

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
SEPTEMBER 13, 2023

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A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on September 13, 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 Jon Tresslar, and Township Manager Julia Heilakka.

Also present are Pam Barrett, Allesson Rode, Julie Bernstein, Dan Harvey, Chuck Niclaus, Desiree Siena, Tim Snow, Joann Norris, Richard Norris.

1. Chair Jacob Pride calls the meeting to order at 6:14PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements
  - a. The Board held an Executive Session on August 23, 2023 from 6:49PM to 7:00PM to discuss litigation (Shawnee Preservation Society and Water Gap Wellness) and personnel concerns.
  - b. Budget meetings will be held on 10/4, 10/18, 11/1, and 11/15 at 10:00AM.
4. Minutes
  - a. Brian Barrett motions to approve the minutes from the August 9 and 23, 2023 regular meetings, Robert Lovenheim seconds. No public comment. Vote: all in favor; minutes accepted.
5. Reports
  - a. Solicitor's Report – Ron Karasek states Water Gap Capital Partners has appealed to the PA Supreme Court, who may choose to hear the case. The Healthy Minds application is on the agenda later, and the bulk of his time in July and August was spent on the Airstrip Rd condemnation matter, which is nearly complete.
  - b. Engineer's Report – none.
6. New Business
  - a. Consider: Consent Agenda.
    - i. Consider: Approve Traffic Signal Plan at East Stroudsburg Elementary.

- ii. Consider: Approve PMRS Pension Plan Minimum Municipal Obligation for 2024.
- iii. Consider: Approve MS-4 Final Report.
- iv. Consider: Approve Winter Maintenance Services Agreement with PennDOT.
- v. Consider: Sewer Authority LSA Grant Award – Match Consideration.

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

- b. Consider: Patton Consolidation and Compliance Mapping Quote. Lucas DeBartolo presents a quote from Diana Patton (PSATS QuickBooks trainer) to realign QuickBooks with the DCED Chart of Accounts per the auditor's recommendation, and break QuickBooks into two files so it runs faster. Jacob Pride motions to approve the quote as stated, Robert Lovenheim seconds. Pam Barrett states this could be completed in-house by Lucas. Lucas DeBartolo replies this task is easy for someone that does this all the time, but he does not have the time to complete this task. Vote: Jacob Pride and Robert Lovenheim in favor; Brian Barrett opposed: motion carries.
- c. Consider: Approve GLG Bid Results and Issue Notice to Proceed. Jon Tresslar provided an award recommendation dated September 7, 2023. PennDOT oversaw the process and advised combining the projects for Pocono, Stroud, Smithfield, and Middle Smithfield Townships. The bid results are as follows: Bid with alternate 1: Bruce Merrilees Electric Company - \$1,881,936.50, Telco, Inc. - \$1,928,036.5. Bid with alternate 2: Bruce Merrilees Electric Company - \$1,568,664.50, Telco, Inc \$1,436,036.50.

Jon Tresslar states the recommendation is to award Telco the base bid plus alternate 2, the Econolite package. Support for Smithfield and Middle Smithfield Townships is \$7,750 per year and will be appropriately distributed. Each municipality received different grant funds. Robert Lovenheim confirms the software is included and asks about a Q-system. Jon Tresslar states the support was similar: Bruce's support for the adaptive system is \$8,210 per year and Econolite was \$10,280. Robert Lovenheim is concerned that AI software will be available within five years. Jon Tresslar replies the Board will probably want to replace the system by the time AI is available for this use.

Robert Lovenheim motions to approve the Telco, Inc bid with alternate 2, Brian Barrett seconds. No public comment. Vote: all in favor; motion carries. Robert Lovenheim states this has been going on since 2017. Brian Barrett states it is positive for four municipalities to get together and agree.

- d. Consider: Emergency Payment to Bushkill EMS. Lucas DeBartolo recommends the monthly emergency payment of \$11,160 and states a workgroup is forming. Robert Lovenheim motions to approve the next emergency payment to Bushkill EMS, Brian Barrett seconds. Pam Barrett asks when this will be complete. Lucas DeBartolo states

that is unknown. Robert Lovenheim states it will carry through this calendar year. Pam Barrett states it will be December before you know it. Vote: all in favor; motion carries.

- e. Consider: Fish Minor Subdivision. Jon Tresslar states the largest concern regarding the plan was a shared well, which the applicant is addressing by digging a second well. He received a revised plan and hasn't had the opportunity to provide a written response, but feels the plan is ready for action. Allesson Rode states approval can be granted subject to the Engineer's pending review letter. Ron Karasek reviews the planning submission checklist. Allesson Rode confirms there is a shared driveway agreement, the applicant will drill a new well, and the waiver requests are withdrawn. Lauren Fish signs the waiver provided by Ron Karasek. Brian Barrett motions to approve the Fish Minor subdivision pending the conditions discussed and signed by Lauren Fish, Robert Lovenheim seconds. No public comment. Vote: all in favor; motion carries.
- f. Consider: Schedule Healthy Minds Treatment Center Conditional Use Hearing. Jacob Pride states this conditional use was already denied by the township once, and asks if this application is substantively different. Julie Bernstein, representative of the applicant, states it is a brand new application with a brand new applicant, and asks that the Board not consider what occurred in the past. The Board discusses the location of this application; it is on a different tract of land than the Water Gap Acquisition Partners conditional use application. Ron Karasek states there is a lease that was filed with the application and suggests against denying the application outright.

Ron Karasek states the Planning Commission will consider the application on October 12<sup>th</sup>, so the Board must have a special meeting to meet the deadline. After discussion, the applicant's representatives and the Board confirm that the application will be before the Planning Commission on Thursday, October 12<sup>th</sup> at 7PM and the Board of Supervisors on Wednesday, November 8<sup>th</sup> at 6PM. Julie Bernstein will submit an extension in writing to the township. Robert Lovenheim motions to schedule the conditional use hearing for November 8<sup>th</sup> at 6PM, Brian Barrett seconds. No public comment. Vote: all in favor; motion carries. Brian Barrett asks if the township will have two operations in Water Gap. Ron Karasek replies there will only be one if the PA supreme court does not hear the appeal. Chuck Nielaus states it will be a new building.

- g. Discuss: Hollow Rd/River RD Foliage Issue. Julia Heilakka states a fire company contacted the township with concerns regarding tree branch encroachment on River and Hollow Roads. PennDOT has been contacted regarding Hollow Rd and has begun to mitigate the concern. Robert Lovenheim states they have made significant progress. Chris Clause has been told about River Rd, and will handle it as he is able; the township needs to purchase a bucket truck, and is borrowing Middle Smithfield Township's to complete required work.
- h. Discuss: Vivian Oliver Offer for Refreshments at Waterfront Park. Vivian Oliver is not present, the Board will discuss this item at the next meeting.

- i. Discuss: Swimming at Marshalls Falls Park. Jacob Pride is concerned about the liability of permitting swimming; there will be no lifeguards. Robert Lovenheim suggests swimming at your own risk. Brian Barrett states people were trespassing before, and he may have been one of the trespassers. He is also concerned about the liability; the National Park Service has been sued over drownings and lost. Robert Lovenheim feels people will swim whether or not they are allowed. Pam Barrett states people jump off the falls, and the township could fence off the water feature. Robert Lovenheim states the township has a fence along the Brodhead Creek at Minisink Park and it has not stopped anyone. Ron Karasek suggests checking with the township's insurance carrier.
  - j. Consider: Renew Delaware Water Gap Borough Leaf Collection. Jacob Pride states that Lucas DeBartolo and the DPW Director have put together an offer of \$1,515, which would provide leaf pick up for Delaware Water Gap one day a week for six weeks. This cost includes one driver and the truck, understanding Delaware Water Gap Borough will provide additional manpower if needed. Brian Barrett asks if this includes salaries and benefits, and would like to meet with Chris. Jacob Pride states benefits and wear and tear on the equipment account for 25% of the proposal. Robert Lovenheim motions to approve, Jacob Pride seconds. Desiree Siena confirms the amount is for all six weeks. Jacob Pride replies yes, one township employee for six weeks. Brian Barrett states he does not agree with this, and someone will be running equipment alone. Tim Snow asks about a final tally of hours for last year. Jacob Pride states the township changed personnel, so we don't have that data. Tim Snow states the township should consult with Middle Smithfield Township. Desiree Siena states when the township said it would be a nominal fee and only take a few hours, she knew that was incorrect. Jacob Pride replies former staff conducted leaf pickup six times in the Borough instead of the one time the Board has discussed. Vote: Jacob Pride and Robert Lovenheim in favor, Brian Barrett opposed: motion carries.
7. Board of Supervisors' Report – none.
8. Bills: \$234,472.63 (General Fund: \$234,472.63 - Liquid Fuels Fund: \$0 - Escrow Fund: \$0). Jacob Pride states this bill pack includes typical expenses: parks bills, security, payroll, a substantial amount of road material, reimbursement for Troop 83, and insurance payments. Robert Lovenheim motions to pay the bills, Jacob Pride seconds. Joann Norris asks for clarification on Green Light Go. Jacob Pride replies the project involves all four townships and will sync the traffic lights along the corridor. Robert Lovenheim states the existing lights will be used with upgraded mechanics and software. Richard Norris states people are the problem. Joann Norris asks if residents can read summaries of executive sessions. Jacob Pride replies no, executive sessions are private. Vote: all in favor; motion carries.
9. Public Comment
- a. Desiree Siena asks what months will be used to collect data for the traffic lights. Julia Heilakka explains that the traffic lights will collect data in real time and use it to impact

traffic flow at that time. Robert Lovenheim states the system will assess traffic every 15 seconds, 24 hours a day; once we get to connected vehicles, the data will become very valuable. Tim Snow states this is better than the alternative of a traffic circle.


- b. Pam Barrett states she wants to apologize to Ken Wolfe because she thought he wasn't doing his job; she understands Robert Lovenheim has taken over zoning. Robert Lovenheim asks Pam Barrett who told her he was taking over zoning, Pam Barrett states she is not going to tell him. Robert Lovenheim states he is not the Zoning Officer, he has not taken over zoning, and he does not make zoning decisions. Pam Barrett asks if the township is ever going to clean up the farmhouse and if the township is running out of money and states the township isn't fixing the log cabin. Julia Heilakka states the repointing for the cabin is not in the 2023 budget, so it's under consideration for the 2024 budget. Robert Lovenheim asks Pam Barrett why she thinks he's taking over zoning. Pam Barrett states she is not going to tell him, but it came from a good source. Robert Lovenheim states Pam Barrett has a pattern of taking small pieces of information and conflating it into fiction; she should stop acting like a junior in high school, do you have no shame? Pam Barrett replies no. Robert Lovenheim states Pam Barrett refuses to share information. Pam Barrett states she is sorry Robert Lovenheim is upset. Pam Barrett asks if the wellness park is complete. Jacob Pride replies Phase 3 is not complete, and the township has grants. Pam Barrett states the township should clean up the property before pursuing other options; the township is letting the house fall apart. Robert Lovenheim states the township is assessing what the house needs and then wants to pursue grant funding to fix it.
- c. Tim Snow states Robert Lovenheim called the commissioners monkeys a few weeks ago, and that is childish. Robert Lovenheim replies yes; the commissioners are public officials and don't deserve any more respect than anyone else when they don't perform. Pam Barrett states Robert Lovenheim should calm down. Robert Lovenheim states the commissioners refuse to act on ambulance service concerns, and townships cannot afford it. Desiree Siena states it is not in the commissioners' purview to take on ambulance services. Robert Lovenheim states it is within their purview to contribute funds like Pike County. Desiree Siena states he should meet with the commissioners. Robert Lovenheim states he has tried, and they still do nothing. Pam Barrett states the money will still come from the taxpayers. Robert Lovenheim states there will hopefully be new commissioners.
- d. Joab Vaughan, owner of Mountain Vista Campground, expresses concern regarding the motocross facility on the Mountain Manor property; they are operating a business in a residential area, and the noise is unbearable. Pam Barrett asks who owns the property. Norm Fish replies three different people own Mountain Manor.
- e. Pam Barrett states there was a realtor showing a piece of property that was wet and said it would be a problem in Middle Smithfield Township, but not in Smithfield Township.
- f. Ed Regina thanks the Township for its contribution to Bushkill EMS.

10. Robert Lovenheim motions to adjourn, Jacob Pride seconds; meeting adjourned at 7:26PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:

  
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Julia Heilakka, Assistant Secretary