

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, September 24, 2015 at 7pm at the Schoonover Municipal Building with Annette Atkinson presiding.

Supervisors present: Annette Atkinson, Mike Dwyer and Mitchell k. Marcus. Also in attendance; Township Solicitor Michael Gaul, Esq., Township Engineer Fred Courtright, P.E, Township Secretary Michele L. Clewell and numerous residents.

For the purposes of the public hearing the following were in attendance; Charlie Schmehl of Urban Research Development Corp. ("URDC") , Shawn McGlynn MST Zoning Officer, Judy Acosta Zoning Administrator and Donna Kenderdine, Stenographer.

Pledge of Allegiance

Approval of Minutes

Annette Atkinson made a motion to approve the September 10, 2015 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Report of Executive Session

Attorney Gaul stated that an executive session was held prior to the meeting to go over pending legal matters and personnel matters with the township solicitor.

Attorney Gaul stated that a public hearing is scheduled and a sign in sheet is currently being passed around in order to speak; your name will be called in order of the sign in sheet.

Announcements

None

Correspondence

A thank you letter was received from The Wounded Warriors Project for the townships donation of \$2,000.00 in honor of Neil Davis.

A thank you letter was received from the Northslope I POA thanking the township for the installation of the community bulletin board.

Public Hearing

An Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Setting Forth An Amendment To The Code Of Ordinances Of The Township Of Middle Smithfield, As Heretofore Amended, Amending Part Ii, "General Legislation", Chapter 200 "Zoning", Article Ix "Signs", Division 90 "Sign Provisions", And Constituting A Comprehensive Revision Of The Existing Division 90 "Sign Provisions""; And Providing For Other Miscellaneous Matters.

Annette Atkinson made a motion to open the public hearing at 7:04 pm. Mitchell Marcus seconded the motion. Motion passed 3-0.

Donna Kenderdine took a stenographic record of the public hearing.

Annette Atkinson stated that the purpose of a Public Hearing is – to hear from the public. We’ve advertised in the Pocono Record, our own township website and FaceBook pages, as well as sent email blasts to the public and our business owners, inviting everyone to read the proposed sign ordinance and give us your comments.

The intention of this Board of Supervisors is to hear from the public. So that we may consider all the public’s comments, as well as those of all the planning bodies that have provided input such as those of the Monroe County Planning Commission, the Middle Smithfield Township Planning Commission, and the Middle Smithfield Township Economic Development Committee. It is highly unlikely that this proposed ordinance will be adopted tonight.

Now, based on the Economic Development effort created by this Board and the township’s Economic Development Committee, we are updating the Sign Ordinance. This update started late in 2013 and continued throughout 2014 with a committee made up of members of the township’s Planning Commission, Local Business Owners, some Supervisors, the Zoning Officer, and the township’s Economic Development Committee. Thank you Bob Early, Carrie Wetherbee, Ed Regina, Noreen Lowris, Parin Shah, and Debbie Kulick.

As for the structure of tonight’s Public Hearing, it is important to introduce everyone, so you can understand their roles.

- The BOS is here to hear from the public and consider all comments, and, if necessary, answer any questions that don’t fall under our other experts here tonight
- Our Solicitor, Michael Gaul, Esq., will conduct the hearing
- The Engineer is here, in case any questions concerning engineering come up
- The Zoning Officer is here, and can answer questions about zoning, enforcement of zoning violations, etc.
- Charlie Schmehl of the research firm URDC is here; he wrote the initial draft of the ordinance and can answer technical questions.

After tonight, the next steps for the Sign Ordinance (enforcement will always be ongoing, and is currently happening):

1. The Supervisors will consider all public comment, and most likely revised the Sign ordinance
2. Another public hearing will be scheduled
3. At some point the Sign Ordinance is enacted
4. Letter sent to all commercial property owners with information on finding the ordinance online. Registration form for current signage with instruction for completion will also be included.
 - a. Response from the property owner with the following will be required:
 - i. Completed registration form for existing signage
 - ii. Photo of existing signage

5. Letters will also be sent or hand delivered to local businesses where they are the tenant and not the property owner.
6. Sign inventory will be updated with information received from property owners and local businesses

Attorney Gaul introduced township exhibits into the record.

Attorney Gaul stated the purpose of the public hearing is for the public to comment on the proposed ordinance. This is not a debate. The court reporter is here to preserve the discussion so it can be referred to in further analysis of the proposed ordinance. Most people should be able to make their point in 3-5 minutes.

Public comment was received from Robert Hetu.

Attorney Gaul introduced Charlie Schmedl of URDC. Mr. Schmedl provided a summary of changes to the proposed sign ordinance for the record.

Following Mr. Schmel's summary of changes, the following individuals also provided public comment; John Ferro, Bob Early, Beverly Brown, Charles Vogt, Esq., Dr. William Suriano, John Petrizzo, Mark Oney, and Laura Kessler.

Mike Dwyer stated that the proposed sign ordinance's intent is to improve the township. A lot of residents have discussed the need for enforcement of zoning regulations for signs. Hopefully the businesses are in favor of improving the township. This is what the community has asked for.

A question was asked about yard sale and garage sales. Mr. McGlynn summarized that portion of the proposed ordinance.

Larry Dymond stated that if the Board of Supervisors is going to do something with the digital signs, shouldn't they work that out tonight. Attorney Gaul stated there will be another public hearing on a revised draft of the ordinance. This is the public participation process.

Mike Dwyer made a motion to close the public hearing at 8:17 pm. Mitchell Marcus seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to take a five minute recess. Mike Dwyer seconded the motion.

Annette Atkinson made a motion to reconvene the meeting at 8:30 pm. Mike Dwyer seconded the motion. Motion passed 3-0.

Treasurer's Report

Mike Dwyer stated that we are now in the budget preparation season and work sessions are ongoing to prepare the 2016 budget.

Payables – Mike Dwyer made a motion to pay the general fund payables in the amount of \$124,160.55. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the sewer fund payables in the amount of \$32,310.48. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the golf fund payables in the amount of \$16,051.48. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the fire escrow payables in the amount of \$38,561.99. Mitchell Marcus seconded the motion. Motion passed 3-0.

Solicitors Report

None

Engineers Report

None

Old Business

None

New Business

CBL; Dallan Acquisitions, LLC – Release of Security Deposit – A request dated September 15, 2015, to release the township held security deposit for the Crossings at Marshalls Creek was received. Mike Dwyer made a motion authorizing and directing Fred Courtright to inspect the Crossings at Marshalls Creek and provide a report for the next regular meeting. Mitchell Marcus seconded the motion. Motion passed 3-0.

Monroe County Veterans Association, Inc. – A request to waive the banner fees was received. Annette Atkinson made a motion authorizing the waiver of fees pursuant to Section 1535; Human Services of The PA Second Class Township Code. Mitchell Marcus seconded the motion. Motion passed 3-0.

T & M Associates, Inc. – Preparation of the MLSA Grant – Annette Atkinson made a motion to enter into an agreement and sign the contract for T & M Associates, Inc. to prepare the necessary documents for the MLSA Grant. Mike Dwyer seconded the motion. Motion passed 3-0.

Resolution 09-2015-1; a Resolution Authorizing Application to the Monroe County Local Share Account Program (“LSA”) – Annette Atkinson made a motion to approve Resolution 09-2015-1. Mitchell Marcus seconded the motion. Mike Dwyer stated that the township is applying for a

grant in order to provide a playground and restrooms at Echo Lake Park, restrooms and site furnishings at the Dog Park and a pavilion and site furnishings at the Community Gardens Park.

Annette Atkinson stated that now that the Resica School playground has been completed; the township and its park and Recreation Committee is free to continue with its plans to construct a township community playground at Echo Lake Park in 2016 without fear of diluting enthusiasm for the PTO's wonderful Resica playground.

Motion passed 3-0.

Resolution 09-2015-2; a Resolution Authorizing Acquisition of a used 2003 Bandit 2680 Beast by The Oak Grove Multi-Municipal Compost Processing Program and Middle Smithfield Township's Participation in a Lease Purchase Agreement, As Lessee, With Susquehanna Commercial Finance, Inc, To Finance The Program's Acquisition – Mike Dwyer made a motion to approve Resolution 09-2015-2 that authorizes Middle Smithfield Township's participation in the Oak Grove Compost Processing Board lease agreement. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution 09-2015-3; a Resolution Establishing Procedures for Obtaining Exemptions Provided By the Townships Lerta Ordinance (Township Ordinance No. 204); Mike Dwyer made a motion to table action until the next regular meeting. Mitchell Marcus seconded the motion. Motion passed 3-0.

Public Comment

John Ferro, MST Emergency Management Coordinator stated that future meetings for Emergency Coordinators will be held on the first Wednesday of every month at the Public Safety Center.

Mr. Ferro also stated that the PA Historical Society is sending people from their office to townships that have historical society/commissions/committees as they would like to register the historical sites in the event of a disaster. If these historical sites are documented, then additional monies can be received from PEMA in the event disaster strikes. Mr. Ferro stated that representatives will be visiting our township in October and they would like to meet with the MST Historical Commission.

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 8:44 pm. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
September 24, 2015

General fund

Num	Name	Memo	Credit
13232	US Postal Service	meter a/c 46025714 postage	2,000.00
13233	Pocono Mts. C.O.G.	9/28 dinner meeting	62.00
13234	M.C.A.T.O.	full page ad annual meeting	85.00
trf	Middle Smithfield Township	Payroll Funds Transfer	47,640.84
13235	AArdvark Entertainment Inc	inv 417 trunck or treat entertainment	975.00
13236	Advance Auto Parts	1872124821	481.99
13237	Alex's Tire Center, Inc.	inv 21927 parts	143.20
13238	American Crane & Tractor Inc.	inv 1687679 tube/head/gasket	265.22
13239	Barton Towing & Repair	inv 941 / 946 inspections	102.00
13240	Bon Venture Services	a/c 622376 St Johns bulletin ads	3,120.00
13241	CCC Heavy Duty Truck Parts Co	inv 144058 resurface flat flywheel	95.00
13242	Cintas Corp	inv 101697084 cleaning	53.31
13243	Claude S. Cyphers, Inc	inv 637870 / 637940 parts	126.17
13244	Colours 06	inv 2637591 paint	190.14
13245	Cramer's Home Center	inv 1263242 lumber for 5 more boxes at C.G.	216.77
13246	David & Mary Diane Crespo	tax assessment reduction 9/3g/1/31	126.70
13247	DeAngelo Brothers Incorporated	inv 1255639 line painting	6,744.78
13248	Double M Productions	inv 24970 safety shirts	341.28
13249	Erin Groome	reimburse for milage and food for RAMP class	71.57
13250	Fisher & Phillips LLP	inv 938563 Squires	147.50
13251	Five Star Equipment	inv p12755 left housing	1,723.86
13252	Francis C. Disalvo	inv 09101516453 gauge set for a/c units	208.95
13253	Gilmore & Associates, Inc.	inv 146234-146238 engineering	5,496.35
13254	King, Spry, Herman, Freund & Paul LLC	Legal Fees 102936-102947, 103129	10,210.00
13255	Leroy Lewis	contracted maintenance- dog park	200.00
13256	Macmillan Oil	inv 12846 grease	90.00
13257	Matergia and Dunn	2000110-00 / 85 zoning hearing board	3,118.50
13258	Met Ed	a/c 100059550028 Echo lake	29.26
13259	Miggys Five	a/c 15 kitchen supplies 7/1-9/30	557.48
13260	PAPCO	inv 1782763 gasoline	850.15
13261	Pennsylvania American Water	1024220008909318 bark park	27.52
13262	Penteledata	inv b2547568 email	171.77
13263	Pocono Profoods	inv 718381 supplies	68.20
13264	Pocono Record	smt 66914 public notice	33.00
13265	Ray Price Stroud Ford	inv 305685 parts	206.19

13266	RICOH USA, Inc	inv 95412146 copier lease	260.00
13267	Ronald & Patricia Nat	tax assessment reduction 9/6b/2/67	90.50
13268	SFM Consulting LLC	inv 48 zoning 9/8-9/17	2,372.50
13269	Smithfield Township	share of volunteer fire companies insurance	29,300.01
13270	Staples Advantage	inv 8035925652 office supplies	270.69
13271	Terry's Drivetrain	pw15-306 transmission repairs	800.00
13272	Tulpehocken Spring Water	a/c 13876 water	56.10
13273	TV NewsWatchers	news clip for dog park	48.50
13274	Verizon	570-223-0503-40643y	292.41
13275	Warehouse Battery Outlet, Inc	inv 30113 batteries	385.80
13276	Waste Management	inv 302017302035 garbage	475.60
13277	Met Ed	a/c 100069220836 River Rd	17.77
13278	PAPCO	inv 1782764 diesel	1,852.80
13279	Met Ed	a/c 100073577916 Sellersville	35.37
13280	Met Ed	a/c 100016951467 bldg A	1,310.67
13281	Met Ed	a/c 100036091245 blgd b	587.41
13282	Met Ed	a/c 100016915751 Municipal	24.72
			<u>124,160.55</u>

Sewer fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
11229	B. Newhart & Sons, Inc.		-1,035.00
11230	Carbitrol Corporation	75761	-7,202.00
11231	COYNE CHEMICAL	225175	-2,820.00
11232	GILMORE & ASSOCIATES, INC.		-5,088.46
11233	MET-ED	100044863148 - WL PS Island View	-25.36
11234	NEUTRON INDUSTRIES	97450837	-4,179.53
11235	PENNSYLVANIA AMERICAN WATER	1024-210031497597 - Sellersville Hydnt	-15.14
11236	PROTHONOTARY	Sept Sats	-42.00
11237	VERIZON	570223102484027Y Tree Tops	-36.36
11238	MET-ED	100016914275 PS#5 Rt 209/Municipal	-324.84
11239	PENNSYLVANIA AMERICAN WATER	1024-210033589546 Milford RD	-55.98
11240	VERIZON	570223818989863Y Oak Grove	-37.73
11241	MET-ED	100018446334 PS#3 McCole & 209	-43.52
11242	VERIZON	570223102584198Y PS#5 209/Municipal	-38.39
11243	MET-ED	100018440378 PS#4 Maple Ln	-433.34
11244	MET-ED	100016867432 PS#1 LOTP	-150.39
11245	MET-ED	100081035618 PS#7 McCole & NP	-95.20
11246	MET-ED	100081035618 Lift Station	-23.99
11247	MET-ED	100083606630 Oak Grove	-76.13

11248	MET-ED	100018448652 - Main STP	-5,230.01
11249	MET-ED	100089058661 Rt 209	-16.53
11250	MET-ED	100016629691 PS#2 Sleepy Hollow Fairway	-151.63
11251	MET-ED	100076523768 WL Mtn Pass	-754.71
11252	MET-ED	100080913799 Off Sleepy Hollow	-227.68
11253	MET-ED	100044877809 WL Clubhouse Dr	-32.27
11254	MET-ED	100080916826 Fairway Villas	-40.19
11255	MET-ED	100018353951 Tree Tops	-36.29
11256	MET-ED	100018353951 PS#6 Sellersville	-317.81
11257	STRAND		-2,328.00
11258	STRAND		-1,452.00
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			-32,310.48

Golf Course

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
wt	PA Dept of Revenue	Aug Sales tax	(1,536.05)
3505	Allan Rotto Consultants, Inc	# 33 vz tax	(42.00)
3506	Banko Beverage	beer	(232.94)
3507	Berkley Mid-Atlantic	a/c 10043096 insurance installment	(6,873.00)
3508	Don Henry	reimburse for alcohol purchase	(401.97)
3509	Finch Services, Inc	inv b67174 / b67601 parts	(286.61)
3510	Fisher & Son Co., Inc.	inv 152712 soil test	(280.00)
3511	Golf Car Specialties, LLC	inv si082418 parts	(100.74)
3512	Lawson Products	inv 9303554946 safety supplies	(200.36)
3513	Leon Clapper Plumbing.	inv 20844 required backflow tests	(400.00)
3514	Met-Ed	100081783498 tomx rd	(16.53)
3515	Miggy's Corp 5	pro shop supplies	(386.77)
3516	Orkin Pest Control	inv 420145 pest control	(63.60)
3517	PA American Water	1024210032658777 gaurd shack	(15.14)
3518	R&R Products	inv cd1950052 / cd1950160 parts	(661.88)
3519	Service Tire Truck Center, Inc.	inv q44480-26 flat tire repairs	(86.84)
3520	Verizon	570223737828754y	(202.26)
3521	Waste Management	302017502030 maint bldg	(135.22)
3522	Met-Ed	100081748855 pump house tomx rd	(885.06)
3523	PA American Water	1024210033261169 big ridge dr	(15.14)
3524	Verizon	570223814063192y	(50.93)
3525	Waste Management	inv 302017402033 clubhouse	(518.51)
3526	Met-Ed	10081748863 maintenance bldg	(109.02)
3527	PA American Water	1024210033261244 big ridge drive	(173.34)
3528	Met-Ed	100085171773 gaurd shack	(109.00)
3529	Met-Ed	100081784231 big ridge drive	(56.46)
3530	Met-Ed	100104048101 pump house doral crt	(16.53)
3531	Met-Ed	100081748848 clubhouse	(1,634.91)

3532	LT Verrastro Beverage	beer	(367.86)
3533	Resort Beverage	beer	<u>(192.81)</u>
			(16,051.48)

Fire Escrow

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Credit</u>
107	CCP POA South	VOID: Young/Chen/Wunder/ Anderson	
108	Middle Smithfield Twp Sewer	Dorris Anderson sewer charges	266.99
109	Middle Smithfield Twp Sewer	Ralph Wunder sewer charges	1,734.37
110	CCP POA South	Young / Chen / Wunder fire escrows	36,560.63