

As advertised in the Journal Herald newspaper, the Packer Township Supervisors held a special meeting on Thursday, May 27, 2021 at the township building to discuss the Fire Protection Agreement. Robert Selert called the meeting to order. Cory Gerhard was absent. Representatives of Weatherly Borough requested to reschedule the meeting because they did not know that Atty. Robert Yurchak was going to be in attendance and they do not have their solicitor present. Atty. Yurchak offered to leave if the Supervisors wanted to continue with the scheduled meeting. It was agreed that Atty. Yurchak would leave and the meeting was held. Joe Thomas, Norman Richie, Lori O'Donnell, John Floyd and Eric Brill were also in attendance.

Joe Thomas began that at their meeting Robert Selert indicated that nothing transpired until after your budget was set up for this year. You turned in a proposal in October. Bob Selert responded that that is correct. He asked Stephanie what was budgeted and that was before it was advertised. Mr. Thomas continued by saying that based on the agreement that we had sent you to review, 2021 January, February and March you would be paying \$1358.33 that's a total of \$4,074 for that 3 month period. April through December you'd be paying \$2294.64 and then that would be for 2022 and 2023. Those numbers indicate that you would be paying a total of \$27,535 for the year of 2022 and 2023 aside from the year 2021 where it's split. You indicated that, at the meeting, that Packer Township can't not, cannot afford fire protection. They were your exact words. Mr. Selert responded that we cannot afford the 68% increase. Mr. Thomas-Ok. But when you indicated that, first you said Packer Township can't afford fire protection so let me throw some numbers. In 2019 and 2018, these are public documents here, you had an excess of \$331,384 starting off your year 2019 from your balance 2018. Your balance from 2019, you started off with a balance of \$315,664. If we go to your budget allocations where in 2019 you budgeted \$82,592 for safety. Of which, \$46,414 was spent on planning and zoning and emergency management. That's none of my business how it was spent but the numbers here are \$46,416. Leaving you a balance of \$36,176 and of that you spent \$19,273.92 for fire protection. So you still had a residual balance from that year in your safety budget. You come along in 2018, you budgeted \$30,217. You spent out of that \$2,637 leaving you a residual balance of \$27,580. That year you paid \$17,777. I'm just giving you numbers, factual numbers to support what we're saying here is that January, February and March you'll be assessed \$4074. That's for a 3 month period at a fee of \$1358.33 which I believe is the amount they were paying last year. And then April through December the new fee would go into effect of \$2294.64 and then follow that by 2022 and 2023 with no increase over those 2 and a half year periods. There is no increase. So your subjected increase is now and then there's no more increases after that until you complete 2023. Now at the meeting when we had, the last meeting that we had, when the presented those numbers, you asked your solicitor and he said well we'll take it back to review it but I don't see any problems with it so, so that's where we stand. Norman Richie added-let me go back a couple more years, back to the original contract that has ended. That's when you guys didn't pay for two years. No fault of yours and not fault of ours. Unfortunately Eloise passed away and nobody realized she was sending you bills. We asked for the per capita then and you said you couldn't afford it and we felt bad because you had to make up those two years so we sorta left it go then. So we were on this 3 years ago. I know you guys weren't supervisors. You probably don't even know what was going on back then. And back then is when we bought the new tanker, which we bought for out here because we don't need it in Weatherly. We asked for help to pay for it we never even got a response from Packer Township Supervisors. Once again, it wasn't you guys, I know it wasn't, I'm just these are things that happened in the past and we've approached this per capita three years ago and left it go. This a why we're back on it again and it's just not fair to the rest of the residents of Weatherly to be paying \$27 or \$28 per person versus Packer Township paying \$14 or \$15, I'm not sure the exact numbers. Mr. Selert responded with \$16.48. Joe Thomas continues that we need an even playing field because it's not it's not fair to the resident and the taxpayers of Weatherly Borough that we would do this and then have them make the difference in the payments that you wouldn't make up from that. So that's where we stand and we're going to hold steady because it's already April 5th, not April 5th, it's already April 25th. Bob Selert said June 1st, Tuesday. Mr. Thomas continued, so May 1st. So what I'm saying is that from April through December your rate will be the same. It'll be \$2294.64. That will be the same rate for the entire fiscal year of 2022 and 2023 with no increases in that 2.5 year period and that's what we have to stand by based on the fairness of the equal playing field and the tax burden of the Borough. Terry Davis asked Joe Thomas what are

the number of calls, difference, compared to Packer Township and Weatherly Borough. Mr. Thomas responded that we don't have any clue. Terry said we shouldn't be paying the same amount if you guys are responding to Weatherly... Joe interrupted but you can't pay for a response. Basically what your saying is we're only going to pay for a response based on how many responses we have for fire. You're paying for overall fire protection. Fire protection doesn't necessarily be residences. It could be a car fire, it could be a brush fire, it could be any of that. So you can't really put in perspective the amount you want to pay based on the amount of calls. We don't know how many calls there are. Mr. Richie added we could have one call in Weatherly a year; you could have a hundred out here. They'd still be paying the same as you would or it could be vice-versa. Mr. Thomas said you're paying for a supplemented coverage which is called fire protection. Not based on the amount of calls. You're paying for the population of Packer Township and we're paying for the population of Weatherly Borough. We need to have an equal playing field. And I don't want to tell you your business of course. That's not my responsibility but I'm giving you numbers here that are black and white. We don't need a decision tonight. Norman and I don't have to walk out of here with a decision tonight and that's not for us to approve or disapprove because the decision that you present back has to go before counsel. Terry Davis said let me just throw this at you a little bit. If we're being forced to pay per capita I truly believe we should be involved in like the fire company budget when you guys go to do it. If you guys are buying a tanker for us we should be involved in the money that's being involved in that. Do you agree? Mr. Thomas' response was no, I don't really agree with that because the equipment that we're purchasing, we're purchasing for the Borough but then in essence that same equipment is going to be utilized in Packer Township. Mr. Davis-But you just said that you bought a tanker because of Packer Township. Mr. Thomas-I didn't say that. Mr. Richie said the he said it. Mr. Davis continues-So can we be involved in budget. Mr. Thomas says well that's already purchased, correct Norman? Mr. Davis-No, I mean down the road. Mr. Thomas-Oh down the road, well again, that a horse of a different color. That's something that you would have to probably come back and discuss at the end of 2023 because right not that's not in the final mix. Mr. Selert asked if they've taken delivery on the new tanker yet. Mr. Thomas-What is that due the end of the year? Mr. Richie-September (inaudible) with the new pumper. Mr. Thomas-Yeah, September. John Floyd added that it's not a tanker it's an engine/rescue. Mr. Davis questioned so it's not a tanker? Mr. Floyd said no, we're not. What year is the tanker, 2008? Mr. Richie-2010. Mr. Davis-So we didn't need a tanker for Packer Township. Mr. Thomas-We have a tanker now for out here. Mr. Richie-We bought that for out here. Mr. Davis asked when was that purchased? Mr. Floyd responded 2010. Mr. Selert said I thought that was the one you said you were replacing. Mr. Floyd-No we're replacing our rescue and our '89 KME engine to save on manpower and I'm sure possibly insurance and that. We're combining two trucks into one so now we're going to have a rescue engine which means it could, it will act as a first class fire truck and also act as our rescue. Our rescue is a 1994 so that's getting pretty old too. So, you know, if you were going to replace both of those trucks down there in today's market you're talking a million three maybe a million four. And we're talking somewhere around \$750,000 to put them together and make one truck to do two jobs. Mr. Thomas-See I'm not a volunteer fireman so I'm not involved in the bells and whistles of tanker versus a rescue vehicle or whatever the case may be. From the financial standpoint and from the taxpayers' standpoint from Weatherly Borough and Packer Township that's where I'm playing the field here. Mr. Davis said but the comment was made that you bought a tanker for Packer Township. Mr. Richie-That was in the past that's why I said... Mr. Davis-That's why the increase? Mr. Richie-No, no, no, no. That tanker is in the past, I said when we bought that we asked for help and we didn't get any. That's what I said. We're not buying a tanker now. And once again you guys weren't supervisors then. Mr. Davis-Right, right. Mr. Thomas-I mean I can read you the last paragraph of the proposal. The obligation of Packer Township to indemnify and hold harmless Weatherly Borough, the fire company and its agents, servants, members and employees is limited to the extent that the insurance coverage available to Packer Township. Packer Township agrees to list Weatherly Borough as the fire company as additional insured. And then it says in conclusion, in consideration of the fire services above mentioned, Packer pledges to pay the general fund of Weatherly Borough the following sums of money payable in a monthly installment commencing January 1. 2021 and then we'll go on to those numbers I just gave you before. Bob and Terry have a brief conversation about the amount that is intended to pay for the truck. Mr. Thomas-And again, keep in mind like I said 2 and a half years you will have the same monthly payment. The

balance of 2021, all of 2022 and all of 2023 with no increases. No negotiations, no formal meetings, no formal contracts. That is what we gave you to take to discuss and correct me if I'm wrong, Packer Township, they're obligated to provide fire protection? Mr. Floyd-They have to have a provider. Mr. Davis-Yeah, we know that. Mr. Thomas-Ok. Mr. Davis-But why are we paying, why are we helping to buy a fire truck? We're asking for your support and you're \$300 a month, correct, for a fire truck. Mr. Richie-Because you're getting the same service that Weatherly is getting. You're not paying for the fire truck, you're paying for the protection...Mr. Davis-What's that read there Bob? Mr. Richie continues, well that's why it's broken down. That's how he came up with the number. Mr. Thomas-That number comes out of the \$2294. That number is incorporated into the wear and tear of the vehicles. And 24/7 we come out here. Rain, sleet, snow, whatever. Mr. Davis-I know that and I appreciate it. Mr. Thomas-Absolutely. Mr. Thomas-And Terry to your end, Mr. Selert, I'm not sure how the 68% increase plays into the funds, breakdowns of the funds and the equivalency of the funds, I'm not sure how that is, but again, it's the, I don't know what the percentage of that is. If you say that's the percentage then I'm sure that's correct but. Mr. Selert-900 and where we at...Mr. Thomas-But again keep in mind...Mr. Selert-With the truck its \$936 a month more. That is 68% over the \$1300. Mr. Thomas-But keep in mind in 2019 you paid \$19,273. I don't know if that was the allocated amount. Mr. Selert-That was, that \$19,378 was with the years that, with the arrears. Mr. Thomas-But then again as I said, you had \$36,176, left in your public safety budget of which you paid \$19,273. I don't know how that plays in and in 2018 you had \$30,000+ in your safety. Ended up with roughly \$17,794 in reserve in each of these budgets so, the fact that, I don't know, you know, I can't put together how you want to break it down, that has to be when we leave that has to be broken down between the parties involved but that's where we stand right now. Mr. Selert-What did you say was budgeted for 2019, \$30,000? Mr. Thomas-No for 2019, \$82,592 was budgeted and again it just shows here \$42,700 was planning and zoning and \$2600 was emergency management. Again that's not my concern but I'm just giving you numbers here so based on that you had a an excess of \$36,176 for the year 2019 of which you paid \$19,000 so you still had a reserve in your projected costs for public safety as well as you did in 2018. Two things can happen. You can give us, I don't know what it needs for you to make that decision, if you have the authority to make that decision tonight, I don't know. You can give us a tentative yes, we'll agree to this or you can come back and, but again, next time we meet is in June or you can call Harold tomorrow and tell Harold what you agreed to. Norman and I are just here to make a presentation. Mr. Davis-I'm not going to make a decision without the Chairman. Mr. Thomas-We're just the messengers here. Mr. Richie-Yeah we can't make a decision either, I mean our entire counsel has to make the decision. Mr. Selert-So did they even consider when we said let's do 23% each year? You didn't take that back to them? Mr. Richie-Yep. Mr. Davis-Who shot it down, I mean how many people shot it down? Mr. Richie and Mr. Thomas said it was unanimous. Mr. Richie-On the last one we submitted. Mr. Davis-I just think it's fair that you know we could step it up yearly. Mr. Thomas-If you read the letter that I have here from Roger Nanovic's office, just the last sentence; however commencing April 1st the amount must increase to \$2294.64 and counsel was adamant to this point. Mr. Selert-That's not on the agreement, that was with the agreement. Mr. Thomas-Yeah, that reflected the new one. Mr. Richie-That's what our solicitor said to yours. Mr. Selert-Yeah, I wasn't at that meeting I was working. Mr. Davis-We'll run this by Cory. Mr. Thomas-Ok works for us. Mr. Davis- and your hard line stance, let me just make sure, that we're on the same page. Mr. Selert-That's the same one. Mr. Thomas-That's the same as our agreement here but what I was alluding to is the last sentence here when you said was it all of counsel. And that was sent to your solicitor. Mr. Davis confirmed these are the numbers here. Mr. Thomas said yes. They reflect the numbers and again just so you know, you can look at those numbers. January, February and March will be \$1358.33. April through December will be \$2294.64 and that continues for calendar year '22 and calendar year '23 with no increases based on those numbers. And if you remember when you came to the table in the first one the five year. There's no way we can do a 5 year. We were very, very liberal with the three. Mr. Davis said I still feel that we should be involved in, if we're going to be equal to Weatherly, we should be involved in...Mr. Thomas said that is something that you can take up with the gentlemen in the back or the Citizens Fire Company, the fire chief. Mr. Selert-Now this fire budget here in the original and (inaudible) missing in February. I know we didn't get this. Mr. Thomas-What's that? Mr. Selert-This here that we're looking at with the per capita and the budgets. Mr. Thomas-Which year Mr. Selert? Mr. Selert-What's that? This document here, this here when we came back.

This is what we got in February because that's the first time we really met with Harold, I think you and Norman and this fire budget which is this down here. Is there any, does the fire company use this here money up all the time? Not, I mean the insurance is that's one thing but the repairs and maintenance and service costs there. Mr. Thomas-Well we just spent \$2000+ on a door. Mr. Richie-What did you just pay for the tires on the, you know, 3 grand? Mr. Floyd-More like five. We had a special tire. Mr. Floyd-So there is \$8000 right off the top. So see how quick that goes. And things break by usage, things break by, it depends on the severity of the incident too. Mr. Selert agreed siting that \$5000 was just spent on a township truck. Mr. Thomas- It's not uncommon to break equipment during the course of a fire fight. Mr. Floyd- (inaudible) If it breaks we have to replace it. Mr. Thomas-So that would gobble up that \$13,000. Mr. Floyd-Plus you got to remember we put money into it too I mean it's not just the budget you give us we also put money into that so there is more involved then just that budget your looking at right there. Mr. Richie-They actually paid a lot of the tanker. Am I correct? Mr. Floyd- You're right. We put grants on it. Plus we put \$125,000 right into it from the beginning. The tanker cost...Mr. Selert-Is this the one you're buying or the 2010? Mr. Floyd-The one we have now down there, the fire company, out of their money put \$125,000 into the chassis to put the tank, the pump and everything else on it, it was what \$245,000? Possibly Eric Brill responded-Something like that, yeah. Mr. Floyd-And that went through a loan which every year we applied for a grant through the state and most years we were putting everything we got. It was a \$15,000 grant, you never got all of it so if we got \$11,000, \$12,000 we put, right, am I right guys? Mr. Richie-Yep. Mr. Floyd-We put it right on the tanker loan. Mr. Richie-And you'll never find out who got the rest of the \$15,000. Mr. Richie-Between that \$82,000, what they put in, there budget could be \$150,000 a year. And thank god we have volunteers because if we were paying people we wouldn't have a fire company. Mr. Thomas-There is no way the Borough of Weatherly could afford to pay, the liabilities right now with the insurance and the workers compensation is just through the roof and if we had to, we're too small of a community to have paid fire fighters. We'd be bankrupt. Just like the game that PennDOT is playing with the up and coming hill climb. Mr. Selert-What's going on with that? Mr. Thomas-Well they won't sign the permit for us to use the road. They won't do that anymore. They've done it for the last hundred years. Mr. Selert-No 1959. Mr. Thomas-When was the first hill climb? Mr. Selert-I think 1959. I remember Dr. Potter's office there. Mr. Thomas-I remember two guys worked in Freeland and they lived in Weatherly and they raced to work, the place that made the ovens. And they raced up the (inaudible) and they were the originators, that's what I was told, of the hillclimb. Mr. Davis asked when did the state...Mr. Thomas-We got notification, Norman, when did we get notification? Mr. Richie-I don't know when it was but the thing is they'll allow it but Weatherly has to be responsible for anything that happens in that hill climb. They're liable for anything. Mr. Selert-What about...Mr. Thomas-And god forbid somebody gets killed, in that it would bankrupt us, we'd be done so we can't assume...Mr. Davis-So you don't know when the state...Mr. Richie-It was sometime this year but it's not only hillclimbs, it's every kind of...Mr. Thomas-It's a private driveway. They won't give out a permit for a new home that's being built for access onto their roads. They won't issue the permit. They can't stop you from putting a house and building a driveway up. Can't stop you but they won't give you the permit anymore. Mr. Davis-For liability. Mr. Thomas-We had an argument, well it wasn't an argument, it was a laughter when we decided to take the bridge out. Well why? Well one of two reasons, particularly, PennDOT wouldn't allow you to come off that bridge on to that public road. So why cross the bridge if you can't get off of it. Mr. Davis-That little walking bridge? Mr. Thomas-Yeah. But yet they have two or three inch galvanized pipe as a guardrail. (There was brief additional talk regarding PennDOT unrelated to Packer or Weatherly)

The meeting was adjourned at 6:35 p.m.

Respectfully submitted
Stephanie Stolpe
Packer Township Secretary/Treasurer