



MIDDLE SMITHFIELD TOWNSHIP  
BOARD OF SUPERVISORS MINUTES  
DECEMBER 22, 2016

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, December 22, 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 Engineer Fred Courtright, P.E., Township Secretary Michele Clewell, Stenographer Courtney Rogers of Panko Reporting, Frank Smith, Jr. P.L.S., and several members of the public.

**Pledge of Allegiance**

**Approval of Minutes**

Annette Atkinson made a motion to approve the December 1, 2016 minutes. Mark Oney seconded the motion. Motion passed 3-0.

**Report of Executive Session(s)**

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

**Announcements**

None

**Correspondence**

None

**Engineers Report**

Jozef D. Kubasek Sr. Minor Subdivision Plan; Frank Smith, Jr. P.L.S. of Frank Smith Surveying presented a revised plan due to addressing the Township Engineer's comments on behalf of his client. The minor subdivision is off of Route 402 on Newton Run. Lot #1 is 18.223 acres and Lot#2 is 2.451 acres.

Mr. Courtright stated that the Planning Commission has recommended approval and PA DEP has provided a letter of approval for the sewer planning module.

The recreation fee(s) in lieu of open space was discussed. Frank Smith stated that since they are subdividing one lot, the fee would be \$600.00.

#### Modification Requests sought

- a. Sheet Size Requirement of 11x17, 17x22 or 22x34. The applicant stated that the common sheet size for Monroe County is 24x36. In an effort not to waste paper, they request this common size be allowed. Mark Oney made a motion to approve the modification request. Mike Dwyer seconded the motion. Motion passed 3-0.
- b. Grid Location Numbers from Emergency Grid Map to be superimposed. The applicant stated that since the advent of the E-911 system, grid numbers are no longer used by the Monroe County Emergency Services. Mark Oney made a motion to approve the modification request. Mike Dwyer seconded the motion. Motion passed 3-0.

Mark Oney made a motion to approve the Jozef D. Kubasek Sr. Minor Subdivision Plan subject to the township receiving the recreation fee in the amount of \$600 in lieu of open space and that all professional fees be paid in full. Mike Dwyer seconded the motion. Motion passed 3-0.

#### **Public Hearing**

*Courtney Rogers took a stenographic record of the public hearing*

Annette Atkinson made a motion to open the public hearing at 7:26pm for An Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Amending The Township's Code Of Ordinances, Part I, "Administrative Legislation", Chapter 50, Entitled "Planning Commission"; Revising Section 50-2 "Membership; Terms Of Office", To Decrease The Membership Of The Planning Commission From Seven To Five Members And To Require The Appointment Of At Least One Alternate Planning Commission Member; Revising Section 50-3, "Qualifications; Compensation", To Require That The Township Planning Commission Be Comprised Of At Least Three Citizen Members And To Add Qualifications For Planning Commission Members; And Providing For Other Miscellaneous Matters. Mark Oney seconded the motion. Motion passed 3-0.

Attorney Gaul presented several Township Exhibits regarding the public notice of the hearing and consideration of the ordinance. Attorney Gaul asked that the exhibits be made part of the hearing record.

Attorney Gaul summarized the proposed ordinance.

Attorney Gaul asked for public comment on the proposed ordinance. Kevin Flynn asked if the members will be comprised of citizens or elected officials. Attorney Gaul stated that no more than two elected officials can be on the Planning Commission.

Annette Atkinson made a motion to close the public hearing at 7:40pm. Mark Oney seconded the motion. Motion passed 3-0.

#### **Consideration of Proposed Ordinance for Enactment**

Mark Oney made a motion to approve Ordinance No. 210; Amending The Township's Code Of Ordinances, Part I, "Administrative Legislation", Chapter 50, Entitled "Planning Commission"; Revising Section 50-2 "Membership; Terms Of Office", To Decrease The Membership Of The Planning Commission From Seven To Five Members And To Require The Appointment Of At Least One Alternate Planning Commission Member; Revising Section 50-3, "Qualifications; Compensation", To Require That The Township Planning Commission Be Comprised Of At Least Three Citizen Members And To Add Qualifications For Planning Commission Members; And Providing For Other Miscellaneous Matters. Annette Atkinson seconded the motion. Motion passed 3-0.

### **Treasurer's Report**

Mike Dwyer stated that budget work sessions were held monthly throughout the year and the required public notice of the availability of the proposed budget for inspection appeared in the newspaper. Mr. Dwyer stated that there will be no municipal tax increase for 2017.

Resolution 2016-12-1; Consideration to Adopt the Proposed 2017 Budget. Mike Dwyer made a motion to approve Resolution 2016-12-1 for the 2017 Budget and Fixing the Tax Rate for the Year 2017. Annette Atkinson seconded the motion. Motion passed 3-0.

Payables; Mike Dwyer made a motion to approve the general fund payables in the amount of \$283,573.68. Annette Atkinson seconded the motion. Mr. Flynn asked why the payables are high. Mr. Dwyer stated that the Township is loaning our compost Board \$163,000.00 and the money will be reimbursed upon receipt of the PA DEP Grant in 2017. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$32,196.41. Annette Atkinson seconded the motion. Mr. Flynn asked if the township has enough sewer capacity. Ms. Atkinson stated that we have plenty of capacity for any new development. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course payables in the amount of \$6,027.78. Mark Oney seconded the motion. Motion passed 3-0.

Mr. Dwyer stated that 2016 will end within or below budget. The general income was 17% higher, and expenses were 1.5% lower, than forecasted.

Mr. Flynn asked if the golf course is a money making operation and all the Supervisors said "no".

### **Solicitors Report**

None

### **Old Business**

None

## **New Business**

Resolution 2016-12-2: Appointing Certified Public Accountants to Replace Elected Township Auditors to Audit the Books and Records for the Fiscal year 2016. Mike Dwyer made a motion to approve Resolution 2016-12-2 appointing certified public accounts to replace the elected auditors to audit the books and records for the fiscal year ending 2016. Annette Atkinson seconded the motion. Motion passed 3-0.

Boy Scouts of America; Request the CCP Banquet Hall Rental Fee be Waived for their Annual Blue and Gold Cross-Over Ceremony for March 4, 2017. Annette Atkinson stated that since the banquet is not until March 4, 2017, the Supervisors would like to review the request. Annette Atkinson made a motion to table a decision until the next regular meeting. Mike Dwyer seconded the motion. Motion passed 3-0.

Authorize Advertising; for an Ordinance Of The Township of Middle Smithfield, Monroe County, Pennsylvania, Amending the Township's Code Of Ordinances, Part II, "General Legislation", Chapter 200 "Zoning", Division 83 "Zoning Hearing Board"; Amending Section 083-010, "Membership", to Decrease the Membership of the Zoning Hearing Board From Five to Three Members, to Require the Appointment of Two Alternate Zoning Hearing Board Members, and to Add Additional Qualifications for Zoning Hearing Board Members; and Providing for Other Miscellaneous Matters.

Mark Oney made a motion to hold a public hearing on February 9, 2017 at 7pm for the consideration an Ordinance, Amending the Township's Code Of Ordinances, Part II, "General Legislation", Chapter 200 "Zoning", Division 83 "Zoning Hearing Board"; Amending Section 083-010, "Membership", to Decrease the Membership of the Zoning Hearing Board From Five to Three Members, to Require the Appointment of Two Alternate Zoning Hearing Board Members, and to Add Additional Qualifications for Zoning Hearing Board Members; and Providing for Other Miscellaneous Matters. Annette Atkinson seconded the motion. Motion passed 3-0.

## **Public Comment**

Mr. Flynn asked if there were any new businesses coming to the Township. Ms. Atkinson stated that Auto Valley Group (company that leases vehicles) is coming, the Four Seasons Diner is being renovated, and opening in early 2017 is an Auto Zone store and Retro Fitness gym.

Mr. Flynn had questions regarding the county and school taxes. Mr. Dwyer stated that the county is in the midst of a reassessment for all of Monroe County. A lot of promises were made when members of the school board were running for office. Ms. Atkinson stated that although a \$30 decrease in school taxes annually per average household occurred in an election year, the school budget was not balanced (money borrowed from reserves to balance the budget because income did not meet expenses). Mr. Dwyer stated that the Township is out there with incentives such as LERTA and sewer payment plan to broaden the tax base but has no control over the school taxes.

Mr. Flynn asked if there are any plans for the houses that are run down along Route 209. The Supervisors said, "no". A property maintenance ordinance is not very practical for this rural/semi-rural area as it is for the suburbs and urban areas.

Mr. Flynn asked about the delay with the mail box area within Great Bear. He stated that the foundation was poured and he had heard it was a permit issue. Mr. Courtright stated that the requirements were laid out to the applicant but they never came back to apply for permits, nor did they get land development approval.

**Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 7:48pm. Mark Oney seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
 Township Secretary  
 December 22, 2016

General fund

Num	Name	Memo	Credit
wt	BMO Bank of Montreal	Nov credit card charges	3,674.63
14678	Alura Business Solutions LLC	inv 25496 computer support	584.00
14679	Tracker Software Corporation, Inc	inv 296-001 down payment for PubWorks software	8,825.50
14680	Oak Grove Multi-Municipal Compost	loan for the "Beast" to be reimbursed by grant	163,482.12
14681	209 Enterprises	inv 101-08858 aashto #8 patch stone	100.04
14682	Ace Trucking & Repairs, Inc	invs 11470/ 640 / 766 /773 inspections	200.00
14683	Advance Auto Parts	invs 6952631915954/2716643/4217726 parts	272.38
14684	Alura Business Solutions LLC	absq3182 inv 26045 computer support	1,997.50
14685	Claude S. Cyphers, Inc	invs 652670 / 652719 parts	398.77
14686	Commonwealth of PA UST Indemnif.	a/c 603276 UST fee	247.50
14687	Cramer's Home Center	2238920 parts & supplies	509.47
14688	David Manter	inv 1265 planing review & permits	602.50
14689	Donna G. Kenderdine, RPR	invs 249-16 / 250-16	332.50
14690	Eastern Alarm Systems	inv 010631 alarm repairs	67.00
14691	Edgardo Ramos.	return of yard sale deposit	10.00
14692	ESAD South High School band	tree lighting	100.00
14693	ESASD North High School Chorale	tree lighting	100.00
14694	FedEx	inv 564002792	21.74
14695	Francis C. Disalvo	invs 12011630582 / 12081630814	375.51
14696	Gilmore & Associates, Inc.	invs 158701-158704 engineering	6,170.34

14697	Hunter Keystone Peterbilt, LP	inv 11-263430046 air dryer	463.06
14698	International League of Cities	00363-302T annual membership renewal	750.00
14699	King, Spry, Herman, Freund & Paul LLC	legal fees 114568-114578	8,187.54
14700	Lawson Products, Inc.	inv 9304568209 parts	144.37
14701	Leonard & Gloria Schlosberg	09/8a/1/1-4 tax assessment refund	26.00
14702	Lewis True Value	a/c 1120 10/26-11/23 parts & supplies	734.21
14703	Monroe County Assessment	December sales list	16.00
14704	NAPA Auto Parts	inv 819879 brake pads	100.09
14705	Northeast Fire Services & Inspections, LL	invs s16-112 / s16-106 repairs	3,768.00
14706	PA One Call System, Inc.	inv 107228 monthly activity fee	18.04
14707	PAPCO	inv 2050846 gasoline	3,932.87
14708	Pennsylvania American Water	1024-210033478776 hydrants	135.72
14709	Penteledata	inv b2867778 email boxes	171.77
14710	PMRS	45-027-5N pension	6,391.16
14711	Pocono Record	stmt 115733 public notices	733.40
14712	Pocono Record.	a/c 2008129 52 week renewal	317.20
14713	Prime 570 Catering	christmas luncheon	778.05
14714	PSATS	inv 14012-J6T9 dues	2,764.00
14715	PSATS CDL Program	inv 16-C6885 testing	60.00
14716	Ray Price Stroud Ford	inv 194993 repairs	727.72
14717	Reade Lighting Co.	inv 1138 decorate for tree lighting	5,500.00
14718	RICOH USA, Inc	inv 5045864671 additional copies	452.08
14719	Scot Lubricants, LLC	inv 1098 oil	343.00
14720	Smith Motor	inv 5044254 sensor asy	161.84
14721	Staples Advantage	inv 8042163079 office supplies	309.85
14722	Sun Litho Print	invs 39521 / 39560	2,265.00
14723	Tulpehocken Spring Water	a/c 13876 water	63.00
14724	Verizon	570223050340643y	304.68
14725	Waste Management	inv 312118302032	103.60
14726	Met Ed	100114051681 bark park	18.97
14727	Pennsylvania American Water	1024-220008909318 bark park	69.80
14728	PSATS	inv 15684-v3f3 cdl membership fee	100.00
14729	Met Ed	100059550028 Echo Lake	50.41
14730	Met Ed	100073577916 Sellersville light	32.67
14731	Met Ed	100036091245 bldg B	938.15
14732	Met Ed	100016951467 bldg A	913.25
14733	Met Ed	100069220836 River Road light	17.92
14734	Met Ed	100016915751 Municipal Light	20.29
14735	Cargill, Inc	invs 2903073668/887/6040/8004/80295 clearlane	23,848.19
14736	Donna G. Kenderdine, RPR	inv 251-16 Slice of Life	372.50
14737	Hanson Aggregates	invs 3027518 / 3028530 road materials	23,271.45
14738	Leroy Lewis	contracted maintenance- dog park	200.00
14739	NAPA Auto Parts	invs 822242 / 822243 parts	280.49
14740	Progressive Business Publications	a/c a55799580 legal update subscription	237.12
14741	Ray Price Stroud Ford	inv 308688 regulator	216.64

14742	SFM Consulting LLC	invs z-001 / bc-001 zoning & codes	5,161.12
14743	USA Trophies & Awards	inv 217 name plate	<u>30.96</u>
			283,573.68

### Sewer fund

Num	Name	Memo	Amount
11981	ALLSTATE SEPTIC SYSTEMS, LLP		-275.00
11982	AT&T	0195333847001	-42.97
11983	Evoqua Water Technologies	902907278	-4,724.16
11984	GILMORE & ASSOCIATES, INC. KING SPRY HERMAN FREUND & FAUL	158698	-5,773.33
11985		114571	-387.50
11986	Kruger	16000849R105700	-5,132.36
11987	Main Pool & Chemical Company Inc.	1658174	-870.00
11988	PA ONE CALL SYSTEM, INC.	707230	-27.94
11989	PENNSYLVANIA AMERICAN WATER	1024-210031497597	-16.09
11990	PROSSER LABORATORIES, INC.		-4,012.40
11991	Sarah Galvan	Sewer Refund	-175.00
11992	W.G. MALDEN	11322	-350.00
11993	WASTE MANAGEMENT	3121293-0203-9	-1,451.10
11994	PROTHONOTARY	Dec Liens	-493.50
11995	PROTHONOTARY	Dec Lien Sats	-14.00
11996	VERIZON	570223102484027Y - PS#6 Sellersville 570223102584198Y - PS#5 209/Municipal Dr	-38.77
11997	VERIZON		-37.17
11998	VERIZON	570223737828754Y- Rt 209	-207.57
11999	VERIZON	570223818989863Y - PS#9 Oak Grove	-38.84
12000	VERIZON	570223860470846Y PS#10 BRD	-37.17
12001	MET-ED	100044863148 - WL Island View	-23.54
12002	MET-ED	100016914275 - PS#5 Rt 209/Municipal	-312.16
12003	MET-ED	100018446334 - PS#3 McCole & 209	-93.26
12004	MET-ED	100018440378 - PS#4 Maple Ln	-368.87
12005	MET-ED	100016867432 - PS#8 LOTP	-182.60
12006	MET-ED	100018442556 - PS#7 McCole & NP	-130.47
12007	MET-ED	100081035618 - Lift Station	-20.43
12008	MET-ED	100083606630 - PS#9 Oak Grove	-119.08
12009	MET-ED	100018448652 - Main STP	-4,964.96
12010	MET-ED	100089058661 - RT 209	-17.86
12011	MET-ED	100016629691 - Sleepy Hollow Fairway	-190.55
12012	MET-ED	100076523768 - WL Mtn Pass	-953.37
12013	MET-ED	100080913799 - Off Sleepy Hollow	-145.39
12014	MET-ED	100044877809 - WL Clubhouse Dr	-23.01
12015	MET-ED	100080916826 - PS#2 Fairway Villas	-65.57
12016	MET-ED	100080920901 Tree Tops	-27.17
12017	MET-ED	100018353951 - PS#6 Sellersville	-453.25

32,196.41

## Golf fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
4057	Berkley Mid-Atlantic	10043096 policy change	(70.00)
4058	Eric Bell Septic Systems	po 16-073 clean tank	(337.54)
4059	Hellers Gas, Inc.	invs 554710 / 554711 propane	(1,381.52)
4060	Kevin Dixon	reimburse for expenes	(340.33)
4061	MST 2012 G.O.B.	monthly installment for 2012 GOB	(863.02)
4062	PA American Water	1024210033261244 clubhouse	(84.28)
4063	Verizon	570223814063192y	(51.59)
4064	Warehouse Battery Outlet, Inc	inv 339982	(78.49)
4065	Met-Ed	100081748855 pump house tomx rd	(287.28)
4066	Met-Ed	100081748863 maint bldg	(204.83)
4067	Met-Ed	100104048101 pump house doral crt	(16.65)
4068	Met-Ed	100085171773 guard shack	(106.89)
4069	Met-Ed	100081784231 big ridge drive	(141.33)
4070	Met-Ed	100081748848 clubhouse	<u>(1,064.03)</u>
			(5,027.78)