

**MIDDLE SMITHFIELD TOWNSHIP
MONROE COUNTY, PENNSYLVANIA
RESOLUTION NO. 06-2024-2**

**A RESOLUTION OF THE MIDDLE SMITHFIELD TOWNSHIP BOARD OF
SUPERVISORS ESTABLISHING THE PROCEDURE FOR THE DISBURSEMENT OF
FUNDS FROM THE ZERO POINT FOUR (0.4) MILLS EMS TAX REVENUE FOR
FISCAL YEAR 2024 AND THEREAFTER UNTIL REVISED BY RESOLUTION.**

WHEREAS, the Board of Supervisors of Middle Smithfield Township wishes to establish a policy for the distribution of the Middle Smithfield Township EMS Tax revenue for fiscal year 2024 and thereafter until revised by subsequent resolution.

NOW, THEREFORE, be it hereby **RESOLVED** that the Board of Supervisors ("Board") of Middle Smithfield Township ("Township"), Monroe County, Pennsylvania, establishes the following policy for the anticipated distribution of the Middle Smithfield Township EMS Tax funds:

THAT the Zero Point Four (0.4) Mills EMS Tax ("EMS Tax") Revenue for fiscal year 2024 and thereafter until revised by subsequent resolution be distributed to the four (4) volunteer emergency medical service ("EMS") providers that provide coverage to Middle Smithfield Township as follows:

1. The revenue received from the Middle Smithfield Township EMS Tax shall be placed in one (1) interest bearing account to be managed by Middle Smithfield Township and shall be disbursed and/or otherwise distributed in the following not to exceed amounts to the following emergency medical service providers, subject to and conditional on the individual EMS providers complying with and satisfying the provisions contained herein: up to 65% to Bushkill Emergency Corps; up to 14% to Suburban EMS; up to 14% to Lehman Pike EMS; and, up to 7% to Marshalls Creek Fire Company EMS, unless otherwise approved by the Middle Smithfield Township Board of Supervisors. The distribution of the above-referenced percentages from the Middle Smithfield Township EMS Tax revenue is subject to and conditional on the individual EMS providers complying with and satisfying the conditions and requirements set forth herein. The Middle Smithfield Township Board of Supervisors may adjust the distribution percentages in the event of the individual EMS providers failing to comply with the requirements of this Resolution or other reasons deemed to be in the best interest of Middle Smithfield Township. The adjustment of the distribution percentages shall be within the sole discretion of the Middle Smithfield Township Board of Supervisors. The time frame for the disbursement of funds to each of the four (4) above-referenced volunteer EMS providers shall be monthly, unless the Middle Smithfield Township Board of Supervisors determines to institute a different time frame which shall remain within the discretion of the Board of Supervisors, and shall require an itemized listing of all expenditures of such funds, with receipts, by the 15th day of every month for the prior month's expenses, not to exceed ninety (90) days of the invoice date. The Middle Smithfield Township Board of Supervisors may withhold any and all funds in the event the EMS provider(s) fail to provide such itemized listing of expenditures.
2. The EMS tax funds referenced in subsection 1 above shall be disbursed annually via monthly distributions to Bushkill Emergency Corps, Suburban EMS, Lehman Pike EMS, and Marshalls Creek Fire Company EMS unless otherwise decided by the Middle Smithfield Township Board of Supervisors. EMS tax funds shall be disbursed only for those purposes and within the restrictions set forth in the Pennsylvania Second Class Township Code, 53 P.S. §68205(a)(8), and which purposes are in the nature of supporting ambulance, rescue and other emergency services serving Middle Smithfield Township. Requests for release of reserve funds shall be subject to the formal approval of the Middle Smithfield Township Board of Supervisors, which shall be within the Board's sole discretion and subject to the guidelines and conditions set forth herein and/or otherwise considered pertinent by the Board of Supervisors in a manner consistent with the Pennsylvania Second Class Township Code.

3. The above-referenced EMS providers shall comply with and satisfy the following requirements as a condition of receiving the Middle Smithfield Township EMS tax funds:

- (a) EMS providers are expected to pursue grant funds and continue fundraising activities but are not permitted to do road drives.
- (b) The EMS providers shall collectively provide EMS services, including but not limited to ambulance, rescue and other emergency services to the residents of and visitors to Middle Smithfield Township in a timely manner 24 hours a day, 7 days a week, in accordance with state and federal laws, regulations and protocols. ALS must be provided 100% of the time, and at least one BLS and one ALS vehicle must be available 24 hours a day, 7 days a week.
- (c) The EMS providers shall be physically located at a permanent location within Middle Smithfield Township or within 2 miles of the Township from which the EMS provider will respond.
- (d) The EMS providers shall at all times remain licensed, certified and/or enrolled in good standing with all applicable state and federal authorities and all required state or national accrediting organizations.
- (e) The EMS providers shall provide assistance to all other appointed EMS service providers within the Township in the event that such assistance is necessary (*e.g.*, through mutual aid request).
- (f) The EMS providers shall provide monthly statistic reports summarizing the response activity of the previous month which shall contain the information more fully described below. The report shall be submitted to the Township within 30 calendar days after the end of each month.

The EMS providers shall provide the Township upon request all documentation of all calls on which EMS provider is dispatched within the geographical limits of the Township, which documentation shall include the following:

- (1) Time the call was received;
- (2) Time the responding unit was enroute to the scene;
- (3) Time the unit arrived at the scene;
- (4) Time the unit departed from the scene;
- (5) Time the unit was back in service;
- (6) All other information and/or data required by applicable PA EMS Rules and Regulations that is not privileged and/or confidential; and,
- (7) All other information and/or data Middle Smithfield Township deems necessary.

(g) The EMS providers shall provide quarterly reports to the Township consisting of all information, data, minutes, reports and records required under the applicable PA EMS Rules and Regulations, including but not limited to 28 Pa. Code §1027.3, that is not privileged and/or confidential.

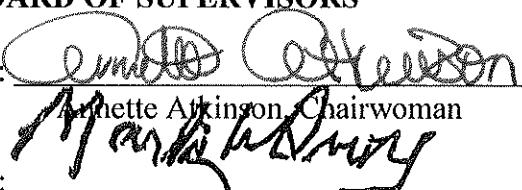
- (h) The EMS providers shall provide annual reports to the Township consisting of all information, data, reports and records required under the applicable PA EMS Rules and Regulations, including but not limited to 28 Pa. Code §1027.3, that is not privileged and/or confidential.
- (i) The EMS providers shall use their best efforts to see that the response time to incidents requiring EMS services within the Township is within a time deemed acceptable to the Township in order to ensure the safety, health and welfare of Township residents and others within the Township.
- (j) The EMS providers shall make available to the Township at all reasonable times financial statements and records relating to the use of EMS Tax funds.
- (k) EMS providers shall prepare an annual budget prior to the beginning of the fiscal year and provide it to the Township on or before two (2) months prior to the end of their respective fiscal year. EMS providers must provide an annual full audit performed by a CPA. EMS providers shall make available to the Township any and all financial records, audits, documentation and/or statements relating to the use of EMS Tax funds from the Township on an annual basis or as or when requested by the Township.
- (l) The EMS providers shall maintain all EMS service equipment and vehicles in good operating condition.
- (m) The EMS providers shall fully comply with all applicable federal, state, and local laws and regulations.
- (n) Mutual Aid agreements/ALS contracts must be in place among the four (4) EMS providers that service Middle Smithfield Township, and all EMS providers must be up to date on their payments to other providers. The distribution and/or release of EMS Tax funds may be withheld and/or decreased if such EMS provider is not in compliance with this section.
- (o) The EMS providers shall provide EMS coverage for Middle Smithfield Township sponsored events if requested.

Adopted, this 13th day of June, 2024 at a regularly scheduled meeting of the Board of Supervisors of the Township of Middle Smithfield.

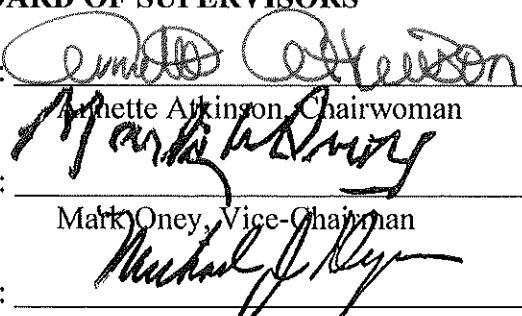
**MIDDLE SMITHFIELD TOWNSHIP
BOARD OF SUPERVISORS**

By: 

Annette Atkinson, Chairwoman

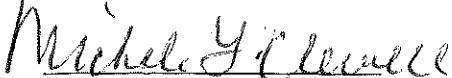
By: 

Mark Oney, Vice-Chairman

By: 

Michael J. Dwyer, Supervisor

ATTEST:



Michele Y. Clewell
Township Secretary

[TOWNSHIP SEAL]