

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
MARCH 27, 2024

A Regular Business Meeting of the Smithfield Township Board of Supervisors was held on March 27, 2024, 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 Michael Albert, Solicitor Ronold Karasek (Zoom), Engineer Jon Tresslar, Administrative Coordinator Dyana Salvi, Conservation and Recreation Director, Alex Jackson, and Township Manager Julia Heilakka.

Also present are Debbie Kulick, Kristine Karol, Vicky Ozgun, David Horton, Tara Mezzanotte, Pete Begley, Tim Snow, Russ Albert, Guy Miller, Tammy Booth, Lynn Schwarz, Patrick Pawlik, Laura Pride, Patricia Markowitz, and Joann Norris.

1. Chair Jacob Pride calls the meeting to order at 6:02PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Minutes
 - a. March 13, 2024- Regular Meeting

Robert Lovenheim motions to approve the minutes from the March 13, 2024, regular meeting, Michael Albert seconds. Vote: all in favor; minutes accepted.
4. Announcements
 - a. A standing Executive Session was held on March 27, 2024, from 5:30PM to 5:58PM regarding personnel and safety.
 - b. The continuation of the Healthy Minds Conditional Use Hearing will resume on April 10, 2024, at 6:00PM.
 - c. There will be a Board of Supervisors & Planning Commission Joint Session on April 17, 2024, at 5:00PM.
 - d. Spring Clean Up will take place on May 15-18 from 8:00AM to 5:00PM at the Township Municipal Center.
 - e. Spring Leaf Pickup will be taking place from April 15-26. More information will be available on smithfieldtownship.com.
5. Bills & Obligations
 - a. Consider: 3/27/2024 – \$93,447.31 (General Fund: \$92,197.31, Escrow Fund: \$1,250.00).
Robert Lovenheim motions to approve the bills, Michael Albert seconds. Michael Albert clarifies the payroll bill. Kristine Karol asks for the bill pack before each meeting. Jacob

Pride clarifies that, if possible, this would occur during the meeting, although redactions will need to be made regarding personnel information. Vote: all in favor; motion carries.

6. Reports

- a. Solicitor's Report- Ronold Karasek states he attended the Zoning Hearing Board meeting regarding Mountain Manor on March 5, 2024, the BOS meeting regarding the Public Hearing of Healthy Minds Conditional Use Application on March 13, 2024, and the Township Planning Commission meeting on March 14, 2024. He prepared two revised drafts for the road safety ordinance and reviewed the draft noise ordinance.
- b. Engineer's Report- Jon Tresslar states that he is continuing to review a sketch plan for a camp and a lot joinder, to be discussed at a later date. The Rivers Edge Bike Park design is complete and ready to be submitted to the conversation district. There is a paper copy that will require review.
- c. Board of Supervisors Report- Jacob Pride states that the Volunteer Service Tax Credit Law allows for exemption of Fire, EMS, and municipal tax for qualified volunteers. Senator Rosemary Brown announced that Westfield North, LLC has received a grant of \$538,737 to realign the intersection of Franklin Hill Road and Independence Road. More information will be available on the Township website.

7. Consent Agenda

- a. Consider: Approve BearSaver Containers per One for Nature Grant.
- b. Consider: Adopt Resolution No. 544 – Lot Joinder for Ozgun Property.
- c. Consider: Adjust Township Manager Compensation Consistent with FLSA-Exempt Status & Budget Line Item.
- d. Consider: Authorize Letter to BCRA – HOP Issuance Upon Solicitor and Engineer Review and Approval.
- e. Consider: Accept Clarification on Smithfield Tax Increment District Payment Procedure.
- f. Consider: Approve Green Light Go Payment Application No. 1.

Robert Lovenheim motions to approve the consent agenda, Michael Albert seconds. Jon Tresslar states that the Lot Joinder for the Ozgun property has been reviewed, however there is a paper street between the two lots. Case law states that any homeowners in the subdivision have rights to the street. Signatures will need to be obtained from every homeowner on the development for approval.

Robert Lovenheim amends his motion to approve the consent agenda, with Resolution No.544 to be tabled. Michael Albert clarifies the authorizing of the letter to the BCRA; Julia Heilakka states that it is in the draft approval phase. Once the road no longer belongs to the

private owner, the Township will continue to allow the waterline to exist in the road. Michael Albert clarifies item c, stating that the Township Manager will now receive salary pay. Joann Norris questions the paper road on the Ozgun property, stating that there are no plans to develop the road. Jon Tresslar states that while that may be true, there is still a procedure to be followed. He will need to review the current plan to gain more information. Vicky Ozgun states that the lot on Juniper Lane is part of the Donald Egan subdivision. She references a similar situation that was approved by Middle Smithfield about 3-4 years prior. Vote: all in favor; motion carries.

8. Old Business

- a. Presentation: Update from Brodhead Creek Regional Authority. David Horton states that the BCRA dates to 1953; with the name changed to BCRA in 2005, to include the 5 municipalities. Each municipality has a board member, with 5 in total elected to 5-year terms. The BCRA has about 5,600 customers, with 80% being residential and 20% commercial. Recently activity includes waterlines for the Smithfield Gateway project. The BCRA produces about 3-3 1/2 million gallons of water daily as a whole; with 150,000 gallons being used in Smithfield Township.

Robert Lovenheim asks if the BCRA has plans to coordinate with the Sewer Authority to extend along Seven Bridges Rd and Buttermilk Falls Rd. David Horton states that they do not have plans to extend; extensions are coordinated through developer projects. The BCRA is looking to coordinate with the Township for direction in developer opportunities, building a waterline cost \$2 million a mile. The BCRA extends north to Airport Rd. Phase one of the Smithfield Gateway project is complete and is waiting for the dedication of new lines. Once this is complete, they will begin to move to phase two. The project on Airport Rd and Airstrip Rd is complete and they have accepted dedication of the waterline. Brett Cartwright asks if Music Center Dr has public sewer; Jacob Pride states that Smithfield Gateway has public sewer, but the homes are on-lot systems.

- b. Presentation: Tara Mezzanotte re: NJDOT/I-80 PennDOT/611 Liaising. Tara Mezzanotte states that she is a resident of Knowlton Township, and appointed liaison to NJDOT and PennDOT for four surrounding townships. There are currently two major projects being discussed: the I-80 rockfall mitigation and the retaining wall project. She advised that rockfall mitigation is needed and recommended, however Knowlton Township noticed that NJDOT is planning a larger-scale project of blasting, digging, and scraping 15-30 feet into the base of Mount Tammany, adding mesh and fences, and building a 60-foot berm. NJDOT states that there have been 11 rockfall instances between 2000-2015, and 637 crashes on the s-shaped curve. Managing traffic flow is a community concern, with plans for a 4/5-year project. Two tractor trailers will not fit side by side during the construction.

Ronold Karasek leaves the zoom session at 6:48PM.

Tara Mezzanotte states the NJDOT was notified and replied that tractor trailers will be advised to stay in one lane. A regional detour was created for traffic but the detour is too long. A geotechnical inspection team investigated the panels in July 2022, and put-up barriers to protect the walls. Four panels are in critical condition, Seven panels are in serious condition, and 38 are good or fair. Favorable long-term solutions include a tunnel or building a second bridge. Robert Lovenheim states that he believes a long-term solution would be a tunnel, with the location of the tunnel to be discussed. Tara Mezzanotte states that she met with the executive director of NEPA and discussed the study towards moving forward. She is asking the Board to consider appointing her as Smithfield Townships Liaison to communicate updates with this project.

Michael Albert asks for the clarification of the term liaison and what responsibilities would be appointed. Tara Mezzanotte responds that a liaison provides representation, and further documents are available for discussion. A resolution has been passed previously regarding the project; Tara Mezzanotte states that she will be reviewing this and making updated adjustments as needed. Julia Heilakka asks for clarification on the project, which Tara Mezzanotte provided. Pete Begley confirms the period in which the study took place and asks for an ideal solution. Tara Mezzanotte states that the ideal situation would be to create an emergency solution for the immediate rockfall concerns and panels. Tim Snow asks if there are plans to soften the s-curve where the accidents occurred. Tara Mezzanotte states that there are no current plans.

- c. Consider: Appoint Tara Mezzanotte as Liaison to NJDOT/I-80 PennDOT/611 Project.

Michael Albert motions to table the items until the April 10, 2024, BOS meeting, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- d. Smithfield Sewer Authority Seven Bridges Rd Update. Russ Albert states that property owners along Seven Bridge Rd from Music Center Dr to Green Mountain Dr have been asking for three years to have municipal sewer lines to service their properties. Plans have been reviewed and there is a motion to move forward with the request. They have applied for and received funds to get started, with additional funding and approvals needed. Water and sewer can be provided to Seven Bridges Rd with the appropriate funding. The DEP is asking the Sewer Authority to research and consider environmental factors which were looked at in the initial 2005 537 plan. Michael Albert clarifies that the current funds are in an escrow account.

Robert Lovenheim left the room from 7:33PM-7:34PM.

- e. Consider: Advertise Draft Ordinance No. 248 – Noise/Nuisance Ordinance for 4/10/2024 Regular Meeting.

Michael Albert motions to advertise Draft Ordinance No.248, Robert Lovenheim seconds. Tammy Booth suggests a change in the ordinance. Julia Heilakka states fees are handled by resolution. Lynn Schwarz asks for the time period for enforcement. Jacob Pride states that the time period is between 5-14 days. Vote: all in favor; motion carries.

- f. Discuss: Public Road Safety Ordinance. Robert Lovenheim states that the goal is to have standardization across the township for safety reasons and adopt PennDOT's recommendations for road safety. Private roads have been a point of concern, with complaints being brought to the Township. Robert Lovenheim advises a complaint system and a system for inspecting these roads would be beneficial. Debbie Kulick references unmarked speedhumps located on private roads, which is a safety hazard. Robert Lovenheim states that with this new system in place, after receiving a complaint they would investigate the site and write up a solution. Because they are private roads, it would then need to be handled by an HOA or the developer.

Jacob Pride states that new projects with 3 or more homes should be required to have a public road. Existing private roads are still under deliberation. Jon Tresslar states that the ordinance currently requires private roads to have the same standards as a Township Road. They require an offer of dedication, although the Township is not required to accept. Township roads are held to a certain standard and receive limited state funding for maintenance. Michael Albert asks if there is a resolution guide for what HOA standards should be. Robert Lovenheim states that there is currently no guide. Jon Tresslar states that new projects need to follow the requirements of the SALDO, failure to do so will result in the maintenance being done and then back charging the owner. Discussion among the Board takes place around the stormwater management ordinance. Debbie Kulick clarifies that the ambulance is required to reach every individual despite the chance of ruining equipment. Pete Begley clarifies speed humps guidelines. More discussion is to take place with the presence of Ronold Karasek.

9. New Business

- a. Discuss: Municipal Joint Session re: Fire/EMS Tax. Michael Albert states that there was a meeting held with Middle Smithfield, Price, Delaware Water Gap, Lehman, along with EMS providers. This meeting discussed ways of distributing the new tax among service providers. The next meeting will be held on May 1, 2024, for further discussion.

Guy Miller confirms that this was a public meeting. He states that there were multiple recommendations made and asks which will be considered. Jacob Pride states that once all recommendations have been made, then steps will be taken to review each possibility.

- b. Consider: Volunteer Service Tax Credit – Letter to School District & County. Michael Albert states that more information is needed to move forward.

Michael Albert motions to approve the draft letter for current participating members, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- c. Consider: Appoint Pat Owens as Chair of Environmental Advisory Council to a Term Ending 1/6/2025. Alex Jackson states that there is a vacant chair on the current EAC council.

Michael Albert motions to appoint Pat Owens as Chair of EAC, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- d. Consider: Appoint Ken Lesure to Environmental Advisory Council to a Term Ending 1/6/2025.

Michael Albert motions to appoint Ken Lesure to the EAC, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- e. Consider: DCNR Marshalls Falls Phase 2 Application Resolution No. 545 & Match Commitment Letter. Julia Heilakka states that the Township is in the final days of phase 1 and is moving towards phase 2. The Township received a grant of \$367,500 to fund this phase and is looking to apply for the DCNR grant for \$175,000 by April 3, 2024. The money would be used towards the construction of a platform on the side of the bridge and create a staircase to access trails. Once completed, there are plans to begin funding phase 3, which includes the demolition of a house and creating a larger parking lot. The park is scheduled to open on April 11, 2024.

Robert Lovenheim motions to approve Resolution No. 545 and DCNR match commitment letter, Michael Albert seconds. Jacob Pride states that he will not participate in the vote; he has a conflict of interest because of his job. Patrick Pawlik asks if taxpayers funded the recent statues that are being added to parks. Robert Lovenheim states that this is not taxpayer money. Julia Heilakka states that funding is from Waterfront Park phase 3 grant of \$150,000, with the Township matching \$12,000. Patricia Markowitz asks about the cost of the statues that are being placed in the park. Robert Lovenheim states the cost was \$90,000, and the statues could be used by individuals with disabilities. Patricia Markowitz asks if there are plans to tear down the Waterfront Park house. Michael Albert references that the house is not structurally sound, and that no decision has been made. Julia Heilakka states that she is working with Alex Jackson to research grants to possibly renovate the house into a community center. Jacob Pride states that there was an architect hired in 2023 to inspect the home and give cost comparisons. Robert Lovenheim states that there is discussion to add a sewer line for public bathrooms. Kristine Karol states that there have been reports of bats in the attic of the house, and an inspection proved that significant repairs are needed. Vote: All in favor; motion carries.

10. Public Comment

- a. Tammy Booth asks for transcripts from the Motorcross meeting from Donna Kenderdine. Julia Heilakka states that she will collaborate with the Township personnel to recover a copy of the minutes.

- b. Patrick Pawlik states that there was a meeting at Alaska Pete's to discuss the new EMS and fire tax increase. He asks Jacob Pride about his stance on the tax increase and to answer questions relating to family and funding. Jacob Pride states that increase was necessary to support fire and EMS; tough decisions were made to benefit the Township and community. Patrick Pawlik asks for disabled veterans to be made aware of potential benefits. Jacob Pride states that this is made at the state level, and there can be consideration of promoting community events for veterans. The largest recent tax increase was from the County, which went up 23%. Debbie Kulick states that the cost of a fully-equipped ambulance is about \$300,000. Jacob Pride states that the increase is a result of poor previous financial planning, along with the need for improvements in equipment and maintenance. Budget meetings take place in October; Patricia Pawlik asks if the meeting time could be moved to later in the day to accommodate the public. Jacob Pride states this will be considered.

- c. Laura Pride states that her family are long-time residents of Smithfield Township; any veteran with questions about available programs should contact Monroe County Veteran Affairs for information.

11. Robert Lovenheim motions to adjourn, Jacob Pride seconds; meeting adjourned at 8:47PM.

Minutes recorded by Dyana Salvi

Respectfully submitted:



Julia Heilakka, Township Secretary