

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Friday, June 15, 2012 at 6:00 p.m. at the Schoonover Municipal Building with Mitchell Marcus presiding.

Members present: Mitchell K. Marcus, Michael Dwyer and Annette Atkinson. Also in attendance, Township Solicitor Michael Gaul, Esq., Administrative Assistant Erin Groome, Stenographer Donna Kenderdine, several interested parties and numerous residents.

After the meeting was called to order, Solicitor Gaul requested that the Board meet in executive session on the Pocono Marketplace and 209 Plaza Associates Conditional Use applications. Upon motion made by Mitchell Marcus and seconded by Michael Dwyer, the supervisors voted 3-0 to adjourn to an executive session with the Solicitor. The time was 6:05 p.m.

Upon motion made by Mitchell Marcus and seconded by Michael Dwyer, the supervisors voted 3-0 to reconvene their public meeting. The time was at 6:16 p.m.

Upon motion made by Mitchell Marcus and seconded by Michael Dwyer, the supervisors voted 3-0 to re-open the public hearing on the 209 Plaza Associates Conditional Use Application for purposes of deliberation and decision. n. See stenographer's records for hearing comments. Mitchell Marcus made a motion, seconded by Michael Dwyer, to deny the conditional use application for the reasons provided in the proposed written decision and to approve the written decision on the application, as presented.. Motion carried 3-0. The public hearing closed at 6:22 p.m. with a 3-0 vote.

Upon motion made by Mitchell Marcus and seconded by Michael Dwyer, the supervisors voted 3-0 to re-open the public hearing on the Pocono Marketplace conditional use application for purpose of deliberation and decision. Motion carried 3-0. The time was 6:23 p.m. . See stenographer's records for hearing comments. Mitchell Marcus made a motion, seconded by Michael Dwyer, to grant the conditional use application, subject to the conditions in the proposed written decision, and to approve the written decision on the application, as presented. Pocono Marketplace was granted the conditional use subject to the conditions. Mitchell Marcus motioned to accept, Michael Dwyer seconded the motion. Motion carried 3-0. The public hearing was closed at 6:36 p.m. with a 3-0 vote.

Administrative Directors Report ó Annette Atkinson made a motion to hire the following employees, retroactive to the date indicated, as provided in the schedule presented to the Supervisors:

John Lopez, Intern, 5/28/2012, Part-time Intern
James Andres, Golf Maintenance, 4/19/2012, Part-time Seasonal
John Beniamino, Golf Maintenance, 4/26/2012, Part-time Seasonal
Steven Stein, Golf Maintenance, 4/2/2012, Part-time Seasonal
Bruce Vanermark, Golf Maintenance, 4/2/2012, Part-time Seasonal
Michael Yesunas, Golf Maintenance, 4/2/2012, Part-time Seasonal

Kristina Baj, Beverage Cart, 5/19/2012, Part-time Seasonal
Michael Gallucci, Golf Cart Attendant, 5/24/2012, Part-time Seasonal
Joanne Jennings, Beverage Cart, 5/1/2012, Part-time Seasonal
Malcolm Law IV, Golf Cart Attendant, 5/22/2012, Part-time Seasonal
Leonard Miller, Golf Cart Attendant, 4/23/2012, Part-time Seasonal
James O'Brien, LCB Manager, 4/2/2012, Part-time Seasonal
Lou Scaltrito, Pro Shop Assistant Manager, 4/2/2012, Part-time Seasonal
Phil Tuminello, Golf Cart Attendant, 4/23/2012, Part-time Seasonal
Sue Werkheiser, Pro Shop Manager, 4/2/2012, Full-time Seasonal
Nancy Dugan, Receptionist, 12/20/2011, Full-time
Raymond Wolfe, Bookkeeper, 1/30/2012, Full-time

Michael Dwyer seconded the motion. Motion carried 3-0. The schedule of the hired employees made part of these minutes.

Marshalls Square Shopping Center submitted a (30) day time extension for the Revised Final Record Plan. Michael Dwyer motioned to accept, Mitchell Marcus seconded the motion. Motion carried 3-0. (Recorder's note: It was later determined that no such extension had yet been submitted by the developer at the time of the meeting)

The Crossings at Marshalls Creek Land Development was discussed. Sal Candarella and Mark Mancuso were present. Michael Gaul informed the developer that they need to let the supervisors know which Land Development Plan will be recorded at Monroe County. Mark Mancuso informed the supervisors that they expect to have the HOP permit from PennDOT approved by late summer/early fall. Michael Dwyer motioned to authorize the recording of final Land Development Plan without first requiring PennDOT's issuance of a HOP permit, subject to the developer depositing sufficient financial security with the Township for the cost of work to be performed under the HOP, as approved by the township engineer, Annette Atkinson seconded the motion. Motion carried 3-0.

The driveway permit has not yet been executed for final approval on Oak Grove Drive. Michael Dwyer motioned to accept the approval, Annette Atkinson seconded the motion. Motion carried 3-0.

Under New Business, Mitchell Marcus made a motion to table the NCS Service Agreement regarding MST debt collection until the Board of Supervisors meeting on July 3, 2012, stating that he and Michael Gaul would work on this. Annette Atkinson seconded the motion. Motion carried 3-0.

Mitchell Marcus made a motion to table the George Koteen Associates Agreement regarding utility bill savings until the Board of Supervisors meeting on July 3, 2012, stating that he and Michael Gaul would work on this. Annette Atkinson seconded the motion. Motion carried 3-0.

Mitchell Marcus made a motion to accept Siana, Bellwoar and McAndrew Law Firm as special counsel for debt collection matters for the Township Central Sewer, Annette Atkinson seconded the motion. Motion carried 3-0.

Mitchell Marcus motioned to accept Resolution Number 2012-06-01, Debt Collection Policy, Annette Atkinson seconded the motion. Motion carried 3-0.

Mitchell Marcus made a motion to approve the form of the Whispering Pines Clubhouse Rental Agreement, Michael Dwyer seconded the motion. Motion carried 3-0.

Mitchell Marcus made a motion to approve the form of the Whispering Pines Catering Agreement, Michael Dwyer seconded the motion. Motion carried 3-0.

Mitchell Marcus made a motion to adjourn the meeting, Annette Atkinson seconded the motion. Motion carried 3-0. The meeting was adjourned at 7:01 p.m.

Respectfully submitted by,

Erin Groome
Administrative Assistant