

KIDDER TOWNSHIP BOARD OF SUPERVISORS
MONTHLY MEETING MINUTES
Thursday, July 16, 2009

Chairman Polansky called the regularly scheduled monthly meeting of the Kidder Township Board of Supervisors to order at 7:00 P.M. on Thursday, July 16, 2009 at the Kidder Township Municipal Building, Lake Harmony, PA.

ROLL CALL: Township Manager John Finnerty, Administrative Assistant Sylvia Davis, Supervisors Polansky, Bradley, Farnschlader, Nally and Gluck were present along with Attorney Miscavige.

Mr. Finnerty announced that the Township, with great pleasure, would be presenting the following awards to some outstanding citizens.

I. Presentation to Emergency Services Person of the Year - Scott Wuttke

It was noted that Scott has been an EMT for over 20 years and that he has responded to over 800 calls. Mr. Lennon said that Scott has also been nominated for the state award for the EMS person of the year.

II. Presentation of Recognition Award - This award is presented to two outstanding people who represented the township for many years and have passed within the year.

Harold Lou Kresge - Past Tax Collector

Mr. Kresge held this position for 18 years never losing an election. A plaque was presented to his wife June and daughter Cathy.

Delbert Getz - Past Zoning Hearing Board Member

Mr. Getz was a founding member of the Zoning Hearing Board. He held the position of vice-chairman and chairman of the board. A plaque was presented to his wife Madelyn and son Gene. Mr. Finnerty noted that Gene is continuing the family tradition of public service as a member of the Planning Commission.

III. Presentation of Service Commendation Police Department

Chief Protasiewicz presented **Officer Heath Williams** and **Officer Mark Cunningham** with the Kidder Township Police Department Distinguished Service Medal. Chief noted that on June 20, 2009 at 2:20 am. the officers were dispatched to Split Rock Resort for an armed robbery that had just occurred in the parking lot next to Benchwarmers. In route to the scene the officers pulled over a vehicle that matched the alert. The two officers were able to arrest 3 men for armed robbery and other related offenses. This is something they don't face every day and they did it without hesitation and they did it very well.

AUDIENCE PARTICIPATION:

Jack Kalins stated that his time share sales are down 20% this year and the resort is not booked for August. He said Split Rock had a very difficult 2008 and 2009 may be more difficult. He just wanted to give a heads up to the Supervisors to watch their spending.

Marv Raphaelson said that Lake Harmony will be treated on Tuesday, July 22nd at 4pm. Motorized boats will not be allowed on the lake from 4pm on Tuesday until 9am on Wednesday. He would like the police to monitor the boating and give violations if necessary. Chief noted that the lake group could file their own complaint with the magistrate.

Mr. Raphaelson also wanted to let everyone know that the Lake Harmony Watershed Preservation Group would be holding their annual benefit on Wednesday, July 29th at Nick's Lake House from 6pm to 10pm. Tickets will be \$20.00.

Lou Montanaro complimented the police on the great job they did over the 4th of July weekend policing the fireworks. He said the lake was very quiet this year compared to other years. Chief said they issued 8 citations for fireworks over the weekend.

Mr. Polansky was pleased to hear that the AVFC opened the old school house over the holiday weekend. Bruce Burger said they had over 100 people attend. He said the fire company plans to have the school house open the first Sunday of every month until winter. It was also noted that some maintenance needs to be done to the school.

APPROVAL OF MINUTES:

Regular Meeting June 18, 2009

MOTION - made by Mr. Gluck, seconded by Ms. Farnschlader **to approve the minutes of the June 18, 2009 meeting.** Motion carried 4-0-1.

Mr. Nally abstained since he was not at the last meeting.

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

CURRENT BILLS:

MOTION – made by Mr. Bradley, seconded by Ms. Farnschlader **to pay the current bills in the amount of \$313,576.56.** Motion carried 5-0.

SUBDIVISION AND LAND DEVELOPMENT:

- A. Minuteman Towing** - request for an extension of Land Development Improvement Agreement to August 21, 2009. Letter of Credit expires August 3, 2009

It was noted that the paving has been completed and Hanover Engineering has to complete the final inspection.

MOTION - made by Ms. Farnschlader, seconded by Mr. Nally **to grant the extension of time to August 21, 2009.** Motion carried 5-0.

- B. Waterpark** - request for extension of Land Development Improvement Agreement to August 21, 2009

Mr. Kalins stated that the work should be completed by the end of the month.

MOTION - made by Mr. Nally, seconded by Mr. Gluck **to grant the extension of time to August 21, 2009.** Motion carried 5-0.

- C. Split Rock Road Relocation** - request for extension of time to July 31, 2010 - Bond expires July 31, 2009

Mr. Kalins said that he was still fighting PPL concerning the power lines being relocated. He also said that now that the Waterpark and Willowbrook #6 are complete, he wants to concentrate his efforts on this project.

MOTION - made by Ms. Farnschlader, seconded by Mr. Nally **to grant the extension of time to July 31, 2010 contingent upon the bond being renewed.** Motion carried 5-0.

- D. Golden Oaks Phase I** - Letter of Credit (\$45,881.20) expires August 6, 2009
It was noted that the letter of credit has been extended. No action needs to be taken at this time.
- E. Indus Hospitality** - release of security for Land Development Improvement Agreement upon receipt of Maintenance Security
An inspection completed by Hanover Engineering found that the landscaping along Route 940 and the property line with the Pennsylvania Turnpike had not been completed.
MOTION - made by Mr. Polansky, seconded by Ms. Farnschlader **to release the Land Development Improvement Agreement upon receipt of Maintenance Security in the amount of \$70,638.15.** Motion carried 5-0.
- F. Pizza/Blue Ridge Minor Subdivision/Lot Line Revision**
Ms. Pizza owns a property on Route 940. A recent survey showed that her septic system and shed were located on property belonging to Blue Ridge. Pizza will purchase the property from Blue Ridge and combine the lots.
MOTION - made by Mr. Nally, seconded by Ms. Farnschlader **to approve the Minor Subdivision and Lot Line Revision.** Motion carried 5-0.
MOTION - made by Mr. Nally, seconded by Mr. Gluck **to waive Section 153-25.I - Supplementary mapping (natural Features).** Motion carried 5-0.

OLD BUSINESS:

- A. Ordinance No: 143 - Key Lock Box System**
MOTION - made by Ms. Farnschlader, seconded by Mr. Nally **to approve Ordinance No: 143 - Key Lock Box System.** Motion carried 5-0.
- B. Ordinance No: 144 - Fire Hydrants**
Ms. Farnschlader questioned if the outstanding issues concerning color coding had been resolved. Mr. Polansky noted that all issues were resolved at the last workshop.
MOTION - made by Ms. Farnschlader, seconded by Mr. Gluck **to approve Ordinance No: 144 - Fire Hydrants.** Motion carried 5-0.

NEW BUSINESS:

- A. Road Project Bids**
The township advertised for road sealing for North Old Stage Road, South Old Stage Road, Gower Lane and Kresge Lane. Mr. Finnerty explained the reason for road sealing at this time instead of paving was that none of the roads had major pot holes but mostly cracking. He noted that the cost of the paving would be somewhere around \$80,000.00 while sealing is a good less expensive fix. It was determined at this time the township could only afford to fix one road. Mr. Finnerty said South Old Stage Road is in the most critical condition. The payment would come from the liquid fuel fund which has a balance of about \$30,000.00. It was noted that the last road repair loan for 5 years has about 2 years remaining.
MOTION - made by Mr. Nally, seconded by Mr. Gluck **to award the road sealing contract to the low bidder, Shiffer Bituminous Service Co., in the amount of \$20,000.00 for South Old Stage Road.** Motion carried 5-0.

B. Stormwater Ordinance

At the workshop session held last night a fee schedule was requested from Hanover Engineering. Hanover stated that larger projects are already covered under the SALDO fees. The only new fee that needs to be added is for small projects that would be reviewed by township personnel. The recommended fee would be \$100.00 to \$150.00 for review. It was decided that more details needed to be looked into concerning the supervisors granting waivers related to buffer zones and the burden of proving a hardship.

MOTION - made by Ms. Farnschlager, seconded by Mr. Gluck to **table the Stormwater Ordinance until next month.** Motion carried 5-0.

C. Request for Fire Police - Special Olympics September 6, 2009

A letter was received requesting the services of the Fire Police for a horse show to be held for the Special Olympics at the Getz Farm in Albrightsville. Mr. Polansky stated for the record that the policy of the Kidder Township Board of Supervisors is that if the fire police are requested to do work, either here or in some other township, we approve it on the condition that the fire chief of the fire organization also approves it.

D. Sewer Shut Off Notices - Mr. Polansky noted that sewer shut off letters have been mailed and properties posted for some of the major offenders. He wants everyone to know that the township fully intends to follow through with shutting off sewer service if bills aren't paid in full or arrangements aren't made to catch up on their delinquent accounts.**E.** Mr. Polansky said that finances are getting tougher and tougher as we move along. He compared last May with this May and the townships fund balances and reserves are about \$370,000.00 lower which represents a 30% reduction in funds. He announced that the Board of Supervisors is officially notifying the township manager here tonight that spending is to be limited to necessary and unavoidable expenses. He said that the supervisors have agreed not to take a salary for the next two months. That is an indication of how bad we think things are and are going to be. Some of the members think they may have to give up the full year. What is really hurting the township is the reduction in realty transfer taxes from the sale of real estate.**REPORTS:****A. Police Chairman** - Mr. Bradley stated that the police contract is up at the end of the year and contract negotiations will start next week.**B. Roadmaster** - There was nothing new to report.**C. Solicitor** - There was nothing new to report.**D. Manager** - Mr. Finnerty had the following to report:

1. He received good news this week from the owner of the building where the proposed methadone clinic was to be located. The owner has hired Rock Creek Property Management to market the property to other businesses.
2. A work session was held last night on the stormwater ordinance. People seem to like these sessions where all voices can be heard.

3. September 30, 2009 is the deadline for the DCED local share gaming money application request. Funds were requested to upgrade the ambulance service. A conversation was held concerning money to dredge Lake Harmony. Mr. Kalins comments on the lily pad growth and the buildup of sand in the lake. Mr. Raphaelson noted that the border around the lake needs to be done and this would cost a lot of money. Mr. Finnerty hopes that Kidder Township will receive funds this time around.

4. He noted that they were making progress on the police contract negotiations.

E. Police - The report was in the Supervisors' file.

F. Planning Commission - The regular and special reports were 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 in the Supervisors' file.

Mr. Polansky said a letter was received from the EAC concerning the cutting of trees at the new fire house. They questioned why the trees were cut without first obtaining permits. Mr. Polansky referred this to Mr. Finnerty for a response.

OTHER BUSINESS:

1. Jack Kalins questioned why a commercial building on privately owned property has to have a maintenance security agreement. He said he understands why the security is needed for subdivisions, PRDs or a shopping center. It was suggested that he talk to the Planning Commission about his concerns.
2. Reports were received from the Lake Harmony Volunteer Fire Company, Kidder Township Volunteer Fire Company, Lake Harmony Rescue Squad and the Albrightsville Volunteer Fire Company. It was noted that reports for April, May and June were received from the AVFC.

MOTION - made by Ms. Farnschlader, seconded by Gluck, **to put the reports on file.** Motion carried 5-0.

ADJOURNMENT:

MOTION - made by Ms. Farnschlader, seconded by Mr. Bradley, **to adjourn the meeting at 8:00 P.M.**

John P. Finnerty, Township Secretary