



MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
JANUARY 28, 2021
MINUTES

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, January 28, 2021 at 7:00 pm at the Schoonover Municipal Building.

The State and Township continue to operate under emergency procedures due to the COVID-19 pandemic. The Board of Supervisors are holding in person meetings as well as providing an opportunity for public participation through video and audio advanced communication technology ("ACT"), using the ZOOM internet application, and telephone option.

Board of Supervisors present: Annette Atkinson, Mike Dwyer and Mark Oney. Also present were Township Solicitor Michael Gaul, Esq., Township Secretary Michele Clewell, Robert Weseloh of LTS Homes, Deanna Schmoyer, P.E. and Bob Kidwell, Esq.

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

Approval of Agenda

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

Approval of Minutes

Annette Atkinson made a motion to approve the January 4, 2021 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Report of Executive Session(s)

Attorney Gaul stated that the Board of Supervisors held an executive session on January 22, 2021 and prior to this meeting to go over pending legal matters with the Township Solicitor.

Announcements

Lehigh Valley Health Network Mammography bus will be at the Cultural Center on February 15, 2021.

Correspondence

None

Treasurer's Report

Payables

Mike Dwyer made a motion to approve the general fund payables in the amount of \$145,446.82. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$94,295.50. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course payables in the amount of \$7,559.69. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the liquid fuels payables in the amount of \$54,278.16. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the Cable Franchise payables in the amount of \$10,638.01. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the Community & Cultural Center payables in the amount of \$212,064.66. Annette Atkinson seconded the motion. Motion passed 3-0.

Solicitors Report

None

Engineers Report

Highland Oaks Major Subdivision Discussion; Solicitor Gaul stated that LTS Homes had requested at its prior meeting before the Board of Supervisors that LTS not be required to provide financial security for the installation of the individual stormwater controls for the (12) lots on the Hidden Oaks Major Subdivision Preliminary Plan. Instead, LTS was requesting that, in lieu of financial security, LTS would agree that a certificate of occupancy could not be granted for a home built on the Property until the lot specific stormwater controls were built.

There was extensive discussion regarding the requirements under the Middle Smithfield Township SALDO and Monroe County Conservation District regulations. The SALDO states that the stormwater controls are required improvements. As a result, the improvements should be bonded, unless a modification is granted. The Conservation District and NPDES permit regulations require covenants on the deed, notice of BMPs on a property to the property owners, and an agreement by the lot owner to perform long term maintenance and operation, among other things.

Deanna Schmoyer stated that this is a preliminary plan and does not require a bond, only a final plan requires that. Solicitor Gaul stated that, if LTS does not want to provide financial security for the stormwater improvements, LTS will need to request and obtain approval of a modification of the regulations and that a restrictive covenant placed on the Plan that no certificate of occupancy will be issued for home built on a lot unless the stormwater controls are complete and signed off by the Township Engineer. Attorney Gaul indicated that proceed in this fashion will result in more engineering and

administrative costs, which the developer would be expected to pay or reimburse the Twp.

Attorney Kidwell stated that bonding can be done at the final plan stage, this is preliminary.

Solicitor Gaul asked if there were stormwater improvements separate from those related to the development of specific lot. . Chris McDermott said there are two swales and they are independent of development of houses the individual lots.

Mr. Weseloh indicated that LTS desired to construct the general stormwater controls now, based on preliminary plan approval. Attorney Gaul said that LTS should sign a stormwater agreement before beginning such work, because LTS would be engaging in earth disturbance. There was further discussion as whether LTS would need to post financial security in regards to the limited work, under a stormwater agreement, in the event LTS started the general stormwater facilities work, but did not complete it.

Mike Dwyer stated that the stormwater on lots 1, 2 and 3 has to be turned over to the owners of those lots, it becomes their responsibility and must be outlined in the deed for those lots.

Mike Dwyer made a motion to go into executive session at 7:55 p.m., Annette Atkinson seconded the motion. Motion passed 3-0.

Annette Atkinson made a motion to reconvene the meeting at 8:06 p.m. Mark Oney seconded the motion. Motion passed 3-0.

Solicitor Gaul stated that the Board of Supervisors would be willing to waive the requirement for a financial guaranty for the limited stormwater work LTS desires to do now, but would require LTS to sign a stormwater management agreement.

Mark Oney made a motion to grant a waiver of the bonding requirement pursuant to Section 106.29 of the Stormwater Management Ordinance for the general stormwater work that LTS desires to perform under preliminary plan approval, but requiring the developer to execute a stormwater management agreement with the Township before beginning work. Annette Atkinson seconded the motion. Motion passed 3-0.

Old Business

None

New Business

Resolution No. 01-2021-1; Alexandra Artyukkova Joinder Deed; Mark Oney made a motion to approve the Joinder Deed Resolution 01-021-1 for Alexandra Artyukkova. Annette Atkinson seconded the motion. Motion passed 3-0.

Approval of Easement Agreement with Saleme Investment Company in regards to sewer line; Annette Atkinson made a motion authorizing a sewer line easement agreement with Saleme Investment Company and for the Township payment in the amount of \$12,500.00 for said easement. Mike Dwyer seconded the motion. Motion passed 3-0.

Authorize the Purchase of a 2020 CAT Excavator through COSTARS Contract 4400019950 with trade of 2006 JD 120C Excavator; Mike Dwyer made a motion to enter in an agreement of sale with Cleveland Brothers, through state contract number COSTARS 4400019950 , for a 2020 CAT Excavator in the amount of \$126,320 with the 2006 JD 120C excavator as a trade. Mark Oney seconded the motion. Motion passed 3-0.

Public Comment

None

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 8:19 p.m. Mike Dwyer seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell
Township Secretary
January 28, 2021

General fund

Date	Num	Name	Memo	Credit
01/11/2021	19134	Ertle Powersports	VOID: 0608 used 2013 Kubota RTV500	
01/11/2021	19135	Ertle Powersports	0608 used 2013 Kubota RTV500	4,484.50
01/12/2021	bv029031504	Verizon Wireless	inv 9867309651 cell phones	424.04
01/13/2021	75964716	Met Ed	100069220836 River Rd light	22.81
01/13/2021	75964651	Met Ed	100114051681 Bark park	23.10
01/13/2021	75964411	Met Ed	100073577916 Sellersville light	36.28
01/13/2021	75964320	Met Ed	100016915751 Municipal light	29.71
01/13/2021	75963950	Met Ed	100016951467 bldg A	497.64
01/13/2021	75963756	Met Ed	100036091245 bldg b	804.32
01/13/2021	75964833	Met Ed	100138495898 Echo Lake	22.92
01/21/2021	19137	Monroe County General Fund	tax collector interest -County share	56.86
01/21/2021	76152164	Met Ed	100126688959 Dancing Ridge	55.27
01/21/2021	76152214	Met Ed	100124280825 Oak Grove light	34.50
01/25/2021	19136	Jack Williams Tire Co, Inc	oil burner deposit	3,088.00
01/28/2021	19138	A.J. Smith Electric Motor Service	inv 37436 parts	42.00
01/28/2021	19139	Alura Business Solutions LLC	invs 37129,197,253 computer maint. & repairs	2,068.50

{00840469}

01/28/2021	19140	Amazon	a/c 6045787810579207 office supplies	645.00
01/28/2021	19141	Autozone	invs 6787115684,6317,8616,724457,124303 parts	178.85
01/28/2021	19142	Bergey's, Inc	invs ph707969,708597,708809r parts less credit	189.86
01/28/2021	19143	Blue Ridge Cable	inv 0377113-01 Wooddale internet	62.21
01/28/2021	19144	C.S. Davidson, Inc	inv 147661 Permit Manager	1,850.00
01/28/2021	19145	Claude S. Cyphers, Inc	invs 703153,298,296,303 parts	309.93
01/28/2021	19146	Cleveland Brothers	inv inpp4093376 parts	291.16
01/28/2021	19147	CNH Capital	5043-9355-0140-9770	6.20
01/28/2021	19148	Corporate Protective Services	invs 761,774 armed guards	150.00
01/28/2021	19149	Dailey Resources, LTD	inv r153078 cylinder rental	11.00
01/28/2021	19150	Donna G. Kenderdine, RPR	inv 420-20 ordinance	118.50
01/28/2021	19151	E.M. Kutz	invs 315968,31759,760 parts	1,223.60
01/28/2021	19152	ESI Equipment Inc	inv 20-2233 disinfectant	2,320.00
01/28/2021	19153	Eureka Stone Quarry	inv 391322 road materials	2,171.88
01/28/2021	19154	FedEx	inv 721349186	35.17
01/28/2021	19155	Francis C. Disalvo	01142176945 parts	120.60
01/28/2021	19156	General Code, LLC	inv gc00112176 annual maintenance	1,195.00
01/28/2021	19157	Gilmore & Associates, Inc.	inv 204035 MS4	1,061.25
01/28/2021	19158	Gotta Go Potties, Inc	inv 102080 Wooddale	60.00
01/28/2021	19159	Hacker's Packers, Inc	deposit for roll off containers	2,000.00
01/28/2021	19160	Hunter Keystone Peterbilt, LP King, Spry, Herman, Freund & Paul LLC	invs x210126180,759,788 parts legal fees inv 153861-73	500.80 15,008.25
01/28/2021	19162	Lawson Products, Inc.	invs 9308126062,147199 parts	495.81
01/28/2021	19163	Lewis ACE Hardware	a/c 1120 supplies	449.13
01/28/2021	19164	M.S.T.S.D.	ms-0032-0 sewer	350.00
01/28/2021	19165	Macmillan Oil	inv 122874 motor oil	433.00
01/28/2021	19166	Monroe County Historical Monroe County Tax Collection Committee	Municipal Sponsor share of tax collector computer	250.00 194.04
01/28/2021	19168	Monroe County Treasurer	interim A billing	9.86
01/28/2021	19169	Murray's Heavy Duty Towing, Inc	inv 13122	350.00
01/28/2021	19170	NAPA Auto Parts	invs 2717-055354,056650 parts	1,126.20
01/28/2021	19171	Ott Consulting Inc	SEO Dec bills	4,771.50
01/28/2021	19172	PA Chapter of APA	inv 2021-116 annual membership	112.00
01/28/2021	19173	PA One Call System, Inc.	inv 889940 monthly activity fee	7.30
01/28/2021	19174	PA State Association of Boroughs	inv 26980 1/1-12/31/21 Municipal dues	225.00
01/28/2021	19175	PAPCO	invs 3156993,5880,9591,63760	6,791.11
01/28/2021	19176	Pennsylvania American Water	1024-220008909318 bark park	203.28
01/28/2021	19177	Penteledata	inv B3812853 email boxes	291.84
01/28/2021	19178	Pike County Dispatch	subscription renewal 2021	46.00
01/28/2021	19179	PMRS	45-027-5N Pension	22,624.56
01/28/2021	19180	Pocono Mountain COG	2021 Dues	300.00
01/28/2021	19181	Pocono Record	inv 243033 public notices	2,264.56
01/28/2021	19182	Praxair Dist Mid-Atlantic	inv 60825658 cylinder rental	30.20
01/28/2021	19183	PSATS	inv-85020-F2Q2 membership	125.00
01/28/2021	19184	Quadient Finance USA, Inc	7900044460257144 postage	1,000.00

01/28/2021	19185	Quadient Leasing USA, Inc	inv N8663015 postage machine	478.74
01/28/2021	19186	Quiet Valley Living Historical Farm	annual donation	500.00
01/28/2021	19187	Reilly Associates.	invs 19001-2,4,9,7,1	14,566.80
01/28/2021	19188	RICOH USA, Inc	inv 5061105377 additional copies	207.68
01/28/2021	19189	RICOH USA, Inc.	1309321-1021529A1	368.49
01/28/2021	19190	Scantek	inv 20782 file scanning	3,396.00
01/28/2021	19191	SFM Consulting LLC	Dec zoning & codes	16,673.13
01/28/2021	19192	Staples Advantage	invs 8060872221,960244,995734,1030308,1081147 supplies	354.94
01/28/2021	19193	Stone Ridge Diesel LLC	inv 481 new fuel tank & injectors	3,044.01
01/28/2021	19194	Suburban Propane-2753	invs 504272,512392,504447	5,924.15
01/28/2021	19195	Sun Litho Print	inv 44129 fuel slips	175.00
01/28/2021	19196	Super Heat, Inc	inv 101385 heating repairs	3,100.06
01/28/2021	19197	TCA, Inc	Comprehensive Plane Update	8,943.30
01/28/2021	19198	Tulpehocken Spring Water	inv 6534401 water	71.29
01/28/2021	19199	Verizon	a/c 450-395-041-0001-25	381.87
01/28/2021	19200	Verizon Wireless	inv 9871541841 cell phones	488.47
01/28/2021	19201	Warehouse Battery Outlet, Inc	invs 475634,944 batteries	566.80
01/28/2021	19202	Waste Management	inv 350820402039 dumpsters	567.76
01/28/2021	19203	West End Equipment	invs 130084,095,181 parts	359.93
01/28/2021	19204	Gotta Go Potties, Inc	inv 102081 bark park	85.00
01/28/2021	19205	PMRS	45-027-5N Pension admin fee	900.00
01/28/2021	19206	Verizon	a/c 556-475-982-0001-45 library	43.47
01/28/2021	19207	Waste Management	inv 351545002039 dumpsters	557.84
01/28/2021	19208	Verizon	a/c 356-478-200-0001-36 Library	41.99
				145,446.82

Sewer fund

Date	Name	Memo	Amount
01/28/2021	ALLSTATE SEPTIC SYSTEMS, LLP	348238	-941.25
01/28/2021	AT&T	0195333847001	-43.47
01/28/2021	B. Newhart & Sons, Inc.	011221	-880.00
01/28/2021	Carbitrol Corporation		-
01/28/2021	Carbitrol Corporation		12,827.21
01/28/2021	Commonwealth of PA	1183088 PA0060763 Winona	-500.00
01/28/2021	COYNE CHEMICAL	350919	-3,535.00
01/28/2021	Evoqua Water Technologies		-7,876.83
01/28/2021	GILMORE & ASSOCIATES, INC.		-1,972.56
01/28/2021	Kappe	20-4477-112	-5,824.00
01/28/2021	MET-ED	100044863148 WL Island View	-29.05
01/28/2021	North End Electric	Payment #3 Mt. Nebo Pump station & force Main	-
01/28/2021	North End Electric		17,525.00
01/28/2021	PA ONE CALL SYSTEM, INC.	889944	-10.35
01/28/2021	PENNSYLVANIA AMERICAN WATER	1024-210031497597	-16.53
01/28/2021	Pioneer Constructions Co.	Payment #2 Mt Nebo Pump Station & Force Main	-
01/28/2021	Pioneer Constructions Co.		27,291.15

01/28/2021	PROSSER LABORATORIES, INC.		-1,967.60
01/28/2021	VERIZON	450733757000147 - PS#4 Maple Ln	-44.01
01/28/2021	W.G. MALDEN	17625	-1,954.25
01/28/2021	WASTE MANAGEMENT	3510643-0203-4	-2,812.90
01/28/2021	MET-ED	100018446334 - PS#3 McCole & 209	-54.86
01/28/2021	VERIZON	250733759000147 PS#7 McCole & NP	-44.01
01/28/2021	MET-ED	100018440378 PS#4 Maple Ln	-300.62
01/28/2021	VERIZON	250395051000157 - PS#6 Sellersville	-41.85
01/28/2021	MET-ED	100016914275 - PS#5 Municipal & 209	-301.31
01/28/2021	VERIZON	450395051000114 - PS#5 Municipal & 209	-41.85
01/28/2021	MET-ED	100134596392 - PS#11 Mt Nebo	-108.27
01/28/2021	VERIZON	250733760000128- PS#8 LOTP	-44.01
01/28/2021	MET-ED	100016867432 - PS#8 LOTP	-201.86
01/28/2021	VERIZON	450733760000183 - PS#2 Fairway Villas	-44.01
01/28/2021	MET-ED	100018442556 - PS#7 McCole & NP	-152.63
01/28/2021	VERIZON	450733769000192 - WL Mtn Pass	-44.90
01/28/2021	MET-ED	100081035618 Lift Station	-23.22
01/28/2021	VERIZON	350733772000156 Main STP	-92.46
01/28/2021	MET-ED	100083606630 - PS#9 Oak Grove	-121.23
01/28/2021	VERIZON	250395181000101 - PS#9 Oak Grove	-43.30
01/28/2021	MET-ED	100018448652 Main STP	-4,868.19
01/28/2021	VERIZON	250395204000104 PS#10 BRD	-41.85
01/28/2021	MET-ED	100089058661 - Rt 209	-23.01
01/28/2021	VERIZON	450733758000120 - PS# 3 McCole & 209	-44.01
01/28/2021	MET-ED	100016629691 Sleepy Hollow Fairway	-198.16
01/28/2021	MET-ED	10076523768 WL Mtn Pass	-894.63
01/28/2021	MET-ED	100080913799 Off Sleepy Hollow	-122.41
01/28/2021	MET-ED	100080916826 PS#2 Fairway Villas	-42.97
01/28/2021	MET-ED	100080920901 Tree Tops	-55.34
01/28/2021	MET-ED	100018353951 PS#6 Sellersville	-293.38
			-
			94,295.50

Golf fund

Date	Num	Name	Memo	Amount
01/13/2021	75964253	Met-Ed	100081784231 big ridge dr	(49.57)
01/13/2021	75964153	Met-Ed	100085171773 guard shack	(136.07)
01/13/2021	75964062	Met-Ed	100081748863 Golf maint bldg	(182.87)
01/13/2021	75963529	Met-Ed	100081748848 clubhouse	(858.81)
01/13/2021	503835055	PA American Water	1024-210033261244	(74.15)
01/28/2021	61525	Waste Management	invs 350931802036, 351662302030 maint bldg	(643.07)
01/28/2021	61526	Waste Management Blue Ridge	350931702038,351662202032 clubhouse	(903.57)
01/28/2021	61527	Communications	a/c 0109950-03 internet	(49.95)
01/28/2021	61528	Commonwealth of PA	62699 food license	(82.00)
01/28/2021	61529	Finch Services, Inc	invs B13048,13280,13506,14722,14984 parts	(1,275.79)

{00840469}

01/28/2021	61530	M.S.T.S.D.	br-amentity3-0 sewer	(525.00)
01/28/2021	61531	R&R Products	inv cd2513446 parts	(283.25)
01/28/2021	61532	Steele's Hardware	inv 464794 parts	(192.50)
01/28/2021	61533	Suburban Propane	inv 2753-126517 propane	(2,261.44)
01/28/2021	61534	Verizon	250-732-882-0001-56	<u>(41.65)</u>
				(7,559.69)

Liquid fuels

Date	Num	Name	Memo	Amount
01/28/2021	10075	DeAngelo Contracting Services, LLC	inv 306 line striping	24,511.61
01/28/2021	10076	Riverside Construction Materials, Inc	invs 51002014,2059 salt	<u>29,766.55</u>
				-
				54,278.16

Cable Franchise

Date	Num	Name	Memo	Credit
01/28/2021	1247	Monroe County Control Center	inv 7019 emergency services	<u>10,638.01</u>

Cultural Center

Date	Num	Name	Memo	Credit
01/08/2021	75845481	Met Ed	a/c 100136420260 Library-Cultural Center	1,887.76
01/28/2021	10097	Marx Sheet Metal & Mechanical Inc	app 15 Library retainage release	53,172.73
01/28/2021	10098	Scandale Associated Builders & Engineers	app 13.1 Library construction	7,125.00
01/28/2021	10099	Sedler Design & Redevelopment, LLC	final invoice construction administration	9,563.00
02/01/2021		Scanale Associate Buildiners & Engineeers	Retainage	140,000.00
				212,064.66