

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, February 14, 2013 at 7:00 p.m. at the Schoonover Municipal Building with Annette Atkinson presiding.

Members present: Annette Atkinson, Michael J. Dwyer and Mitchell K. Marcus. Also in attendance, Township Solicitor Michael Gaul, Esq., Township Secretary Michele Clewell and numerous residents and interested parties.

### **Approval of Previous Minutes**

Annette Atkinson made a motion to approve the January 24, 2013 minutes. Mitchell Marcus seconded the motion. Motion passed 3-0.

Annette Atkinson announced that the Supervisors received a plaque from Wayne Bolt, past supervisors and current member of the planning commission as a thank you.

### **Report of Executive Sessions**

Attorney Michael Gaul reported that an executive session was held on February 11, 2013 to discuss personnel matters.

### **Committee Reports**

Annette Atkinson state that the committees will be given 3 minutes to highlight their monthly reports and the reports are available on the table and will be placed on the website.

Eastern Monroe Regional Park Commission – John Ferro stated that the commission has not met since October 2012; however, the next meeting will be March 17, 2013 with the meetings being held at the Middle Smithfield Township municipal building for 2013.

Economic Development Committee – Debbie Kulick stated that the committee held their reorganization in January and the 2013 meetings will be held on the second Monday of every month at 6:30 p.m. Highlights of the EDC report: Job air slated from April 24<sup>th</sup> with additional information to come, the “Shop Local” program as well as numerous topics from the report.

Golf Advisory Board – Ray White stated that opening day for the 2013 golf season is scheduled for March 29, 2013, weather permitting. Mr. White reviewed the numerous topics from his report.

Historical Commission - Annette Atkinson stated that Steven Kulick is not present to give the commission’s monthly report. Mrs. Atkinson stated that the commission is picking a theme for the 2013 Memory Makers and thinking of something to link to Gettysburg.

Litter & Beautification – Ed Regina stated that they met on January 30, 2013 and the meetings will be held on the third Thursday of every month. Mr. Regina reviewed the goals for 2013 and asked for volunteers.

Parks & Recreation Board – Joyce Fenical stated that they met on February 4, 2013 and are working toward erecting the Echo Lake Park playground and pavilion this year. The yearly egg hunt will need volunteers and a survey is available as suggestions for the parks are needed. The Parks and & Recreation Board will meet on the first Monday of every month at 6:15 p.m.

Planning Commission – No one present

Workers Compensation Safety Committee – Mitchell Marcus stated that CPR and hazmat training will be scheduled as well as basic first aid and in order for the employees to partake in the training; the building will need to be closed for half a day. Additional mats for the CCP kitchen will also be ordered.

### **Correspondence**

A Downstream Notification and Public Notice was received from Storb Environmental Incorporated regarding No. 2 fuel oil, kerosene and low sulfur diesel being stored above ground in Macungie, and in PA, Hawley. No action required.

A letter was received from Bushkill Emergency Corps was received thanking the Supervisors for the donation made to them as well as copies of invoices reflecting the disbursement of those funds.

A letter was received from the Redevelopment Authority of the County of Monroe reporting that they assisted 3 low-income household in Middle Smithfield.

### **Treasurer's Report**

Michael Dwyer reported that we are planning for future projects with no major expenses to report over the past month and we are at or near budget for the month.

PA DEP notified the township that a recycling grant in the amount of \$223,000 was awarded and this will help offset expenses. The Board of Supervisors appreciates the efforts of Wayne Rohner and Pat Calpin in preparing the grant application.

A meeting regarding recycling was held with Lehman and Smithfield Townships' and working with PennDOT to establish a tri township recycling center by Oak Grove which we hope to open by the summer of 2013.

Public Works Department traded the 1995 bucket truck in for a 2001 bucket truck and a new plow truck is expected to be delivered next week.

The liquid fuels audit for 2011 was completed and we passed with flying colors.

Approval of Payables – Michael Dwyer made a motion to pay the general fund payables in the amount of \$204,217.72. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the sewer fund payables in the amount of \$80,903.09. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the golf course fund payables in the amount of \$16,972.47. Annette Atkinson seconded the motion. Motion passed 3-0.

Monroe County Tax Assessment Refunds – Michael Dwyer made a motion to refund (5) tax assessment appeal requests totaling \$222.29. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Solicitors Report**

Hott PA, Inc., Land Development Plan - Attorney Michael Gaul reported that the township received a correspondence requesting the land development plan be taken off the agenda until the applicant attorney says otherwise. Attorney Gaul stated that the alternate solicitor told him the extension of time to render a decision extends until April 19, 2013.

Annette Atkinson made a motion to confirm that the extension for Hott PA, inc. run until April 19, 2013. Mitchell Marcus seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to table a decision regarding the Hott PA, Inc. Land Development Plan until further notice is received from Hott PA as per their request. Mitchell Marcus seconded the motion. Motion passed 3-0.

Golf Cart Lease – Michael Dwyer made a motion to approve the final award of the golf cart lease contract to Golf Car Specialties, LLC. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve the execution of the lease and two sublessee agreements with either the chairman or Vice Chairman executing the documents. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Engineers Report**

Eric Tesche Minor Subdivision Plan and (2) modification requests – A letter was received from the applicant engineer requesting the plan be tabled. Annette Atkinson made a motion to table a decision on the plan and modification requests. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **New Business**

Advertising Proposed Floodplain Ordinance No. 192 – Attorney Gaul stated that this is an amendment to the zoning ordinance and is required to go to the Township and Monroe County Planning Commissions'.

Annette Atkinson made a motion directing the township secretary to advertise the proposed Floodplain Ordinance. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to schedule the public hearing for March 28, 2013 at 7:00 p.m. Mitchell Marcus seconded the motion. Attorney Gaul stated that this ordinance is based on a model done by the county and it is a standard document that just needs to be updated. Motion passed 3-0.

Resolution No. 02-2013-01 Authorizing Disposition of Certain Records – Annette Atkinson made a motion to approve. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution 02-2013-02 Designation of Agent for Hurricane Sandy – Michael Dwyer made a motion designating Erin Groome, Public Works Coordinator as the agent with regards to FEMA and PEMA paperwork. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution No. 02-2013-03 Placement of Banners Across a State Highway or within the Highway Right of Way – Annette Atkinson stated that this agenda item will be tabled until further review. Mitchell Marcus seconded the motion. Motion passed 3-0.

Schedule the Egg Hunt at Resica Park – Mitchell Marcus made a motion to schedule the 2013 egg hunt on Saturday, March 23, 2014 between 12 noon – 2:00 p.m. rain or shine. Annette Atkinson seconded the motion. Motion passed 3-0.

CCP Municipal Golf Course Pro Shop Manager – Annette Atkinson made a motion to hire Don Henry. Michael Dwyer seconded the motion. Motion passed 3-0.

Schedule Dangerous Structure Public Hearing – Annette Atkinson made a motion to schedule the public hearing for March 14, 2013 at 6:30 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

## **Old Business**

Clarification on the use of two gas companies – Michael Dwyer explained that at the previous meeting a question was asked as to why the township is using two gas companies. Michael Dwyer explained that we were in between contracts and that is the reason for the two different companies.

## **Miscellaneous**

Michael Dwyer reported that a meeting was held with FEMA on February 4, 2013 and a request for funds in the amount of \$82,000.00 due to Hurricane Sandy is expected soon. FEMA reimburses 75% of the expense. PEMA has not committed to their share of 25% to date.

Mr. Dwyer stated that this is only for municipalities not for homeowners.

## **Executive Session**

Not necessary

## **Public Comment**

Richard Kowski questioned the Adams Outdoor Advertising request. Annette Atkinson stated that the Zoning Hearing Board approved the use of digitalization on one side of the billboard. Location is on the corner of Hollow Road and Route 209. This is a replacement of the old wooden structure with a new metal structure.

Attorney Gaul explained that the applicant had to go for a variance request first at the Zoning Hearing Board level and now they will come before the Board of Supervisors for a conditional use permit.

Kim Diddio commented on the Judy Putek Park aka the dog park and stated that this is a very nice park and understands the concerns about safety.

Larry Dymond stated that Commissioner Moyer sent the township documents and Mr. Gaul replied back and he/Mr. Catalfamo is still not receiving any information. Mr. Dymond stated that he will bring everything to the next meeting and put it up on the screen as everything stated in this township office.

Attorney Gaul stated that the public comment part of the Board of Supervisors meeting is not the proper forum, to put on a case like that. The proper forum to make such a case is to file a lawsuit at the courthouse. Attorney Gaul further noted that Mr. Catalfamo previously sued the township, and the court ruled in the township's favor and against Mr. Catafamo.

Attorney Gaul advised the supervisor not to respond as there is a potential to litigation.

Attorney Gaul stated that anything on public comment that is repetitive, the supervisors do not have to listen over and over.

Attorney Gaul stated that he has not received anything back from Commissioner Moyer that he is unhappy with the information supplied to him.

Glen Rubin asked that the dog park remain open although he understands the safety issues in the winter.

Annette Atkinson gave the history of the dog park complaints regarding canine fecal waste. They also stated the ice, slips and falls in the winter were another concern. The subcommittee recommended the dog park close for the remainder of the winter (6) weeks. A supervisor's work session was held and discussions regarding posting a sign at ALL the township parks stating that no winter maintenance and use at your own risk could be an alternative.

Michael Dwyer stated that the Public Works Department is to take care of the roads first and the clearing of the parks parking lots are a secondary after a storm. Winter maintenance could take a couple of days.

Abigail Graham asked if no winter maintenance meant no trash service. Michael Dwyer stated that in the winter our concern is the roads but trash from the parks would be picked up but more infrequently. Ms. Graham stated that there is very little communication between the township and the people that use the dog park.

Al Decker stated that there is a used car center on Route 209 and he has complained about it in the past and would like it cleaned up.

It was stated that the dog park issues will be discussed at a work session February 15, 2013 at 2:00 p.m.

Annette Atkinson made a motion to adjourn the meeting at 8:25 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell,  
Township Secretary  
February 14, 2013

General Fund Payables 02-14-2013

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
01/28/2013	10308	Keith Buchman	Boot reimbursement	-150.00
01/28/2013	10309	John Tronicke	boot reimbursement	-150.00
01/28/2013	10310	Gary VanHorn	boot reimbursement	-150.00
01/28/2013	10311	Joseph Les	boot reimbursement	-145.59
01/28/2013	10312	John Robson	boot reimbursement	-150.00
01/30/2013	10313	US Postal Service	meter a/c # 46025714 postage	-1,500.00
01/30/2013	Trf	Middle Smithfield Township	Payroll Funds Transfer	-47,385.75
02/04/2013	10315	AFLAC	inv 284011 Y2051	-503.48
02/04/2013	10316	Anthony & Rosemary Sorbello	tax assessment refund	-29.11
02/04/2013	10317	Antoneta Bodasca	tax assessment refund	-20.39
02/04/2013	10318	Brantley Emmanuel	tax assessment refund	-18.56
02/04/2013	10319	Charles Regalbuto	tax assessment refund	-0.25
02/04/2013	10320	Christopher Ciriigliarno	tax assessment refund	-0.86
02/04/2013	10321	Drumright Kewanee & Cheryl Grant	tax assessment refund	-33.52
02/04/2013	10322	Dusan & Simon Bonifacic	tax assessment refund	-14.56
02/04/2013	10323	First Insurance Funding Corp	12101-0066-1674635	-9,364.17
02/04/2013	10324	H.A.R.I.E	policy 307441611-12 Workers Comp	-4,055.00
02/04/2013	10325	Haiying Wang	tax assessment refund	-58.19
02/04/2013	10326	Jeremiah & Marion Collins	tax assessment refund	-56.91
02/04/2013	10327	Jeremy & Jennifer Pastuszek	tax assessment refund	-82.47
02/04/2013	10328	Lorne Gates	tax assessment refund	-22.88
02/04/2013	10329	Peter & Janice Garofolo	tax assessment refund	-33.79

02/04/2013	10330	Peter & Toni Anzalone	tax assessment refund	-60.95
02/04/2013	10331	Robert & Karen Melfi	tax assessment refund	-35.08
02/04/2013	10332	Roger & Jennifer Componovo	tax assessment refund	-9.90
02/04/2013	10333	Samir & Rexhing Nikshiqi Timur Novoreshshenov & Jacqueline Velez	tax assessment refund	-66.55
02/04/2013	10334	Virginia & Michele Marigliano	tax assessment refund	-56.86
02/04/2013	10335	Raymond & Donna Gentile	tax assessment refund	-41.44
02/04/2013	10336	Raymond & Donna Gentile	tax assessment refund	-5.80
02/11/2013	10314	AAaron Berube	Bucket Truck	-6,000.00
02/12/2013	10337	Allstate Septic Systems, LLP	inv 220407	-95.00
02/12/2013	10338	Beatrice & Guempes Charles	09/89260 tax assessment appeal	-72.65
02/12/2013	10339	Conney Safety Products	4349297 Jackets	-228.96
02/12/2013	10340	Debbi Manter	inv 1032 cleaning Bldg "A" 1/5,1/12,1/19,1/26	-778.00
02/12/2013	10341	Donna G. Kenderdine, RPR	inv 18-13 Adams Outdoor Advertising	-122.50
02/12/2013	10342	Francis C. Disalvo	inv 154139 Torx socket set	-445.30
02/12/2013	10343	Gilmore & Associates, Inc.	engineering invs 123415-425	-17,946.95
02/12/2013	10344	Glenn Kreckman Co	inv 4510 batteries for radio	-100.00
02/12/2013	10345	Gold Star Wide Format	inv 6189 copier repair	-335.00
02/12/2013	10346	GreatAmerican Leasing Corp	inv copier lease	-304.50
02/12/2013	10347	ISObunkers, LLC	ainv0050018 biodiesel 2000 gals	-7,018.00
02/12/2013	10348	Met Ed	100069220836 River Rd traffic light	-11.57
02/12/2013	10349	Middle Smithfield Township 2012 GOB	2012 GOB General Fund portion installment	-11,491.67
02/12/2013	10350	Monroe County General Fund PA Municipal Health Insurance Cooperative	MST portion of 2012 interest	-98.88
02/12/2013	10351	Monroe County General Fund PA Municipal Health Insurance Cooperative	052801 health insurance	-26,979.48
02/12/2013	10352	Panko Reporting	inv 27841 tf zoning hearing board	-135.00
02/12/2013	10353	Pennsylvania American Water	a/c 2419890492 hydrants	-120.51
02/12/2013	10354	Pocono Record	inv 650673 public notices	-496.80
02/12/2013	10355	Postage Pros Plus Inc	inv 6320A ink cartridge	-135.83
02/12/2013	10356	Safelite Fulfillment	inv 01832-031503 repairs	-78.93
02/12/2013	10357	Saylorsburg Lumber Co., Inc.	inv 348826 CCP Bridge	-170.00
02/12/2013	10358	Spring Hill Laser Services Corp	inv 0113-048 newsletter	-1,771.51
02/12/2013	10359	Staples Contract and Commercial	inv 7000444282 office supplies	-159.34
02/12/2013	10360	Tulpehocken Spring Water	invs 1257585/1266564 water	-49.20
02/12/2013	10361	Verizon Wireless	inv 6840484794 a/c 820590021-00001	-50.14
02/12/2013	10362	Waste Management	inv 2717103-0821-1 container	-389.05
02/12/2013	10363	Wayne D. Rohner	reimbursement for tolls	-12.40
02/12/2013	10364	Weitzmann & Weitzmann, LLC	inv 19656 Planning commission	-750.00
02/12/2013	10365	ISObunkers, LLC	fuel	-3,408.81
02/12/2013	10366	Met Ed	100059550028 Echo Lake	-14.60
02/12/2013	10367	A.J. Smith Electric Motor Service	inv 34465 roll pins for plow	-23.00
02/12/2013	10368	Abeloff Pontiac Inc	inv 37440 switch	-79.18
02/12/2013	10369	Barton Towing & Repair	inspections	-93.00
02/12/2013	10370	Bergey's, Inc	inv PH410330R wiper arm	-37.05
02/12/2013	10371	BWP-Carquest Auto Parts	parts 8348-30449/8348-31839	-76.85
02/12/2013	10372	Claude S. Cyphers, Inc	inv 607535/607818/607894/607978	-257.57
02/12/2013	10373	Double M Productions	inv 19818 uniforms	-1,538.50
02/12/2013	10374	International Code Council, Inc.	inv 2921973 mem# 8017179	-125.00
02/12/2013	10375	John Bonham Road Supplies	inv 110349 bolts	-95.00
02/12/2013	10376	Lawson Products, Inc.	inv 9301421682 supplies	-152.77
02/12/2013	10377	Lewis True Value	misc parts & supplies	-58.12

02/12/2013	10378	Newman, Williams, Mishkin, Corveleyn	inv 85072 Hott PA	-225.00
02/12/2013	10379	PA One Call System, Inc.	inv 526158 monthly fee	-20.80
02/12/2013	10380	PMRS	45-027-5N pension	-8,492.63
02/12/2013	10381	Pocono 4 Wheel Drive	inv 202739 repairs	-163.00
02/12/2013	10382	Pocono Peterbilt	inv 32176 exhaust system repairs	-278.28
02/12/2013	10383	PRP	Registration fee Parks conference	-50.00
02/12/2013	10384	RICOH USA, Inc	inv 88488785 copier lease	-949.23
02/12/2013	10385	Warehouse Battery Outlet, Inc	inv 216877 willard 12v	-67.75
02/12/2013	10386	PRP	Registration fee Parks conference - Joyce Fenical	-50.00
02/13/2013	10387	Alfred S. Arnst	reimburse for gas for new bucket truck	-100.00
02/13/2013	Trf	Middle Smithfield Township	Payroll Funds Transfer	-47,312.35
				-
				<u>204,217.72</u>

**Golf Course** 2/14/2013

Type	Date	Num	Name	Memo	Amount
Bill Pmt - Check	01/28/2013	2193	Fore! Reservations, Inc	inv 100 Installation deposit POS System	-2,000.00
Check	02/01/2013	wt	JDC Golf and Turf	mower / aerator leases	-1,264.63
Check	02/04/2013	2194	Zwanziger, Jeff & Linda	2013 membership refund	-2,047.50
Check	02/07/2013	wt	USB Equipment Finance	Toro Lease	-1,325.16
Check	02/13/2013	2195	Hal Harris	return of deposit for hall	-150.00
Bill Pmt - Check	02/13/2013	2196	ABC Trophies, Inc	inv 14430 "The Golfer"	-361.46
Bill Pmt - Check	02/13/2013	2197	Blue Ridge Communications	0109950-03 internet	-49.95
Bill Pmt - Check	02/13/2013	2198	Golf Cart Services, Inc	inv 3684.94 damages to returned carts	-3,684.94
Bill Pmt - Check	02/13/2013	2199	Hannaberry HVAC	down payment for HVAC repairs	-672.50
Bill Pmt - Check	02/13/2013	2200	Hellers Gas, Inc.	79685/81814/81813 propane	-2,243.45
Bill Pmt - Check	02/13/2013	2201	Met-Ed	100081748863 maint bldg	-306.80
Bill Pmt - Check	02/13/2013	2202	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	-863.02
Bill Pmt - Check	02/13/2013	2203	Pocono Record	inv 650673 pro shop ad	-155.62
Bill Pmt - Check	02/13/2013	2204	R&R Products	cd1641051/52 parts	-625.79
Bill Pmt - Check	02/13/2013	2205	USGA	ref code CCL130102230 annual membership dues	-110.00
Bill Pmt - Check	02/13/2013	2206	Waste Management	inv 2717108-0821-0 clubhouse	-89.20
Bill Pmt - Check	02/13/2013	2207	Met-Ed	100081748848 clubhouse	-924.16
Bill Pmt - Check	02/13/2013	2208	Waste Management	inv 2717109-0821-8 maint bldg	-98.29
					-
					<u>16,972.47</u>