

The regular meeting of the Middle Smithfield Township Board of Supervisors was called to order on Tuesday, November 20, 2012 at 7:00 p.m. at the Schoonover Municipal Building with Mitchell K. Marcus presiding.

Members present: Mitchell K. Marcus, Annette Atkinson and Michael J. Dwyer. Also in attendance, Township Solicitor Michael Gaul, Esq., Township Secretary Michele Clewell, Fire Chief Joe Quarismino and numerous interested residents.

### **Approval of Minutes**

Mitchell Marcus made a motion to approve the November 7, 2012 minutes. Annette Atkinson seconded the motion. Motion passed 3-0.

### **Report of Executive Sessions**

None to report

### **Committee Reports**

Eastern Monroe Regional Park Commission – (John Ferro was not able to attend, although a prepared statement was read). Due to a lack of a quorum at the October meeting, no business was voted on, however there was discussion regarding the 2013 budget. Members stated that they would request the Boards' of Supervisors budget a total of \$5,000.00 for the regional parks. Mitchell Marcus stated that on December 14, 2012 a joint meeting between Smithfield Township and Middle Smithfield Township will be held to discuss the bicycle pump track and that Steve Carey will look in to the cost of the insurance for said track.

Middle Smithfield Township Park and Recreation – Joyce Fenical reported that the 2012 park priorities were completed and she has the paperwork if anyone is interested in reviewing. Currently the Park and Recreation Board are working on the 2013 budget and priorities. Echo Lake Park was cleaned up. The 2013 meetings are tentatively scheduled for the first Monday of every month at 6:15 p.m.

Economic Development Committee – (Debbie Kulick was unable to attend, although a prepared statement was read by Annette Atkinson). The 2013 budget was discussed and reviewed. Thank you to everyone that participated in the job fair. The committee is hoping to host another job fair in the spring. The Shop Local campaign will be launched and the 3/50 project was explained. Michael Dwyer stated that there was discussion to create a Chamber of Commerce in Middle Smithfield Township. Nothing would preclude MST business owners from also being members of the Pocono Mountain Chamber of Commerce. Mitchell Marcus cautioned but stated that concept is worth investigating.

Golf Course Committee – Ray White reported that the golf season will end this coming Sunday, November 25, 2012. The 2012 membership reached 101. The marketing group has developed a

budget and plan for 2013. A New Years Eve Party at the Whispering Pines Clubhouse is scheduled for December 31, 2012 from 7:00 p.m. to 12:30 a.m.

Historical Society – Steve Kulick was unable to attend. The previous meeting was canceled. The next meeting will be Monday November 26, 2012.

Workers Compensation Safety Committee – Due to a lack of a quorum the meeting was cancelled for November, the next meeting is scheduled for January 10, 2013 at 7:30 a.m.

### **Correspondence**

A letter was received from AARP requesting the use of the Township building for the VITA/TCE program for the 2013 tax season. Tax returns will be prepared on Tuesdays from 9:00 a.m. until 1:00 p.m. beginning February 5, 2013 and ending on April 9, 2013. Mitchell Marcus made a motion to grant the request for AARP to use the municipal building as outlined in their letter dated November 8, 2012. Annette Atkinson seconded the motion. Motion passed 3-0.

A letter was received from Monroe County Vector Control requesting the Board allocate \$2,000.00 to \$3,000.00 in the 2013 budget. Annette Atkinson made a motion to table the request in order for this request to be discussed during the next budget meeting. Michael Dwyer seconded the motion. Motion passed 3-0.

### **Hurricane Sandy Update**

Joe Quarismino, Fire Chief Marshalls Creek Fire Company reported that during the storm on October 29<sup>th</sup> and 30<sup>th</sup> the fire company responded to 160 emergencies. Middle Smithfield Township was the hardest hit. The Fire Company and Township workers worked extremely well together. The Emergency center located at the Township building was very well coordinated. No serious injuries to report.

Judy Summers asked if the re-addressing helped. Mr. Quarismino stated yes, it did help.

Mr. Quarismino stated that anyone can stop by the fire station with questions any Tuesday night.

Michael Dwyer stated that he spoke to Mr. Quarismino 3 to 5 times a day. This was a tremendous effort, with the public works department and the fire company

Annette Atkinson reported that updated information regarding the aftermath of Hurricane Sandy is available on the table in the board room. There were 350 cases of water handed out, 864 ready to eat meals given out and 500 showers were taken at the clubhouse due to power outages.

### **Treasurers Report**

Michael Dwyer reported that by mid month we are working on the 2013 budget. Pleased to say that through today, income is within 3% of what is in the budget; expenses are below 7% of the budget. This is a testament to all the people that were here to work on that budget and the volunteers and members that saved money.

The budget will be presented to the public on December 4, 2012 at 7:00 pm.

The leaf collection for 2012 was completed and we hope to be able to expand the collection next year with grant funding.

Approval of Payables – Michael Dwyer made a motion to pay the General Fund payables in the amount of \$115,925.70. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the Golf Course payables in the amount of \$12,082.76. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the Sewer Fund payables in the amount of \$19,399.53. Annette Atkinson seconded the motion. Motion passed 3-0.

Monroe County Assessment Office – Refund Requests – Michael Dwyer made a motion to refund Theresa K. Cooney \$115.28. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Herbert Delos Santos/Jahzeel H. Hernandez \$11.36. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Kip B. Bunting \$103.31. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Cecil and Anita Regman \$32.20. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Delbert Philips/Jada Dove \$100.38. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Nancy Ribando \$167.14. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Michael R and Michelle T White \$254.94. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Justian A II and Joan Z Kelly \$46.50. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Philip S. Hirsh \$88.11. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Sarwat and Mirna Hanna \$47.04. Annette Atkinson seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to refund Michael J. Craig \$72.99. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mr. Dwyer announced the National Park Service has re-opened Route 209 N. through the park as road work has been completed.

Judy Summers thanked Michael Dwyer and Raymond Wolfe, Budget and Finance Coordinator for the Treasurers Report.

### **Solicitors Report**

Hiawatha Road, Vacation of Road Documents – Attorney Gaul requested that this agenda item be tabled until the next meeting. Mitchell Marcus made a motion to table. Michael Dwyer seconded the motion. Motion passed 3-0.

Pennsylvania American Water, Revised Shut Off Agreement – Attorney Gaul stated that the Supervisors have before them a revised agreement with amended language and although he does not disapprove of the revision done by PA American Water for the Public Utility Commission, it doesn't make sense. Attorney Gaul recommend the Supervisors approve the amended agreement but do not execute the document as he will speak to PA American Water regarding the amended language and determine what their intent is.

Richard Kawski asked about paying PA American Water. Attorney Gaul stated that a charge of \$30.00 for each shut off would be billed to the township plus what they lose because the water is shut off and the costs would be borne by the sewer customer.

Gary Summers stated that the Sewer Department shouldn't shut off water in vacant homes that are in arrears because it can cause problems with pipes, etc. Annette Atkinson stated there is a mechanism in place to prevent that.

Mitchell Marcus made a motion to approve the Revised Shut off Agreement but delay in signing until Attorney Gaul can report on his findings as to the revised language. Annette Atkinson seconded the motion. Motion passed 3-0.

### **New Business**

Accept CPA RFP to Complete the 2012 Audit – Michael Dwyer made a motion to accept the proposal received from Riley and Associates, contingent on public advertising and appointment of said company being made. Annette Atkinson seconded the motion.

Mitchell Marcus stated that he would rather have the CPA firm of Kirk Summa & Co., with Dale Kirk being the representative. Mr. Marcus stated that Mr. Kirk helped him and the Township and that he is loyal. Michael Dwyer stated that we tried to get the audit completed by the deadline and Kirk Summa & Co. could not meet the deadline and the proposal submitted is almost 30% higher than what Riley and Associates submitted.

Mitchell Marcus voted no. Motion passed 2-1.

Authorize Advertising, CPA Firm to Complete the 2012 Audit in place of the Elected Auditors - Michael Dwyer made a motion directing Michele Clewell to advertise the hiring of a CPA firm to complete the 2012 Audit in place of the elected Auditors. Annette Atkinson seconded the motion. Motion passed 3-0.

Economic Development Committee, Appoint New Member – There was discussion to appoint Steve VanWhy to the EDC. Mitchell Marcus stated that he will abstain from voting as Mr. VanWhy is a client of his. Annette Atkinson made a motion to appoint Steve VanWhy to the EDC. Michael Dwyer seconded the motion. Mitchell Marcus abstained. Motion passed 2-0.

Workers Compensation Safety Committee – Mitchell Marcus made a motion to appoint Erin Groome to fill the vacancy created by Maria Oliveras' resignation. Michael Dwyer seconded the motion. Motion passed 3-0.

Newly Hired Employee – Annette Atkinson made a motion to hire Lisa Philips as the Sewer Coordinator. Michael Dwyer seconded the motion. Mitchell Marcus abstained from voting as he stated he didn't know enough about it and did not interview the applicant. Motion passed 2-0.

Annette Atkinson announced that a Toys for Tots box will be placed in the Township lobby for toy donations until December 8, 2012. The U.S. Marines will be here on December 8, 2012 at 10:00 a.m. to pick up the toys.

#### Public Comment

None

Mitchell Marcus made a motion to adjourn the meeting at 8:20 p.m. Annette Atkinson seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
November 20, 2012

**General Fund - Wayne Bank**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
11/20/2012	10052	AFLAC	insurance	-545.82
11/20/2012	10053	Atlantic Coast Energy	inv ainv0045391 biodiesel 1991.8 gal @ 3.599	-7,168.49
11/20/2012	10054	Benecon Group	mgn 052801 health ins ref # R831B3 PA Employment Law Letter Package	-18,159.62
11/20/2012	10055	BLR		-297.00
11/20/2012	10056	BWP-Carquest Auto Parts	8348-25123/25748 parts	-95.92
11/20/2012	10057	Carrie Wetherbee	assorted bagels for job fair	-56.00
11/20/2012	10058	Cintas Corp	inv 101122189 cleaing inv 605775 oil, fuel, air filters, brake fluid, harness	-74.96
11/20/2012	10059	Claude S. Cyphers, Inc		-116.74
11/20/2012	10060	Cleveland Brothers	inv part9821260	-190.45
11/20/2012	10061	Cramer's Home Center	inv 808071 chainsaw, parts, rake	-553.81
11/20/2012	10062	District Court 43-4-01	chapter 136 re:Leitner/DeLorenzo	-157.50
11/20/2012	10063	E.M. Kutz	inv 0041892-IN on spot tire chain set	-1,562.60
11/20/2012	10064	Eastern Alarm Systems	inv 32261 alarm repairs	-85.00
11/20/2012	10065	First Insurance Funding Corp	12101-0066-1674635	-9,364.17
11/20/2012	10066	Five Star Equipment	1375541 / 1375685	-549.08
11/20/2012	10067	Gilmore & Associates, Inc.	121582-121589 engineer	-23,186.48
11/20/2012	10068	Grainger, Inc.	inv 9971282562 liners	-94.24
11/20/2012	10069	GreatAmerican Leasing Corp	inv 12966250 copier lease	-304.50
11/20/2012	10070	GTS-Welco	inv 23126469 propane & CO2 policy 307441611-12 workers comp downpayment	-147.39
11/20/2012	10071	H.A.R.I.E		-29,479.00
11/20/2012	10072	King, Spry, Herman, Freund & Paul LLC	77803-77823 legal	-11,379.10
11/20/2012	10073	Lawson Products, Inc.	inv 9301240868 parts & supplies	-199.64
11/20/2012	10074	Lewis True Value	supplies	-80.96
11/20/2012	10075	Mailfinance	inv N3638864 lease payment	-463.88
11/20/2012	10076	Met Ed	a/c 100016915751 Municipapl traffic light	-15.28
11/20/2012	10077	Miggys Five	kitchen supplies	-131.87
11/20/2012	10078	Mitchell K. Marcus	8869 MST Safety committee/ PW breakfast	-248.21
11/20/2012	10079	Monroe County Treasurer	interim B & reminder bills	-672.29
11/20/2012	10080	Newman, Williams, Mishkin, Corveleyn	inv 84093 Hott PA	-1,455.00
11/20/2012	10081	Northeastern Pennsylvania Alliance	M1185 2013 annual membership	-250.00
11/20/2012	10082	PA One Call System, Inc.	inv 511399 monthly activity fee	-33.00
11/20/2012	10083	Pennsylvania American Water	a/c 24-1989049-2 9 hydrants	-120.69
11/20/2012	10084	Pocono Peterbilt	inv 313533 element	-13.71
11/20/2012	10085	Pocono Record	inv 647226	-1,272.70
11/20/2012	10086	Reliable Sign	inv 935 street & road signs	-245.58
11/20/2012	10087	RICOH USA, Inc	inv 87988046 copier lease plus add'l images	-1,119.00
11/20/2012	10088	Steve Feuer	job fair food coffee and suppiles	-125.84
11/20/2012	10089	The Hartford -Priority Accounts	inv 6113275-9 insurance	-993.66
11/20/2012	10090	The Scranton Times	a/c 568319 ref # 81033443 CLL public notice	-209.75
11/20/2012	10091	Tulpehocken Spring Water	invs 1222146/5999/32908 water	-141.45
11/20/2012	10092	Varkados Telecom, Inc.	inv 4556 repairs due to storm damage	-790.00

11/20/2012	10093	Verizon	570-223-892064559Y bldg A	-661.19
11/20/2012	10094	Warehouse Battery Outlet, Inc	inv 210831 batteries	-650.07
11/20/2012	10095	Waste Management	inv 268180608211	-549.00
11/20/2012	10096	Met Ed	a/c 100016951467 Bldg A	-1,180.78
11/20/2012	10097	Met Ed	a/c 100036091245 Bldg B	-677.59
11/20/2012	10098	Met Ed	a/c 100073577916 Sellersville trafic light	-24.66
11/20/2012	10099	Met Ed	a/c 100069220836 River Rd & 209	-13.15
11/20/2012	10100	Met Ed	a/c 100059550028 Echo Lake	-18.88
<b>Total</b>				<u>115,925.70</u>

**100.000 - Wayne Bank - Golf Course**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
11/08/2012	2106	MST 2012 G.O.B.	golf course portion of 2012 GOB	1,639.74
11/20/2012	2107	Allstate Septic Systems, LLP	inv 218307 3 porta potties	-285.00
11/20/2012	2108	BWP-Carquest Auto Parts	8348-23770/25678 parts	-95.68
11/20/2012	2109	Eastern Alarm Systems, Inc.	32299/300/301 monitoring contract	-342.00
11/20/2012	2110	Heller Gas Inc	70444/70445 propane	4,826.69
11/20/2012	2111	Met-Ed	a/c 100081748855 golf course pump house tomx rd	-228.05
11/20/2012	2112	Miggy's Corp 5	4190/4204 food & snacks for golf course	-190.68
11/20/2012	2113	PA American Water	a/c 2420746279 Big Ridge Dr	-28.48
11/20/2012	2114	Pennsylvania Department of Agriculture	BU11298 renewal application for pesticide business lic	-35.00
11/20/2012	2115	R.H. Hurley LLC	Oct consulting fee	2,000.00
11/20/2012	2116	Verizon	570223809936550Y proshop	-287.97
11/20/2012	2117	Met-Ed	a/c 100081748863 golf maint bldg	-162.98
11/20/2012	2118	PA American Water	a/c 2420746287 Big Ridge	-483.75
11/20/2012	2119	Verizon	570223814063192Y alarm	-92.80
11/20/2012	2120	Met-Ed	a/c 100081783498 tomx rd	-50.16
11/20/2012	2121	Verizon	570223737828754Y fire	-130.20
11/20/2012	2122	Met-Ed	100081748848 clubhouse	-759.27
11/20/2012	2123	Met-Ed	a/c 100081784231big ridge drive	-200.89
11/20/2012	2124	Met-Ed	a/c 100085171773 gaurd shack	-243.42
Total 100.000 - Wayne Bank - Golf Course				<u>12,0826</u>

**Golf Course BOS Approval November 20, 2012**

<u>Check</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2106	MST 2012 GOB	golf course portion of 2012 GOB	1,639.74
2107	Allstate Septic Syst	inv 218307 3 porta potties	285.00
2108	BWO Carquest	8348-263770/25678 parts	95.68
2109	Eastern Alarm	32299/300/301 monitoring contract	

	Systems		342.00
2110	Heller Gas Inc	70444/70445 propane	4,826.69
2111	Met Ed	AC golf Course pump house tom x rd	228.05
2112	Miggys Corp 5	food and snacks for golf course	190.68
2113	PA American Water	Big Ridge Drive	28.48
	Penn. Depart	BUI renewal application for pesticide business	
2114	Agriculture	lic	35.00
2115	R.H. Hurley LLC	Oct consulting fee	2,000.00
2116	Verizon	pro shop golf	287.97
2117	Met Ed	golf maint bld	162.98
2118	PA American Water	Big Ridge Drive	483.75
2119	Verizon	alarm	92.80
2120	Met Ed	Tom X Road	50.16
2121	Verizon	Fire	130.20
2122	Met Ed	clubhouse	759.27
2123	Met Ed	Big Ridge Drive	200.89
2124	Met Ed	guard Shack	243.42
<b>Total</b>			<b>12,082.76</b>