



MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
July 13, 2023 MINUTES

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, July 13, 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., Township Zoning Officer, Judy Acosta, and Township Secretary, Michele Clewell

Public participating in person: Patricia J. Griffin, Charles Maroni, Penny Robson, Middle Smithfield Zoning Clerk Vicki Smith, Bushkill Emergency Corps President Debbie Kulick and BEC Board member Ed Regina, Robert and Lois Casella, Joel Lowris, and several other interested parties.

Public participating via Zoom: Phyllis Hauner-Morris, James Brechbiel, Middle Smithfield Economic Development Manager.

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 22, 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 thanked the Marshalls Creek Fire Company for their participation in the Marshalls Creek Explosion State Marker dedication. The Community & Cultural Center will had, as they do every June, a display commemorating the Explosion for everyone to view and to remember. The display will be moved to the township building lobby in July.

Mike Dwyer reminded everyone that Community Day is Saturday, July 15th from Noon – 3pm at the Echo Lake Park. Over 30 nonprofit agencies will be on hand with information for the public.

Annette Atkinson announced that LVHN is having a ribbon cutting Tuesday July 18th and an open house Saturday, July 22nd for their newest medical office's location in the Price Chopper plaza. The Route 209 Revitalize Committee will hold their first meeting on July 25th and the staff will present their department midyear reports to the public on July 27th at the Supervisors meeting.

Correspondence

Mark Oney stated that he received a correspondence regarding a continuous noise complaint. Mr. Oney stated that he will bring it up for discussion a work session.

Bid Opening and Possible Award

Pump Station #8 Modifications Contract 2023-03; Mike Dwyer opened and read each of the (3) sealed bids received. Mike Dwyer made a motion to receive all the bids for review. Annette Atkinson seconded the motion.

Pat Griffin asked if bids are awarded sole only low bid. Mike Dwyer said not necessarily, past performance is also considered, however the low bidder is a factor but performance is as well.

Motion passed 3-0.

Public Hearing and Possible Decision

Proposed Ordinance Amending the Middle Smithfield Township Code of Ordinances by Adding a New Chapter 134, Maintenance of Properties, Establishing Regulations for the Maintenance of Properties within the Township, Providing for Remedial Action by the Township in Specified Situations and Prescribing Penalties for Violations of the Regulations:

Annette Atkinson made a motion to open the public hearing at 7:11 p.m. Mark Oney seconded the motion. Motion passed 3-0.

Attorney Armstrong stated that there was a previous hearing and numerous comments have been received. The hearing tonight was advertised in the Pocono Record on June

29, 2023 according to the Pennsylvania 2nd Class Township Code and the ordinance is proposed to be adopted as written this evening.

Annette Atkinson asked anyone who would like to address the Board to identify themselves and provide the page and section number of the proposed ordinance in order to follow along.

Several residents asked for clarification regarding specific wording within the ordinance.

Annette Atkinson stated that the public comments from the previous hearings and meetings were incorporated into this new proposed ordinance presented for adoption. One of the concerns the public had was for residents who many be physically or financially unable to to take care of their property. In that instance, the township would connect the resident with outside agencies for relief.

Ms. Atkinson introduced Tom Campbell, Director, Housing Initiatives atPocono Mountains United Way and Kelly Kemmerer, Executive Director of Monroe County Habitat for Humanity.

Mr. Campbell went over some of the homeowner assistamce programs, and stated that the Monroe County Redeployment Authority is for housing repairs for health and safety, energy efficiency, improvements, septic systems, that may be covered by a combination of grants and loans; adminsecretary@monroecountyda.org . The Pa Housing Finance Agency offers a homestyle renovation program, emergency efficiency loan programs, just to name a few <https://www.phfa.org/programs/repairs.aspx>

Ms. Kemmerer stated that Habitat for Humanity of Monroe County is a sweat equity repairs program: the homeowner conducts the repairs with help from volunteers under the supervision of an experienced professional. Costs are covered by combination of grants and loans. development@habitatmc.com

Editor's note: The materials Mr. Campbell and Ms. Kemmerer provided are attached to these minutes.

Annette Atkinson made a motion to close the public hearing at 7:40 p.m. Mike Dwyer seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to adopt Ordinance No. 239. Mark Oney seconded the motion. Motion passed 3-0.

Treasurers Report

Mike Dwyer made a motion to approve the general fund payables in the amount of \$133,733.02. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer department payables in the amount of \$54,458.64 . Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course payables in the amount of \$18,830.38. Mark Oney seconded the motion. Motion passed 3-0.

Solicitors Report

Solar Farm Proposed Ordinance; Attorney Armstrong stated that at the request of the Board, he prepared a draft ordinance to amend the zoning ordinance. Upon further discussion, the Board asked Attorney Armstrong to revise the proposed ordinance in order to review it again at a future meeting. No action taken.

Mt. Nebo Apartments Phase II; Consider Authorizing the Conditional Use Public Hearing; Attorney Armstrong stated that an application was received by the Township for Mt. Nebo Apartments, Phase II to hold a conditional use public hearing. He stated that the Township must hold the hearing within 60 days of acceptance of the application; the public hearing would be held on August 10, 2023.

Engineers Report

Critical Systems Quote to Install the (6) Generators; Ben Kutz, P.E. stated the quote received from Critical Systems is for the installation of (6) emergency generators for the pump stations at a cost of \$41,950.00. Mr. Kutz recommends the Board approve the cost as stated.

Annette Atkinson made a motion to accept the quote as written. Mark Oney seconded the motion. Mike Dwyer stated that the (6) locations will need to be treated as (6) projects. He stated that as public works employees will be building the concrete pads for all (6), he is concerned with keeping ahead of Critical Systems with installation of the generators. Mr. Kutz will contact Critical Systems for a time frame of delivery. Mr. Dwyer stated that the payment of the \$41,950.00 will be broken down in 1/3, 1/3 and 1/3. Mr. Dwyer stated that if the generators do not arrive until November, then the concrete pads will be done in April 2024.

Motion passed 3-0.

Old Business

2023 Seal Coat Bids; Mike Dwyer stated that the (2) bids received on June 8, 2023 have been reviewed again and Pocono Spraypatching, Inc. is the low bidder. Mike Dwyer made a motion to award the contract to Pocono Spraypatching, Inc. in the amount of \$40,552.73 for the following roads plus the fog seal for said roads: T-510 Bowie Lane, T-512 Arbutus Lane, T-518 Corral Court, T-511 Custard Drive and T-521 Calvary Court. Mark Oney seconded the motion. Motion passed 3-0.

New Business

Authorize a Vacancy on the Middle Smithfield Township Parks & Recreation Committee; Mike Dwyer made a motion to send a thank you letter to Christine Fellsmeth for her time serving the residents on the MST Parks & Recreation Committee. Annette Atkinson seconded the motion. Motion passed 3-0.

Authorize the Zoning Officer to File a Civil Complaint Against the Property Owner of 246 Hollow Road; Mark Oney made a motion authoring the zoning officer to file a civil complaint against the property owner of 246 Hollow Road. Mike Dwyer seconded the motion. Motion passed 3-0.

Public Comment

Charles Maroni asked if additional personnel will be hired by the township to enforce the newly adopted Property Maintenance Ordinance. Annette Atkinson stated that the zoning office is not patrolling and Mark Oney said enforcement is complaint driven but we will see how it goes.

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 8:10 p.m. Mark Oney seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
July 13 , 2023

General fund

Num	Name	Memo	Amount
1055650575	Pennsylvania American Water	Inv. 1024-210033478776 (5/31-6/29) 3 Hydrants	182.70
wt	BMO Bank of Montreal	June Credit Card Charges	6,200.34
1061293219	Pennsylvania American Water	Inv. 1024-220008909318 (6/7-7/6) 108 Bark Park	46.49
98512883	Met Ed	100138495898 Echo Lake (6/6-7/6)	28.85
98512795	Met Ed	100136420260 Library-Cultural Center (6/6-7/6)	1,668.57
98512714	Met Ed	100114051681 Bark Park (6/6-7/6)	29.97
98512541	Met Ed	100069220836 River Rd light (6/6-7/6)	30.11
117843445	Wayne Bank	Stop Payment Fee Chk # 21650 Autozone - Chk lost in mail.	35.00
98562071	Met Ed	100073577916 Sellersville Light (6/7-7/9)	54.23
22050	Ace Trucking & Repairs, Inc	Inv. 24254 2001 Ford Inspection	80.00
22051	AFLAC	Inv. 456454 - August 2023	453.12
22053	Amazon Business	Inv. 111G-QLD4-99HK Office Supplies	230.63
22054	American United Life Insurance Company	G00612999 7/1/2023-7/31/2023	2,771.41
22055	Anthony Amato.	4809 - Volunteer Tax Credit 2022	209.72

22056	Autozone	Invs. 6787928653, 6787929476	413.53
22057	Blue Ridge Cable	Inv. 0377113-01 (7/13-8/12)	61.26
22058	Blue Ridge Lumber	Inv. 131847 - 17' x 2" Brick Mold	197.76
22059	Chauly Younger	Contracted Maintenance - Community Gardens - July	200.00
22060	Claude S. Cyphers, Inc	Invs. 734921,735119,735221	1,601.06
22061	Corporate Protective Services	Inv. 1185 - Armed Guard 5/11,5/25,6/8,6/22	300.00
22062	Dailey Resources, LTD	Invs. 189587, 179954	163.33
22063	District Court 43-4-01	Civil Complaint Filing Fee Re: 246 Hollow Road - Pedro Jordao	115.75
22064	Double M Productions	Inv. 37555 Tees for 1000' of Street	456.00
22065	Elijah Brown.	Reimbursement for Mileage to Update Message Boards	30.06
22066	Gary Vanhorn.	2023 Reimbursement for Boots	150.00
22067	General Code, LLC	Inv. PG000032837 Supplement No. 64	1,315.00
22068	Gilmore & Associates, Inc.	Invs. 236111, 236110, 236109	7,762.60
22069	Gotta Go Potties, Inc	Invs. 220847,220846,220845,220733,220732	470.00
22070	Grainger, Inc.	Inv. 9740675732 Poison Ivy Wipes & Cleanser Invs.	213.29
22071	Grim, Biehn & Thatcher	216466,216476,216467,216469,216470,216471,216473,216474,216475	8,431.38
22072	Home Depot Credit	Inv. 1030811 Lumber, Staples & Cross Cut Plier	169.53
22073	Hunter Keystone Peterbilt, LP	Invs. X210233059:01,X210233772:01,X210233705:01,X210234368:02	214.49
22074	Jerrold Widdoss.	2023 Reimbursement for Boots	150.00
22075	Joseph Quaresimo	5586 - Volunteer Tax Credit 2022	504.41
22076	Kevin Wengrowski	Volunteer Tax Credit 2022	154.40
22077	Lang's Cleaning Service LLC	Invs. 17438, 17482	2,020.00
22078	Leroy Lewis	Contracted Maintenance- Dog Park - July	200.00
22079	Lewis ACE Hardware	Invs. 3452/1,3454/1,3455/1,3461/1,3460/1,3468/1	147.70
22080	Linde Gas & Equipment Inc.	Inv. 36672792 - Oxygen, Propane, Fuel Gas, & Acetylene	52.51
22081	M.S.T.S.D.	Accts. MS-0085-0, MS-0032-0, MS-0034-0-0	700.00
22082	Marshalls Creek Plumbing	Invs. 18504,18507,18537	360.03
22083	Miggys Five	Acct. 15	199.61
22084	Monroe County Historical	Raise your Glass Contribution 2023	500.00
22085	NAPA Auto Parts Inc.	Invs. 2717-217455,2717-217731	264.87
22086	Ott Consulting Inc PA Municipal Health Insurance	Invs. June 16,2023	3,266.14
22087	Cooperative	Inv. 135509-0 - August Health Insurance	64,279.25
n/a	PA One Call System, Inc.	Inv. 1013464, \$27.70 paid by credit balance.	0.00
22088	PSATS	Inv. INV-134376-W7V4 Flagger Training - Robert Goetz	55.00
22089	SFM Consulting LLC	Invs. Z-007, BC-007	7,041.50
22090	Sherwin-Williams Smart Dollar - The Lampo Group	Invs. 2515-4,2570-9,9868-4,9995-5,0052-4,0169-6,0234-8	2,777.37
22091	LLC	Inv. 1526237 - Smart Dollar Software & Coaching	3,209.00
22092	Staples Advantage	Inv. 3542295788 - Office Supplies & Toilet Paper	168.81
22093	Suburban Propane-2753	Invs. 565487,565488,565510	7,375.97
22094	Sun Litho Print	Inv. 46591 - Postage for 2023 Summer Newsletter	2,000.00
22095	Super Heat, Inc	Inv. 113469 Repair A/C in Bldg. A Michele/Bonnie Offices	1,323.33
22096	Tracey Pressley.	Deposit & Rental Fee Refund - Pavilion Rental 7/1 - Ressica Park	100.00
22097	Tulpehocken Spring Water	Invs. 7309415,7309414,7321044	57.88
22098	United States Treasury	720-V 2nd Qtr 2023 Excise Tax EIN# 24-6001492	138.00
22099	Verizon	356-478-200-0001-39 5702238018 (6/12-7/11)	41.03

22100	Verizon Wireless	Inv. - 99375840089 Cell Phones (5/19-6/18)	245.12
22101	Warehouse Battery Outlet, Inc	Inv. 750244 - 3 12V Batteries	404.70
22102	Waste Management	Inv. 3757524-0203-8 - Dumpsters Flip Tops (7/1-7/31)	659.38
22103	William Klint.	Deposit Refund - Pavilion Rental 7/4 - Ressica Park	50.00
22104	Cleveland Brothers	Invs. INPP5454683,INPP5493518	990.83
22105	Alyssa Fedor.	Security Refund - Pavillon Rental Resica Park 6/24	50.00

TOTAL: 133,773.02

Sewer fund

Num	Name	Memo	Amount
1047386669	PENNSYLVANIA AMERICAN WATER	Acct. #1024-210033589546 (3/7-4/5) - Milford Road	70.01
1047386669	PENNSYLVANIA AMERICAN WATER	Acct. #1024-210033589546 (4/6-5/4) - Milford Road	71.06
1047386669	PENNSYLVANIA AMERICAN WATER	Acct. #1024-210033589546 (5/5-6/6) - Milford Road	72.13
15545	Middle Smithfield Township - 2020 GOB	2020 GOB Installment	8,323.33
15546	Middle Smithfield Township - 2019 GOB	2019 GOB Installment	31,893.65
1061297801	PENNSYLVANIA AMERICAN WATER	Acct. #1024-210033589546 (6/7-7/5) - Milford Road	70.00
15547	ALLSTATE SEPTIC SYSTEMS, LLP	Inv. 35064 - Pumping of PS #3	865.00
15548	B. Newhart & Sons, Inc.	Invs. 06112023, 07012023 Client ID 44038 - Inv. # 1311452 Permit #PA0060089 and Inv. # 1309620 Permit #PA0060763	1,000.00
15549	Commonwealth of PA		165.00
15550	COYNE CHEMICAL	Inv. 408512 - Ferric Chloride	5,400.00
15551	Eric Bell	Inv. 06162023 - Emergency Call - Pump Out PS #4	950.00
15552	GILMORE & ASSOCIATES, INC.	Invs. 236108,236105,236106,236107	3,972.70
15553	Grim, Biehn & Thatcher	Inv. 216472 - Sewer Matters - Talton Bankruptcy	324.00
15554	MET-ED	Accts. 100044863148, 100076523768	1,163.50
15555	PA ONE CALL SYSTEM, INC.	Inv. 1013469 - June Monthly Activity & Messages	65.20
15556	VERIZON	503952040001 - PS#10 BRD 7/4-8/3	53.06

TOTAL: 54,458.64

Golf Course

Num	Name	Memo	Amount
62542	Banko Beverage	PO #GP23-195 Beer	288.74
1061302571	PA American Water	1024-210033261244 Clubhouse (6/7-7/5)	240.04
98562169	Met-Ed	100081748863 Golf Maint Bldg (6/7-7/9)	159.51
62543	Angelielgha Stewart.	Whispering Pines Deposit Return for 5/20 Rental	250.00
62545	Blue Ridge Communications	Accts. 0330384-01, 0109950-03	139.90
62546	Bridgestone Golf Inc	Inv. 1003176146 - Golf Balls PO GM23-228 Watering Fairways & Greens on	798.51
62547	Craig Bunnell	5/25,5/28,5/29,5/30,6/8,6/9,6/20/2023	1,005.00
62548	Gotta Go Potties	Inv. 221007 - Porta Potties (5/23-6/20)	187.50
62549	Grim, Biehn & Thatcher Inc.	Inv. 216468 PMA - Golf Course Sale	630.00
62550	Herr Foods Inc	Inv. 8161641 - Snacks	104.48

62551	Huffman's Electric Inc.	Inv. 12247 - Remove & Replace Recess Lighting in Pro Shop & Bathrooms	1,837.20
62552	Leon Clapper Plumbing.	Inv. 32774 Clubhouse Men's Room Urinal Repair	250.00
62553	M.S.T.S.D.	BR-AMENITY3-0 3rd Qtr	525.00
62554	Mario Arostegui.	Deposit Return for 10/21 Whispering Pines Rental	250.00
62555	Miggy's Corp 5	Acct. 15, Inv. 7/3 - Hot Dogs & Hot Dog Roll	45.90
62556	Orkin Pest Control	Inv. 688556 Pest Control	74.46
62557	PA Liquor Control Board	LID 63287 Gr-54 Liquor License Renewal	1,560.00
62558	Pepsi-Cola	Inv. 85678606 - Soda & Gatorade	500.16
62559	Snackzilla Distribution LLC	Inv. 9523850523 - Snacks	80.81
62560	Suburban Propane	Inv. 565540 - Gasoline - Golf Club House	672.19
62561	Super Heat, Inc	Inv. 113378 Repair to Burnt Wire in Clubhouse Boiler	116.32
62562	Turf Equipment & Supply Co.	Inv. 70052962-02 - Misc. Parts	332.25
62563	Warnick Welding & Fabrication LLC	Inv. 2452 Welding/Crane Service/Parts to Pump House Pumps	7,573.30
62564	Waste Management	Inv. - 3758298-0203-8 Maint. Bldg (7/1-7/31)	1,181.30
62565	AutoZone, Inc.	Invs. 5787648923, 6787981419	27.81

TOTAL: 18,830.38