

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
SEPTEMBER 28, 2022

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A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on September 28, 2022, at the Smithfield Township Municipal Center at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom.

1. Chair Jacob Pride calls the meeting to order at 6:01PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Present are Supervisors Jacob Pride, Robert Lovenheim, and Brian Barrett (via Zoom), Solicitor Ronold Karasek, Engineer Jon Tresslar, and Budget & Finance Manager Lucas DeBartolo.

Also present are Theresa Paone, Jeffrey Michael, Howard Ike, and Lisa Clarke.

4. Announcements – none.
5. Minutes
  - a. Robert Lovenheim motions to approve the minutes from the September 10, 2022 regular meeting, Brian Barrett seconds. No public comment. Vote: all in favor, minutes accepted.
6. Public Hearings – none.
7. Plans to Act On - none.
8. Reports
  - a. Solicitor’s Report
    - i. Ron Karasek sent the monthly report to the Supervisors, and there are no pressing plans, hearings, or other items to discuss. He has contracts and agreements on his desk related to Vigon.
  - b. Engineer’s Report – none.
9. New Business
  - a. Consider: Consent Agenda – none.
  - b. Discuss: Marshalls Falls Update. The engineering consultant from Barry Isett & Associates is unavailable, so the Board decides to table this item until the next meeting.

- c. Discuss: Schedule Conditional Use Hearing for Black Buffalo 3D. Solicitor Ron Karasek states that any construction within a floodplain requires conditional use approval, so the Board must hold a public hearing. Jon Tresslar states that the impact in the floodplain is negligible. There will be one discharge pipe in a stream, which is the appropriate place for the pipe, constructed in the floodplain. The pipe should not affect the floodplain at all. Solicitor Ron Karasek states the project will be advertised and reviewed by the Planning Commission. Jacob Pride requests that Ron Karasek ask the applicant for an extension so the Board can schedule the conditional use hearing at the October 26<sup>th</sup> meeting.

Brian Barrett motions to request the extension of time and to schedule the hearing for October 26<sup>th</sup> at 6PM pending applicant approval of the extension, Robert Lovenheim seconds. No public comment. Vote: all in favor, motion carries.

- d. Discuss: Orchard BJK Company Public Hearing. Orchard BJK petitioned for the rezoning of parcels at Mountain Manor for a possible warehouse. The hearing will not occur because the applicant submitted the incorrect parcel numbers so the Supervisors cannot act on this application, though the applicant still requests review by the Planning Commission (PC).

Jeff Michael lives on Craigs Meadow Road and is concerned about a warehouse and Kalahari Resorts purchasing the land. Jacob Pride confirms that Kalahari is not interested in the property at this time. Jacob Pride comments that he would generally not want to rezone any properties to build warehouses, Brian Barrett agrees.

- e. Discuss: MPC Section 609.2 & Smithfield Zoning Ordinances. Jacob Pride would like the township to invoke Section 609.2 of the Municipalities Planning Code (MPC) to amend zoning ordinances. Currently, Smithfield Township's definition of a warehouse is very ambiguous. The Board discusses past zoning updates and other township's zoning ordinances. Ron Karasek states any plans already filed will not be affected; the township will need to pass a resolution within 30 days demonstrating what is wrong with the current ordinances.

Brian Barrett motions to invoke Section 609.2 of the MPC regarding fixing regulations for warehouses, Robert Lovenheim seconds. Vote: all in favor, motion carries. Lisa Clarke asks if Section 609.2 will affect the BJK Company project. Jacob Pride states BJK has not submitted a land development plan.

- f. Consider: Sponsor Bushkill Emergency Corps Gala. Jacob Pride recommends the township sponsor the \$100 ad as done in the past. Jacob Pride motions to purchase a \$100 advertisement as a sponsor for the Bushkill Emergency Corps Gala, Brian Barrett seconds. No public comment. Vote: all in favor, motion carries.
- g. Consider: Approve 2023 Minimum Municipal Obligation (MMO) for Smithfield's Pension Fund. The obligation is \$54,400, and twelve individuals are enrolled. Brian

Barrett comments that pensions are for full-time employees only. Brian Barrett motions to fund the MMO for Smithfield Township's Pension Fund for next year, seconded by Robert Lovenheim. No public comment. Vote: all in favor, motion carries.

#### 10. Board of Supervisors Report

- a. Robert Lovenheim discusses adjustments to the sign ordinance. He recommends placing amendments before the PC for consideration. The amendments will also go to the Monroe County Planning Commission.
- b. Brian Barrett would like to schedule an executive session.
- c. Jacob Pride asks that neighbors keep control of their animals near the township; dogs and other animals are roaming on township property.

#### 11. Bills

- a. Approve: \$480,466.26 (General Fund - \$115,009.59, Highway Fund - \$365,456.67). Jacob Prides states bills are higher than usual because of paving River Road and paying for a township vehicle. Brian Barrett asks if the Liquid Fuels funds are exhausted. Lucas DeBartolo replies yes, and that the township should continue to pay overages out of the General Fund. Brian Barrett motions to pay the bills, Robert Lovenheim seconds. No public comment. Vote: all in favor, motion carries.

#### 12. Public Comment

- a. Lisa Clark asks for an update on Monroe County Conservation District (MCCD) and Black Buffalo, and expresses frustration regarding how MCCD checks for bog turtles. Jacob Pride replies that the township received comments forwarded to the MCCD. Jon Tresslar states that all comments must be addressed before the technical review can start, and bog turtle procedures are addressed by MCCD.

Jacob Pride states that the township has received a letter that includes all correspondence that MCCD received from outside residents. Jacob Pride will re-share this with the Supervisors.

- b. Lisa Clark says Black Buffalo is operating, sees waste products piled up and then gone later, is hearing rumors that chemicals are being dumped on the back of the property, and states there are no permits displayed. Jacob Pride replies Black Buffalo may operate out of one building, and that MCCD can address dumping. He will copy Lisa Clark on any reports he submits to the Monroe County Conservation District regarding Black Buffalo.
- c. Lisa Clark states Vigon is possibly operating 24 hours a day and there are no displayed permits. Jacob Pride states the township's Zoning Officer will reach out to Vigon.

- d. Chief Howard Ike of Delaware Water Gap Fire Company thanks the township for its support; the grant writer may save the associated townships and residents over \$100,000. He is still waiting on a grant for air packs. The fire company is now approved and licensed to act as a medical quick response service, which means they can assist ambulance services and provide initial emergency response service. They have three certified EMTs and one paramedic, with all firefighters being certified in AED/CPR.
- e. Theresa Paone asks if the BJK application will go on the website. Jacob Pride replies yes, but the applicant needs to resubmit first. Ron Karasek asks if the Supervisor's position is that the application is being denied before a hearing, and that BJK needs to file a new application before it can be reviewed. Jacob Pride states that the PC can choose to review the application; the Board's position is that it can be reviewed but should be resubmitted based on the Zoning Officer's recommendation.

13. Brian Barrett motions to adjourn the meeting, Robert Lovenheim seconds. No public comment. Vote: all in favor; meeting adjourned at 6:51PM.

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Minutes recorded by Lucas DeBartolo and Julia Heilakka

Respectfully submitted:



Lucas DeBartolo

Budget & Finance Manager