

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Tuesday, August 12, 2014 at 7:00 p.m. at the Schoonover Municipal Building with Annette Atkinson presiding.

In attendance: Supervisors Annette Atkinson, Mike Dwyer and Mitchell K. Marcus. Also in attendance; Township Solicitor Michael Gaul, Esq., Township Secretary Michele L. Clewell and members of the public.

### **Approval of Minutes**

Annette Atkinson made a motion to approve the July 24, 2014 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to approve the July 31, 2014 minutes. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Report of Executive Session**

Attorney Gaul stated that an executive session was held prior to this meeting to go over pending legal matters with the Township Solicitor, including discussion on the Township's litigation with Petrizzo and S & S Amusements.

### **Announcements**

- Bushkill Emergency Corps had a golf tournament at the CCP Golf Course.
- Lenape Nation had the signing of the Treaty of Renewed Friendship on August 7, 2014 at the Shawnee Inn Pavilion, which Annette Atkinson and Steven Natiello attended. Annette Atkinson signed the Treaty on behalf of Middle Smithfield Township, and invited everyone to attend the next occurrence; this event happens every 4 years.
- Echo Lake Park Pavilion pavers are now installed and (4) grills were also installed. The walking trail has been re-established and widened, and the parking area has been expanded to allow parking for an additional (15) vehicles.
- Mady's Snow Day will be held on August 17, 2014 at Barley Creek. Mady's Angels is a local charitable organization.
- The East Stroudsburg North Little League will hold a soft ball fund raiser at Resica field on Saturday, August 16, 2014 for the Playground at Resica School.

### **Treasurers Report**

Mike Dwyer reported that income as projected through August is on track. Expenses are below budget. The golf course expenses are under budget to date. The sewer expenses are above budget to date.

Mike Dwyer reported that the Public Works Department – Roads are completing the paving on Brushy Mountain Road and paving McCole Road is expected to begin next week. This will complete the paving for the 2014 season.

### **Payables**

- a. General Fund; Mike Dwyer made a motion to approve the general fund payables in the amount of \$186,813.47. Mitchell Marcus seconded the motion. Motion passed 3-0.
- b. Golf Fund; Mike Dwyer made a motion to approve the golf fund payables in the amount of \$83,400.82. Annette Atkinson seconded the motion. Motion passed 3-0.
- c. Sewer Fund; Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$16,814.30. Mitchell Marcus seconded the motion. Motion passed 3-0.

### **Solicitors Report**

- a. Dagberto Mederos Property – Annette Atkinson made a motion authorizing and directing the township solicitor to file a municipal lien for the costs of the Township’s demolition of the dangerous structure that was completed in 2013. Mitchell Marcus seconded the motion. Oscar Woerlein asked where the property is located. Mike Dwyer stated that the property is located off of Coolbaugh Road. Motion passed 3-0.

### **Engineers Report**

None

### **Old Business**

- a. Tree Removal on Township Owned Property – Mike Dwyer made a motion to issue a change order to Cappa Excavating for tree removal based on the new scope of work in the amount of \$9,900.00, which is reduced from \$27,000.00 for a savings of \$17,000.00. Annette Atkinson seconded the motion. Motion passed 3-0.
- b. Hiawatha Road – Mike Dwyer made a motion to accept and approve the request to release the Club’s escrow funds, less any Township engineering and legal fees due to review, as recommended by Fred Courtright, P.E. Township Engineer. Annette Atkinson seconded the motion. Motion passed 3-0.

### **New Business**

- a. Local Flair Contracts – Annette Atkinson made a motion to approve the Set Up and Maintenance Contracts. Mike Dwyer seconded the motion. Rick Kawski asked what the contracts are for. Ms. Atkinson stated that both contracts are for the maintenance and upkeep of the township website and outsourcing is more cost effective than doing his work in-house. Motion passed 3-0.
- b. Accept Letter of Resignation from Elected Auditor; Margaret Law – A letter was received from Margaret Law resigning due to conflicting schedules. Annette Atkinson made a motion to accept the resignation letter from Margaret Law. Ms. Atkinson stated that this is for the elected auditors as a professional CPA firm conducts the financial audits. Mike Dwyer seconded the motion. Motion passed 3-0. Attorney Gaul asked if this vacancy would be advertised in the Pocono Record. Ms. Atkinson said yes, and it has already been posted on the township website and Facebook pages.
- c. Accept Letter of Resignation from MST Parks and Recreation Board member Joyce Fenical – Annette Atkinson made a motion to accept the letter of resignation from Joyce Fenical. Mike Dwyer seconded the motion. Rich Kawski asked why Ms. Fenical resigned. Ms. Atkinson stated that she doesn’t have the time to devote to all the meetings (she will be out of state for 3 months this summer as well as other scheduling conflicts) but she hopes to continue to volunteer on park projects and that this vacancy will be advertised as well. Motion passed 3-0.
- d. OGMMCPB Planning Commission Recommendations – Mike Dwyer made a motion to accept the recommendations given by the MST Planning Commission. Annette Atkinson seconded the motion. Rich Kawski asked what they are doing with all the black stone at the entrance. Mike Dwyer stated that the black stone will be used on the road going to the back of the site and the red stone will be used for landscaping the entrance. Mr. Dwyer said that if the compost facility doesn’t use all the black stone that Mr. Kawski can contact him. Motion passed 3-0.

- e. Appoint Assistant Township Secretary; Joan Woisin – Annette Atkinson made a motion to appoint Joan Hemm-Woisin as Assistant Township Secretary. Mitchell Marcus seconded the motion. Motion passed 3-0.
- f. COBRA Administration Agreement with Benecon – Annette Atkinson made a motion to accept and approve the agreement. Mitchell Marcus seconded the motion. Motion passed 3-0.

**Public Comment**

Rich Kowski stated that the township should begin looking into garbage hauling as there are only two companies left in the township that provides the service. Mike Dwyer stated that there were suggestions to have the township forces do the hauling but the costs would be astronomically high, but we could look into contracting with a hauler. Mr. Kowski stated that the supervisors could introduce a garbage tax. Attorney Gaul stated that there are different ways to do it, such as franchising. Mike Dwyer stated that we can begin by contacting other municipalities that contract with garbage hauler but the township/public works department will not be the garbage haulers.

Oscar Woerlein stated that with regard to the golf course there is a loss of golf memberships happening all over the country. A new design that shortens and widens the fairways and allow for widening the holes to 15 inches is becoming a new trend in recreational golf. Mr. Woerlein stated that the economics of today, people do not have the money to play the game and the new way is unique. Maybe the golf committee or supervisors can look into this. Mike Dwyer stated that also, a golfer is giving up 4-5 hours to play the CCP course; this could be faster and possibly easier.

Rich Kowski asked about the former Friendly’s Restaurant letter of credit. Attorney Gaul stated that the engineers are going to meet in order to specifically understand what has to be done with regard to the letter of credit with the current owners. The letter of credit surpasses what has to be done in order to satisfy the requirements.

**Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 7:30 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
 Township Secretary  
 August 12, 2014

**General Fund**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
wt	Deluxe for Business	checks for general fund	-247.23
Trf	Middle Smithfield Township	Payroll Funds Transfer	-49,859.59
11972	Bushkill Emergency Corps	golf outing sponsor	-200.00

11973	Shawnee Inn & Golf Resort	deposit for Memory Makers event	-500.00
11974	Advance Auto Parts	1872124821	-125.15
11975	AFLAC	Y2051	-420.20
11976	Allstate Septic Systems, LLP	inv 241392	-260.00
11977	Amanda Field.	refund of Ressica deposit	-50.00
11978	American United Life Insurance Company	policy G 0061299-0000-000 life insurance	-1,066.09
11979	Bergey's, Inc	inv ph463384r parts	-109.04
11980	Bradco Supply Co	inv 113303 Boom mower	-4,262.20
11981	Carolyn Walsh.	release of fire escrow deposit	-14,237.16
11982	Cleveland Brothers	inv serv6463430 generator repairs	-1,869.38
11983	Commonwealth Equipment	inv 4350 splitter valve	-544.86
11984	Cramer's Home Center	inv 1102965 mailbox	-31.88
11985	David Manter	inv 1004 / 1009 permits	-1,330.80
11986	Debbi Manter	inv 1051 cleaning	-817.00
11987	Doreen Suydam	park deposit refund	-50.00
11988	FedEx	inv 272464977	-62.03
11989	First Insurance Funding Corp	12101-0066-1674635	-9,730.24
11990	Fisher & Phillips LLP	inv 23256-861498 Squires	-262.24
11991	Foster & Company	inv 1027301 pen. oil	-53.05
11992	General Code, LLC	inv 14859 / inv C0015640	-1,786.14
11993	GreatAmerican Leasing Corp	inv copier lease invs 2573441/2571129/2572288/2568938 road materials	-304.50
11994	Hanson Aggregates	invs 21381 / 21412 / 21438 zoning officer	-2,236.78
11995	Keystone Municipal Services, Inc	legal fees	-6,955.00
11996	King, Spry, Herman, Freund & Paul LLC	inv 9302636089 tools/parts	-14,125.45
11997	Lawson Products, Inc.	inv 78425/81449/83124/83473 misc parts	-171.73
11998	Lewis True Value	a/c 100069220836 River Rd light	-140.85
11999	Met Ed	2012 GOB General Fund portion installment	-14.33
12000	Middle Smithfield Township 2012 GOB	inv 10234 line striping	-11,491.67
12001	Midlantic Marking, Inc	8/1 kitchen supplies	-9,890.34
12002	Miggys Five	inv 901017173 signs	-12.59
12003	Northern Safety Co. Inc	a/c 052801 health insurance	-98.08
12004	PA Municipal Health Insurance Cooperative	inv 1549070 / 1549517	-29,791.15
12005	PAPCO	a/c 1024210033478776 hydrants	-5,920.92
12006	Pennsylvania American Water	to replenish petty cash	-135.90
12007	Petty Cash	pension 45-027-5N	-114.45
12008	PMRS	inv 135028226 pod for golf course	-9,780.66
12009	Pods Enterprises, Inc	inv 14-c862 tests	-143.00
12010	PSATS CDL Program	inv 92974710 copier	-250.00
12011	RICOH USA, Inc	Petrizzo documents served	-1,623.63
12012	Stephen Billeck, PA State constable	traffic light repairs inv 23936/23968/23969	-225.00
12013	Telco	psinv288491 filter kit for sump	-2,831.40
12014	TransAxle	inv 1750156/1738429 water	-90.76
12015	Tulpehocken Spring Water	meter a/c 46025714 postage	-30.75
12016	US Postal Service		-2,000.00

12017	Verizon Wireless	inv 9728852528 cell phones	-224.68
12018	Warehouse Battery Outlet, Inc	inv 265345 mower battery	-35.57
12019	Weitzmann & Weitzmann, LLC	inv 20653 planning commission	-300.00
			<u>-</u>
			186,813.47

### Golf Course

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2974	Resort Beverage	beer	(227.79)
2975	LT Verrastro Beverage	beer	(540.47)
2976	Banko Beverage	beer	(295.53)
wt	JDC Golf and Turf	mower lease	(812.49)
wt	USB Equipment Finance	Toro Lease	(1,325.16)
wt	Verizon	570-223-8099	(854.04)
2977	Allstate Septic Systems, LLP	inv 241026 porta potties	(285.00)
2978	Blue Ridge Communications	0109950-03	(155.90)
2979	Comenity - AdWords Business Credit	5304-8900-0033-6616	(198.89)
2980	Don Henry	reimbursement for liquor & food purchases	(696.56)
2981	Eastern Alarm Systems, Inc.	inv 07300 repairs	(47.70)
2982	Fisher & Son Co., Inc.	inv 139462-in greens maint. supplies	(3,898.08)
2983	Keystone's Premier Golf Association	03-0023 handicap fee	(15.00)
2984	Marshalls Creek Plumbing	inv 8567 parts	(8.96)
2985	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	(863.02)
2986	PA American Water	a/c 1024210033261244	(145.94)
2987	PA Dept of Revenue	5532945140717 sales tax	(12.21)
2988	Pocono Mountains Vacation Bureau	inv 56747 2014/15 Membership dues	(1,100.00)
2989	Pocono ProFoods	inv 602719 paper goods	(337.80)
2990	Pocono Record	inv 670547	(265.40)
2991	Prime 570 Catering	Knights of Columbus and 8/4 party	(2,676.75)
2992	Robert Hetu	reimburse for google & membership	(124.00)
2993	Service Tire Truck Center, Inc.	inv m57811-26 dismount tire	(11.50)
2994	Sun Litho-Print, Inc.	inv 35928 tee sign for Diaz	(5.00)
2995	Superior Plus Energy Services	inv 590068 / 69 / 70 gas & diesel	(1,806.93)
2996	Turf Equipment & Supply Co.	inv 877615-00 parts	(74.18)
2997	PA American Water	a/c 1024210033261169	(15.00)
2998	PA American Water	a/c 1024210032658777	<u>(15.00)</u>
			(16,814.30)

### Sewer Fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
10551	ALLSTATE SEPTIC SYSTEMS, LLP	241343	-607.50
10552	AT&T	0195333847001	-42.03

10553	COYNE CHEMICAL	VOID:	0.00
			-
10554	MST2012GOB	MST 2012 GOB	38,594.79
10555	NEUTRON INDUSTRIES	96889324	-3,979.53
10556	PENNSYLVANIA AMERICAN WATER	1024-210031497597	-17.97
10557	PROSSER LABORATORIES, INC.	VOID:	0.00
10558	PROTHONOTARY	7//24/14 Lien Shortage (5 @ \$10.00)	-50.00
10559	STRAND		-5,295.40
10560	TOPS SOFTWARE	WD357	-109.95
10561	VERIZON	570-588-7646	-75.30
10562	WASTE MANAGEMENT ALLSTATE SEPTIC SYSTEMS,	2892280-0821-4	-6,499.60
10563	LLP	241621	-270.00
10564	MET-ED	100 080 920 901	-29.68
10565	PROSSER LABORATORIES, INC.	7282014.56	-8,934.57
10566	PROTHONOTARY	July Liens	-60.00
10567	VERIZON	570-588-1135	-33.69
10568	MET-ED	100 080 916 826 Fairway Villa	-33.14
10569	PROTHONOTARY	July Liens	-60.00
10570	VERIZON	570-588-0289	-34.44
10571	MET-ED	100 016 629 691 WL Lift Station	-16.95
10572	PROTHONOTARY	July liens	-12.00
10573	VERIZON	570-588-0742	-33.93
10574	MET-ED	100 080 913 799 Sleepy Hollow Farms	-178.56
10575	PROTHONOTARY	July Liens	-12.00
10576	VERIZON	570-588-0752	-33.26
10577	MET-ED	100 016 629 691 Off Sleepy Hollow	-127.79
10578	PROTHONOTARY	Lien Sats - Old (12.00)	-84.00
10579	VERIZON	570-588-1134	-33.51
10580	VERIZON	570-588-6581	-31.87
10581	COYNE CHEMICAL	936285	-2,820.00
10582	PROSSER LABORATORIES, INC.		-8,755.99
10583	PROSSER LABORATORIES, INC.		<u>-6,533.37</u>
			-
			83,400.82