

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

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

Also present are Attorney Amy Farrell, Attorney Alexander Ward, Kristine Karol, Diana Scheid, Charles Cohan, Dan Harevy, Chuck Niclaus, Charlie Schmehl, Doug Olmstead, Michael Albert, Joann Norris, Richard Norris, and Martha Carbone.

1. Chair Jacob Pride calls the meeting to order at 6:00PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. [Item b] Public Hearing: Healthy Minds Treatment Center Conditional Use Hearing. Ron Karasek introduces himself and explains the process of a conditional use hearing. The hearing begins at 6:01PM. [This hearing is transcribed by Donna Kenderdine Recording, LLC.] The hearing will continue on January 24, 2024 at 6PM. Bob Marki thanks Mr. Barrett for his service, and the room applauds. Robert Lovenheim states the Township is dedicating a bridge to Brian Barrett. The hearing is recessed at 7:57PM, and the meeting is paused at 7:57PM. The meeting resumes at 8:05PM.
4. Announcements
  - a. The Board is seeking Letters of Interest for Two Planning Commission Seats.
  - b. The Board held an Executive Session on December 13, 2023 at 5:30PM to discuss the SPS/SVPRD litigation.
5. Minutes
  - a. Robert Lovenheim motions to approve the minutes from the November 8, 2023 budget and regular meetings, Jacob Pride seconds. Vote: all in favor; minutes accepted.
6. Reports
  - a. Solicitor's Report – Ron Karasek reviews the open projects he is working on.
  - b. Engineer's Report – Melissa Hutchison states the Green Light GO preconstruction meeting is scheduled for Thursday, December 21<sup>st</sup> at 1PM. Shop drawings are approved.
7. New Business

- a) [Item a] Consider: Consent Agenda.
  - i) Consider: Approve VTC Eligibility List for Marshalls Creek Fire Company.
  - ii) Consider: Approve VTC Eligibility List for Shawnee Fire Company.
  - iii) Consider: Approve Green Light Go Construction Agreement.
  - iv) Consider: Employment Package for Conservation & Recreation Director.
  - v) Consider: Employment Package for Administrative Coordinator.
  - vi) Consider: Approve Purchase of John Deere 544G Loader.
  - vii) Consider: Authorize Declaratory Judgement Action re: HOA/PRD Road Safety.
  - viii) Consider: Authorize Separation of Smithfield Gateway Escrow Accounts.
  - ix) Consider: Release of PRBC III, LLC Escrow Funds.
  - x) Consider: Emergency Payment to Bushkill Emergency Corps.

Jacob Pride states the Township plans to hire Dr. Alex Jackson and Dyana Salvi. Robert Lovenheim motions to approve the consent agenda, Jacob Pride seconds. Brian Barrett states he votes against the purchase of the John Deere Loader and has no idea what the declaratory judgment is. Robert Lovenheim replies the declaratory judgement takes the position that safety is the concern of the Board and that the Board can determine if any publicly-used roads are safe. Ron Karasek states Shawnee Valley has speed bumps that the Township engineers have determined are dangerous. The developer's position is that PRDs do not have to follow township guidelines. The declaratory judgement asks a judge to decide. Brian Barrett states he will oppose the declaratory judgement. Brian Barrett asks about the escrow accounts. Robert Lovenheim states there are two pads on the same escrow agreement, and the developer would like them split. Vote: Jacob Pride and Robert Lovenheim in favor, Brian Barrett opposed: motion carries.

- b) Public Hearing: Healthy Minds Treatment Center Conditional Use Hearing. [See item 3].
- c) Consider: Smithfield Gateway Request - Wawa Land Development Plan. Doug Olmstead asks the Board to reaffirm the approval for Phase 1A-2, less the restaurant pad north of Wawa. He understands they will have to submit a new LDP for that pad and asks the Board to consider three motions prepared by his attorney: the first, that the Board reaffirms the approval of Phase 1A-2 less the restaurant pad; the second, that Attorney Marc Wolfe may serve as the escrow agent for plans and documents; and third, that the Board consent to DEPG shifting some of the burden in the developer's and stormwater agreement to Smithfield Music LLC.

Jacob Pride motions to approve the discussed motions, subject to review and approval by the Township solicitor, Robert Lovenheim seconds. Martha Carbone asks how the Township knows if the motions are approved. Ron Karasek replies he writes formal correspondence. Vote: all in favor; motion carries.

d) Discuss: Smithfield Gateway Update. Doug Olmstead states the traffic signal at Mosier's Farm Drive and SR 209 is operational. Wawa construction will begin soon and should be completed by September 2024. Final paving will occur in the spring of 2024.

e) Consider: SVPRD Annual Update & Extension Request. Joann Norris asks how the Township can extend an old plan. Ron Karasek replies this letter is a requirement of the project, and historically, the prior Boards granted. Martha Carbone states the Township suggested SPS pursue a declaratory judgment for SVPRD. Joann Norris states there are typos in the letter, the Board should not grant the extension, taxes are too high, and the Township should purchase the PRD property because there is no market for new homes.

Robert Lovenheim states the Township is waiting for the decision of the court. Robert Lovenheim motions to approve the extension, Jacob Pride seconds. Vote: Jacob Pride and Robert Lovenheim in favor; Brian Barrett opposed; motion carries. Robert Lovenheim states Brian Barrett voted in favor of the extension in years prior and that the supervisors are neutral on this situation; they await the court's decision.

f) Discuss: Post Office Bridge. Jacob Pride moves to table this item, Robert Lovenheim seconds. No public comment. Vote: all in favor; motion carries.

8. Board of Supervisors' Report – none.

9. Bills: \$158,383.68 (General Fund: \$158,383.68, Liquid Fuels Fund: \$0, Escrow Fund: \$0). Robert Lovenheim motions to approve the bill, Jacob Pride seconds. Ron Karasek asks the Township to check if his September bill was paid. Pam Barrett states the Township is behind on bills. Jacob Pride replies that is untrue. Vote: Jacob Pride and Robert Lovenheim in favor, Brian Barrett opposed: motion carries.

10. Public Comment

a. Pam Barrett states she is not a supervisor and asks if Resolution No. 535 was a setup for the declaratory judgement. She states that Robert Lovenheim wanted to put speed bumps on River Rd. Robert Lovenheim states this is not a time to spread lies. Pam Barrett states Ron Karasek set up the situation.

11. Jacob Pride motions to adjourn, Robert Lovenheim seconds; meeting adjourned at 8:53PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:

  
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Julia Heilakka, Assistant Secretary