

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, April 23, 2015 at 7 p.m. at the Schoonover Municipal Building with Annette Atkinson.

Supervisors present: Annette Atkinson and Mike Dwyer. Township Solicitor Michael Gaul, Esq., Township Secretary Michele L. Clewell, Melvin Coon, David Hutchinson, Michael Mosbach and several residents and the press. Supervisor Mitchell Marcus was absent.

### **Pledge of Allegiance**

### **Approval of Minutes**

Annette Atkinson made a motion to approve the April 9, 2015 minutes. Mike Dwyer seconded the motion. Motion passed 2-0.

### **Person of the Year Award**

Melvin Coon was present to accept his Person of the year finalist award plaque and check in the amount of \$500.00 to the Resica Falls Boy Scout Reservation for Person of the Year finalist. The Person of the Year and finalist were honored at the New Year's Eve event held on December 31, 2014 at the Whispering Pines Banquet Hall.

### **Announcements**

The second annual Snapshots of MST Photo Exhibit will be held on Saturday, May 2, 2015 with the Pocono Photo Club at the Whispering Pines Banquet Hall. Person of the Year, Laura Law of Mady's Angels and finalist Lisa Baldwin of Joeys Eagles will also be present at the event to accept their awards and checks. The photo exhibits will be on display all month.

Successful gardening classes have been held at the municipal building throughout the month and have all been well attended. The community gardens on Coolbaugh Road are expected to be opening by the end of May or early June.

The Leroy Lane Dog Park fence will be done this week. Hydro seeding was completed and opening day is expected to be towards the end of May.

The nine hole Frisbee golf located at Echo Lake Park is expected to be ready for play in two weeks.

Supervisors Mike Dwyer and Annette Atkinson attended the PSATS convention, and were joined by township employees and some committee member who also took advantage of the numerous classes and a lot of interesting material was brought back to share with the staff and committee members. Several meetings were also held with state agency representatives.

### **Report of Executive Session**

Attorney Gaul reported that an executive session was held prior to the meeting to go over pending legal matters with the township solicitor.

### **Bid Opening**

1994 John Deere Grader – Mike Dwyer opened the two bids received from Five Star Equipment. The first bid opened is for \$36,000.00. the second bid includes a trade in price of \$7,000.00 for a total bid of \$29,000.00. Mr. Dwyer explained that the 1972 grader that the township has now is on Municibid and expects to receive \$8,400.00 for the grader. Mike Dwyer made a motion to accept and approve the bid of \$36,000.00 from Five Star Equipment as the amount the township will get from Municibid as a trade, exceeds the amount offered in the first bid. Annette Atkinson seconded the motion. Motion passed 2-0.

### **Treasurer's Report**

Mike Dwyer reported that through the third week of April, the township remains in good financial health. Income is keeping pace with the expenses. The golf course is below budget as income is above expenses. The grand opening of the golf course was delayed by weather but the rounds of golf are currently up from this time last year. The township was just awarded the DCNR (Department of Conservation and Natural Resources) Dirt and Gravel Road Grant in order to do road work on Mosiers Knob Road.

Payables – Mike Dwyer made a motion to approve the general fund payables in the amount of \$81,122.94. Annette Atkinson seconded the motion. Motion passed 2-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$84,386.65. Annette Atkinson seconded the motion. Motion passed 2-0.

Mike Dwyer made a motion to approve the golf course fund payables in the amount of \$6,727.18, Annette Atkinson seconded the motion. Motion passed 2-0.

Mike Dwyer made a motion to approve the liquid fuels fund payables in the amount of \$24,695.53. Annette Atkinson seconded the motion. Motion passed 2-0.

Mike Dwyer made a motion to approve the cable franchise fund payables in the amount of \$51,270.49. Annette Atkinson seconded the motion. Motion passed 2-0.

Mike Dwyer made a motion to approve the fire escrow payables in the amount of \$30,000.00 to Jeffrey Britt, Sr. Annette Atkinson seconded the motion passed 2-0.

### **Solicitors Report**

None

### **Engineers Report**

None

### **Old Business**

None

## **New Business**

Mike Dwyer stated that Annette Atkinson and he attended the East Stroudsburg Area School District school board meeting on April 20, 2015. The school board unanimously voted to adopt a resolution granting tax exemption under the township's anticipated LERTA program, once the township had held its public hearing on the boundaries of the LERTA area and enacted a LERTA ordinance. As result, the township has reached a consensus with the school board and county commissioners on the Township's proposed LERTA program.

Mr. Dwyer stated that all the properties in the township's C-1, C-2 and I zoning districts will be included in the LERTA program. Rich Kawski asked if there is more than one property. Mike Dwyer replied that the properties in the LERTA program are proposed to include those in the Industrial ("I") zoning district, which is from the sand pit on Winona Falls road and the Siberini property, plus those in the commercial districts.

Bob Ciavetta asked if it would be legal for the township to put up a sign that says "Middle Smithfield Township is the Gateway to the National Park Service". Annette Atkinson stated that branding the township as the Gateway to the National Recreation Area has been discussed before, and the Board of Supervisors could speak to the National Park Service about that, as the township would love to have their new visitor center within MST as well. The township has a good working relationship with John Donahue, Superintendent of the National Park Service.

Schedule Board of Supervisors Special Meeting and LERTA Public Hearings - Mike Dwyer made a motion to schedule a Board of Supervisors' special meeting for May 26, 2015, at 6 pm, for general business purposes, and as an agenda item at the special meeting, to conduct a public hearing for the purpose of determining the boundaries of the deteriorated areas (the "LERTA Areas") to be included within the Township's tax exemption program under the Pennsylvania Local Economic Revitalization Tax Assistance Act ("LERTA"). Annette Atkinson seconded the motion. Motion passed 2-0.

Mike Dwyer made a motion that after the public hearing on the LERTA Areas, and as an additional agenda item at the special meeting, the Board will conduct a second public hearing on the proposed LERTA Ordinance, which the Board intends to consider for enactment. Annette Atkinson seconded the motion. Motion passed 2-0.

Authorize and Direct the Advertising for the Special Meeting, Public Hearings and the Board's intention to enact the LERTA Ordinance – Mike Dwyer made a motion authorizing the township secretary to advertise the special meeting, public hearings and the Board's intention to enact the LERTA Ordinance. Annette Atkinson seconded the motion. Motion passed 2-0.

Richard Kawski asked if this will be completed before new county commissioners are elected. The answer was yes.

SFM Consulting Services, LLC Agreement – Annette Atkinson stated that the agreement is for the current zoning officer and his company. Annette Atkinson made a motion to accept and approve the agreement from SFM Consulting Services, LLC. Mike Dwyer seconded the motion. Richard Kawski asked how the zoning officer gets paid for work done on behalf of the township. Ms. Atkinson stated the contract is based on an hourly rate. Attorney Gaul stated that the amount charged per hour is not changing; the agreement memorializes the services that are provided. Attorney Gaul stated that the rate schedule needs to be attached to the agreement as well. Motion passed 2-0.

### **Public Comment**

Wayne Witkowski, on behalf of a resident and not as a member of the press, asked about the un-slightly items that are on the 209 Diner properties off of Route 209 and the business that is now closed, but used to sell tires. Attorney Gaul stated that there has been progress with the cleanup of the property. He also stated that the zoning officer may not be aware of the other problems and he will forward Mr. Witkowski's comments to him. Attorney Gaul mentioned that, based on his observation in passing by the property, some items have been removed from the property, such as the truck trailer.

Richard Kawski asked if everyone who has a plot at the community gardens must take a gardening class. Annette Atkinson stated they must take a class on organic gardening but the class can be taken anywhere, not necessarily at the township; for example, Penn State master Gardeners conduct classes across the state. If someone was interested in renting a plot, but didn't take a class, a class would definitely be scheduled for them to attend. Currently there are 16 plots which are already taken and 32 more are slated to be built.

Michelle Dellavalle, a member of the MST Parks & Recreation Committee, stated that she has signed up for community garden and will donate a row of her produce to "Feed A Row" of the Bushkill Outreach Program. She also stated that it may be beneficial if the master gardeners scheduled a class at the community garden site. Annette Atkinson replied that the Master Gardeners intend to have a gardener on site for scheduled hours, and are working on a time frame. Also, she explained stated that the purpose of the \$50.00 refundable deposit is to make sure each person cleans up their garden; and at the end of the season, they can choose to either get their deposit back or donate it to Bushkill Outreach...

### **Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 7:55 p.m. Mike Dwyer seconded the motion. Motion passed 2-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary

## General fund payables

Num	Name	Memo	Credit
12768	Russell Blakeslee	25 bales hay mulch	112.50
12769	Advance Auto Parts	1872124821	42.33
12770	AFLAC	insurance	420.20
12771	Alex's Tire Center, Inc.	inv 19644 tires	424.00
12772	American United Life Insurance Company	policy G 0061299-0000-000 life insurance	1,158.19
12773	AWSOM	In Memory of Damon Dennis Epply	100.00
12774	Barton Towing & Repair	inv 886 inspections	53.00
12775	Bergey's, Inc	ph488630r/489397r parts	494.16
12776	Big Boy Hydraulics	inv 16340 rebuilt cylinder for Mack	785.00
12777	Bradco Supply Co	inv 125304 signs & brackets	423.60
12778	Claude S. Cyphers, Inc	inv 632703 filters	90.08
12779	CNH Capital	5043935501409770	10.00
12780	Colours 06	inv 2503990 paint	160.31
12781	District Court 43-4-01	filing fee - Newbury	114.50
12782	FedEx	inv 500009335 poty	63.45
12783	GreatAmerican Leasing Corp	inv copier lease	304.50
12784	Greater Pocono Chamber of Commerce	inv 17952 annual membership dues	147.00
12785	Joey's Eagles	donation in the name of Lisa Baldwin	500.00
12786	King, Spry, Herman, Freund & Paul LLC	Legal fees invs 99607-99624	16,245.00
12787	Lawson Products, Inc.	invs 9303026220/203059 parts	363.98
12788	Mady's Angels	donation in the name of Laura Law	2,500.00
12789	Marshalls Creek Plumbing	inv 9289 threaded plug	9.41
12790	Matergia and Dunn	statement 82 zoning hearing board	1,023.00
12791	Middle Smithfield Materials	invs 23893 / 891 / 906 bark park	1,925.00
12792	Miggys Five	a/c 15 kitchen supplies	111.14
12793	Monroe County Assessment	property card	168.00
12794	Newman, Williams, Mishkin, Corveleyn	inv 95155 legal	45.00
12795	P & S Garage	inv 78654 cylinder inspection	49.95
12796	PA Municipal Health Insurance Cooperative	052801 health insurance	36,600.96
12797	PAPCO	inv 1695795 / 1701115 gasoline	2,855.28
12798	Penteledata	inv b2432738 internet	181.74
12799	Primrose Landscaping	inv 6377 hydroseed for bark park inv o6050932 Admin Prof renewal a/c a573977501	2,760.00
12800	Progressive Business Publications		299.00
12801	Ressica Boy Scout Reservation	donation in the name of Mr. Coon	500.00
12802	RICOH USA, Inc	inv 94499177 copier lease	260.00
12803	SFM Consulting LLC	inv 018 zoning 4/6-4/17	3,152.50
12804	Sheeley Insurance	inv 1296 cyber liability policy	1,709.00
12805	Sun Litho Print	invs 36930 / 31 office supplies	536.00

12806	Tulpehocken Spring Water	2020811 water	55.35
12807	Verizon	570223050340643y	305.65
12808	District Court 43-4-01	filing fee - Jony	114.50
12809	Met Ed	100069220836 River Rd traffic light	13.84
12810	Met Ed	100059550028 Echo Lake	24.49
12811	Met Ed	100073577916 Sellerville traffic light	27.20
12812	Met Ed	100016915751 Municipal signal	18.23
12813	Met Ed	100016951467 bldg A	1,327.05
12814	Met Ed	100036091245 bldg B	915.48
12815	Home Depot Credit	inv 1404249 / 4026766	<u>1,623.37</u>
			81,122.94

### Sewer fund payables

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
10979	ALLSTATE SEPTIC SYSTEMS, LLP		-1,412.50
10980	AT&T	0195333847001	-41.85
10981	Carbitrol Corporation	75407	-7,202.00
10982	COYNE CHEMICAL	213428	-2,820.00
10983	GILMORE & ASSOCIATES, INC.	141855	-4,148.71
10984	MET-ED	100044863148 - WL PS/Island View	-19.49
10985	Middle Smithfield Township General Fund	Sewer Payroll	17,976.62
10986	NEUTRON INDUSTRIES	97251846	-4,179.53
10987	PA ONE CALL SYSTEM, INC.	634050	-6.35
10988	PENNSYLVANIA AMERICAN WATER	1024-210031497597 - Sellersville	-109.07
10989	PROSSER LABORATORIES, INC.		25,734.97
10990	PROTHONOTARY	Lien Sats	-7.00
10991	SIANA BELLWOAR & MCANDREW LLP	62733	-1,276.50
10992	STRAND		-3,310.50
10993	VERIZON	570223818989863Y - Oak Grove	-36.64
10994	W.G. MALDEN	8994	-350.00
10995	WASTE MANAGEMENT	2959397-0203-7	-3,965.64
10996	MET-ED	100016914275 - PS#5 Rt 209/Municipal	-765.28
10997	PENNSYLVANIA AMERICAN WATER	1024-210033589546 - Milford	-55.59
10998	PROTHONOTARY	Lien Sats	-7.00
10999	VERIZON	570223102484027Y - Tree Tops	-35.33
11000	MET-ED	100018446334 - PS#3 McCole & 209 570223102584198Y - PS#5 Rt 209	-233.49
11001	VERIZON	Municipal	-35.33
11002	MET-ED	100018440378 - PS#4 Maple Ln	-1,168.89
11003	MET-ED	100044877809 - WL Clubhouse Dr.	-19.59
11004	MET-ED	100080916826 - Fairway Villas	-101.29
11005	MET-ED	100080920901 - Tree Tops	-51.69

11006	MET-ED	100018353951 - PS#6 Sellersville	-796.41
11007	MET-ED	100080913799 - Off Sleepy Hollow	-468.35
11008	MET-ED	100076523768 - WL Mtn Pass	-754.69
11009	MET-ED	100016629691 - PS#2 Sleepy Hollow Fairway	-457.08
11010	MET-ED	100089058661 - Rt 209	-11.26
11011	MET-ED	100018448652 - Main STP	-6,000.36
11012	MET-ED	100081035618 - Lift Station	-34.90
11013	MET-ED	100018442556 - PS#7 McCole & NP	-343.75
11014	MET-ED	100016867432 - PS#1 LOTP	-415.53
11015	VERIZON	570588113413383Y- PS#1 LOTP	-33.47
			<u>-</u>
			84,386.65

### Golf course payables

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
wt	Verizon	570-223-8099	-555.36
			-
3288	Fisher & Son Co., Inc.	inv 146743-in greens maintenance supplies	1,758.76
3289	Allan Rotto Consultants, Inc	inv 28 vz tax	-42.00
3290	Barely Used Tires	2 tires	-60.00
3291	Cramers Home Building Centers	invs 1186247 / 1187936 / 1190589	-556.89
3292	Hellers Gas, Inc.	inv 62883 propane clubhouse	-633.25
3293	Kimball Midwest	inv 4138745 traction max coating	-63.08
3294	Marshalls Creek Plumbing	inv 9310 toilet repairs	-45.81
3295	P&S Garage	inv 78631 inspections	-35.27
3296	Sudden Comfort Heating & Air Conditioning	circulator pump, water cut-off	-667.12
3297	Warehouse Battery Outlet, Inc	invs 286553 / 286612	-141.66
3298	Met-Ed	a/c 100081783498 tomx rd	-12.68
3299	Met-Ed	100085171773 guard shack	-98.45
3300	Met-Ed	100081748863 golf maint bldg	-315.99
3301	Met-Ed	a/c 100104048101 pump house doral crt	-13.00
3302	Met-Ed	a/c 100081784231 big ridge drive	-164.35
3303	Met-Ed	a/c 100081748855 pump house tomx rd	-199.89
			-
3304	Met-Ed	100081748848 clubhouse	1,010.24
3305	PA American Water	1024-210033261244 big ridge drive	-66.82
3306	PA American Water	1024210032658777 big ridge drive	-15.03
3307	PA American Water	1024210033261169 big ridge drive	-15.03
3308	Verizon	570223737828754y	-206.53
3309	Verizon	570223814063192y alarm	-49.97
			<u>-</u>
			6,727.18

### Liquid fuels payables

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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2035	Paccar	10068319000046100764 peterbuilt	-
			<u>24,695.53</u>
			-
			24,695.53

Cable franchise payables

Num	Name	Memo	Amount
1080	Monroe County Control Center	2nd QTR 2015	-
1081	Bushkill Emergency Corps	4th qtr 2014 cable franchise fee	14,317.32
1082	Marshalls Creek Fire Co	4th qtr EMS/Fire cable franchise fee	-2,000.00
1083	Suburban E.M.S.	4th qtr 2014 cable franchise fee	-
1084	Bushkill Fire Co.	4th qtr 2014 cable franchise fee	29,029.09
1085	Shawnee Fire Co	4th qtr 2014 cable franchise fee	-2,000.00
			-6,962.04
			<u>-6,962.04</u>
			-
			61,270.49

Fire escrow fund payables

	Type	Date	Num	Memo	Amount
<b>Jeffrey Britt Sr.</b>					
	Check	04/21/2015	104	release of fire escrow	-
					<u>30,000.00</u>
					-
Total .					30,000.00