

July 1, 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; Robert F. Bernathy, Township Solicitor and Stanley Whittaker, Zoning Enforcement Officer. Donna Alker, Township Engineer was not present.

PUBLIC COMMENTS:

No comments were received.

PROPOSED ZONING ORDINANCE AMENDMENTS:

1. Panhandling and Soliciting. Prohibit from within the township's right-of-ways.
2. Blight: This section will be known as "Property Maintenance". Mr. Bernathy will review the establishment of a "Foreclosure Escrow". Funds would be set aside by the mortgage holder for the clean-up of a foreclosed property.
3. Reference to the Street/Roadway Classification Map will be removed.
4. LED Signs: Mr. Bernathy stated that the Pennsylvania Supreme Court has relaxed the rules for LED signs. The signs cannot be a distraction to a passing motorist. Fashioned to the speed limit of the road. The regulation is based on distraction.

The township has no jurisdiction on the placement of signs within a private community.

5. 911 Signage: It has been decided that the township will hire a temp, with the assistance of the zoning enforcement officer, to identify properties that do have their 911 sign installed. The township will install at its cost, and the homeowner will be billed. Method to be determined. Mr. Bernathy will review for the proper verbiage. Residents will be notified.
6. Docks and Boathouses: The Township has no jurisdiction over the waterways of the commonwealth, and no authority to regulate. The permitting process is with PA DEP.
7. Decks and Porches: Presently when a property owner replaces a deck or porch that is the same size as the one it is replacing, no zoning permit is required. It will now become a permitted use. The zoning enforcement officer has found that individuals are constructing them larger than the original.

ADJOURNMENT:

There being no further business, meeting adjourned at 11:19 a.m. by the motion of Mr. Sivick and second of Mr. Rohner. Unanimous.

**July 2, 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, Township Solicitor and Donna Alker, Township Engineer was not present.

PUBLIC COMMENTS:

A comment was received regarding PennDot's upgrade project on Bushkill Falls Road north of the school.

A comment was received regarding the art center.

APPROVE THE MINUTES OF JUNE 18, 2014:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of June 18, 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.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

1. DISABLED VETERANS REAL PROPERTY TAX EXEMPTION CERTIFICATION:

Motion made by Mr. Rohner and second of Mr. Vollmer to approve the Disabled Veterans Real Property Tax Exemption Certification for Paul J. Massa. Unanimous.

2. PROPOSED ZONING ORDINANCE AMENDMENT – FORECLOSURE ESCROW. DIRECT THE TOWNSHIP SOLICITOR TO PREPARE:

The ordinance amendment would direct banks to escrow funds to ensure that foreclosed properties are clean and secure.

Motion made by Mr. Rohner and second of Mr. Vollmer to direct the Mr. Bernathy to prepare the ordinance amendment. Unanimous.

3. PROPOSED ZONING ORDINANCE AMENDMENT – 911 SIGNAGE. DIRECT THE TOWNSHIP SOLICITOR TO PREPARE:

The township will install the proper signage on those properties that have not installed the required 911 signage at its expense, and then bill the resident through their yearly tax bill.

Motion made by Mr. Rohner and second of Mr. Vollmer to direct the Mr. Bernathy to prepare the ordinance amendment. Unanimous.

MISCELLANEOUS:

1. REQUEST OF POCONO RANGLANDS TO USE THE TOWNSHIP’S HAY WAGON ON AUGUST 2ND AND 3RD:

Motion made by Mr. Rohner and second of Mr. Vollmer to approve this request. Unanimous.

2. An Executive Session was held on Wednesday, July 1st at 9:30 a.m. regarding personnel.

3. It is the fifth anniversary of the community garden at the Heller Farm location. This project is a partnership with the national park service. All plots have been taken. The township supplies the water.

4. There will be a 4th of July parade on July 4th beginning at 11:00 a.m. and will begin at the municipal building and end at the American Legion Post.

5. REQUEST OF BONNIE SIPLEY THE USE OF THE COMMUNITY PARK ON SATURDAY, AUGUST 9TH FROM 10:00 A.M. TO 8:00 P.M. FOR A FAMILY REUNION:

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

6. A free concert in the park will be held on Sunday, July 27th from 2:00 – 6:00 p.m. at the community park. Free Fall will perform.

ROADMASTER/PUBLIC WORKS DIRECTOR:

Mr. Sivick stated that the crew has completed the patch work on Wicks Road.

The crew has cut the grass and weeds along road edges and signs throughout the township.

Tree trimming throughout the township.

A new roof has been placed on the caretaker’s house in the community park.

Road resurfacing projects will go out to bid soon.

The crew has completed road cuts on Winona Falls Road.

The SR 2001 project is moving ahead.

Bushkill Falls Road north of the school complex will be closed 7 to 10 days for two (2) culvert replacements and then will be open to traffic as the project is completed.

ADJOURNMENT:

There being no further business, meeting adjourned at 7:26 p.m. by the motion of Mr. Rohner and second of Mr. Vollmer. Unanimous.

**July 8, 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. Donna Alker, Township Engineer was not present.

PUBLIC COMMENTS:

No comments were received.

APPROVE THE MINUTES OF JULY 1, 2014:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of July 1, 2014 as presented. Unanimous.

PROPOSED ZONING AMENDMENTS:

Mr. Bernathy stated that seven (7) items have been discussed to date. The eventual enactment of the proposed changes to the zoning ordinance will have procedures to follow. The amendments will be forwarded to the township's planning commission for review and recommendation. The amendments will also be forwarded to the county's planning commission for review. Both entities will have thirty (30) days to respond. A public notice and hearing will follow.

The proposed property maintenance ordinance from 2013 will be reviewed by all, and discussed at the July 15th meeting.

The Recycling Ordinance's section on burning will be reviewed to determine if a permit is required for a recreational bonfire.

Revision: Docks and boathouses are exempt to the structure definition. The township does not regulate docks and boathouses. Permitting is through PA DEP.

ADDENDUM NO. 1: REQUEST OF BONNIE SIPLEY THE USE OF THE COMMUNITY PARK ON SATURDAY, AUGUST 9TH FROM 10:00 A.M. TO 8:00 P.M. FOR A FAMILY REUNION:

Motion made by Mr. Rohner and second of Mr. Vollmer to approve this request. Unanimous.

ADJOURNMENT:

There being no further business, meeting adjourned at 11:38 p.m. by the motion of Mr. Vollmer and second of Mr. Rohner. Unanimous.

July 15, 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. Donna Alker, Township Engineer was not present.

PUBLIC COMMENTS:

No comments were received.

BUSHKILL EMERGENCY CORP:

Present from the Corp were Debbie Kulick, Ray Felmly, Nancy Felmly, Dennis Farrelly, Kathleen Farrelly and Ed Regina.

The supervisors expressed their concern in that the township had enacted an Emergency Service Tax in 2012, and to date the Corp has been funded \$77,000 from the tax payers of Lehman Township.

The supervisors had been informed by Debbie Kulick, president for the Corp that since the township had imposed an emergency service tax, the residents would not be solicited to purchase the Corp's annual subscription, nor be billed for an amount not covered by their insurance(s).

Recently the Corp sent out their subscriptions for 2014 and Lehman Township residents have been solicited to purchase a subscription for \$70.00. The Corp did not notify the supervisors beforehand.

Miss Kulick stated that a majority of the Lehman Township residents' costs are written off each year, although no documentation was submitted. There were 1,938 billable calls in 2013.

Miss Kulick went on to explain that Medicare has enacted new rules for reimbursements. When Medicare determines a call not medically necessary, reimbursement will not be made. An example would be that a call is received that a patient is having a heart attack, but at the hospital is diagnosed as severe heartburn, Medicare will deem the call not medically necessary. A patient that returns to the hospital in so many days, for example the first transport was June 2nd, then again on June 18th, no one in the line of care will be paid by Medicare. The Corp takes on the role, with others, of monitoring the patient.

Medicaid rules state that the Corp cannot sell subscriptions to those covered by Medicaid.

Currently, Medicare reimbursement is \$311.50. The cost per hour for an ambulance is \$617.00. According to Miss Kulick secondary insurance reimbursements are approximately \$100.00, but no documentation was submitted.

The Corp writes off approximately \$870,000.00 annually with \$341,000.00 of that amount attributed to Lehman Township, but no documentation was submitted.

Of the 5,793 subscriptions mailed to Lehman Township residents, there will be a favorable response of approximately 6-11%. In Middle Smithfield Township 9,200 will be mailed, with a favorable response of approximately 8% and in Smithfield Township 2,000 will be mailed with a favorable response of approximately 6%.

According to Miss Kulick Middle Smithfield Township pays approximately \$8,000.00 annually to the Corp from their Franchise Fee tax with Blue Ridge Cable. Smithfield Township pays \$3,000.00 annually.

In 2013 the Corp responded to 733 calls in Lehman Township, 859 calls in Middle Smithfield Township (Monroe County) and 1,182 calls in Smithfield Township (Monroe County). The Corp covers these townships and a part of Price Township (Monroe County).

Suburban EMS responded to 135 calls in Lehman Township in 2013.

Mr. Rohner questioned the \$664,819.00 personnel expense paid by the Corp to Miss Kulick's employee leasing company, as reflected on the Corp's 2013 audit report, and how many paid employees does that represent? Miss Kulick responded that there are twenty five (25) individuals who are paid, but other expenses associated with that figure are for Miss Kulick's Worker Compensation insurance (Lehman Township pays the Worker Compensation insurance for volunteers, as required by law), drug/alcohol testing, physicals and payroll taxes and health insurance.

Mr. Bernathy asked that the Corp's Policies and Procedures be forwarded to the township.

Miss Kulick submitted a current membership list.

Mr. Bernathy confirmed that the Corp conducts drug/alcohol tests and physicals for new members.

Mr. Bernathy asked if potential new members are screened for Hepatitis C. Miss Kulick replied they are not, but that they are given a Hepatitis B vaccination.

Mr. Bernathy asked if yearly, the members are checked for valid driver's license, to ensure it has not been suspended or revoked. Miss Kulick replied in the affirmative.

Mr. Bernathy asked if criminal and abuse checks are conducted. Miss Kulick stated they do not, but all new members are required to sign an affidavit through EMS Council.

Mr. Bernathy confirmed that two (2) signatures are required on checks. Miss Kulick added that the signatories are not related.

Miss Kulick stated that three (3) members are covered by a treasurer's bond in the amount of \$250,000.

PROPOSED ZONING AMENDMENT:

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

ADJOURNMENT:

There being no further business, meeting adjourned at 11:10 a.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.

**July 16, 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 recreational bonfires.

A comment was received regarding proposed zoning amendments.

A comment was received regarding Kens Woods Campground.

A comment was received regarding the Oak Grove Compost Site.

A comment was received regarding the art center.

A comment was received regarding Turn's General Store.

A comment was received regarding the rental of the township's annex property.

APPROVE THE MINUTES OF JULY 2, 2014:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of July 2, 2014 as presented. Unanimous.

APPROVE THE MINUTES OF JULY 8, 2014:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of July 8, 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.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

1. DISABLED VETERANS REAL PROPERTY TAX EXEMPTION CERTIFICATION FOR ROBERT VARGA:

Motion made by Mr. Sivick and second of Mr. Rohner to approve the tax exemption certification for Robert Varga. Unanimous.

2. EXONERATION OF 2014 TAXES FOR THOSE PROPERTIES EXPOSED TO JUDICIAL SALE ON MAY 28, 2014:

Motion made by Mr. Rohner and second of Mr. Vollmer to exonerate the 2014 taxes for those properties exposed to judicial sale on May 28, 2014. Unanimous.

3. LEHMAN TOWNSHIP WATER & SEWER AUTHORITY-PROMISSORY NOTE FOR \$25,000.00:

Motion made by Mr. Rohner and second of Mr. Vollmer to approve the Lehman Township Water & Sewer Authority's promissory note for \$25,000.00. Unanimous.

4. LETTER OF SUPPORT TO PIKE COUNTY CONSERVATION DISTRICT FOR THEIR GRANT APPLICATION TO DCED REQUESTING \$250,000 FOR A BASELINE GROUNDWATER QUALITY STUDY:

Mr. Sivick stated that the monitoring includes the waterways of Lehman Township. The streams within Lehman Township are classified as exceptional value.

Motion made by Mr. Vollmer and second of Mr. Rohner to approve forwarding a letter of support for the Pike County Conservation District's grant application. Unanimous.

MISCELLANEOUS:

1. A free concert in the park will be held Sunday, July 27th from 2:00 – 6:00 p.m. at the community Park. Free Fall will perform.
2. An Executive Session regarding personnel was held July 8, 2014 at 11:40 a.m.

ROADMASTER/PUBLIC WORKS:

Mr. Sivick stated that the crew has been busy with road repairs on Winona Falls Road and West Sugar Mt. Road.

Winona Falls Road and Timothy Lake Road have been slated for resurfacing this year. Bids to be advertised.

The drains on Minks Pond Road have been cleaned.

The site lines have been mowed.

Litter pickup throughout the township.

There have been various repairs to the vehicles.

A section of guide rail was repaired on Winona Falls Road.

PennDot has completed the larger culvert replacements on SR 2003.

The SR 2001 upgrade project will be discussed at the Pike County Road Task Force meeting on July 17th.

A meeting with PennDot will be scheduled with the supervisors in the near future to discuss the SR 2001 project.

PUBLIC COMMENTS:

A comment was received regarding the SR 2003 project.

Mr. Sivick stated that as previously stated the larger culverts have been replaced. The smaller culverts are being replaced as well. Property owners have access to their property. Slopes in the road have been addressed. Trees have been trimmed back. The road had been closed for safety reasons.

ADJOURNMENT:

There being no further business, meeting adjourned at 7:24 p.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.