

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
MAY 10, 2023

A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on May 10, 2023, at the Smithfield Township Municipal Center at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom.

Present are Supervisors Robert Lovenheim and Brian Barrett (via Zoom), Solicitor Ronold Karasek, Engineer Jon Tresslar, Budget & Finance Manager Lucas DeBartolo, and Township Manager Julia Heilakka. Supervisor Jacob Pride is not present.

Also present are Courtney Kanzinger, Pam Barrett, Desiree Siena, Pete Begley, Maureen Garrido, Jorge Garrido, and two state troopers.

1. Vice Chair Robert Lovenheim calls the meeting to order at 6:00PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements
 - a. Township Cleanup is May 17th through the 20th.
4. Minutes
 - a. Pam Barrett believes the April 12th minutes should be more detailed regarding the conversation about Waterfront Park house. Robert Lovenheim motions to approve the April 26, 2023 regular meeting and the May 1, 2023 joint meeting minutes, Brian Barrett seconds. Vote: all in favor; minutes accepted.
5. Reports
 - a. Solicitor's Report – Ron Karasek provides a general update of activities.
 - b. Engineer's Report – none.
6. New Business
 - a. **Consider: Consent Agenda.**
 - i. Consider: Change Order No. 1 – King's Pond Rd Culvert Time Extension.
Robert Lovenheim motions to approve the consent agenda, Brian Barrett seconds. Vote: all in favor; motion carries.
 - b. **Discuss: Fire/EMS Contributions.** Lucas DeBartolo discusses annual fire and EMS contributions. Bushkill EMS has asked for additional assistance now, and he recommends approving \$5,000 in additional expenses, with the understanding that this contribution will be factored into the additional \$25,000 the Board set aside for emergency services contributions. Desiree Siena asks about the contribution to Delaware Water Gap. The June contribution is \$6,510 (\$13,020 yearly). Brian Barrett motions to approve the contributions, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- c. **Consider: 209 Raven's Nest Stormwater Waiver Requests.** (see item 6.g)
- d. **Discuss: Airstrip Road Condemnation Update.** Attorney Courtney Kanzinger states the declaration of taking is delayed because the railroad acquired the property in 1900 and 1901 and was then abandoned. There are two title companies researching the ownership of the property, and she hopes to present a resolution at the next meeting. Brian Barrett asks for clarification on naming John Doe as an heir. Ron Karasek explains it's a procedure to name an owner when you don't know who it actually is; he does not recommend pursuing that path.
- e. **Discuss: Act 167 Stormwater Ordinance Update.** Jon Tresslar asks the Board if the buffers are acceptable as written and whether or not waivers should be through the Zoning Hearing Board. Brian Barrett wants to stay with the 150-foot buffers and believes the Board should make waiver decisions. Julia Heilakka states there is no definition for lake or vernal pond.
- f. **Discuss: Non-Governmental Contributions for 2023.** Robert Lovenheim asks this item be tabled until all supervisors are present. He doesn't feel the township can donate taxpayers' funds without taxpayer approval. Brian Barrett suggests forming a committee. Ron Karasek states there is a legal basis for Robert's concerns. Pete Begley states East Stroudsburg Borough gave money to various organizations; perhaps nonprofits could apply to the township. Robert Lovenheim motions to postpone this item, Brian Barrett seconds. Vote: all in favor; motion carries.

Pam Barrett wants a committee. The Board discusses the difficulties with finding volunteers. Robert Lovenheim wants the township to restart its newsletter. Pam Barrett wants the township to model Middle Smithfield Township's newsletter. Brian Barrett cautions Middle Smithfield has a lot more money than Smithfield. Desiree Siena suggests including news with the quarterly billing statements.

- g. **Consider: 209 Raven's Nest Stormwater Waiver Requests.** Maureen and Jorge Garrido purchased 209 Raven's Nest in 2021. There were more wetlands on the parcel than originally thought, and they covered the entrance to the property. They received permission from the grantor to build closer to the road and received permission from the golf course regarding building easements, and are now looking for relief from a wetland buffer. Jon Tresslar states the Garridos, by necessity, need to build in the buffers. The Wolf Hollow subdivision was approved in 2005, and the stormwater ordinance was approved in 2006; is the ordinance retroactive? Ron Karasek replies because the home was not built before the ordinance, probably not. Brian Barrett states this is a civil situation and asks who established the wetlands and if the Garridos have spoken to MCCD. Jon Tresslar replies the owner's consultant established the wetlands, they received a permit from DEP to build their driveway, and requirements from MCCD are satisfied.

Brian Barrett states he is not prepared to take action. The Board will consider this at the next meeting. Brian Barrett motions to postpone this item, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- 7. Board of Supervisors Report – none.

8. Bills

- a. Approve: \$218,891.95 (General Fund). Brian Barrett motions to pay the bills, Robert Lovenheim seconds. Vote: all in favor; motion carries.

9. Public Comment

- a. Pam Barrett states the cabin in Waterfront Park needs attention, and someone is living in the house on the old township property (Parcel 16.8.1.62). Brian Barrett states the parcel is a mess and dangerous. Pam Barrett states there are discount ticket signs that should be removed, and there are AirBNBs in the township, one of which is on Twin Falls Rd. Robert Lovenheim explains the difficult process of prosecuting short-term rentals. Pam Barrett states Ken Wolfe should have a better understanding of what's occurring in the township, and that he sits in his office.

10. Brian Barrett motions to adjourn, Robert Lovenheim seconds; meeting adjourned at 6:50PM.

Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia Heilakka, Assistant Secretary