

As advertised in the Journal Herald newspaper, the Packer Township Supervisors held their regular monthly meeting on Monday, November 11, 2024 at the township building. Bob Selert called the meeting to order and roll call was taken. All were present.

The meeting was opened to the floor. There were no comments.

The minutes from October 1st and October 19th were approved with a motion from Susie Gerhard and Terry Davis seconded the motion. Bob Selert agreed. Vote 3-0.

Ordinances and Resolutions –Bob Selert made a motion to authorize Atty. Yurchak to prepare an ordinance to increase compensation for township supervisors per Act 94 of 2024. Terry Davis seconded the motion and Susie Gerhard agreed. Vote 3-0

Reports of Officials and Committees –

Barry Isett & Associates – Permit/Zoning & Code Enforcement Officer- Zoning: October 1, 2024: Stopped by the District Magistrate's Office and was told that the Administrative Search warrant would have to go to the DA's office first. Stopped by the Solicitor's Office and he called the Magistrate for clarification. "The Warrant has to go to the DA's office to be reported to the state." Once signed, the Warrant must be returned within 48 hours, hence my need to know when the Supervisors are available before I take to the Magistrate.

October 7, 2024: Phone calls concerning the administrative search warrant; Phone call with contractor regarding permitting procedures for a pole building - follow up email sent with application (946 Railroad Drive)

October 8, 2024: Received a complaint regarding the operation of an Air BnB. Did a site visit and confirmed; Stopped by the Magistrate's Office in Weatherly. Spoke to the Solicitor about the warrant. Took the warrant to the District Attorney's Office in Jim Thorpe to be logged. Went back to Weatherly and spoke to Magistrate Kissner from Palmerton as he would be the one signing the warrant and was informed that Monday was a holiday. Sent email update to Supervisors with Tuesday at 1:00 pm as the time to serve the warrant.

October 10, 2024: Received a phone call from Judge Kissner and was told that the form that the Solicitor used was from Philadelphia and would need to be done on a Carbon County form. Phone calls with Magistrate and the Constable to schedule the servicing of the search warrant on Tuesday, October 15, 2024. Constable Knepper is on vacation and does not think that he would have the authority to do so. I then called the Weatherly Police Department. Weatherly PD stated that Railroad Drive is serviced by PSP. I then called the Hazleton state police barracks. The best that they will do is have a Trooper in the area in case something goes wrong. I will call Trooper Nicholas on Tuesday to have a trooper in the area. I then called the Carbon County Sherriff's office, and they will have a deputy meet us at the Municipal building on Tuesday at 12:45 pm.

October 15, 2024: Called Magistrate Hurmanko's office to check on status of the warrant and was told Judge Kissner sent to DA. At 11:30 I called judge Kissner's office for the status and was told that he would check his emails and get back to me. I told him that I was heading over to Judge Hurmanko's office because they close at noon for lunch. At 12:05 he called and told me that he had sent the warrant over. I checked the door, and it was locked, so I contacted the Sheriff and cancelled the Deputies for 12:45 and contacted the Supervisors to re-schedule. At 12:30 Hurmanko's Secretary brought the warrant to my car. I rescheduled with the Sheriff and Supervisors to meet at the Municipal building at 10:00 am tomorrow. Wrote a Notice of Violation for 419 Sand Spring Road and had it mailed out with a Zoning Permit application.

October 16, 2024: New permit application received. Phone call with applicant regarding any proposed electrical, plumbing, or mechanical installations in new detached accessory structure. (946 Railroad Drive); Met with two deputies from the Carbon County Sheriff's Department and along with Terry Davis and Bob Selert, we executed an administrative search warrant on Mr. Dulcey.

October 17, 2024: Received a phone call from Mr. Dulcey stating that his lawyer told him that he is exempt from inspections and that the Supervisors should not have been there yesterday and to emphasize that he cooperated and would allow me on the property. He also said that I can send him the paperwork for the zoning. I also uploaded 63 photos from yesterday and started my report.

October 21, 2024: Received a message to call Don Karpowich, Mr. Dulcey's attorney. I left a message at his office. Received a return call from Atty. Don Karpowich and sent photos of the white trailer. Approved the zoning permit for 946 Railroad Drive - Detached Garage. Received a phone call from the neighbor asking for the status and I called the property owner because no permit applications have been received. I called the property owner, and he told me that he forgot and will send it in. (1680 Wetzel Run Drive)

October 23, 2024: Phone call with Stephanie; called Rob Fugate to discuss the new construction on Ochre Mill Road - left voicemail. Received a phone call from Mr. Dulcey and his lawyer. They will file the paperwork for a Zoning Permit and submit recreational cabin affidavits. Mr. Dulcey stated that all roads existed and all he has done is maintained them.

October 24, 2024: Phone call with Paul Sholtis regarding 100 Oak Hill Road - Chip will perform posting of condemnation notice; phone call with Paul Lolio regarding Short-Term Rental regulations - additional research and follow up email will be provided; email sent to property owner regarding permit procedures for decks (147 Brenkman Drive) - awaiting response to questions; phone conversation with Rob Fugate, SEO regarding 182 Ochre Mill Road and 12 Station Lane; correspondence with Bob Selert.

October 29, 2024: Received a complaint about mold in a trailer located at 100 Oak Hill Rd. Weatherly. I prepared placards and called the complainant and left a message. I attempted a site visit and there was no answer. I also stopped and talked with Jim Dulcey about my report that I am working on. I informed him that once I complete it, I will ask for the Supervisor's approval before sending it to his attorney.

October 31, 2024: Finalized my report and sent to the Township Secretary for distribution. After speaking with Phillip Prout, decided that the recreational cabin affidavits must be submitted with a Zoning Permit Application. We will need history on the use of this property as a hunting club and its non-commercial nature if the cabin affidavits are to be accepted. Furthermore, it appears that the disturbance of land has well exceeded the 1-acre threshold for obtaining an approved NPDES permit.

PA UCC: October 21, 2024: An application was received for a new single-family dwelling at 182 Ochre Mill Road. The building was constructed and completed without any Zoning or PA UCC permits or inspections. The application is currently under review.

Bob Selert made a motion to enter the report into the minutes. Susie Gerhard seconded the motion and Terry Davis agreed. Vote 2-0

Bill Brior – Sewage Enforcement Officer – Absent. One design review and permit issued for 12 Station Lane, one sewage complaint issued for 253 Packer Drive. File maintenance. Permit for 12 Station Lane was reviewed. Bob Selert made a motion to enter the report into the minutes. Susie Gerhard seconded the motion and Terry Davis agreed. Vote 3-0

Old Business – Three bids for Grist Mill Drive Storm Sewer project were received. Lehigh Asphalt bid \$224,522, Bruce George bid \$164,958.60 and Environmental Services Corp. bid \$195,330. Bob referred to page 1 of the Bid Contract, Item No. 4, 11 Each, Std. 2x4 Inlet Box, Type M & Grate. Bruce George listed a price of \$24,200. Lehigh Asphalt \$40,150. Bob said we have to take all of that out of there because we're supplying them. We can buy that stuff for \$40,000. Susie asked if we do that, are they still going to want the job? Bob replied yes, it was explained to them that we would buy these materials. For \$40,000 we can buy Items No. 4-12. Bob made a motion to table awarding a bid to verify the prices. Susie asked if they should have met the bidders in person to discuss. Bob explained that Bruce George and his father and Lehigh Asphalt were at a Pre-Bid meeting and Bob told them we are buying the materials. The packet is what Mike Kukles presented. Susie responded that those areas should have been X'd out. Susie Gerhard seconded the motion and Terry Davis agreed. Vote 3-0

A Use of Facilities application and agreement for events is not ready. Bob Selert made a motion to table. Susie Gerhard seconded the motion and Terry Davis agreed. Vote 3-0 Terry confirmed this would not affect an already approved event on November 23rd. Bob asked Atty. Yurchak to send the application/agreement to him in a Word doc.

Bob Selert made a motion to approve the Fire Protection Agreement that the Borough of Weatherly agreed to. Susie Gerhard seconded the motion and Terry Davis agreed. Vote 3-0

New Business – Bob Selert made a motion to advertise the proposed 2025 budget. Susie questioned the proposed amount for the fire protection listed as \$32,000. It should read \$33,000 and Stephanie will double check that the millage increase figured is for \$33,000. Bob Selert made a motion to advertise the proposed 2025 budget with the amended proposed Fire Protection Fee of \$33,000. Susie Gerhard seconded the motion and Terry Davis agreed. Vote 3-0

Terry is looking into getting the guiderail on Round Head Drive repaired after an accident on October 26th. A claim has been started with the driver's insurance company.

Bob Selert made a motion to approve the treasurer's report and Susie Gerhard seconded the motion. Terry Davis agreed. Vote 3-0

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

Susie discussed the drivers listed on the insurance. The Supervisors confirmed that Adam Nyer and Cory Gerhard should be removed and Tom Gerhard should be added.

An executive meeting was held to review the delinquent garbage accounts.

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

The meeting was adjourned at 6:29 p.m. No residents attended the meeting.

Respectfully submitted,
Stephanie Stolpe
Packer Township Secretary/Treasurer