.

## **New Business**

Attorney Gaul stated that Allen Rotto Company provided Power of Attorney documents requesting signatures in order to obtain a refund due to sales tax being charged on the townships electric bills. Annette Atkinson made a motion authorizing signature of the documents. Mitchell Marcus seconded the motion. Motion passed 3-0.

## **Public Comment**

Richard Kawski asked for an update with regard to the posted speed limits on Oak Grove Road. Michael Dwyer stated that in order to change the speed limit a traffic study is required; however, he would like to speak to PennDOT and ask if timers would satisfy their requirements as traffic studies are extremely expensive.

Larry Dymond stated that while driving by two pump stations the odor was horrible.

Albert Decker thanked the Supervisors for the use of the grill for the Veterans Day Parade.

Albert Decker stated that he spoke to Gail Kulick, Principal of Resica Elementary School about holding A Day in the Park. Annette Atkinson stated that the school needs to send a letter to the Supervisors.

Oscar Woerlein questioned if letters would be mailed to the HOA/POA regarding the proposed February 23, 2013 meeting. Michael Dwyer stated that letters will be mailed out within the week.

There being no further business, Annette Atkinson made a motion to adjourn the meeting at 8:57 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
January 7, 2013



General Fund 01-07-2013

Num	Name	Memo	Amount
10217	First Insurance Funding Corp	12101-0066-1674635	-9,364.17
10218	Monroe County Control Center	inv 5349 1st qtr Public safety emergency dispatch services	-14,317.32
trf	Middle Smithfield Township	Payroll Funds Transfer	-46,427.80
10219	AFLAC	insurance	-545.82
	Middle Smithfield Township 2012		
10220	GOB	2012 GOB General Fund portion installment	-11,491.67
10221	Monroe County Vector Control	Vector Control 2013 donation	-2,500.00
10222	A.J. Smith Electric Motor Service	inv 34395 12v solenoid valve	-145.00
10223	Allstate Septic Systems, LLP	inv 219709 Putek park potty	-95.00
10224	Bradco Supply Co	inv 88606 deliniators	-901.00
10225	BWP-Carquest Auto Parts	8348-28374/75 parts	-104.73
10226	Claude S. Cyphers, Inc	606930/607017	-418.93
10227	Cramer's Home Center	828507/833517/52018/834653 misc parts	-190.86
10228	General Code, LLC	inv C0010171 annual maint fee	-1,195.00
10229	Gilmore & Associates, Inc.	engineering fees 122751-122760	-6,251.17
10230	HR Specialist Pennsylvania	a/c 43591362 PA Employment Law	-191.00
10231	ISObunkers, LLC	ainv0047842 biodiesel fuel 1,500 gals	-5,458.50
10232	Lewis True Value	misc parts	-76.81
10233	M.S.T.S.D.	MS-32 4th & 1st qtr sewer	-530.00
10234	Met Ed	a/c 100059550028 Echo Lake	-47.58
10235	Miggys Five	a/c 15 kitchen supplies	-17.88
10236	Mitchell K. Marcus Newman, Williams, Mishkin, Corveleyn	reimbursements for storm & PSATS meeting	-414.54
10237		inv 84758 Hott PA	-405.00
10238	P & S Garage	69122/69226 inspections	-94.25
10239	PA One Call System, Inc.	inv 518311 monthly activity fee	-28.49
10240	PMRS	45-027-5N pension	-3,683.38
10241	Pocono Peterbilt	inv 315799 kit-seal	-24.38
10242	Pocono Record	inv 649561 public notices	-437.20
10243	R & S Auto & Truck	inspections 7859/60/61	-118.45
10244	Staples Contract and Commercial	inv 7000381470 office supplies	-86.58
10245	The Solar Group	ep000B01 replace damaged mailbox	-20.00
10246	Varkados Telecom, Inc.	inv 4572 phone sys repairs	-295.00
10247	ISObunkers, LLC	ainv0047952 heating oil	-6,658.00
10248	Met Ed	a/c 100069220836 River Rd &09 light	-14.06
10249	PMRS	45-027-5N annual admin fee	-780.00
			-
			<u>113,329.57</u>

Golf Course payables 01-07-2013

Num	Name	Memo	Amount
wt	JDC Golf and Turf		-1,264.63
wt	USB Equipment Finance	Toro Lease	-1,325.16
wt	Global Pay	Dec credit card fees	-55.94

2158	Blue Ridge Communications	0109950-03 cable & internet	-49.95
2159	BWP-Carquest Auto Parts	parts	-84.50
2160	Grainger	inv 843136102 liners	-138.38
2161	Lewis True Value	misc parts	-36.85
2162	M.S.T.S.D.	BR-Amenity 3 1st qtr 2013	-2,385.00
2163	Met-Ed	a/c 100081748855 pump house tomx rd	-207.08
2164	Miggy's Corp 5	New yrs eve supplies	-76.80
2165	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	-863.02
2166	Pocono Record	inv 649561 new yrs eve ads	-300.00
2167	Prime 570 Catering	new yrs eve catering	-3,574.76
2168	Met-Ed	a/c 100081784231 big ridge drive	-168.23
			<u>-</u>
			<u>10,530.30</u>
			-
			<u><u>10,530.30</u></u>

Liquid Fuel  
payables 01-07-13

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
			-
1093	Cargill Incorporated	deicer salt	5,571.96
	Mineral Reclamation	min40a14 anti-skid	-
1094	LLC	material	3,308.44
	Eureka Stone Quarry,		
1095	Inc	inv 112609	<u>-628.79</u>
			-
			<u>9,509.19</u>
			-
			<u><u>9,509.19</u></u>