

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
FEBRUARY 8, 2023

A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on February 8, 2023, 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 Missy Hutchison, and Township Manager Julia Heilakka.

Also present are Maddy Avila, Russ Albert, Martha Carbone, Kristin Albrecht, Sandy Hull, Pete Begley, and Desiree Siena.

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 – none.
4. Minutes
 - a. Robert Lovenheim motions to approve the minutes from the January 25, 2023 regular meeting, Jacob Pride seconds. No public comment. Vote: Jacob Pride and Robert Lovenheim in favor, Brian Barrett abstains; minutes accepted.
5. Reports
 - a. Solicitor’s Report – Solicitor Karasek states the Airstrip Rd project is still pending; he is awaiting an answer from Attorney Wolfe. The township received a conditional use application on February 6, 2023.
 - b. Engineer’s Report – Engineer Hutchison states Smithfield Gateway believes punch list items are complete, so they will inspect the site. The Township’s MS-4 application is due in March; it is undergoing internal review. The King’s Pond Rd culvert will be replaced after school is out of session.
6. New Business
 - a. Consent Agenda
 - i. Consider: Authorize Advertisement of RFQ for Engineers per PennDOT Multimodal Grant.
 - ii. Consider: Authorize Advertisement of 2023 Spring Cleanup Bid Notice.
 - iii. Consider: Ratify Funding Commitment Letter - One for Nature.

Robert Lovenheim motions to approve items ii and iii of the consent agenda, Jacob Pride seconds. Vote: all in favor; motion carries. Item i will be discussed under 6.e.

- b. Presentation: Monroe County Conservation District (MCCD) – Act 167 Implementation. David Hooker, a Resource Conservation Specialist for MCCD, provides an overview of Act 167 (Stormwater) updates from Monroe County, requests the township update their stormwater ordinance, and asks for municipal representatives to attend a stormwater tour of the county. Martha Carbone asks how Shawnee Creek Watershed is affected, and David Hooker replies it would be treated similarly in the plan. Engineer Hutchison updating the stormwater ordinance.
- c. Presentation: Kristin Albrecht – Delaware Water Gap Defense Fund (DWGDF). Kristin Albrecht represents the DWGDF and opposes Delaware Water Gap National Recreation Area’s proposal to become a national park and preserve. She provides a list of organizations who also oppose the change, and argues the following points: there is no guarantee of increased funding if redesignation occurs, there is no guarantee the park would stay free to enter, a national park would strain local emergency services, additional visitors would strain existing infrastructure, and visitors could no longer fish for food.

Robert Lovenheim summarizes concerns, but the main concern is that the park is underfunded, understaffed, and needs more amenities. He is not opposed to nor for the proposal to redesignate DWGNRA. After discussion, the Board concurs that the designation of the park doesn’t matter; lack of funding is the issue. Brian Barrett states the DWGDF presentation seems slanted. Jacob Pride states the township can lobby for more funding for DWGNRA.

- d. Consider: General Code Proposal. This proposal shifts the Township’s online codes to General Code. Robert Lovenheim motions to accept the General Code proposal with the standard plan, Brian Barrett seconds. Julia Heilakka states the township will shift to immediate codification of new ordinances. Vote: all in favor; motion carries.
- e. Consider: Resolution No. 522 - Authorizing Signers for Multimodal Grant Application and Authorize Advertisement of RFQ for Engineers per PennDOT Multimodal Grant. Jacob Pride recuses himself from this discussion. The township received a grant to repair Green Mountain Drive Bridge and PennDOT requires a resolution demonstrating who may sign documents on the township’s behalf. The RFQ is a process mandated by PennDOT where the township must select the best qualified engineer to use grant funds to cover engineering costs. Brian Barrett motions to approve Resolution No. 522 and advertise the RFQ, Robert Lovenheim seconds. Vote: Robert Lovenheim and Brian Barrett in favor, Jacob Pride abstains: motion carries.
- f. Consider: Request Planning Commission Reviews of Solar & Warehouse Ordinance. Smithfield Township declared their ordinances for solar and warehouses insufficient on September 28, 2022, and must take action by March 27, 2023.

The Board discusses other townships' ordinances regulating warehouses and limiting warehouses by size. After discussion, the Board decides to send the solar and warehouse draft ordinances to both planning commissions for informal review, and will consider the final draft at their February 22nd meeting. Brian Barrett motions to request reviews from the planning commissions, Robert Lovenheim seconds. No public comment. Vote: all in favor; motion carries.

- g. Consider: Planning Commission Recommendation to Deny Black Buffalo Land Development Plan. After the Planning Commission voted to recommend denial of the plan, the applicant was notified. The Township has not heard from the applicant nor received an extension or updated plan, so Solicitor Karasek recommends the Board deny the plans based on the engineer's review letter dated July 25, 2022. Robert Lovenheim motions to deny the plan and amends his motion to include denial pursuant to the engineer's review letter dated 7/25/22, Brian Barrett seconds. No public comment. Vote: all in favor; motion carries.
- h. Discuss: PMVB Grant Application. The grant round is open from January 25 – March 3, with a \$20,000 cap and a 50% match requirement. The Township considered two grant possibilities, either ash tree removal at Minisink Park or as-builts for River's Edge Bike Park. After discussion with PMVB, the as-builts are ineligible for funding. The Board will apply for funding for ash tree mitigation.
- i. Discuss: Solicit Appraisal of Stroudsburg Pocono Airport Runway. Robert Lovenheim states the township has an opportunity. The residents of Lake Valhalla have DEALT WITH multiple environmental concerns regarding swans and beavers. He suggests the Township consider purchasing swampy property on the eastern side of Lake Valhalla and turning it into a Township park. A fair market assessment would cost no more than \$2,000. Maddy Avila, the secretary for the Lake Valhalla Association, states the berm along the back of the lake needs repair, and the owner of the property is out of state; a park would be beneficial. Brian Barrett leaves 7:15pm. Robert Lovenheim motions to acquire a fair market appraisal for portions of three properties not to exceed \$2,000, Jacob Pride seconds. No public comment. Vote: all in favor; motion carries.
- j. Discuss: Delaware Water Gap Fire Department Funding Request. Chief Howard Ike requests \$20,000 in Township assistance for purchasing air packs for Delaware Water Gap Volunteer Fire Company. The fire company's packs expire in July, and they have tried unsuccessfully to receive grant funds to cover the \$126,237 cost.

Smithfield Township will consult with Delaware Water Gap Borough, who also received this request, and will discuss the request at the Board meeting on February 22nd. Pete Begley thanks Chief Ike for his service and asks if they used a grant writer. Chief Ike replies yes, and the grant writer has been very successful.

7. Board of Supervisors' Report

- a. Jacob Pride states he began working for Representative Maureen Madden as Chief of Staff on December 22, 2022. During the hiring process, he was required to disclose any other positions, and was cleared to continue working for the township and serving as a supervisor. He sought addition guidance from the House's in-house ethics counsel and received the following guidance: he must avoid conflicts of interest, and therefore cannot advocate for state grant funds as a Township representative, nor can he advocate for the Township in his position as Chief of Staff. It is not his intention or obligation to discontinue his service to the township.

Desirree Siena thanks Jacob Pride for making the public aware of the situation. Martha Carbone thanks Jacob Pride for his service and the Township for ensuring continued transparency; it is noticed and appreciated.

8. Bills

- a. Approve: \$130,093.98 (General Fund). Robert Lovenheim motions to pay the bills, Jacob Pride seconds. Vote: all in favor; motion carries.

9. Public Comment

- a. Robert Lovenheim states PathStone, a non-profit who assists people with workforce reentry, presented at the Smithfield Rotary meeting.
- b. Russ Albert asks how the draft solar ordinance affects small farms designed to power small communities. The Township will send him the draft solar ordinance.

10. Robert Lovenheim motions to adjourn, Jacob Pride seconds; meeting adjourned at 7:37PM.

Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia Heilakka, Assistant Secretary