

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, June 23, 2016 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 Secretary Michele L. Clewell and four members of the public.

Pledge of Allegiance

Approval of Minutes

Mike Dwyer made a motion to approve the June 9, 2016 minutes. Mark Oney seconded the motion. Annette Atkinson abstained from voting as she was not present for the meeting. Motion passed 2-0.

Report of Executive Session(s)

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

Announcements

Pocono Wildlife Raffle; Tickets were sold to raffle off prizes for financial support of the Pocono Wildlife Rehabilitation and Education Center. Prizes consisted of a painting by local artist Stephen Washington and a Basic Power unit, which reduces your electric by 11%. Raffle tickets were sold during the Art Show held at the Whispering Pines Banquet Hall, \$40 Friday For the Wildlife and at the golf outing on June 17th. Attorney Gaul drew the winning tickets. Andrew Worthington won the painting and Liz Forest won the Basic Power Unit. The township will contact the winners.

Correspondence

A thank you letter was received from the Kettle Creek Environment Fund for the township’s donation.

Open Bids and Possible Award

Mike Dwyer opened and read aloud the two (2) F.O.B. bids for Superpave:

	<u>Item No. 1</u>	<u>Item No. 2</u>	<u>Item No. 3</u>	<u>Item No. 4</u>	<u>Item No. 5</u>	<u>Item No. 6</u>
	2,700 Tons Superpave 9.55 mm	500 Tons Superpave 25.0mm	2,000 Tons Superpave 19.00mm	500 Tons Superpave 9.5mm	500 Tons Superpave 19.0mm	200 Tons Superpave 25.0mm
Hanson Aggregates, Pennsylvania LLC	\$46.85 \$126,495.00	\$40.90 \$20,450.00	\$43.35 \$86,700.00	\$47.15 \$23,575.00	\$42.95 \$21,475.00	\$41.20 \$8,240.00
Blakeslee Asphalt Supply LLC	\$53.50	\$51.50	\$51.50	\$53.50	\$51.50	\$51.50

\$144,450.00 \$25,755.00 \$103,000.00 \$26,750.00 \$25,750.00 \$10,300.00

Mike Dwyer made a motion to accept the bids for attorney review and to consider award of the contract at the next regular meeting on Thursday, July 14, 2016 at 7pm. Mark Oney seconded the motion. Motion passed 3-0.

Treasurer's Report

Mike Dwyer stated that all accounts are in good shape. The sewer department is at budget. The golf receivables are higher, while expenses are at budget. The township mid-year report will be given during the regular supervisors meeting, July 14, 2016 at 7pm.

Mike Dwyer made a motion to approve the general fund payables in the amount of \$74,682.18. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$19,111.05. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf fund payables in the amount of \$92,109.35. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the liquid fuels fund payables in the amount of \$20,325.15. Mark Oney seconded the motion. Motion passed 3-0.

Solicitor's Report

Attorney Gaul stated that the Robertson zoning complaint was appealed to the Monroe County Court of Common Pleas and briefs were filed with the Commonwealth Court in the Rollins zoning case.

Engineer's Report

None

Old Business

None

New Business

Resolution No. 06-2016-1; 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 Connection With The Requested Grant And Assist In Obtaining The Required Grant, And Providing For Miscellaneous Matters – Annette Atkinson made a motion to adopt Resolution 06-2016-1. Mike Dwyer seconded the motion. Motion passed 3-0.

The MST Zoning Office Requests Approval to File a Civil Complaint against Mr. Kevin Wengrowski, PIN 09 7345 0310 4355 – Annette Atkinson made a motion to authorize the

zoning officer to file a civil complaint against Mr. Kevin W. Wengrowski, PIN 09734503104355. Mark Oney seconded the motion. Motion passed 3-0.

Eastburg Community Alliance; Request to Waive the Banner Fee – Annette Atkinson made a motion granting the request to waive the banner fees for the Eastburg Community Alliance for the East Stroudsburg Freedom Festival. Mark Oney seconded the motion. Motion passed 3-0.

Super Heat, Inc. – Proposal for HVAC Work – Mike Dwyer made a motion to approve the proposal received from Super Heat, Inc. in the amount of \$6,700.00 in order to replace the refrigerant lines in the municipal building. Mark Oney seconded the motion. Motion passed 3-0.

Public Comment

Ray White thanked Mike Dwyer and the Supervisors for the work done on Big Ridge Drive.

Pat Griffin thanked Mike Dwyer and the public works department for the road work that was just recently done on Upper Lakeview Drive. She also mentioned that the latest township newsletter was done very well.

Pat Griffin stated that there was a logging project done a property adjacent to her and stated that the logger did not follow the approved Monroe County Conservation District plan; when the Monroe County Conservation District (“MCCD”) personnel came out to inspect the work being done, they told her that everything was in order; however, she disagreed as the logger encroached the 20 foot setback from the property lines.

Ms. Griffin stated that the logger and property owner were not required to produce a survey prior to being issued a township zoning permit but she was required to have one to dispute the logging boundaries, however she was told it was not sufficient as it was on paper. She was required to have the surveyor come out to the property and verify the survey.

Ms. Griffin stated that the damage is done. The 20 foot setback is supposed to be from the property line and the logger was on the property line. She stated that if we have zoning, then we should enforce it. It should have been the responsibility of the logger to make sure they were not in the property setbacks.

Attorney Gaul stated that everyone that comes in for a zoning permit is not required to have a survey; to do so would fall on the zoning officer and the expense would be high for the property owner. He suggested that Ms. Griffin speak with the zoning officer regarding the logger going within the 20 foot setback and if not, and then speak to Michele Clewell. Ms. Griffin stated that she did speak to the zoning officer and was told that if she believed the logger was in the setback area then she needs a professional letter from the survey stating that the logger did not honor the setback lines. Attorney Gaul stated that is not the report that the supervisors received. They were told the logger did not go into the setback. Ms. Griffin stated her only purpose in attending the meeting tonight is to make sure the zoning ordinance is enforced by the zoning officer and not simply given lip service. Attorney Gaul stated that, over the last couple of years, Township zoning ordinance enforcement has been very strong. Ms. Griffin, as

the neighboring property owner, also has the right to dispute the issuance of a zoning permit by filing an appeal with the zoning hearing board.

Ray White stated that Mike Dwyer and Michele Clewell provided information to him regarding a bridge engineering company and found him to be very helpful. He also stated that the HOA plans to have the bridge that crosses over the Tom X Road inspected; as it was built in 2001.

Ray White asked what kind of new restaurant the new owner of the previous Four Season Diner will have there and Annette Atkinson stated that the new owner did not want any information released yet regarding what kind of restaurant he will establish.

Gene Halterman presented the Supervisors with a new American flag to fly on any township property. Mr. Halterman also organizes the wreaths across America. Mike Dwyer stated that the flag will be used at the Dog Parkk, as the Eagle Scout project is nearing completion.

Mike Dwyer announced that that the dilapidated school bus that was located along Route 209 near the Wendy's Restaurant has been moved to the back of the property, out of public view, by the property owner. A meeting will take place tomorrow regarding the mobile home removal. The property owner has agreed to remove the mobile home with if the township will issue the property owner a 5 year certificate of non-conformance. The township has agreed to street-scape the property bordering Milford road to shield where the bus and mobile home were and to put evergreens up to mask the house as well.

Pat Griffin asked for a timeline on when the pathways along Route 209 would be completed. Mike Dwyer estimated three years. Mr. Dwyer also stated that the hope is to roll the pathways work into the PennDOT paving project when they pave Route 209.

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 7:49 pm. Mark Oney seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
June 23, 2016

General Fund

Num	Name	Memo	Credit
14115	Ryan Felmly	p/r error	265.00
14116	The Young and the rest of Us	return of security deposit for Echo pavillion	50.00
14117	209 Enterprises	invs 101-07945 / 101-07974 materials	105.69
14118	AFLAC	insurance a/c y2051	384.26

14119	Allstate Septic Systems, LLP	inv 20021 porta potties	1,085.00
14120	Bergey's, Inc	inv ph536398R parts	139.91
14121	Boucher & James, Inc	inv 77762 gateway project	540.00
14122	CNH Capital	5043-9355-0140-9770	486.34
14123	DES-CPR, Inc	inv 55039 shredding during cleanup	800.00
14124	Donna G. Kenderdine, RPR	inv 175-16 calbe franchise fee	421.50
14125	Fastenal Company	invs pastr 83775 / 83811 parts	6.47
14126	Gilmore & Associates, Inc.	inv 153757 general services	747.50
14127	Highway Equipment & Supply Co.	inv d31418 parts	48.73
14128	Home Planet Media	mst-002 monthly fee	700.00
14129	King, Spry, Herman, Freund & Paul LLC	legal fees invs 109656-109668	8,051.47
14130	Kosch Company	inv 0032861-in supplies	168.99
14131	Lawson Products, Inc.	invs 9304136605 / 9304153718	769.17
14132	Leroy Lewis	contracted maintenance- dog park	200.00
14133	Ma Joanna E Manabat	return of security deposit for 6/19 event	50.00
14134	Mana Family Worship Center	return of security deposit for 6/19 event	50.00
14135	Michele L. Clewell	reimburse for computer software	69.99
14136	Montague Tool	inv 0017534-01 saw blade	61.86
14137	PA Municipal Health Insurance Cooperative	052801 health insurance	41,666.76
14138	Pennsylvania American Water	1024220008909318 bark park	374.59
14139	Penteledata	inv b2734496 internet	171.77
14140	Pocono Profoods	invs 770108 / 773653 supplies	241.40
14141	Praxair Dist Mid-Atlantic	inv 73435025	174.19
14142	Robert Rengifo	reimburse for mileage	31.32
14143	Service Tire Truck	inv s86716-26	56.50
14144	SFM Consulting LLC	z-012 zoning 6/6-6/15	1,462.50
14145	Spring Hill Laser Services Corp	inv 0616-252 newsletter invs 8039689753/8039710192/8039720977 office supplies	4,852.84
14146	Staples Advantage	inv 21516 diesel	596.21
14147	Stiff Oil Co.	inv 1807-16856 bldgs A & B hvac repairs	3,622.75
14148	Super Heat, Inc	inv 1807-16856 bldgs A & B hvac repairs	2,938.08
14149	Tulpehocken Spring Water	a/c 13876 water	66.07
14150	Verizon	570223050340643y	278.05
14151	Waste Management	inv 307392602032	1,305.36
14152	Weitzmann, Weitzmann & Huffman, LLC	inv 21959 planning commission	180.00
14153	Met Ed	100059550028 Echo Lake	28.79
14154	Met Ed	100069220836 River rd	18.11
14155	Met Ed	100016951467 bldg A	813.68
14156	Met Ed	100016915751 Municipal Light	21.73
14157	Met Ed	100073577916 Sellersville light	34.81
14158	Met Ed	100036091245 bldg B	544.79
			<u>74,682.18</u>

Sewer Fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
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11688	COYNE CHEMICAL	241570	-2,820.00
11689	GILMORE & ASSOCIATES, INC. Main Pool & Chemical Company	153764	-4,181.14
11690	Inc. PENNSYLVANIA AMERICAN	1654255	-841.00
11691	WATER	1024-210031497597	-15.69
11692	PROTHONOTARY	June Sats	-7.00
11693	STRAND		-2,968.80
11694	VERIZON	570223818989863Y Oak Grove	-38.52
11695	PROTHONOTARY	Lien Sat	-7.00
11696	PROTHONOTARY	Lien Sat	-7.00
11697	MET-ED	100044863148 - WL PS Island View	-22.74
11698	MET-ED	100016914275 PS#5 Rt 209/ Municipal	-315.00
11699	MET-ED	100018446334 - PS#3 McCole & 209	-56.64
11700	MET-ED	100018440378 - PS#4 Maple Ln	-409.18
11701	MET-ED	100016867432 - PS#8 LOTP	-149.21
11702	MET-ED	100018442556 - PS#7 McCole & NP	-146.19
11703	MET-ED	100081035618 - Lift Station	-19.48
11704	MET-ED	100083606630 - Oak Grove	-88.73
11705	MET-ED	100018448652 - Main STP	-4,611.29
11706	MET-ED	100089058661 Rt 209 100016629691 PS#10 Sleepy Hollow Fairway	-16.53
11707	MET-ED		-158.77
11708	MET-ED	100076523768 WL Mtn Pass	-687.38
11709	MET-ED	100080913799 Off Sleepy Hollow	-186.81
11710	MET-ED	100044877809 WL Clubhouse Dr	-29.00
11711	MET-ED	100080916826 PS#2 Fairway Villas	-46.57
11712	MET-ED	100080920901 Tree Tops	-31.10
11713	MET-ED	100018353951 PS#6 Sellersville	-318.56
11714	ALLSTATE SEPTIC SYSTEMS, LLP	269614	-643.75
11717	VERIZON	570588028984296Y - PS#4 Maple Ln	-35.20
11718	VERIZON	570588074284385Y - PS#3 McCole & 209	-36.12
11719	VERIZON	570588075284434Y - PS#7 McCole & NP	-35.20
11720	VERIZON	570588113413383Y - PS#8 LOTP	-35.20
11721	VERIZON	570588113513455Y - PS#2 Fairway Villas	-35.20
11722	VERIZON	570588658114420Y - WL Mtn Pass	-33.62
11723	VERIZON	570588764629956Y - Main STP	-77.43
			-
			19,111.05

Golf Fund

Num	Name	Memo	Amount
3830	Banko Beverage	beer	(26.70)
3831	LT Verrastro Beverage	beer	(164.58)
3832	Banko Beverage	beer	(129.74)

3833	Resort Beverage	beer	(147.66)
3834	Absolute Plumbing Heating A/C	inv 870 plumbing work	(210.00)
3835	Allstate Septic Systems, LLP	inv 269994 pumping	(171.00)
3836	Berkley Mid-Atlantic	a/c 10043096 insurance deposit	(10,571.00)
3837	Bridgestone Golf Inc	invs 1002518011 / 8012 balls	(1,228.50)
3838	Ecolab	invs 1669767 / 1679394 / 2013776	(432.97)
3839	Fisher & Son Co., Inc.	inv 162004-in greens maintenance supplies	(2,062.87)
3840	Kevin Dixon	reimburse for liquor	(648.47)
3841	Lawn & Golf Supply Co.	inv 7590 cable & motor	(649.07)
3842	Macmillan Oil Co. Allentown, Inc.	inv 228570 motor oil	(450.00)
3843	Michael Chang.	refund for extra bartender charge	(100.00)
3844	Miggy's Corp 5	a/c 15 food for pro shop 6-11-6/18	(139.14)
3845	Orkin Pest Control	inv 15512 pest control	(60.00)
3846	P&S Garage	inv 83453 inspection & repairs	(516.50)
3847	PA American Water	1024210033261244 clubhouse	(186.83)
3848	PAi Inc	inv 2572559 hats	(360.00)
3849	Superior Plus Energy Services	invs 897188 / 189 / 190 gas & deissel	(1,228.90)
3850	Turf Equipment & Supply Co.	inv 939634-00 rough mower parts	(303.45)
3851	Verizon	570223814063192y	(51.70)
3852	Met-Ed	100104048101 pump house doral crt	(16.78)
3853	Met-Ed	100081748855 pump house tomx rd	(525.67)
3854	Met-Ed	100081748863 maint bldg	(150.82)
3855	Met-Ed	100081784231 big ridge drive	(89.65)
3856	Met-Ed	100085171773 guard shack	(71.06)
3857	Met-Ed	100081748848 clubhouse	(1,166.29)
3858	Starla Jordan	return of Peterson deposit	<u>(250.00)</u>
			(22,109.35)

Liquid Fuels

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
2047	Francis Smith & Sons Inc	inv 161215 facility tank upgrade	13,061.00
2048	Hanson Aggregates Inc	inv 2937150 / 2938160 road materials	<u>-7,264.15</u>
			20,325.15