

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, June 13, 2019 at 7pm at the Schoonover Municipal Building with Annette Atkinson presiding.

Board members present; Annette Atkinson and Mark Oney. Also in attendance, Township Solicitor Michael Gaul, Esq, Township Engineer Christopher McDermott, P.E., Township Special Projects Engineer Ben Kutz, P.E., Township Secretary Michele Clewell, Deanna Schmoyer, P.E., of D&D Engineers and Construction for the MST Community Center Land Development plan and Sal Caiazza, P.E. of Hanover Engineering & Anthony Maula for the Mt. Nebo Apartments Land Development plan.

Pledge of Allegiance

Approval of Minutes

Annette Atkinson made a motion to approve the May 23, 2019 minutes. Mark Oney seconded the motion. Motion passed 2-0.

Report of Executive Session

Attorney Gaul reported that an executive session was held prior to the meeting to discuss legal matters with the Township Solicitor.

Correspondence

None

Committee and Department Reports

The committee and department reports are available on the township website.

Annette Atkinson announced that Patrice Dume, MST Economic Development Manager has been nominated and selected to sit on the Greater Pocono Chamber of Commerce., "The Voice of business since 1910".

Also, Ms. Dume has been selected to take the Monroe County seat on the Northeastern Pennsylvania Alliance, Business Finance Board. The NEPA Business Finance Center, through its pool of federal, state and local funds, provides low-interest loans to qualified small businesses. The objective is to provide financing to help small business create/retain jobs; attract additional investment from banks and other sources of private and public funding. . The NEPA Alliance is a regional community and economic development agency, and serves the seven counties of Northeastern Pennsylvania including Carbon, Lackawanna, Luzerne, Monroe, Pike, Schuylkill and Wayne. NEPA Alliance services include Business Financing, Government Contracting Assistance, International Trade Assistance, Non Profit Assistance, Transportation Planning, Research and Information, and Local Government Services.

Treasurer's Report

Annette Atkinson made a motion to approve the general fund payables in the amount of \$202,418.35. Mark Oney seconded the motion. Motion passed 2-0.

Annette Atkinson made a motion to approve the sewer fund payables in the amount of \$109,298.96. Mark Oney seconded the motion. Motion passed 2-0.

Annette Atkinson made a motion to approve the golf course payables in the amount of \$18,465.77. Mark Oney seconded the motion. Motion passed 2-0.

Annette Atkinson made a motion to approve the cable franchise payables in the amount of \$53,214.78. Motion passed 2-0.

Engineers Report

Mt. Nebo Apartments Preliminary/Final Land Development Plan; Sal Caiazza stated that they are seeking conditional approval of the plan and would like to go through the conditions and discuss the sewage planning module and when sewage permitting will take place.

Mr. Caiazza stated that the number of shade trees proposed (96) has been reduced to (60) and is asking for a Request of Modification of Regulations under Section 170-79-B of the MST SALDO. Annette Atkinson made a motion to approve the waiver request as residential requirement is meant for single family residence.

Attorney Gaul discussed the connecting property owner's access through the apartment complex and if the developer has communicated with them yet. Attorney Gaul stated that there is a 50' ROW for LaPorta's access but there is parking in the ROW and recommended that Mr. Maula's letter say that this will not affect their access to their property. Mr. Maula stated that he has written a letter but has not mailed it yet. The letter does grant the property owner; Laporta, uninterrupted access to Mt. Nebo Road. Sal Caiazza stated that they will send Laporta a certified letter and maintain the access to his property during and after construction.

Chris McDermott reviewed the recommended conditions of approval as outlined in his review letter of June 12, 2019.

There was discussion regarding the waiver of open space and recreation fees in lieu of and Attorney Gaul stated there will be a Covent on the property causing the land to be common open space on a separate document in order to record it and or on the plan. Mr. Caiazza stated the language is on the plan and he will add the verbiage to the cover sheet as well.

Sal Caiazza stated that the shade trees provide on the plan grows to over 30' tall and the tree must remain short due to close proximity to proposed buildings, therefore a Request of Modifications from Regulations is sought. Mr. Caiazza stated that native underwire trees of Eastern Redbud, Downy Serviceberry and Flowing Dogwood will be used as alternative species. Mark Oney made a motion to grant the waiver request to use the native underwire trees as described. Annette Atkinson seconded the motion. Motion passed 2-0.

There was lengthy discussion regarding the Sewage Planning Module. Sal Caiazzo requested that the township do the design and permitting and they would talk about cost sharing. Ben Kutz stated that that planning is general enough the township will design the pump station but the developer does the sewer planning. Attorney Gaul asked Mr. Kutz what the costs would be for reimbursement agreement and he said 5k-10k.

Attorney Gaul stated that the sewer planning should be done by the developer as it benefits them, whereas the water quality is in the Township name and being paid in part by a grant. Mr. Caiazzo stated that they are willing to do the planning.

Sal Caiazzo discussed the stormwater waiver request under the Stormwater Ordinance 160-13.B as rainfall depths from NOAA Atlas 14 is more specific to the area of development than those provided in the SWO Ch. 160. Mark Oney made a motion to grant the request for modifications from regulations. Annette Atkinson seconded the motion. Motion passed 2-0.

Annette Atkinson made a motion to conditionally approve the Preliminary/Final Land Development Plan for Mt. Nebo Apartment subject to the following conditions.

- a. Provide the Improvements Agreement & Security
- b. Provide Cost Estimate
- c. Provide the Stormwater Maintenance Agreement
- d. Approval from PA DEP of the Sewage Planning for the Sewage Improvements
- e. Sewage pump station must be under construction in order for the plan to be approved for signatures and recorded at Monroe County
- f. Contribution to the Stormwater Maintenance for inspections by Township
- g. Approval from MCCD for NPDES permit
- h. Obtain Driveway Permits
- i. Approval of the water distribution system by PA American Water
- j. Approval of the sewage collection system by Middle Smithfield Township Sewer Department
- k. Conservation area is satisfactory subject to a covenant pending approval of the Township.
- l. Insert Notes on the plan
- m. Provide the adjacent property owner an easement within the Deed upon review of the Township Solicitor
- n. Provide a letter to the home owner regarding easement and access to their property upon review of the Township Solicitor
- o. Satisfy the Township Engineers comments of June 12, 2019
- p. Increase from number 2 containers to 3' to 4' high minimum for the size of the material of the screening shrubs.
- q. All outstanding fees paid to the Township

Mark Oney seconded the motion. Motion passed 2-0. Anthony Maula asked for a list of the conditions and to come back to the Supervisors meeting on June 27, 2019 to review and further discuss Part II Permit for PA DEP.

MST Communi8ty Center building Preliminary/Final Land Development Plan; Deanna Schmoyer, P.E. stated that PennDOT has not provided feedback on the ROW comments and we are trying to meet with them. Annette Atkinson stated that the township will follow up with Rep. Rosemary Brown and Senator Mario Scavello. Ms. Schmoyer also stated that she is still waiting on the MCCD NPDES comment letter as well.

Ms. Schmoyer provided a Request for a Modification of Regulations under SALDO Section 170-73.1(B) (1). PennDOT does not require TIA or TIS per the proposed traffic and all conditions of design will be met as part of the PennDOT therefore this Township requirement is not needed. Mark Oney made a motion to approve the requested waiver from SALDO Section 170-73.1(B) (1). Annette Atkinson seconded the motion. Motion passed 2-0.

Ben Kutz stated that he reviewed the plan based on final plan not preliminary, because outside agency is not a substantial risk.

Mark Oney made a motion to approve the MST Communi8ty Center building Preliminary/Final Land Development Plan subject to addressing the Township Solicitors and Engineers comments, receipt of outside agency approvals, receipt of the NPDES Permit and PennDOT Highway Occupancy Permit. Annette Atkinson seconded the motion. Motion passed 2-0.

Mark Oney made a motion to waive all township fees. Annette Atkinson seconded the motion. Motion passed 2-0.

Old Business

None

Community Building

Approve the Execution and Recording of New Echo Lake Deed; Annette Atkinson made a motion to approve. Mark Oney seconded the motion. Motion passed 2-0.

Authorize the Chairman to Execute the GENERAL, HVAC, PLUMBING, ELECTRICAL AND SITE Construction Contract and Issue Notice to Proceed; Mark Oney made a motion to approve subject to the contractors providing assigned original agreements, Performance and Payment Bonds, Insurance, E-Verification, Waiver of Liens and Sexual Harassment Clause. Annette Atkinson seconded the motion. Motion passed 2-0.

New Business

Resolution 06-2019-1; Gortych-Barnes Joinder Deed; Mark Oney made a motion to approve Resolution 06-2019-1. Annette Atkinson seconded the motion. Motion passed 2-0.

Resolution 06-2019-2; 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 Connection With The Requested Grant And Assist In Obtain The Requested Grant, And Providing For Miscellaneous Matters; Mark Oney made a motion to approve Resolution 06-2019-2. Annette Atkinson seconded the motion. Motion passed 2-0.

Fee Waiver Request for Bushkill Emergency Corps to use the Whispering Pines Banquet Hall on June 30, 2019; Annette Atkinson made a motion to approve the fee waiver request. Mark Oney seconded the motion. Motion passed 2-0.

Building & Zoning Application Fee Waiver Request to Expand the Shower Facilities by Resica Falls Scout Reservation for the Cradle of Liberty Boy Scouts of America in the amounts of \$2,489.94 for building and \$274.00 for zoning; Mark Oney made a motion to approve the fees for building and zoning fees be waived. Annette Atkinson seconded the motion. Motion passed 2-0.

Accept the Resignation Letter of Jenna Componovo from the Parks & Recreation Committee; Mark Oney made a motion to accept Jenna Componovo letter of resignation from the Parks & Recreation Committee due to moving out of the township. Annette Atkinson seconded the motion. Motion passed 2-0.

Middle Smithfield Township 147 Municipal Drive Roof Restoration Contract; Mark Oney made a motion to approve the contract in the amount of \$59,947.00 subject to providing a Performance Bond, Insurance and a revised addendum to the contract satisfactory to the Township Solicitor. Annette Atkinson seconded the motion. Motion passed 2-0.

Public Comment

None

Adjournment

Mark Oney made a motion to adjourn the meeting at 8:40 pm. Annette Atkinson seconded the motion. Motion passed 2-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
June 13, 2019

General fund

wt	Met Ed	100126688959 Dancing Ridge	27.47
17435	Alura Business Solutions LLC	inv 33355 new computers down payment	26,568.20

17436	Rick Simmers	graco 3500 line striping machine	2,800.00
625071.39	Met Ed	100059550028 Echo Lake	33.29
62507194	Met Ed	100069220836 River Rd light	20.50
62507244	Met Ed	100114051681 Bark park	20.31
62527884	Met Ed	100073577916 Sellersville light	33.96
		inv 101-12681,715,735,769,770,2825,26	
17437	209 Enterprises	materials	4,416.37
17438	AFLAC	inv 770798 Y2051	384.26
17439	Alura Business Solutions LLC	invs 33331,33371,33370 computer repairs	851.18
17440	Amazon	inv 895773994385	66.68
	American United Life Insurance		
17441	Company	policy G 0061299-0000-000 life insurance	1,883.07
17442	Autozone	invs 6787482059,483042,503182,503085 parts	191.96
		invs 179520,658,672,180081,82,73,258 signs &	
17443	Bradco Supply Co	parts	1,309.00
17444	Central Jersey Equipment	inv 117454 v-belt	56.18
17445	Clark Edrehi.	return of escrow deposit #190204	500.00
17446	Claude S. Cyphers, Inc	inv 683296 parts	29.50
17447	Cleveland Brothers	inpp3217938,37,3240069 parts	794.28
17448	CNH Capital	5043-9355-0140-9770	619.86
17449	Corporate Protective Services	invs 523, 532 armed guard	3,727.08
17450	Cramer's Home Center	2238920 inv 1742347,48,55,9666	703.79
17451	Dailey Resources, LTD	inv r133561 cylinder rental	11.00
17452	David Manter	inv 1447 permits	52.50
17453	DES-CPR, Inc	inv 60193 shredding for clean-up	800.00
17454	Donna G. Kenderdine, RPR	inv 166-19 community center	113.00
17455	Double M Productions	inv 31443 shirts	38.00
17456	East Stroudsburg Area School District	inv 1906-01 Ressica lease	3,000.00
	ESU Center for Research & Economic		
17457	Dev.	inv 1445 Strategic Doing Training	525.00
17458	Francis C. Disalvo	invs 05021958598 /05091958824/ 05161959069	789.92
17459	Frank J. Smith Jr., Inc	inv 19127 MS-4	1,427.50
17460	Future Signs	inv 128 decals	240.00
17461	Gilmore & Associates, Inc.	invs 185779-782 engineering	15,966.92
17462	Gotta Go Potties, Inc	invs 88410,411,558,559,560	520.00
17463	H.A.R.I.E	307441611-17 wc 17-18 audit premium	3,117.00
17464	Jaqueline Brown	event cancelled	100.00
17465	Jeffrey Updegraff.	return of deposit	50.00
17466	Joselyn Serraty.	return of deposit	50.00
17467	King, Spry, Herman, Freund & Paul LLC	invs 137665-674 legal fees	14,242.06
17468	Lawson Products, Inc.	invs 9306710757,68613,772200 parts	646.04
17469	Leroy Lewis	contracted maintenance- dog park	200.00
17470	Lewis ACE Hardware	a/c 1120 4/26-5/24	591.63
17471	Marshalls Creek Plumbing	invs 14275, 14344 parts	272.59
17472	Michael Dwyer.	PSATS Convention mileage reimbursement	161.13
17473	Middle Smithfield Township 2012 GOB	2012 GOB General Fund installment	13,226.04
17474	Miggys Five	4/16-5/10 supplies	734.74
17475	Monroe County Assessment	April & May sales list	32.00
17476	Oak Grove Multi-Municipal Compost	share of 2019 operating cost	6,962.50
17477	P&S Garage	inv 93144 inspection	38.50
17478	PAPCO	invs 2708356,2708354 gas	3,974.48
17479	Patrice Dume.	reimburse for mileage PEDA conference	152.49
17480	Penteledata	inv B3503399 email boxes	291.84
17481	PMRS	45-027-5N pension	24,759.04
17482	Pocono Photo Club	spring exhibit @ Whispering Pines	95.00
17483	Pocono Record	inv 197292 public notices	41.75
17484	Praxair Dist Mid-Atlantic	inv 89559247 cylinder rental	24.96
17485	Regina Farms	invs 8202,9395,9406,9423 supplies	306.60
17486	Reilly Associates.	invs 2,3 Mt Nebo & gateway sign	2,323.77
17487	RICOH USA, Inc	inv 5056787865 additional copies	367.83
17488	RICOH USA, Inc.	1309321-1021529A1	334.99
17489	Scantek	inv 18021 file scanning project	7,164.35
17490	Service Tire Truck	invs 311698-26 314849-26	520.80
17491	SFM Consulting LLC	U&O, BC, Z-006 codes & permits	17,449.33

17492	Sheeley Insurance	inv 735 Cyber liability	2,527.00
17493	Signal Service Inc.	inv 32162 preventitive maintenance repair	3,209.50
17494	Staples Advantage	invs 804420614,8054516992 office supplies	136.14
17495	Steffanie Bush	return of deposit	50.00
17496	Sun Litho Print	invs 42805, 42810 Newsletter	9,239.00
17497	UTRS, Inc	inv 85842 ticket 44045	16.75
17498	Verizon Wireless	inv 9830406712 cellphones	269.58
17499	Warehouse Battery Outlet, Inc	inv 423530 batteries	439.80
17500	Waste Management	invs 335772702031,335998102032 clean-up	18,414.80
17501	William Parr.	reimburse for boots	129.95
17502	Wolten Reyes.	return of escrow dp 190205	500.00
17503	Waste Management	inv 335788902039 dumpsters	733.59
			<u>202,418.35</u>

Sewer Fund

13400	ALLSTATE SEPTIC SYSTEMS, LLP	317659	682.50
13420	C&L Construction	167	3,500.00
13402	Cleveland Brothers	SERV7175922	1,856.78
13421	MST2012GOB	MST 2012GOB installment	9,755.21
13407	PENNDOT	7878666319060305	478.02
13408	PENNSYLVANIA AMERICAN WATER	1024-210031497597	15.42
13409	W.G. MALDEN	15045	175.00
13410	WASTE MANAGEMENT	3360053-0203-7	1,435.96
13411	Wexcon, Inc	Route 209 Water & Sewer Line Crossing	76,700.00
13406	GILMORE & ASSOCIATES, INC.	185775	317.06
13405	GILMORE & ASSOCIATES, INC.	185953	840.00
13403	GILMORE & ASSOCIATES, INC.	185952	7,369.92
13404	GILMORE & ASSOCIATES, INC.	185954	120.00
13419	VERIZON	450-733-757-0001-47 - PS#4 Maple Ln	35.64
13418	VERIZON	450-733-758-0001-20 - PS#3 McCole & 209	35.64
13417	VERIZON	250-733-759-0001-47 PS#7 McCole & NP	35.64
13416	VERIZON	250-733-760-0001-28 - PS#8 LOTP	35.64
13415	VERIZON	450-733-760-0001-83 PS#2 Fairway Villas	35.64
13414	VERIZON	450-733-769-0001-92 WL Mtn Pass	34.73
13413	VERIZON	350-733-772-0001-56 - Main STP	76.56
13412	VERIZON	250-395-204-0001-04 PS#10 BRD	38.60
13422	PROSSER LABORATORIES, INC.	05292019.32	5,725.00
			<u>109,298.96</u>

Golf fund

60933	Bridgestone Golf Inc	invoices less credit memos	(440.13)
60934	Banko Beverage	beer	(191.01)
62451821	Met-Ed	100081748855 pump house tomx rd	(182.15)
60935	Blue Ridge Communications	0109950-03 internet	(49.95)
60936	Central Jersey Equipment	inv 1120352 parts	(59.36)
60937	Cintas Corporation	inv 101676836 cleaning	(140.10)

60938	Connoisseur Media	inv in-1190553383 radio ads	(252.00)
60939	Cutter & Buck	order 27c-30851 merchandise	(556.08)
60940	Ecolab	inv 95717525 supplies	(120.87)
60941	Genesis Turfgrass Inc.	invs 86957,87113,87491	(3,149.75)
60942	Gotta Go Potties	inv 88578	(180.00)
60943	Kevin Dixon	reimburse for alcohol & supplies	(912.50)
60944	Kistler O'Brien Fire Protection	invs 100422, 100487	(1,078.65)
60945	KMB Plumbing	inv 22164 repair to a/c unit in bar area	(1,245.81)
60946	Marshalls Creek Plumbing	inv 14283	(19.21)
60947	MST 2012 G.O.B.	monthly installment for 2012 GOB	(863.02)
60948	Neversink Media Group LLC	inv 4888-2 radio ads	(240.00)
60949	Orkin Pest Control	inv 219118 pest control	(65.56)
60950	Otis Elevator	inv nps07144319 elevator contract	(3,585.00)
60951	PAPCO	invs 2709702,2710971,2710982 gas	(1,470.93)
60952	Pocono Mountains Vacation Bureau	inv 60528 19-20 membership	(1,100.00)
60953	R.J. Groner Inc	inv 1636-89536 a/c service call	(154.00)
60954	Shawne Christman.	return of deposit	(250.00)
60955	Steckel Publications, Inc.	inv 26983 ad	(375.00)
60956	Stephanie Dykstra-Davis.	return of deposit	(250.00)
60957	Super Heat, Inc	inv 1064-35335 a/c repairs	(225.00)
60958	Turf Equipment & Supply Co.	invs 1038703-00 / 1039558-00 parts	(262.67)
60959	Waste Management	inv 335925602039 clubhouse	(769.34)
60960	Waste Management	inv 335925702037 maint bldg	<u>(277.68)</u>
			(18,465.77)

Cable fund

1201	Marshalls Creek Fire Co	1st qtr Fire & EMS cable franchise fee	33,161.76
1202	Bushkill Fire Co.	1st qtr 2019 cable franchise fee	8,026.51
1203	Shawnee Fire Co	1st qtr 2019 cable franchise fee	8,026.51
1204	Bushkill Emergency Corps	1st qtr 2019 cable franchise fee	2,000.00
1205	Suburban E.M.S.	1st qtr 2019 cable franchise fee	<u>2,000.00</u>
			53,214.78