

SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING – OCTOBER 22, 2024 AT 6:00PM

A Regular Meeting of the Smithfield Township Board of Supervisors was held on October 22, 2024, at the Smithfield Township Municipal Center at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom.

Present are Supervisors Jacob Pride, Michael Albert, and Robert Lovenheim, Engineer Jon Tresslar, Administrative Coordinator Dyana Salvi, Conservation and Recreation Director Alex Jackson, and Township Manager Julia Heilakka. Solicitor Ronald Karasek is absent.

Also present are Brett Cartwright, Tim Snow, Douglas Schryver, Francis Schryver, Vicky Ozgun, Mark Soldano, Janice Medwick, John Medwick, George Andrews, JoAnn Norris, Cynthia Nare, Desiree Siena, Hal Harris, Debra Marki, Jean Turn, Kristine Karol, and Lisa Steinmetz.

- 1. Chair Jacob Pride calls the meeting to order at 6:01PM.** A quorum is present.
- 2. The Pledge of Allegiance is recited.**
- 3. Announcements:**
 - a. A standing Executive Session was held from 5:40PM to 5:57PM regarding personnel.
 - b. An Executive Session was held on October 2, 2024, from 6:02PM to 6:03PM regarding CBA Negotiations with Teamsters.
 - c. Smithfield Township Trunk or Treat & Fall Fest is to be held October 26, 2024, from 1:00PM. to 4:00PM.
- 4. Minutes:**
 - a. **Regular Meeting of September 10, 2024.**
 - b. **Regular Meeting of September 24, 2024.**

Michael Albert motions to approve the minutes, Robert Lovenheim seconds. Vote: all in favor; minutes accepted.
- 5. Bills & Obligations- \$385,784.98**
 - a. Ratify: \$262,054.86 (General Fund: \$150,542.75, Liquid Fuels Fund: \$111,512.11).
 - b. Consider: 10/22/2024 – \$123,730.12 - (General Fund: \$77,721.24, Liquid Fuels Fund: \$41,472.52, Escrow Fund: \$4,476.60, Fire Tax Fund: \$38.67, EMS Tax Fund: \$21.09)

Robert Lovenheim motions to approve the bills, Michael Albert seconds. Kristine Karol clarifies the payroll schedule is biweekly. Vote: all in favor; motion carries.

6. Reports:

- a. **Solicitors' Report** – None.
- b. **Engineers Report**- Jon Tresslar confirms progress on the Green Mountain Drive Bridge, with preparation of submission to DEP; plans are currently under review by PennDOT. There is progress on the Master Site Plan for River's Edge Bike Park. Meetings were held regarding the alignment of Franklin Hill Rd. The contractor received the hardware for the Green Light GO project, which should be installed soon. A meeting was held at the Township to discuss progress with Vision Loss Trail. The project is scheduled to be complete in phases, with correspondence with the Department of Public Works.
- c. **Township Managers Report**- Julia Heilakka states leaf pickup will occur from October 28 through December 1st. Kristine Karol confirms the item.
- d. **Environmental Advisory Council Report**- Brett Cartwright announces the EAC is currently working on land acquisitions and criteria guidelines. There is discussion of an outreach campaign targeting landowners to encourage community feedback towards environmental concerns, such as water. There is promotion of implementing pedestrian bike paths along Delaware Water Gap to Shawnee, and Music Center Drive to Franklin Hill Rd.
- e. **I-80/SR 611 Report**- Tara Mezzanotte states SR 611 will reopen on November 4, 2024, with a traffic light on both ends and a width limit, for the next four years. The Federal Highway Administration will compile a full environmental impact study to address the retaining wall rehab project and the slope. The New Jersey side of the wall replacement is still under discussion, with a resolution proposed. Tim Snow thanks everyone who contributed.
- f. **Supervisors Comments**- Jacob Pride thanks Senator Brown and Rep. Probst for awarding \$300,000 in LSA grants for the Smithfield Gateway SR 447 intersection and the Smithfield Sewer Authority sewer expansion.

7. Old Business

a. Discuss: Data Center Criteria

Alex Jackson shares images of data centers and describes their use and environmental impacts. They are currently permitted within some districts, which could cause concern. Michael Albert confirms the last update was made in July 2020. The Board discusses the possibilities of adding criteria to further restrict the use. Douglas Schryver confirms there are currently none in the county.

Kristine Karol asks for clarification regarding the process of notifying affected and adjacent property owners of changes. Julia Heilakka states the Township has begun to update the process of notification. Doug Schryver asks for the new process. Julia Heilakka states the new process includes a larger posting and notifying adjacent property owners. Francis Schryver asks for further clarification. Kristine Karol asks for the definition of a variance, and highlights where data centers are currently permitted. Brett Cartwright describes the environmental impacts of a data center, and the possibility of one in the Township. The Board discusses the creation of a draft ordinance by the year end. Vicky Ozgun asks for Alex Jackson's job description, and states the Township is in a rush to pass ordinances. Lisa Steinmetz states her concern for environmental impacts and water use. Kristine Karol asks for strong research on data centers. Mark Soldano questions using cooling outlets, in which water is recycled. Kristine Karol asks for industry standards for new data center structures. Michael Albert motions to table this item, Robert Lovenheim seconds. Vote: all in favor; item tabled.

b. Public Hearing: Draft Ordinance No 253

The hearing begins at 6:52PM. Douglas Schryver asks for the presence of the solicitor and stenographer during the hearing. The Board states they are not required to be in attendance. Kristine Karol clarifies the Board has not yet voted; they are holding a public hearing to discuss feedback. Jacob Pride reads off recommendations made by the Township Planning Commission. Michael Albert discusses the provided feedback and confirms the current definition and uses of bed and breakfasts. John Medwick states a concern for increased traffic volume. Doug Schryver notes a concern for HOA's. Desiree Siena asks for clarification of HOA rules regarding a Township Ordinance. Jacob Pride explains it is dependent on the structure and non-conforming uses. Kristine Karol asks for the definition of a short-term rental; the owner does not occupy the property. JoAnn Norris describes similar locations within the Township. Cynthia Nare states she wants a peaceful community with familiar neighbors. George Andrews asks for enforcement to ensure the owner is on site, and redlining rules. Janice Medwick states there is an Airbnb in the Lake Valhalla community, which was reported as a complaint to the Township.

Jacob Pride leaves at 7:26PM and returns at 7:27PM.

Vicky Ozgun asks if anyone can convert their home to a bed and breakfast, and what is the enforcement policy? The Board describes the process, which would include a permit issued. Hal Harris asks why finding an address for an enforcement notice is a challenge. Julia Heilakka states the Township has asked for guidance from the solicitor regarding next steps if the address on file with Monroe County is not valid. Kristine Karol states the community residents created a signature list of 160 signatures to petition the bed and breakfast ordinance. Michael Albert explains the ordinance needs to be updated, there are references that are out of date. Francis Schryver notes they are currently conditional use, and states the updates are not fair to residents. Debra Markee asks for protection for residents. Kristine Karol asks for the

process of placing conditions on a parcel. Jon Tresslar states it is during land development stage. Vicky Ozgun asks for clarification for adjacent owners. Julia Heilakka states the Township was unable to address the Airbnb complaint due to lack of evidence. Vicky Ozgun states she located evidence on the property. Brett Cartwright asks for the regulations on serving breakfast. The Board announces the hearing will be continued on December 10th at 6:00PM. Robert Lovenheim motions to continue the hearing, Michael Albert seconds. Kristine Karol asks for regulations for using a kitchen in a bed and breakfast. Francis Schryver states she has neighbors who moved due to other neighbors. Vote: all in favor; the hearing closes at 7:55PM.

8. New Business:

a. Consider: Approve Consent Agenda.

- i. Consider: Renew Service Agreement with Kistler O'Brien Fire Protection.
- ii. Consider: Ratify Submission of Revised Minimum Municipal Obligation to PMRS.
- iii. Consider: Set Trick or Treating Hours from 4:00PM to 8:00PM.

Robert Lovenheim motions to approve the consent agenda, Michael Albert seconds. Michael Albert confirms the trick or treating time and suggests changing it to 5:00PM-8:00PM. George Andrews and Hal Harris suggest keeping it the same. The Board agrees to keep trick or treating to 4:00PM-8:00PM. Vote: all in favor; motion carries.

b. Consider: Select Engineering Services for Marshalls Falls MCRDA Demolition Grant.

Alex Jackson states two proposals were received: T&M Associates, and Barry Isett & Associates. Brian Smith states Barry Isett & Associates previously aided in the demolition of three buildings in Marshalls Falls and describes the demolition process for the Marshalls Falls house. Michael Albert motions to choose Barry Isett & Associates, Robert Lovenheim seconds. Vote: all in favor; motion carries.

c. Consider: Approve Beekeeping & Parks Form Revisions.

Alex Jackson presents a beekeeping program form, a park volunteer form, and a single day use checklist for using the Waterfront Park House. Michael Albert motions to approve the park forms, Robert Lovenheim seconds. Kristine Karol confirms the forms being approved. Vicky Ozgun clarifies the location. Vote: all in favor; motion carries. The beekeeping form will be considered at the next meeting.

d. Consider: Approve Custom Import Performance Special Event Permit.

Jacob Pride motions to approve the special event permit, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- e. Consider: Continue Smithfield Township Affiliation with Brodhead Watershed Association.

Robert Lovenheim motions to table item e, Michael Albert seconds. Vote: all in favor; motion carries.

- f. Discuss: Lighting Ordinance Revisions.

The lighting ordinance has incorporated comments from the Planning Commission. Michael Albert clarifies enforcement policies in Delaware Water Gap. Jacob Pride motions to request the Planning Commission to formally review the lighting draft ordinance, Robert Lovenheim seconds. Vote: all in favor; motion carries.

- g. Discuss: Potential Transient Business Ordinance Revisions.

The Board discusses changing the location within zoning and the definition of a transient business. Michael Albert motions to table item g, Robert Lovenheim seconds. Vote: all in favor; item tabled.


9. Public Comment

- a. Kristine Karol states the Board of Supervisors meetings are short and rushed and that the Board and staff are condescending.
- b. Hal Harris, the president of the Rotary Club of the Poconos, discusses programs his organization offers. He requests a letter of support for an LSA grant application.
- c. Jean Turn asks about budget meetings. Jacob Pride states the Board will have a budget presentation on November 12th at the regular meeting. The Board must approve a draft budget for advertisement on November 19th, which is then slated for adoption at the December 16th meeting.
- d. Brett Cartwright discusses a possible media portal to submit information.

10. Adjournment: Robert Lovenheim motions to adjourn, Michael Albert seconds. Vote: all in favor; meeting adjourned at 8:47PM.

Minutes Recorded by Dyana Salvi

Respectfully submitted,


Julia Hejakka, Township Secretary