

**KIDDER TOWNSHIP BOARD OF SUPERVISORS**  
**MONTHLY MEETING MINUTES**  
**Thursday, October 15, 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, October 15, 2009 at the Kidder Township Municipal Building, Lake Harmony, PA.

**ROLL CALL:** Township Manager John Finnerty, Bookkeeper Lisa Klem, Supervisors Polansky, Bradley and Nally were present along with Attorney Miscavige. Supervisors Farnschlader and Gluck were absent.

**AUDIENCE PARTICIPATION:**

**Presentation of Junior Fireman's Award to Dan Plavin**

Mr. Finnerty announced that Dan Plavin, a junior firefighter from Lake Harmony Volunteer Fire Company, was awarded the 2009 Hereda/Terrini Junior Fire Fighter of the Year Award at the State Firemen's Convention held September 26 at King of Prussia.

Mr. Finnerty stated that Chief Lennon said that Dan has been a true asset to the fire company since he joined in October of 2008, and that he has a desire to learn and will advance to be a qualified officer. It was noted that Dan has 170 hours of training in already. On behalf of the Board of Supervisors, Township employees and residents, a plaque was presented to Dan to show our appreciation to him for winning the award for being the outstanding junior firefighter in Pennsylvania.

**Chairman Polansky** reminded everyone that Election Day is Tuesday, November 3rd. He would like to see everyone come out and vote.

**John Toft**, of Golden Oaks Village, stated, as he did last month, that he is here as an individual property owner and is not speaking for the property owners association. He would encourage the Supervisors' to deny the extension requested by the developer for the Land Development Improvements Agreement for the Commons Building. He believes there is a week or two worth of work to be done on the building and that they have had since April to complete this work. At most he feels they should get is a week or two extension. As far as the request for the extension for Phase I Stage I, he realizes that the bond is good until May 1, 2010. He said that they had years to complete this work, but they still haven't done it. All they do is a little amount of work, where they should be doing a significant amount of work. He said if they grant the extension they should have to do a certain amount of work every month. Mr. Polansky noted that this is outside work and at this time of the year it may be hard to accomplish.

**Maureen Kennedy** wanted to let everyone know that in conjunction with the Tobyhanna Army Depot, the Penn Kidder Elementary School is selling red tee shirts that say on the back either "Carbon County supports the Troops" or "Jim Thorpe Area School District supports the Troops". A program will be held around Veterans Day at the School and everyone is invited to wear red. The tee shirts are \$10.00 and will benefit the Fisher House at the Walter Reed Medical Center in Washington, D.C. The service men who come back injured can meet with their families and counselors at the Fisher House where they can become reacquainted with being home.

**Ralph Lennon**, LHVFC Fire Chief had the following to report:

1. The Route 80 emergency access road has finally become a reality. The gate went up today and the turn around has been completed but will not be paved until next year. He will need to speak to someone at the township about signs, such as "emergency access road" and "no parking".
2. He spoke to someone at the comm. center and they told him our re-addressing program has begun. At some point they would like to meet with the fire commission.
3. Good news to report that the LHVFC and the AVFC went to the State Firemen's Convention together this year and brought home five trophies. Albrightsville won three, Lake Harmony won one and jointly they won one.
4. The Emergency Services banquet that is normally held on a Saturday has been moved to Friday, May 7<sup>th</sup> next year.

**APPROVAL OF MINUTES:**

**Regular Meeting September 17, 2009**

**MOTION** - made by Mr. Nally, seconded by Mr. Bradley **to approve the minutes of the September 17, 2009 meeting.** Motion carried 3-0.

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

At this point Mr. Nally wanted to clear something with the Chairman concerning the votes since there was only three Supervisors' present. Mr. Polansky verified that all three votes would be needed so they could approve or deny a motion. A split vote such as 2-1 would not work.

**CURRENT BILLS:**

**MOTION** – made by Mr. Nally, seconded by Mr. Bradley **to pay the current bills in the amount of \$259,290.03.** Motion carried 3-0.

**SUBDIVISION AND LAND DEVELOPMENT:**

- A. Golden Oaks Phase I Stage I** - Request for extension of Land Development Improvement Agreement until March 19, 2010

Chairman Polansky noted that the bond is in effect through May 1, 2010 and that they are requesting an extension until March 19, 2010. Mr. Nally said that they should take Mr. Toft's comments into consideration and he's absolutely right that this has been going on forever. Mr. Nally sees no reason to grant the extension to March. Attorney Miscavige noted that if they extended it to next month then the other two supervisors would be present for the motion.

**MOTION** - made by Mr. Polansky, seconded by Mr. Bradley **to grant the extension until next months meeting and ask Mr. Herman to attend the next meeting and submit a written action plan.** Motion carried 3-0. Mr. Nally noted that he reluctantly voted in favor of the extension and said that he never makes the motion in favor of Golden Oaks.

- B. Golden Oaks Commons Building** - request for extension of Land Development Improvement Agreement until March 19, 2010  
Mr. Bradley suggested that they give Mr. Herman notice that they are looking into calling their letter of credit. This is a much smaller project and the work should be able to be completed prior to next months meeting.  
**MOTION** - made by Mr. Bradley, seconded by Mr. Polansky **to give one month to complete the project and have the work certified by Hanover Engineering or we call the letter of credit.** Motion carried 3-0.
- C. Willowbrook #6** - request for extension of Land Development Improvement Agreement until October 22, 2010  
It was noted that the bond is in place.  
**MOTION** - made by Mr. Nally, seconded by Mr. Bradley **to grant an extension to October 22, 2010.** Motion carried 3-0.
- D. Albrightsville Volunteer Fire Company** - Lot Line Revision  
This combines tax parcels 21-21-A42, 21-21-Z41.01 and 34-21-A26 to create a new tax parcel 21-21-A42A along Route 534 in Albrightsville.  
**MOTION** - made by Mr. Bradley, seconded by Mr. Nally **to approve the Albrightsville Volunteer Fire Company Lot Line Revision.** Motion carried 3-0.

**NEW BUSINESS:**

- A. Accept resignation of the Secretary to the Zoning Hearing Board  
Appoint Secretary to the Zoning Hearing Board**  
**MOTION** - made by Mr. Nally, seconded by Mr. Bradley **to accept the resignation of Karen Heiney as Secretary to the Zoning Hearing Board, and to appoint Karen Rushatz as the Secretary of the Zoning Hearing Board.**  
Motion carried 3-0.
- B. Transfer of Sewer Funds to General Fund**  
Chairman Polansky explained that the Sewer Fund should pay for all of its own activities. Since some Township employees, normally paid from the General Fund, do occasionally perform work or spend time on sewer system related business, the Sewer Fund should absorb those associated costs. Therefore, once a year a transfer of funds is authorized from the Sewer Fund to the General Fund to reimburse those employee expenses incurred by the Township.  
**MOTION** - made by Mr. Nally, seconded by Mr. Bradley **to approve the transfer of \$51,708.00 from the Sewer Fund to the General Fund representing the percentages of the five office staff for their time spent on sewer related business.** Motion carried 3-0.
- C. Intent to abandon a portion of Meckes Lane**  
Attorney Miscavige said the township has a proposal to abandon a portion of Meckes Lane. He stated that the township code requires that we advertise that as an ordinance to be adopted at next month's meeting and that we also conduct a public meeting. He suggested that a motion be made to authorize advertising the adoption of the ordinance, set a public hearing at 6:00 PM prior to the November meeting and provide written notice of intent to abandon that portion of Meckes Lane to all adjoining property owners.  
**MOTION** - made by Mr. Bradley, seconded by Mr. Nally **to advertise the adoption of the ordinance, hold a public meeting on November 19<sup>th</sup> at 6:00 PM and notify all the adjoining property owner's in writing.**  
Motion carried 3-0.

**REPORTS:**

- A. Police Chairman** - Mr. Bradley stated that the contract negotiations are continuing.
- B. Roadmaster** - Mr. Gluck was not present.
- C. Solicitor** - There was nothing else to report.
- D. Manager** - Mr. Finnerty had the following to report:
  - 1.** A budget meeting was held on October 6<sup>th</sup> at 7:00 PM. He noted that every line was scrutinized and evaluated this year like never before. The next meeting will be on November 12<sup>th</sup> at 6:00 PM.
  - 2.** Mr. Williams, Director of the Carbon County Communications Center, will be at the next Supervisors meeting to speak about the re-addressing program. They are giving all the municipalities the choice of re-addressing the entire township, part of township or none of the township. Mr. Finnerty said that now would be a good time to do an ordinance stating the parameters of the address signs.
  - 3.** The new half ton pick up truck should be arriving sometime after Thanksgiving. The insurance check we received from the other truck will be put in escrow and used for the first payment due next year. Once that is paid there will only be two more yearly payments due on the truck.
  - 4.** St. Luke's is looking into putting an urgent care facility on Route 940 near Jack Frost.
- E. Police** - The report was in the Supervisors' file.
- 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 in the Supervisors' file.

**OTHER BUSINESS:**

- 1.** Reports were received from the Lake Harmony Volunteer Fire Company, Kidder Township Volunteer Fire Company and the Albrightsville Volunteer Fire Company. There was no report from the Lake Harmony Rescue Squad.  
**MOTION** - made by Mr. Bradley, seconded by Mr. Nally, **to put the reports on file.** Motion carried 3-0.
- 2.** Chairman Polansky announced that the next budget meeting will be held on Thursday, November 12<sup>th</sup> at 6:00 P.M.

**ADJOURNMENT:**

**MOTION** - made by Mr. Nally, seconded by Mr. Bradley, **to adjourn the meeting at 7:30 P.M.**

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John P. Finnerty, Township Secretary