

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, May 9, 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., Keely Collins, Esq., Township Engineer Fred Courtright, P.E., Township Secretary Michele Clewell, Stenographer Donna Kenderdine and numerous interested parties and residents.

Approval of Minutes

Annette Atkinson made a motion to approve the April 25, 2013 minutes. Mitchell Marcus seconded the motion. Motion passed 3-0.

Public Hearing

Ordinance 193; Intention to Adopt Township Road Vacation ordinance for Hiawatha Road.

Donna Kenderdine took a stenographic record.

Annette Atkinson made a motion to open the public hearing at 7:10 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Attorney Gaul announced that a sign in sheet will be handed out for anyone that would like to comment with regard to the public hearing.

Attorney Gaul stated that this is an ordinance proposing to vacate a township road; namely Hiawatha Road.

Attorney Gaul entered the Township Exhibits 1, 2 and A-S into the record and announced that if anyone wishes to review the documents to please approach the table to review.

Testimony was received from Timothy Balch, DCNR Assistant District Forester, Swiftwater office, Roger Unangst, Member of Hiawatha club, Charles Schalsmer, Member of Hiawatha Club, Rusty Unterberger, Owner of Otter Lake Campground and Frank Unterberger, Owner of Otter Lake Campground.

Annette Atkinson made a motion to close the public hearing at 8:15 p.m. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to table the vote on the proposed ordinance until the next regular meeting, May 23, 2013. Mitchell Marcus seconded the motion. Motion passed 3-0.

Attorney Gaul stated that no further public notice will be done.

Attorney Gaul requested the transcript be done prior to the next meeting in order to review. Donna Kenderdine stated that she would have it sent over the week of May 20, 2013.

Report of Executive Sessions

Attorney Gaul stated that there was an executive session held prior to this evenings meeting on pending township legal matters and personnel matters.

Committee Reports

- a. Eastern Monroe Regional Park Commission – Jeff Reichl presented two (2) recommendations to the supervisors for their consideration. (1) That the supervisors of all township associated with the Eastern Monroe Regional Parks Commission adopt a Fee in Lieu of Land Ordinance, and (2) That no vendors be permitted to operate on park property on a permanent/or seasonal basis.

Annette Atkinson thanked Mr. Reichl for his report and stated that the supervisors will review the EMRPC recommendations at an upcoming work session.

- b. Economic Development Committee – Debbie Kulick summarized the EDC monthly report.
- c. Golf Advisory Board – Don Henry stated that the grand opening for the golf course was May 5, 2013 and over 100 golfers with guests attended. Improvements on customer service are a main focus for everyone. A Point of Sale program designed for golf courses and not restaurants was installed. Membership and rounds of golf were reviewed. (Written report was not provided)
- d. Historical Commission – No one was present to provided a report
- e. Litter & Beautification – Annette Atkinson stated that the 1000 Feet of Street Cleanup was a success and there are plans to do this event again.
- f. Parks & Recreation Board – Joyce Fenical summarized the Park Commissions monthly report.
- g. Planning Commission – Annette Atkinson stated that the CCP Phase 3 Section 5 remains tabled, the Fairway Villas Parking Lot plan is under review. Proposed Ordinance 194 Amended Floodplain Ordinance will be reviewed at the next meeting.
- h. Workers Compensation Safety Committee – Mitchell Marcus stated that administration matters and the workers compensation discount were reviewed. The supervisors will be taking the Public Works Departments employees to breakfast on May 17, 2013 for continuing to meet safety goals.

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

Treasurers Report

Michael Dwyer reported that the township remains in good financial health and is at or below budget.

Michael Dwyer reported that final numbers have not been received regarding cleanup yet; the free-cycling has saved the township a substantial expense.

Michael Dwyer reported that the first of three (3) weeks of leaf collection have been completed. We are collaborating with Lehman and Smithfield Townships' for a recycling center off of Oak Grove. The DEP has been to the site and they have stated that the site does look feasible.

Velma Knight of White Heron Lake stated that they are concerned about the zoning, traffic and noise. Michael Dwyer stated that currently we are getting preliminary approvals and then the next step is a public meeting regarding the site. Annette Atkinson asked Mrs. Knight when the next White Heron Lake Board of Directors meeting is, Mrs. Knight said in May and they would welcome Annette Atkinson and Michael Dwyer to attend their meeting to discuss the recycling site.

Payables – Michael Dwyer made a motion to approve for payment the general fund payables in the amount of \$124,195.01. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve for payment the sewer fund payables in the amount of \$85,760.38. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve the golf course payables in the amount of \$14,885.27. Annette Atkinson seconded the motion. Motion passed 3-0.

Solicitors Report

Eric Tesche Minor Subdivision; Waiver of Township Action Time Limitations – Correspondence was received requesting the time limitations be waived until June 27, 2013. Annette Atkinson made a motion to approve the extension. Mitchell Marcus seconded the motion. Motion passed 3-0.

Adams Outdoor Advertising (non agenda item) – Annette Atkinson made a motion directing the Township Solicitor, Michael Gaul to enter his appearance in opposition of the Adams Outdoor Advertising Conditional Use Appeal. Mitchell Marcus seconded the motion. Motion passed 3-0.

New Business

Resolution 05-2013-1; Pump Track and Bike Park at EMRP's River's Edge Regional Park – Michael Dwyer made a motion approving the resolution. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution 05-2013-2; Middle Smithfield Township Sports Field Use Agreement - Annette Atkinson made a motion to approve the resolution. Mitchell Marcus seconded the motion passed 3-0.

Judy Putek Memorial Park – Mitchell Marcus stated that the MST Park and Recreation Board has recommended that Joyce Bush be removed from the board and as park lead for the Judy Putek Memorial Park. Mitchell Marcus made a motion to remove Joyce Bush from the MST Park and Recreation Board and as lead to the Judy Putek Memorial Park. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to appoint Karen Conway as the interim lead to the Judy Putek Memorial Park until a permanent lead can be selected. Michael Dwyer seconded the motion. Motion passed 3-0.

Old Business

Mederos Dangerous Structure, Quotes for removal – Michael Dwyer stated that the township secretary got four (4) telephone quotes with (3) respondents: Norman Fish Excavating \$6,725.00, Northeast Site Contractors \$12,300.00, Middle Smithfield Township Local Forces \$8,435.00, and Double J. Landscaping \$16,295.00.

Michael Dwyer made a motion to accept the proposal from Norman Fish Excavating for \$6,725.00 subject to work commencing no later than (30) days from the date of acceptance and be completed within (60) days of this acceptance. Mitchell Marcus seconded the motion.

Nancy Bittner asked if a lien would be placed on the property for the costs associated with the demolition and removal. Michael Dwyer said yes.

Motion passed 3-0.

Public Comment

Richard Kawski stated that Rep. Rosemary Brown is to introduce a bill with regard to firearms. Attorney Gaul stated that the township continues to look into this matter.

Frank Unterberger asked why the tax collector is an elected position. Attorney Gaul stated that this is a state statute.

John Petrizzo offered comments on the Adams Outdoor Advertising sign and commended the supervisors for voting against the conditional use application. He stated that there were irregularities during that process and spoke about surveying, overlaps and voids. He cited a 1951 map and stated that there seems there is a practice when plans come before the supervisors there is malfeasance. He stated that the map from Adams Outdoor Advertising did not fit the deed.

Attorney Gaul stated that a lot of things went into the thought process with regard to the conditional use application for Adams Outdoor Advertising. The supervisors take their obligations very seriously.

Attorney Gaul stated that the conditional use process is a quasi judicial process and the supervisors cannot go out and investigate, they are to remain neutral and if someone doesn't agree with the application, the person is supposed to come in to the hearing and oppose.

John Davis stated that John Petrizzo pointed out a problem. Attorney Gaul stated that future applicants may need to provide a closure report as part of their submittal for plan approvals but the supervisors are not going down to the courthouse to review plans.

Annette Atkinson made a motion to adjourn the meeting at 9:10 p.m. Michael Dwyer seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell,
Township Secretary
May 9, 2013

Vendor	Inv #	Memo	Amount
A.J. Smith Electric Motor	34561	repair paver motors	\$ 140.00
Allstate Septic Systems	223225	Putek Park	\$ 95.00
Allstate Septic Systems	223088	Ressica Park	\$ 95.00
Allstate Septic Systems	228814	Echo Lake	\$ 130.00
Allstate Septic Systems	228814	Ressica Park	\$ 130.00
Anthony & Nancy Ribando	09/96291	tax assessment refund	\$ 81.60
AWSOM	2013	Business membership donation	\$ 100.00
Bradco Supply Company	94367	orange cones	\$ 452.00
Bradco Supply Company	94569	signs for cleanup	\$ 1,163.50
B-Safe Fire Protection	4403	fire extinguisher inspections	\$ 298.50
BWP Carquest	8348-37851	driving light, toggle switches	\$ 43.84
BWP Carquest	8348-37836	fuse holders, spooled cable	\$ 17.63
Cintas	101216820	cleaning	\$ 83.94

Claude Cyphers Truck Parts	610048	light, antifreeze	\$ 80.80
Cramers	883641	letters for recylce signs	\$ 41.68
Cramers	877243	jambes for 6 9/16 wallpt	\$ 61.75
Cramers	877781	wood for window	\$ 42.80
Cramers	884242	boards for trailer	\$ 302.66
Debbie Manter	1035	cleaning	\$ 812.00
DES	16547	shredding of records	\$ 64.00
Donna Kenderdine	91-13	Adams Outdoor Advertising	\$ 107.10
Doulble M Productions	20221	Work tee-shirts	\$ 170.64
E.M. Kuts.	44612-in	bearings for spreader	\$ 59.00
Erin Groome	MCPC	reimburse for MC planning commission	\$ 11.87
Erin Groome	servsafe	reimburse for servsafe class	\$ 29.73
Family Care Centers	30010789	alcohol testing	\$ 28.00
Fastenal	pastr69198	5/16-18x2 trx flor	\$ 5.19
Glenn Kreckman	4565	install 2 new radios	\$ 1,187.50
Great America Leasing Corp	May	copier lease	\$ 304.50
Greater Pocono Chamber of Commerce	15932	2013/14 membership dues	\$ 53.67
ISObunkers	ainv0054552	1000 gals biodiesel	\$ 3,149.00
ISObunkers	ainv0054554	500.9 gals gasoline	\$ 1,477.15
John's Truck Parts	21257	nut	\$ 50.00
Lawson Products	1276538	misc supplies	\$ 178.38
Lawson Products	1296663	black floor board	\$ 56.99
Lewis True Value	a343602	wire rope clip, padlock, misc hardware	\$ 91.85
Lewis True Value	a344390	deck nails	\$ 19.99
Lewis True Value	a347610	tarp cover	\$ 38.99
Lewis True Value	a348218	tog switch, hex bushings	\$ 16.96
Marshall Machinery	10754	parts	\$ 38.98
Marshall Machinery	47775S	parking brake repairs	\$ 612.31
Middle Smithfield 2012 GOB	2012 GOB	2012 GOB instalment deposit	\$ 11,491.67
Middle Smithfield payroll a/c	payroll	payroll transfer	\$ 62,790.55
Mike Dwyer	psats	PSATS expense reimbursement	\$ 9.00
Newman, William, Mishkin	86189	Hott PA legal fees	\$ 180.00
PA Municipal Health Insurance	52801	health insurance	\$ 27,458.39
PA One Call	535554	monthly activity fee	\$ 48.85
PMRS	45-027-5N	Pension	\$ 8,882.26
Pocono Produce	475833	c-fold, tp, cups	\$ 92.50
Pocono Produce	475941	sugar packets	\$ 15.00
Pocono Recod	654052	public notices	\$ 602.60
Staples	7000609087	office supplies	\$ 178.83
Staples	7000609089	office supplies	\$ 19.58
Thomas & Eilen McPartland	09/87065/u10	tax assessment refund	\$ 227.02
Verizon Wireless	9703410466	cell phones	\$ 274.26
Total			\$ 124,195.01

Vendor	Inv #	Memo	Amount
John Deere Financial	1374689	Mower lease	\$ 812.49
John Deere Financial	1374689	Aerator lease	\$ 452.14
Allstate Septic systems	219125	golf course	\$ 142.50
American Express	April	April Amex credit card fees	\$ 101.93
Allstate Septic systems	223090	porta potties	\$ 285.00
Blus Ridge communications	0109950-03	cable & internet	\$ 49.95
Commonwealth of Pa	497863	elevator permit	\$ 36.00
Cramers	884299	bridge boards, screws	\$ 55.89
Finch	Z16724	scraper cable kit	\$ 129.15
Friedman Electric	s015743064.001	parts	\$ 127.36
Grass Roots Turf Products	61203	ball washer repair kit, blade, ez whip	\$ 377.50
Genesis	25763-1	greens supplies	\$ 4,665.00
Hannaberry HVAC	j81418	HVAC repairs	\$ 2,017.50
Hellers Gas	93439	propane golf maint bldg	\$ 181.83
Hellers Gas	94296	propane clubhouse	\$ 1,125.00
Keystone Premier golf Assoc	2013	handicap dues	\$ 100.00
Kistler Obrien Fire Protection	503284	kitchen inspection	\$ 177.50
Macmillan Oil	28595	hydraulic oil	\$ 480.00
Mark Oney	golf	reimburse for pro shop snacks	\$ 120.11
Pocono Produce	475834	center pull towels	\$ 99.00
R.H. Hurley	April	April consulting services	\$ 1,000.00
Superior Plus	590217	diesel 162.6 gals	\$ 507.94
Superior Plus	590215	gasoline 364.7 gals	\$ 1,050.77
Superior Plus	590216	gasoline 203.5 gals	\$ 586.32
Turf Equipment	831234-00	tires	\$ 204.39
Total			\$ 14,885.27

Sewer Department

DATE OF CHECK	VENDOR NAME	AMOUNT
5/9/2013	MST 2012 GOB - May 2013	\$38,594.79
5/9/2013	AT & T - STP	\$41.06
5/9/2013	Carbitrol Corp.	\$5,878.91
5/9/2013	Coyne Chemical	\$2,860.00
5/9/2013	Neutron Industries	\$3,979.53
5/9/2013	B. Newhart & Sons	\$612.50
5/9/2013	PA One Call System, Inc.	\$28.60
5/9/2013	Prosser Laboratories, Inc.	\$23,843.72
5/9/2013	Siana, Bellwoar & McAndrew	\$148.50
5/9/2013	Strand Pool Supply	\$4,491.10

5/9/2013	Tops Software	\$109.95
5/9/2013	Verizon	\$105.41
	Waste	
5/9/2013	Management	\$3,603.81
5/9/2013	Monroe County Prothonotary	\$1,462.50
	TOTALS	\$85,760.38