

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, December 4, 2014 at 7:00 p.m. at the Schoonover Municipal Building with Annette Atkinson presiding.

In attendance: Township Supervisors Annette Atkinson, Mike Dwyer and Mitchell Marcus. Township Solicitor Michael Gaul, Esq., Township Engineer Fred Courtright, P.E., Township Secretary Michele L. Clewell, Ann Wingert P.E. of Hanover Engineering Associates, Inc., James Meegan and a few interested residents.

Pledge of Allegiance

Approval of Minutes

Annette Atkinson made a motion to approve the November 13, 2014 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Report of Executive Sessions

Attorney Gaul reported that an executive session was held prior to this meeting to go over pending legal matters with the solicitor.

Announcements

None

Treasurer's Report

Proposed 2015 Budget - A PowerPoint presentation and the Treasurer's report was provided to the public and press and was reviewed in detail by Mike Dwyer.

Public comment on the proposed 2015 budget was taken:

- Rich Kawski stated that he does not agree that our taxes are below average as the townships listed with higher taxes have police departments. Mike Dwyer stated that although he appreciates his opinion we do offer a lot of services, and that was the point – townships with lower taxes have less services, those with higher taxes have more services. Mr. Kawski stated that our taxes should be lower. Mitchell Marcus stated that he too would like all taxes to be lower, including Federal, State, School etc, but we must be reasonable
- Nancy Bittner asked if there is anything planned in the near future to put the golf course up for sale. Annette Atkinson said yes. The Board gathered advice from industry professionals and created a "to-do" list of steps in order to sell the golf course. One item, for example, was at least three years of financials. We have achieved that now. Another item is to achieve at least 15,000 rounds of golf in order to make it marketable.

Ms. Atkinson stated that we do have the numbers and are working on the rounds of golf. The township does not want to do an appraisal until we can meet the to do list because they are very expensive, and only good for a finite amount of time. Mr. Dwyer

stated that credit goes to the golf committee, supervisors and staff. There is a goal to sell. Ms. Bittner stated that she hopes it is sooner rather than later. Attorney Gaul stated that his recollection is that the process for selling Township real estate is not a simple one and that he would need to look at the procedures again, whenever a decision was actually made to sell the golf course. His expectation was that a bidding process would be required to be followed and at the very least an RFP (Request for Proposal). In either case, an appraisal would first be required or would make sense prior to deciding the golf course. Ms. Bittner stated that she would also credit all the volunteers. Mr. Marcus asked if the golf course could be leased; Attorney Gaul said that regardless of whether it was leased or sold, the golf course is a township asset and must be handled consistent with the law.

- Ms. Bittner asked if there are any plans for the current Dog Park as she stated that she heard over one-million dollars would be spent on the park. Mike Dwyer stated that is incorrect. The costs to the township for the new dog park to be located at LeRoy's Lane are estimated to be \$16,000.00 for the fencing and the bags. The intent is to develop another dog park on Leroy Lane and obtain grant funding for part or all of the costs.

Annette Atkinson made a motion to authorize the township secretary to advertise the proposed 2015 budget as adopted. Mike Dwyer seconded the motion. Motion passed 3-0.

Payables – Mike Dwyer made a motion to pay the general fund payables in the amount of \$241,174.93. Annette Atkinson seconded the motion. Motion passed 3-0.

Mitchell Marcus made a motion to pay Mike Dwyer \$28.00 for the 1,000 Feet of Street breakfast for the volunteers. Annette Atkinson seconded the motion. Motion passed 2 in favor and Mike Dwyer abstained.

Mike Dwyer made a motion to pay the sewer fund payables in the amount of \$52,599.43. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to pay the golf course payables in the amount of \$30,581.06. Annette Atkinson seconded the motion. Motion passed 3-0.

Monroe County Assessment Office; Refunds Due – Mike Dwyer made a motion to refund Bui Trang Phuong Thi \$52.53 due to incorrect building assessment. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to refund Lisa and Mike Bostelman \$102.09 due to incorrect building assessment. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to refund Denise Hoppaugh \$63.84 due to incorrect building assessment. Mitchell Marcus seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to refund James & Pamela Koller \$111.99 due to incorrect building assessment. Mitchell Marcus seconded the motion. Motion passed 3-0.

Solicitors Report

None

Engineers Report

Meegan Minor Subdivision Sewage Planning Module – James Meegan and Ann Weinert P.E. of Hanover Engineering were present to answer and questions.

Fred Courtright provided his comment letter. The minor subdivision proposes to subdivide (2) existing parcels in order to have a total of (4) parcels. The sewage planning module has been submitted and signed off by the township zoning officer and township planning commission. Mr. Courtright recommends the Board execute Section K of the Sewage Facilities Planning Module and forward to PA DEP for their consideration.

The minor subdivision has (2) major items worth discussing; the wetlands and the bog turtle reports' have not been received by the Township. There are also some housekeeping and clerical issues that need to be corrected.

Mr. Courtright recommends the Board table action on the plan.

Ms. Wingert stated that the road occupancy permits are valid, the Shawnee Golf Course abuts on the other side and there is an existing access road. Due to the Army Corps of Engineers report with regard to the wetlands delineation, was done over (3) years ago a new study for the wetlands was required, as well as a new bog turtle study as requirement by the PA Fish and Wildlife. Hanover Engineering scientists have reported that the wetlands are good and they are not habitable for bog turtles. The fees for recreation need to be determined by the Board.

Due to the outdated grid line requirements that it be shown on the plan, a waiver request has been submitted. The planning commission has recommended approval of said waiver.

Ms. Wingert stated that they will comply with the requirements stated within the township engineer's letter.

Attorney Gaul asked if the plan should be also submitted to Smithfield Township for their approvals as a portion of the land is within that township. Ms. Wingert stated that since there is no road access within Smithfield Township, they do not wish to review or sign off on it. Attorney Gaul asked if the recorders of deeds office will accept the plan with only one township approving it. She stated that she believed they would.

Ms. Wingert stated that there are no improvements proposed for the roads.

Attorney Gaul asked if the Middle Smithfield Township Zoning Officer has prepared a report. Ms. Wingert stated that she does not believe there are any issues with the zoning. The lots conform.

Attorney Gaul stated that Smithfield Township should provide us with a letter that they do not want to review the plan.

Annette Atkinson made a motion to forward the Sewage Facilities Planning Module to PA DEP. Mike Dwyer seconded the motion. Rich Kawski asked for the lot sizes. Motion passed 3-0.

Annette Atkinson made a motion to table the Meegan Minor Subdivision Plan until the December 29, 2014 regular meeting and if the plan does not receive approval at that time, a time extension to render a decision will be requested as a lot of outside approval need to be done before the plan is ready to be recorded. Mike Dwyer seconded the motion. Attorney Gaul stated that a (60) day extension should be requested. Motion passed 3-0.

Toll Brothers Request to Release the CCP Phase 2 Section 6 Bond, CCP Phase 4 & 8 Bond, Pond Creek Phase 1 Bond and the Pond Creek Phase 2 & 3 Bond – Fred Courtright recommended the Board table all the Toll Brothers requests in order to investigate and prepare the necessary reports for each request. Annette Atkinson made a motion to table the Toll Brothers requests based on the township engineers recommendation. Mitchell Marcus seconded the motion. Motion passed 3-0.

New Business

Schedule a Special Meeting – Annette Atkinson made a motion to schedule a special meeting for the purpose of reviewing the engineer's reports with regard to the Toll Brothers request to release subdivision bonds for CCP Phase 2 Section 6 Bond, CCP Phase 4 & 8 Bond, Pond Creek Phase 1 Bond and the Pond Creek Phase 2 & 3 Bond. Mike Dwyer seconded the motion. Motion passed 3-0.

Set the time for the January 5, 2015 Organizational Meeting – Annette Atkinson made a motion to schedule and advertise the January 5, 20145 meeting for 9:00 a.m. Mike Dwyer seconded the motion. Motion passed 3-0.

Resolution 12-2014-01; Fiegoli Joinder Deed – Annette Atkinson made a motion to approve the Fiegoli Joinder Deed Resolution. Mike Dwyer seconded the motion. Motion passed 3-0.

Historical Commission Ordinance Amendment; to allow for all Monroe County residents and/or taxpayers to sit on the commission's board as voting members – Annette Atkinson made a motion authorizing the Solicitor to advertise notice of intention to enact the proposed ordinance, as presented. Mike Dwyer seconded the motion.

Rich Kawski asked about allowing Pike County residents to sit on the revised commission. Ms. Atkinson stated that this is based on what our commission has recommended.

Nancy Bittner asked what kind of voting right will the new members have. Ms. Atkinson stated that they would have the same voting rights as the other members. Ms. Bittner asked what the Commission usually votes on. Ms. Atkinson stated typical votes would be whether to do a calendar, or the Passport to History, or what kind of lecture event to do. Ms. Bittner stated that the members of the commission should be residents of the township and if township people are not interested in serving then reduce the board requirement to (3) people.

Nancy Bittner stated if there is no interest within the township to dissolve the commission. Ms. Atkinson stated that a regional historical commission could be created if the Board decides to throw out the idea of expanding membership to Monroe County residents for the Middle Smithfield Historical Commission being appointed as voting members.

Following lengthy discussion Mitchell Marcus voted against authorizing the solicitor to advertise the amended historical commission ordinance and having a public hearing, as he believes the board members should be restricted to township residents and/or taxpayers. Motion passed 2-1 to advertise the proposed ordinance for enactment at the Supervisors' December 29, 2014 meeting.

Bushkill Group Fireworks Permit – Annette Atkinson made a motion to approve the permit. Mike Dwyer seconded the motion. Motion passed 3-0.

Public Comment

Rich Kowski complained of the prices at one of the township businesses. Ray White stated that as a consumer, anyone has the right to walk out of a store and not do business with them. He went on to praise the efforts of the township to promote the local economy via the Shop Local campaign. Bob Ciavetta reminded everyone that these local businesses pay taxes and contribute to the local economy --- so supporting these businesses supports the community.

The Hanukkah blessing scheduled for December 14th at Echo Lake Park is cancelled.

Adjournment

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

Respectfully submitted,

Michele L. Clewell,
Township Secretary

General fund payables

Num	Name	Memo	Amount
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Trf	Middle Smithfield Township	Payroll Funds Transfer	-51,643.53
12307	Oak Grove Multi-Municipal Compost	MST share of capital expense	-59,700.00
12308	East Stroudsburg Softball Little League	donation for Tree lighting support	-200.00
12309	Marshalls Creek Fire Co	donation for Tree lighting support	-200.00
12310	Church of Saint John	donation for Tree lighting choir	-100.00
12311	ESAD South High School band	donation for Tree lighting band	-100.00
12312	ESASD North High School Chorale	donation for Tree lighting	-100.00
Trf	Middle Smithfield Township	payroll Funds Transfer	-60,916.92
12313	447 Cornerstone Products, Inc	inv 930 fabric for Community Garden	-104.00
12314	Advance Auto Parts	a/c 1872124821 invs 3053/3371/1743/1799/4022/1971/065	-397.52
12315	AFLAC	inv 860233 insurance	-420.20
12316	Alex's Tire Center, Inc.	inv 17787 / 17855 repairs	-440.00
12317	American United Life Insurance Company	policy G 0061299-0000-000 life insurance	-155.08
12318	Bradco Supply Co	inv 119073 / 119439 plow parts	-1,528.00
12319	Cintas Corp	inv 101530906 cleaning	-76.44
12320	Claude S. Cyphers, Inc	inv 628124/628437/628479 parts	-272.67
12321	Cramer's Welding & Repairs	inv 449224 fix fuel tank T-111	-60.00
12322	David Manter	inv 1014A / 1035 permits	-1,367.50
12323	Debbi Manter	inv 1055 cleaning	-1,022.75
12324	Donna G. Kenderdine, RPR	inv 245-14 Oval management	-339.50
12325	E.M. Kutz	inv 6608 motor	-256.00
12326	Eastern Alarm Systems	inv 7799/7800/7801/7809 alarm monitoring & repairs	-492.00
12327	FedEx	inv 284860179	-19.76
12328	First Insurance Funding Corp	12101-0066-1674635	-10,319.90
12329	George A. Koteen Associates	share of savings on electric inv 19773-19784	-774.77
12330	Grainger, Inc.	inv 9593051395 supplies for 1000 ft of street	-406.00
12331	GreatAmerican Leasing Corp	inv copier lease	-304.50
12332	Green Pond Nursery, Inc	inv 20014 mushroom soil	-264.00
12333	H.A.R.I.E	30744161114 Workers comp installment	-3,683.00
12334	John Ferro	milage reimbursement EAP White Heron	-7.84
12335	Judith Acosta	reimburse for shop local expenses	-61.47
12336	Karen Stapleton.	reimburse for tree lighting expenses	-52.68
12337	Keystone Municipal Services, Inc	inv 21864 / 21921 Zoning officer	-8,027.50
12338	Lawson Products, Inc.	inv 9302868700 supplies	-267.12
12339	Leroy Lewis	recycling deputy	-500.00
12340	Lewis True Value	misc parts & supplies	-657.03
12341	Mailfinance	inv N5006943 postage machine lease	-463.38
12342	Matergia and Dunn	statement 79 Zoning hearing bd	-478.50
12343	Met Ed	a/c 100016951467 bldg A	-1,017.62
12344	Middle Smithfield Township 2012 GOB	2012 GOB General Fund portion installment	-11,491.67
12345	Miggys Five	a/c 15 supplies	-123.08
12346	Monroe County Treasurer	reminder bills / interim B	-725.57
12347	Mooremedical	order # 17214237	-160.00

12348	NAPA Auto Parts	inv 716582 air filters	-93.98
12349	Northeastern Pennsylvania Alliance	M159 membership 2015	-275.00
12350	PAPCO	inv 1604970/1604972/1611500 fuel	-6,403.40
12351	Pennsylvania American Water	a/c 1024210033478776 hydrants	-135.90
12352	Penteledata	inv b2329557	-171.77
12353	PMRS	450275N pension	-5,417.39
12354	Pods Enterprises, Inc	inv 135-030041 pod rental	-143.00
12355	Ray Price Stroud Ford	inv 303575 / 576 repairs	-305.50
12356	Richards Tree Farm	inv 35198 / 35202	-461.92
12357	Staples Advantage	inv 8031997107/8032100853/84448/87881/96352	-1,024.57
12358	Staples Contract and Commercial	inv 7001503748 office supplies	-86.28
12359	Uline	inv 63089224 safety vests 1000 ft of st	-241.58
12360	Verizon Wireless	inv 9735667945 cell phones	-224.62
12361	Waste Management	inv 291967408217 dumpster	-509.37
12362	Met Ed	a/c 100036091245 bldg B	-621.34
12363	Met Ed	100016915751 Municipal light	-20.25
12364	Bui Trang Phuong Thi	9/4a/1/88 tax assessment reduction	-52.53
12365	Denise Hoppaugh	09/96893 tax assessment reduction	-63.84
12366	James & Pamela Kolter	9/85697 tax assessment reduction	-111.99
12367	Lisa & Mike Bostelman	09/3g/1/32 tax assessment reduction	-102.09
12368	Pocono Record	stmt 36423 public notices	-427.40
12369	Sundance Networks Inc	inv 116058 monthly support	-330.00
12370	Verizon	570223050340643y	-4,253.71
			-
			241,174.93

Golf fund payables

Num	Name	Memo	Amount
3119	Allstate Septic Systems, LLP	inv 246921 porta potties	(285.00)
3120	Dave"The Wiz" Muller Equipment	inv 1140818127 oven repairs	(1,313.00)
3121	Fisher & Son Co., Inc.	inv 142657 / 142658 greens supplies	(1,352.26)
3122	George A. Koteen Associates, Inc	share of savings on electric accounts 19769-19777	(205.67)
3123	Golf Car Specialties, LLC	invs 70672 / 70676 cart lease	(16,156.00)
3124	Leon Clapper Plumbing.	inv 19608 repairs	(162.00)
3125	Marshalls Creek Plumbing	inv 8941/8996/9013 lights, parts	(706.79)
3126	Met-Ed	a/c 100081748855 pump house Tom x rd	(172.36)
3127	Michael Yesunas	reimburse for trophies	(138.30)
3128	MST 2012 G.O.B.	monthly installment for 2012 GOB	(863.02)
3129	PA American Water	a/c 1024210033261169	(15.00)
3130	Prime 570 Catering	11/13 party	(513.40)
3131	Sudden Comfort Heating & Air Conditioning	deposit for heater installation	(2,200.00)
3132	Superior Plus Energy Services	inv 785105 diesel	(692.44)
3133	Verizon	570223737828754y	(202.78)
3134	Waste Management	inv 291967508214 clubhouse	(312.97)

3135	Verizon	570223814063192y	(49.74)
3136	Waste Management	inv 291967608212 maint bldg	(125.55)
3137	Met-Ed	a/c 100104048101 pump house Doral Ct	(14.58)
3138	Met-Ed	a/c 100081748848 clubhouse	(1,598.56)
3139	Blue Ridge Communications	0109950-03 internet	(49.95)
3140	Don Henry	reimburse for liquor	(763.94)
3141	Finch Services, Inc	inv B31204 parts	(110.13)
3142	Hellers Gas, Inc.	inv 4294 propane - Clubhouse	(1,902.14)
3143	Kiarah Cookhome	return of deposit	(250.00)
3144	Nagle Elevator Inspection & Testing	inv 9128 elevator inspection	(70.00)
3145	Ray White.	new yrs eve expenes	(245.48)
3146	USGA	43695790 2015 membership	<u>(110.00)</u>
			(30,581.06)

Sewer fund payables

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
10764	Action Lift Inc	S163653	-433.31
10765	ALLSTATE SEPTIC SYSTEMS, LLP		-742.50
10766	B. Newhart & Sons, Inc.	111214	-380.00
10767	COYNE CHEMICAL	205019	-2,820.00
10768	Eastern Alarm Systems, Inc.		-228.00
10769	MET-ED	100016914275 - PS#5 RTE 209	-245.70
10770	MST2012GOB	December 2014	38,594.79
10771	NEUTRON INDUSTRIES	97060411	-3,979.53
10772	PENNSYLVANIA AMERICAN WATER	1024210033589546	-55.45
10773	PROSSER LABORATORIES, INC.	272160	-490.40
10774	PROTHONOTARY	Dec SATS	-56.00
10775	Recorder of Deeds	Sewer User Agreement	-2.00
10776	STRAND		-3,738.85
10777	VERIZON	570588028984296Y	-67.07
10778	W.G. MALDEN	8538	-350.00
10779	MET-ED	100083606630 - Oak Grove	-67.87
10780	VERIZON	570588764629956Y	-73.76
10781	VERIZON	570223102484027Y	-35.13
10782	VERIZON	570223102584198Y	-35.13
10783	VERIZON	57022381898963Y	-36.43
10784	VERIZON	570588075284434Y	-33.76
10785	VERIZON	570588113413383Y	-33.76
10786	VERIZON	570588113513455Y	-33.76
10787	VERIZON	570588658114420Y	-32.25
10788	VERIZON	570588074284385Y	<u>-33.98</u>
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			52,599.43

