

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, May 26, 2016 at 7pm at the Schoonover Municipal Building with Annette Atkinson presiding.

Township Supervisors present: Annette Atkinson, Mike Dwyer and Mark Oney. Also in attendance: Township Solicitor Michael Gaul, Esq., Township Secretary Michele Clewell, Stenographer Donna Kenderdine, Dave Stileman of Blue Ridge Communications, one member of the public and one member of the press.

Pledge of Allegiance

Approval of Minutes

Annette Atkinson made a motion to approve the May 12, 2016 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Report of Executive Session

Attorney Gaul stated that an executive session was held prior to this meeting to review pending legal matters with the township solicitor.

Announcements

Staci Goetz and Pat Francis of the Lake of the Pines Board of Directors were presented with photo of Lake of the Pines community when it was known as Sunny Brook Farms in 1962.

Public Hearing on Renewal of Blue Ridge Cable Franchise and Authorizing Ordinance

Donna Kenderdine took a stenographic record of the hearing.

Annette Atkinson made a motion to open the public hearing at 7:08pm. Mike Dwyer seconded the motion. Motion passed 3-0.

Attorney Gaul introduced the township exhibits into the record.

Attorney Gaul explained the procedures and purpose of the public hearing.

The first topic of the public hearing was: Review of the Past Performance of Blue Ridge Communications, and identification of Future Cable-Related Community Needs of the Township

No one from the public had any comments.

The second topic of the public hearing was: Proposed Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Authorizing Renewal Of The Current Amended Cable Franchise Agreement Between The Township And Blue Ridge Communications For An Additional Eight (8) Year Term And Execution Of A Renewal Agreement With Blue Ridge Communication And Amending The Code Of The Township Of Middle Smithfield, Appendix,

Chapter A203, Cable Franchise Agreement, By Adding A Section A 203-2, Authorizing The Aforesaid Renewal.

Public Comment

Megan Catalino stated that although Blue Ridge Communications (“BRC”) has great customer service, she feels as though nothing gets resolved and prices are high. Mike Dwyer stated that he wishes more cable providers were within the township. Attorney Gaul stated that Blue Ridge does not have an exclusive franchise in the Township, and that other providers can ask for a franchise to operate in the Township as well. Dave Stileman, a manager at BRC, stated that they do not prevent another company from operating in the region but it is cost prohibitive for any other company as they are not permitted to share the equipment that BRC has already installed. Mike Dwyer asked if BRC sees their customer base diminishing. Mr. Stileman stated that the video service is down and the internet is going up.

Annette Atkinson made a motion to close the public hearing at 7:34pm. Mark Oney seconded the motion. Motion passed 3-0.

Consideration of Proposed Ordinance for Enactment

Annette Atkinson made a motion to adopt Ordinance No. 207 Authorizing Renewal Of The Current Amended Cable Franchise Agreement Between The Township And Blue Ridge Communications For An Additional Eight (8) Year Term And Execution Of A Renewal Agreement With Blue Ridge Communication And Amending The Code Of The Township Of Middle Smithfield, Appendix, Chapter A203, Cable Franchise Agreement, By Adding A Section A 203-2, Authorizing The Aforesaid Renewal. Mike Dwyer seconded the motion. Motion passed 3-0.

Correspondence

A thank you letter was received from Julianne Duick, Chairperson, Workshop Planning Committee Monroe County Master Gardeners for donating the use of the Whispering Pines Banquet Hall for a spring workshop.

A thank you letter was received thanking the zoning department for resolving a noise complaint that was brought to their attention.

Treasurers Report

Mike Dwyer reported that income is higher than budgeted and expenses are lower.

Mike Dwyer made a motion to approve the general fund payables in the amount of \$42,395.05. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$15,793.60. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve golf fund payables in the amount of \$13,098.62. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the fire escrow payable to Janna Hinds in the amount of \$16,434.39. Mark Oney seconded the motion. Motion passed 3-0.

Solicitors Report

PA Property Portfolio Inc. vs. MST – Attorney Gaul stated that an individual bought a township property at a tax sale and thought all the taxes would be divested by the sale, but the county and MST have asserted taxes (or sewer charges) for 2016. The buyer alleges the County and MST should have reported that to the sheriff's office prior to the property being sold at tax sale. Attorney Gaul stated that the property owner is only challenging \$213.00 in MST taxes /fees and advised that it does not make economic sense for MST to contest the matter. Mike Dwyer made a motion to not enter an appearance by the township solicitor on behalf of the township as it is not cost effective for him to appear. Annette Atkinson seconded the motion. Motion passed 3-0.

Claim Against Sudden Comfort Heating and Air Conditioning – Attorney Gaul stated that he has not received a response to his letter demanding repayment of equipment and the return of monies under the maintenance agreement. Attorney Gaul is asking for authority to file a legal action and make a referral to the District Attorney's office against Sudden Comfort Heating and Air Conditioning. Mike Dwyer made a motion authorizing and directing Attorney Gaul to file a legal action and to make a referral to the DA's office against Sudden Comfort Heating and Air Conditioning. Mark Oney seconded the motion. Motion passed 3-0.

Engineers Report

Adams Drive Street Plan Application – Mark Oney stated that a letter was received today from the Township Engineer, Fred Courtright, P.E. noting that the application was received and is complete. Mark Oney made a motion to accept the street plan application for review. Mike Dwyer seconded the motion. Motion passed 3-0.

HARA Minor Subdivision Plan – Annette Atkinson made a motion to table action on the plan. Mike Dwyer seconded the motion. Motion passed 3-0.

Old Business

None

New Business

Advantage Golf Advisors Appraisal Report Proposal for Country Club of the Poconos Municipal Golf Course – Annette Atkinson made a motion to accept and approve the proposal received from Advantage Golf Advisors to perform an appraisal on the municipal golf course at a cost of \$5,000.00. Mike Dwyer seconded the motion. Motion passed 3-0.

Advantage Golf Advisors Non-Disclosure Agreement – Annette Atkinson made a motion to approve the Non-Disclosure Agreement signed by all the parties involved. Mark Oney seconded the motion. Motion passed 3-0.

Approve the Franchise Renewal Agreement – Annette Atkinson made a motion for the Middle Smithfield Township Board of Supervisors to sign the agreement. Mike Dwyer seconded the motion. Motion passed 3-0.

Authorize the Township Secretary to Advertise and Accept the 2016 F.O.B. Bids - Mike Dwyer made the motion for Michele Clewell to advertise and accept the 2016 F.O.B. bids. Mark Oney seconded the motion. Motion passed 3-0.

Public Comment

None

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 8:02 pm. Mike Dwyer seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
 Township Secretary
 May 26, 2016

General fund

Num	Name	Memo	Credit
14004	Casaculinarian LLC	inv 5132016-1 food for art show	421.14
14005	Dave M. Beers	Balance for concrete slab	1,900.00
14006	209 Enterprises	inv 101-07826 stone for fuel pump project	137.84
14007	Ace Trucking & Repairs, Inc	inv 10745 inspections	40.00
14008	AFLAC	insurance a/c y2051	384.26
14009	Alex's Tire Center, Inc.	inv 24900 change tires	495.00
14010	American United Life Insurance Company	policy G 0061299-0000-000 life insurance	1,291.29
14011	Bergey's, Inc	invs ph531164r / 531468r parts	122.80
14012	Boucher & James, Inc	inv 77563 gateway project	266.25
14013	CDW Government	inv dbh4656 docking stations	349.56
14014	Chad Swisher.	reimburse for background check	41.75
14015	Dawn M. Arnst Tax Collector	tax collector supplies	129.86
14016	Double M Productions	inv 26097 shirts/uniforms	1,598.11
14017	Eastern Alarm Systems	invs 09873, 74, 75 alarms system	342.00
14018	George A. Koteen Associates	invs 20567-20573 rate change savings on electric	1,052.30
14019	Grainger, Inc.	inv 9108007882 trash bags	588.42
14020	Hanson Aggregates	invs 2923338 / 2924349 road materials	9,292.27
14021	Huffmans' Electric	rear office electrical work	594.19

14022	James J. Sattur Jr.	reimburse for background check	33.75
14023	Joe Les	reimburse for background check	41.75
14024	John C. Tronicke	reimburse for background check	41.75
14025	John Robson.	reimburse for background check	41.75
14026	Josie Porter Farm	inv 5248 food for art show	120.70
14027	Ken & Irene Livingston	refund of new yrs eve payment	100.00
14028	King, Spry, Herman, Freund & Paul LLC	legal fees inv 108963-108795	8,866.00
14029	Leroy Lewis	contracted maintenance- dog park	200.00
14030	Mailfinance	inv n5933814 postage machine	463.38
14031	Middle Smithfield Materials	invs 24786 / 24903 stump removal	225.00
14032	Neopost	7900 0444 6025 7144	2,003.34
14033	PCCA	inv 0209498-in zoning class	125.00
14034	Pennsylvania American Water	1024220008909318 dog park	323.32
14035	Penteledata	inv b2712986 internet	171.77
14036	Pete Begley	entertainment for art show	250.00
14037	Pocono Profoods	inv 784649 supplies	185.10
14038	Postage Pros Plus Inc	inv 12994a postage meter supplies	199.43
14039	PSATS CDL Program	invs 16-C6003 / 16-C6165 testing	120.00
14040	Ray Price Stroud Ford	inv 307240 parts	6.56
14041	RICOH USA, Inc	invs 96821979 / 96874577 copier	2,002.15
14042	Robert Rengifo	reimburse for milage for Masterdon Madness	11.20
14043	SFM Consulting LLC	inv z-010 zoning officer 5/9-5/20	1,722.50
14044	Sheeley Insurance	inv 2403 cyber liability policy renewal invs 8039206919/8039328487/8039333083/8039425204 office supplies	2,403.00
14045	Staples Advantage		1,003.77
14046	Telco	inv 25709 Sellersville push button repair	61.50
14047	Verizon	570223050340643y	295.83
14048	Waste Management	inv 307217402030	482.39
14049	Met Ed	100059550028 Echo Lake	28.35
14050	Met Ed	100073577916 Sellersville Light	31.58
14051	Met Ed	100069220836 River Road	17.63
14052	Met Ed	100016951467 Bldg A	876.16
14053	Met Ed	100016915751 Municipal signal	19.77
14054	Ryan Felmly.	reimburse for background check	41.75
14055	Sandra Sanchez	return of security deposit for park rental	50.00
14056	Blue Ridge Communications TV-13	dvd for Verterns Memorial & ribbon cutting Echo Lake	31.75
14057	Blue Ridge Communications TV-13	dvd Pocono Wildlife	31.75
14058	Joan Hemm-Woisin.	reimburse for milage 5/13-5/26	65.88
14059	Miggys Five	4/3-5/13 kitchen supplies	423.75
14060	Verizon Wireless	inv 9765630707 cell phomes	228.70
			<u>42,395.05</u>

Sewer fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Credit</u>
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11641	Eastern Alarm Systems, Inc.		228.00
11642	Kappe	16-4031-J4	1,883.11
11643	PENNSYLVANIA AMERICAN WATER	1024-210031497597	15.69
11644	PROTHONOTARY	June Liens - 10	705.00
11645	STRAND		1,917.60
11646	PROTHONOTARY	Juen Liens - 10	705.00
11647	PROTHONOTARY	June Liens - 5	352.50
11648	PROTHONOTARY	June Liens - 5	352.50
11649	PROTHONOTARY	June Liens - 2	141.00
11650	VERIZON	570223102484027Y - PS#6 Sellersville 570223102584198Y - PS#5	39.47
11651	VERIZON	Rt209/Municipal	74.87
11652	VERIZON	570223818989863Y Oak Grove	68.97
11653	MET-ED	100016914275 - PS #5 Rt 209 Municipal	342.91
11654	MET-ED	100018446334 PS#3 McCole & 209	72.19
11655	MET-ED	100016867432 - PS#8 LOTP	164.22
11656	MET-ED	100018442556 PS#7 McCOLE & NP	156.23
11657	MET-ED	100081035618 Lift Station	19.77
11658	MET-ED	100083606630 - Oak Grove	72.61
11659	MET-ED	100018448652 - Main STP	4,325.26
11660	MET-ED	100089058661 - Rt 209	15.61
11661	MET-ED	100016629691 PS#10	157.96
11662	MET-ED	100080913799 - Off Sleepy Hollow	165.82
11663	MET-ED	100044877809 WL Clubhouse Dr	23.20
11664	MET-ED	100080916826 - PS#2 Fairway Villas	34.41
11665	MET-ED	100080920901 Tree Tops	32.19
11666	MET-ED	100018353951 PS# 6 Sellersville	299.57
11667	COYNE CHEMICAL	240095	2,820.00
11668	VERIZON	570588028984296Y - PS#4 Maple Ln 570588074284385Y - PS#3 McCole & 209	35.20
11669	VERIZON		35.20
11670	VERIZON	570588075284434Y - PS#7 McCole & NP	35.20
11671	VERIZON	570588113413383Y - PS#8 LOTP	35.20
11672	VERIZON	570588658114420Y - WL Mtn Pass	33.62
11673	VERIZON	570588764629956Y - Main STP 570588113513455Y - PS #2 Fairway Villas	75.82
11674	VERIZON		35.20
11675	ALLSTATE SEPTIC SYSTEMS, LLP	266851	322.50
			<u>15,793.60</u>

Golf fund

Num	Name	Memo	Amount
3781	Common Wealth of Pennsylvania	liquor purchase	(319.08)
3782	Banko Beverage	beer	(172.09)
3783	Common Wealth of Pennsylvania	wine purchase	(368.00)

3784	LT Verrastro Beverage	beer	(479.41)
3785	Connoisseur Media	inv in-1160429837 radio ads	(756.00)
3786	Cutter & Buck	inv 0093385748 pro shop merchandise	(384.43)
3787	Eastern Alarm Systems, Inc.	invs 09821,22,23 alarm system	(342.00)
3788	George A. Koteen Associates, Inc	inv 20563,64,65,66 tax savings on electric	(366.19)
3789	Grass Roots Turf Products	inv 807945 greens maint supplies	(3,586.47)
3790	Huffman's Electric	installed receptacle for electric dryer	(226.00)
3791	Kistler Printing Co., Inc	inv 84468 rack cards	(95.00)
3792	Orkin Pest Control	inv 11854 pest control	(63.60)
3793	PA American Water	a/c 1024210033261244	(114.28)
3794	Prime 570 Catering	food for outing, boy scouts, & Maddy's Angels	(1,915.00)
3795	Superior Plus Energy Services	invs 897043,44,45 gas & deisel	(808.94)
3796	Verizon	570223814063192y	(51.70)
3797	Waste Management	inv 307217602035 maint bldg	(163.10)
3798	Waste Management	inv 307217602037 clubhouse	(128.34)
3799	Met-Ed	100081748855 pump house tomx rd	(479.42)
3800	Met-Ed	100104048101 pump house doral crt	(16.53)
3801	Met-Ed	100081748863 maint bldg	(218.90)
3802	Met-Ed	a/c 100081748848 clubhouse	(817.12)
3803	Met-Ed	100081784231 big ridge dr	(128.38)
3804	Met-Ed	100085171773 guard shack	(75.58)
3805	Common Wealth of Pennsylvania	beer & wine	(397.85)
3806	Verizon	570-223-7378-287-54y	(625.21)
			<hr/>
			(13,098.62)

Fire escrow

Num	Name	Memo	Credit
113	Janna Hinds	fire escrow release Tumble Ct.	16,434.39



Staci Goetz, President and Pat Francis of the Lake of the Pines Board of Directors were presented with a photo of Lake of the Pines Community when it was known as "Sunny Brook Farms" in 1962 by the Township Supervisors on May 26, 2016.