



MIDDLE SMITHFIELD TOWNSHIP  
BOARD OF SUPERVISORS MINUTES  
DECEMBER 4, 2017

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Monday, December 4, 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 L. Clewell, Stenographer Donna Kenderdine, Elected Auditors Regina Auer-Ireland, Joyce Fenical and one resident.

**Pledge of Allegiance**

**Approval of Minutes**

Annette Atkinson made a motion to approve the November 16, 2017 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

**Report of Executive Session(s)**

Attorney Gaul stated that there were no executive sessions held.

**Announcements**

Person of the Year; Congratulations to Jan Korb for being named Person of the Year for his work at the Loaves and Fishes Food Pantry. Person of the Year Finalist Diane Jiorle for her work with Angel's Closet and Thomas Gansel for his work with The Reformed Church of Bushkill Community Dinners & Bushkill Outreach were also honored at the yearly event.

Tree Lighting; the 11<sup>th</sup> Annual Tree Lighting was held on November 25<sup>th</sup> with over 700 in attendance. Joyce Fenical stated that she loved the fireworks. Mike Dwyer thanked all the volunteers that helped with the event.

**Correspondence**

None

**Public Hearings**

*Donna Kenderdine took a stenographic record of the two public hearings.*

Annette Atkinson made a motion to open the public hearing at 7:08pm for An Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Amending Part II, "General Legislation", Chapter 170 "Subdivision And Land Development", Of The Code Of Ordinances Of The Township Of Middle Smithfield; Constituting A Comprehensive Revision Of The Existing Chapter 170 "Subdivision And Land Development"; And Providing For Other Miscellaneous Matters. Mark Oney seconded the motion. Motion passed 3-0.

Annette Atkinson thanked Mark Oney for shepherding the ordinance with the MST Planning commission as they basically wrote the ordinance.

Attorney Gaul introduced the Township Exhibits into the record.

Attorney Gaul stated that there are no recommendations from the MST Planning Commission as they decided to table consideration of the ordinance at their last meeting and will not be able to address it until after tonight's meeting. Most of the changes in the proposed ordinance came from the MST Planning commission in the last year. Attorney Gaul had no further comments on the documents.

Annette Atkinson stated that this is long overdue. The Township did work with an outside consultant from URDC and have worked with him in the past.

No public comment was received.

Mark Oney made a motion to close the public hearing at 7:16pm. Annette Atkinson seconded the motion. Motion passed 3-0.

**Consideration of Proposed Ordinance;** Mark Oney made a motion to Adopt Ordinance 217 of Middle Smithfield, Monroe County, Pennsylvania, Amending Part II, "General Legislation", Chapter 170 "Subdivision and Land Development". Annette Atkinson seconded the motion. Motion passed 3-0.

Mark Oney made a motion to open the public hearing at 7:17pm for An Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Setting Forth An Amendment To The Code Of The Township Of Middle Smithfield By Amending In Its Entirety Chapter 48, Entitled "Pensions", Of Part I, Administrative Legislation; Electing To Amend The Township's Municipal Pension Plan Administered By The Pennsylvania Municipal Retirement System Pursuant To Article IV Of The Pennsylvania Municipal Retirement Law; Agreeing To Be Bound By All Provisions Of The Pennsylvania Municipal Retirement Law As Amended And As Applicable To Member Municipalities; And Providing For Other Miscellaneous Matters. Annette Atkinson seconded the motion. Motion passed 3-0.

Attorney Gaul introduced the township exhibits into the record.

Attorney Gaul stated that the changes to the Pennsylvania Municipal Retirement System ("PMRS") plan are as follows:

- a. Someone who is an employee of the township can elect to receive benefits without terminating their employment.

Mike Lipkind asked for an explanation for the changes and what it means to the township. Attorney Gaul explained that currently if an eligible employee wanted to retire and continue to work for the township, they would not be permitted to do so

under the current contract with "PMRS" as employment would have to be terminated in order for an employee to receive their pension.

- b. Any re-employed retiree can work and not be enrolled in the pension plan.

Mr. Lipkind asked for clarification. Attorney Gaul stated that currently, if an employee retires and received their "PMRS" pension, they are unable to be re-employed.

Attorney Gaul also stated that once an employee received his/her pension under the proposed ordinance and is either re-hired or continues to be employed by the township; the township and the retired employee do not contribute any monies into the pension fund due to the fact that they are collecting on said pinion.

Mark Oney made a motion to close the public hearing at 7:30pm. Mike Dwyer seconded the motion. Motion passed 3-0.

**Consideration of Proposed Ordinance;** Mark Oney made a motion to adopt Ordinance 218 of the Township Of Middle Smithfield By Amending In Its Entirety Chapter 48, Entitled "Pensions", Of Part I, Administrative Legislation. Mike Dwyer seconded the motion. Motion passed 3-0.

#### **Treasurer's Report**

Proposed 2018 Budget Presentation and Annual Report; Mike Dwyer reviewed the proposed 2018 budget. The proposed 2018 budget was presented and then copies were provided to the public in attendance. The Board announced that the proposed budget could also be reviewed on the township website for the 20 day review period. The proposed adoption of the 2018 budget is tentatively scheduled for Thursday, December 28, 2017.

Mike Dwyer made a motion to accept the proposed 2018 budget. Mark Oney seconded the motion. Motion passed 3-0.

Authorize Advertising of the Proposed 2018 Budget; Mike Dwyer made a motion authorizing the secretary to advertise the 2018 proposed budget for adoption at the December 28, 2017 Board of Supervisors meeting. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the General Fund payables in the amount of \$152,204.44. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the Sewer Fund payables in the amount of \$535,466.35. 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 \$9,684.92. Mark Oney seconded the motion. Motion passed 3-0.

## **Solicitors Report**

No report

## **Engineers Report**

Frutchey Road Sewer Line; Bids Received & Consideration of Award; Fred Courtright, P.E. stated that the Frutchey Road Sewer Line and Pump Station were put out for bid. An alternate bid for just the sewer line and not the pump station was sent to the bidders. On November 16, 2017 at a regular Supervisors meeting, bids were received and opened with prices given for a base bid and alternate bid.

After review of all the bid documents received, Mr. Courtright stated that everything is in order. Mr. Courtright stated that the Board of Supervisors reason for adding the Alternate No. 1 to the bid is \_\_\_\_\_. He recommends that the Supervisors award the Frutchey Road Sewer Line Alternate No. 1 bid to Pioneer Construction for \$194,786 and send them the "Notice of Award".

Mike Dwyer made a motion to award the Frutchey Road Sewer Line Alternate Bid No. 1 to Pioneer Construction for \$194,786. Annette Atkinson seconded the motion.

Mr. Lipkind asked if Pioneer Construction is a local contractor. Fred Courtright stated that they are from Honesdale. There will also be no road closures during the project. The sewer line pipe size will be 4" force main running 1,300 feet long.

Motion passed 3-0.

## **Old Business**

None

## **New Business**

Authorize and Advertise the Board of Supervisors Organizational Meeting for Tuesday, January 2, 2018; Annette Atkinson made a motion authorizing the township secretary to advertise the Supervisors organizational meeting for Tuesday, January 2, 2018 at 7pm. Mike Dwyer seconded the motion. Motion passed. 3-0.

Middle Smithfield Township Building Lease Agreement with Bushkill Emergency Corps for 522 Sterling Court, East Stroudsburg PA; Annette Atkinson made a motion to approve the (1) year lease agreement for the township owned building to Bushkill Emergency Corps located at 522 Sterling Court, East Stroudsburg PA. Mark Oney seconded the motion. Motion passed 3-0.

Resolution 12-2017-1; Resolution Appointing Certified Public Accountants to Replace Elected Township Auditors for the Fiscal Year 2017; Annette Atkinson made a motion approving Resolution 12-2017-1 appointing a certified public account(s) to replace the elected township auditors to perform the fiscal year ending 2017 audit. Mike Dwyer seconded the motion. Motion passed 3-0.

Echo Lake Landing Land Development Plan Conditional Approval; Confirmation that the Approvals have lapsed; Annette Atkinson made a motion to confirm the township approvals have lapsed on the Echo Lake Landing Land Development Plan. Mark Oney seconded the motion. Attorney Gaul stated that a certified and first class letter be sent to the owner of record. Motion passed 3-0.

### **Public Comment**

Regina Auer-Ireland stated that she just wanted to say thank you to the Board of Supervisors, Township Secretary and staff for all the work they have done for the township.

Ms. Atkinson, Mr. Dwyer and Mr. Oney are always seeking ways to validate fair standards to the alternate responsibilities with regard to their supervisor/employee hats that they wear.

Year End Report 2017; a power point presentation was presented to the public. The complete will be made available on the township website.

Joyce Fenical asked if the township is still applying for pathway grants. Mike Dwyer said, yes the township will continue to do.

Mr. Lipkind asked if the township rents out the banquets hall for weddings and was told there are many weddings as well as charity fundraisers held at the banquet hall.

Mr. Lipkind stated that he wanted to share some marketing ideas for the Economic Development Committee. He suggested that the township consider advertising on social media \_\_\_\_\_. Annette Atkinson stated the township does advertise on social media as well as the township website and we have our very own MST app that allows the user to locate businesses. Mr. Lipkind thanked the supervisors for the information.

### **Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 9:09pm. Mike Dwyer seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
December 4, 2017

## General fund

Num	Name	Memo	Credit
wt	PACCAR Financial Corp	6692529 peterbilt plow truck	42,828.18
15802	209 Enterprises	invs 101-10208 / 101-10237 materials	2,639.09
15803	AFLAC	inv 360986 insurance a/c y2051	384.26
15804	Amazon	a/c 6045787810579207	518.99
15805	American United Life Insurance Company	policy G 0061299-0000-000 life insurance	1,725.73
15806	Bergey's, Inc	inv ph594001R parts	640.60
15807	Blue Ridge Communications TV-13	video for Person of the Year	31.75
15808	Blue Ridge Estate Vineyard & Winery	order # 20-800 person of the year	139.50
15809	Bradco Supply Co	invs 159005/255/262/264 signs	1,667.42
15810	cash.	gift cards & activation fees	580.00
15811	CEEL	inv o7161445 employment law	144.95
15812	Celebration Fireworks	inv 2601 fireworks for Tree Lighting	2,500.00
15813	CNH Capital	5043-9355-0140-9770	73.70
15814	E Stroudsburg Area North High School Band	donation for participating at Tree Lighing	100.00
15815	E.Stoudburg Area North High School Choir	donation for participating at Tree Lighing	100.00
15816	Eureka Stone Quarry	inv 224147 road materials	1,419.81
15817	Focus Community NP	inv 29137 tree lighting advertising	75.00
15818	Gary R. Smith	DJ for Person of the Year	325.00
15819	Hunter Keystone Peterbilt, LP	invs x10013382/13933/12628 parts	511.45
15820	JPC Fabrication	inv 1658 fabricated light box	320.00
15821	Keystone Concrete Products	inv 6843 salt bunkers for Wooddale bldg	13,156.00
15822	King, Spry, Herman, Freund & Paul LLC	legal fees invs 122968-122975	4,186.00
15823	Lehman Township	shared insurance fire & ambulance	19,532.54
15824	Leroy Lewis	contracted maintenance- dog park	200.00
15825	Lewis True Value	a/c 1120 supplies	256.11
15826	Matergia and Dunn	stmt 103 zoning hearing board	2,640.00
15827	Middle Smithfield Township 2012 GOB	2012 GOB General Fund portion installment	11,465.63
15828	Monroe County Treasurer	reminder & interim B notices	729.45
15829	Northeastern Pennsylvania Alliance	2018 membership	275.00
15830	PAPCO	invs 2292329/ 2292332 gas	4,424.40
15831	Patsy Garris	return of deposit for Echo Lake 9/24	50.00
15832	Penteledata	inv b3119446 email boxes	291.84
15833	Phillips Business Consulting	consulting fee	7,500.00
15834	Praxair Dist Mid-Atlantic	inv 80021075 cylilnder rental	22.86
15835	Raven Entertainment	Person of the year	225.00
15836	RICOH USA, Inc.	1309321-1021529A1	334.99
15837	SFM Consulting LLC	Zoning & building permits	8,268.19
15838	Staples Advantage	invs 8047435342/8047604309 office supplies	97.87
15839	Sun Litho Print	inv 40925 winter newsletter	7,420.00
15840	Super Heat, Inc	invs 1807-21066/21070/21064/25055/25315 repairs	7,939.89
15841	TK Videography & Photography	veterans dinner	318.00

15842	Tulpehocken Spring Water	inv 3025921 water	106.50
15843	Verizon Wireless	inv 9796523923 cell phones	270.60
15844	Warehouse Battery Outlet, Inc	inv 371704 batteries	564.35
15845	Warnick Welding & Fabrication	invs 1273/1274 welding	4,272.44
15846	Waste Management	inv 320688302035	845.24
15847	Met Ed	100069220836 River Rd light	23.27
15848	Met Ed	100073577916 Sellersville light	38.66
15849	Met Ed	100016915751 Municipal light	24.18
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			152,204.44

### Sewer fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Credit</u>
12521	GILMORE & ASSOCIATES, INC.	166681	130.00
12522	Graymont Capital Inc. KING SPRY HERMAN FREUND & FAUL	378887	6,010.40
12523		122970	914.50
12524	MST2012GOB	2015 MST 2012GOB	38,819.79
12525	W.G. MALDEN	12798	350.00
12526	VERIZON	570588028984296Y - PS#4 Maple Ln	34.97
12527	VERIZON	570588028984296Y - PS#3 McCole & 209	34.97
12528	VERIZON	570588075284434Y - PS#7 McCole & NP	34.97
12529	VERIZON	570223102484027Y - PS#6 Sellersville 570223102584198Y - PS#5 Rt 209	213.51
12530	VERIZON	Municipal	194.33
12531	VERIZON	570588113413383Y - PS#8 LOTP	34.97
12532	VERIZON	570588113513455Y - PS#2 Fairway Villas	34.97
12533	VERIZON	570588658114420Y - WL Mtn Pass	33.24
12534	VERIZON	570223737854Y - Rt 209	205.44
12535	VERIZON	570588764629956Y - Main STP	78.09
12536	Blooming Glen Contractors	Payment #2 - EQ Tank Project	482,599.17
12537	MET-ED	100018446334 - PS#3 McCole & 209	155.40
12538	MET-ED	100016867432 - PS#8 LOTP	205.14
12539	MET-ED	100083606630 - PS#9 Oak Grove	146.14
12540	MET-ED	100018448652 - Main STP	4,463.27
12541	MET-ED	100089058661 Rt 209	21.88
12542	MET-ED	100080913799 - Off Sleepy Hollow	157.92
12543	MET-ED	100044877809 - WL Clubhouse Dr	22.34
12544	MET-ED	100080916826 - PS#2 Fairway Villas	42.21
12545	MET-ED	100080920901 - Tree Tops	31.50
12546	MET-ED	100018353951 - PS#6 Sellersville	497.23
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			535,466.35

Golf fund

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
12/01/2017	60374	LT Verrastro Beverage	beer	(185.77)
12/04/2017	60369	Blue Ridge Communications	0109950-03 internet	(49.95)
12/04/2017	60370	Dawnell Exil.	return of security deposit for 11/25 event	(250.00)
12/04/2017	60371	Hellers Gas, Inc.	invs 1329670/9671 propane	(3,422.54)
12/04/2017	60372	Leon Clapper Plumbing.	inv 23954 required backflow test	(200.00)
12/04/2017	60373	MST 2012 G.O.B.	monthly installment for 2012 GOB	(863.02)
12/04/2017	60375	SynaTek	inv 164293 turf supplies	(1,357.12)
12/04/2017	60376	USGA	inv 43695790 membership	(110.00)
12/04/2017	60377	Waste Management	inv 320854002039 clubhouse	(554.03)
12/04/2017	60378	Waste Management	inv 320854102037 maint bldg	(198.25)
12/04/2017	60379	Kistler O'Brien Fire Protection Northeast Fire Services & Inspections, LL	inv 681743 inspections	(177.50)
12/04/2017	60380		annual sprinkler inspection	(1,200.00)
12/04/2017	60381	Wetglass! Window Cleaning	carpet cleaning	(750.00)
12/04/2017	60382	Kevin Dixon	reimburse for liquor & supplies	(546.74)
				<u>(9,864.92)</u>