

ROSS TOWNSHIP
SUPERVISORS MEETING
JULY 2, 2018

The above meeting was called to order by Chairman Beers at 7:00 p.m. with members Vice Chairman Drake and Supervisor Shay present. Solicitor McManus was also present.

The Pledge of Allegiance to the Flag was recited by all present, led by Chairman Beers.

A motion was made by Vice Chairman Drake to approve the minutes of the June 4, 2018 regular meeting and the June 11, 2018 Special Meeting. The motion was seconded by Supervisor Shay and carried. The current Treasurer's report was also approved with the same as aforementioned.

OPEN TO THE PUBLIC-Butch Kresge was recognized and discussed the Treasurer's report and noted a current balance of \$161,000 in the General Fund and \$287,000 in the Capital Reserve account he noted that at the end of last year the building note was paid off and referred to Supervisor Shay's reference that the Township was in debt. He added that the debt was for a 3-4 month period and was the aforementioned note. He went on to explain that there was a previous debt for the Township's Park property which was paid off after Mr. Shays previous term of office.

Mr. Kresge reviewed the awarded bids for Faulstick Rd., Ross Lane and Woodhaven Dr. noting the award of tar and chip for Ross Ln. and Woodhaven Dr. indicating that the tar and chip process is a temporary fix for a permanent problem and suggested putting a binder coat on Faulstick Rd. and the other two and next year top them as was done on Owl Hollow previously. This would alleviate issues for those residents effected by the tar and chip as well as creating a more level surface.

PLANS-

OLD BUSINESS-A follow up to the Sunset Bar and Grill request was next and Vice Chairman Drake gave a review of the request from last month which involves noise and complaints. Vice Chairman Drake asked if Solicitor McManus looked into this matter and he noted that the procedure is to first of all have a Noise Ordinance (which the Township does) then the Township must file a petition with the Liquor Control Board describing the area, hold a public hearing among other requirements. Then the noise ordinance would apply with whatever restrictions are contained in it. Mr. Chopek, the owner said at least there would be guidelines to follow and not just arbitrarily be noise. Solicitor McManus pointed out the low decibel level in the ordinance and the fact that it applies to the receiving property line. Chairman Beers asked if there is a fee and Solicitor McManus noted he would look into that. Mr. Chopek added that Plans Twp. and Jim Thorpe opted out of the LCB rules. Both Vice Chairman Drake and Supervisor Shay agreed to look into the opting out method and to move forward in obtaining costs. Discussion took place concerning doing this Township wide or on a property basis. Solicitor McManus stated he felt it would be easier Township wide. Randy Detrick owner of Blue Ridge Winery was present and noted this could affect his winery also and would be willing to share the costs involved with Mr. Chopek should there be any. A motion was made by Supervisor Shay to have Solicitor McManus obtain costs and other necessary information. The motion was seconded by Vice Chairman Drake. A roll call vote was taken on the motion. Voting in favor were Vice Chairman Drake and Supervisor Shay. Voting against was Chairman Beers. The motion carried.

Solicitor McManus discussed the standpipe agreements noting they have all been returned signed and now require the Chairman's signature. A motion was made by Supervisor Shay to enter into these agreements and have the Chairman sign same. The motion was seconded by Vice Chairman Drake and carried.

The park pavilion was next on the agenda and Vice Chairman Drake reviewed what has taken place thus far. Much discussion took place on the matter including adopting an ordinance to reinforce some rules that have been listed. Review of the Chestnuthill Township Ordinance was discussed and it was determined that the Solicitor would tweak it for next month and allow for rule changing by resolution. Chairman Beers noted that the fact still remains as to whether or not it should be rented out. He added that he feels it is everybody's park and should not be restricted. Vice Chairman Drake noted it is hard to plan an event if the pavilion is not reserved for such. Supervisor Shay added that this is just the pavilion not the entire park. It was determined that Solicitor McManus prepare a suggested ordinance to be reviewed by the Supervisors and discussed next month. Judy Breidinger stated that the soffit is coming down at the pavilion and Chairman Beers noted that is happening because of expansion and contraction.

NEW BUSINESS-Chairman Beers reviewed the Regional Operations Center plan and noted he sent emails to the other Supervisors with the costs involved for each municipality that the Regional group arrived at. Ross Township's portion is approximately between \$3,000-\$4,000. A new building is being built across the street from the West End Fire Co. building on Rt. 715 it will have 12 seats to house the operation managers if however a catastrophe would occur in Ross Township our Emergency Management coordinator would be in charge but would be assisted by all others. With staffing and equipment being major issues for an independent (Ross Township only) operations center, Chairman Beers noted that the regional one is a good idea and that the Township should join it. He added we can still get a generator and offer cots for other emergencies. Vice Chairman Drake asked if this is an annual cost. Chairman Beers noted that he understands we can opt out down the road. Chairman Beers moved to send Chestnuthill Township a letter of intent, now, as a means of assisting with obtaining grants. The motion was seconded by Vice Chairman Drake and carried.

Vice Chairman Drake noted receipt of an email from Paul Jarrett, Zoning Officer regarding the non issuance of a certificate of occupancy for the Blue Ridge Winery's new building and Randy Detrick, the owners response to same. She noted that after reviewing the information it appears that a certificate of occupancy should be issued based on the completion of all the requirements together with the fact that all permits were issued. Solicitor McManus stated that the decision is up to the zoning officer and he cannot be directed by the Supervisors to issue the C.O. but that the applicant must go to the Zoning Hearing Board for a determination. Solicitor McManus reminded the Supervisors that perhaps a solicitor should be appointed for the zoning officer which is the case in other municipalities. Chairman Beers added that when the permit was issued for the new building the Supervisors knew nothing about it for approximately six months and now are being asked to do something about correcting the problem. Chairman Beers discussed some history on the original winery construction dating back to approximately 5-6 years ago recalling that 3,000 square feet was the designated area excluding the basement that is for storage and wine making. Randy Detrick discussed some of these matters and noted that Chairman Beers is correct the original building is 3,000 square, the ordinance discusses 6,000 square feet maximum and concludes that the addition of the new building still puts him way under the 6,000 square feet stated in the violation. He explained that he always complies and investigates what he is allowed to do before moving forward. He now is being told he cannot use the new building

after he received a temporary C.O. (to hold an event) until some incidental items were completed. Those items are now done and he is seeking his C.O.. Chairman Beers asked Mr. Detrick is he is using the building and he indicated that he is, therefore, Chairman Beers said the Township hasn't done anything to interfere with the continued operation of the winery. Supervisor Shay suggested that Mr. Detrick talk to the Zoning Officer and have him come to the site to discuss the issues at hand. Chairman Beers noted that there are building code violations as well. Mr. Detrick went on explaining his operation and Chairman Beers said it is senseless to go on discussing this matter as it pertains to Zoning and not Supervisory matters. Supervisor Shay indicated he thinks these types of business are good and favorable to the community. Butch Kresge, speaking from the audience, commented to Chairman Beers that he hopes he is proud of what he has done after speaking as a private citizen regarding this matter at a former meeting. Some words exchanged between Chairman Beers and Mr. Kresge. Mr. Detrick went on to say he spoke to Paul Jarrett and explained that he has to disagree with him and fight him on this matter although against his way of doing things. Supervisor Shay compared a situation he had in dealing with a Township issue forcing him to hire an Attorney and at the end of the day it was proven the Zoning Officer was wrong. He added that he doesn't look at it as Mr. Detrick being mean or nasty just a process. Chairman Beers noted that he is not being singled out all the surrounding municipalities have the same rules. Supervisor Shay reiterated that Mr. Detrick should invite Mr. Jarrett there to witness the ways of the operation. Mr. Detrick expressed appreciation to the Board for listening to him and noted he is hopeful this will all be worked out.

Vice Chairman Drake noted receipt of the six month budget review and pointed out that the building permit receipts are well below the budgeted amount. She added that we should look into our building permit fees to determine whether they are satisfactory. Chairman Beers indicated he spoke to Chestnuthill Township and they receive 10% of a building permit (e.g. if permit is \$1,700 the Township could get \$170) which we could put into place right now. Supervisor Shay suggested doing a survey of other Townships to come up with an agreeable fee. Chairman Beers noted that the fees can't be too high since the State indicates the fees must reflect costs. It was determined to have the Secretary do a survey of other municipalities.

Supervisor Shay said there seems to be an issue about signing paychecks and we should establish a payday allowing enough time to make up the payroll and have the checks signed. Chairman Beers noted that payday was always Wednesday and doesn't know when it got changed. Supervisor Shay suggested making Wednesday (bi weekly) officially the Township payday unless that is a holiday and then payday would be Tuesday. The checks should carry the Wednesday date (Tues. for holiday purposes) This was put into a motion by Supervisor Shay, seconded by Chairman Beers and carried.

Chairman Beers discussed the dead trees along many Township Roads. The trees are on private property and looked for assistance on how the Township can get the property owners to have them cut/removed as they are a hazard/ dangerous to motorists traveling about. Solicitor McManus noted he will draft a letter that can be given to the property owners involved for review by the Supervisors.

ROAD FOREMAN REPORT-The Road Foreman discussed a stop sign area and Bonser Rd. and Meixsell Valley Rd. asking if it should be a two or three way stop. Solicitor McManus will look into an Ordinance to address all stop signs in the Township.

The Road Foreman noted that the line painters will be in the area next week.

CORRESPONCE- A letter received from Russ Kresge, Township Engineer was discussed and it was determined to have the blacktop contractor who is doing Faulstick Rd. do some remedial work to Mt. Eaton Rd. and Ross Rd. as discussed in such letter.

RECEIPTS & EXPENDITURES-After a review of the bills to be paid a motion was made by Vice Chairman Drake to pay the bills as presented. The motion was seconded by Supervisor Shay and carried. Some discussion took place regarding the service contract for the copier (which is the contract for the computer to printer and not the service on the machine-which is a separate contract) and the Pocono Record invoice which was for the Zoning Hearing Bd. hearings and the Township Special meeting.

There being no further business, the meeting adjourned at 8:05 p.m..

Respectfully submitted,

Doris Price, Secretary