

KIDDER TOWNSHIP BOARD OF SUPERVISORS
MONTHLY MEETING MINUTES
Thursday, July 15, 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, July 15, 2010 at the Kidder Township Municipal Building, Lake Harmony, PA.

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

AUDIENCE PARTICIPATION:

Lou Montanaro read from a letter concerning the history of Kidder Township. He noted that once upon a time lumbering, tanning and ice harvesting were thriving industries within the Township. Today recreation and tourism is the major industry in Kidder Township. He noted that the depth of Lake Harmony has gone from 35 feet when it was measured in the 80's to around 15 feet today. He stressed the importance the lake plays in the recreation industry and the economic impact it has on Kidder Township. He noted that a number of volunteer groups that spend countless hours raising money as well as physically building rain gardens and trying other ways to control the sediment in the lake, but the depth of Lake Harmony continues to diminish. He said that the health of the lake is not only important to Kidder Township, but also to Carbon County since the real estate taxes are generated based on property values. Property values will decline as the Lake declines. The responsibility of the health of Lake Harmony should not be left solely to the discretion of the volunteers. He said we should pursue state grants that are available for storm water management projects and DCED gaming money. He knows that a solution will cost money and doesn't expect the Township to shoulder the burden alone just as the volunteers should not have to burden the responsibility. He questioned if a yearly assessment could be imposed on all the residents that benefit from the Lake. **Chairman Polansky** said that the Township recognizes the problem but questioned how involved should the Board get concerning this situation. He noted that the lake is owned by the Lake Group and Vacation Charters so how would the residents from Albrightsville and the Tannery feel about the Board spending Township money on the lake. He recommended that a special meeting be arranged with all the different groups and property owners that benefit from the lake to discuss the best way to handle this problem. He said that the Township could file the grants on behalf of the groups involved.

Frank Way asked if there is a possibility of assessing a tax for the Lake Harmony area or would it have to include the entire Township. Chairman Polansky said that he did not know the legality of that but would have to ask counsel. He said that he would have a great deal of trouble assessing a tax for an asset that the Township does not own.

Brad Grissinger asked if the Township has done anything concerning House Bill 2431 that would centralize local government at the county level. He noted that Penn Forest Township did a resolution voicing their opposition to forced local government mergers and consolidation. Chairman Polansky said that this is not a new issue and that PSATS was opposed to the Bill. The Township could prepare a Resolution voicing their opposition to House Bill 2431.

Marvyn Raphaelson, a member of the Planning Commission, said that at the January meeting the PC had discussed how dangerous South Lake Drive was near Spring Street. He said the road is very narrow in this area and there is a steep embankment that is not protected by a guide rail. At the meeting Mr. Polansky asked that Engineer Brown look

into what it would cost the Township to have an independent road engineer inspect this portion of South Lake Drive. Mr. Raphaelson asked if anything was ever done about this. Chairman Polansky said that the Township will look into how much it will cost to have the review done by an engineer, but he doesn't know if the Township could afford the study at this time.

APPROVAL OF MINUTES:

Regular Meeting June 17, 2010

MOTION - made by Ms. Farnschlader, seconded by Mr. Gluck **to approve the minutes of the June 17, 2010 meeting.** Motion carried 5-0.

There was an **Executive Session** held prior to this evening's meeting concerning legal and personal issues.

CURRENT BILLS:

MOTION – made by Mr. Bradley, seconded by Mr. Lenge **to pay the current bills in the amount of \$211,157.80.** Motion carried 5-0.

Mr. Finnerty said that the bills included the first annual payment for the new truck, which was held in escrow from the insurance payment from the old truck.

SUBDIVISION AND LAND DEVELOPMENT:

1. **Jack Frost Golf Course PRD Phase I** - extension of time for Final Land Development Plan Submission until July 20, 2012
Mr. Harahus noted that the planning and permitting with the State warrants the two year extension. He said that there was no bond or infrastructure involved.
MOTION - made by Mr. Gluck, seconded by Ms. Farnschlader **to grant the extension of time to July 20, 2012.** Motion carried 5-0.
2. **Split Rock Lake Drive Road Relocation** - extension of time for Land Development Improvements Agreement until October 31, 2010. Bond to be extended for six months
Chairman Polansky asked Ms. Klem when the bond expires and if she had the replacement bond. Ms. Klem said the bond also expires on July 31, 2010 and that she does not have the replacement bond yet. Mr. Kalins said yesterday that he was in the process of having the bond extended and would forward it to the Township.
MOTION - made by Mr. Lenge, seconded by Ms. Farnschlader **to grant an extension until October 31, 2010 upon receipt of said bond.**
Motion carried 5-0.
3. **Willowbrook Phase I Buildings 1 through 4** - requesting release of Maintenance Bond Due to Expire August 7, 2010
It was noted that the request was received two days ago, and that Mr. Brown has not had enough time to inspect the property. Mr. Brown said that there is only one item he needs to inspect and feels that there should be sufficient funds available. Ms. Klem said that the Bond is around \$150,000 with about another \$87,000 in escrow.
MOTION - made by Mr. Bradley, seconded by Ms. Farnschlader **to approve the release of the bond pending Hanover's recommendation of an amount to release.** Motion carried 5-0.

REPORTS:

- A. **Police Chairman** - There was nothing additional to report.
- B. **Roadmaster** - There was nothing additional to report.
- C. **Solicitor** - There was nothing additional to report.
- D. **Manager** - Mr. Finnerty had the following to report:
 - 1. There was a meeting held on June 24th at the fire company concerning the sand situation at the Lake Harmony Estates Beach. Most of the different lake groups were present at the meeting and were able to come to some resolutions. A bulk head should be in place no later than next spring. He will ask the EAC to put Marcellus Shale drilling on their agenda.
 - 2. Bids have been advertised for the sludge removal.
 - 3. He attended the last Planning Commission meeting. Golden Oaks was on the agenda requesting re-phasing of Phase 1 Stage 1A and Stage 1B. There was no representative from the developer at the meeting so the PC tabled the matter until the August 4th meeting.
 - 4. He attended the Carbon County Hazard Mitigation Plan on June 22nd.
 - 5. There is an individual that needs to do 25 hours of community service that he will contact in order to have him help paint the township building.
- E. **Police** - The report was in the Supervisors' file.
- F. **Planning Commission** - The minutes were in the Supervisors' file.
- G. **Zoning Officer** - There was no meeting in May.
- 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, Kidder Township Volunteer Fire Company and the Lake Harmony Rescue Squad.
MOTION - made by Ms. Farnschlader, seconded by Mr. Bradley, **to put the reports on file.** Motion carried 5-0.
- 2. **Ms. Farnschlader** said that she is still working on getting a library branch in our area. She realizes that the Penn Kidder School was not appropriate for the library so she is looking for an alternative location. The question is will the Trustees of the Dimmick Library be willing to come up with the funds for the library branch. She attended, along with Mr. Finnerty and Ms. Compton, the ground breaking for the new coffee shop at the Pine Point Plaza. Ms. Farnschlader said that a resident approached her and questioned why the Township does not have a notary. Mr. Finnerty said that they plan on having Ms. Klem take the course but so far no classes have been held locally. He realizes that she will have to travel a distance in order to be able to take the notary class.

ADJOURNMENT:

MOTION - made by Mr. Lengle, seconded by Ms. Farnschlader **to adjourn the meeting at 7:35 P.M.**