

THE SMITHFIELD TOWNSHIP BOARD OF AUDITORS
SPECIAL MEETING
NOVEMBER 3, 2022

A Special Meeting of the Smithfield Township Board of Auditors was held on November 3, 2022, at the Smithfield Township Municipal Center, at 1155 Red Fox Rd, East Stroudsburg, PA 18301, and via Zoom due to the COVID-19 pandemic.

Present were: The Board of Auditors: Mrs. Audrey Bailey-Hocker, Ms. Rose Davis, and Ms. Vicky Ozgun, Township Solicitor Ron Karasek, Township Manager Ms. Julia Heilakka and Township Supervisor Brian Barrett.

Public in Attendance: Mr. James Bailey and Mr. Anthony Scott.

1. Chairwoman Rose Davis called the meeting to order at 5:03PM. A quorum was present.
2. The Pledge of Allegiance was recited.
3. Minutes:
 - a. Mrs. Bailey-Hocker commented about the errors and omissions found in the draft minutes of the January 4, 2022, Reorganizational meeting, submitted by Vicky Ozgun. The corrections regarding attendees of that meeting, were clarified and corrected. Chairman Rose Davis made a motion to accept the revised/corrected minutes of the January 4, 2022, which were seconded by Mrs. Bailey-Hocker. The Motion passed unanimously.
4. Unfinished Business
 - a. The issues of Township (Twp.) Supervisors' pay increases, and the Twp. Supervisors' legal action against the Board of Auditors was raised. Mrs. Bailey-Hocker was quite disturbed that the Twp. Board Of Supervisors, at the expense of the Taxpayers, brought legal action against the Board of Auditors because Twp. Supervisors disagreed with the 3% raise given by the Board of Auditors instead of the pay increase they requested. (Note: Twp. Supervisors requested a 9% to 10% pay raise or \$2 increase). Upon asking the one Township Supervisor, Mr. Brian Barrett, who was in attendance via Zoom, "Why Twp. Supervisors had not set the salary budget high enough to accommodate the requested pay increase, Attorney Karasek, also attending via Zoom, stated that" this meeting is to approve the minutes of the January 4, 2022, meeting and to appoint a lawyer; "Questions for supervisors must wait until the court trial". Attorney Karasek, further stated that he had conversations with Attorney Benjamin Storm, (from law firm of Fitzpatrick, Lentz, and Bubba), but the auditors had not yet appointed him. Chairwoman Davis replied that the selection of the law firm of Fitzpatrick, Lentz, and Bubba, would be done that evening.
5. New Business
 - a. Item B – Clarification on Supervisors Pay Rate. Chairman Davis stated there are multiple ways to calculate employee salaries, and she will add the hourly rate to the employee salaries that were designated at the January 4, 2022, Reorganization meeting.

- b. Working supervisors' salaries were increased by 3% for 2022 to reflect the following annual salaries and hourly rates: Brian Barrett (Township Secretary): \$20,326.02 yearly, \$23.69 hourly; Robert Lovenheim (Economic and Parks Development Officer): \$16,309.02 yearly, \$21.63 hourly; and Jacob Pride (Digital and Parks Specialist): \$15,425.28 yearly, \$18.54 hourly.
- c. Item A – Appointment of Attorney: The Board of Auditors are seeking legal counsel because the Twp. Supervisors are suing them for an additional salary increase above the 3% salary increase designated by the Board of Auditors at their January 4, 2022 Reorganization meeting. Chairwoman Davis stated that she has been in contact with Fitzpatrick, Lentz, and Bubba and the other Auditors. Chairwoman Davis motions to appoint Fitzpatrick, Lentz, and Bubba retroactively to the date, the Twp. Supervisors filed their legal action against the Board of Auditors. Ms. Ozgun stated the auditors should talk to the supervisors and try to come to an agreement. Mrs. Bailey-Hocker stated that she and Chairwoman Davis never received a certified letter from the Twp. Solicitor about the lawsuit he would file on the behalf of the Twp. Supervisors, if the Board of Auditors did not increase their salary.

C. Selection of a Law Firm to represent the Board of Auditors:

Chairwoman Davis made a motion to appoint Fitzpatrick, Lentz, and Bubba, retroactively to the first filing date, by the Twp. Supervisors, April 22, 2022.

The motion was seconded by Ms. Bailey-Hocker.

Vote: Motion was carried Unanimously.

6. Public Comments:

- a. Mr. Scott stated that he felt that Supervisors should have been present for this meeting. In like manner, he questioned if the level of legal action may be a racist action. He further stated that the public should know how money is being squandered by the Supervisors if they are using taxpayer monies to pay legal expenses to sue the Board of Auditors whenever they disagree with their decisions. Similarly, he said that he would inform the public to attend future township meetings.
- b. Mr. James Bailey expressed similar concerns, about Supervisors being paid twice for the same job.
- c. Julia Heilakka explained the difference between a stipend and being employed part-time. Also, she stated all employees were given a 6% salary increase.
- d. Audrey Bailey-Hocker states the Twp. Supervisors set the budget for the line item, so they should have made it high enough to accommodate a 6% raise for themselves.
- e. In response to Mr. Scott, Chairwoman Davis stated that the Board of Supervisors meet twice a month.
- f. Attorney Karasek stated that the Board of Auditors must get the hourly rate for their attorney. Chairwoman Davis stated that the firm selected by the Auditors charges \$150-400 for attorneys and \$115-170 for paralegals.

- g. Attorney Karasek stated that his firm charges the Township \$198.50/hr.
 - h. Anthony Scott asks why two auditors did not received the letters. Ron Karasek replies he sent three registered letters on February 2, 2022. He has an acceptance signature for Audrey Bailey-Hocker's letter; Rose Davis's letter was not accepted. Mrs. Bailey Hocker stated that she was not in town when the certified letter was said to have been delivered.
7. Chairwoman Davis made a motion to adjourn, Ms. Ozgun second. Vote: The meeting was adjourned at 6:21PM.
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Respectfully submitted by Mrs. Bailey-Hocker

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