

KIDDER TOWNSHIP BOARD OF SUPERVISORS
MONTHLY MEETING MINUTES
Thursday, November 17, 2011

Chairman Polansky called the regularly scheduled monthly meeting of the Kidder Township Board of Supervisors to order at 7:00 P.M. on Thursday, November 17, 2011 at the Kidder Township Municipal Building, Lake Harmony, PA.

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

AUDIENCE PARTICIPATION

Msgr. John Chizmar, Pastor of Saint Peter the Fisherman Parish, Lake Harmony, inquired about the Warrior Run that was held last June and asked if the event was going to be repeated this year. Mr. Finnerty said he would check with Penn Forest Township and The Smith Family. Msgr. Chizmar said that the event and the blocking of Route 903 affected the number of parishioners that attended mass. Chief of Police Matthew Kuzma said he would contact the event coordinator.

John Toft, a resident of Golden Oaks Village (GOV), said he wrote a letter to Mr. Finnerty at the end of October in reference to it being too late in the year for Hazleton Site Contractors to begin doing any work in the development. Mr. Toft's concern is the warranty period ending on July 1, 2012. Mr. Toft said "it was an incompetent decision of Hanover Engineering to agree to ninety percent completion last January. If there is no work done until the spring then the warranty should be extended." Mr. Toft said the work that they have to do now is to lower the water pipes, which is specified by Aqua Pennsylvania so they will not freeze, but no landscaping work should be done. Mr. Toft asked what the agreement was on tonight's agenda for Golden Oaks Phase I Stage I. Attorney Miscavige explained that the Township is to hold money for the completion of the work to be done and that the agreement is to put the money into an escrow account that is only to be paid when Hanover Engineering says it is complete. Chairman Polansky asked Attorney Miscavige if there was any way to extend the warranty Mr. Toft is referring to. Attorney Miscavige said the warranty on the work Hanover Engineer gave substantial completion to will expire July 2012. We are pursuing an extension on the work that has yet to be completed.

APPROVAL OF MINUTES:

Regular Meeting October 20, 2011

MOTION – made by Ms. Farnschlader, seconded by Mr. Bradley **to approve the minutes of the October 20, 2011 Regular Meeting.** Motion carried 5-0.

Budget Meeting November 10, 2011

MOTION – made by Mr. Lengle, seconded by Mr. Bradley **to approve the minutes of the October 13, 2011 Budget Meeting.** Motion carried 5-0.

There was an **Executive Session** held at 6:30 P.M. concerning legal and personnel matters.

CURRENT BILLS:

MOTION – made by Ms. Farnschlader, seconded by Mr. Lengle **to pay the current bills in the amount of \$200,545.49.** Motion carried 5-0.

OLD BUSINESS:

Wastewater Treatment Plant – award bid for sale of the Wastewater Treatment Plant. Mr. Finnerty said the Bids were opened on Tuesday, November 15, 2011 at 11:00 am. The bid specifications asked for two bids. Bid Alternate #1 is for a cash payment bid and Bid Alternate #2 is for a cash bid with a note to the Township, where the Township would continue to pay the Pennvest Loan. Attorney Miscavige reported that we have two cash bids. Pennsylvania Water Bid \$11,200,000.00 and Aqua Pennsylvania bid \$11,357,051.00.

MOTION – made by Mr. Polansky, seconded by Ms. Farnschlader **to accept the Alternate #1 bid from Aqua Pennsylvania subject to all the necessary closing activity that needs to take place.** Motion carried 5-0.

Mr. Jack Kalins asked how this affects the contract with Vacations Charters. Chairman Polansky said in the bid it states, that it is subject to contractual sewer obligations, and that there will be no rate increase for two years and thereafter they would need to go through the PUC (Public Utility Commission). The contractual agreement with the Township and Vacation Charters will just transfer over with the assets. Attorney Miscavige said that the agreement with Vacations Charters was part of the bid specifications.

Comprehensive Plan – Public Hearing for the Comprehensive Plan will be December 15, 2011 at 6:00 P.M.

NEW BUSINESS:

Local Services Tax Agreement – ratify the agreement with Central Tax Bureau of Pennsylvania, Inc.

MOTION – made by Mr. Lengle, seconded by Mr. Bradley **to ratify the agreement with Central Tax Bureau of Pennsylvania, Inc.** Motion carried 5-0.

Golden Oaks Phase I Stage I – ratify escrow agreement with Greenwich Insurance Company and Dreifuss Bonacci & Parker, LLP.

MOTION – made by Mr. Bradley, seconded by Ms. Farnschlader **to ratify the escrow agreement with Greenwich Insurance Company and Dreifuss Bonacci & Parker, LLP.** Motion carried 4-0-1. Mr. Gluck, a resident of Golden Oaks abstained.

Advertise 2012 Budget

MOTION – made by Ms. Farnschlader, seconded by Mr. Bradley to **Advertise the 2012 Budget**. Motion carried 5-0.

Refund Fee for Building Permit Number 160/11 – 15 Rock Ridge Rd., Split Rock. Chairman Polansky said permit was for a repair of an existing piece and the owner wrote a letter requesting a refund of the fee.

MOTION – made by Mr. Bradley, seconded by Mr. Lengle to **Refund the \$50.00 permit fee for permit number 160/11**. Motion carried 5-0.

2012 Trash Fee – lower the Trash Fee from **\$200.00** to **\$175.00** for 2012.

MOTION – made by Ms. Farnschlader, seconded by Mr. Bradley to **lower the fee for trash to \$175.00 for 2012**. Motion carried 5-0.

REPORTS:

- A. Police Chairman** – There was nothing additional to add.
- B. Roadmaster** – There was nothing additional to add.
- C. Solicitor** – There was nothing additional to add.
- D. Manager** – Mr. Finnerty said he was in contact with the receiver for Vacations Charters in an attempt to find out who the contact person will be.
Mr. Finnerty commented on the Budget being in better shape than last year after the painful cut backs that had to be made.
Mr. Finnerty said the township is doing everything it can to get the warranty extended with Hazleton Site Contractors for Golden Oaks.
Mr. Finnerty said he and Pete Lambert did an extensive road assessment survey.
- E. Police** - The report was in the Supervisors' file. Chief Kuzma thanked Larry Kresge for helping keep Route 940 clear and helping out during the snow storm.
- F. Planning Commission** – The minutes are in the Supervisors' file.
- G. Zoning Officer** – The report was in the Supervisors' file.
- H. Zoning Hearing Board** – No Meeting.
- 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 minutes are in the Supervisors' file.

We received reports from all three fire companies and from the rescue squad. There was a discussion on three of the ambulances being out of service at one point during the month.

ADJOURNMENT:

MOTION - made by Ms. Farnschlader, seconded by Mr. Lengle to **place all reports on file**. Motion carried 5-0.

The Meeting was adjourned at 7:29P.M.

John P. Finnerty, Township Secretary