

As advertised in the Journal Herald newspaper, the Packer Township Supervisors held their regular monthly meeting on Tuesday, July 13, 2021 at the township building. Cory Gerhard called the meeting to order and roll call was taken. All were present

The meeting was opened to the floor. Colleen Gerhard spoke regarding the met towers on the Broad Mountain. She thinks the Supervisors should notify the landowners and have them taken down before another wind company comes in and just starts using them. Cory asked if these were the test towers and Colleen responded yes and that there are two of them. Terry said the one across from his property and Colleen said there was another down this way. Terry asked whose property they were on and Colleen believed it was Kovatch. Tony Caso said the one on this side is on Dulcey's property. Terry asked Atty. Yurchak if we have to send letters out? Yurchak responded that it would be a good idea. Then you have a paper trail. Terry said it is his understanding that there were no permits. Yurchak responded no, he doesn't think there were any permits issued for them to build them. Terry asked Yurchak if he can work on a letter and Yurchak responded sure as long as he finds out the exact locations. Cory thanks Colleen. Bob Terracino, 1416 Hudson Drive, I'm here to file a formal complaint against Meadows Landscape, 1458 Hudson Drive. He's operating a full, completely full blown commercial, industrial complex in an R-1 zone property that I sold him. He's using commercial equipment starting at 5:30 AM 6 days a week. He's using triaxle trucks, heavy equipment and I'm talking about commercial grade industrial loaders, dangerous salts, garbage, calcium being transferred daily. He destroyed the property boundaries. There's soil contamination. There's polluted runoff water coming on to my property and the end result is basically the total devaluation of my home. It's destroyed my quality of life. I have plenty of video evidence. I talked to basically everybody in the neighborhood and they all agreed. It came to my understanding today that most people have already filed complaints, ok. I sold this property in pristine condition. It had trees, vegetation, arborvitaes, lilac bushes, maple trees. It was beautiful and I sold it under the guise that it was going to be a landscape business with trees and plants and a nice business for the neighborhood because I'm the neighbor and I sold it to him and that's what I understood that place was going to be. Now it's a dump. It's a stripping pit and it's right next to my house. And my problem is why did this be allowed to happen? Everybody passes that place. Everybody talks about it. I know everybody is aware of how he destroyed the property and nobody stopped him and that's why I'm here tonight. And I'm very upset. I was shaking writing this letter. I had 2 heart attacks in the last year and a half and he's one of the reasons. Cory said we received that late last week so that will go to our code enforcement guy and they'll do a site visit and they'll do the proper process on the...Mr. Terracino-I understand that but, this is pretty serious. I mean not only did he destroy my quality of life, I mean it was like he went into my bank account and stole \$100,000 out of my bank account because my property is so devalued at this point that if I wanted to sell it, who would buy it? I bought that home as my dream home. I loved that home, I loved the property and I sold him a property that I updated and I made nice and I swore I thought it was going to be a nice place to go and buy plants and flowers and trees. My windows shake in the morning, 5:30 in the morning my windows are shaking, there out there, there's back up beepers and I'm talking gigantic, industrial loader, tri-axles. I don't get it. I don't understand how it got to this point and nobody did anything. But I'm not the only one. I talked to the neighbors. I'm not mentioning names. Like I said, they've already been filing complaints. Everybody. Terry asked if they've filed an official complaint with the Township? Mr. Terracino-I know that one person factually did that today with an email, and I'm quite sure, is it Stephanie? I'm sure she knows about it. And I know that if all I got to do is walk around the neighborhood and I'll get a petition because I already spoke with everybody. I mean, I just can't even believe that this was allowed to happen. I mean that is the worst contaminated piece of property in the township right now and it's unbelievable. I had videos that you could hear my windows shake at 6:00 in the morning from the equipment running. And if, beforehand when they were, they were bringing dumpsters and tri-axles of garbage, of, I guess they were tearing houses down or whatever the hell they were ripping down, dumping it in the back and burning it. Giant piles as big as this building of wooden stuff and god knows what was in it and now that water runs on my property. I have well water. I have mud all, it's always mud now, my back yard. And that's why I'm here. Cory-Thank you. It will definitely be followed up on. Bob Selert-I just want to say one thing. The Zoning Officer starts action, it's a process. It's not going to happen overnight. It's going to take six months. Mr.

Terracino-Well I want to let you know something. I'm not tipping all my, my hand today. I just want you to be aware that this isn't the only action that I'm taking. Selert-I'm a zoning officer in other municipalities and it does take time...Mr. Terracino-I'm not here to fight with anybody. I'm letting you be aware of something and in my opinion, in my opinion, somebody should be up there at 6:00 tomorrow morning. What are the ordinances here? When I was, when I owned that property the ordinance where you weren't supposed to open until 8:00 in the morning. What are the ordinances? Are they allowed to run a gigantic loader and tri-axles at stuff like that at 6:00 in the morning? Are you kidding me? With back up beepers. I will show you videos of my windows shaking and vibrating. How, no one in here would put up with what I'm putting up with. I mean, I'm not waiting 6 months. I'm not waiting, I will do what I have to do and I'm not making threats. I'm telling you that I have plans laid out. Selert-Like I said I'm just telling you. Are you familiar with the legal process? Terracino-And so am I, I did my homework this time, trust me. Selert-He'll have 30 days once the zoning officer cites him for whatever, alright, for whatever statue he can fine him. I mean there's probably a lot there, right, a change of a non-conforming use, right? He'll have 30 days to appeal to the zoning hearing board, right, and then the zoning hearing board has up to sixty days to set the hearing so that's 90 days right there. Just so you know. Terracino-See, this is how bad things happen. That's all I'm telling you. This is how bad things happen because I played this game now this is going on for 5 years. Alright, and I'm telling you I'm not tipping my hand anymore. I have my own plans. I'm coming down here with, in good faith with you people and I think that somebody should make, adamantly make a very strong move very fast. Because I'm not the only one. Selert-Tomorrow morning the zoning officer will start his...Terracino-Here's my complaint. It's signed, I'm going to hand it in, I want it on the record and I, maybe I can get a letterhead from the Township please? And maybe some of the names of the contacts. Terry-They're on the website. All our contacts are on the website. Terracino-You don't have a letterhead with your address and stuff? Terry- No. Get it off the website. Stephanie-Our address is here on top of the complaint form. Terracino-Ok, alright. I just wanted to have some contacts, you gave me, you said Phillip, can I get his last name? Stephanie spelled Prout. Terracino-And a phone number I can reach him? Stephanie-That's on the website. I don't have it off the top of my head. Terracino-Like I said, listen, I am not down here to cause trouble. My life has been destroyed. Ok. And the only one whose going to look out for me is me. I found that out so. Cory-Did you file a complaint in the past? Terracino-Years ago. I forget who was here. I sent videos to, my phone got smashed, I lost his name. Who used to zoning, maybe two, three years ago? Terry-Marty. Terracino-I sent them videos, I sent him live videos of what was going on at that time when everything was burning. When there were gigantic fires back there and black smoke. Selert-First of all with the fires you better call DEP. Terracino-I should have called the fire department. Selert-DEP is the one that has an enforcement action. Terry-Actually if you have drainage and stuff going on there DEP would be your best bet. Terracino-I have garbage coming in my yard, my grass is, it's killing my grass. And it's stagnant water coming, because whatever he did, he took up all beautiful grass and top soil and bushes and arborvitaes and everything else and he put down stone or whatever and all that drainage now that runoff comes right in my yard. His stuff is right on in my yard. He has mulch, they dumped a tri-axle of mulch the other day, it's in my yard. His equipment is in my yard. Terry-In parallel with working with our zoning person, I would get in contact with DEP and they will come out and see if there is any chemical drainage going in your yard and...yelp contact DEP. Mr. Terracino started speaking while Terry was speaking. He said well I'll guarantee it. Like I said, listen, I came down here and I don't want to fight with anybody. Selert added-DEPs number is 825-2511. Terracino repeated the number. All I'm saying guys is I want some help. I'm 65 years old. I had two heart attacks and I guarantee he's the reason for probably at least one of them and I'm fed up. I just I want to live like you guys live. Terry-Things will be started tomorrow. Terracino-I don't want to get up at 5:30 in the morning with my windows shaking and back up beepers going and trucks idling. It's unbelievable. Hey, I'll see you guys, I'm getting a little emotional. Terry-Thank you.

The minutes were approved with a motion from Cory Gerhard. Bob Selert seconded the motion and Terry Davis agreed. Vote 3-0.

Ordinances and Resolutions – None.

Reports of Officials and Committees –

Barry Isett & Associates – Permit/Zoning & Code Enforcement officer- Absent. Monthly report received, read and attached.

Bill Brior – Sewage Enforcement Officer – Absent. One each repair permit application received, site evaluation, design reviews, new permit issued.

Old Business – Bob Selert made a motion to discontinue using Zoom because sometimes there are fees and now that the State has lifted restrictions. Terry Davis seconded the motion and Cory Gerhard agreed. Vote 3-0
Bob Selert made a motion to combine plow truck drivers and laborer on the wage schedule and increase the rate from \$11 to \$13/hr effective August 1st. Cory seconded the motion and Terry agreed. Vote 3-0
Terry Davis made a motion to extend the Emergency Declaration to September 13, 2021. Cory Gerhard seconded the motion and Bob Selert agreed. Vote 3-0
Cory Gerhard made a motion to approve a letter to the Board of Auditors requesting and increase to the working supervisor compensation rate. Terry Davis seconded the motion and Bob Selert agreed. Vote 3-0 Terry Davis explained that they would like to have the working supervisor rate increased to \$14/hr.

New Business – Bob Selert discusses the lack of a fee on the township fee schedule for Zoning Amendment requested such as James Grega's and notes that he has now submitted 3 more applications for the same parcel. This is starting to cost the township money with legal fees, meetings, planning review, advertisements. He asked Atty. Yurchak what do we need to do to set the fee schedule for Section 1402? Atty. Yurchak will look at it. Selert asked Yurchak if he had looked at the new applications and what was his opinion. Atty. Yurchak's preliminary opinion is that 2 are frivolous and one may be a possibility depending on the explanation we get. Selert asked if we were on the 60 day time frame again for that? Yurchak responded yes. Selert-Sits on the County Farmland Preservation Board and we had a property owner in the township submit an application. His farm did get ranked and it did come in 4th place but that being said he has two parcels. One parcels is in the Ag security area that we instituted back in the early 90's. The second parcel needs to be added to it. So sometime in September, there's a couple other land owners that weren't in the first round when we did the ag security area so I plan on contacting them. I'm sure their interest has changed. There's not many parcels that would need to be added to it but I plan on reopening that. The ag security area is automatically renewed every 7 years yet we don't act on it. I think we're two years into the seven year period. But since the party that's interested wants to be eligible in the next round of funding for the farmland preservation we need to look into, well, one of the thing I didn't with my homework today was request some stuff from Pennsylvania Farm Bureau as to the correct forms that we need to use to add to our area. So I will be doing that before the next meeting. As we all know, the road mower is no longer operable and I did secure some prices on some other things there so I did contact the local dealer today and instead of the flail mower we're looking at replacing it with a disc mower instead of a sickle bar or the flail mower that we have. So this here model, the current model here, about \$11,000 on the COSTARS equivalent contract and there's another one there. This one here now is sort of like the one that we had but there's no hydraulics, it's not hydraulic driven. It's all gear driven and that one's going to be somewhere in the 17,900 range. Unfortunately these machines are not going to be available until next year if we order them now. So that's something that we need to sit down and take a hard look at. The other thing that we had in the past month, we had the bridge over here next to JC's, the culvert pipe is, the bottom is washing away and dirt is washing down around the pipe and we had a hole open up and so part of that problem there, we fixed it by digging it up and pouring concrete in. And it's probably a temporary permanent fix. So when we started this Terry and I we got called down and Terry had called our engineer and he said about covering it in steel and then in the end we concreted it. The letter from Greg Haas to DEP saying that we might need emergency funding and stuff. In the end it looks like we're going to have to wait until the Community Block Development

money comes next year and proceed with it that way. The last letter from Mr. Haas says “Since repairs have been completed on the street, and the pictures of the repair show that there is not an immediate urgency to replace the structure, the PA DEP has stated that an Emergency Permit will not be issued at this time.” They are going to move forward with waiting for the money and because the CDBG money is going to be there but we don’t know what it is going to cover all of it and the letter asked if we have additional funds saved up to cover what the CDBG would be so we have to look at that to and see what the bid prices are going to be. We want to bid it by next year

The Gerhard Major Subdivision was discussed. Bob Selert asked Bob Yurchak how he felt about the right-of-way. Atty. Yurchak responded that it looks good. Bob Selert made a motion to grant the waiver for the Preliminary Plan/Final Plan. Terry Davis seconded the motion and Cory Gerhard agreed. Vote 3-0

Bob Selert made a motion to accept the Gerhard Major Subdivision Preliminary/Final plan as presented noting that all the changes the Planning Commission requested have been made. Cory Gerhard seconded the motion and Terry Davis agreed. Vote 3-0

Correspondence regarding speeding on Hudson Drive was discussed. This falls under the jurisdiction of the State Police.

Cory Gerhard made a motion to accept the Treasurer’s report. Bob Selert seconded the motion and Cory Gerhard agreed. Vote 3-0

Cory Gerhard made a motion to sign and approve the checks drafted. Bob Selert seconded the motion and Terry Davis agreed. Vote 3-0

Cory Gerhard made a motion to adjourn the meeting and Bob Selert seconded the motion. Terry Davis agreed. Vote 3-0

The meeting was adjourned at 8:32 p.m. A total of 5 residents attended the meeting in person and there was one Zoom attendee.

Respectfully submitted
Stephanie Stolpe
Packer Township Secretary/Treasurer