



MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
AUGUST 26, 2021 MINUTES

The regular meeting of the Middle Smithfield Township Board of Supervisors was held on Thursday, August 26, 2021 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.

Board of Supervisors present: Annette Atkinson, Mark Oney and Mike Dwyer. Also present were Township Solicitor Michael Gaul, Esq., Township Engineer Christopher McDermott, P.E., and Township Secretary Michele Clewell,

Residents and Public in-person: Debbie Kulick and Ed Regina.

Plan presenters: Robert Weseloh of LTS Homes, LLC.

No one participated through "ACT".

The meeting was called to order at 7:00 p.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 August 12, 2021 minutes. Mike Dwyer seconded the motion. Motion passed 3-0.

Report of Executive Session(s)

None

Announcement

Congratulations to the Library of the Smithfields on a very successful grand opening ribbon cutting on August 25, 2021.

Debbie Kulick thanked the Supervisors for the Township's gold sponsorship for the Bushkill Emergency Corps annual dinner gala.

The Township was awarded the Healing the Planet Grant sponsored by the GIANT Company and Keep Pennsylvania Beautiful for the Echo Lake Park Rehabilitation and

Beautification. Christopher Rain, Parks & Recreation liaison prepared and submitted that winning grant. The grant awarded is \$25,000 and will be used to purchase native plants to be planted at the rain gardens, replace garbage cans and enhance the Echo Lake Trail System.

Correspondence

None

Treasurer's Report

Payables Mike Dwyer made a motion to approve the general fund payables in the amount of \$101,649.56. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the sewer fund payables in the amount of \$17,758.01. Annette Atkinson seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the golf course payables in the amount of \$22,110.05. Mark Oney seconded the motion. Motion passed 3-0.

Mike Dwyer made a motion to approve the liquid fuels payables in the amount of \$158,098.35. Mark Oney seconded the motion. Motion passed 3-0.

Solicitors Report

None

Engineers Report

Tractor Supply Highway Occupancy Permit "HOP"; Mr. McDermott stated that Tractor Supply has requested the Township sign the HOP application for the sewer and sidewalks, and to authorize Tractor Supply's engineer to submit to PennDOT. He recommended the Supervisors condition their approval on the Township Engineer having access to the permitting system on behalf of the Township. He also stated that the PennDOT may require the Township to approve the signing by adopting a Resolution.

An indemnity and maintenance agreement between Tractor Supply and the Township was discussed. Chris McDermott stated that any improvements within the PennDOT right-of-way must be done prior to the State closing out the permit. He also stated that the Township should enter into a Maintenance Agreement with Tractor Supply for the sidewalks, so that Tractor Supply, and not the Township, bears the burden of long term responsibility for maintenance of the sidewalk.

Attorney Gaul stated that completion of the indemnity and maintenance agreement can be delayed until the land development stage of approvals, but that Tractor Supply should be put on notice of the requirement now.

Mike Dwyer made a motion authorizing Annette Atkinson, Chairman to sign the HOP for the Tractor Supply on behalf of Middle Smithfield Township and granting Township Engineer Chris McDermott, P.E. access to permitting documents for the HOP for the Township. Mark Oney seconded the motion. Motion passed 3-0.

Highland Oaks Final Major Subdivision Plan; Chris McDermott stated that the Highland Oaks Final Major Subdivision plan was conditionally approved by the Middle Smithfield Township Board of Supervisors on August 12 2021.

Mr. Robert Weseloh of LTS Homes, LLC asked to go through the conditions set by the Supervisors at the last regular meeting.

- a. Comply with the Township Engineer's Letter dated July 22, 2021; Mr. Weseloh agreed.
- b. Addressing the Township Solicitor's and Township Engineer's comments to include specific covenants on the plan; Mr. Weseloh agreed.
- c. Signed Improvements Agreement satisfactory to the Township Solicitor; Attorney Gaul stated the Township does not know the status of the installation of required improvements. The current plan was processed by the Planning Commission, and brought before the Board of Supervisors, on an expedited basis, at the request of the applicant. An Improvements Agreement will be needed, if required improvements have not been completed. The Township will need to inspect the property in order to make a determination. If the Township Engineer finds that the improvements have been satisfactorily installed, then an Improvements Agreement for the Final Plan will not be required.
- d. Financial Security for improvements satisfactory to the Township Solicitor's Review; Attorney Gaul stated this is not required if the required improvements have been installed.
- e. Stormwater Agreement satisfactory to the Township Solicitor and Township Engineer; Attorney Gaul stated that he is currently working on creating this agreement and finalizing it as it is specific to this project. He stated that he will need to know about the other stormwater improvements in order to include them in the agreement.
- f. Cost Estimate satisfactory to the Township Engineer and Township Solicitor; Attorney Gaul stated this will not be needed if the Township Engineer approves the installation of the required improvements.
- g. Contribution to the maintenance fund for the stormwater and inspections escrow; Attorney Gaul stated that, even if a deposit may have been made for the costs of inspection of the current work, the developer would still need to make a

contribution for the costs of future inspections. Attorney Gaul will need to consult with Chris McDermott on how this will be handled.

- h. Payment of outstanding professional fees; Mr. Weseloh wanted it understood that LTS would only be responsible for reasonable fees. Attorney Gaul replied that he did not think that the clarification was necessary, and that there is a process in the MPC if LTS desires to dispute any fees.
- i. Obtain Driveway Permits; Mr. Weseloh suggested that the driveway permits be tied into when the building permits are issued. Mike Dwyer disagreed and stated that the developers are not applying for them, they are putting in construction access and then it's not practical. Mike Dwyer stated that most of the 12 lots will be required to have pipes under the driveways. Mr. Weseloh disagreed, but agreed to obtain driveway permits prior to final approval of the plans.

Chris McDermott stated that the notes on the plan say (3) swales are the responsibility of the individual property owners. Attorney Gaul stated that this wording is in the stormwater agreement that is being proposed.

- j. Fee in lieu of open space, Mr. Wesleloh agreed to pay the fee.
- k. Buffer screen satisfactory to the Township Engineer review; Chris McDermott stated that he is satisfied with the screening. Attorney Gaul questioned whether plan note should be added that the buffer screen is the responsibility of the property owner to maintain. Michael Dwyer did not think that was necessary, due to the location of the screening.

Upon further discussion, Mr. Wesleloh agreed to sign the conditional approval letter, prior to the (15) day acknowledging the listed conditions.

Mr. Wesleloh stated that he will make sure the monuments are completed and requested an inspection be done by the Township Engineer. Attorney Gaul stated the plans need to be revised. The applicants engineer, Deanna Schmoyer, P.E. needs to send the covenants and notes in a Word format.

Attorney Gaul stated that the Stormwater Agreement can be added to the Board of Supervisors agenda for the September 9, 2021 meeting for approval by the Board.

Old Business

None

New Business

Minimum Municipal Obligation ("MMO") for 2022; Annette Atkinson made a motion to approve the "MMO" for 2022. Mike Dwyer seconded the motion. Motion passed 3-0.

Accept and Approve the Appointment of Ellerbe, Thompson, Sapp & Wilson, LLP;
Annette Atkinson made a motion to accept and approve the professional services contract from Elarbee, Thompson, Sapp & Wilson, LLP. In response to a question by Debbie Kulick, Ms. Atkinson explained that the agreement was for Elarbee, Thompson, Sapp & Wilson, LLP, to provide the Township services in regards to human resource matters. Mike Dwyer seconded the motion. Motion passed 3-0.

Public Comment

Mike Dwyer reported that he spoke to Signal Services regarding the traffic signal light timing at Route 209/MS Elementary School; and was told nothing has changed. Mr. Regina thanked Mike for looking into this, but Mr. Regina still believes the timing has changed and will create traffic backup once school starts. Chris McDermott stated that any changes from the approved plan would have to be approved by the Supervisors and PennDOT.

Adjournment

Annette Atkinson made a motion to adjourn the meeting at 7:44 p.m. Mark Oney seconded the motion. Motion passed 3-0.

Respectfully submitted,

Michele L. Clewell, Township Secretary
August 26, 2021

General fund

Num	Name	Memo	Amount
81267366	Met Ed	100124280825 Oak Grove light (7/12-8/9)	31.90
81266152	Met Ed	100016915751 Municipal light (7/9-8/8)	26.77
81266030	Met Ed	100016951467 bldg A (7/9-8/8)	479.23
81266298	Met Ed	100036091245 bldg b (7/9-8/8)	425.30
19897	Early Construction Company, Inc.	Final Payment - Shower Stalls in Lower Level of Cultural Center	10,476.00
81428841	Met Ed	100126688959 Dancing Ridge (7/19-8/17)	25.05
	Bergey's, Inc	QuickBooks generated zero amount transaction for bill payment stub	
19898	AJ Jacobs	Security Return - Pavillon Rental - Ressica & Echo Lake 8/9	100.00
19899	Alura Business Solutions LLC	Inv. 38493, 38426	1,653.95
19900	Alyssa Fedor.	Security Refund - Pavilion Rental 8/21 - Ressica Park	50.00
19901	Amazon	6045787810579207 Supplies & Equipment	471.11
19902	American United Life Insurance Company	G00612999 9/1/2021 - 9/30/2021	2,315.39
19903	Autozone	Inv. 6787319797	17.98
19904	Blackout-Design.Com	Inv. 1921 Web Hosting Qtr 1 & Qtr 2 2021	950.00
19905	Bon Venture Services	Inv. 2890495 St. Johns Ad (7/25-10/17)	272.88
19906	Bradco Supply Co	Inv. 207927 Street Signs	1,948.25
19907	Clean Team, Inc.	Inv. 72875 Cleaning Service	505.00
19908	Cramer's Home Center	Inv. 2108-778493,778274,779372,779767,780139,	1,282.92
19909	Driscoll Foods	Inv. 929210 Supplies	140.37
19910	Dunkelbergers Sports Outfitter	Boots	274.98
19911	FedEx	Inv. 7-471-16857	66.85
19912	General Code, LLC	Inv. CMS0023046 Laserfiche	961.00
19913	Georges Quickstop Cafe	Inv. 7/10-7/31	6,456.14
19914	Gotta Go Potties, Inc	Inv. 108055, 108054	145.00
19915	Harry Hinline Builders, Inc	Inv. 5072 Soffit & Guttersl for CC Mailbox Pavillon	54.22
19916	Huffmans' Electric	Inv. 11243 - Surge Protectors - Outside Light - 3 Phase 30 amp Breaker - Library	3,327.64
19917	Kassandra Makin.	Security Return - Pavillon Rental - Echo - 8/21	50.00
19918	King, Spry, Herman, Freund & Paul LLC	Inv. 159189, 159190, 159191, 159192, 159193...	7,546.00
19919	Lawson Products, Inc.	Inv. 9308677004 TNT & Anti-Seize	152.27
19920	Lewis ACE Hardware	Inv. 2172/1, 2181/1	156.97
19921	M.S.T.S.D.	Sewer Payment for E. Miller Acct-05-0093-0 Direct Deposited	166.00
19922	Miggys Five	Inv. 8/12	36.36
19923	Newman, Williams, Mishkin, Corveleyn	Inv. 118368 Zoning Hearing Board - Tractor Supply	525.00
19924	Nivert Metal	Inv. I175380 Steel	1,171.52
19925	Northeast Fire Services & Inspections, LL	Inv. S20-116 System Repairs	728.00
19926	Pamela Venable	Security Refund - Pavilion Rental 8/14 - Ressica Park	50.00
19927	Penteledata	Inv. B3921137 (8/10-9/10)	465.09
19928	PMRS	45-027-5N Pension August	17,416.55
19929	Prosser Laboratories	Inv. 511874 DDR Location & Women's RR Sink & Sample Pickup	90.00
19930	PSATS	Inv. 95557-G4T4, 95550-Z4V3, 95554-C0S7, 95555-M3B1	200.00
19931	Reilly Associates.	19001.04 - 2 MC Firehouse Repairs	8,132.74
19932	RICOH USA, Inc.	1309321-1021529A1	319.45
19933	Samantha Maiese.	Security Refund - Pavilion Rental 8/15 - Ressica Park	50.00
19934	Samhaven Lake LLC	Security Return - Pavillon Rental - Echo - 8/12	50.00
19935	SFM Consulting LLC	Inv. U&Os-08, BC-008, Z-008	12,878.39
19936	Signal Service Inc.	Inv. 41341 Traffic Signal Repairs	742.00
19937	Staples Advantage	Inv. 3485408455 Supplies	338.44

19938	Suburban Propane-2753	Inv. 526413, 526414, 526432, 526433	10,095.25
19939	Tulpehocken Spring Water	Inv. 15187 Water	27.79
19940	Verizon	Inv. 450-395-041-0001-25,556-475-982-0001-45,356-478-200-0001-39	600.23
19941	Waste Management	Inv. 3571769-0203-3 Dumpsters (9/1-9/30)	581.58
19942	West End Equipment	Inv. 133603 Plow Equipment & Installation	6,622.00

TOTAL: 101,649.56

Sewer fund

Num	Name	Memo	Credit
14708	ALLSTATE SEPTIC SYSTEMS, LLP		652.50
14680	COYNE CHEMICAL		3,525.00
14681	Link Computer Corporation	46377	589.36
14682	PA ONE CALL SYSTEM, INC.	911569	20.06
14683	PROSSER LABORATORIES, INC.	516314	1,161.80
14684	PROTHONOTARY	Liens 1	752.50
14685	PROTHONOTARY	Liens 2	752.50
14686	PROTHONOTARY	Liens 3	752.50
14687	PROTHONOTARY	Liens 4	752.50
14688	PROTHONOTARY	Liens 5	752.50
14689	PROTHONOTARY	Liens 6	376.25
14690	PROTHONOTARY	Liens 7	376.25
14709	PROTHONOTARY	Liens 8	376.25
14691	PROTHONOTARY	Liens 9	752.50
14692	MET-ED	100016914275 PS#5 Municipal & 209	267.42
14693	MET-ED	100018446334 PS#3 McCole & 209	41.30
14694	MET-ED	100018440378 PS#4 Maple Ln	289.89
14695	MET-ED	100134596392 PS#11 Mt Nebo	161.89
14696	MET-ED	100016867432 PS#8 LOTP	169.21
14697	MET-ED	100018442556 PS#7 McCole & NP	4.35
14698	MET-ED	100081035618 Lift Station	21.38
14699	MET-ED	100083606630 PS#9 Oak Grove	106.87
14700	MET-ED	100018448652 Main STP	3,993.19
14701	MET-ED	100089058661 RT 209	20.72
14702	MET-ED	100016629691 - Sleepy Hollow Fairway	148.56
14703	MET-ED	100080913799 Off Sleepy Hollow	116.05
14704	MET-ED	100044877809 WL Clubhouse Dr	27.73
14705	MET-ED	100080916826 PS#2 Fairway Villas	35.03
14706	MET-ED	100080920901 Tree TOps	24.42
14707	MET-ED	100018353951 PS#6 Sellersville	256.90
2539838	VERIZON	450733757-PS#4 Maple Ln	39.00
2539841	VERIZON	450733758 - PS#3 McCole & 209	39.00
2539843	VERIZON	250733759 PS# 7- McCole & NP	39.00
2539845	VERIZON	250395051 PS#6 - Sellersville	41.84

2539764	VERIZON	450395051 PS#5 Municipal & 209	41.84
2539844	VERIZON	450733760 - PS#2 Fairway Villas	39.00
2539839	VERIZON	250733760 - PS#8 LOTP	39.00
2539814	VERIZON	450733769 - WL Mtn Pass	35.64
2539836	VERIZON	350733772 Main STP	81.00
2539846	VERIZON	250395181 PS#9 Oak Grove	43.47
2539765	VERIZON	250395204 - PS#10 BRD	<u>41.84</u>
			17,758.01

Golf fund

Num	Name	Memo	Amount
81266969	Met-Ed	100104048101 pump house doral ct (7/12-8/9)	19.86
81266871	Met-Ed	100085171773 guard shack (7/9-8/8)	78.14
81266730	Met-Ed	100081784231 Big Ridge Drive (7/9-8/8)	47.85
81266568	Met-Ed	100081748855 pump house tomx rd (7/12-8/9)	549.67
81266436	Met-Ed	100081748848 clubhouse (7/12-8/9)	940.58
61746	Banko Beverage	Beer	240.09
61747	Bridgestone Golf Inc	INv. 1003023902, 1003024875	718.40
61748	Claude S. Cyphers, Inc.	Inv. 711305, 711332, 711587	638.55
61749	Cramers Home Building Centers	Inv. 2108-783778, 56702	195.96
61750	Genesis Turfgrass Inc.	Inv. 104644, 112462, 112534, 113143	9,702.90
61751	Grass Roots Turf Products	Inv. 853710 Bentgrass	228.75
61752	Kimball Midwest	Inv. 8847856 Paint & Drawer	358.92
61753	Lewis Ace Hardware	Inv. 2205/1 Supplies	155.89
61754	Marshalls Creek Plumbing	Inv. 16526 LED Flood Lamps	184.36
61755	Miggy's Corp 5	Acct. 15, Inv. 8/13 Potato & Macaroni Salad, Cole Slaw	68.96
61756	Morgan, Hallgren, Crosswell & Kane, P.C.	Inv. 59362 JC, 59553 JC	1,887.00
61757	NAPA Auto Parts	Inv. 2717-097677 Oil Dry	68.94
61758	Northeast Fire Services & Inspections, LL	Inv. S20-112 Sprinkler Repairs	2,706.00
61759	P&S Garage	Inv. 99435 Ball Joint, Light & Inspection	644.98
61760	R&R Products	Inv. CD2592684 Parts	611.30
61761	Steve Shannon Tire	Inv. 16054003 Tires	218.30
61762	Turf Equipment & Supply Co.	Inv. 1165783-00 Nut-Hex, Hug & Key Square	165.12
61763	Verizon	250-732-882-0001-56 5702238140 (8/7-9/6)	56.63
61764	Waste Management	Inv. 3572809-0203-6, 3572808-0203-8	1,097.90
61765	Western Pennsylvania Golf Assoc	Inv. 6432 Handicap Fees	525.00
			<u><u>22,110.05</u></u>
		TOTAL:	22,110.05

Liquid Fuel

Num	Name	Memo	Amount
10094	Eureka Stone Quarry, Inc	Inv. 433946,434137,434284,434827....	158,098.35

TOTAL: 158,098.35