

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, July 9, 2015 at 7 p.m. at the Schoonover Municipal Building with Annette Atkinson presiding.

Supervisors 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 Clewell, residents and a member of the press.

### **Call meeting to order and Pledge of Allegiance**

### **Approval of Minutes**

Annette Atkinson made a motion to approve the June 25, 2015 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

### **Report on Executive Session**

An executive session was held prior to the meeting to go over pending legal matters with the township solicitor.

### **Announcements**

The 2015 mid-year report will be presented at the July 23, 2015. This is a recap of committee and department reports since January. A Penn State Master Gardner will be in residence every other Saturday at the Gardens, from 8am-10am to answer questions and give demonstrations. The 70<sup>th</sup> Anniversary Marshalls Creek Fire Company dedication was held on June 27, 2015 whereby their quarterly cable franchise check was given to them.

### **Correspondence**

A letter was received from Robert Ciavatta thanking the public works employees for doing a wonderful job cleaning up storm debris due to the heavy rains that we have had.

A letter was received from the Boy Scouts of America thanking the supervisors/staff for the custom fitted golf cart that was donated to the Resica Falls Scout Reservation.

A letter was received from the Awsom shelter thanking the supervisors for the \$1,000 donation presented during the June 26, 2015 grand opening celebration.

### **Bid Opening**

2015 Seal Coat – Mike Dwyer opened and read aloud the one bid received from “AMS” (Asphalt Maintenance Solutions, LLC). AMS stated in a letter that due to circumstances beyond their control they may not be able to complete the contract in the 2015 construction season; however, they would be willing to hold the contract for completion before June 30, 2016 for the quoted prices in the contract.

Mike Dwyer made a motion to accept and award the bid to “AMS” for a total of \$76,113.40 (see attached spreadsheet). Annette Atkinson seconded the motion. Mitchell Marcus asked what

would happen if they cannot fulfill their obligation by the end of 2015. Mr. Dwyer stated there is no down side as we plan to complete 7-8 miles per year, this will only stall the project for a year but we are locking in the price for 2016 if it does not get done in 2015. Motion passed 3-0.

### **Status of Bid**

Pump Station No. 6; Sellersville Drive/Route 209 Modification – Fred Courtright stated that there were two elements of the bid that were examined. The control panel and the wall. Mr. Courtright had discussions with the bidding contractor; Derstine, Co. and they have agreed to eliminate the wall from the contract, thereby reducing the contract by \$80,000. This will leave the contract price at \$79,000 for the panel. Annette Atkinson made a motion to accept the modifications to the contract and award the bid to Derstine, Co. Mike Dwyer asked if the contractor can go ahead and order the necessary materials for the job. Mr. Courtright stated this is free standing and not part of what was eliminated. He also stated that we are going to go locally to a contractor for the other portions. The modifications to pump station No. 6 are part of the 2015 capital improvements. Motion passed 3-0.

### **Treasures Report**

Mike Dwyer stated that the township remains in good financial health. No major expenses are on the horizon.

Mike Dwyer made a motion to pay the general fund payables in the amount of \$130,652.22. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the sewer fund payables in the amount of \$78,027.13. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the golf course payables in the amount of \$12,132.86. Annette Atkinson seconded the motion. Motion passed 3-0.

Certificate of Deposit – Mike Dwyer made a motion to table action until the terms can be finalized. Annette Atkinson seconded the motion. Motion passed 3-0.

### **Solicitors Report**

None

### **Engineers Report**

None

### **Old Business**

Barbara Kulick Plan Conditional Approval – Annette Atkinson stated that the township has not heard from the owner, Charles Winkler. Mr. Winkler has been contacted several times via letters (March 31, May 20, June 9, June 30 and July 10, 2015 as well as verbal communication) to explain why the approvals should not be revoked due to inactivity. Annette Atkinson made a motion to revoke the approval of the plan. Mike Dwyer seconded the motion. Mr. Marcus

questioned whether an additional two weeks should be given to Mr. Winkler to appear before the supervisors. Annette Atkinson informed Mr. Marcus of the history of the Township's numerous attempts to provide Mr. Winkler with the opportunity to address the matter with the Board, and his failure to follow up in person or writing, despite having met with Mr. Winkler personally as well as several phone calls. Motion passed 3-0 to revoke the plan approvals.

### **New Business**

Resolution 07-2015-1; CAT Financial – Mike Dwyer made a motion to approve the resolution to financing the 2015 CAT Roller. Mitchell Marcus seconded the motion. Motion passed 3-0.

Revised Middle Smithfield Township Clubhouse Rental Agreement – Annette Atkinson made a motion to approve the revised agreement. Mike Dwyer seconded the motion. Motion passed 3-0.

Request to Waive Banner Fees for Mady's Angels – Annette Atkinson made a motion to waive the banner fees. Mitchell Marcus seconded the motion. Motion passed 3-0.

Raquel Barbera Letter of Resignation from the MST Parks & Recreation Committee – Annette Atkinson made a motion to accept Raquel Barbera's letter of resignation due to her moving to Allentown. Mitchell Marcus seconded the motion. Motion passed 3-0.

MST Revised Sewer Payment Plans No. 1-4 – Annette Atkinson stated that payment plans 1, 2, 3 and 4 were revised to add the option of paying monthly instead of quarterly. Annette Atkinson made a motion to approve the revised sewer payment plans for 1-4. Mitchell Marcus seconded the motion. Motion passed 3-0.

MST Sewer Payment Plan No. 5 – Annette Atkinson stated that No. 5 is for sewer customers that owe \$1,000 or more and cannot manage plans 1, 2 or 3 and whose debt to income ratio is 50% or more. Ms. Atkinson made a motion to approve payment plan No. 5. Mitchell Marcus seconded the motion. Motion passed 3-0.

Authorize Township Engineer to Prepare and Advertise Bid Specifications for the repair of the Northpark Pump Station – Annette Atkinson made a motion to authorize and direct the township engineer to prepare and advertise the bid specification for the Northpark pump station repairs. Mitchell Marcus seconded the motion. Motion passed 3-0.

Request to Waive the Building Permit Fee for the Resica PTO Playground Fund – Annette Atkinson made a motion to waive the building permit fee. Mike Dwyer seconded the motion. Motion passed 3-0.

### **Public Comment**

Foster Cramer asked if anything can be done with the traffic signal located at the Wayne Bank intersection (Route 209) as cars are backing up due to the light turning red when there are no other vehicles triggering the signal. Mike Dwyer stated that we will contact PennDOT.

Bob Ciavatta stated that he read in the paper that the State is coming out with a new program to spray for gypsy months, with the County heading the program, but property owners would have to sign up for the program.

**Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 7:25 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
 Township Secretary  
 July 9, 2015

**2015 Seal Coat Bid**

	<b>Addendum No. 1 Acknowledgment</b>	<b>Item No.</b>	<b>Quantities</b>	<b>Units</b>	<b>Description</b>	<b>Unit Price</b>	<b>Total</b>
<b>AMS Center Valley PA 18034</b>	Received	1	24,584	SY	T-630 Coolbaugh Road	\$1.47	\$36,138.48
		2	21,572	SY	T-556 Wooddale Road	\$1.47	\$31,710.84
		3	18,782	LF	4" Double Yellow	\$0.22	\$4,132.04
		4	37,564	LF	4" Single White Edge	\$0.11	\$4,132.04
<b>Total Amount of Bid</b>							\$76,113.40

**General Fund**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Credit</b>
07/01/2015	Trf	Middle Smithfield Township	Payroll Funds Transfer	51,794.73
07/09/2015	13015	Advance Auto Parts	inv 6952518218446 / 450 parts	32.55
07/09/2015	13016	AFLAC	inv 648679	420.20
07/09/2015	13017	Allstate Septic Systems, LLP	invs 254836 / 255339	355.00
07/09/2015	13018	American Crane & Tractor Inc.	inv 1685924 gasket	33.82
07/09/2015	13019	Barely Used Tires	po 15-237 tires	40.00

07/09/2015	13020	Barton Towing & Repair	inv 926 inspection	51.00
07/09/2015	13021	Baudville	inv 2907154 key holder	21.45
07/09/2015	13022	Bergey's, Inc	inv ph497938r water pump	192.03
07/09/2015	13023	Blue Ridge Communications TV-13	golf cart news story	15.90
07/09/2015	13024	Bradco Supply Co	inv 128326 stone rakes	60.84
07/09/2015	13025	Caterpillar Financial Services Corp	contract 2681630 asphalt compactor deposit	18,228.13
07/09/2015	13026	Claude S. Cyphers, Inc	inv 635451 rubber flap	47.70
07/09/2015	13027	David Manter	inv 1001 permits	590.50
07/09/2015	13028	EMC Insurance Companies	846413 Wise deductible	10,000.00
07/09/2015	13029	Good's Store, Inc	a/c 164085 pants	1,531.75
07/09/2015	13030	GreatAmerican Leasing Corp	inv copier lease	304.50
07/09/2015	13031	Highway Equipment & Supply Co.	inv d22271 bobcat parts	980.24
07/09/2015	13032	Huffmans' Electric	inv 8372 light pole & electric service for dog park	1,354.39
07/09/2015	13033	Joan Henn-Woisin	reimburse for milage	113.30
07/09/2015	13034	Kimball Midwest	invs 4034656 / 3974064 parts	336.74
07/09/2015	13035	Kistler O'brien Fire Protection	inv 585715 fire extinguishers	2,602.00
07/09/2015	13036	Lawson Products, Inc.	inv 9303386724	127.20
07/09/2015	13037	Lewis True Value	a/c 1120 supplies & parts 5/27-6/25	653.66
07/09/2015	13038	M.S.T.S.D.	ms-0032 sewer fees	350.00
07/09/2015	13039	Merry Maids	cleaning	300.00
07/09/2015	13040	Middle Smithfield Township 2012 GOB	2012 GOB General Fund portion installment	11,491.67
07/09/2015	13041	Miggys Five	a/c 15 kitchen supplies 5/13-6/22	174.88
07/09/2015	13042	Orkin Pest Control	inv 402497 pest control	164.80
07/09/2015	13043	P & S Garage	inv 79241 jeep repairs	35.77
07/09/2015	13044	Pennsylvania American Water	1024210033478776 hydrants	135.85
07/09/2015	13045	PMRS	45-027-5N pension	10,979.84
07/09/2015	13046	Pocono Profoods	inv 694392 building supplies	205.00
07/09/2015	13047	Pocono Record	stmt 58935 public notices	286.60
07/09/2015	13048	PSATS	inv 31069 uc contribution due	24.37
07/09/2015	13049	Roy Squires	inv 1359 demolish house 6806 fir rd monroe lake	3,100.00
07/09/2015	13050	SFM Consulting LLC	invs 29 / 30 zoning & codes	5,900.66
07/09/2015	13051	Staples Advantage	inv 8034919116 / 8035005180 office supplies	587.69
07/09/2015	13052	Staples Contract and Commercial	inv 7001847275 wireless keyboard	79.99
07/09/2015	13053	Sudden Comfort Heating & Air Conditioning	bal of repairs supervisors office & qtr maint fee	5,170.65
07/09/2015	13054	Sundance Networks Inc	inv 117017 monthly support	330.00
07/09/2015	13055	Tractor Supply Credit Plan	inv 200060604 parts	64.33
07/09/2015	13056	Verizon Wireless	inv 9747536885 cell phones	226.30
07/09/2015	13057	Warehouse Battery Outlet, Inc	inv 294492 battery	47.95
07/09/2015	13058	Waste Management	inv 004436402046	703.24
07/09/2015	13059	Weitzmann & Weitzmann, LLC	inv 21386 planning commission	405.00
				<u>130,652.22</u>

Sewer Fund

Date	Num	Name	Memo	Amount
07/09/2015	11098	ALLSTATE SEPTIC SYSTEMS, LLP	254354	-715.00
07/09/2015	11099	AT&T	0195333847001	-42.07
07/09/2015	11100	B. Newhart & Sons, Inc.	062215	-880.00
07/09/2015	11101	COYNE CHEMICAL	219040	-2,820.00
07/09/2015	11102	Diversified Technology Corp.	13668	-820.00
				-
07/09/2015	11103	MST2012GOB	2015 MST 2012GOB	38,819.79
				-
07/09/2015	11104	PROSSER LABORATORIES, INC.		21,925.28
07/09/2015	11105	PROTHONOTARY	Lien Sats	-35.00
07/09/2015	11106	SIANA BELLWOAR & MCANDREW LLP	63862	-102.00
07/09/2015	11107	STRAND		-3,554.40
07/09/2015	11108	VERIZON	570588113513455Y - Fairway Villas	-33.74
07/09/2015	11109	W.G. MALDEN	9317	-350.00
07/09/2015	11110	WASTE MANAGEMENT	2980817-0203-7	-6,415.96
07/09/2015	11111	PROTHONOTARY	July Liens	-705.00
07/09/2015	11112	VERIZON	570588764629959Y - Main STP	-77.73
07/09/2015	11113	PROTHONOTARY	July Liens	-564.00
07/09/2015	11114	VERIZON	570588658114420Y - WL Clubhouse Dr	-32.20
07/09/2015	11115	VERIZON	570588113413383Y - PS #1 LOTP	-33.74
07/09/2015	11116	VERIZON	570588075284434Y - PS#7 McCole & NP	-33.74
07/09/2015	11117	VERIZON	570588074284385Y - PS#3 McCole & 209	-33.74
07/09/2015	11118	VERIZON	570588028984296Y - PS#4 Maple Ln	-33.74
				-
				78,027.13

Golf Course

Date	Num	Name	Memo	Amount
07/02/2015	3398	Banko Beverage	beer	(250.48)
07/02/2015	3399	LT Verrastro Beverage	beer	(185.82)
07/09/2015	3400	Allstate Septic Systems, LLP	inv 255337	(285.00)
07/09/2015	3401	Blue Ridge Communications	0109950-03 internet	(49.95)
07/09/2015	3402	Don Henry	reimburse for food & alcohol purchases for clubhouse	(100.33)
07/09/2015	3403	Genesis Turfgrass Inc.	inv 44221 greens maint supplies	(1,155.72)
07/09/2015	3404	Golf Car Specialties, LLC	inv si077964 parts	(135.40)
07/09/2015	3405	Grass Roots Turf Products	inv 24949 less credit greens supplies	(5,851.44)
07/09/2015	3406	M.S.T.S.D.	br-amenity3 3rd qtr sewer fee	(525.00)
07/09/2015	3407	Marshalls Creek Plumbing	inv 9477 / 9525 parts	(276.18)
07/09/2015	3408	Miggy's Corp 5	a/c 15 food for clubhouse	(92.31)
07/09/2015	3409	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	(863.02)
07/09/2015	3410	Nagle Elevator Inspection & Testing	inv 9908 elevator re-inspection	(70.00)
07/09/2015	3411	R&R Products	inv cd 1922788 / 1922431 parts	(532.45)

07/09/2015	3412	Superior Plus Energy Services	invs 585999 / 685000 / 685001 gas & Deisel	(1,189.74)
07/09/2015	3413	Turf Equipment & Supply Co.	inv 906277-00 parts	(509.76)
07/09/2015	3414	Warehouse Battery Outlet, Inc	inv 294545 battery	<u>(60.26)</u>
				(12,132.86)