

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
JULY 12, 2023

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A Regular Business Meeting of the Smithfield Township Board of Supervisors is held on July 12, 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 (via Zoom), and Brian Barrett (via Zoom), Solicitor Ronold Karasek (arrives at 6:21PM), Engineer Jon Tresslar, and Township Manager Julia Heilakka.

Also present are Debbie Kulick, Ed Regina, Desiree Siena, Tim Snow, and Martha Carbone.

1. Chair Jacob Pride calls the meeting to order at 6:03PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements – The township received a Section 902 grant for \$274,680. This grant funds the overage from a prior leaf truck purchase and the purchase of a new leaf truck.
4. Minutes
  - a. Robert Lovenheim motions to approve the minutes from the June 14, 2023 and June 28, 2023 regular meetings, Brian Barrett seconds. Vote: all in favor; minutes accepted. Brian Barrett states the minutes are thorough.
5. Reports
  - a. Solicitor’s Report – Jacob Pride states Delaware Water Gap Acquisition Partners lost their petition for rearguing the conditional use case. [See also item 6.e]
  - b. Engineer’s Report – Jon Tresslar states the Green Light Go project is finally out to bid.
6. New Business
  - a. Consider: Consent Agenda.
    - i. Consider: Award Materials Bid to Eureka Stone Quarry, Inc.
    - ii. Consider: Table Current Non-Emergency Budget Requests for 2024 Budget.
      1. Consider: SFC Request to Pay Deductible.
      2. Consider: Marshalls Creek Fire Company Donation Request.
    - iii. Consider: TE-160 Form Approval for SR 447 & Franklin Hill Road.

Jacob Pride states the township supports the fire companies and wants to consider these asks for the 2024 budget. Brian Barrett motions to approve the consent agenda, Robert Lovenheim seconds. No public comment. Vote: all in favor; motion carries.

- b. Consider: Emergency Contribution to Bushkill Emergency Corps. Lucas DeBartolo submitted a recommendation to the Board to contribute \$11,160 to Bushkill EMS to keep the service operational. Robert Lovenheim motions to approve the contribution, Brian Barrett seconds. No public comment. Vote: all in favor; motion carries.
- c. Consider: Regional Planning Commission Concept. Jacob Pride states he does not believe this is necessary. Robert Lovenheim and Brian Barrett agree with Jacob Pride. Jacob Pride motions to not enter the regional planning commission, Robert Lovenheim seconds. No public comment. Vote: all in favor; motion carries.
- d. Discuss: Act 167 Stormwater Act Update. The Board must consider buffers for lakes and ponds, who will hear waiver requests, and whether to establish a stormwater maintenance fund. Jon Tresslar states the maintenance fund requires developers to post an escrow when creating a stormwater detention basin or water quality basin. The escrow covers the cost of inspections. Jacob Pride and Brian Barrett agree that it is warranted. Jon Tresslar states Pocono Township is still considering the idea.

Jon Tresslar states buffers for lakes and ponds is the Boards' call. The Board discusses lakes and ponds and determines to contact the county for a map demonstrating the impact of increasing the buffer. Jon Tresslar states other updates include definitions and technical updates to comply with updated DEP regulations.

Martha Carbone asks how this will increase or decrease current buffers and what waivers the township regularly grants. Jon Tresslar replies nothing has changed with respect to streams and wetlands. The current ordinance has a 50-foot buffer for lakes and ponds, and the new update proposes 150 feet. Waivers occur because the township's ordinance provides rainfall amounts which are outdated, but DEP mandates following NOAA. The Board consents to keep waivers with the Board and implement the stormwaters maintenance fund, but will decide on buffers for lakes and ponds at the next meeting.

- e. Solicitor Karasek arrives at 6:21PM. Ron Karasek states Water Gap may file a petition with the supreme court of PA, but that court is not obligated to hear the case. Regarding the Shawnee Preservation Society lawsuit, the insurance carrier will pay the cost of an attorney up to \$25,000 but will not enter any formal defense because it is a non-monetary suit. The Township can appoint a lawyer of their choosing.

Jacob Pride motions to amend the agenda to include item e - Consider Appointing Solicitor Karasek to represent the Township in SPS litigation, Brian Barrett and Robert Lovenheim second. No public comment. Vote: all in favor; motion carries. Robert


Lovenheim motions to appoint Solicitor Karasek to represent the township for the SPS litigation, Jacob Pride seconds. No public comment. Vote: all in favor; motion carries.

7. Board of Supervisors Report – none.
8. Bills: \$173,590.31 (General Fund: \$170,890.07 - Liquid Fuels Fund: \$0 - Escrow Fund: \$2,700.24). Robert Lovenheim motions to approve the bills, Jacob Pride seconds. No public comment. Vote: all in favor; motion carries.
9. Public Comment
  - a. Desiree Siena asks about the contribution to Bushkill EMS. Jacob Pride replies the \$11,160 is 31% of the monthly emergency request from Bushkill. Debbie Kulick thanks the township. If every person in the township gave \$50, they would have \$400,000.
  - b. Tim Snow asks for confirmation that the Delaware Water Gap treatment center may offer services as they exist now, but cannot complete treatment. Ron Karasek replies that the Zoning Officer has determined present operations comply with zoning.
  - c. Tim Snow sees many triaxles entering the treatment center; are there any active permits on the property? Julia Heilakka will inform the Zoning Officer.
  - d. Tim Snow states Cherry Valley Rd near Totts Gap Rd is in poor condition. Julia Heilakka will resubmit the information to PennDOT and contact local representatives.
10. Jacob Pride motions to adjourn, Robert Lovenheim and Brian Barrett second; meeting adjourned at 6:36PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:

  
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Julia Heilakka, Assistant Secretary