

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, December 27, 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 and members of the public.

Approval of Minutes

Mitchell Marcus made a motion to approve the December 11, 2012 minutes. Michael Dwyer seconded the motion. Motion passed 3-0.

Reports of Executive Session

Attorney Gaul stated that prior to these evenings meeting an executive session was held to discuss pending Township matters.

Bid Opening

The gas powered golf carts lease bids were opened and read aloud. Michael Dwyer made a motion, acknowledging the bids and to table awarding the bid until the next Board of Supervisors meeting. Mitchell Marcus seconded the motion. Motion passed 3-0.

Representatives from both companies that submitted a bid were present. Attorney Gaul explained that the awarding of the bids would take place at the Board of Supervisors January 7, 2013 meeting and that no further notice would be given with regard to the meeting date.

Committee Reports – Year End Reports

Planning Commission – Annette Atkinson stated that Mark Oney, Chairman could not attend the meeting, however, in 2012 there were two land development plans, four conditional use applications and three minor subdivisions submitted.

Eastern Monroe Regional Park Commission – Mitchell Marcus reported that a meeting is scheduled for January 11, 2013 with Jim Dellavalle to discuss the proposed bicycle pump track.

Parks & Recreation – Joyce Fenical, Chairman could not attend the meeting. Mitchell Marcus summarized the yearend report.

Economic Development Committee – Debbie Kulick, Chairman presented the 2012 year end report.

Golf Course Committee – Ray White, Chairman presented the 2012 yearend report.

Historical Society – Steven Kulick, Chairman presented the 2012 yearend report and summarized the November 26, 2012 meeting.

Workers Compensation Safety Committee – Mitchell Marcus stated that the next meeting will be January 10, 2013.

Treasurers Report

Michael Dwyer thanked the committees, volunteers and staff. Mr. Dwyer stated that the Township will end 2012 with a positive cash flow. Goals have been met and there will be reserves at the end of 2012. Expenses were about 7% lower than what was budgeted.

The sewer account collections will increase as aggressive collections are underway.

The golf operations net costs were even less than the projected \$277,000.

The Liquid Fuel account is managed a little tighter than previously. Building up some reserves for the coming year's expenses, will save the Township from borrowing.

Approval of Payables – Michael Dwyer made a motion to pay the general fund payables in the amount of \$172,895.18. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the sewer fund payables in the amount of \$4,4581.71. Mitchell Marcus seconded the motion. Motion passed 3-0.

Michael Dwyer made a motion to pay the golf course fund payables in the amount of \$12,804.87. Mitchell Marcus seconded the motion. Motion passed 3-0.

Resolution 12-2012-02 Resolution Appointing Certified Public Accountants to Supersede Elected Township Auditors for the Year 2013 – Michael Dwyer made a motion to adopt Resolution 12-2012-02. Annette Atkinson seconded the motion.

Larry Dymond asked if this was bid out. Michael Dwyer stated that although not required because this is classified as professional services, the Board of Supervisors solicited Request for Proposals (RFP).

Motion passed 2-1, with Mitchell Marcus voting no.

Resolution 12-2012-03 a Resolution Adopting the 2013 Budget, Fixing the Tax Rate for the Year 2013 and all 511 Taxes Re-established and the Collector Retained for the Year 2013 – Michael Dwyer made a motion to adopt Resolution 12-2012-03. Annette Atkinson seconded the motion. Motion passed 3-0.

Engagement Letter Approval from Riley and Company, Inc. – Michael Dwyer made a motion to accept the Riley and Associates as the Certified Public Accountants for the fiscal 2012 year. Annette Atkinson seconded the motion.

Larry Dymond questioned the Board as to their selection. Annette Atkinson stated that an RFP was publicized and this firm is the lowest price. Michael Dwyer stated that only four firms responded to the RFP for this appointment, including the incumbent.

Motion passed 2-1 with Mitchell Marcus voting no.

Solicitors Report

Adams Outdoor Advertising, Inc. Extension of Time on the Conditional Use Request – Attorney Gaul reported that a letter was received from the applicant's attorney, Victor Cavacini, Esq. granting an extension of time to hold the public hearing on the conditional use request. Michael Dwyer made a motion to accept the letter of extension through January 31, 2013. Annette Atkinson seconded the motion. Motion passed 3-0.

Resolution 12-2012-04 EDU Allocation for Timeshare Units and Providing for Other Miscellaneous Matters – Attorney Gaul stated that Resolution 12-2012-04 allocated specific EDU's for purposes of sewer charges for timeshare units. Mitchell Marcus made a motion to adopt Resolution 12-2012-04. Annette Atkinson seconded the motion.

Larry Dymond stated that MST's sewer has been an ongoing problem. Annette Atkinson stated that this Resolution assigns specific EDU's for timeshare unit usage, creating 100% consistency in how sewer users in MST are charged for this utility. Michael Dwyer stated that in prior years, flow meters were used and it was a challenge, whereas this is an absolute.

Bob Pohlman asked for clarification. Attorney Gaul stated that the Fernwood/Bushkill Group has a separate agreement for sewer billing, they do not pay based on EDU's and they would have to amend their agreement to be billed on an EDU basis. They could decide to continue under that agreement instead of being billed under this resolution.

Paul Cimei asked if this affects Fernwood. Attorney Gaul said no, the Fernwood/Bushkill Group has to agree to amend their current agreement.

Larry Dymond asked about general maintenance costs for sewage treatment plant. Annette Atkinson stated that a comparative analysis was done, and while MST users pay the lowest EDU fees in Monroe and Pike county, we continue to try and improve our maintenance costs .

Motion passed 3-0.

New Business

Resolution 12-2012-05 Support the Designation of a Five-County Metropolitan Planning Organization (MPO) – Attorney Gaul reported that pursuant to the United States Census Bureau rules the municipalities of the East Stroudsburg Urbanized Area, which includes Middle Smithfield Township must create a planning organization. The Monroe County Planning Commission has assisted the municipalities with drafting the resolution. Mitchell Marcus made a motion to adopt the resolution. Annette Atkinson seconded the motion. Motion passed 3-0.

Resolution 12-2012-06 Amending and Supplementing prior Township Resolution No. 12-2012-01 – Attorney Gaul stated that this resolution amends and supplements the prior Township resolution for the F-450 truck and plow. It authorizes the closing to take place in 2013 as long as the principal payments do not change. Michael Dwyer made a motion to adopt Resolution 12-2012-06. Annette Atkinson seconded the motion. Motion passed 3-0.

Authorize Township Solicitor to Advertise Proposed Ordinance No. 191, Creating a Historical Commission– Annette Atkinson made a motion authorizing and directing Attorney Gaul to advertise proposed ordinance No. 191 for the creation of the Middle Smithfield Township Historical Commission. Mitchell Marcus seconded the motion. Motion passed 3-0.

Personnel

Newly Hired Personnel – Annette Atkinson made a motion to hire Ryan Senay as an intern. Michael Dwyer seconded the motion. Motion carried 3-0.

Executive Session

Annette Atkinson made a motion to go into executive session at 8:40 p.m. Michael Dwyer seconded the motion. Motion was rescinded as there was public comment.

Larry Dymond asked how many law suits the township is involved in as the newspaper announced there was a 500% increase in insurance costs. Michael Dwyer explained that due to past experiences of the prior Board, insurance costs have gone up. Mr. Dymond asked if the public can know the number of lawsuits. Attorney Gaul stated that the numbers of how many lawsuits were filed can be given.

Richard Kawski questioned the attendance count for the 2013 New Year's Eve party at the Whispering Pines Restaurant and if it will be break even. He also asked if the new golf carts will accept the ethanol gas. Michael Dwyer stated that 101 reservations were accepted. Annette Atkinson stated that the breakeven cost had already been reached. As far as the ethanol gas, Mr. Dwyer stated that he would need to review the specifications further in order to answer the question.

Paul Cimeni asked for the date the enhanced 911 re-addressing will be in effect. Annette Atkinson stated that it already is but the national grid system could take years.

Mitchell Marcus made a motion to go into executive session at 8:45 p.m. Annette Atkinson seconded the motion. Motion passed 3-0.

Mitchell Marcus made a motion to reconvene the meeting at 9:10 p.m. Michael Dwyer seconded the motion. Motion passed 3-0.

The purposed of the executive session was to hear legal advice from the Township Solicitor on Township matters.

Michael Dwyer made a motion to adjourn the meeting at 9:09 p.m. Mitchell Marcus seconded the motion. Motion carried 3-0.

Respectfully submitted,

Michele L. Clewell
 Township Secretary
 December 27, 2012

104-000 - General Fund - Wayne Bank

Type	Date	Num	Name	Memo	Amount
Bill Pmt - Check	12/13/2012	10157	BIU of PA, Inc.	INV 01000120028162 OCT	-31,055.50
Bill Pmt - Check	12/13/2012	10158	Met Ed	100016915751 Municipapl Dr traffic light	-21.50
Bill Pmt - Check	12/13/2012	10159	Oren Dahari	security for holloween trail	-300.00
Bill Pmt - Check	12/13/2012	10160	Reilly Associates.	INV 10 CCP PHASE III SECT 5 REVIEW	-1,369.40
Bill Pmt - Check	12/13/2012	10161	Reliable Sign	inv 970 signs & sign parts	-1,779.42
Bill Pmt - Check	12/13/2012	10162	Staples Contract and Commercial	inv 7000304542 office supplies	-220.02
Bill Pmt - Check	12/13/2012	10163	Syed Zaidi	09/98189 tax assessment refund	-73.14
Bill Pmt - Check	12/13/2012	10164	US Postal Service	meter a/c # 46025714 postage	-1,500.00
Bill Pmt - Check	12/13/2012	10165	Westhuis, Arrien & Mary	09/96042 tax refund	-42.16
Bill Pmt - Check	12/13/2012	10166	Met Ed	100036091245 Bldg B	-513.73
Bill Pmt - Check	12/13/2012	10167	Met Ed	100016951467 Bldg A	-738.15
Bill Pmt - Check	12/13/2012	10168	Charles & Olga Herman	09/90208 tax refund	-13.56
Bill Pmt - Check	12/13/2012	10169	J & P Enterprises LLC	09/89496 tax refund	-109.48
Bill Pmt - Check	12/13/2012	10170	Liu, William & Nora	09/96046 tax refund	-2.25
Bill Pmt - Check	12/13/2012	10171	Lucien George	09/94077 tax refund	-180.49
Bill Pmt - Check	12/13/2012	10172	Myra Bailey	09/96777/54A tax refund	-2.35
Bill Pmt - Check	12/13/2012	10173	Myriam Cano	09/96935 tax refund	-8.82

Bill Pmt - Check	12/13/2012	10174	Paul George	09/94075 tax refund	-78.40
Check	12/14/2012	10175	HARA Corp	refund of r.e. tax 2010 & 2011	-35,915.49
Transfer	12/20/2012	Trf	Middle Smithfield Township	payroll Funds Transfer	-34,311.20
Check	12/26/2012	10176	Big A Restaurant	catering for Whispering Pines event	-1,509.48
Bill Pmt - Check	12/27/2012	10177	209 Enterprises	101-03036 anti skid	-1,077.52
Bill Pmt - Check	12/27/2012	10178	A.J. Smith Electric Motor Service	inv 34395 12v solenoid	-145.00
Bill Pmt - Check	12/27/2012	10179	Allstate Septic Systems, LLP	inv 219519 Echo Lake/Ressica	-260.00
Bill Pmt - Check	12/27/2012	10180	BWP-Carquest Auto Parts	8348-27991/27998 parts	-35.82
Bill Pmt - Check	12/27/2012	10181	Cintas Corp	inv 101138129 cleaning	-74.96
Bill Pmt - Check	12/27/2012	10182	Claude S. Cyphers, Inc	606520/606704 parts	-304.23
Bill Pmt - Check	12/27/2012	10183	Cramer's Home Center	inv 830155 shingles for salt bldg	-84.00
Bill Pmt - Check	12/27/2012	10184	Debbi Manter	inv 1030 cleaning	-778.00
Bill Pmt - Check	12/27/2012	10185	Gilmore & Associates, Inc.	engineering fees 122580-122588	-10,135.34
Bill Pmt - Check	12/27/2012	10186	Gold Star Wide Format	inv 49134 bond paper	-67.19
Bill Pmt - Check	12/27/2012	10187	Grainger, Inc.	inv 9911390186 fire emerg sign	-7.00
Bill Pmt - Check	12/27/2012	10188	GreatAmerican Leasing Corp	inv copier lease	-304.50
Bill Pmt - Check	12/27/2012	10189	H.A. Thomson	tres bonds A.A. & M.D	-2,852.00
Bill Pmt - Check	12/27/2012	10190	H.A.R.I.E	307441611-12 Workers Comp ins	-4,054.00
Bill Pmt - Check	12/27/2012	10191	Home Depot Credit	6035322502349651 holiday lights	-861.04
Bill Pmt - Check	12/27/2012	10192	ISObunkers, LLC	propane & gasoline	-2,629.91
Bill Pmt - Check	12/27/2012	10193	John Ferro	reimbursements for HUrricane Sandy	-442.42
Bill Pmt - Check	12/27/2012	10194	Kimball Midwest	inv 2734690 parts	-234.18
Bill Pmt - Check	12/27/2012	10195	King, Spry, Herman, Freund & Paul LLC	legal fees 78498-78504	-5,606.00
Bill Pmt - Check	12/27/2012	10196	Lawson Products, Inc.	inv 9301312146 hoses, brake cleaner etc	-322.02
Bill Pmt - Check	12/27/2012	10197	Met Ed	100069220836 River Rd & 209 traffic light	-14.90
Bill Pmt - Check	12/27/2012	10198	Miggys Five	a/c 15 kitchen supplies	-40.68
Bill Pmt - Check	12/27/2012	10199	PA Association of Municipal Administrator PA Municipal Health Insurance	mem # 16093 dues	-125.00
Bill Pmt - Check	12/27/2012	10200	Cooperative	052801 Health ins	-24,269.55
Bill Pmt - Check	12/27/2012	10201	Penteledata	a/c 2297290 e-mail box	-3.90
Bill Pmt - Check	12/27/2012	10202	PSATS	po 12-129 minute book binder	-140.00
Bill Pmt - Check	12/27/2012	10203	Richards Tree Farm	rec # 26497 Wreaths reimburse for milage survey hurricane damage	-170.00
Bill Pmt - Check	12/27/2012	10204	Rick Dorvaznik		-91.85
Bill Pmt - Check	12/27/2012	10205	RICOH USA, Inc	inv 88159693 copy lease	-260.00
Bill Pmt - Check	12/27/2012	10206	Staples Contract and Commercial	office supplies	-985.77
Bill Pmt - Check	12/27/2012	10207	Sun Litho Print	inv 33531 envelopes window/reg	-290.00
Bill Pmt - Check	12/27/2012	10208	Terry's Drivetrain	12-632 repair silo rear	-1,300.00

Bill Pmt - Check	12/27/2012	10209	The Hartford -Priority Accounts	inv 6156851-5 insurance	-1,121.35
Bill Pmt - Check	12/27/2012	10210	Verizon	570-223-8920-645-59y	-589.81
Bill Pmt - Check	12/27/2012	10211	Warehouse Battery Outlet, Inc	inv 214287 battery	-159.80
Bill Pmt - Check	12/27/2012	10212	Waste Management	203-0026381-0821-3 2697326-0821-2	-390.27
Bill Pmt - Check	12/27/2012	10213	Wayne D. Rohner	reimburse for tolls	-9.80
Bill Pmt - Check	12/27/2012	10214	Met Ed	100059550028 Echo Lake	-50.44
Bill Pmt - Check	12/27/2012	10215	PSATS	inv 13-4507 2013 dues & fees	-2,810.00
Check	12/27/2012	10216	Verizon Wireless	6827252663 W. Rohner cell phone	-52.39
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Total 104-000 - General Fund - Wayne Bank					172,895.18

100.000 - Wayne Bank - Golf Course

Type	Date	Num	Name	Memo	Amount
General Journal	12/20/2012	stx		Nov Sales tax payment	-141.98
Bill Pmt - Check	12/27/2012	2142	BWP-Carquest Auto Parts	inv 8348-27582 oil filters	-32.97
Bill Pmt - Check	12/27/2012	2143	Claude S. Cyphers, Inc.	inv 606628 parts	-41.23
Bill Pmt - Check	12/27/2012	2144	Cramers Home Building Centers	inv 828507 misc parts	-27.26
Bill Pmt - Check	12/27/2012	2145	Debbie Manter	inv 1031 cleaning	-300.00
Bill Pmt - Check	12/27/2012	2146	Heller Gas Inc	inv 75717 propane 781.2 gl	-1,093.37
Bill Pmt - Check	12/27/2012	2147	Met-Ed	100081784231 big ridge dr	-178.33
Bill Pmt - Check	12/27/2012	2148	Smith Motor Co, Inc.	inv 217457 ford 250 tail gate	-100.84
Bill Pmt - Check	12/27/2012	2149	Verizon	570223814063192Y alarm	-90.81
Bill Pmt - Check	12/27/2012	2150	Waste Management	inv 2697332-0821-0 maint bldg	-98.58
Bill Pmt - Check	12/27/2012	2151	Friedman Electric	inv S014688091.001 flourescent lamps	-122.91
Bill Pmt - Check	12/27/2012	2152	Met-Ed	100081748855 pump house tom x rd	-219.50
Bill Pmt - Check	12/27/2012	2153	Verizon	570223809936550Y clubhouse	-274.26
Bill Pmt - Check	12/27/2012	2154	Waste Management	inv 2697331-0821-2 clubhouse	-251.12
Bill Pmt - Check	12/27/2012	2155	Verizon	570223737828754Y fire seasonal payroll pd by General fund 9/24-	-119.52
Check	12/27/2012	2156	Middle Smithfield Township - General Fund	12/21	-9,712.19
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Total 100.000 - Wayne Bank - Golf Course					12,804.87

