

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, June 26, 2014 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., Township Engineer Fred Courtright, P.E. Township Secretary Michele L. Clewell, several township residents and Nate Oiler, P.E. of RKR Hess, Inc., representing MnA Stroud Realty, LLC;.

### **Approval of Minutes**

Annette Atkinson made a motion to approve the June 10, 2014 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

### **Report of Executive Session**

Attorney Gaul reported that an executive session was held on Friday, June 20, 2014 and prior to this evening meeting to go over pending legal matters with the solicitor, including the Go Go Danny's litigation.

### **Announcements**

- On June 11, 2014 the entire Operations Staff received First Aid training
- On June 14, 2014 the Echo Lake Flag Pole was re-dedicated with the VFW Veterans of Foreign Wars (Mike, correct me if I am wrong) acting as master of ceremony. Gerry Patane did the flag pole as part of his Eagle Scout project.
- Today marks the 50<sup>th</sup> Anniversary of the Marshalls Creek blast,
- On Saturday, June 21, 2014 the Board of Supervisors attended the Marshalls Creek Volunteer Fire Department memorial and dedication service in honor of the fireman that lost their lives 50 years ago. The township donated \$1,000.00 towards the memorial fund,
- A central sewer workshop meeting will be held this Friday at 9:00 a.m. . They are held every month, on the fourth Friday.
- The Historical Commission is looking for old photographs of people, places, things, and/or events of Middle Smithfield Township and anyone can bring them in and wait while a staff member scans them into the computer,
- The next regular meeting of the Board of Supervisors will be held on July 8, 2014 where the mid-year report will be given.

### **Committee Reports**

- Eastern Monroe Regional Park Commission – No one was present to give a report, nor was one submitted
- Parks & Recreation Board – The yard sale scheduled for May 31, 2014 was cancelled and will be re-scheduled this fall. The Trunk or Treat will be held October 25, 2014 at Resica Park with additional details to come in the coming months. (the full report is available on the township website)

- Community Gardens Planning Task Force – At the May meeting, Miriam Hornstein from the DWNRC spoke to members about the Community Gardens located in the National Park Service and validated much of what the township intends to do. The sub-committee conducted site tours. Sample rules from Laurel Bischow and the DCNR were reviewed by the task force. (the full report is available on the township website)
- Golf Course Advisory Board – Numerous comments on the golf course, that it has never looked better. The Father’s Day promotion was one of our most successful promotions and currently we are running a “Dads and Grads” promotion. Membership options remain available throughout the season. The Golf Advisory Board has reached out with local businesses to offer “play and stay” packages. Half memberships, which let golfer and non-golfers, enjoy the course at membership rates without the commitment. (the full report is available on the township website)
- Economic Development Committee – The MST Business Directory will be distributed in the upcoming township summer newsletter. The Tourist Brochure is expected to be distributed by Labor Day 2014. Bob Hetu, Chairman has created a mobile app that will be published in both the Android and iPhone marketplace at a minimal cost in order to notify consumers of all sorts of specials and events. Gina Bertucci, local business owner, was recently appointed to the EDC. Peter Wulfhorst from the Penn State Co-Operative Extension will be a guest speaker at the July 14, 2014 meeting to provide information to assist the EDC in reaching economic and community goals. (the full report is available on the township website)
- Historical Commission – The commission is currently working on the 2015 calendar. Working on digital archiving photos of the township in order to preserve these memories. The Historical Commission is planning an event to take residents on a walk though of the Delaware Valley old train track line walk. (the full report is available on the township website)
- Middle Smithfield Township Planning Commission – The MnA Stouds Realty LLC Land Development plan was recommended to the supervisors, members have signed up for the Land Use Decision making summer/fall webinar series. The draft proposed sign ordinance was reviewed and provided to the supervisors. The Monroe County Planning Commission presented the Monroe 2030 Plan at the June meeting with the EDC also in attendance.

## **Bid Results**

Tree Removal – Mike Dwyer stated that at the last meeting two bids were received for the Coolbaugh site and after further review, Mr. Dwyer made a motion to accept Joe Cappa’s bid at \$29,000.00 for tree removal and grubbing. Annette Atkinson seconded the motion. John Davis asked to explain what the bid is. Annette Atkinson stated it is for the purpose of clearing (cutting and grubbing) three acres of township property for the community gardens/West side park. Motion passed 3-0.

## **Treasurer’s Report**

Mike Dwyer stated that through the mid-year we are slightly over budget on expenses, but we are currently waiting for a grant and other reimbursement to bring the budget back in line. The golf course expenses? Income? is slightly below budget and the sewer account is on budget.

Rich Kawski asked what the expenditure for GGD in the amount of \$1,500.00 is for. Mike Dwyer stated that was for a private investigator for the Go-Go Danny's litigation; legal expense.

Payables – Mike Dwyer made a motion to pay the general fund payables in the amount of \$195,856.59. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the sewer fund payables in the amount of \$80,675.78. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the golf course fund payables in the amount of \$30,073.98. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to distribute the cable franchise fee payables to the township's EMS providers in the amount of \$52,151.11. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Solicitors Report**

CCP Phase 3 Section 5 PRD; Time Extension Request to Render a Decision – Attorney Gaul stated that a letter was received from the developers attorney to extend the time for the Board of Supervisors to render a decision on the land development plan to November 14, 2014. Annette Atkinson made a motion to accept the letter extending the time to November 14, 2014. Mike Dwyer seconded the motion. Motion passed 3-0.

### **Engineers Report**

MnA Stroud Realty LLC, Land Development Plan and Modification Request – Nate Oiler, P.E. stated that the purpose of the plan is to convert the Friendly's Restaurant into a Taco Bell restaurant and office space. The foot print will remain the same. There will be paving changes for the drive through window and there is adequate parking. Attorney Gaul requested a note be placed on the plan; it has been added.

The applicant submitted the following Request for a Modification of Regulations: SALDO section/subsection 170-152(D) 5-b, e, k, 8.s, 170-153 (A), (B), (D), (E) : Wetlands, Steep Slopes, Other man-made features, Grid location Centerline Profiles, Stormwater Management Plan, Water Supply Plans, Sewage Collection Plans. The purpose of the modification request submitted is that this plan is to modify an existing commercial use to another commercial use. Changes to the site will be minimal and happen within existing developed area.

Fred Courtright stated that the Planning Commission recommended approval of all the requested waivers. Annette Atkinson made a motion to grant the modification requests as stated based on the Township Engineer's and Planning Commission's recommendations. Mike

Dwyer seconded the motion. Rich Kawski asked if the letter of credit has been satisfied. Fred Courtright stated that the Township is holding the previous developers letter of credit and the Township is currently working to resolve that issue. Annette Atkinson stated that the Township is still holding the letter of credit until the remainder of the work is complete.

Annette Atkinson made a motion to conditionally approve the MnA Stroud Realty LLC, Land Development Plan with the following conditions; execution of an satisfactory Developer's Agreement, posting of required financial security, payment of all professional fees, addition to the land development plan of the note required by Section 170-152, F-1, of the SALDO, a construction costs estimate containing the applicant's affidavit in accordance with the form in the SALDO and deposit of an observation retainer in the amount of \$250.00. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Old Business**

None

### **New Business**

Resolution 06-2014-3; Resolution Accepting A Right Of Way Deed of Dedication From The Hiawatha Rod and Gun Club, A/K/A Hiawatha Hunting and Fishing Club For The Purpose Of The Utilization Of A Cul-De Sac On The Club's Property (Property Identification Number 7306-00-83 4715), For Hiawatha Road (T-525) – Mike Dwyer made a motion to adopt Resolution 06-2014-3. Annette Atkinson seconded the motion. Motion passed 3-0.

Electrical Inspector Appointment – Annette Atkinson made a motion to accept the letter from Dave Manter to be named the electrical inspector and to perform all electrical inspections within Middle Smithfield Township. Mitchell Marcus seconded the motion. Motion passed 3-0.

Appointment of Emergency Management Coordinator Deputy – Annette Atkinson made a motion to nominate Mike Dwyer. Rich Kawski asked about John Ferro. Ms. Atkinson stated that John Ferro is still the Emergency Management Coordinator and at the request of Mr. Ferro someone else beside him also needed to take the courses within six months and Mike Dwyer stated that he took the classes. Mitchell Marcus seconded the motion. Motion passed 3-0.

CCP – Maintenance Building Re-Bid – Mike Dwyer made a motion authorizing and directing the secretary to advertise the public notice to bid for the CCP Maintenance Building. Annette Atkinson seconded the motion. Oscar Woerlein asked how many times this has been bid. Mr. Dwyer replied that this will be the 3<sup>rd</sup> time. John Davis asked if this can be re-thought. Fred Courtright stated that we have talked to the companies that did not bid on the project the 2<sup>nd</sup> time and the township intends to revise the project specifications in order to encourage more bidders to participate this time. Motion passed 3-0.

### **Public Comment**

Rich Kawski asked if the township is paying for fire hydrants to be tested that are covered and not in operation. Fred Courtright stated that the fire hydrants located within Middle Smithfield Township are not covered, they are active (it is the fire hydrants in Smithfield Township that are covered).

Rich Kawski asked how much money has gone into the Earned Income Tax from the Chinese restaurant.

Attorney Gaul stated that they are the employer and they have to withhold the tax. It may be possible for the township to look into.

John Davis asked about the Bike Park article that he read in the newspaper. Mike Dwyer stated that this is the Eastern Monroe Regional Parks project. Annette Atkinson stated that there are 4 townships on this regional park with John Ferro being the chairperson and we did not have a report this evening.

### **Executive Session**

Annette Atkinson made a motion to go into executive session at 7:45 p.m. to discuss pending legal matter of the Township with the Township Solicitor. Mike Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to reconvene the meeting at 8:48 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 8:49 p.m. Mike Dwyer seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
June 26, 2014

### **General Fund Payables**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
wt	Middle Smithfield Twp	Payroll Funds Transfer	-44,644.46
11849	Qiet Valley Living Historical Farm	Calendar sponsor	-150.00
11850	Caterpillar Financial Services Corp	Down payment for 2014 Towmaster T-12DT	-22,503.00
11851	United States Treasury	form 720 24-6001492	-80.00
11852	Marshalls Creek Fire Co	donation for 50th anniversary	-1,000.00

11853	Advance Auto Parts	1872124821	-115.63
11854	AFLAC	inv 481208 insurance	-420.20
11855	Alfred S. Arnst	reimburse for gasoline to pick up Mack truck	-50.01
11856	Allstate Septic Systems, LLP	inv 239491 Echo / Resica handicap units	-260.00
11857	American United Life Insurance Company	policy G 0061299-0000-000 life insurance	-1,215.49
11858	Barbara Crouse	return of balance of White Heron Lake escrow	-181.50
11859	Bradco Supply Co	inv 112264 parts	-384.20
11860	Cintas Corp	inv 101453432 cleaning	-76.45
11861	Claude S. Cyphers, Inc	inv 623678	-280.21
11862	Cleveland Brothers	inv serv6450427 repairs	-1,410.60
11863	CNH Capital	iv35952	-947.33
11864	Cramer's Home Center	inv 1079380/66309/1081108/1081848	-280.02
11865	Eureka Stone Quarry	inv 106770 road materials	-3,595.90
11866	First Insurance Funding Corp	12101-0066-1674635 inv cp1006540 reimburse for boots lees health ins contribution	-9,730.24
11867	Gary Vanhorn.	inv 15440617 copier lease	-179.00
11868	GreatAmerican Leasing Corp	inv 15440617 copier lease	-304.50
11869	Greater Pocono Chamber of Commerce	inv 16902 2014/2015 pro rated membership dues	-53.67
11870	Hanson Aggregates	inv 2528234/9371/2530459/2059/3253 road materials	-15,872.80
11871	Home Depot Credit	6035322502349651 solar salt & panels	-755.79
11872	Joe Les	tolls sewer pump repairs	-21.90
11873	Keystone Municipal Services, Inc	inv 21190 zoning officer 5/27-6/6	-3,835.00
11874	King, Spry, Herman, Freund & Paul LLC	legal fees invs 92100-92109	-26,768.50
11875	Lawson Products, Inc.	inv 9302508774/9302521935/9302528884	-164.19
11876	Margaret Burksdale	reimburse for food & drinks for Photogoaphy exhibit	-330.00
11877	Miggys Five	a/c 15 kitchen supplies 6/13	-33.04
11878	Monroe County Control Center	inv 5698 3rd qtr fire / ems safety	-14,317.32
11879	PA Municipal Health Insurance Cooperative	052801 health insurance	-31,522.00
11880	Panko Reporting	inv 30139 jh fireworks ordinance	-156.90
11881	PAPCO	inv 1523020 heating oil	-9,160.43
11882	Penteledata	inv B2236095 email boxes	-171.77
11883	PMRS	45-027-5N admin fee	-20.00
11884	Pocono Profoods	inv 583869 supplies	-227.00
11885	PSATS	inv 16238 / 16239 flagger training	-100.00
11886	RICOH USA, Inc	niv 92579052 copier lease	-260.00
11887	Staples Advantage	PH 1815504	-147.71
11888	Telco	inv 23802 RTE 209 & Mt Nebo repairs	-1,654.00
11889	Tulpehocken Spring Water	invs 1500993/1522886 water	-49.20
11890	Verizon Wireless	inv 9727137922 Lyon, Parr, Henry cellphones	-224.77
11891	Waste Management	inv 288447608218 trash	-441.85
11892	Allstate Septic Systems, LLP	inv 239689 Ressica / Puteck	-190.00
11893	Met Ed	a/c 100036091245 bldg b	-460.53
11894	Met Ed	a/c 100016951467 bldg a	-1,055.87
11895	Met Ed	a/c 100016915751 Municipal light	-23.94
11896	Met Ed	a/c 100073577916 Sellersville light	-29.67

Sewer Department Fund Payables

Num	Name	Memo	Amount
10467	ALLSTATE SEPTIC SYSTEMS, LLP		-1,361.25
10468	B. Newhart & Sons, Inc.		-1,140.00
10469	EMERGENCY SYSTEMS SERVICE COMPANY	0184394-IN	-7,103.00
10470	Ken Miller	13615	-538.98
10471	MET-ED	100 076 523 768 WL - Mtn Pass	-705.56
10472	NEUTRON INDUSTRIES	96801553	-3,979.53
10473	PENNSYLVANIA AMERICAN WATER		-70.45
10474	PROSSER LABORATORIES, INC.		23,360.31
10475	STRAND		-2,474.55
10476	VERIZON	570 223 1024 PS #6	-34.85
10477	WASTE MANAGEMENT	2885634-0821-1	-2,965.36
10478	Xylem Water Solutions	3556766009 PS #6	-7,871.28
10479	MET-ED	100 044 863 148	-17.81
10480	Middle Smithfield Township General Fund		18,987.54
10481	PROSSER LABORATORIES, INC.	05162014.14 Winona Plant	-4,326.79
10482	VERIZON	570 223 1025 PS #5 100 044 0877 809 WL Clubhouse Dr	-34.85
10483	MET-ED		-19.48
10484	VERIZON	570 223 8189 Rt 209 & Oak Grove	-36.28
10485	MET-ED	100 016 914 275 PS #5 Rt. 209	-282.67
10486	VERIZON	570 588 0289 PS #4	-33.08
10487	MET-ED	100 083 606 630 Oak Grove	-76.21
10488	VERIZON	570 588 1135	-34.59
10489	MET-ED	100 089 058 661 Rt. 209	-12.70
10490	VERIZON	570 588 7646 STPFW	-71.88
10491	MET-ED	100 016 867 432 PS #1 LOTP	-139.70
10492	VERIZON	570 588 0742 PS #3 100 018 442 556 PS #7 McCole & NP	-32.99
10493	MET-ED		-93.13
10494	VERIZON	570 588 0752 McCole Road 100 018 446 334 PS #3 McCole & 209	-32.99
10495	MET-ED		-66.36
10496	VERIZON	570 588 1134 LOTP	-33.92
10497	MET-ED	100 018 446 334 Main STP	-4,406.59
10498	VERIZON	570 588 6581 WL STP	-31.54
10499	MET-ED	PS #6 Sellersville	-299.56
			80,675.78

## Golf Course Fund Payables

Num	Name	Memo	Amount
2897	Banko Beverage	beer	(318.74)
2898	Resort Beverage	beer	(247.19)
2899	LT Verrastro Beverage	soda	(96.00)
2900	AJ Smith	inv 35091 pump repairs	(185.00)
2901	Allan Rotto Consultants, Inc	verizon tax savings	(42.00)
2902	Allstate Septic Systems, LLP	inv 239149 porta potties	(285.00)
2903	Angela Padavono	return of security deposit	(250.00)
2904	Berkley Mid-Atlantic	a/c 1004306 insurance installment	(6,746.00)
2905	Christian Life Assembly.	return of security deposit	(250.00)
2906	Claude S. Cyphers, Inc.	inv 622891 flood work lamp	(799.20)
2907	Comenity - AdWords Business Credit	5304-8900-0033-6616	(500.00)
2908	Don Henry	reimburse for grill & liquor purchases	(871.97)
2909	Ecolab	inv 5250500 digi clean foam	(173.32)
2910	Fisher & Son Co., Inc.	inv 130231-in pre order for 2014 green supplies	(6,023.73)
2911	Genesis Turfgrass Inc.	inv 35976 / 35977 greens maint	(6,192.10)
2912	Golf Car Specialties, LLC	inv si63063 repairs	(114.77)
2913	Keith Buchman.	return of net securtiy deposit	(25.00)
2914	Lawn & Golf Supply Co.	inv i36488	(263.17)
2915	Met-Ed	a/c 100081784231 big ridge drive	(70.77)
2916	Miggy's Corp 5	a/c 15 ccp 5/31-6/8	(278.90)
2917	PA American Water	a/c 1024210033261244 big ridge drive	(110.26)
2918	PA Liquor Control Board	LID 63287 license renewal	(860.00)
2919	Prime 570 Catering	6/18 food for party	(632.50)
2920	R & S Auto & Truck Repair, Inc	inv 8024 inspection	(25.24)
2921	Ray White.	uniform cleaning	(5.95)
2922	Sun Litho-Print, Inc.	inv 35680 pockets for ads	(80.00)
2923	Superior Plus Energy Services	inv 590270 / 685505/685504 desiel & gas	(2,231.22)
2924	Verizon	570223737828754y	(195.83)
2925	Waste Management	inv 288447808214 maint bldg	(127.11)
2926	Met-Ed	a/c 100085171773 guard shack	(68.61)
2927	Met-Ed	a/c 100081783498 Tomx rd	(12.70)
2928	Met-Ed	a/c 100081748863 golf maint bldg	(229.32)
2929	Met-Ed	100081748855 Pump house Tomx rd	(431.81)
2930	Met-Ed	a/c 100081748848 clubhouse	(1,120.23)
2931	Met-Ed	a/c 100104048101 pump house doral crt	(30.60)
2932	PA American Water	a/c 1024210032658777	(15.00)
2933	PA American Water	a/c 1024210033261169 big ridge drive	(15.00)
2934	Verizon	570223814063192y	(49.50)
2935	Waste Management	inv 288447708216 clubhouse	(100.24)
			<u>(30,073.98)</u>



## Cable Franchise Fund Payables

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1063	Bushkill Emergency Corps	1st qtr 2014 cable franchise fee	-2,000.00
			-
1064	Marshalls Creek Fire Co	1st qtr 2014 cable franchise fee	32,459.73
1065	Bushkill Fire Co.	1st qtr 2014 cable franchise fee	-7,845.69
1066	Shawnee Fire Co	1st qtr 2014 cable franchise fee	-7,845.69
1067	Suburban E.M.S.	1st qtr 2014 cable franchise fee	-2,000.00
			-
			52,151.11