

KIDDER TOWNSHIP BOARD OF SUPERVISORS
MONTHLY MEETING MINUTES
Thursday, January 21, 2010

Chairman Polansky called the regularly scheduled monthly meeting of the Kidder Township Board of Supervisors to order at 7:00 P.M. on Thursday, January 21, 2010 at the Kidder Township Municipal Building, Lake Harmony, PA.

ROLL CALL: Township Manager John Finnerty, Assistant Secretary/Treasurer Lisa Klem, Supervisors Polansky, Bradley, Farnschlader, Gluck and Lengle were present along with Attorney Miscavige.

AUDIENCE PARTICIPATION:

Charles Weber, who resides on North Old Stage Road, was present to represent all of his neighbors to bring to the Townships attention the problems they were having with a so called nuisance neighbor. In an email sent to the Township Supervisors, Mr. Weber stated that since Ronald Moore moved into the neighborhood two years ago he has created one commotion after another, many of a serious legal nature. A few of the offenses that were mentioned include operating a auto repair business at all hours of the day and night resulting in a lot of noise, verbally threatening neighbors, stealing electricity from a neighbors home, breaking into neighbors homes and being a fugitive from New Jersey. He said that Moore displayed an aggressive, vulgar and confrontational demeanor inducing fear in his neighbors. To date, he said no ostensible action has been taken against Moore by the Township Police, except to continuously warn him. They are now complaining to the Supervisors demanding that action be taken against Moore.

Chief Protasiewicz responded to the residents stating that this particular person was not present and can't comment or defend himself so he would not be able to address specific issues. The Chief noted that all complaints received by the Police Department were thoroughly investigated and that at least half of the complaints listed were never reported to the police, others were half truths and still others were zoning matters. He also stated that the person in question has a hearing date on February 16th for a number of complaints brought to the department's attention. A neighbor questions what he was referring to as a half truth. The Chief said that the incident where they said the State Police were at the scene was incorrect and that the State Police were not present for that particular incident. Chief said that he would like to work with the residents to help resolve the problems but many of the complaints brought up this evening were never reported to the police. **Mr. Polansky** said that the Police Department would do all that is within their ability but many of the incidents would require witnesses to make statements before the proper legal authorities in order to pursue. **Wayne Kinsey** asked what they would recommend they do and how can they work with the Township. He said this man is a threat to the community and he is very concerned about the neighborhood children. Another neighbor said that he has small children and when he isn't home his wife is scared to be home alone. **Ms. Farnschlader** asked the Chief what happens after citations are issued. Chief said the citations usually result in fines. **Mr. Bradley** questioned who was investigating the mail box incident which would be a federal offense. There was no specific agency that was known at this time. Mr. Polansky said that the Township would address any of the issues concerning zoning and sewage but the neighbors need to bring all complaints to the police. It was also noted that this neighbor has not been seen in several weeks and when and if he returns the police should be notified.

APPROVAL OF MINUTES:

Regular Meeting December 17, 2009

MOTION - made by Mr. Gluck, seconded by Mr. Bradley **to approve the minutes of the December 17, 2009 meeting.** Motion carried 4-0-1.

Ms. Farnschlader abstained since she was not at that meeting.

There was a **Reorganization Meeting** held January 4, 2010.

An **Auditor's Meeting** was held January 8, 2010.

Ms. Farnschlader questions why the reorganization minutes stated that the Roadmasters salary is \$10.00 an hour, whereas in the Auditors minutes it says \$50.00 an inspection. She noted that it is a moot point since Mr. Gluck does not take a salary to begin with but she has a problem with the conflict between the reports. Mr. Polansky said they would look into it.

There was an **Executive Session** held prior to this evenings meeting.

CURRENT BILLS:

MOTION – made by Ms. Farnschlader, seconded by Mr. Lengle **to pay the current bills in the amount of \$196,293.53.** Motion carried 5-0.

SUBDIVISION AND LAND DEVELOPMENT:

- A. Willowbrook Buildings 1 to 4** - request for an extension of Maintenance Security Agreement until January 22, 2011

Mr. Kalins said that he did not want to apply the final wearing surface until all the heavy equipment is out of the work area.

MOTION - made by Mr. Bradley, seconded by Ms. Farnschlader **to grant the extension until January 22, 2011.** Motion carried 5-0.

- B. Butcher Lot Line Revision**

This combines tax parcels 60A-20-126 and 60A-20-127 on Game Drive in Pocono Mountain Lakes.

MOTION - made by Mr. Gluck, seconded by Mr. Bradley **to approve the Butcher Lot Line Revision.** Motion carried 5-0.

- C. Blakey Minor Subdivision** - re-approve unrecorded plans

The Subdivision was approved by the Planning Commission and Supervisors in July of 2008 but never recorded. The plans were resubmitted and approved.

MOTION - made by Ms. Farnschlader, seconded by Mr. Gluck **to approve the Blakey Minor Subdivision.** Motion carried 5-0.

- D. St. Luke's Hospital and Health Network Urgent Care Facility** - Preliminary/Final

This is a 20 acre parcel on Route 940 which Richard Henry & Sons are donating to St. Luke's for an emergency care facility. The PC recommend approval of the Subdivision along with 5 waivers on condition St. Luke's sign an agreement that the property would revert back to Richard Henry & Sons if it is not developed within five years. This agreement was received and reviewed by Attorney Sterns.

MOTION - made by Ms. Farnschlader, seconded by Mr. Bradley **to approve St. Luke's Urgent Care Facility Preliminary/Final Subdivision and to approve the 5 waivers recommended by the Planning Commission.**

Motion carried 5-0.

REPORTS:

- A. Police Chairman** - There was nothing additional to report.
- B. Roadmaster** - Mr. Gluck had the following to report:
1. The censor at Moseywood Road and Route 940 is not working properly and he was advised by the traffic signal maintainer that PennDot will require it to be fixed. The cost would be somewhere around \$4,000. Because of the current finances he was hoping to wait until later in the year to have it fixed.
 2. At the PC meeting the issue of guide rails on South Lake Drive was raised once again. He has spoken to PennDot several times and has been told that this area does not meet the specifications that would require guide rails. There is a steep drop off and there is no report of vehicles going off the embankment so they feel there is no need to have guide rails.
- C. Solicitor** - There was nothing additional to report.
- D. Manager** - Mr. Finnerty had the following to report:
1. The State has reduced the year end reimbursement for the on-lot sewage program from 50% to 21.25% for 2009. These fees help pay for the on-lot sewage work and inspections. The SEO has proposed a fee increase for 2010 to help cover the expenses. It was noted that the fees had not been increased in 20 years. At the February meeting these fee increases, along with the building and zoning fees will be reviewed.
 2. The County has completed the aerial maps for the townships re-addressing program and are asking that the township field check structures that they could not identify. There are also streets that are not identified by name and many duplicate street names that will have to be addressed. Township employees and the three fire companies will be working on the project and hope to have it completed by this summer.
 3. He met with Dawn Ferrante the Director of Economic Development for Carbon County this week to discuss the new Light Industrial District. This is a 300 acre parcel on Route 940 located near the Turnpike that belongs to Blue Ridge. She will be doing an article about the site in next months Pocono Business Journal.
 4. A meeting was held on January 8th at Pine Point Plaza to discuss their expansion. PennDot was there to go over their highway occupancy permit along with other Kidder Township officials.
 5. Everyone knows that the census is taking place this year and it is very, very important that all residents get counted.
 6. The annual building and zoning reports are in the Supervisors' file. The total number of permits were down for 2009, but the number of new home permits actually increased from 2008. There were 22 new home permits in 2009 compared to 16 the previous year. Tunkhannock Township only had 13 new home permits last year.
- Ms. Farnsclader** had the following to report:
1. She wanted to let everyone know that the Jim Thorpe School District is talking about building a new middle school either on land they own in Penn Forest Township or next to the Penn Kidder campus. She feels it would be a good idea for the Supervisors and residents to attend the school board meetings in order to keep informed on what is happening.

2. Carbon County EMA will host the NIMS 700.A. course on Saturday, February 6th at 8:00 am at the EMA building. This is one of the required Incident Command courses for all emergency responders, School Officials, Municipal Officials, Private Developments and Public Works Personnel. Mr. Polansky noted that this course is also available on line.

- E. **Police** - The report was in the Supervisors' file. The Chief said that before he started working here over seven years ago some one had donated two defibrulators to the Department. Their Red Cross Certified Instructor has strongly urged him to take both out of service because they have become outdated. They each cost about \$2,000 and he is looking for sources of donations in order to get new defibrulators. A Township resident recommended contacting the local service clubs.
- F. **Planning Commission** - The report was in the Supervisors' file.
- G. **Zoning Officer** - The report was in the Supervisors' file.
- H. **Zoning Hearing Board** - The report was in the Supervisors' file.
- I. **Sewage Enforcement Officer** - The report was in the Supervisors' file.
- J. **Code Enforcement Officer** - The report was in the Supervisors' file.
- K. **Environmental Advisory Council** - The report was not in the Supervisors' file.

OTHER BUSINESS:

- 1. Reports were received from the Lake Harmony Volunteer Fire Company, Albrightsville Volunteer Fire Company and the Kidder Township Volunteer Fire Company.
MOTION - made by Mr. Gluck, seconded by Mr. Bradley, **to put the reports on file.** Motion carried 5-0.
- 2. **Mr. Polansky** said that the Board has come to the conclusion that they can not give raises to the staff and they will be capping the health benefits at the 2009 rate. Any increase in benefits will have to be absorbed by the employee themselves. The Township is currently in arbitration with the uniformed employees and he is not sure of what that outcome will be. He noted that it took the Township twenty years to build up their surplus and in the last two years they have used about 40% of it.
MOTION - made by Mr. Lenge, seconded by Mr. Bradley **to freeze the benefits for non uniformed employees at the current rate for 2009.** Motion carried 5-0.

ADJOURNMENT:

MOTION - made by Mr. Bradley, seconded by Mr. Gluck, **to adjourn the meeting at 7:45 P.M.**

John P. Finnerty, Township Secretary