

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
NOVEMBER 10, 2020

A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on November 10, 2020, at the Smithfield Township Municipal Center, at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom due to the COVID-19 pandemic.

Present are Supervisors Robert Lovenheim and Jacob Pride, Solicitor Ronold Karasek, and Office Manager Julia Heilakka. Also present are Attorney Richard Williams and Andrew Miller (via Zoom). Supervisor Brian Barrett is absent.

1. Vice Chair Robert Lovenheim calls the meeting to order at 7:10PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Minutes
 - a. Jacob Pride motions to approve the minutes of the October 27th Regular Meeting, October 28th Budget Work Session, and November 4th Budget Work Session, Robert Lovenheim seconds. Vote: all in favor; minutes accepted.
4. Public Comments of the Agenda – none.
5. Announcements
 - a. An Executive Session was held on October 29, 2020 from 11:34AM to 11:38AM. to discuss purchasing 274 Marshalls Creek Road.
 - b. An Executive Session was held on November 4, 2020 from 12:13PM to 1:03PM to discuss personnel salaries.
6. Public Hearings
 - a. Verizon Wireless - Conditional Use – Construction of Monopole Wireless Communication Tower in Steep Slopes. [This public hearing was recorded by Donna Kenderdine Recording.] Jacob Pride motions to close the hearing at 7:27PM, Robert Lovenheim seconds; hearing is closed. Jacob Pride motions to grant the conditional use application with the condition that disturbances of very steep slopes does not exceed 5%, Robert Lovenheim seconds. Vote: all in favor; motion carries.
7. New Business
 - a. Motion to approve advertising Public Notice – Re: CPA Services – 2020 Financial Audit. Robert Lovenheim motions to approve, Jacob Pride seconds. Vote: all in favor; motion carries.

- b. Motion to ratify Engaging Hanover Engineering to provide SEO Services. Robert Lovenheim motions to ratify engaging Hanover Engineering to provide SEO services, Jacob Pride seconds. Jacob Pride hopes that if the Board needs to engage services on an emergency basis again, more than one supervisor should make that call. Vote: all in favor; motion carries.
- c. Discuss the proposed New Ordinance No. 239 - Re: Amended Volunteer Real Estate Tax Credit. Ron Karasek states he was asked to increase the real estate tax credit from 10% to 20%. Julia Heilakka states Act 91 of 2020 was passed on October 29th, which eliminates the cap on the real estate tax credit. The Board considers tabling this until they can discuss it. Jacob Pride moves to table this item until the next work session.
- d. Motion to approve the proposed Finding of Fact, Conclusions of Law and Decision in the Young's Conditional Use Application – Construction in the Flood Plain. Robert Lovenheim motions to approve, Jacob Pride seconds. Vote: all in favor; motion carries.
- e. Motion to approve and authorize Chairman to sign Monroe Grant Contract #C000065500 Extension Request. Robert Lovenheim states there have been delays using this grant. Robert Lovenheim motions to approve, Jacob Pride seconds. Vote: all in favor; motion carries.
- f. Motion to approve advertising an additional Budget Work Session scheduled for Wednesday, November 18, 2020 at 10:00 A.M. Jacob Pride motions to advertise, Robert Lovenheim seconds. Vote: all in favor; motion carries.
- g. Motion to approve waiving the \$1,500.00 fee for 2020 given the fact that ESYA did not use the Fields at Minisink Park. Jacob Pride motions to waive the fee, Robert Lovenheim seconds. Vote: all in favor; motion carries.
- h. Motion to ratify the withdrawal of \$5,000.00 Cash from ESSA General Fund requested by Jacob A. Pride, Supervisor to purchase computer equipment through the CARES Act Grant. Robert Lovenheim explains the grant. Robert Lovenheim motions to approve, Jacob Pride seconds. Vote: all in favor; motion carries.
- i. A motion to approve an Appraisal Fee to Registered Appraiser Joe Fisher in the amount of \$500.00 to research and advise what will be the estimate of fair market appraisal of the Gary Swartz Fawn Road Property. Robert Lovenheim discusses the voter referendum for preserving streams and water quality. Robert Lovenheim motions to approve the appraisal fee of \$500 for an estimate for property owned by Gary Schwartz. Jacob Pride seconds. Vote: all in favor; motion carries.
- j. Discuss and Official Action – Re: Notice of Appeal – Curative Amendment. Ron Karasek states he sent correspondence to Attorney Ferari; the Township has not been served on this matter.

- k. Motion to approve the Findings of Fact, Conclusion of Law and Decision in the Trapasso Condition Use Application Self-Storage Units in a Floodplain. Jacob Pride motions to approve, Robert Lovenheim seconds. Vote: all in favor; motion carries.
- l. Motion to hire a Registered Appraiser at a cost of \$1,000.00 or less to complete a fair market appraisal of the property located at 529 Seven Bridges Road/DLP as a first step in acquisition by Eminent Domain. Robert Lovenheim states the township has attempted to contact DLP and has received no response. The Township has a failing bridge, and there is no emergency exit or entrance. Ron Karasek states an appraisal may spur DLP into responding. Robert Lovenheim motions to approve the \$1,000 appraisal, Jacob Pride seconds. Vote: all in favor; motion carries.
- m. Motion to adopt Resolution No. 457 and Authorize the Chairman to sign the letter – Re: DCED LSA Grant Application – Vision Loss Sculpture Trail within Wellness Park. Robert Lovenheim summarizes the plan for the Wellness Park and the Vision Loss Trail. Robert Lovenheim motions to adopt Resolution 457, Jacob Pride seconds. Vote: all in favor; motion carries. Robert Lovenheim amends his motion to adopt Resolution No. 457 and authorize the chairman to sign the letter, Jacob Pride seconds the amended motion. Vote: all in favor; motion carries.
- n. Discussion of how to proceed with acquisition of Water Courses and Stream Bank under the voter approved authorization for Bond. Robert Lovenheim would like to avoid using the bond until the township locates a large piece of land, and discusses asking owners to donate land and acquiring grants for land acquisition.
- o. Discussion of Amending Definition and Requirements for Mixed Use Development Projects that include housing within the ED Zone. The Board discusses the ED zone and considers how to prevent the mixed use development option from being abused. The Board decides to research how other townships handle mixed use and discusses the difference between the mixed use and incentivized options.
- p. Motion to approve \$100.00 donation to Smithfields Rotary Tree Lighting with the LVHN Pocono. Robert Lovenheim states the township donated \$125 last year. Robert Lovenheim motions to approve a donation of \$125, Jacob Pride seconds. Vote: all in favor; motion carries.
- q. Settlement Agreement. Ron Karasek states the settlement agreement for the FNCB Bank litigation needs to be signed and completed by Friday. Jacob Pride motions to sign the agreement, Robert Lovenheim seconds. Vote; all in favor; motion carries.
- r. Conditional Use Hearing. Ron Karasek needs a date for the conditional use hearing for Water Gap Capital Partners. The Board will hold the conditional use hearing on December 2nd at 4PM. Ron Karasek states the citizens may file a motion for a stay. Jacob

Pride motions to hold the conditional use hearing on December 2nd at 4PM, Robert Lovenheim seconds. Vote: all in favor; motion carries

8. Bills to be Paid: General Fund - \$52,768.96, Highway Fund - \$7,198.51. Jacob Pride motions to approve the bills at \$59,967.47, Robert Lovenheim seconds. Vote: all in favor; motion carries.
9. Public Comment – none.
10. Jacob Pride motions to adjourn, Robert Lovenheim seconds; meeting adjourned at 8:10 PM.

Minutes recorded by Julia Heilakka

Respectfully submitted:

Brian Barrett, Secretary