

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, April 11, 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. (Township Engineer Fred Courtright, P.E. was excused)

Approval of Minutes

Annette Atkinson made a motion to approve the March 28, 2013 minutes. Michael Dwyer seconded the motion. Motion passed 3-0.

Report of Executive Session

Attorney Gaul reported that an executive session was held prior to the regular meeting on the Pugh v. MST/Marcus/Schaller case.

Committee Reports

- a. Eastern Monroe Regional Park Commission – John Ferro stated that the first meeting of 2013 will be held on April 15, 2013 at 7:00 p.m. (Written report was not provided)
- b. Economic Development Committee – Debbie Kulick summarized the EDC monthly report.
- c. Golf Advisory Report – Ray White summarized the Golf Advisory Executive Board monthly report.
- d. Historical Commission – Annette Atkinson stated that the Historical Commission continues to work on the 501c3 tax exempt sates and 2013 Memory Makers luncheon. The theme this year will be the 150th year anniversary of the Civil War. Intern, Ryan Senay will be the township liaison. For the historical commission. Jay E. Huffman donated a 1923 school tax collector book for the glass case in the lobby. (Written report was not provided)
- e. Litter & Beautification – Ed Regina summarized the Litter & Beautification monthly report.
- f. Parks & Recreation Board – Joyce Fenical summarized the Parks & Recreation monthly report.
- g. Planning Commission – Annette Atkinson stated that the Planning Commission tabled a decision on the CCP Phase 3 Section 5 PRD plan and has reviewed and recommends

approval of the Floodplain Ordinance to the Board of Supervisors. (No written report was provided)

- h. Workers Compensation Safety Committee – Mitchell Marcus stated that reorganization and a refresher course to receive the 5% discount for the townships workers compensation insurance was completed today.

(Editor's Note: Committee reports can be viewed in their entirety on the township website)

Treasurer's Report

Michael Dwyer reported that internal monthly and quarterly budget meetings were held. Unanticipated insurance bill was received. The auditors have been in for the last two weeks and we hope to have the 2012 audit by May 1, 2013.

The Public Works Department has finished rebuilding the little league dugout at Resica, and the cost will be reimbursed through FEMA as it was damaged during Superstorm Sandy in 2012.

With regard to road work completed last year on Coolbaugh Road, a meeting was held on site between individuals of the Township, PennDOT and Dosch King, to formally request they re-do the entire road. Currently we are waiting to hear back from them.

A recycling meeting between Middle Smithfield, Lehman, Smithfield, and Pocono Township with Jim Decker of Stroud Township providing information on a working recycling program was held last week. We received one site proposal and the cost proposed was too prohibitive. The consensus of the group is to authorize Pat Calpin (Middle Smithfield Township resident and consultant) to do the work instead, as his cost is substantially less, and would be covered by the grant.

Payables – Michael Dwyer made a motion to approve the general fund payables in the amount of \$157,844.22. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve the golf course payables in the amount of \$13,413.82. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve the sewer fund payables in the amount of \$51,462.26. Annette Atkinson seconded the motion. Motion passed 3-0.

Annette Atkinson reported that kudos is due to Lisa Philips, Sewer Department Coordinator, who has spent \$6,000.00 with our collection agency in order to collect \$308,000.00 though the township's debt collection process, and that the program is working very well.

Solicitors Report

Ordinance No. 193; Portion of Hiawatha Road Vacation; Attorney Gaul stated that the township did enter into an agreement and have determined to move forward with vacating a portion of the road.

Michael Dwyer made a motion authorizing the Secretary to advertise Ordinance No. 193 for public hearing on May 9, 2013 at 7:00 p.m. Annette Atkinson seconded the motion.

Joe Catalfamo asked for an explanation of the proposed portion of road being vacated, for which Attorney Gaul explained the process.

Motion passed 3-0.

Hott PA, Inc. Preliminary Land Development Plan – Attorney Gaul stated that although he is not involved with this submittal, the Board of Supervisors have in their packets a letter from the applicants attorney a letter granting a sixty (60) day extension, until June 30, 2013, to review the plan.

Annette Atkinson made a motion to accept the letter granting the sixty (60) day extension. Michael Dwyer seconded the motion. Motion passed 3-0.

New Business

Authorize Advertising for Sealed Bids for Road Work – Michael Dwyer made a motion authorizing the Secretary to advertise for sealed bids regarding, Hidden Lake Road 43,413 SY double bituminous seal coat and an Alternate No. 1 Coolbaugh Road, 33,682 SY double bituminous seal coat. Annette Atkinson seconded the motion. Motion passed 3-0.

Newly Hired Employees

Annette Atkinson made a motion to hire Michael Yesunas and Philip Tumminello as Golf Course Cart Attendants and Emily Hetu for the Golf Course Beverage Cart. Michael Dwyer seconded the motion. Motion passed 2-1 with Mitchell Marcus voting against.

Public Comment

Richard Kawski asked if the public Works department could use guiderail as PennDOT is removing large amount of it from Route 80. Michael Dwyer stated that PennDOT has told us to start eliminating it on township roads. We really don't have much use for it.

Richard Kawski asked who is responsible for the fire hydrants located within the Price Chopper shopping center. Michael Dwyer stated that the developer will be responsible for the maintenance and bills that are derived from those fire hydrants.

Richard Kawski asked Attorney Gaul for the specific section in state law which pertained to a municipality's responsibility to pay the cost of attorney fees for a municipal official who is named as a defendant in a lawsuit. Attorney Gaul stated that the municipality's responsibility

was governed by the Pennsylvania Political Subdivision Tort Claims Act, Section 42PA.C.S Sections 8501-8564.

Nancy Bittner questioned the Isco Bunker payables. Michael Dwyer stated that this is the fuel bill.

There being no further business, Annette Atkinson made a motion to adjourn the meeting at 7:50 p.m. Michael Dwyer seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell,

Township Secretary