

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Tuesday, June 10, 2014 at 7:00 p.m. at the Schoonover Municipal Building with Annette Atkinson presiding.

Members present: Annette Atkinson, Mike Dwyer and Mitchell Marcus. Also in attendance, Township Solicitor Michael Gaul, Esq., Township Engineer Fred Courtright, P.E. Township Secretary Michele L. Clewell, Stenographer, Josephine Hollman of Panko Reporting and several interested members of the public.

Approval of Minutes

Annette Atkinson made a motion to approve the May 22, 2014 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Report of executive Session

Attorney Gaul reported that an executive session was held prior to the meeting in order for the Supervisors to go over pending Township legal matters with the Solicitor, including the HOTTPA zoning appeal and Go-Go-Danny's injunction action.

Announcements

- The Pocono Photo Club Snapshots of Middle Smithfield; the first in a series of art exhibits was held at the municipal building on Thursday, June 5, 2014. A special thank you to the Pocono Photo Club, President Terry Flatt and Narlene Jacobs for organizing the event, and to the photographers that provided art work for the event: Charles Barndt, Patricia Bregen, James Chesnick, Sarina Cook, Tony Collando, Bob Garcia, Eric Goings, Marlana Hosten, Sue Kulick, Ann Le Fevre, Alice Mehlman, Steven Natiello, Taylor Natiello, Art Ringler, Laurinda Faye Rubin and Kim Williams.
- The Middle Smithfield Township Historical Commission is looking for old photographs of Middle Smithfield people, places, things and events . Please submit photos for a township staff member to scan them on the spot.
- The Parks & Recreation Board will be hosting a re-dedication of the Flag pole due to having a proper monument erected at Echo Lake Park on Saturday, June 14, 2014. Gerry Patane completed this for his Eagle Scout project.

Public Hearing

An Ordinance Amending the Code of the Township of Middle Smithfield to add a Chapter 105; Fireworks Displays, to Part II, General Legislation.

A stenographic record was taken of the public hearing by Josephine Hollman.

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 introduced the Township exhibits into the record.

Attorney Gaul stated that there are no substantial changes to the ordinance; chapter numbers were changed and the insurance requirements were clarified to provide more detail.

Attorney Gaul asked if anyone from the public wished to make a statement for the record. No one made a statement.

Annette Atkinson made a motion to close the public hearing at 7:15 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to adopt Ordinance 200 as revised. Mitchell Marcus seconded the motion. Motion passed 3-0.

Bid Results

Tree Removal – Mike Dwyer reported that seven (7) companies were present at the pre-bid meeting held on May 30, 2014 and two (2) bids were submitted.

	Cut and Chip Trees	Stump, Grubb & Haul away	250 ft. of Silt Fence	Total Price
Joe Cappa Excavating	\$ 16,500.00	\$ 12,000.00	\$ 500.00	\$ 29,000.00
	Silt Fence \$2.00 LF = \$500.00	Felling and removal of trees, residue and chipping	Alternate; stump removal, grubbing & hauling	Total Price
Double J. Landscaping	\$ 500.00	\$ 18,000.00	\$ 14,000.00	\$ 32,500.00

Mike Dwyer made a motion to accept the bids for review. Mitchell Marcus seconded the motion. Larry Shoemaker asked how many trees. Mr. Dwyer stated that the tree removal is for a three (3) acre parcel. Motion passed 3-0.

2014 F.O.B – Mike Dwyer stated that one (1) bid was received from Hanson Aggregates. Mike Dwyer made a motion to accept and award the bid to Hanson Aggregates. Annette Atkinson seconded the motion. Motion passed 3-0.

CCP Storage Maintenance Building – Mike Dwyer stated that one (1) bid was received from Quandel Construction Group in the amount of \$108,787.00. Fred Courtright reported that three (3) specification books were sent out. Mike Dwyer made a motion to reject all the bids. Annette Atkinson seconded the motion. Motion passed 3-0.

Treasurers Report

Mike Dwyer reported that the Township remains in good financial health. Budget meetings with the Budget & Finance Manager continue on a monthly basis. We are 6% below budget. The Public Works Department completed a big paving project on Big Ridge Drive and is moving onto other paving projects within the Township.

The Oak Grove Multi-Municipal Compost Processing Board had their monthly meeting June 9, 2014 and the executed lease, lease payment and insurance certificate has been forwarded to PennDOT for the property on Oak Grove Road.

Payables – Mike Dwyer made a motion to pay from the General Fund in the amount of \$255,595.66. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay from the Sewer Fund in the amount of \$83,810.34. Mitchell Marcus seconded the motion. Oscar Woerlein questioned the high amount and stated that the public never receives a report. Mike Dwyer stated that a yearly power point presentation is done every December during the presentation of the budget to the public and a part of that presentation is the central sewer department. If Mr. Woerlein would like a copy of the report, just ask, or take one from the front desk. Annette Atkinson stated that the bond payment is part of the payment of bills this month, and that not only is a year-end report done in December, but a look ahead report is done in January, a mid-year report is done in July, and the auditor's report is done annually – all of which cover the central sewer department, and all of which are presented at regular Supervisors meeting and are available in hard copy format at the front desk. In addition, monthly public sewer workshops are held the fourth Friday of every month at 9:00 am; Oscar is welcome to come. Motion passed 3-0.

Mike Dwyer made a motion to pay from the Golf Fund in the amount of \$10,183.16. Annette Atkinson seconded the motion. Motion passed 3-0.

Solicitors Report

Griffin v. MST Zoning Appeal – At the last meeting it was reported that HOTTPA had withdrawn its Land Development Plan. However, the zoning appeal involving the deemed approval of HOTTPA's application for conditional use approval for Adult Use remained pending. Since the last meeting, HOTTPA has now also withdrawn its opposition to that zoning appeal. The Appellant Township residents and the Township then entered into a stipulation agreeing to the reversal of the deemed approval and the denial of HOTTPA's application for conditional use. The court entered an order approving the stipulation, and ordered that the deemed approval

be reversed and the conditional use application denied. The matter is now over, and the hearing scheduled for June 17, 2014 is moot.

Engineers Report

Friendly's Restaurant Letter of Credit – Fred Courtright reported that the Friendly's letter of credit is still on file with the Township. Mr. Courtright stated that it is composed of three (3) portions; the chain link fence is completed, the Monroe County Conservation District accepted the rip rap bank but there is still a steep bank that is not stable and the silt fence, erosion fence and the 24 inch access pipes need to be secured.

Following further discussion, Mr. Courtright recommended release of \$8,274.30 from the letter of credit, leaving \$13,020.70 in place. Annette Atkinson made a motion to release \$8,274.30. Mitchell Marcus seconded the motion. Motion passed 3-0.

MnA Stroud Realty LLC Land Development Plan – Fred Courtright reported that the applicant's engineer, Nate Oiler, P.E. of RKR Hess was before the township planning commission and recommended the plan be sent to the supervisors. Mr. Oiler presented the plan and stated that the existing building will be made into a Taco Bell Restaurant and the remaining inside space will be retail space. The modifications will be limited. A drive through will be added, which will take away some of the parking, however there is ample parking already. The Developer Agreement has been submitted to the township solicitor for his review.

Annette Atkinson made a motion to table action in order to review the plan further. Mitchell Marcus seconded the motion. Motion passed 3-0.

New Business

Resolution 06-2014-1; CAT Financial Services – Mike Dwyer made a motion to adopt Resolution 06-2014-1 approving the CAT financing for the Skid Steer that was approved at the last meeting. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution 06-2014-2; Amended Township Fee Schedule to include Fire Works Display Permit Fees – [MAG1] Annette Atkinson made a motion to adopt Resoltuion 06-2014-2 approving the amended fee schedule to include the Fire Works Display Permit Fees. Mike Dwyer seconded the motion. Motion passed 3-0.

Authorization to Advertise RFP-Demolition of Structures - Annette Atkinson made a motion authorizing the advertisement for Request for Proposals for the Demolition and Dilapidated Structures. The zoning officer reported to the Board that the following structures have not been fixed up or demolished, and no appeal has been taken from the notices of violation that were sent to the property owners or posted on the property: (1) James Kondrk, Pin number 09732403227466, (2), Tracy Scaggs, Pin number 09731502788307, (3) Peter J. Slaman Pin number 09732501050628 and (4) Nela Zoran Martinovice Pin number 09732403241792. The

owners of the following structures also received notices, but have now applied for demolition permits: Pin numbers 09732501266352 and 09732501156922. The above mentioned properties are located in the Pocono Heights Development and Monroe Lakes Development, respectively. Mike Dwyer seconded the motion. Larry Shoemaker asked what the purpose of the resolution is^[MAG2]. Annette Atkinson stated that this will allow the township to advertise for costs to knock down and haul away all the debris and then file a lien on the property in order for the Township to recoup the costs.

John Davis stated that the home next to his in Winona Lakes has raccoons living in it. Ms. Atkinson explained that a complaint must be filed with the zoning department and the zoning officer will investigate. Ms. Atkinson stated that complaints can be anonymous.

Motion passed 3-0.

Appoint New Member to the EDC – Annette Atkinson made a motion to appoint Gina Bertucci to fill the vacancy on the Economic Development Advisory Committee left by Tim O’Donnell. Mitchell Marcus seconded the motion. Motion passed 3-0. Ms. Atkinson stated that another letter of interest was received from Julie Smith Golin and we will reach out to her and ask if she would be interested in joining the subcommittee of the EDC.

Authorize Advertising the 1984 Ford L-9000 Tandem Tractor Day Cab on Municibid.com – Mike Dwyer authorized Michele Clewell to place the public notice in the newspaper and to advertise the 1984 L-9000 on Municibid.com. Mitchell Marcus seconded the motion. Motion passed 3-0.

Public Comment

Oscar Woerlein stated that when there was a municipal authority for the central sewer department it had 5 board members and there were two (2) meetings per month plus additional meetings when needed. He asked how is the township handling these sewer function, with just a Sewer Coordinator when the Municipal Authority had 5 men. Annette Atkinson stated that instead of part time volunteers who meet twice a month the township has an engineer and a sewer treatment plant operator as well as the full time sewer department coordinator and part time assistant coordinator who are doing an exceptional job, in addition to a collections agency.

Mr. Woerlein stated that the Township does not talk about the sewer department at their meetings. Annette Atkinson stated that past minutes reflect differently, and the sewer is discussed; also, the public is more than welcome to come to the work sessions that are held once a month when the central sewer department reviews everything, or any of the reports that are given throughout the year at public meetings as previously stated.

Mike Dwyer stated that a volunteer board does not have the qualifications to do inspections, that is why a treatment plant operator is required.

Ms. Atkinson stated that due to the efforts of counting the number of seats and employees at commercial businesses, Lisa Philips and Joan Woisin have made the commercial accounts more accurate than they have ever been and the new EDC schedule, to replace the one that is 20 years old and outdated, possible.

John Davis stated that in addition to having proposed ordinance available at the township building and on record with the Pocono Record, proposed ordinances should be placed on the township website; the Board agreed, and stated it would look into it.

Raquel Barbera, President of the North Little League Softball asked for volunteers in order to allow children of special needs to be able to play baseball.

Annette Atkinson thanked Foster Cramer for the used golf balls that he donated both last year and this year that were used for charity events at the CCP golf course. There were 60 dozen golf balls donated to Mady's Angels for the golf tournament.

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 8:10 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
 Township Secretary
 June 10, 2014

General Fund Payables

Num	Name	Memo	Amount
11786	Russell Blakeslee	30 bales mulch hay	-112.50
11787	L.W. Clearing Company	1998 Mack truck	-18,000.00
	Trf Middle Smithfield Township	Payroll Funds Transfer	-75,149.97
11788	Commonwealth of PA.	New Laxmi / Harima PLCB license file	-171.00
11789	Advance Auto Parts	1872124821	-405.91
11790	AFLAC	Y2051	-503.48
11791	Allstate Septic Systems, LLP	inv 238074 / 238351	-450.00
11792	ARC Struck Welding	pw14-190 repairs RA 58537 processing fee for water cooler relacement	-975.00
11793	Avanti Products RA, 58537		-10.00
11794	B-Safe Fire Protection	inv 4785 fire exting. service	-220.00
11795	Bradco Supply Co	inv 111942 one lane rd sign	-475.80
11796	Cintas Corp	inv 101437357 cleaning	-77.70

11797	Claude S. Cyphers, Inc	inv 623102 fittings	-8.58
11798	Cleveland Brothers	serv6446210 repairs	-562.47
11799	Cramer's Home Center	inv 1063985 for recyle trailer	-70.62
11800	David Manter	inv 1001 septic permits	-1,137.00
11801	Debbi Manter	inv 1049 cleaning	-1,011.75
11802	Double M Productions	inv 22355 uniforms	-1,358.51
11803	East Stroudsburg Area School District	inv 1306-01 Resica Park Lease	-3,000.00
11804	FedEx	inv 266690021 / 237362629	-57.82
11805	Finch Services, Inc	inv z19076 fairway mower g.c. insurance claim	-738.50
11806	First Insurance Funding Corp	12101-0066-1674635	-9,730.24
11807	Fisher & Phillips LLP	inv 849920 Squires v. MST	-5,163.89
11808	Gilmore & Associates, Inc.	inv 133832-34 engineering	-9,495.14
11809	GreatAmerican Leasing Corp	inv copier lease	-304.50
11810	Hanson Aggregates	Road materials	-34,958.25
11811	Howard Kindred Sr	serving notices ZHB Harima	-475.00
11812	Kemper Equipment Inc	inv sm19180	-504.88
11813	Keystone Municipal Services, Inc	inv 2117 zoning 5/12-5/23	-4,290.00
11814	Lawson Products, Inc.	inv 9302503384 hex cap screw	-224.56
11815	Lewis True Value	Misc parts & supplies	-415.95
11816	Macmillan Oil	inv 42431 motor oil	-462.50
11817	Met Ed	a/c 100059550028 echo lake	-21.94
11818	Middle Smithfield Township 2012 GOB	2012 GOB General Fund portion installment	-11,491.67
11819	Midlantic Marking, Inc	inv 10141 line painting	-20,522.25
11820	Miggys Five	a/c 15 kitchen supplies	-57.57
11821	Newman, Williams, Mishkin, Corveleyn	inv 91265 Hott PA	-435.00
11822	Northeast Energy, Inc	inv 17381 / 17408	-975.00
11823	PA Chapter of APA	Pa chapter APA	-30.00
11824	PA One Call System, Inc.	inv 591942 monthly activity fee	-74.15
11825	Pennsylvania American Water	a/c 1024210033478776 hydrants	-135.90
11826	PMRS	45-027-5N pension	-10,465.07
11827	Pocono Peterbilt	inv 341754 air line	-47.40
11828	Pocono Record	inv 668497 public notices inv 135-027333 POD Rental g.c. maint. bldg ins claim	-846.40
11829	Pods Enterprises, Inc	claim	-143.00
11830	Postage Pros Plus Inc	inv 08911a postage machine supplies	-176.91
11831	Progressive Business Publications	inv o5977636 a/c A567342601 subscription	-255.60
11832	R & S Auto & Truck	inv 8012-8022 inspections	-404.29
11833	Ray Price Stroud Ford	inv 302253 seal asy	-261.16
11834	Richards Tree Farm	inv 32104 mulch for Bldg A	-105.60
11835	S & W Starter	rebuilt altenator	-229.00
11836	Sheeley Insurance	inv 55107 cyber liability policy	-1,563.00
11837	Smith Motor	inv 5004856 seal asy / flange	-133.70
11838	Staples Advantage	PH 1815504	-355.52
11839	Sun Litho Print	inv 35665 envelopes	-418.00
11840	Tulpehocken Spring Water	invs 1500993 / 1522886 water	-49.20

11841	Verizon Wireless	inv 9725429614 cell phones	-224.77
11842	Warehouse Battery Outlet, Inc	inv 257144 / 258693	-375.28
11843	Warren County Service Center, Inc.	inv 279713/712/929/934/280255	-4,413.10
11844	Waste Management	cleanup	-13,072.17
11845	Met Ed	a/c 100069220836 River Rd	-13.81
11846	PMRS	45-027-5n 2013 Township contribution for pension	-1,256.62
11847	Independent Security Contractors	GO-GO Dannys	-1,500.00
11848	Jones, Elwyn & Lorna	return of fire escrow	-15,021.06
			-
			255,595.66

Sewer Department Payables

Num	Name	Memo	Amount
10429	AT&T	019 533 3847 001 May 2014 Turkey Hill	-42.38
10430	B. Newhart & Sons, Inc.		-332.50
10431	Carbitrol Corporation	74755	-5,827.49
10432	COYNE CHEMICAL GILMORE & ASSOCIATES, INC.		-4,230.00
10433			-4,207.02
10434	Graymont Capital Inc.	298957	-5,933.40
10435	K. Connelly		-4,529.00
10436	MET-ED	100 018 440 378	-293.48
10437	MST2012GOB	MST GOB 2012	38,594.79
10438	PA ONE CALL SYSTEM, INC. PROSSER LABORATORIES, INC.	591944	-28.60
10439			-4,319.60
10440	PROTHONOTARY	Garretson Sat Pc	-7.00
10441	STRAND	7476	-958.80
10442	TOPS SOFTWARE	WD357	-109.95
10443	VERIZON	570 588 1134	-33.74
10444	W.G. MALDEN	7929	-1,661.22
10445	WASTE MANAGEMENT		-9,518.96
10446	MET-ED	100 080 920 901	-27.32
10447	PROTHONOTARY	Garretson Sat Pc	-7.00
10448	VERIZON	570 588 6581	-31.54
10449	MET-ED	100 080 916 826	-34.90
10450	PROTHONOTARY	June Liens	-292.50
10451	VERIZON	570-588-0742	-32.99
10452	MET-ED	100 081 035 618	-14.37
10453	PROTHONOTARY	June liens	-292.50
10454	VERIZON	570-588-0752	-32.99
10455	MET-ED	100 016 629 691	-232.80
10456	PROTHONOTARY	June Liens	-292.50
10457	STRAND	7481	-634.50
10458	VERIZON	570-588-7646	-72.97

10459	MET-ED	100 080 913 799	-121.62
10460	PROTHONOTARY	June Liens	-292.50
10461	VERIZON	570-588-1135	-33.24
10462	PROTHONOTARY	June Liens	-292.50
10463	VERIZON	570-588-0289	-34.17
10464	PROTHONOTARY	June Liens	-292.50
10465	PROTHONOTARY	June Liens	-58.50
10466	PROTHONOTARY	June Liens	<u>-58.50</u>
			-
			83,810.34

Golf Course Payables

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2876	Banko Beverage	beer	(350.44)
2877	LT Verrastro Beverage	beer	(490.20)
2878	George Hendry	return of security deposit	(250.00)
wt	JDC Golf and Turf	mower lease	(812.49)
wt	USB Equipment Finance	Toro Lease	(1,325.16)
2879	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	(863.02)
2880	Advance Auto Parts	inv 6952414205456	(19.84)
2881	Allan Rotto Consultants, Inc	inv 17 verizon tax	(42.00)
2882	Blue Ridge Communications	a/c 0109950-03 internet	(49.95)
2883	Cleveland Brothers	inv inpp0587633 parts	(39.71)
2884	Eastern Alarm Systems, Inc.	inv 7097 alarm repairs	(35.00)
2885	Golf Car Specialties, LLC	inv si062785 repairs	(341.11)
2886	Golf Cars Inc	inv 38502 / 63422	(1,078.64)
2887	Grass Roots Turf Products	inv 70405 / 70906	(492.00)
2888	Keystone's Premier Golf Association	01-0020 / 21 / 22 handicap fees	(855.00)
2889	Nagle Elevator Inspection & Testing	inv 8476 elevator reinspection	(70.00)
2890	Prime 570 Catering	Maddys Angels food for outing	(1,420.25)
2891	R&R Products	inv cd1798789 tire	(114.50)
2892	Sportcover International Inc	inv 594792 ball markers	(339.30)
2893	Superior Plus Energy Services	590111 / 112 / 113 gas & diesel	(531.07)
2894	Waste Management	inv 287434908219	(535.88)
2895	Waste Management	inv 287435008217 maint	<u>(127.60)</u>
			(10,183.16)