

February 11, 2014
Tuesday, 10:00 a.m.
MINUTES

Chairman John P. Sivick called the meeting to order at 10:00 a.m. Also present were Richard C. Vollmer, Vice Chairman; Robert H. Rohner, Jr., Supervisor and Secretary/Treasurer and Robert F. Bernathy, Esq., Township Solicitor. The township engineer was not present.

PUBLIC COMMENTS:

No comments were received.

APPROVE THE MINUTES OF JANUARY 14, 2014:

Motion made by Mr. Sivick and second of Mr. Vollmer to approve the minutes of January 14, 2014 as presented. Unanimous.

AUTHORIZE THE PAYMENT OF THE BILLS ON LIST #1, LIST #2 AND THE TRANSFERS AS PRESENTED:

Motion made by Mr. Sivick and second of Mr. Vollmer to authorize the payment of the bills on List #1, List #2 and the transfers as presented. Unanimous.

ACCEPT THE FINANCIAL STATEMENTS; ALL FUNDS, FOR THE MONTH ENDED DECEMBER 31, 2013:

Motion made by Mr. Sivick and second of Mr. Vollmer to accept the financial statements; all funds, for the month ended December 31, 2013 as presented. Unanimous.

PUBLIC HEARING – ORDINANCE NO. 128, AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH MIDDLE SMITHFIELD AND SMITHFIELD TOWNSHIPS:

Mr. Bernathy stated that this is the date (February 11, 2014), time (10:00 a.m.) and place (Lehman Township Municipal Building) for the public hearing for proposed Ordinance No. 128.

An Ordinance of the Township of Lehman, Pike County, Pennsylvania, authorizing an Inter-Municipal Agreement establishing a program for the collection, storage, and/or composting of leaf and yard waste, providing for the payment of the costs thereof out of the funds of the Township, establish, alter, charge and collect rates, and other charges for the collection of recyclables, including the cost incurred for the construction, purchase, improvement, repair, maintenance and operation of any facilities therefore and make appropriations for the collection, removal, disposal or marketing of recyclables.

The Hearing had been advertised in the Pike County Dispatch, and posted upon the municipal building.

Copies of the Ordinance were available for perusal.

There were no public comments, nor were any objections received.

Motion made by Mr. Vollmer and second of Mr. Sivick to close the Hearing and to adopt Ordinance

No. 128 at 10:14 a.m. Unanimous.

OLD BUSINESS:

1. NEW ROOF:

Repairs to the roof will be made after the winter season.

2. BLUE RIDGE COMMUNICATIONS FRANCHISE FEE – RESIDENTS WITH AN EAST STROUDSBURG ADDRESS BEING CHARGED THE MIDDLE SMITHFIELD TOWNSHIP FRANCHISE FEE:

Letters have been sent to Lehman Township residents with an East Stroudsburg mailing address to determine any additional residents being charged the Middle Smithfield Township cable franchise fee. The supervisors will then address the problem.

NEW BUSINESS:

1. APPOINT MARY ANN CONZA ASSISTANT TREASURER:

Motion made by Mr. Sivick and second of Mr. Vollmer to appoint Mary Ann Conza assistant treasurer. Unanimous.

2. RESOLUTION NO. 288 – SUPPLEMENTAL APPROPRIATIONS TO THE 2013 BUDGET:

A copy of Resolution No. 288 is a part of these minutes. Motion made by Mr. Rohner and second of Mr. Vollmer to approve Resolution No. 288. Unanimous.

3. REQUEST OF THE TAX COLLECTOR TO HAVE THE 2010 RECORDS PICKED UP AND DISPOSED:

Motion made by Mr. Sivick and second of Mr. Vollmer to approve. Unanimous.

4. REQUEST OF THE PIKE COUNTY HUMANE SOCIETY TO HOLD A LOW COST VACCINE CLINIC AT THE MUNICIPAL BUILDING ON SATURDAY, MARCH 8TH FROM 12:00 P.M. – 5:00 P.M. RAIN/SNOW DATE OF MARCH 9TH:

Motion made by Mr. Sivick and second of Mr. Vollmer to approve. Unanimous.

5. REQUEST OF THE AFRICAN AMERICAN NETWORK THE USE OF THE COMMUNITY PARK ON SATURDAY, JUNE 14TH FROM 10:00 A.M. – 7:00 P.M. RAINDATE OF JUNE 15TH:

Motion made by Mr. Rohner and second of Mr. Sivick to approve. Unanimous.

MISCELLANEOUS:

1. An Executive Session regarding personnel was conducted on January 22nd at 10:30 a.m.
2. An Executive Session regarding personnel was conducted on January 23rd at 11:00 a.m.
3. An Executive Session regarding personnel was held this date at 9:30 a.m.

ADDENDUM NO. 1:

Mr. Sivick stated that township's road salt supplier, American Rock Salt Co. LLC is not making deliveries as the product is ordered.

Mr. Bernathy stated that he reviewed the Performance Bond which has been issued by the Platt River Insurance Company, and which is bound upon the owner, Pocono Mountain Council of Governments (COG). The township can declare the American Rock Salt is in default under the terms of the contract.

Written notice will be forwarded to the president and secretary for the Pocono Mountain COG that as the owner, who placed and awarded the bid that they need to call Platt River Insurance Co. to have the contract completed, or to put out to bid for a new contract. Lehman Township is a member of the Pocono Mountain COG. The township can demand upon Platt Insurance to perform or pay. The written notice will be sent to ensure that there are no time constraints, which would cause a breach or default in the contract. Written notice will also be forwarded to American Rock Salt Co. LLC.

ROADMASTER/PUBLIC WORKS DIRECTOR:

Mr. Sivick reported that the township is low on salt. He has ordered 1B stone (larger than anti-skid) instead of the anti-skid from Hanson. Deliveries from Hanson have too much mud which is causing the material to freeze. If necessary the township will purchase road salt from wherever it can be purchased.

ADDENDUM No. 2: Resolution No. 289 – DECLARING A LOCAL STATE OF EMERGENCY FOR THE IMPENDING SNOW/ICE STORM ON FEBRUARY 13, 2014:

A copy of Resolution No. 289 is a part of these minutes.

Motion made by Mr. Vollmer and second of Mr. Rohner to pass Resolution No. 289. Unanimous.

A new plow blade for Truck #920.

Bridges and shoulders cleaned throughout the township.

Vehicle maintenance.

The private communities will be notified regarding the impending storm, and determine what their needs may be.

ADDENDUM NO. 3:

Mr. Bernathy stated that the Wayne Bank Line of Credit would be at this point tax free borrowing, and that the township would need the review and approval of Department of Community and Economic Development. An opinion of bond counsel would be needed, and would be quite costly.

Another option would be to investigate Wayne Bank's taxable rate. It may be prudent to go this way, if the rate is attractive. It will be investigated.

ADJOURNMENT:

There being no further business, meeting adjourned at 10:53 a.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.

**February 19, 2014
Wednesday, 7:00 p.m.
MINUTES**

Chairman John P. Sivick called the meeting to order at 7:00 p.m. Also present were Richard C. Vollmer, Vice Chairman and Robert H. Rohner, Jr., Supervisor and Secretary/Treasurer. Robert F. Bernathy, Esq., Township Solicitor and Donna Alker, Township Engineer was not present.

PUBLIC COMMENTS:

A comment was received regarding the SR 2001 upgrade project.

A comment was received regarding the disposition of the tax collector's older records.

A comment was received regarding the winter maintenance of the roads within Pocono Mountain Lake Estates.

A comment was received regarding the intersection of Minks Pond Road and Milford Road.

A comment was received regarding the filling of potholes.

APPROVE THE MINUTES OF FEBRUARY 11, 2014:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of February 11, 2014 as presented. Unanimous.

AUTHORIZE THE PAYMENT OF THE BILLS ON LIST #1, LIST #2 AND THE TRANSFERS AS PRESENTED:

Motion made by Mr. Vollmer and second of Mr. Rohner to authorize the payment of the bills on List #1, List #2 and the transfers as presented. Unanimous.

ACCEPT THE FINANCIAL STATEMENTS; ALL FUNDS, FOR THE MONTH ENDED JANUARY 31, 2014:

Motion made by Mr. Vollmer and second of Mr. Rohner to accept the financial statements; all funds, for the month ended January 31, 2014 as presented. Unanimous.

OLD BUSINESS:

1. BLUE RIDGE COMMUNICATIONS FRANCHISE FEE – RESIDENTS WITH AN EAST STROUDSBURG ADDRESS BEING CHARGED THE MIDDLE SMITHFIELD TOWNSHIP FRANCHISE FEE:

Responses from residents are being received. Those being charged the Middle Smithfield Township Franchise Fee, the supervisors will then seek reimbursement.

NEW BUSINESS:

1. RESOLUTION NO. 290 – BLUE RIDGE COMMUNICATIONS FRANCHISE TERM:

A copy of the Resolution is a part of these minutes.

Motion made by Mr. Rohner and second of Mr. Vollmer to pass Resolution No. 290 Unanimous.

ADDENDUM NO. 1 – HIGHLAND VILLAGE PROPERTIES:

Correspondence will be forwarded to Dan Mita, representative for O’Neill Properties Group, LP and their Mountain Laurel Art Center property.

Confirmation will be made that the April 19, 2001 Master Plan Approval and March 20, 2013 Conditional Use Approval are in full force and effect, and no violations exist.

It will also confirm that the 3-parcel subdivision of Tax Parcel No. 06-0-193.00-01-01 has not impacted the Master Plan Approval, the Conditional Use Approval, or the balance of the property that is subject to the Master Plan Approval, or any of the licenses, permits or approvals for the remaining land thereunder, or the use, operation or zoning compliance of such remaining land.

Motion made by Mr. Sivick and second of Mr. Vollmer to forward the correspondence to O’Neill Properties Group, LP. Unanimous.

MISCELLANEOUS:

None.

ROADMASTER/PUBLIC WORKS DIRECTOR:

Mr. Sivick stated that the winter storms have been bad. The township has had to purchase salt from Peter Ahnert, Jr. American Rock Salt, LLC has been very slow in delivering road salt. The supervisors will invoke the Performance Bond.

The supervisors declared a local state of emergency for the February 13th storm. In doing so, the township is in a position to purchase needed material without the bidding process, hire additional workers, if necessary, and lease equipment. The supervisors heard from the private community leaders who stated that it was an excellent move. Traffic was minimal during the storm. Emergency services were not hindered.

Vehicle maintenance and repairs were done.

SR 2001 UPGRADE PROJECT: Mr. Sivick stated that rock borings are being taken to determine if there is acid rock. It will determine how to handle that area of the project.

ADJOURNMENT;

There being no further business, meeting adjourned at 7:25 p.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.

**February 28, 2014
Friday, 3:30 p.m.
MINUTES**

Chairman John P. Sivick called the meeting to order at 3:30 p.m. Also present were Richard C. Vollmer, Vice Chairman and Robert H. Rohner, Jr., Supervisor and Secretary/Treasurer. Robert F. Bernathy, Esq., Township Solicitor and Donna Alker, Township Engineer was not present.

PUBLIC COMMENTS:

No comments were received.

RESOLUTION NO. 291 – STATE OF EMERGENCY:

A copy of the Resolution is a part of these minutes.

This relates to the impending storm of March 2nd into March 3rd.

Motion made by Mr. Sivick and second of Mr. Vollmer to pass Resolution No. 291. Unanimous.

ACCEPT THE NOMINATIONS FOR 2014 FIRE POLICE:

The list is a part of these minutes on file.

Motion made by Mr. Sivick and second of Mr. Vollmer to approve the nominees for 2014 fire police. Unanimous.

ACCEPT THE REVISED FINANCIAL STATEMENTS; GENERAL FUND, FOR THE MONTHS ENDED SEPTEMBER 30, 2013, OCTOBER 31, 2013, NOVEMBER 30, 2013 AND DECEMBER 31, 2013 AND THE BUDGET LINE TRANSFERS:

Motion made by Mr. Sivick and second of Mr. Vollmer to accept the revised financial statements; General Fund, for the months ended September 30, 2013, October 31, 2013, November 30, 2013 and December 31, 2013 and budget line transfers. Unanimous.

ADJOURNMENT:

There being no further business, meeting adjourned at 3:32 p.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.