

The special meeting of the Township Board of Supervisors was held on Tuesday, May 26, 2015 at 6:00 p.m. at the Schoonover Municipal Building, with Annette Atkinson presiding.

In attendance: Township Supervisors Annette Atkinson, Mike Dwyer, and Mitchell Marcus, Township Solicitor Michael Gaul, Esq., Assistant Township Secretary Joan Hemm-Woisin, Court Reporter Courtney Rogers and other interested residents and members of the public.

The meeting was called to order by Annette Atkinson.

The Supervisors and others present joined in saying the Pledge of Allegiance.

### **Report of Executive Sessions**

Solicitor Gaul reported that an executive session of the Supervisors was held prior to this meeting to go over pending legal matters with the Solicitor.

### **Public Hearing on Determination of the Boundaries for the Deteriorated Areas under the Township's Proposed LERTA program**

Mike Dwyer made a motion to open the Public Hearing on the determination of the boundaries of the deteriorated areas under the Township's proposed LERTA program, which was seconded by Mitchell Marcus. Motion carried 3-0.

Mike Dwyer welcomed everyone to the public hearing and briefly stated the purpose of the public hearing was to discuss the Township's proposed LERTA program.

Solicitor Gaul introduced several exhibits to be made part of the public hearing record, including the advertised notice of the public hearing, and explained further the purpose of the hearing, and the Township's proposed LERTA program.

Mike Dwyer and Chuck Leonard, of the Pocono Mountains EDC, gave presentations on LERTA, and other interested parties commented on the proposed LERTA program.

Court Reporter Courtney Rogers made a stenographical record of the public hearing, which will be transcribed and available at the Township's offices.

Mike Dwyer made a motion to close the public hearing on the boundaries of LERTA deteriorated areas, which was seconded by Annette Atkinson. Motion passed 3-0.

### **Public Hearing on Proposed Township Ordinance No. 204, Amending the Code of the Township of Middle Smithfield by Adding an Article IV, Local Economic**

**Revitalization Tax Assistance, to Chapter 176, Taxation, of Part II, General Legislation; Providing for Real Estate Tax Exemption fo New Construction and Improvements to Deteriorated Property Pursuant to the Pennsylvania Local Economic Revitalization Tax Assistance Act and Establishing Standards and ualifications for Obtaining Such Exemption (“LERTA Ordinance”)**

Annette Atkinson made a motion to open a public hearing on the Township’s proposed LERTA Ordinance, which was seconded by Mike Dwyer. Motion passed 3-0.

Solicitor Gaul explained that there had already been substantial comment on the Township’s proposed LERTA Ordinance as part of the first public hearing on the LERTA boundaries, and there was no need to repeat it at this public hearing. All the comments and exhibits from the first public hearing would be considered incorporated into this public hearing.

Solicitor Gaul asked if any of those present desired to make additional comment on the proposed LERTA Ordinance at this time. No one present desired to do so.

Court Reporter Courtney Rogers made a stenographical record of the public hearing, which will be transcribed and available at the Township’s offices

Mitchell Marcus made a motion to close the second public hearing on the proposed LERTA ordinance, seconded by Annette Atkinson. Motion passed 3-0.

**Board of Supervisors Action on Proposed LERTA Ordinance (No. 204)**

Mike Dwyer made a motion to enact the proposed LERTA Ordinance (Ordinance 204), which was seconded by Annette Atkinson.

Wayne Witowski asked, what happens to the property owner’s assessment and exemption under LERTA if the business closed due to a natural disaster? Would the prior exempt amount become payable? Mike Dwyer stated that the LERTA designation would still be in place. The property owner would still have to pay their real estate taxes, even if the business occupying the property closed.

Motion passed 3-0.

**New business**

None

**Public Comment**

Mitchell Marcus thanked all the volunteers who made adoption of the LERTA program possible.

**Adjournment**

Annette Atkinson made a motion to adjourn the meeting at 7:00 p.m. Mitchell Marcus seconded the motion. Motion passed 3-0.

Respectfully submitted,

Joan Hemm-Woisin  
Assistant Township Secretary