

The regular meeting of the Middle Smithfield Township Board of supervisors was held on Thursday, June 13, 2013 at 7:00 p.m. at the Schoonover Municipal Building with Annette Atkinson presiding.

Members present: Annette Atkinson, Michael J. Dwyer and Mitchell I.K. Marcus. Also present, Township Solicitor Michael Gaul, Esquire, 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 May 23, 2013 special meeting minutes. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to approve the May 23, 2013 regular meeting minutes. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made an announcement that the Price Chopper grand opening will be held on June 18, 2013 and the Wawa grand opening is June 21, 2013 respectively. Ms. Atkinson also thanked past supervisors, Pat Griffin, and everyone that helped bring these two businesses to Middle Smithfield Township.

Public Hearing – Ordinance 193; Floodplain Amendment

Donna Kenderdine took a stenographic record.

Annette Atkinson made a motion to open the public hearing at 7:04 p.m. Michael Dwyer seconded the motion. The motion passed 3-0.

Attorney Gaul stated that originally proposed ordinance was number 194, however, in order to keep the numbering in numerical sequence, the Floodplain Amendment will be now numbered 193, as it was adopted prior to the proposed Hiawatha Road Ordinance, which has been tabled. The proposed ordinance number for Hiawatha Road Ordinance will be changed from 193 to 194.

Attorney Gaul stated that the primary purpose of the proposed Floodplain Amendment Ordinance was to satisfy FEMA's request that a date certain be placed in the definition of "New Construction" of the recently enacted floodplain regulations. In addition, the Supervisors are using the opportunity to also address some minor comments made Monroe County Planning Commission to the recently enacted floodplain regulations. The comments could not previously be addressed due to FEMA time limitations for enactment of the new regulation.

Attorney Gaul presented Exhibits No. 1 thru 10.

Attorney Gaul asked if anyone wanted to testify. There was no testimony from the public.

Annette Atkinson made a motion to close the hearing at 7:11 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to adopt Ordinance No. 193 Floodplain Amendment as per the Middle Smithfield Township Planning Commission recommendations. Mitchell Marcus seconded the motion. Motion passed 3-0.

Annette Atkinson announced that the Board of Supervisors would like to meet with the chairpersons/vice chairpersons of each township committee on June 26, 2013 at 7:00 p.m. to review their mid-year reports that will be presented at the July 11, 2013 supervisor's public meeting.

Committee Reports

Eastern Monroe Regional Park Commission – Annette Atkinson reported that she met with Scott Detrick regarding grant applications for the bike park.

Economic Development Committee – Debbie Kulick summarized the monthly report.

Golf Advisory Board – Ray White summarized the monthly report.

Pro Shop – Don Henry stated that there has been an increase in tournament play and the committee is looking to improve membership. Father's Day literature is being distributed. (Written report was not made available)

Historical Commission – Steve Kulick announced that the next meeting is June 24, 2013. The Passport to History, 501 3 (c), creation of a calendar committee, future meetings and guest speakers, and Memory Makers have been discussed. Mr. Kulick stated that Memory Makers will be held on September 15, 2013 at the Fernwood Hotel. (A written report was not provided)

Litter & Beautification – Annette Atkinson announced that all the boards, committees now have a Facebook Page, thank you Ryan Senay, and township intern. Ms. Atkinson announced that this Saturday the L & B committee will hold "Dirty Knees and Green Thumbs, where everyone will be planting flowers at the township planters and flowerbeds at the parks and jug handle. A thank you went out to Erin Groome for preparing all the flower beds for planting.

Parks And Recreation Board – Joyce Fenical provided the monthly report. Mrs. Fenical announced that the Day in the Park will be held September 21, 2013 and the rain date is September 22, 2013.

Planning Commission – No report was given.

Workers Compensation Safety Committee – Mitchell Marcus stated that safety inspections will be performed as there is a need for improvements. Mr. Marcus asked Debbie Kulick and Steven Kulick to check their schedules regarding CPR training for township employees and that he would follow up with each of them.

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

Bid Award

Michael Dwyer stated that the Seal Coat bids were opened on May 23, 2013 at the public meeting. Michael Dwyer made a motion to accept the bid from AMS in the amount of \$94,325.64. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer stated that option pricing was requested, however, we are not going to exercise those options.

Report of Executive Sessions

Attorney Gaul stated that an executive session was held prior to this meeting to discuss pending legal matters and the Hott PA zoning appeal with the supervisors.

Correspondence

Department of Community and Economic Development – A letter was received dated June 4, 2013 informing the supervisors and public that DCED will be holding two public meetings on June 18, 2013 pursuant to the PA Race Horse Development and Gaming Act, Act 71 of 2004, as amended to provide information about LSA's/local share grants.

Monroe County Municipal Waste Management Authority – The Monroe County Municipal Waste Management Authority provided the Update on the Monroe County Municipal Waste Management Plan Revision for the supervisors review.

Hillock Court – Michael Dwyer read a thank you email received from Stephen Foster regarding road work that was done by the Public Works Department with a special thank you to Cory Lyon and PWD staff.

Treasurer's Report

Michael Dwyer stated that the township continues to be within budget for the month of May with expenses slightly below budget.

The draft audit was received from Reilly Associates. The draft audit strongly suggests adding additional personnel for segregation of duties and upgrading the computer system. Mr. Dwyer stated that Supervisor Atkinson has already initiated, planned and implemented the IT upgrade project, which was in full progress when the auditors were here, and the upgrade should be completed shortly. Also, Supervisor Atkinson had already begun interviewing for additional personnel as well. Mike Dwyer thanked Ray Wolfe, Budget & Finance Coordinator and staff and Supervisors for all their efforts.

Michael Dwyer announced the township has received monies from FEMA regarding Hurricane Sandy; this money will go for future preparedness.

Michael Dwyer announced that the township has received an installment for the Freeman Tract Road from the Monroe County Conservation District and currently are waiting for the NPS to review the final road and drainage improvements so that we can get started.

Michael Dwyer announced that the fire damaged home located on Coolbaugh Road has been demolished and the property has been cleaned up and is now in a safe condition.

Michael Dwyer announced that Coolbaugh Road was tar and chipped last year, however, the job was not done to the satisfaction of the township or PennDOT, therefore we held their monies until they came back to do the job again.

The Public Works Department has been busy patching roads, leaf collection, working at the dog park and removing fallen trees and doing a great job at the golf course.

Michael Dwyer and Annette Atkinson attended a meeting in Scranton with PPL, where storm damages were addressed, as well as more efficient energy consumption and alternatives.

Michael Dwyer stated that he and Supervisors Atkinson met with concerned homeowners associations in May to discuss the proposed leaf collection site.

The next recycling meeting will be held on Monday, June 24, 2013 at 9:00 a.m. and the public is welcome.

Michael Dwyer thanked Cory Lyon, Gary VanHorn, Pat Calpin for meeting the deadline with regard to 2013 recycling grant application.

Payables – Michael Dwyer made a motion to pay the general fund payables in the amount of \$156,024.67. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the sewer payables in the amount of \$138,964.02. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the golf course payables in the amount of \$42,651.29. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the liquid fuels payables in the amount of \$24,759.00. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the quarterly payment to the EMS providers in the amount of \$50,987.24. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to approve three requests for refunds to Orazio Cimigliaro for \$254.63, Wayne Stobel for \$15.39 and Ingrid Almanzar for \$73.27 totaling \$343.29. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to release fire escrow monies held in the amount of \$7,368.20 to Henry Martinez pursuant to Dave Manter's, MST Building Code Officer letter dated June 11, 2013.

Solicitors Report

Hott PA, Inc., Land Development Plan - Attorney Gaul reported for Attorney Gerry Geiger who was not present. Attorney Gaul stated that; Attorney Geiger received a letter from Joseph Wiesmeth, Esq. requesting a 60 day extension to render a decision on the land development plan. The deadline for action is now August 30, 2013. Annette Atkinson made a motion to accept the letter and grant the extension. Michael Dwyer seconded the motion. Motion passed 3-0.

Hiawatha Road Vacation Ordinance – Attorney Gaul recommended tabling consideration until the June 27, 2013 meeting. Annette Atkinson made a motion to table consideration. Michael Dwyer seconded the motion. Motion passed 3-0.

Engineers Report

Evergreen II Request for Time Extension - Fred Courtright stated that the development is located on Coolbaugh Road and was conditionally approved in 2012. They previously requested and were granted an extension and are now seeking another extension. They are requesting another two year extension.

Annette Atkinson made a motion to grant a two year extension. Following additional discussion, Annette Atkinson made a motion to withdraw her motion for an additional two year extension. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to grant a one year extension. Michael Dwyer seconded the motion. Motion passed 3-0.

Sellersville Junction Development, L.P. Request for Reduction of Financial Security No. 3 – Fred Courtright stated that a letter was received dated June 10, 2013 requesting a reduction in the letter of credit posted for Sellersville Junction Development (Wawa, Inc.). Mr. Courtright requests direction to conduct a site inspection and have a written report completed for next meeting. Annette Atkinson made the motion directing Fred Courtright to do a site inspection and have a written report for the next meeting. Michael Dwyer seconded the motion. Motion passed 3-0.

Doli Construction Final Payment No. 7 – Fred Courtright stated that the final payment request has been submitted by Doli Construction for a full release in the amount of 11,009.74. Annette Atkinson made a motion to release the final payment to Doli Construction. Michael Dwyer seconded the motion. Motion passed 3-0.

Gilmore & Associates, Inc. – NPDES Permit for Route 209 STP – Fred Courtright submitted a proposal on behalf of Gilmore & Associates, Inc. regarding the sewage discharge permit for the Route 209 sewage treatment plant. Mr. Courtright explained that the new effluent for total copper is now required. This is a three phase proposal that will span over a two year period. PA DEP has allowed four years to come up with the total effluent copper. The cost of the proposal is \$45,000-\$50,000.

Annette Atkinson made a motion to approve and accept the proposal submitted dated May 17, 2013. Michael Dwyer seconded the motion. Motion passed 3-0.

Bob Pohlman asked for an explanation. Fred Courtright stated that that this is for all the effluent from the STP.

Larry Diamond asked if they have identified the source. Fred Courtright stated no, the Prosser Laboratory has done some testing but will do other testing as part of this proposal.

New Business

Appoint Right to Know Officer – Annette Atkinson made a motion to appoint Joan Woisin as the new Right to Know Officer. Michael Dwyer seconded the motion. Motion passed 3-0.

Newly Hired Personnel – Annette Atkinson made a motion to hire Laurence Cassar, part time seasonal golf cart attendant. Michael Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to hire James Andres, part time seasonal golf course maintenance. Michael Dwyer seconded the motion. Motion passed 3-0.

Township and Homeowners Association Quarterly Networking Meeting – Michael Dwyer announced that the next meeting will be held on June 22, 2013 at the Whispering Pines from 10:00 a.m. to 1:00 p.m. There will be a full slate of speakers, including, Pat Calpin to discuss recycling, a representative from AMS paving to discuss alternative paving options, James Lambert Monroe County Municipal Waste Authority and John Ferro to discuss Emergency Operations Coordinator.

Annette Atkinson announced that on Monday, June 17, 2013 from 5:30 p.m. – 7:00 p.m. Price Chopper will be holding a fundraising reception to preview the new store.

Public Comment

Steven Kulick asked about the no parking ordinance. Attorney Gaul stated that this will be on the supervisor June 27, 2013 meeting agenda as he is still working on it.

Alan Keys expressed his concerns with regard the proposed ordinance on firearms. Annette Atkinson stated that there were a lot of calls from concerned residents and parent following the incident that initiated the proposed draft ordinance and it would be prudent for the supervisors to look into it. The Supervisors don't know how they can regulate gun discharge and that is why the task was given to the solicitor to look into it. The Supervisors are charged with keeping residents safe; Supervisors have already regulated the discharge of firearms by not allowing it at the township's parks.

Mitchell Marcus stated that he is a gun advocate and will never approve anything that takes people's rights away to carry a weapon. He also stated that this is not what the supervisors are trying to do.

Michael Dwyer stated that the supervisors are not trying to take away anyone's rights; they are just having the solicitor looking into the law.

Wayne Witkowski asked who is handling the zoning issues. Annette Atkinson stated that the alternate zoning officer, BIU is now performing all zoning duties.

Annette Atkinson made motion to adjourn the meeting at 8:24 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
June 13, 2013

Num	Name	Memo	Credit
10689	Northeast Energy, Inc	50% deposit for Condenser Replacement; 50% dep for repairs	3,116.50
10690	First Insurance Funding Corp	12101-0066-1674635	9,364.17
10691	Dave Comunal	skidsteer tires	783.48
Trf	Middle Smithfield Township	Payroll Funds Transfer	49,622.63
10692	Allstate Septic Systems, LLP	inv 224081/224521/224529	450.00

10693	Avaya	inv 2732582956 phone system service agreement	117.60
10694	Big Boy Hydraulics	inv 15322 seal kits	45.06
10695	BIU of PA, Inc.	inv 0100-0120-029471 permits	9,319.25
10696	Bradco Supply Co	inv 95586 signs	380.60
10697	Cintas Corp	101232183 cleaning	83.94
10698	CNH Capital	a/c 5043935501409770 Medico Indust	208.41
10699	Cramer's Home Center	inv 898150 powerhouse parts	229.57
10700	DeAngelo Brothers Incorporated	inv 1189530 spray as directed from Township Map	450.00
10701	Debbi Manter	inv 1036 cleaning	1,022.00
10702	Donna G. Kenderdine, RPR East Stroudsburg Area School District	inv 120-13 Ordinance 193	192.00
10703		inv 1306-01 2013-14 Recessa Park lease	3,000.00
10704	Erin Groome	reimbursement for meals & miles for class	17.36
10705	FedEx	inv 227905077 postage	33.55
10706	Friedman Electric	inv S015863528.001 lamps & ballasts	63.17
10707	General Code, LLC	inv bill011135 Supplement # 37 code analysis	2,370.71
10708	GreatAmerican Leasing Corp	inv copier lease	304.50
10709	Hanson Aggregates	inv 2319740 chip stone	143.08
10710	Highway Equipment & Supply Co.	inv d01512 auger liners	139.54
10711	Kimball Midwest	inv 2970132 wheels & terminals	116.20
10712	Lawson Products, Inc.	inv 9301659016/9301662137	115.38
10713	Lewis True Value	invs a350274/350310/351351/352890/353255	112.26
10714	Marshalls Machinery	inv 11018 arm, wipe	63.42
10715	Met Ed Middle Smithfield Township 2012 GOB	a/c 100069220836 River Rd light	13.20
10716		2012 GOB General Fund portion installment	11,491.67
10717	Miggys Five Newman, Williams, Mishkin, Corveleyn	a/c 15 3/25, 5/12, 6/1	105.83
10718		inv 86670 legal	30.00
10719	Nicholas Cherubine.	flowerbeds cleanup 6.5hrs	52.00
10720	Norman L. Fish Excavating PA Municipal Health Insurance Cooperative	inv 643817 demolition of house @Lesiure Lands/Coolbaugh	6,725.00
10721		052801 health insurance	24,423.73
10722	Patrick & Nancy Ong	tax assesement reduction 09/96866	141.88
10723	PMRS	45-027-5n pension	8,225.26
10724	Postage Pros Plus Inc	inv 06890a postage meter tape	31.33
10725	PSATS CDL Program	inv 13-C0714 testing	120.00
10726	PSATS UC Group Trust	inv 1301-4507 1st qtr 2013 contributions due	3,833.62
10727	R.J. Groner Inc.	1636-48942 / 1636-48798 hvac repairs	996.00
10728	Regina Farms	0158899 mulch for Bldg A	78.00
10729	RICOH USA, Inc	inv 1040090741 supplies for copy machine	131.02
10730	Staples Contract and Commercial	7000461931/461983/613660/644183/654531/654533/654535/655241/663198	1,077.57
10731	Stephenson Equipment	inv 10070788 therm, dial	292.70
10732	Telco	inv 22920 repairs to Rte 209 & Fernwood light	61.50
10733	Tulpehocken Spring Water	1301945/1306685 water	92.10
10734	US Postal Service	meter a/c # 46025714 postage	3,000.00
10735	Verizon Wireless	inv 9705075439 cell phones	274.26
10736	Waste Management	inv 2759437-0821-2 clean-up containers	7,527.00
10737	Weitzmann & Weitzmann, LLC	inv 19904 Planning Commission	810.00
10738	Waste Management	2758454-0821-0 / 2760404-0821-9 cleanup containers	513.37
10739	George A. Koteen Associates	inv 18212-17 18221-22 share of savings on electric per contract	594.91

10740	GTS-Welco	inv 23504646 acetylene & oxygen	124.89
10741	PA One Call System, Inc.	MSF 539166 monthly activity fee	47.55
10742	Pennsylvania American Water	a/c 24-1989049-2 hydrants	88.38
10743	Pocono Record	inv 655226 public notices etc	<u>961.80</u>
			153,728.95

104-000 - General Fund - Wayne Bank

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Bill Pmt -Check	06/13/2013	10746	AFLAC	inv 836930 insurance	-503.48
Check	06/13/2013	10747	Met Ed	a/c 100059550028 Echo Lake	-20.88
Check	06/13/2013	10748	Met Ed	a/c 100016915751 Municipal signal	-21.20
Check	06/13/2013	10749	Met Ed	a/c 100016951467 Bldg "A"	1,186.71
Check	06/13/2013	10750	Met Ed	a/c 100036091245 bldg "B"	<u>-563.45</u>
					-
					2,295.72

111-108 - Cable Franchise Fee

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	06/13/2013	1038	Marshalls Creek Fire Co	1st qtr cable franchise fee	31,691.58
Check	06/13/2013	1039	Bushkill Fire Co.	1st qtr cable franchise fee	-7,647.83
Check	06/13/2013	1040	Shawnee Fire Co	1st qtr cable franchise fee	-7,647.83
Check	06/13/2013	1041	Bushkill Emergency Corps	1st qtr cable franchise fee	-2,000.00
Check	06/13/2013	1042	Suburban E.M.S.	1st qtr cable franchise fee	<u>-2,000.00</u>
					-
					50,987.24

100.000 - Wayne Bank - Golf Course

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Check	06/13/2013	2420	Golf Car Specialties, LLC	inv S1047081 cart lease / inv S1047082 bev cart	(16,156.00)
Check	06/13/2013	2421	Prime 570 Catering	food for Recessa outing	<u>(1,375.50)</u>
					<u>(17,531.50)</u>
					<u>(17,531.50)</u>

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2397	Joyce Bambach	CCP photography invoice	250.00
2398	Banko Beverage	beer	522.26
2399	LT Verrastro Beverage	beer delivery 6/7	218.89

2400	Resort Beverage	beer delivery 6/7	210.41
2401	Fisher & Son Co., Inc.	inv 114972-IN greens maintenance supplies for 2013 delivery	5,563.84
wt	American Express Collection	May credit caard fees	179.57
wt	USB Equipment Finance	Toro Lease	1,325.16
wt	Global Pay	May credit card fees	651.43
2402	Jim O'brien	reimburse for beer purchase for outing	152.59
2403	Allstate Septic Systems, LLP	inv 224523 porta potties	285.00
2404	Blue Ridge Communications	a/c 0109950-03 cable & internet	49.95
2405	BWP-Carquest Auto Parts	8348-38776/39089/39168 parts	227.34
2406	George A. Koteen Associates, Inc	share of savings on electric inv 18219/220/223/224	269.04
2407	Grass Roots Turf Products	inv 62173/62251 green maintenance supplies	6,439.20
2408	Hellers Gas, Inc.	inv 95525 clubhouse propane	286.13
2409	Kode Electric Inc	inv 741609 sign & street light repairs	305.00
2410	Marshalls Creek Plumbing	inv 7348 drain box extensions	133.05
2411	Met-Ed	a/c 100081748855 pump house	327.53
2412	Miggy's Corp 5	4/20,25,27,5/4,5,9,23,25,27,30,31,6/1 food & snacks	602.95
2413	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	863.02
2414	R.H. Hurley LLC	May consulting fee	1,000.00
2415	Service Tire Truck Center, Inc.	inv I66676-26 tires	718.60
2416	Superior Plus Energy Services	gasoline & deisel	3,374.00
2417	Waste Management	inv 2758459-0821-7 golf maint bldg	110.81
2418	Waste Management	inv 2758458-0821-9 clubhouse	98.20
2419	Met-Ed	clubhouse	<u>955.82</u>
			25,119.79

PNC Bank – Liquid Fuels Account

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
06/13/2013	2000	Asphalt Maintenance Solutions, LLC	inv 1681 seal coat repairs to Hidden Lake Rd	-2,759.00
06/13/2013	2001	Middle Smithfield Township	first installment Ford F-450 Truck	<u>22,000.00</u>
				-
				<u>24,759.00</u>
				-
				<u><u>24,759.00</u></u>