

September 14, 2020

5:30 P.M.

### PUBLIC HEARING & COMMENT

The public hearing of the Hazle Township Board of Supervisors was called to order by Chairman Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguolii, absent

Wendy Naprava, Rec. Secretary, present

Dennis Dudeck, present

Atty. Christopher Slusser, present

Jim Montone, present

Joe Calabrese, RJD Engineering, present

**PUBLIC HEARING AND COMMENT THAT WAS POSTPONED FROM 8-10-2020 WITH REGARD TO ORDINANCE #2020-9-14-1 - AMENDING THE TOWNSHIP ZONING MAP AS ORIGINALLY ADOPTED IN 1965 TO CHANGE AN M-1 (MINING DISTRICT) TO AN I-1 (INDUSTRIAL DISTRICT) FOR AN AREA CONSISTING OF APPROXIMATELY 160 ACRES OF LAND CURRENTLY OWNED BY CURRENTLY OWNED BY FREYA LAND COMPANY, ET AL. AND AS GENERALLY DEPICTED AS TAX PARCEL NUMBERS 26V7-00A020000 & 26V7-00A011000, GENERALLY LOCATED AT 1366-1432 PA ROUTE 309 (aka SOUTH CHURCH STREET) ON THE EAST AND WEST SIDES OF PA STATE ROUTE 309 NORTH OF BEAVER BROOK ROAD AND NORTH OF TRIPLE J TRUCKING BUSINESS FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF:**

Chairman Montone stated that this Ordinance and changes were advertised and put on display for public comment for 30 days:

**Frank Hagen**, represents Blue Cup, the interested party and applicant for tonight. He said they appeared twice before our planning department and presented this to them. They received, by unanimous decision, recommendation to the Supervisors. Principal of Blue Cup, Jeff Randolph, said they're going to rezone parcels along Route 309 between 424 & Beaver Brook...they're on both sides of 309. The application is for 2 parcels...one parcel is north of Beaver Brook and one is across 309 north of Skitco. He asked if there are any questions on location or intent of request. Chairman said no. But Chairman asked about an 8 ft. privacy wall, 40 ft. wall buffer and a 200' setback. Mr. Randolph said there's a requirement under zoning for an 80 ft. sideyard setback which is likely designed for a different size building...these buildings are much bigger. They did some research on what some other people have been requested to do and that's why they're suggesting a 200' setback and it's the right thing to do. The privacy wall will be around the whole community. There's a 40' buffer from the property lines to the wall and then you got 200' is between the building setback and the property line. Dudeck asked of the coal bank is theirs. Mr. Randolph said yes it is part of the subject property and Freya has retained the mineral rights and there's a time they'll have to decide if they're going to use them or not. Jim asked what is proposed to go on in these buildings. Mr. Randolph said the intended use is commercial warehouse buildings and it is 2 buildings. Jim asked if anyone in the audience had any questions. A resident from Beaver Brook asked if the coal bank will be staying there for now. Mr. Randolph said yes but at some point the coal bank will be removed either by the mining company or the state. The resident said it is becoming a safety hazard because of the quads. Ann Marie Shelby, asked if this is spot zoning and Jim said no. She also said that somewhere along the line it has to

be realized that there's a lot of people living over there and then will you come and say well he's industrial or commercial years down the road...where she lives..will she get changed zoning in the future. Jim said it's now zoned single family residential where she lives and he wouldn't imagine someone would have any intentions of changing a single family residential area to an industrial or mining. Ann Marie said the Township board needs to do an environmental study to see how it's going to affect everybody with regard to the schools, hospital, roads, etc. Mark Trella, 341 Coal St., said he and a couple other residents circulated a petition and they got approximately 100 names. Jim said the property is not owned by Hazle Township and it is zoned mining so these gentlemen can do things on mining (what is allowed) without coming to the board for approval...just so the residents understand...the signatures don't mean anything. He also said what if zoning is approved and the applicants project fails to materialize...will the industrial use revert back to mining and if it remains industrial...what will the next developer try to do with the land. Jim said the next developer would have to go before planning, zoning and this board and the land does not revert back. Mr. Trella also said there's no public water on the land...Jim said I'm sure they have plans of bringing water into these buildings and as far as hydrants go...they'll have to go under our strict fire code. Our fire chief will inspect these buildings and they'll get a set of instructions on what they have to do. The stormwater runoff will be addressed in planning. Joe Calabrese said that we received the Phase I environmental study and it said there were four (possible) recognized environmental conditions so these 4 conditions will be examined further in a Phase 2 study. Trella asked if there will be any direct benefits for the residents in the area. Jim said they will provide jobs and tax dollars. Taxes haven't been raised in the Township in approximately 17 years because of developers like this...that's a direct benefit and also we have the best fire equipment. Jim said we take the developers seriously and the community as well...we don't want to harm anybody in our communities...we understand. Mary Ann Magda, Beaver Brook, wants to correct the record where somebody said that there was no contamination found around Beaver Brook. She has copies of letters to the Supervisors from DEP from 1982 indicating contamination and readings from their studies and from FEMA & PEMA telling them they can't live there. Blue Cups engineers did a Phase I and would like copies of what she has so they can investigate it. She said ok and just wants it documented that there was contamination and it was documented through DEP, Hazle Township Supervisors, Luzerne County Commissioners, and through local news medias. Jim said it will have to be addressed by Blue Cup. Jeff Randolph introduced Jack Varaly, a well-known planning consultant, who has an impressive resume qualifications, who has been self-employed as a planning consultant for 45 years. Prior to self-employment starting in the 80's, he was planning director for the City of Wilkes-Barre for 25 years and have written many zoning codes throughout NE Pennsylvania (approximately 75-100) including Hazle Townships'. The board accepted him as an expert in his field. Mr. Varaly said his task was to look at the proposed zoning change that Blue Cup presented to Hazle Township and match it up with fundamental and sound planning principles to see if it should be accepted or recommended to the Board. The first things he looked at that's most fundamental in planning issues...especially for rezoning, is taking a look at community development objectives. Every zoning ordinance needs to have these and it is required by the state planning code. Community development objectives is basically a look into the future in terms of how a community wants to grow, develop or change over a period of

time. Each zoning ordinance has a topic concerning residential, commercial and industrial. The information he looked at when he was reviewing our zoning ordinance contained one community development objective that he provided in our ordinance back in 2003 concerning industrial use. Under Section 103, he took out the section that was most pertinent to tonight's hearing...the information reads that one of the community development objectives of Hazle Township is to "promote the reclamation of former mining sites and mine scarred land for new commercial and industrial growth." When you look at that objective it's more of a legislative policy statement and this particular development also fits like a glove in terms of taking mine scarred land and putting it back into productive use where it will generate jobs and also be placed on the tax rolls. The other thing he noticed when he was working with Blue Cup Ventures was that they have gone to an extensive extent to provide information that would satisfy the Supervisors to give them a level of comfort with the request that was being put before them and also to do some of the information that usually takes place in the land development stage not the issue of where we're at now. So when he looked at all the things considered, he felt it would be something he would be able to recommend to the Supervisors as a positive change for the Township in getting rid of an environmentally blighted site. He's happy to answer any questions. Ann Marie Shelby said we all live in mining lands all over this area so industries are going to keep coming in to us. She understands jobs. He said that his job was to look at it through a planning perspective and it made a lot of sense because it matched up with the legislative findings that are already in Townships' zoning ordinance. There were no more comments from the Supervisors or audience. Jim said he's sure that if and when it gets to the planning phase then there will probably be a lot of questions. Jim said they won't make a decision tonight because they want to look at all of this info and also talk it over with Tony Griguoli, Supervisor, who was absent tonight.

Chairman Montone entertained a motion for adjourning of the hearing. **Motion by Dennis Dudeck, second by Jim Montone to adjourn hearing.** Adjournment time: 5:55 p.m.

September 14, 2020

6:00 P.M.

The regular monthly meeting of the Hazle Township Board of Supervisors was called to order by Chairman, James Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguoli, absent

Wendy Naprava, Rec. Secretary, present

Dennis Dudeck, present

Atty. Jeff Rockman, present

Jim Montone, present

Joe Calabrese, RJD Eng., present

**MINUTES:** Chairman Montone entertained a motion to approve the minutes of the August 10, 2020 Regular Meeting, Public Hearing & Special Meeting as prepared by the Recording Secretary. **Motion by Dennis Dudeck, second by Jim Montone to approve the minutes of the above-mentioned meetings.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**TREASURER'S REPORT:** Chairman Montone entertained a motion to approve the **August 2020 Treasurer's Report. Motion by Dennis Dudeck, second by Jim Montone to approve the August 2020 Treasurer's Report.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**BILLS:** Chairman Montone entertained a motion to pay the bills due and payable through September 14, 2020. **Motion by Dennis Dudeck, second by Jim Montone to approve the bills as presented for payment.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

#### ADMINISTRATIVE ACTIONS

**ORDINANCE #2020-9-14-1– AMENDING THE TOWNSHIP’S ZONING MAP AS ORIGINALLY ADOPTED IN 1965 TO CHANGE AN M-1 (MINING DISTRICT) TO AN I-1(INDUSTRIAL DISTRICT) FOR AN AREA CONSISTING OF APPROXIMATELY 160 ACRES OF LAND CURRENTLY OWNED BY FREYA LAND COMPANY, ET AL., AND AS GENERALLY DEPICTED AS TAX PARCEL NUMBERS 26V7-00A020000 & 26V7-00A011000 GENERALLY LOCATED AT 1366-1432 PA ROUTE 309 (SOUTH CHURCH STREET) ON THE EAST AND WEST SIDES OF PA STATE ROUTE 309 NORTH OF BEAVER BROOK ROAD AND NORTH OF TRIPLE J TRUCKING BUSINESS FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF:** Chairman Montone said the public hearing on this was held prior to this meeting and this ordinance will be tabled until they can talk it over with Tony, who absent. Chairman Montone asked for comments. There were no comments. **Motion by Dennis Dudeck, second by Jim Montone to table Ordinance #2020-9-14-1.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**ORDINANCE #2020-9-14-2 – ERECTING STOP SIGNS AT ALTER STREET & 23<sup>rd</sup> STREET GOING EAST AND WEST:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Ordinance #2020-9-14-2. **Motion by Dennis Dudeck, second by Jim Montone to adopt Ordinance #2020-9-14-2.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**ORDINANCE #2020-9-14-3 – AMENDING ORDINANCE #8-10-20-4 AUTHORIZING AND APPROVING REFINANCING OF THE SEWER REVENUE BONDS SERIES OF 1013 FOR THE MUNICIPAL AUTHORITY FOR A SAVINGS OF \$140,000:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Ordinance #2020-9-14-3. **Motion by Dennis Dudeck, second by Jim Montone to adopt Ordinance #2020-9-14-3.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-22 – MUNICIPAL WINTER TRAFFIC SERVICES AGREEMENT WITH PENNDOT FOR CLUB FORTY ROAD 2020-2021 SEASON:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-22. **Motion by Dennis Dudeck, second by Jim Montone to pass Resolution #2020-22.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-23 – EXTENSION OF THE GARBAGE CONTRACT:** Montone said this is the first year extension of the contract with County Waste. It will go up approximately \$60,000 but garbage bills will not be raised. It may need to be in the second and final extension because it will go up more. Chairman asked for comments. There were no comments. Chairman entertained a motion for Resolution #2020-3. **Motion by Dennis Dudeck, second by Jim Montone to pass Resolution #2020-23.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-24 – AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES:** Chairman Montone asked for comments. There were no comments. Chairman entertained a motion for Resolution #2020-24. **Motion by Dennis Dudeck, second by Jim Montone to pass Resolution #2020-24.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-25 – PERMITTING HAZLE TOWNSHIP TO APPLY FOR A LUZERNE COUNTY LOCAL SHARE ACCOUNT GRANT FOR THE HAZLE TOWNSHIP VOLUNTEER FIRE COMPANY FOR THE PURCHASE OF A 2020 UTILITY/CHIEF PICK-UP TRUCK TO BE USED FOR CODE ENFORCEMENT AND FIRE INSPECTIONS. GRANT REQUEST AMOUNT IS \$70,791.37:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-25. **Motion by Dennis Dudeck, second by Jim Montone to pass Resolution #2020-25.** Roll call Griguoli, absent; Dudeck, yes; Montone, yes.

**PRELIMINARY/FINAL LAND DEVELOPMENT PLAN – 626 CANDO EXPRESSWAY FOR PROPOSED DAY CARE CENTER & CONVENIENT STORE WITH FUEL WITH WAIVERS AND CONDITIONS AS RECOMMENDED BY HAZLE TOWNSHIP PLANNING:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the land development. **Motion by Dennis Dudeck, second by James Montone to approve the Land Development Plan for 626 CanDo Expressway.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**TRI-MOUNTAIN REALTY, LLC, HIP LOTS 15 & 15 – AUTHORIZE THE SUPERVISORS TO SIGN VARIOUS LAND DEVELOPMENT AGREEMENTS:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the above. **Motion by Dennis Dudeck, second by Jim Montone for the authorization.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**APPROVAL OF THE 2021 PENSION MINIMUM MUNICIPAL OBLIGATIONS FOR THE TEAMSTER’S PENSION FUND AND TRUSTEES OF PENNSYLVANIA MUNICIPALITIES RETIREMENT PLAN (PSATS):** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the approval. **Motion by Dennis Dudeck, second by Jim Montone to approve the 2021 Pension MMO’s.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**AUTHORIZE JAMES MONTONE, CHAIRMAN, TO EXECUTE ALL PAPER WORK WITH REGARD TO A COVID-19 COUNTY RELIEF BLOCK GRANT IN THE AMOUNT OF \$149,749 WHICH CAN ONLY BE USED TO PREPARE FOR, TO PLAN FOR, AND TO RESPOND TO THE CORONA VIRUS:** Chairman Montone that the state gave the county and this is our allotment. Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the authorization. **Motion by Dennis Dudeck, second by Jim Montone for the authorization.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**REPOSITORY SALE – LOT IN EAGLE ROCK, HAZLE TOWNSHIP, LUZERNE COUNTY, PIN #26-T5S1-001-388-000 – ELITE REVENUE SOLUTIONS RECEIVED A \$500 BID FROM SCOTT BARTKUS:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the repository sale. **Motion by Dennis Dudeck, second by Jim Montone to approve the repository sale.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**DISABLED VETERAL REAL PROPERTY TAX EXEMPTION – CARL H. HILL – APPROVED BY THE PA DEPARTMENT OF MILITARY & VETERANS AFFAIRS:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the exemption. **Motion by Dennis Dudeck, second by Jim Montone to approve the exemption.** Roll call: Griguoli, absent; Dudeck, yes; Montone, yes.

**17TH & HAYES STORMWATER IMPROVEMENT PROJECT QUOTE TABULATION: Tri-County Excavation, \$18,988; R.J. Blenis Excavating & Concrete, \$28,000; Northeast Excavation, Inc., \$23,950:** Chairman Montone said Tri-County is the low bidder but they are tabling this to do a bit more research. Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion. **Motion by Dennis Dudeck, second by Jim Montone to table the above.** Griguoli, absent; Dudeck, yes; Montone, yes.

**AUTHORIZE THE FOLLOWING ITEMS TO BE ADVERTISED FOR BID FOR THE YEAR 2021 AND TO BE OPENED AT THE OCTOBER 13<sup>TH</sup> SUPERVISORS MEETING:**

1. Emergency Snow Removal Services on an “on-call/as needed” basis during the 2021 Winter season. Single axle dump truck (min. 10 ton) with plow and spreader. Also separate bid for pick-up truck (min. ¾ to 1 ton) with plow and spreader. Routes will be determined by the Road Master or

Chairman of the Board. Insurance information and CDL information must be provided as per specifications.

2. Furnish and delivery at or near the Hazle Township vicinity by means of an unattended twenty-four (24) hour automated fueling facility utilizing vehicular cards and driver access cards, of 10,000 gallons of unleaded gasoline, more or less (minimum octane rating of .89).
3. Furnish and delivery to Hazle Township Garage, bulk purchase of 10,000 gallons of diesel fuel, more or less.
4. Furnish and delivery at or near the Hazle Township vicinity by means of an unattended twenty-four (24) hour automated fueling facility utilizing vehicular cards and driver access cards, of 10,000 gallons of diesel fuel, more or less.
5. 1,000 tons, more or less of anti-skid material.
6. ID-2 material (cold patch) in quantities as needed.
7. BCBC Base 25 mm mix in quantities as needed
8. HMA Wearing Course PG 64-22, <0.3 million ESALS, 9.5 mm mix SRL-M in quantities as needed
9. ID-3 Binder Material 22 mm mix in quantities as needed
10. Fine Binder 19mm mix in quantities as needed
11. HMA Wearing Course PG 64-22<0.3 million ESALS, 9.5mm mix SRL-M, fine grade in quantities as needed
12. Top soil in quantities as needed
13. AASHTO #2 Stone in quantities as needed
14. AASHTO #1 Stone in quantities as needed
15. AASHTO #8 Stone in quantities as needed.
16. AASHTO #57 Stone in quantities as needed
17. #3 Stone in quantities as needed
18. R-3 Rip Rap in quantities as needed
19. R-4 Rip Rap in quantities as needed
20. R-5 Rip Rap in quantities as needed
21. PA DOT Certified Concrete Mix per s.y. or ton in quantities as needed.
22. Surge Material in quantities as needed
23. GeoFabric Textile Material per sq. ft.
24. Tack material per gallon in quantities as needed
25. Crack & Joint Sealing Materials, as needed
26. Line Painting per lineal foot (New striping and re-striping)
27. 12 inch ADS pipe, single wall w/couplers, in 20 ft. sections in quantities as needed
28. 12 inch ADS pipe, double wall w/couplers, in 20 ft. sections in quantities as needed
29. 15 inch ADS pipe, single wall w/couplers, in 20 ft. sections in quantities as needed.
30. 15 inch ADS pipe, double wall w/couplers, in 20 ft. sections in quantities as needed
31. 15" ADS perforated pipe, single wall w/couplers, in 20 ft. sections in quantities as needed

32. 15 inch ADS perforated pipe, double wall w/couplers, in 20 ft. sections in quantities as needed
33. 18 inch ADS pipe, single wall w/couplers, in 20 ft. sections in quantities as needed.
34. 18 inch ADS pipe, double wall w/couplers, in 20 ft. sections in quantities as needed
35. 18 inch ADS perforated pipe, single wall, w/couplers, in 20 ft. sections in quantities as needed
36. 18 inch ADS perforated pipe, double wall, w/couplers, in 20 ft. sections in quantities as needed
37. 30 inch ADS pipe, single wall w/couplers, in 20 ft. sections in quantities as needed
38. 30 inch ADS pipe, double wall w/couplers, in 20 ft. sections in quantities as needed
39. 24 inch smooth wall pipe w/couplers, in 20 ft. sections in quantities as needed.
40. 2 ft. X 4 ft. X 24 inch catch basins, reinforced concrete, 4 holed knock outs, in quantities as needed.
41. 2 ft. X 4 ft. X 30 inch catch basins, reinforced concrete, 4 holed knock outs, in quantities as needed.
42. 2 ft. X 4 ft. Bicycle grates with metal frames for catch basins. Grates to be awarded as a part of the catch basin bid.
43. 4 ft. x 4 ft. x 30 inch catch basins, reinforced concrete, 4 holed knock outs, in quantities as needed.
44. 4 ft. x 4 ft. x 36 inch catch basins, reinforced concrete, 4 holed knock outs, in quantities as needed
45. 2", 3" and 6" concrete risers for catch basins, in quantities as needed
46. 2", 3" and 6" concrete risers for 4 ft. x 4 ft. catch basins, in quantities as needed

Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the bids. **Motion by Dennis Dudeck, second by Jim Montone, to approve the above items to go out for bid.** Griguoli, absent; Dudeck, yes; Montone, yes.

## **REPORTS**

**ROAD MASTER:** Jim said the road crew has been working on drainage issues and potholes. Also, shoulder work at Birch Road

**ENGINEER:** Nothing.

**FIRE DEPARTMENT:** Nobody present.

**CODE ENFORCEMENT:** Nobody present.

**ZONING OFFICER:** Nobody present.

## **OLD BUSINESS**

There was nothing to discuss under old business.

## **NEW BUSINESS**

There was nothing to discuss under new business

## **AUDIENCE PARTICIPATION**

**Joseph Eckrote**, 1301 Hazle Brook Road (Stockton). In 2016 he had an incident with Northeast Paradise Club (their property borders his) and they filed lawsuits. They had it surveyed and said they own property up to his deck. And Mr. Eckrote doesn't believe that's correct. There is a road there and not sure if its private or a paper road. The Supervisors will look into that for him.

**Joe Zawatsky**, thanked the Supervisors for the help with the water problem and thanks to Scott and Fran as well. He would like Township to pave Jeddo Star Lane.

**John Shelly**, 1351 S. Church St., just wanted to say he is not in favor of the rezoning for Blue Cup because of traffic, speeding, and noise.

**Mr. Bogansky**, stted that Club 40 Road was bad with garbage and thanked Supervisors for having it cleared up.

**ADJOURNMENT:**The business at hand being complete,a motion was made to adjourn meeting.  
**Motion by Dennis Dudeck, second by Jim Montone to adjourn meeting.** Adjournment time 7:05 p.m.

September 29, 2020

4:00 P.M.

A special meeting of the Hazle Township Board of Supervisors was called to order by Chairman, James Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguoli, present

Wendy Naprava, Rec. Secretary, present

Dennis Dudeck, present

Atty. Chris Slusser, present

Jim Montone, present

Joe Calabrese, RJD Eng., present

#### ADMINISTRATIVE ACTIONS

**ORDINANCE #2020-9-14-1 – AN ORDINANCE AMENDING THE TOWNSHIP’S ZONING MAP AS ORIGINALLY ADOPTED IN 1965 TO CHANGE AN M-1 (MINING DISTRICT) TO AN I-1 (INDUSTRIAL DISTRICT) FOR AN AREA CONSISTING OF APPROXIMATELY 160 ACRES OF LAND CURRENTLY OWNED BY FREYA LAND COMPANY, ET AL., AND AS GENERALLY DEPICTED AS TAX PARCEL NUMBERS 26V7-00A020000 & 26V7-00A011000 GENERALLY LOCATED AT 1366-1432 PA ROUTE 309 (aka SOUTH CHURCH STREET) ON THE EAST AND WEST SIDES OF PA STATE ROUTE 309 NORTH OF BEAVER BROOK ROAD AND NORTH OF TRIPLE J TRUCKING BUSINESS FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF:** Chairman Montone asked for comments. A resident who lives at 1366 S. Church St. was concerned because her address was listed above and didn’t want her property to be rezoned. The Board and Solicitor told her that the only thing that would be rezoned is the two parcels listed above. No residential areas will be touch. Her address was just used as a general area for the parcels because they didn’t have an address. Chairman Montone entertained a motion for Ordinance #2020-9-14-1. **Motion by Dennis Dudeck, second by Tony Griguoli to pass Ordinance #2020-9-14-1.** Roll call: Dudeck, yes; Griguoli, yes; Montone, yes.

**ADJOURNMENT:** Motion by Dudeck, second by Griguoli to adjourn the meeting. Adjournment time 4:07 p.m.

*Wendy Naprava*  
*Recording Secretary*

October 13, 2020

6:00 P.M.

The regular monthly meeting of the Hazle Township Board of Supervisors was called to order by Chairman, James Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguoli, present

Wendy Naprava, Rec. Secretary, present

Dennis Dudeck, present

Atty. Jeff Rockman, present

Jim Montone, present

Joe Calabrese, RJD Eng., present

Joe Synoski, Roadmaster, present

**MINUTES:** Chairman Montone entertained a motion to approve the minutes of the September 14, 2020 Regular Meeting & Public Hearing and the September 28, 2020 Special Meeting as prepared by the Recording Secretary. **Motion by Tony Griguoli, second by Dennis Dudeck to approve the minutes of the above-mentioned meetings.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**TREASURER'S REPORT:** Chairman Montone entertained a motion to approve the **September 2020 Treasurer's Report. Motion by Tony Griguoli, second by Dennis Dudeck to approve the September 2020 Treasurer's Report.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**BILLS:** Chairman Montone entertained a motion to pay the bills due and payable through October 13, 2020. **Motion by Tony Griguoli, second by Dennis Dudeck to approve the bills as presented for payment.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

*Chairman Montone authorized Wendy Naprava to open the bids for emergency equipment.*

#### ADMINISTRATIVE ACTIONS

**CAN DO, INC., LOT 25B – MAJOR LAND DEVELOPMENT – PRELIMINARY/FINAL APPROVAL WITH CONDITIONS PER THE RECOMMENDATION OF THE HAZLE TOWNSHIP PLANNING DEPARTMENT:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the approval. **Motion by Dennis Dudeck, second by Tony Griguoli for the above approval.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-26 – ADOPTION OF LUZERNE COUNTY 2020 HAZARD MITIGATION PLAN:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-26. **Motion by Tony Griguoli, second by Dennis Dudeck to pass Resolution #2020-26.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-27 – SEWAGE PLANNING MODULE – LOTS 57A&B, 620 OAK RIDGE, HUMBOLDT INDUSTRIAL PARK:-** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-27. **Motion by Dennis Dudeck, second by Tony Griguoli to pass Resolution #2020-27.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**BID TABULATION – BIDS FOR EMERGENCY EQUIPMENT AND MATERIALS:** The bids were opened and read aloud. A copy is attached at the end of the minutes. Chairman Montone entertained a motion for the bids. **Motion by Tony Griguoli, second by Dennis Dudeck to table the bids for review.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

## **REPORTS**

**ROAD MASTER:** Patching, cleaning drains & getting ready for winter.

**ENGINEER:** Nothing.

**FIRE DEPARTMENT:** Nobody present.

**CODE ENFORCEMENT:** Nobody present.

**ZONING OFFICER:** Nobody present.

## **OLD BUSINESS**

There was nothing to discuss under old business.

## **NEW BUSINESS**

Chairman Montone said the Supervisors send out their condolences to State Representative Tarah Toolhill and her family for the loss of her mother.

## **AUDIENCE PARTICIPATION**

**Richard Hvizda**, New Coxeville, is here to talk about a storm water project that Hazle Township did in New Coxeville on Lori & Shayna Drive about a month ago. He was told that if he had a problem that he should come to a meeting. He said after the project, he still has a problem with water run off from the neighbor on the upper side. The contract was given to Mr. Boretski...he put in curbing and a dry well in but he still has a lot of water coming on his property. His property is directly in back and lower than the property where the work was done near. Mr. Payne came and took pictures and said he understood the problem . He said he would be in touch with him so somebody can come and look at it during a big storm to see exactly where the water is going. The work you did for the people there that had a problem is working but now the water is coming to him. Jim asked if he was getting water before this project and Mr. Hvizda said yes. He brought pictures but none of water. Jim asked him to take pictures or video of the water next time it is

there. Joe Calabrese said that the project they did was work on the township right-of-way so the water wouldn't run off Township road into their yard. And he also said that there is a ledge problem coming from the property next to this gentleman's house going onto his property. Jim said so this is not from the work that we did. Mr. Hvizda said no, but he's just pointing out that their drain spouts are still draining onto his property. Jim said this has nothing to do with our project. Joe Calabrese said we can look and see if the neighbor is violating our storm water ordinance and if they are we can tell them that they have to correct it because they can't be putting their water on your property. Mr. Hvizda said if the Township dished out thousands of dollars to fix his neighbors problem, then can't they fix his problem. Jim explained that the water was coming off a township road and ruining his property and pool so we had to correct that. The water problem you're talking about is coming off of your neighbors property...not Hazle Townships road or property. Mr. Hvizda asked if someone can come take a look the next time a good rain comes. Jim said they'll look at it.

**Angela Romanek & Anita Synoski**, said that there is a group of them that play pickle ball (a relatively new sport for the area) and they have to go to Nuangola to play. There is a court at Altmiller playground but people chased them...it's a rough crowd up there). They are wondering if Hazle Township can get 1 or 2 pickle ball courts built out Community Park or somewhere. The Supervisors said they can put in a grant for it and that they actually have been talking about it for about a year. They will visit it in the Spring.

**ADJOURNMENT:**The business at hand being complete,a motion was made to adjourn meeting.  
**Motion by Dennis Dudeck, second by Tony Griguoli to adjourn meeting.** Adjournment time 6:50 p.m.

Wendy Naprawa  
Recording Secretary

November 9, 2020

5:30 P.M.

### PUBLIC HEARING & COMMENT

The public hearing of the Hazle Township Board of Supervisors was called to order by Chairman Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguolii, present

Wendy Naprava, Rec. Secretary, present

Dennis Dudeck, present

Atty. Christopher Slusser, absent

Jim Montone, present

Joe Calabrese, RJD Engineering, absent

**PUBLIC HEARING AND COMMENT WITH REGARD TO ORDINANCE #2020-11-9-2020 AMENDING THE TOWNSHIP ZONING MAP AS ORIGINALLY ADOPTED IN 1965 TO CHANGE AN M-1 (MINING DISTRICT) TO AN I-1 (INDUSTRIAL DISTRICT) FOR AN AREA CONSISTING OF APPROXIMATELY 80 ACRES IN LUZERNE COUNTY OF A 196 ACRE TRACT CURRENTLY OWNED BY FREYA LAND COMPANY, ET AL. AND AS GENERALLY DEPICTED AND DESCRIBED AS TAX PARCEL NUMBERS 26V700A15A000, 26V700A020000, 26V700A015000, 26V700A15B000, 26V700A19A000, 26V700A016000, 26V700A16A000, 26V700A17A000, 26V700A19D000, 26V700A019000, GENERALLY LOCATED AT 1366-1432 PA ROUTE 309 (aka SOUTH CHURCH STREET) SOUTH AND WEST OF TRIPLE J TRUCKING BUSINESS FACILITY AND AS BOUNDED BY THE HAUL ROAD ON THE WEST AND THE LUZERNE COUNTY LINE ON THE SOUTH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF:**

Chairman Montone stated that this Ordinance and changes were advertised and put on display for public comment for 30 days:

**Frank Hagen**, represents Blue Cup, said he went through this a few times with Phase I which was all approved. This is for Phase II that was presented to planning already. He said he has his whole team here if anybody has any questions...they would be glad to answer them. Chairman Montone asked if anyone from the audience had any questions or comments. There were no comments from the audience of the Supervisors.

Chairman Montone entertained a motion for adjourning of the hearing. **Motion by Tony Griguoli, second by Dennis Dudeck to adjourn hearing.** Adjournment time: 5:33 p.m.

*Wendy Naprava*  
*Recording Secretary*

November 9, 2020

6:00 P.M.

The regular monthly meeting of the Hazle Township Board of Supervisors was called to order by Chairman, James Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguoli, present	Wendy Naprava, Rec. Secretary, present
Dennis Dudeck, present	Atty. Chris Slusser, absent
Jim Montone, present	Joe Calabrese, RJD Eng., absent
Joe Synoski, Roadmaster, absent	

**MINUTES:** Chairman Montone entertained a motion to approve the minutes of the October 13, 2020 Regular Meeting as prepared by the Recording Secretary. **Motion by Tony Griguoli, second by Dennis Dudeck to approve the minutes of the above-mentioned meeting.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**TREASURER'S REPORT:** Chairman Montone entertained a motion to approve the **October 2020 Treasurer's Report. Motion by Tony Griguoli, second by Dennis Dudeck to approve the October 2020 Treasurer's Report.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**BILLS:** Chairman Montone entertained a motion to pay the bills due and payable through November 9, 2020. **Motion by Tony Griguoli, second by Dennis Dudeck to approve the bills as presented for payment.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

#### ADMINISTRATIVE ACTIONS

**INTRODUCTION & REVIEW OF THE PROPOSED 2021 HAZLE TOWNSHIP BUDGET TO BE PLACED ON PUBLIC DISPLAY FOR ADOPTION ON DECEMBER 14, 2020:** Ray Zavada, Zavada Associates, spoke about the budget and said the Township is doing very well which is actually amazing even with the pandemic. He projects that Township will end this year with a carry over of approximately \$1.5 million unless something unexpected happens. Liquid fuels allocation is down slightly because they weren't collecting as much gas tax with the pandemic.

**ORDINANCE #2020-11-9-1--AN ORDINANCE AMENDING THE TOWNSHIP ZONING MAP AS ORIGINALLY ADOPTED IN 1965 TO CHANGE AN M-1 (MINING DISTRICT) TO AN I-1 (INDUSTRIAL DISTRICT) FOR AN AREA CONSISTING OF APPROXIMATELY 80 ACRES IN LUZERNE COUNTY OF A 196 ACRE TRACT CURRENTLY OWNED BY FREYA LAND COMPANY, ET AL. AND AS GENERALLY DEPICTED AND DESCRIBED AS TAX PARCEL NUMBERS 26V700A15A000, 26V700A020000, 26V700A015000, 26V700A15B000, 26V700A19A000, 26V700A016000, 26V700A16A000, 26V700A17A000, 26V700A19D000, 26V700A019000, GENERALLY LOCATED AT 1366-1432 PA ROUTE 309 (aka SOUTH CHURCH STREET) SOUTH AND WEST OF TRIPLE J TRUCKING BUSINESS FACILITY AND AS BOUNDED BY THE HAUL**

**ROAD ON THE WEST AND THE LUZERNE COUNTY LINE ON THE SOUTH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Ordinance #2020-11-9. **Motion by Dennis Dudeck, second by Tony Griguoli to pass Ordinance #2020-11-9-1.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-28 – APPOINTMENT OF ZAVADA AND ASSOCIATES AS THE AUDITOR FOR HAZLE TOWNSHIP FOR 2021:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-28. **Motion by Dennis Dudeck, second by Tony Griguoli to pass Resolution #2020-28.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-29 – SEWAGE PLANNING MODULE, HUMBOLDT INDUSTRIAL PARK NORTHWEST, LOT 9 (SITE 1), WARRIOR RUN:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-29. **Motion by Tony Griguoli, second by Dennis Dudeck to pass Resolution #2020-29.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-30 – LERTA (LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE) APPLICATION FOR HAZLETON CREEK COMMERCE CENTER HOLDINGS, LLC, FOR A SMALL PORTION OF LAND LOCATED IN HAZLE TOWNSHIP ON FORMER COAL LANDS LOCATED BETWEEN SR 309 & 424:** Attorney Ray Rinaldi, solicitor for Hazleton Creek, said this is for a private development and they are looking for LERTA for 10 year tax abatement. 20% of the project is in Hazle Township and the rest is in Hazleton City. Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-30. **Motion by Dennis Dudeck, second by Tony Griguoli to pass Resolution #2020-30.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**AUTHORIZE PAYMENT TO H&K GROUP FOR THE BIRCH ROAD PAVING PROJECT FOR \$292,713.13 PLUS \$13,578.06 CHANGE ORDER FOR A TOTAL OF \$306,291.29:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the authorization. **Motion by Tony Griguoli, second by Dennis Dudeck for the authorization.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**AWARD BIDS FOR EMERGENCY EQUIPMENT AND MATERIALS THAT WERE OPENED AT THE OCTOBER 13, 2020 SUPERVISOR MEETING:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the award. **Motion by Dennis Dudeck, second by Tony Griguoli to award the bids to the lowest responsible bidders.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**REPOSITORY SALE – VACANT COMMERCIAL LOT IN HAZLE TOWNSHIP, LUZERNE COUNTY, PIN #26-S7S9-005-002-000 – ELITE REVENUE SERVICES RECEIVED A \$500 BID FROM JOSEPH RUOCCO JR.:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the repository sale. **Motion by Dennis Dudeck, second by Anthony Griguoli to approve the repository sale.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

#### **REPORTS**

**ROAD MASTER:** Chairman said that 2 of the road crew guys tested positive for COVID. All of the road crew got tested and awaiting results. The road department will be shut down this week and probably next week.

**ENGINEER:** Absent

**FIRE DEPARTMENT:** Nobody present.

**CODE ENFORCEMENT:** Nobody present.

**ZONING OFFICER:** Nobody present.

#### **OLD BUSINESS**

There was nothing to discuss under old business.

#### **NEW BUSINESS**

There was nothing to discuss under new business.

#### **AUDIENCE PARTICIPATION**

**Tim Mahovich**, 582 Highland St., said that two months ago, a Mr. Eckrote was at the Supervisor meeting complaining about him and a land/road dispute Eckrote has with Paradise Club. The Supervisors said that nothing bad was said and he was just asking about a road. Jim said we won't get involved in anything civil between you two but we can have our engineer check into the road issue to see if Township owns any of it.

**ADJOURNMENT:**The business at hand being complete,a motion was made to adjourn meeting. **Motion by Dennis Dudeck, second by Tony Griguoli to adjourn meeting.** Adjournment time 6:35 p.m.

*Wendy Naprawa*  
*Recording Secretary*

December 14, 2020

6:00 P.M.

The regular monthly meeting of the Hazle Township Board of Supervisors was called to order by Chairman, James Montone. After the Pledge of Allegiance to the Flag, roll call was taken as follows:

Anthony Griguoli, present

Wendy Naprava, Rec. Secretary, present

Dennis Dudeck, present

Atty. Chris Slusser, absent

Jim Montone, present

Joe Calabrese, RJD Eng., present

Joe Synoski, Roadmaster, absent

**MINUTES:** Chairman Montone entertained a motion to approve the minutes of the November 9, 2020 Regular Meeting and Public Hearing as prepared by the Recording Secretary. **Motion by Tony Griguoli, second by Dennis Dudeck to approve the minutes of the above-mentioned meetings.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**TREASURER'S REPORT:** Chairman Montone entertained a motion to approve the **November 2020 Treasurer's Report. Motion by Dennis Dudeck, second by Tony Griguoli to approve the November 2020 Treasurer's Report.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**BILLS:** Chairman Montone entertained a motion to pay the bills due and payable through December 14, 2020. **Motion by Tony Griguoli, second by Dennis Dudeck to approve the bills as presented for payment.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

#### ADMINISTRATIVE ACTIONS

**ADOPTION OF 2020 HAZLE TOWNSHIP BUDGET:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the budget. **Motion by Anthony Griguoli, second by Dennis Dudeck to adopt the 2020 Hazle Township Budget.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RESOLUTION #2020-31 – TAX ASSESSMENT SETTLEMENT PROPOSAL BETWEEN LUZERNE COUNTY BOARD OF ASSESSMENT APPEALS, LUZERNE COUNTY, HAZLETON AREA SCHOOL DISTRICT, HAZLE TOWNSHIP, AND STORE MASTER FUNDING VII, LLC c/o PRETIUM PACKAGING, LUZERNE COUNTY, C.P. DOCKET NO. 2015-13005:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for Resolution #2020-31. **Motion by Dennis Dudeck, second by Anthony Griguoli to pass Resolution #2020-31.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**RELEASE OF BOND FOR HARWOOD ROAD – AUTHORIZE THE RELEASE OF PERFORMANCE BOND #0756962 (BRDARIC EXCAVATING) DATED 10/19/2020 IN THE AMOUNT OF \$100,000 FOR THE HARWOOD POND MINE SUBSIDENCE PROJECT:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the release. **Motion by Tony Griguoli, second by Dennis Dudeck for the release of the bond.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**CANDO – WHITE BIRCH ROAD PROJECT – PASS THROUGH GRANT THROUGH THE LUZERNE COUNTY OFFICE OF COMMUNITY DEVELOPMENT FOR \$1,851,767.00. RECEIVED CHECK FROM THE COUNTY, DEPOSITED IT AND WRITE CHECK TO CANDO FOR THEIR REIMBURSEMENT:** Chairman Montone explained that this pass through grant is related to the 424 project. Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the above. **Motion by Dennis Dudeck, second by Tony Griguoli, for the writing of the check to reimburse CanDo.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**LEVEL 4 STORMWATER MANAGEMENT PLAN FOR IRIS USA, INC., WITH CONDITIONS FOR THE PROPOSED PARKING LOT EXPANSION, AS RECOMMENDED BY THE HAZLE TOWNSHIP PLANNING DEPARTMENT:** Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the above. **Motion by Tony Griguoli, second by Dennis Deck for the Level 4 Stormwater management plan for Iris.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**ACCEPT QUOTE FROM CONTECH FOR PEDESTRIAN BRIDGE (COSTARS #4400022460) FOR COMMUNITY PARK IN THE AMOUNT OF \$66,795 TO BE PAID THROUGH A GRANT:** Chairman Montone stated that this new bridge will replace the dilapidated wooden one in the back where people work. A few trees will need to be taken down in order for the crane to place it. Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the quote. **Motion by Dennis Dudeck, second by Anthony Griguoli to accept the quote.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

**AUTHORIZATION FOR FRANCES CALARCO TO ATTEND THE 2021 PSATS ANNUAL CONFERENCE IN APRIL AT HERSHEY:** Chairman Montone said the Franny goes every year and learns a lot. The Supervisors and solicitor or thinking about going this year. Chairman Montone asked for comments. There were no comments. Chairman Montone entertained a motion for the authorization. **Motion by Tony Griguoli, second by Dennis Dudeck for the authorization.** Roll call: Griguoli, yes; Dudeck, yes; Montone, yes.

## REPORTS

**ROAD MASTER:** Chairman Montone said that the road crew were out salting today because of the snow and they will be putting brine down tomorrow ahead of the big storm coming Wednesday.

**ENGINEER:** nothing to report

**FIRE DEPARTMENT:** Nobody present.

**CODE ENFORCEMENT:** Nobody present.

**ZONING OFFICER:** Nobody present.

### **OLD BUSINESS**

There was nothing to discuss under old business.

### **NEW BUSINESS**

Dennis said that the park at 23<sup>rd</sup> & Laurel is all lit up for the holidays and the Garden Club did a great job.

### **AUDIENCE PARTICIPATION**

There was no audience participation.

**ADJOURNMENT:** The business at hand being complete, a motion was made to adjourn meeting. **Motion by Dennis Dudeck, second by Tony Griguoli to adjourn meeting.** Adjournment time 6:15 p.m.

*Wendy Naprara*  
*Recording Secretary*