



**MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS**  
**June 22, 2023 MINUTES**

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, June 22, 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 were in attendance. Also, in attendance were Township Solicitor, Patrick Armstrong, Esq., and Township Secretary, Michele Clewell

Public participating in person: Michael Coffey and Robert & Lois Casella.

Public participating via Zoom: None

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**

Mark Oney made a motion to approve the agenda. Mike Dwyer seconded the motion. Motion passed 3-0.

**Approval of the Minutes**

Mike Dwyer made a motion to approve the June 8, 2023 meeting minutes. Mark Oney 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 pending real estate and litigation matters. No decisions were made.

**Public Comment on Non-Agenda Items**

None

**Announcements**

Annette Atkinson stated that the Pink Lights breast cancer Paint and Sip fundraiser will be held on Sunday, June 25<sup>th</sup> beginning at noon at the Community & Cultural Center. The Revitalize 209 Committee attended the last EDC meeting for introductions. The I Work program is a program through the Pennsylvania Office of Vocational Rehabilitation

and the Youth Advocate Program the township is involved with for the summer, to provide students with learning disabilities real job experience. The Pennsylvania State Historical Marker dedication will be held on Monday, June 26<sup>th</sup> at noon at Regina Farms, in honor of the Marshalls Creek Explosion of 1964.

### **Correspondence**

Michele Clewell read a thank you letter from Joel R. Smith of BrokerRealty.com expressing his gratitude towards a staff member in the zoning office. Vicki Smith was patient and understanding in her dealing with his client about how to obtain a certificate of occupancy.

### **Treasurers Report**

Mike Dwyer made a motion to approve the general fund payables in the amount of \$179,531.13. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer department payables in the amount of \$ 32,134.48. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course payables in the amount of \$12,609.69. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the liquid fuels payables in the amount of \$2,963.84. Mark Oney seconded the motion. Motion passed 3-0.

### **Solicitors Report**

WBCM Engineering Consultant to PennDOT, Memorandum of Understanding for State Road Lower Lakeview Dr; Attorney Armstrong stated that the correspondence from WBCM Engineering includes an “MOU” between PennDOT and the Township to permit vehicles to travel on Township roadways, Sellersville Drive and Municipal Drive in order to avoid Lower Lakeview Drive while PennDOT works on a bridge. Attorney Armstrong stated that he reviewed the MOU and provided clarification and provisions for the Supervisors’ consideration. The work would not commence until 2024.

The Supervisors stated that they would like PennDOT to notify the local residents affected by the road detours.

Mike Dwyer recommended Attorney Armstrong sending PennDOT and WBCM his changes to the proposed MOU.

Fireworks Ordinance; Attorney Armstrong stated that the Supervisors asked him to review the current ordinance due to the State amending the Fireworks law. Attorney Armstrong provided a draft ordinance that included regulations for both display fireworks (larger) and consumer fireworks. The Supervisors asked that Bushkill, Marshalls Creek and Shawnee Fire companies be added to the proposed ordinance as indicated.

Mark Oney made a motion authorizing Attorney Armstrong to advertise the fireworks ordinance amendment for a public hearing on August 10, 2023 for possible adoption. Annette Atkinson seconded the motion. Motion passed 3-0.

**Engineers Report**

None

**Old Business**

2023 Seal Coat Bids; Mike Dwyer stated that at the June 8, 2023 meetings bids were opened for Seal Coat and AMS had a 3<sup>rd</sup> page of their pricing but was not read. After reviewing the bids from AMS and Pocono Spraypatching (“PSP”) the final bid totals with alternate FOG seal are:

AMS	\$81,939.34
PSP	\$70,233.77

Upon further discussion with the Township Solicitor, Mike Dwyer made a motion to table awarding the 2023 Seal Coat bid until the next meeting, July 13, 2023. Mark Oney seconded the motion. Motion passed 3-0.

Emergency Generator Bid; A letter from the Township Engineer, Ben Kutz, P.E. recommended the Supervisors reject the one bid that was received from Bayer Electrical Solutions as it is a non-responsive bid; no bid bond, bidder qualifications statement, non-collusion affidavit or agreement of surety was not provided with the bid.

Mike Dwyer made a motion to reject the Bayer Electrical bid for the emergency generators as non-responsive. Mark Oney seconded the motion. Motion passed 3-0.

DC Solar Project, LLC, dba EIBDP, LLC Commercial Installation Agreement for Solar Panels at the Community & Cultural Center and Library; Annette Atkinson made a motion to table action. Mark Oney seconded the motion. Motion passed 3-0.

**New Business**

Resolution 06-2023-1; Dean Baratta Joinder Deed; Mark Oney made a motion to approve Resolution 06-2023-1. Mike Dwyer seconded the motion. Motion passed 3-0.

Appoint the Chairperson of the Route 209 Revitalization Committee; Annette Atkinson stated that the resolution that allows for the creation of the committee states that the committee will organize and appoint their chairperson, therefore the Supervisors will not appoint the Revitalize Route 209 Committee chairperson. No action required.

**Public Comment**

None

## Adjournment

Respectfully submitted,

Michele L. Clewell  
Township Secretary  
June 22 , 2023

## General Fund

Num	Name	Memo	Amount
22005	Bushkill Emergency Corps	Additional Donation 2023	25,000.00
1033966447	Pennsylvania American Water	Inv. 1024-220008909318 (5/5-6/6) 108 Bark Park	46.50
97841956	Met Ed	100138495898 Echo Lake (5/5-6/5)	30.14
97841891	Met Ed	100136420260 Library-Cultural Center (5/5-6/5)	1,352.96
97841832	Met Ed	100126688959 Dancing Ridge (4/18-5/17)	75.02
97841778	Met Ed	100124280825 Oak Grove light (5/10-6/8)	45.98
97841718	Met Ed	100114051681 Bark Park (5/5-6/5)	29.68
97841200	Met Ed	100073577916 Sellersville Light (5/8-6/6)	49.29
97841144	Met Ed	100069220836 River Rd light (5/5-6/5)	29.94
97841089	Met Ed	100036091245 Bldg B (5/9-6/6)	427.45
97841037	Met Ed	100016951467 Bldg A (5/9-6/7)	580.84
97840974	Met Ed	100016915751 Municipal Light (5/9-6/7)	38.15
22006	Marshalls Creek Fire Co	Add'l Contribution - 50% Jaws of Life Equipment PO # PO23-147	8,150.00
97999985	Met Ed	100126688959 Dancing Ridge (5/18-6/15)	47.30
22007	Abby Karasek.	Deposit Refund - Pavilion Rental 6/10 - Ressica Park	50.00
22008	Ace Trucking & Repairs, Inc	Invs. 23754, 23793	160.00
22009	Alura Business Solutions LLC	Inv. 42137 - Computer Monthly Maintenance (7/1-7/31/2023)	1,755.75
22010	Amazon Business	Acct. A3FLD35UR2CC7U	670.19
22011	Autozone	Invs. 6787036454, 6787046989	115.92
n/a	Bergey's, Inc	Inv. PH798009R, \$606.53 paid by Credit Balance	0.00
22012	Blue Ridge Cable	Inv. 0377113-01 (6/13-7/12)	61.26
22013	Blue Ridge Lumber	Invs. 122040, 125849, 126702	550.28
22014	Claude S. Cyphers, Inc	Invs. 734645, 734688	85.28
22015	Cleveland Brothers	Inv. INPP5464250 - Actuator	184.35
22016	Driscoll Foods	Inv. 647989 - Paper Towels & Garbage Bags	146.74
22017	EMPRA Systems Inc. - Wendy's	Replace & Install Wendy's Sign hit by PW	1,240.54
22018	Eureka Stone Quarry Inc.	Invs. 543170,543427,544535,544874	5,721.06
22019	Gilmore & Associates, Inc.	Inv. 235044 MS4	310.78
22020	Hendershot Door Systems, Inc.	Inv. 59874 - Delta Radio Set	310.00
22021	Holly Dennis.	Mileage Reimbursement for Sec'y/Admin Summit Seminar	219.43
22022	Huffmans' Electric	Inv. 12239 - Repair to Echo Lake Pavilion Breaker	295.00
22023	Jackson Lewis P.C.	Inv. 8277837 - Legal Advise regarding Personnel Issues	304.00
22024	James Brechbiel.	Reimbursement for Background Checks and Miggy's Purchase	78.24

22025	Jazi's Vehicle Equipment	Inv. 1129 - Motorola Radio, Wedge Mounts, & Antenna Adaptors	1,325.00
22026	Lawson Products, Inc.	Inv. 9310663203 - Wax, Grease Cartridge, UI Heat Sealbutt	352.21
22027	Leon Clapper, Inc.	Inv. 32704 - Water Expansion Tanks (4) & Installation	17,775.75
22028	Lewis ACE Hardware	Inv. 3447/1 - Heat Shrink Kit & Chainsaw Chain	37.98
22029	LocalIQ/Pocono Record	Inv. 5600523 - Public Notices	1,159.71
22030	Melanie Rodriguez	Security Refund - Pavillon Rental Echo Lake Park 6/11	50.00
22031	Minuteman Press of Stroudsburg PA Municipal Health Insurance Cooperative	Inv. 31284 Community Day Banner	720.00
22032		Inv. 121301-0 - July Health Insurance	64,304.25
22033	Penteledata	Inv. B4326021 (6/10-7/10)	465.09
22034	PMRS	45-027-5N Pension June	20,885.61
22035	Pocono Mountains Visitors Bureau	Inv. 63095 - 2023 Annual Report Luncheon 2 Attendees	120.00
22036	Prosser Laboratories	Inv. 550831 - RR & Library - DRR Location	225.00
22037	PSATS	Invs. 130727-F9N4, 130729-H1Q3, 130730-B3X9	165.00
22038	Quadient Finance USA, Inc	Inv. 17025534 - Mailing Labels	39.48
22039	RICOH USA, Inc.	1309321-1021529A1	319.45
22040	Saron Garrison.	Deposit Refund - Pavillon Rental Echo Lake 6/10	50.00
22041	Service Tire Truck	Inv. 23-0137114-026 - Tire Sealant	198.90
22042	SFM Consulting LLC	Invs. Z-006, BC-006, U&Os-06	15,337.52
22043	Sherwin-Williams	Inv. 2424-9 - Filter Cap Repair Kit for Line Stripper	98.98
22044	Snap on Tools - James Kirchner	Inv. 06082320959 - S-Cam Brake Tool	28.50
22045	Staples Advantage	Inv. 3540066472 - Office Supplies & Toilet Paper	422.30
22046	Suburban Propane-2753	Invs. 565402, 565403	5,581.49
22047	Super Heat, Inc	Inv. 113501 - Condensation Build Up - Library	980.66
22048	Tom Riccobono SUTV Video Production	PO# PR23-141 - Video for Marshalls Creek Explosion Dedication	300.00
22049	Verizon	Accts. 450-395-041-0001-25,556-475-982-0001-45	426.18

**TOTAL: 179,531.13**

### Sewer Fund

Num	Name	Memo	Amount
15536	Capstone Settlement Inc.	Refund of Over Payment for B03-1089-0 Final Sewer Reading - Pisciotti	200.00
15538	GILMORE & ASSOCIATES, INC. KING SPRY HERMAN FREUND & FAUL	Invs. 235035, 235036, 235037	13,939.14
15539		Inv. 178186 - Sewer Matters - Toussaint & Cruz Bankruptcy	255.00
15540	Link Computer Corporation	Inv. 170953 - Muni-Link Billing for July	618.83
15541	MET-ED	Electric June Bills	9,355.31
15542	PROSSER LABORATORIES, INC.	Inv. 550792 - May - Influent/Effluent Samples WL	1,754.00
15543	VERIZON	Accts. 503952040001,2503955051000157,250395181000101	128.16
15544	Evoqua Water Technologies	Inv. 905913964 - Bioxide	5,884.04

**TOTAL: 32,134.48**

### Golf Course

Num	Name	Memo	Amount
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1033962307	PA American Water	1024-210033261244 Clubhouse (5/5-6/6)	373.10
97841558	Met-Ed	100104048101 pump house doral crt (5/10-6/8)	28.36
97841422	Met-Ed	100085171773 Guard Shack (5/9-6/7)	98.56
97841364	Met-Ed	100081784231 Big Ridge Drive (5/9-6/7)	197.37
97841293	Met-Ed	100081748863 Golf Maint Bldg (5/8-6/6)	159.87
97874048	Met-Ed	100081748855 pump house tomx rd (5/10-6/8)	692.10
97873980	Met-Ed	100081748848 clubhouse (5/10-6/8)	1,200.68
62526	Banko Beverage	PO #PS23-60G Beer	153.88
62527	Amazon Business	Invs. 1DTW-VGVY-FVCJ, 1HWP-1DGR-113C	175.05
62528	Claude S. Cyphers, Inc.	Inv. 734775 Parts	228.25
62529	Doris Barton.	Deposit Return for 7/8 Whispering Pines Rental	250.00
62530	Fisher & Son Co., Inc.	Invs. 261338-IN, 261696-IN	1,407.00
62531	Gotta Go Potties	Inv. 219911 - Porta Potties (4/25-5/23)	187.50
62532	Grainger, Inc.	Inv. 9731590411 - Paper Towels	51.08
62533	Lawn & Golf Supply Co.	Inv. 71638 - Switch	130.24
62534	Miggy's Corp 5	Acct. 15	55.77
62535	Nagle Elevator Inspection & Testing	Inv. 22386 Elevator Inspection	85.00
62536	Snackzilla Distribution LLC	Inv. 943639961 - Snacks	110.04
62537	Staples Advantage	Inv. 3540661414 Toliet Paper & Paper Towels	100.67
62538	Suburban Propane	Invs. 516012,565433,565434,565432	3,061.78
62539	Super Heat, Inc	Inv. 113391 Spring Maintenance of the HVAC & Boilers	2,970.00
62540	Turf Equipment & Supply Co.	Inv. 70052962-00 - Misc. Parts	284.46
62541	Verizon	Accts. 250-732-881-0001-73,250-732-882-0001-56,250-732-879-0001-10	608.93
			<b>TOTAL: 12,609.69</b>

Liquid Fuels

Num	Name	Memo	Amount
10126	Eureka Stone Quarry, Inc.	Inv. 39055 Stone Base for Salt Shed	2,963.84
<b>TOTAL:</b>			<b>2,963.84</b>