

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
APRIL 27, 2021

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A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on April 27, 2021, at the Smithfield Township Municipal Center, at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom.

Present are Supervisors Jacob Pride, Robert Lovenheim, Brian Barrett (via Zoom), Solicitor Ronold Karasek, Engineers Jon Tresslar and Melissa Prugar, and Office Manager Julia Heilakka.

Also present are Doug Olmstead, Jim DePetris, and Frank Riccobono.

1. Chair Jacob Pride calls the meeting to order at 7:03PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Minutes
  - a. Brian Barrett motions to approve the minutes of the March 23, 2021 Regular meeting and the April 13, 2021 Work Session, Robert Lovenheim seconds. Vote: all in favor; minutes accepted.
4. Public Comments on the Agenda – none.
5. Plans to Act On
  - a. Jones-Zaplishny Minor Subdivision & Lot Line adjustment. Jon Tresslar issued a review letter on April 14<sup>th</sup>, in which the zoning comments are unsubstantial, but the SALDO comments still need to be addressed. He supports the requested waiver regarding the applicant not providing a title report, but the applicant needs to be present. Ron Karasek states he has a 90-day extension from a February 19<sup>th</sup> letter. Ron Karasek suggests tabling this matter. Jacob Pride moves to table this item until May 11<sup>th</sup>, Robert Lovenheim seconds. Vote: all in favor; motion carries.
  - b. Manovski Minor Subdivision Plan. Julia Heilakka explains that the township had the test results, but no longer has them. Because of this, the township SEO has suggested waiving the fees associated with retesting. Robert Lovenheim motions to waive the testing fees, Brian Barrett seconds. Vote: all in favor; motion carries.

Ron Karasek states he still does not have the conditional approval forms for this parcel. Julia Heilakka is directed to reach out to the Manovskis.
6. New Business
  - a. Smithfield Gateway Update.

- i. Discuss Project Updates & TE-160 Forms/HOP Condition Statement. Doug Olmstead explains PennDOT wants the TE-160s on an older version of the form. The HOP condition statement was previously signed by Pocono Mountain Industries (PMI) because the overall HOP is in PMI's name. Now, because the road intersection is in the name of DEPG, PennDOT wants the forms resigned with DEPG as the cosigner. Additionally, the indemnification agreement has changed. Jon Tresslar states the TE-160s are what the Board already approved except they are on a different form. Ron Karasek confirms this and reminds the Board they are responsible if the project fails.
  - ii. Resolution No. 472 – Authorize Chair to Sign TE-160 for 209 and Mosier Farm Dr. Robert Lovenheim motions to authorize the Chair to sign the form, Brian Barrett seconds. Vote: all in favor; motion carries.
  - iii. Resolution No. 473 – Authorize Chair to Sign TE-160 for 209 and 447. Jacob Pride motions to authorize the Chair to sign the TE-160 for 209 and 447, Robert Lovenheim seconds. Vote: all in favor; motion carries.
  - iv. HOP Condition Statement & Indemnification Agreement. Robert Lovenheim motions to approve the HOP condition statement, Brian Barrett seconds. Vote: all in favor; motion carries. Robert Lovenheim motions to approve the Indemnification Agreement subject to review by the township solicitor, Jacob Pride seconds. Vote: all in favor; motion carries.
  - v. Jim DePetris states construction on the St. Luke's building starts in June and the HOP and NPDES permit should arrive soon. The development agreement will be issued in a week to 10 days. PennDOT approved the pipe under SR 209. Doug Olmstead will have a schedule for road improvements by May 11<sup>th</sup>.
- b. MS-4 (Municipal Separate Storm Sewer System) Presentation by Melisa Prugar. Melissa Prugar presents an update on MS-4 and the six minimum control measures: public education and outreach, public participation and involvement, illicit discharge detection and elimination, construction site stormwater runoff controls, post-construction runoff controls, and pollution prevention and good housekeeping for municipal facilities. Additional MS-4 materials are available on the website.
  - c. [Item h] Consider: Frank Riccobono – Special Event Permit Application. Frank Riccobono asks the Board to table his special event permit until the next meeting. Jacob Pride motions to table the permit until the May 11<sup>th</sup> meeting, Robert Lovenheim seconds. Vote: all in favor; motion carries.
  - d. [Item c] Consider: Resolution No. 474 – Amending the Township Septic Fees. This resolution shifts septic fees to escrow. Robert Lovenheim motions to adopt Resolution No. 474, Brian Barrett seconds. Vote: all in favor; motion carries.

- e. [Item d] Consider: Resolution No. 475 – Amending the Township Fee Schedule. This resolution incorporates changes from the septic fees and the Office of Open Records into the fee schedule. Brian Barrett motions to adopt Resolution No. 475, Robert Lovenheim seconds. Vote: all in favor; motion carries.
- f. [Item e] Consider: Resolution No. 476 – Lot Consolidation for St Paul’s Lutheran Church. Jacob Pride states he has a conflict of interest; he is a member of the church and his mother is the president. Ron Karasek states the Board can adopt the resolution on the condition that a new deed is reviewed by the solicitor and engineer. Brian Barrett motions to approve Resolution No. 476 subject to the consolidation deed being presented to the solicitor and engineer for review, and that the township waives associated fees with the permit, Robert Lovenheim seconds. Vote: Robert Lovenheim and Brian Barrett in favor, Jacob Pride abstains; motion carries.
- g. [Item f] Discuss: Marshalls Falls DCNR Grant Update. Julia Heilakka discusses collateral for the loan the Township used to purchase 274 Marshalls Creek Rd. Ron Karasek believes the loan does not hold the property as collateral but will check tomorrow. The Board will consider paying off the loan once the loan’s collateral is determined.
- h. [Item g] Funding Commitment Letter – Demo Fund Application. Julia Heilakka states the quote from Possinger arrived on April 26<sup>th</sup>, and the grant application for demolishing three outbuildings on 274 Marshalls Creek Road is ready for submittal, pending a commitment letter for \$11,950. Brian Barrett motions to authorize the Chair to sign the commitment letter for the Marshalls Falls Demolition Grant, Robert Lovenheim seconds. Vote: all in favor; motion carries.
- i. Consider: Award Waterfront Wellness Park Phase 2 Contract. Barry Isett handled bidding, and the low bidder is Pioneer Construction at \$109,106 with no alternate. Robert Lovenheim motions to award the Waterfront Wellness Park Phase 2 contract to Pioneer Construction with no alternate. Brian Barrett confirms with Ron Karasek that he does not need to recuse himself. Brian Barrett seconds. Vote: all in favor; motion carries.
- j. Consider: Award 2021 Spring Clean-Up Contract. The Township received one bid from Waste Management at \$1,455 per container. Robert Lovenheim motions to accept the bid from Waste Management, Brian Barrett seconds. Vote: all in favor; motion carries.
- k. Consider: Award 2021 Ground Maintenance Contract. The low bidder is Strauser Nature’s Helpers at \$17,162. Robert Lovenheim motions to approve the contract. Brian Barrett recuses himself because his son-in-law owns the business. Jacob Pride seconds. Vote: Jacob Pride and Robert Lovenheim in favor, Brian Barrett abstains: motion carries.
- l. Discuss & Consider: 528 Seven Bridge Road Appraisal. Robert Lovenheim discusses the Board appraising this property to continue negotiations with DLP related to the Green Mountain Bridge repair or possible creation of a new access to Green Mountain Drive.

Brian Barrett motions to engage Howard Mantle for up to \$1,500 to appraise 528 Seven Bridge Road, Robert Lovenheim seconds. Vote: all in favor; motion carries. Ron Karasek states Mantle must be approved and certified under the Real Estate Appraisal Act. Brian Barrett amends motion to include the certification, Robert Lovenheim amends his second. Vote: all in favor; motion carries. Ron Karasek confirms Howard Mantle has no interest in this property.

- m. [Return to Item i] Award Waterfront Wellness Park Phase 2 Contract. Julia Heilakka states the project has exceeded its budget by \$26,000. The Township can ask DCNR for additional funds at a 1:1 match, but there is no guarantee money is available. The Township must commit to a \$13,000 cash match. Jacob Pride motions to authorize signing a letter requesting assistance from DCNR, Robert Lovenheim seconds. Vote: all in favor; motion carries.

7. Bills to be Paid

- a. Ratify 03/30/2021 – \$1,977.16 (\$1,977.16 General Fund). Ratify 04/14/2021 - \$68,935.99 (\$61,486.44 General Fund - \$7,449.55 Highway Fund). Approve 04/27/2021 – \$78,776.55 (\$77,261.24 General Fund - \$1,515.31 Highway Fund).

Jacob Pride explains the total bills for April are \$149,689.70, which includes two payrolls, the entire yearly contribution to Oak Grove, and an emergency payment for a downed wire at Minisink Park. Robert Lovenheim motions to approve the bills at \$149,689.70, Brian Barrett seconds. Vote: all in favor; motion carries.

8. Public Comment – none.

- 9. Brian Barrett and Robert Lovenheim both motion to adjourn, Jacob Pride seconds; meeting adjourned at 8:15PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:

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Brian Barrett, Secretary