



## MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS FEBRUARY 9, 2023 MEETING MINUTES

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, February 9, 2023 at 7:00 p.m. at the Schoonover Municipal Building.

The meeting was held in-person, with the opportunity for public participation through video and audio advanced communication technology (“ACT”), using the ZOOM internet application, including telephone option. All attendees through ACT could hear each other and those at the meeting, and they could be heard by the other attendees present at the meeting.

Board of Supervisors present: Annette Atkinson, Mark Oney and Mike Dwyer. Also, in attendance were Township Solicitor Patrick Armstrong Esq., Township Engineer Ben Kutz, P.E. and Township Secretary Michele Clewell.

Public in attendance: Bushkill Emergency Corps President Debbie Kulick, Eastern Monroe Public Library board member Danny Younger, Monroe County Conservation District Michael Wilk, P.E., Kristin Albech, Clark Edrehi, and on Zoom Kathryne Rubright, reporter Pocono Record.

The meeting was called to order at 7:00 p.m. by Chairwoman Annette Atkinson and was opened with the Pledge of Allegiance.

### **Approval of Agenda, and any Amendments**

Annette Atkinson made a motion to amend the agenda to add the committee and department reports under item # 6 and to amend the January 5, 2023 minutes to reflect the purpose of Dr. Alex Jackson, Director of the Broadhead Watershed Association purpose for attending the meeting. Mark Oney seconded the motion. Motion passed 3-0.

### **Approval of the Minutes**

Mike Dwyer made a motion to approve the January 19, 2023 minutes. Mark Oney seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to amend the January 5, 2023 minutes by stating that Dr. Jackson attended the meeting to provide information on the Plan for Clean Water and distributed said report. Dr. Jackson also stated that he attended the meeting to listen and learn and offered the BWA services if needed. Mike Dwyer seconded the motion. Motion passed 3-0.

### **Report of Executive Session**

Attorney Armstrong stated that an executive session was held prior to the meeting to discuss real estate and litigation matters.

### **Public Comment on Non-Agenda Items**

Monroe County Conservation District; Michael Wilk, P.E. provided an update on the Act 167 plan. Mr. Wilk stated that the Conservation District received approval from PA DEP on December 2, 2022 and the next step is for the municipalities to adopt an ordinance consistent with the County's ordinance. Ben Kutz, P.E. stated that Middle Smithfield Township adopted a new Stormwater Ordinance last year and asked if there are significant changes. Mr. Wilk said, the changes are minimal. Mr. Wilk stated that he and Mr. Kutz can work on this in order to meet the DEP May 2023 deadline for adoption.

Delaware Water Gap Defense Fund – Kristin Albrech stated that the “DWGDF” is a 501 (c)3 and they work to preserve, protect and promote the recreation area. They are working to prevent the designation of the Delaware Water Gap Recreation Area to a National Park. Ms. Albrech provided a packet of information for the Board's consideration to oppose the designation from a national recreation area to a national park. No action was taken.

Clark Edrehi – Mr. Edrehi stated that he is attending the meeting to follow up on a decision from 2021 of the Monroe County Court regarding his neighbor. Mr. Edrehi stated that he has contacted the zoning officer. Attorney Armstrong stated the township will contact his neighbor and the next step is to file a petition for contempt of court with Monroe County Court of Common Pleas.

### **Announcements**

Annette Atkinson stated:

- The upcoming event handout is available on the side table for anyone interested.
- The annual “Preview of 2023”, will be presented by the township staff at the Supervisors February 23<sup>rd</sup> meeting, to inform the public of the Township's plans for the upcoming year
- The Person of the Year plaques and check presentation will also be held during the Supervisors February 23<sup>rd</sup> meeting, and elected officials will be present to honor the Person of the Year and Finalists.
- AARP Tax Aide is now being held every Tuesday between 9am – Noon at the Community & Cultural Center until April 18<sup>th</sup>.
- Thank you to Calvertis Miller for curating the display at the Community & Cultural Center for Black History Month

Annette Atkinson made a motion to accept the committee and department reports as presented. Mark Oney seconded the motion. Motion passed 3-0.

### **Correspondence**

Michele Clewell stated that (2) thank you letters were received from Bushkill Emergency Corps thanking the Supervisors for recent donations in the amounts of \$2,450 and \$25,000.

Michele Clewell stated that (2) thank you letters were received from The Bushkill Fire Company thanking the Supervisors for the paving of their parking lot and for the support

given for the Christopher Kuna Giving Tree that contributed to the fire company helping 15 families during the Christmas season.

**Treasurer’s Report**

Mike Dwyer made a motion to approve the general fund payables in the amount of \$197,548.79. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$29,748.89. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course payables in the amount of \$10,821.42. Mark Oney seconded the motion. Motion passed 3-0.

**Solicitors Report**

I-Solved Payroll Time and Attendance Program – Attorney Armstrong stated that he reviewed the contract and related documents provided to him by Bonnie Winters, Budget & Finance Manager.

Attorney Armstrong reviewed his suggested revisions to the proposed I-Solved Agreement(s). Mike Dwyer made a motion to approve the I-Solved Payroll Time and Attendance program subject to the following recommendations by the Township Solicitor:

1. Section 11.2 of the Terms and Conditions; change the jurisdiction to Pennsylvania,
2. Change the wording to allow termination at any time with reasonable notice,

Annette Atkinson seconded the motion. Motion passed 3-0.

Invoice Cloud for the Sewer Department - Attorney Armstrong stated these services would permit the sewer department to accept credit cards for the central sewer customers.

Attorney Armstrong stated that he has reviewed the contracts and offers the following recommended changes.

1. Inform Invoice Cloud that this agreement is only for the central sewer customers who use their credit card for payment and not for any other credit card payment to the township.
2. Request that the early termination fee be removed

Annette Atkinson made a motion to approve the Invoice Cloud agreement subject to the Township Solicitors recommendations and abiding by Pennsylvania Law. Mark Oney seconded the motion. Motion passed 3-0.

**Engineer Report**

None

**Old Business**

None

## **New Business**

Resolution 02-2023-1: A Resolution Establishing a Policy for the Intended Use and Destruction of the Audio and/or Video Recordings of the Meetings of the Board of Supervisors – Annette Atkinson made a motion to approve Resolution 02-2023-1. Mark Oney seconded the motion.

Danny Younger asked if there would be a transcript of the meetings, Ms. Atkinson said no. The recordings will be online and then uploaded onto the Township's YouTube channel; and we are currently working on an internal policy as well for timelines as to when to remove them from the social media platforms.

Attorney Armstrong stated that minutes must be done at all public meetings, therefore they will continue to be done. Mike Dwyer stated that he is not in favor of video and audio recordings of the meeting for the purposes of social media.

Mike Dwyer voted against. Motion passed 2-1.

Resolution 02-2023-2: A Resolution for the Destruction of Records – Annette Atkinson made a motion to approve Resolution 02-2023-2. Mike Dwyer seconded the motion. Motion passed 3-0.

Authorize the Township Secretary to Advertise the Public Bid Notice to Receive the Spring and Fall Cleanup Bids – Mike Dwyer made a motion authorizing the Township Secretary to advertise the spring and fall cleanup bid notice. Annette Atkinson seconded the motion. Motion passed 3-0.

Authorize the Township Secretary to Advertise the Sale of the 2005 Savannah GMC 3500 Work Van, Tracks for a Skid Steer and a 1' Tooth Bucket on Municibid – Mike Dwyer made a motion authorizing the Township Secretary to advertise the sale on Municibid of the 2005 Savannah GMC 3500 work van, tracks for the skid steer and the 1' tooth bucket on Municibid. Mark Oney seconded the motion. Motion passed 3-0.

Authorize the Preparation of Bid Documents and the Advertisement for Bids for the Sale of the Township's Golf Course Property – Mark Oney made a motion authorizing the Township Solicitor to prepare the bid documents and advertisement for bids for the sale of the Township's Golf course property. Annette Atkinson seconded the motion. Motion passed 3-0.

Authorize Gilmore & Associates, Inc. to Conduct an Evaluation of Township Owned Properties for Viable Water Supply Sources' – Annette Atkinson made a motion authorizing Gilmore & Associates, Inc. to conduct an evaluation of Township owned property for viable water supply sources. Mark Oney seconded the motion.

Mike Dwyer asked what Township owned properties would be evaluated. Mr. Kutz stated that based on previous conversations with Supervisors and Township staff, there was a desire to extend public water further into the commercial zoning districts. Based on a call Mr. Kutz had with representatives from PA American, PA American's existing supply wells were losing their yield and they were not having success in identifying new water supply sources in the areas they had to work in. The intent for this study is to evaluate Township-owned properties for possible water sources, via mapping and high-definition aerials, in order to get a sense of Township-owned properties might serve as a viable location for a future water supply source. Mr. Kutz also stated this is a starting point in order to open up discussions with PA American Water. Mike Dwyer was not in favor.

Motion passed 2-1.

Cancel & Reschedule the Board of Supervisors April 2023 meetings – Annette Atkinson made a motion to cancel the April 13<sup>th</sup> and April 27<sup>th</sup> meetings and reschedule to April 6<sup>th</sup> and April 20<sup>th</sup> at 7pm. Mike Dwyer seconded the motion. Motion passed 3-0.

### **Public Comment**

Attorney Armstrong discussed the Township's "Revitalize Route 209" Grant Program. The total cost would be \$20,000 per project due to bidding limits with the township matching up to 50% of the total project, not to exceed \$10,000. He stated he will revise the documents and forward to the Board.

He stated that this is a reimbursed grant program as no money would go to the awardee until the project is completed with proof of paid invoices.

The number of committee members was discussed and Attorney Armstrong stated that upon feedback from the Supervisors he will prepare the Resolution creating the new committee and their duties. Not action was taken.

### **Adjournment**

Mike Dwyer made a motion to adjourn the meeting at 8:15 p.m. Mark Oney seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
February 9, 2023

# General Fund

Num	Name	Memo	Amount
94312024	Met Ed	100126688959 Dancing Ridge (12/16-1/17)	146.26
21542	American Media Partnership	Inv. 2 Person of the Year Video/Photographs	300.00
21543	Heidelberg Township	Inv. 50619837 Tires	77.00
11109232		Stop Payment Fee Chk # 21314 Jackson Lewis - Employment	
6	Wayne Bank	Law	35.00
wt 60158	Shetron Auction & Equipment LLC	Inv. 23005 - New Safety Traffic Cones Qty. 250	1,626.78
21546	Middle Smithfield Township 2019 GOB	2019 GOB installment	12,524.48
21544	H.A. Thomson	Inv. 365356 Bond for Treasurer - Michael Dwyer (1/3/23-1/2/24)	830.00
wt	BMO Bank of Montreal	January Credit Card Charges	4,838.70
91323839			
9	Pennsylvania American Water	Inv. 1024-210033478776 (12/30-1/30) 3 Hydrants	152.58
91531088			
9	Pennsylvania American Water	Inv. 1024-220008909318 (1/5-2/3) 108 Bark Park	17.29
21545	Darla's Delights Catering	PO # 23-035 - Food for Employee Luncheon 2/8	285.00
94782366	Met Ed	100138495898 Echo Lake (1/6-2/5)	28.17
94782278	Met Ed	100136420260 Library-Cultural Center (1/6-2/5)	1,688.74
94782194	Met Ed	100114051681 Bark Park (1/6-2/5)	30.86
94780838	Met Ed	100073577916 Sellersville Light (1/9-2/6)	52.36
94780784	Met Ed	100069220836 River Rd light (1/6-2/5)	30.21
21547	AFLAC	Inv. 428056 - February 2023	453.12
21602	Alura Business Solutions LLC	Invs. 41316, 41471	5,250.37
21549	Amazon Business	Acct. A3FLD35UR2CC7U	549.86
	American United Life Insurance		
21550	Company	G00612999 2/1/2023-2/28/2023	2,838.34
21551	Autozone	Inv. 6787895691 - Oil Filter	14.83
21552	Blue Ridge Cable	Inv. 0377113-01 (2/13-3/12)	61.26
		iNVS.	
21553	Blue Ridge Lumber	72828,73222,73213,73484,75018,75451,76251,76255,77102	1,041.58
21554	Bon Venture Services	Inv. 3448016 St. Johns Ad (1/22-4/16)	537.00
21555	Bradco Supply Co	Inv. 224724 - Adjustable Cross Bracket	312.00
21556	C.S. Davidson, Inc	Inv. 164967 - Permit Manager Annual Renewal	1,850.00
21603	Chad Swisher.	Boot Reimbursement 2023 Chad Swisher	150.00
21558	Claude S. Cyphers, Inc	Inv. 729993 - Push Lock, Worklamp, & Cab Marker Light	71.58
21559	Corporate Protective Services	Inv. 1117 - Armed Guard 1/3, 1/5, 1/15, & 1/26	300.00
21560	Dailey Resources, LTD	Inv. 182349 - Cyclinder	11.00
21561	Dawn M. Arnst Tax Collector	Reimbursement of 1/3 of Tax Collector Internet & Postage	207.00
21562	E.M. Kutz	Inv. 38657 - 4' Carbide Blade	407.00
21563	Eastern Alarm Systems Inc.	Invs. 018721, 018727	304.00
21564	Elliott Hardie.	Refund of Overpayment Charged Permit # S 264980	205.00
21565	Francis Smith & Sons Inc.	Inv. 240378 - Diesel Pump Repair	456.31
21566	Gilmore & Associates, Inc.	Invs. 10/5/2022, 2/1/2023	21,985.15
21567	Gotta Go Potties, Inc	Invs. 216422, 216423	145.00
21568	Grim, Biehn & Thatcher	Invs. 212793, 212792, 212791, 212794, 212788, 212787	8,190.00
21569	Healthworks Billing Center	Inv. 224922 - Hepatitis B Vac/Booster Vaccines	574.00

21570	Huffmans' Electric	Inv. 12025 PW Lights, Well House Hectors, Flag Pole Photo Cell,	975.00
21571	Jackson Lewis P.C.	Inv. 8132217 Employment Law Representation	1,292.00
21572	John A. Schafft	Boot Reimbursement 2023	150.00
21573	Kylie Medrano.	Inv. 001 0 Vinyl Decals for XMas Gifts	181.50
21574	Lang's Cleaning Service LLC	Inv. 17256 Cleaning Service - January	1,120.00
21575	Leroy Lewis	Contracted Maintenance- Dog Park - February	200.00
21576	Lewis ACE Hardware	Invs. 3127/1,3138/1,3144/1,3145/1,3143/1,3146/1,3150/1,3149	298.08
21577	Linde Gas & Equipment Inc.	Inv. 33726299 - Cyclinder & CO2	52.51
21578	Miggys Five	Acct. 15	136.64
21579	Murray's Heavy Duty Towing, Inc	Inv. 14066 - Winch Out Truck #116	530.00
21580	NAPA Auto Parts Inc.	Inv. 2717-191788 - Fuel Line Connector	41.68
21581	Newman, Williams, Mishkin, Corveleyn	Inv. 123672 RJK - Zoning Hearing Board	35.00
21582	Ott Consulting Inc	Invs. 1/20/2023	3,888.65
21583	PA Municipal Health Insurance Cooperative	Inv. 114387-0 - March Health Insurance	60,620.86
21584	PA One Call System, Inc.	Inv. 995116 - Monthly Activity Fee, Text, & Email Charges	14.46
21585	PA Recreation & Park Society, Inc	Inv. 158393 - Annual Conference Registration	395.00
21586	PMRS	45-027-5N Pension Admin Fee	1,020.00
21587	Pocono Mountain COG	2023 Membership	350.00
21588	Pocono Mountain Industries Inc.	Inv. 796 - PMEDC Annual Dinner for James & Elsie Brechbiel	140.00
21589	PSATS CDL Program	Inv. INV-129299-Z4S7 - CDL Drug & Alcohol DOT Test	101.00
21590	SFM Consulting LLC	Invs. Z-002, BC-002, U&Os-02	19,393.48
21591	Staples Advantage	Inv. 3529806157 - February Inventory	160.17
21592	Suburban Propane-2753	Invs. 574505,507647,507646,574544,574550	11,364.97
21593	Sun Litho Print	Inv. 46261 - Window Envelopes	480.00
21594	Verizon Wireless	Inv. 9925656210 Cell Phones (12/19-1/18)	244.97
21595	Vicki Smith.	Reimbursement for Cake Purchase for POTY	11.99
21596	Vicky Staples	Reimbursement for Bee Purchase for Community Gardens	206.70
21597	Waste Management	Inv. 3715183-0203-4 - Dumpsters Flip Tops (2/1-2/28)	687.10
21598	West End Equipment Rental Inc.	Inv. 141437 - Cable Assembly w/ Fuse for Truck #110	232.77
21599	PMRS	45-027-5N Pension January	20,626.16
21600	PMRS	45-027-5N Admin Fees - James Brechbiel	20.00
21601	PMRS	45-027-5N Pension Holly Dennis 10/6/21-9/30/22 TWP &	4,000.27

**TOTAL: 9**

### Sewer Fund

15388	B. Newhart & Sons, Inc.	013123	1,000.00
15389	D.W. Moyer Crane Services, LLC		3,500.00
15390	Evoqua Water Technologies		12,950.09
15391	GILMORE & ASSOCIATES, INC.		4,188.10
15392	Grim, Biehn & Thatcher	212789	54.00
15393	Link Computer Corporation	165756	618.83

15394	Marshalls Creek Quarry	B-101-M-0003240 - Headworks	1,354.60
15395	PA ONE CALL SYSTEM, INC. W.G. MALDEN / PROTECHS	995121	24.06
15396	LLC	20789	2,317.25
15397	WASTE MANAGEMENT	3717156-0203-8	1,774.46
15398	GILMORE & ASSOCIATES, INC.	230554 - Route 209 Widening	<u>1,967.50</u>
			29,748.89

Golf fund

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
62336	Banko Beverage	PO #PS23-01G Beer	150.52
915310267	PA American Water	1024-210033261244 Clubhouse (1/5-2/3)	274.99
94780917	Met-Ed	100081748863 Golf Maint Bldg (1/9-2/6)	436.37
62337	Amazon Business	Inv. 1W7W-PX7H-69RW Toliet Paper	44.41
62338	AutoZone, Inc. Blue Ridge	Inv. 6787895718 - LED Light Bar	69.29
62339	Communications	Acct. 0109950-03, 0330384-01	139.90
62340	Christie Shipman.	Deposit Return for 6/10 Whispering Pines Rental	250.00
62358	Claude S. Cyphers, Inc.	Invs. 729870, 729998	311.05
62361	Commonwealth of PA	62699 Food License Annual Renewal 2023	82.00
62343	Finch Turf, Inc	Invs. B51763, B51967, B52076	1,617.52
62344	Fisher & Son Co., Inc.	Inv. 250628-IN - Herbicide	368.84
62345	Golf Cars, Inc. Grim, Biehn & Thatcher Inc.	Inv. 95286 - Parts	256.90
62346	JPC Fabrication LLC	Inv. 212790 PMA - Golf Course Sale	1,026.00
62360	Lawn & Golf Supply Co.	Inv. 4912 - 6Ft. Tubing	40.00
62348	Lewis Ace Hardware	Inv. 67736 - Misc. Parts	120.45
62349	Miggy's Corp 5	Inv. 3165/1 - Misc. Hardware	29.83
62350	NAPA Auto Parts	Acct. 15	18.44
62351	Patricia Senholzi.	Inv. 179168, 2717-191558, 2717-191765	167.63
62352	Steve Shannon Tire Stroudsburg Electric Motor	Whispering Pines Deposit Return for 2/4 Rental	250.00
62353	Suburban Propane	Inv. 16074389 - Tires	244.50
62354	Super Heat, Inc	Inv. 6424188 Parts	610.13
62355	Waste Management	Inv. 507728 - Propane Clubhouse Inv. 111818 Maintenance on HVAC Equipment & Boilers	1,809.11
62356			1,388.42
62357		Inv. - 3715987-0203-8 Maint. Bldg (2/1-8/28)	1,115.12

**TOTAL: 10,821.42**