

THE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING – NOVEMBER 26, 2024, AT 6:00PM

A Special Meeting of the Smithfield Township Board of Supervisors was held on November 26, 2024, at the Smithfield Township Municipal Center at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom.

Present are Supervisors Jacob Pride and Robert Lovenheim, Solicitor Ronold Karasek, and Township Manager Julia Heilakka. Supervisor Michael Albert and Engineer Jon Tresslar are absent.

Also present are Attorney Ellen Freeman, Michael Spiegel, Kristine Karol, Pam Barrett, Debbie Kulick, Ed Regina, Tara Vecchio, JoAnn Norris, and Vicky Ozgun.

1. **Chair Jacob Pride calls the meeting to order at 6:17PM.**

2. **The Pledge of Allegiance is recited.**

3. **New Business:**

- a. Public Hearing: Liquor License Transfer – Wawa, Inc. The public hearing is opened at 6:17PM. Ron Karasek states the stenographer is not present, but neither the Liquor Code nor the MPC requires a stenographic record for liquor license transfer requests, so he is comfortable with proceeding. This public hearing informs the public of a liquor license transfer request from Giant in Pocono Summit to Wawa, Inc. on Parcel 16.8.2.1. Transferring a license between municipalities requires a public hearing.

Attorney Ellen Freeman of Flaherty & O’Hara, P.C. introduces herself and Michael Spiegel, the real estate project engineer for Wawa, Inc. Attorney Freeman requests a resolution to permit a liquor license transfer from Giant in Tobyhanna Township to Wawa, Inc. in Smithfield Township. Wawa has 33 locations in PA that operate restaurant liquor licenses. Wawa primarily sells beer, some wine, and are considering ready-to-drink cocktails. Restaurant liquor licenses require seating, with a maximum consumption of two 12-ounce beers. Patrons who drink must be seated and cannot walk through store or be in the parking lot. Wawa trains their employees in seller/server programs that exceed the requirements of the Responsible Alcohol Management Program (RAMP), and employ a 100% carding policy that uses a card scanner to ensure licenses are valid.

Attorney Freeman presents a floor plan for the Wawa. There is seating for up to 30 patrons visible from the registers, and staff monitors for the two-drink policy. Sales are primary to-go, which include the following per person limits: 192 fl oz of beer (two 6-packs) and 3,000 ml of wine (four bottles of wine). The store is open 24/7, but selling alcohol has reduced hours.

Attorney Freeman states Wawa understands the sensitive nature of selling alcohol and has built a reputation on being a responsible sale organization. Robert Lovenheim states he has gone through RAMP; Attorney Freeman explained it well. Attorney

Freeman explains RAMP and its seller/server and owner/manager trainings. Ron Karasek states the Board must be of the opinion that the transfer must not negatively impact the health, welfare, morale, or peace of Smithfield Township.

Attorney Freeman states there are no nearby schools. Once her client applies to the LCB, their agent will measure distances and potentially place considerations on the license. Her client needs municipal approval before applying to the LCB, and she is not aware of anything that would cause the transfer to be denied. Robert Lovenheim motions to close the public hearing, Jacob Pride seconds. Vote: all in favor; motion carries: hearing is closed at 6:34PM.

- b. Consider: Resolution No. 574 - Liquor License Transfer – Wawa, Inc. Robert Lovenheim motions to approve Resolution No. 574, Jacob Pride seconds. Ron Karasek confirms the resolution states that Wawa, Inc. has requested the transfer of license R-21053 from Giant to Wawa at Mosier Farm Drive, the transfer must still be approved by the LCB, the Board held a public hearing, and the Board approves the transfer subject to approval from the LCB.

Tara Vecchio states there is a daycare on the corner of Music Center Drive and SR 0209 and asks how Wawa will handle foot traffic from the nearby East Stroudsburg University. Michael Speigel replies the land development process took foot and vehicle traffic into account. Tara Vecchio confirms staff will be trained. Attorney Freeman discusses training and security measures in place. Robert Lovenheim states there were two establishments on SR 0209 that used to have liquor licenses that have since shut down. Vote: all in favor; motion carries.

4. Public Comment:

- a. Pam Barrett states Jacob Pride cannot be nice to other attendees because of her, and states that he and Michael Albert both told someone that they got a protective order against her. Jacob Pride states Pam Barret's statement is untrue.
- b. Kristine Karol states she has questions about the budget and wants the Board to meet before they consider adoption. Jacob Pride confirms the Board meets again before the budget is considered for adoption.
- c. Julia Heilakka discusses the upcoming meetings for the rest of the year: the Board meets on December 10th and 17th at 6PM, the River's Edge meeting is on December 11th at 6PM, the Board and Planning Commission have a joint meeting for signage on December 12th at 6PM, the Planning Commission meets on December 12th at 7PM, and the EAC meets on December 18th at 7PM.
- d. JoAnn Norris questions if a Giant is operating in Pocono Summit. Jacob Pride replies companies hold onto licenses because there is a limited number of them, which generally makes licenses cost prohibitive for small businesses. Ron Karasek states this one may have been in escrow. Robert Lovenheim likens the commodity of a

liquor license to New York City cab driver medallions. Kristine Karol states the last license she saw sold for \$90,000.

5. **Adjournment:** There being no other business before the Board, Robert Lovenheim motions to adjourn, Jacob Pride seconds. Vote: all in favor; meeting adjourned at 6:47PM.

Minutes Recorded by Julia Heilakka

Respectfully submitted,



Julia Heilakka
Township Secretary