

March 18, 2015
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 Boucher & James, township engineering firm was not present.

PUBLIC COMMENTS:

A comment was received regarding PennDot roads and the bad job of filling potholes.

A comment was received regarding road salt deliveries.

A comment was received regarding the SR 2001 project.

APPROVE THE MINUTES OF FEBRUARY 18, 2015:

Motion made by Mr. Rohner and second of Mr. Sivick to approve the minutes of February 18, 2015 as presented. Mr. Vollmer abstained because he was not present at that meeting.

APPROVE THE MINUTES OF MARCH 3, 2015:

Motion made by Mr. Vollmer and second of Mr. Sivick to approve the minutes of March 3, 2015 as presented. Mr. Rohner abstained because he was not present at that meeting.

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.

GUEST SPEAKERS – MIKE SULLIVAN OF THE PIKE COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND PIKE COUNTY COMMISSIONER MATT OSTERBERG TO DISCUSS LERTA (LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT):

Mr. Sullivan handed out an information packet (it is a part of these minutes on file). Mr. Sullivan stated that when a business is looking to relocate, they want to know if there are incentives being offered.

The Pike County commissioners have initiated the Pike County Preferential Five (5) Year Plan which applies the following percentages on the improvements only:

- Year 1: 90% Reduction Collection of 10% of Real Estate Tax.
- Year 2: 80% Reduction Collection of 20% of Real Estate Tax.
- Year 3: 60% Reduction Collection of 40% of Real Estate Tax.
- Year 4: 40% Reduction Collection of 60% of Real Estate Tax.
- Year 5: 20% Reduction Collection of 80% of Real Estate Tax.
- Year 6: Full Assessment Collection of 100% Real Estate Tax.

Mr. Sullivan and the commissioners will meet with the East Stroudsburg Area School Board at their meeting on April 20th. The initial conversation with the school's superintendent is that her concern is that there is too much area involved within the East Stroudsburg area. The school does not want to give the LERTA designation to all of that land.

The school district would not be losing any money on the current assessment of commercial property. An expanded business would receive a reduction in collection of real estate tax over a five (5) year period. It does not apply to the assessment of the land, but again, only to the improvements. According to the superintendent it is the opinion of the school board to keep it to a minimum.

The township must approve, and enact an ordinance first, before going before the county commissioners and school board.

The supervisors will begin to review the commercial zones within the township to determine those properties best suited for the LERTA designation.

OLD BUSINESS:

- 1. BUSHKILL FIRE COMPANY – TRUCK PURCHASE, APPROVE PAYMENT OF \$28,500 TO REIMBURSE THE FIRE COMPANY FOR THE DOWN PAYMENT. AMOUNT BECOMES A PART OF THE AMOUNT TO BE DEDUCTED FROM THE FIRE TAX:**

Motion made by Mr. Rohner and second of Mr. Vollmer to approve the payment of \$28,500 to the fire company to reimburse them for the down payment made by them. The amount will become a part of the amount to be deducted from the fire tax. Unanimous.

NEW BUSINESS:

- 1. RESOLUTION NO. 302 – GENERAL OBLIGATION NOTE – NON ELECTORAL \$116,500. FIRE TRUCK:**

Motion made by Mr. Sivick and second of Mr. Vollmer to pass Resolution No. 302 which allows the supervisors to incur indebtedness in the form of a fixed rate of 2.99% Bank Qualified Tax Free Loan, with a term of five (5) years from ESSA Bank and Trust in the amount of \$116,500.00 for the purchase of a 2006 Spartan Gladiator 1750/1250 Rescue Pumper Tanker. Unanimous.

- 2. REQUEST OF BYA TO USE THE HAY WAGON:**

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

- 3. FORWARD A LETTER OF SUPPORT FOR THE CHALLENGE FAMILY AMERICAS TRIATHLON:**

Motion made by Mr. Sivick and second of Mr. Vollmer to approve forwarding a letter of support for the Challenge Family Americas Triathlon which will be held on August 16, 2015, which begins

In Lehman Township.

4. COMMUNITY PARK CONSTRUCTION PROJECT – RETAINING WALLS:

Northeast Site Contractors proposes that the retaining walls for the community park project be designed at this time. It will require an engineered stamped design that are true retaining walls that are structural as well as headwalls for the stream crossing. The costs are as follows:

Purchase segmental retaining wall block at \$10.20 per SF.

Retaining wall design fee - \$4,000.00 for stamped design of both walls provided. Does not have to be reviewed by PennDot, nor designed to their criteria.

Due to the stream bed the project will require poured concrete base rather than the standard 2A. This will add approximately \$3,300.00

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

The project will begin when the school district begins the football field project at the north high school. The township will receive at no cost the topsoil from the school district, probably sometime in June.

MISCELLANEOUS:

1. The annual Easter Egg Hunt at the Municipal Building will be held on Saturday, March 28th at noon.
2. The Electronic Clean Up Day will be held on Saturday, April 25th from 10:00 a.m. to 3:00 p.m. at the municipal building.
3. Appliances only clean Up day will be held on Saturday, May 2nd. Times to be announced.
4. Spring Clean Up Days will be held on Friday, May 8th from 7:00 a.m. to 6:00 p.m. and Saturday, May 9th from 7:00 a.m. to 2:00 p.m.

ROADMASTER/PUBLIC WORKS DIRECTOR:

Mr. Sivick stated that the Pike County Humane Society's pet vaccinations on March 7th had a good turnout.

The crew has been busy with pothole repairs on Brisco Mt. Road, Sugar Mt. East and West and Winona Falls Road.

The crew has also been sweeping excess anti-skid from the roadways.

The crew has addressed icy patches on the roads in the early morning hours.

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Maintenance being addressed on the vehicles.

It is Mr. Sivick's recommendation that the 1996 Ford 350 truck be sold or sold for scrap.

Motion made by Mr. Sivick and second of Mr. Rohner to sell the 1996 Ford 350 truck. Unanimous.

The crew is preparing for the storm forecasted for March 20th.

ADJOURNMENT:

There being no further business, meeting adjourned at 7:45 p.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.

Respectfully submitted,

Robert H. Rohner, Jr.
Secretary/Treasurer

March 24, 2015
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; Stanley Whittaker, Zoning Enforcement Officer; Robert F. Bernathy, Esq., Township Solicitor and Colette Gerstenberg from Boucher & James.

PUBLIC COMMENTS:

No comments were received.

LERTA (LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT):

The Pike County Tax Preferential Five (5) Year Plan applies to the following percentages on the improvements only:

Year 1: 90% Reduction Collection of 10% of Real Estate Tax.
Year 2: 80% Reduction Collection of 20% of Real Estate Tax.
Year 3: 60% Reduction Collection of 40% of Real Estate Tax.
Year 4: 40% Reduction Collection of 60% of Real Estate Tax.
Year 5: 20% Reduction Collection of 80% of Real Estate Tax.
Year 6: Full Assessment Collection of 100% Real Estate Tax.

The township's zoning map was reviewed; specifically, the properties designated as Village Commercial, General Commercial, Industrial and Village Commercial Overlay.

The following properties are those properties that the supervisors initially believe would benefit from the LERTA program.

They are:

The Bushkill Tool Company.

They Utter property located on Milford Road.

The township's property located on Milford Road.

The dog kennel located on Milford Road.

The Charles Eye property located on Bushkill Falls Road.

The Bushkill Inn. The zoning would have to be changed from Resort/Medium Density Residential. It would be for the resort property only. The Zoning Ordinance would have to be reviewed to determine what type of commercial uses would be permitted.

The Industrial Zone located on Bushkill Falls Road near Route 402.

The girl scout camp. The property is zoned Rural, so it would require a change to a commercial designation, with General Commercial probably the best designation because it would make an ideal location for a light manufacturing business.

The Log Cabin Bar and Restaurant, and the neighboring property where a real estate office was once located. These properties are located on Bushkill Falls Road.

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The Highland Village property located on the left hand side of Bushkill Falls Road.
The Art Center located on Bushkill Falls Road.

The Highland Village project was discussed; specifically, if a developer proposed age restricted residential with assisted living and medical facilities. Would that type of project qualify for LERTA. Mr. Bernathy will review.

The commercial property located on Winona Falls Road from the bridge to the property owned by Larry Kuzava.

The old Turns General Store located on Route 209.

The next meeting to discuss LERTA will be held on Tuesday, March 31st at 10:00 a.m. Mike Sullivan of the Pike County Economic Development Authority and realtor Dave Chant will be invited to attend the meeting to discuss LERTA further, and to discuss the future of the Art Center.

ADJOURNMENT:

There being no further business, meeting adjourned at 10:58 a.m. by the motion of Mr. Sivick and second of Mr. Vollmer. Unanimous.

Respectfully submitted,

Robert H. Rohner, Jr.
Secretary/Treasurer

**March 27, 2015
Friday, 1:00 p.m.**

MINUTES

Chairman John P. Sivick called the meeting to order at 1:00 p.m. Also present were Richard C. Vollmer, Vice Chairman; Robert H. Rohner, Jr., Supervisor and Secretary/Treasurer and Bill Collins of Simone Collins, the township's consultant for the Bushkill Village Plan. Robert F. Bernathy, Esq., Township Solicitor and Jon Tresslar, P.E., Township Engineer was not present.

PUBLIC COMMENTS:

No comments were received.

THE BUSHKILL VILLAGE PLAN:

Also in attendance for this discussion were John Donahue, Superintendent for the Delaware Water Gap National Recreation Area (DEWA); Bill Leonard, Kara Deutsch and Leslie Morlock, National Park personnel and members of the Bushkill Historical Society and the Middle Smithfield Historical Commission.

The Bushkill Village Plan began with the award of a DCNR grant in 2009 to the township. It partners the township with DEWA, PennDot, DCNR, Pike County Commissioners, Commonwealth of PA, Northeastern Pennsylvania Alliance and the Monroe County Transit Authority.

The Bushkill Village Plan Study products include project mapping, technical analyses of conditions, conceptual options, pictorial graphics, cost estimates, recommendations for action and public involvement record.

The Bushkill Village community involvement program included a study committee, public meetings and key person interviews.

The former Turn's General Store building is the keystone element to the Plan. A public/private partnership is possible. It is noted that the property has been purchased, and is slated to be renovated. The store will be re-opened.

The new owner has had favorable discussions with DEWA regarding a new driveway permit on the south side of the building, and according to Mr. Donahue they should inquire further.

The owner has an engineered site plan which had been presented to the township's zoning enforcement officer for review. A copy has also been forwarded to the township's engineer for his review.

The supervisors requested that DEWA issue the necessary driveway permit.

It was also discussed that the once the Bushkill Village Plan becomes a reality, that the township would conduct maintenance within the village, such as grass cutting, weed control, etc. This will be formalized.

The proposed new DEWA visitor center was discussed. DEWA initial thoughts are that the center be
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located on Toms Creek Road. The supervisors made the suggestion that the center be located within the Bushkill Village Plan. That it would be an exceptional asset to the village, and proposed that the land located across from the Turn's building would be ideal. This was the site of the Country Villa Resort, so the center would be located on a piece of land with a footprint. Larry Van Why, a lifelong resident and member of the Bushkill Historical Society, stated that that property has never flooded, not even during the flood of 1955. The Toms Creek Road property would be considered pristine land, meaning that no structures had been located on the land.

The earliest the Center would be constructed would be 2019, and it is important to demonstrate what the local people want.

The three (3) concerns that DEWA has with the Plan is parking, the adequate flow of traffic and the pony bus (Monroe County Transit Authority) that has been used, but does not have the ridership. But all agreed that could change with completion of the Bushkill Village Plan and construction of the DEWA visitor center.

The better the economic conditions in Bushkill, the better it would be for DEWA. DEWA wants to contribute to the success.

It was also discussed that the Peters' House, currently under exterior renovations. \$12 million in conservation funds is being used for that project and for the acquisition of Community Drive.

The Bushkill Historical Society, Middle Smithfield Historical Commission and the Pike County Public Library are currently reviewing the possibility of partnering together to negotiate with DEWA for some type of agreement to use the Peters' House for a museum and library branch.

It was announced that the township will be submitting a grant application to DCNR for the construction of a pavilion over the train station platform. DEWA agreed to forward a letter of support for this project. A cooperative agreement between the township and DEWA for restoration, operation and maintenance will be necessary.

Mr. Collins will forward copies of the sketches of the train station pavilion to DEWA.

DCNR GRANT APPLICATION AND APPROVAL OF AGREEMENT WITH SIMONE COLLINS:

A Notice to Proceed will be forwarded to Bill Collins of Simone Collins directing him to prepare and submit a grant application to DCNR for the train station platform pavilion. The supervisors will pass a resolution at their next regularly scheduled meeting authorizing the submission of this grant.

Motion made by Mr. Vollmer and second of Mr. Rohner to sign the agreement with Simone Collins to revise the pavilion plan (this will be the third grant application to have been submitted) and prepare and submit the grant application. The cost of \$3,900.00 was reduced to \$3,400.00.

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ADJOURNMENT:

There being no further business, meeting adjourned at 3:30 by the motion of Mr. Rohner and second of Mr. Vollmer. Unanimous.

Respectfully submitted,

Robert H. Rohner, Jr.
Secretary/Treasurer

March 31, 2015
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, Esq., Township Solicitor and Jon Tresslar, P.E., Township Engineer.

PUBLIC COMMENTS:

No comments were received.

APPROVE THE MINUTES OF MARCH 18, 2015:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of March 18, 2015 as presented. Unanimous.

APPROVE THE MINUTES OF MARCH 24, 2015:

Motion made by Mr. Vollmer and second of Mr. Rohner to approve the minutes of March 24, 2015 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 FEBRUARY 28, 2015:

Motion made by Mr. Vollmer and second of Mr. Rohner to accept the financial statements; all funds, for the month ended February 28, 2015 as presented. Unanimous.

OLD BUSINESS:

1. LERTA:

Present was Mike Sullivan, Director for the Pike County Economic Development Authority (EDA).

He submitted a "Strategies for Enhancing Economic Development in Lehman Township" for review. The packet is a part of these minutes on file.

Mr. Sullivan recommends the acceptance of LERTA (Local Economic Revitalization Tax Assistance Act). Increase commercial zones within the township. It is beneficial to have a property owner obtain pre-approval process for their properties, so as to save time and expense for a prospective developer. The EDA will prepare, at no charge, a marketing plan for any prospective commercial developer.

Mr. Sullivan recommends that perhaps the township could amend the township's zoning ordinance to include a "generic " approval process, whereas, a property owner seeks the pre-approval, and then markets the property. Mr. Bernathy will review, and report back to the supervisors.

Of course a bigger issue is the approvals that would be needed from PA DEP and PennDot. To receive those approvals usually takes much longer, and the permit is only good for one (1) year. It would be prudent to lobby the legislatures to extend the life of a permit from one (1) to three (3) or even five (5) years.

Begin to market Lehman Township as development friendly.

Mr. Tresslar recommends that it may be possible for the township to grant preliminary/final approval for a project.

Mr. Bernathy brought up the subject of the Art Center. His law partner; John Klemeyer, had been hired by the original board of trustees for the Center to research and prepare a business plan.

Mr. Klemeyer's plan was presented to the trustees, which included various components of operating the Art Center on a daily basis. A local bus company had agreed that it would run bus trips from New York City on a daily basis for different venues. It was a very detailed plan.

Mr. Klemeyer was willing to give up his law practice to manage and market the Center. The trustees for the Center were not happy with the plan, because the Center would then compete with their respective businesses. The plan did not move forward and Mr. Klemeyer was subsequently fired.

Mr. Klemeyer is willing to tell his story of why the plan was not put into place. It is no longer confidential information.

The question must be asked why the current owner has no interest; it appears, to operate the Center.

The supervisors acknowledge that they want to hear Mr. Klemeyer's story, and directed Mr. Bernathy to invite him to the supervisors' meeting on Wednesday, April 15th at 7:00 p.m.

NEW BUSINESS:

1. Electronic Clean Up Day will be held on Saturday, April 25th from 10:00 a.m. to 3:00 p.m. at the municipal building.
2. Appliances only cleanup day will be held on Saturday, May 2nd from 10:00 a.m. to 3:00 p.m. at the municipal building.

3. Spring Clean Up Days will be held on Friday, May 8th from 7:00 a.m. to 6:00 p.m. and Saturday, May 9th from 7:00 a.m. to 2:00 p.m.

ROADMASTER/PUBLIC WORKS DIRECTOR:

Mr. Sivick stated that the annual Easter Egg Hunt went well, and was attended by many. The kids had a lot of fun. Thank you to all of the volunteers from BYA who help make it a big success.

New stop signs installed.

Truck #914 had a new clutch installed.

Winter road maintenance done as needed.

Mr. Sivick and road crew members Dan Medrano and Ryan Murphy attended a flagging seminar.

The Spring Clean Up Days sign has been installed on Winona Falls Road.

ADJOURNMENT:

There being no further business, meeting adjourned at 11:29 a.m., and an Executive Session regarding personnel, by the motion of Mr. Sivick and second of Mr. Rohner. Unanimous.

Respectfully submitted,

Robert H. Rohner, Jr.
Secretary/Treasurer