

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
OCTOBER 26, 2022

---

A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on October 26, 2022, 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, and Brian Barrett (via Zoom), Solicitor Ronold Karasek, Engineer Jon Tresslar, and Township Manager Julia Heilakka.

Also present are Sue Jorstad, Lisa Clarke, Bryan Smith, Nate Oiler, Tim Snow, and Martha Carbone (via Zoom).

1. Chair Jacob Pride calls the meeting to order at 6:00PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements
  - a. The Black Buffalo conditional use hearing was cancelled by the applicant.
4. Minutes
  - a. Robert Lovenheim motions to approve the minutes from the September 28, 2022 and October 12, 2022 regular meetings as well as the October 12, 2022 budget meeting, Brian Barrett seconds. Vote: all in favor; minutes accepted.
5. Public Hearings: Black Buffalo Conditional Use Hearing. The applicant requested the hearing be tabled until further notice, has waived the time limits imposed by the MPC, and will pay for advertising when they are ready to resume. The applicant also filed an extension for the land development plan until February 9, 2023. This item is removed from the agenda.
6. Reports
  - a. Solicitor's Report
    - i. Ron Karasek asks for an executive session regarding the Auditor's lawsuit. He also received a call from Shawnee Holding with a question about the 15-ton weight limit on the bridge. Upon review of the transcript, he will amend the decision to demonstrate the Board approved the 15-ton posting.
  - b. Engineer's Report – none.
7. New Business
  - a. Consider: Consent Agenda.

- i. Consider: Smithfield Annual Rotary Tree Lighting Ad.
- ii. Authorize Advertisement of Draft 2023 Budget.
- iii. Authorize Funding Commitment Letter for Act 101, Section 902 Grant.
- iv. Advertise BOS Reorganizational Meeting - Tuesday, January 3, 2023.
- v. Advertise Board of Auditors Reorg. Meeting - Wednesday, January 4, 2023.
- vi. Advertise Planning Commission Reorg. Meeting - Thursday, January 12, 2023.

Brian Barrett motions to approve the consent agenda, Robert Lovenheim seconds. No public comment. Vote: all in favor; motion carries.

- b. Consider: Black Buffalo Conditional Use Hearing. This item is struck from the agenda. The applicant will contact the township to reschedule.
- c. Consider: Resolution No. 509 – Intermunicipal Agreement with Delaware Water Gap. Ron Karasek worked with Delaware Water Gap Borough’s solicitor Attorney Huffman. The Board determines the agreement should automatically terminate unless it is renewed by the parties. Robert Lovenheim motions to approve Resolution No. 509 with the aforementioned change, Brian Barrett seconds. Tim Snow asks if the resolution will be on the website. Vote: all in favor; motion carries.
- d. Consider: Resolution No. 510 – Invoking Section 609.2 of the MPC. The Board discusses the deficiencies of township ordinances related to warehouses and solar energy. Robert Lovenheim motions to adopt Resolution No. 510, Brian Barrett seconds. No public comment. Vote: all in favor; motion carries.
- e. Jacob Pride provides an update about Black Buffalo. Sue Jorstad asks about permits on the site. Jacob Pride replies the township is monitoring the site. Lisa Clarke asks where the company’s waste is going. Jacob Pride explains the township does not track disposal but will reach out to the conservation district.
- f. Consider: Award Bid for Marshalls Falls Phase 1. Bryan Smith states the bids for Marshalls Fall were received in August. Kobalt Construction had the low bid plus alternate two at \$1,014,330.50. DCED and DCNR have permitted funds to shift to fully fund this project. If the Board accepts the bid, construction will start in the spring of 2023. Robert Lovenheim motions to accept the lowest responsible bidder for base bid plus alternate two, Jacob Pride seconds. Brian Barret asks for the other bid amounts. Bryan Smith states Hazelton Site Contractors bid \$1,249,842, and James T. O’Hara, Inc. bid \$1,294,000. No public comment. Vote: Jacob Pride and Robert Lovenheim in favor, Brian Barrett opposed: motion carries.
- g. Discuss: SR 447/Franklin Hill Road Intersection & Multi-Modal Grant. Nate Oiler of RKR Hess, representing Dr. Kahn, discusses realigning the intersection of Franklin Hill Rd and SR 447 to an existing traffic light. They are considering submitting a multimodal grant (which is due on November 14<sup>th</sup>) and ask the Board to consider applying for the

grant. The township's liability is a 30% match, which Dr. Kahn has indicated he will assist with. The Board needs more information before making a decision. Ron Karasek states that the township could require the developer to post a performance security for the match. Nate Oiler states the township will be responsible for a resolution, signed worker protection form, planning letter, and financial statements. Dr. Kahn will make a clear proposal to the township in the coming weeks.

8. Board of Supervisors

- a. The Board discusses changing the township's holiday policy for part-time staff and will consider an updated policy at the next meeting.

9. Bills

- a. Approve: \$234,157.47 (General Fund). Robert Lovenheim motions to pay the bills, Brian Barrett seconds. No public comment. Vote: all in favor; motion carries.

10. Public Comment

- a. Tim Snow discusses leaf pick up and Resolution No. 509.
- b. Brian Barrett states the northeast region of the county is rationing heating oil.
- c. Martha Carbone asks for an update on Black Buffalo. Jacob Pride provides an update. Robert Lovenheim states Michael Woods is no longer with the company.
- d. The Board will enter executive session after the meeting.

11. Robert Lovenheim motions to adjourn, Brian Barrett seconds; meeting adjourned at 6:48PM. The Board enters executive session.

---

Minutes recorded by Julia Heilakka

Respectfully submitted:

  
\_\_\_\_\_  
Julia Heilakka, Assistant Secretary