



MIDDLE SMITHFIELD TOWNSHIP  
BOARD OF SUPERVISORS MINUTES  
JULY 13, 2017

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, July 13, 2017 at 7pm at the Schoonover Municipal Building with Annette Atkinson presiding.

Supervisors present, Annette Atkinson, Mike Dwyer and Mark Oney. Also in attendance, Township Solicitor Michael Gaul, Esq., Township Engineer Fred Courtright, P.E., Township Secretary Michele Clewell, Zoning Administrator Judy Acosta, Economic Development Manager Patrice Dume, Project Coordinators Holly Freese & Dana Francis, Elected Auditors Joyce Fenical & Regina Ireland-Auer, Andrew Wolfe, Esq., members of the public and one member of the press.

**Pledge of Allegiance**

**Approval of Minutes**

Annette Atkinson made a motion to approve the June 8, 2017 minutes. Mark Oney seconded the motion. Motion passed 3-0.

**Report of Executive Session(s)**

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

**Correspondence**

None

**Treasurer's Report**

Mike Dwyer stated that the treasurer's report will be thoroughly discussed during the mid-year report presentation.

Mike Dwyer made a motion to approve the general fund payables in the amount of \$143,848.43. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$74,468.50. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course fund payables in the amount of \$5,512.01. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the liquid fuels fund payables in the amount of \$106,367.73. Mark Oney seconded the motion. Regina Ireland –Auer asked what this payment is for. Mike Dwyer stated that the liquid fuels account is money received from the state and is

used for road paving, maintenance and vehicles within the public works department. Motion passed 3-0.

### **Solicitors Report**

Attorney Gaul reported that the Pennsylvania Supreme Court had denied Rollins' Petition for Allowance of Appeal. As a result, the decision of the Zoning Hearing Board in favor of the Township has been upheld. Rollins has exhausted her appeals.

### **Engineers Report**

MS4 Permit: Fred Courtright stated that the MS4 is a municipal separate sewer system under the Clean Water Act. The township is now required to report to PA DEP on MS4 matters due to the growth in population near the Sambo Water Shed. With the great effort of the township staff, the area was photographed and mapped, thanks to the Monroe County GIS department. The township is working on a pollution discharge reduction plan. This will be one of several public meetings that are required in order to provide a comment period prior to adoption and submittal the PA DEP in September.

An MS4 NPDES permit is needed in order to meet federal stormwater requirements administered under PA DEP. The goal is to reduce sediment and nutrient loading in order to make water cleaner.

Mike Dwyer stated that this is a unfunded federal and state mandate, which will result in the township incurring approximately \$40,000 in costs.

Mike Dwyer made a motion authorizing the Township engineer to advertise the Township's proposed Pollution Reduction Plan. Mark Oney seconded the motion. Motion passed 3-0.

HaRa Minor Subdivision Plan; Attorney Gaul stated that a revised plan has been submitted and has been reviewed by him and the Township Engineer. Attorney Gaul stated that he would recommend the supervisors condonably approve the plan.

Mark Oney made a motion to conditionally approve the HaRa Minor Submission plan with the following conditions being met prior to recording of the plan.

- a. Compliance with the Solicitor written comments of July 13, 2017,
- b. Execution and submission of the required Improvements Agreement,
- c. Payment of all professional fees

Annette Atkinson seconded the motion. Motion passed 3-0.

### **Old Business**

None

### **New Business**

Authorize entering into an agreement of sale with J. Bruce Bennett; for purchase of 5.076 acre parcel of vacant land from the 35.239 acres of land on Dancing Ridge Road, Wooddale; Mike Dwyer made a motion authorizing the township to enter into a sales agreement in the amount of \$77,000 for the purchase of 5.076 acres of vacant land on Dancing Ridge Road, Wooddale area. Mark Oney seconded the motion. Motion passed 3-0.

Authorize the advertising of bids for a 40'x70' Utility Storage Building at the property on Dancing Ridge Road, Wooddale; Mike Dwyer made a motion authorizing the township secretary to advertise bids for a 40'x70' utility storage building at the property on Dancing Ridge Road, Wooddale. Mark Oney seconded the motion. Motion passed 3-0.

Authorize and direct the Solicitor to advertise a public hearing on a Short Term Rental(s); Mark Oney made a motion authorizing the township solicitor to advertise a public hearing on the short term rental ordinances. Annette Atkinson seconded the motion.

Attorney Gaul stated that both ordinances should be held at the same public hearing.

Mark Oney revised his previous motion to hold a public hearing on September 14, 2017 at 7pm for two ordinances:

Amending Part II, "General Legislation", Chapter 200 "Zoning", of The Code of Ordinances of The Township of Middle Smithfield; Adding To Article IV, Division 44, A Section 044-090 Providing Supplementary Regulations For Short-Term Rental of Dwelling Units; Adding a Definition For "Short-Term Rental"; and Providing for Other Miscellaneous Matters, and

Amending the Code of Ordinances of the Township of Middle Smithfield, As Heretofore Amended; Adding a Chapter 150, Entitled "Short Term Rentals"; Regulating Short-Term Rentals of Residential Dwellings; Providing Penalties for Violation Thereof; and Providing for Other Miscellaneous Matters

Annette Atkinson seconded the motion to advertise both ordinances for September 14, 2017 at 7pm. Motion passed 3-0.

Resolution 07-2017-1 a Resolution authorizing the submission of a Pennsylvania Department of Transportation Multimodal Transportation Fund Grant request, designating a township official to execute all documents and agreements in the connection with the requested grant and assist in obtaining the requested grant, and providing for miscellaneous matters; Mike Dwyer made a motion to adopt Resolution 07-2017-1 authorizing the submittal of the PA Department of Transportation Multimodal Transportation Fund Grant. Mark Oney seconded the motion. Mike Dwyer amended his previous motion to add that the Township also agrees to make a local match in the amount of \$1,167,570.00 if awarded the grant. Mark Oney seconded the motion. Motion passed 3-0.

Golf Course Committee Accept letter of resignation from Don Henry from the Golf Course Committee; Annette Atkinson made a motion to accept the letter of resignation from Don Henry from the Golf Course Committee as he no longer lives here. Mike Dwyer seconded the motion. Motion passed 3-0.

Authorize and enter into a professional services contract for township property evaluation with CBRE, Inc; Annette Atkinson made a motion to enter into a professional services contract in the amount of \$26,000.00 for township property evaluation with CBRE, Inc. Mike Dwyer seconded the motion. Regina Ireland-Auer asked what does this motion mean. Mr. Dwyer stated it is to evaluate a piece of township property the township owns. Motion passed 3-0.

**Mid-Year Presentation**

**Mid-Year Report Presentation**

*(A complete copy of the mid-year report is attached to the minutes and will be available on the township website)*

Annette Atkinson stated that every year the supervisors give several reports; the December presentation of the Budget to the Public gives a look back report and the report in January is a preview of the year ahead and then the mid-year report assesses where we are with our goals mid-year, and solicits feed-back from the public. This year the township staff was asked to give their department reports.

The synopsis of the mid-year report reviews the accomplishments and plans of the Township's general government, administration, communications, budget & finance, parks, public works, sewer, zoning, economic development, historical and special events.

**Public Comment**

Regina Ireland-Auer thanked the township staff and supervisors for providing all the information for the mid-year review presentation.

**Adjournment**

There being no further business, Mike Dwyer made a motion to adjourn the meeting at 8:32pm. Mark Oney seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
July 13, 2017

General fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Credit</u>
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15331	AFLAC	insurance a/c y2051	384.26
15332	American United Life Insurance Company	void	0.00
15333	Benjamin Vibert.	refund of driveway escrow	500.00
15334	Bradco Supply Co	invs 153413 / 153423 / 153841	6,323.00
15335	Brodhead Watershed Association	adopt a stream stewardship	500.00
15336	Commonwealth of Pennsylvania	WH # 14510 renewal permit	100.00
15337	Cramer's Home Center	a/c 2238920 supplies	181.70
15338	David Manter	inv 1309 permits	707.00
15339	DeAngelo Brothers Incorporated	inv 1305113 line painting	11,808.93
15340	Donna G. Kenderdine, RPR	inv 125-17 Venture Options	468.00
15341	Dunkelbergers Sports Outfitter	inv 53570	150.00
15342	Edwin Rodriguez.	return of security deposit for Echo Lake	50.00
15343	FedEx	inv 584042004	32.47
15344	Five Star Equipment	invs p38419 / p39011 parts	585.59
15345	Francis C. Disalvo	inv 06221736837 C-clamp	95.95
15346	Gilmore & Associates, Inc.	Engineering invs 164998 / 164999	3,251.25
15347	Good's Store, Inc	inv 14-111587 less credit - uniforms	17.54
15348	Gotta Go Potties, Inc	invs 76935 / 77210 May & June porta potties	1,400.00
15349	Highway Equipment & Supply Co.	inv d40791 parts	606.34
15350	HWA GROUP INC	inv 5036 repair pressure washers	277.30
15351	Jayna Velez.	return of security deposit for bldg rental	50.00
15352	Jennifer Millard	refund of security deposit Echo	50.00
15353	Kistler O'brien Fire Protection	invs 663452 / 663445 fire extinguisher inspenction	418.50
15354	M.S.T.S.D.	MS-0032 sewer	350.00
15355	Mailfinance	inv n6632585 postage machine	478.74
15356	Met Ed	100114051681 Bark Park	24.25
15357	Middle Smithfield Township 2012 GOB	2012 GOB General Fund portion installment inv 0375354-in Coolbaugh rd stockboxes & bike grates	11,153.13
15358	Monarch Precast Concrete Corp		2,170.00
15359	Monroe County Assessment	July sales list	16.00
15360	NAPA Auto Parts	inv 2717-852621 signal switch	94.49
15361	PA Municipal Health Insurance Cooperative	10207571-72 August health insurance	40,696.89
15362	PAPCO	inv 2188755 diesel	3,271.14
15363	Pennsylvania American Water	1024210033478776 hydrants	135.72
15364	Pocono Arts Council	FY2017 Pocono Arts	500.00
15365	Pocono Record	stmt 137598 public notices	492.16
15366	Praxair Dist Mid-Atlantic	inv 77881775 cylinder rent 4-086 / 4-739 / 4-740 /2-696 / 9-10-16 less sales tax	23.36
15367	Richards Tree Farm		695.38
15368	RICOH USA, Inc	invs 98967596 / 5049242318 copier	629.06
15369	Riley and Company	inv 41108 2016 audit	4,767.00
15370	Rotary Lift VSG	inv 595676 lifts for shop	23,294.30
15371	Roy's Steiner Sales & Service	inv 8588 belts	80.00
15372	Scot Lubricants, LLC	inv 1481 hydro fluid	310.00
15373	SFM Consulting LLC	U & O-001 /z-007 / bc-007	13,854.43

15374	Staples Advantage	inv 8045057074 office supplies	65.35
15375	Stengel Bros., Inc.	inv 388815 alignment	812.03
15376	Sun Litho Print	inv 40322 newsletter	5,831.00
15377	Super Heat, Inc	inv 1807-22743 a/c repairs	1,574.80
15378	T.M. Fitzgerald & Associates	172580620 recycle cans & lids	2,945.00
15379	Tamara Pollack.	return of security deposit for Ressica	50.00
15380	UTRS, Inc	inv 42160 copies	32.44
15381	Valuation Engineers, Inc	inv 07101 annual revaluation service	451.00
15382	Verizon	inv 9787739179 cellphones	268.62
15383	Waste Management	inv 317165502038 dumpsters	658.48
15384	Winter Equipment Co	inv iv33628 plowguard	129.80
15385	Met Ed	100124280825 Oak Grove light	36.03
			<u>143,848.43</u>

### Sewer fund

Num	Name	Memo	Amount
12313	ALLSTATE SEPTIC SYSTEMS, LLP		-1,611.25
12314	Andritz Separation	8480073731	-5,084.52
12315	AT&T	0195333847001	-43.13
12316	B. Newhart & Sons, Inc.	062117	-880.00
12317	COYNE CHEMICAL	267617	-2,820.00
12318	Diversified Technology Corp.	15154	-820.00
12319	GILMORE & ASSOCIATES, INC.		-5,191.00
12320	MET-ED	100044863148 - WL Island View	-31.49
12321	MST2012GOB	2015 MST 2012GOB	38,819.79
12322	PA DEPT OF ENVIRONMENTAL PROTECTION	1021542	-65.00
12323	PROSSER LABORATORIES, INC.		10,812.60
12324	PROTHONOTARY	July Sats	-7.00
12325	PA DEPT OF ENVIRONMENTAL PROTECTION	1021904	-100.00
12326	PROTHONOTARY	July Liens 2	-705.00
12327	WASTE MANAGEMENT	3173272-0203-0	-6,067.64
12328	PROTHONOTARY	July Liens 3	-352.50
12329	PROTHONOTARY	July Lien 4	-70.50
12330	VERIZON	570588028984296Y - PS#4 Maple Lane	-34.29
12331	VERIZON	570588074284385Y - PS#3 McCole & 209	-34.29
12332	VERIZON	570588075284434Y - PS#7 McCole & NP	-34.29
12333	VERIZON	570588113413383Y - PS#8 LOTP	-36.82
12334	VERIZON	570588113513455Y - PS#2 Fairway Villas	-34.29
12335	VERIZON	570588658114420Y - Mtn Pass	-32.72
12336	VERIZON	570588764629956Y - Main STP	-75.38
12337	PROTHONOTARY	July Liens 4	-705.00

-  
74,468.50

### Golf fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
60211	Advance Auto Parts	inv 6952717754273 /819568 parts	(87.28)
60212	Blue Ridge Communications	0109950-03 internet	(49.95)
60213	DRBC	annual surface water use for golf course irrigation	(418.00)
60214	Eastern Alarm Systems, Inc.	inv 011429 fire alarm repairs	(186.00)
60215	Ecolab	inv 5986238 supplies	(29.06)
60216	Genesis Turfgrass Inc.	inv 68293 fertilizer	(600.00)
60217	M.S.T.S.D.	BR-Amenity3 sewer	(525.00)
60218	Marshalls Creek Plumbing	inv 11992 parts for irrigation	(73.87)
60219	MST 2012 G.O.B.	monthly installment for 2012 GOB 2013 payments	(863.02)
60220	NAPA Auto Parts	inv 786435	(142.04)
60221	P&S Garage	invs 87152 / 87178 inspections	(62.04)
60222	Sibum's Auto Parts	inv 105353 parts	(50.00)
60223	SynaTek	inv 153510 avatar plx	(1,440.00)
60224	Turf Equipment & Supply Co.	inv 975959-00 parts	(125.58)
60225	W.F. Welliver & Son, Inc	inv 73641 trimmer parts	(132.51)
60226	Waste Management	inv 317165702034 maint bldg	(193.55)
60227	Waste Management	inv 317165602036 clubhouse	<u>(534.11)</u>
			(5,512.01)

### Liquid fuels

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2064	Asphalt Maintenance Solutions, LLC	inv 3155 tar & chip seal contract	-
			<u>106,367.73</u>
			-
			106,367.73