

ROSS TOWNSHIP SUPERVISORS MEETING

March 3, 2025

The Ross Township Supervisors Meeting was called to order on March 3, 2025 at 6:00pm. The meeting was held at the Township Municipal Building.

In attendance were Chairman James Zahoroiko, Vice Chairman David Shay and Supervisor Randy Detrick. Solicitor Attorney Eric Filer was also in attendance.

OPEN TO PUBLIC:

Martha Rezeli from The Ross Township Historical Society let it be known that the Museum will be open Saturday 3/8 from 11:00am-3:00pm with special guest Stacy Gower of the Times News. Guests will be able to provide items to be placed in the Time Capsule that will be sealed at the end of 2025 to be opened in 75 years.

Ms. Rezeli also stated that local author of *Ghosts of the Poconos*, Laura Hoffman, will be presenting at the Western Pocono Library 4/26 from 1:30-3:00pm. There will be no admission cost and light refreshments will be available. Save the dates will be sent out.

MINUTES REVIEW:

A motion was made to approve the minutes of the February 3, 2025 meeting as written by Supervisor Randy Detrick and seconded by Vice Chairman David Shay. The motion carried 3-0.

TREASURER'S REPORT:

Vice Chairman David Shay made a motion to approve the Treasurer's Report. The motion was seconded by Supervisor Randy Detrick and carried 3-0.

PLANS:

Catherine Andrews/Dan Saunders Land Development Extension – Expires 5/5/2025

Chris McDermott & Daniel Saunders were in Attendance. The Plan has an extension for approval through May 5, 2025.

Chris McDermott stated they have dug holes at the property to confirm if there is an adequate stone depth of the road that has been present and used for around 70 years in regards to their Modification Request to use the current road to access the Andrews' Property. They also stated that the road was measured to be 18ft wide with some narrower areas which Mr. Saunders would be willing to bring to a standard 18ft width. Alternate Engineer Tighe Meckes was also present and stated he believed the depth to be adequate if they were willing to widen the road and do what they could for improvements within the 20ft access way. This also being dependent upon if there were no issues found by emergency crews to access the property which was confirmed to be drivable.

The next discussion started in regards to, under the ordinance, a private access street can only service three homes and is currently servicing five before the proposed additional home. This led to the point of determining the definition of driveway versus street for the property and the applicant's belief that the current access to the house is adequate. Supervisor Randy Detrick stated that, if approved, safety would be added to the area from the additional work Mr. Saunders is willing to complete for the road.

Vice Chairman David Shay stated that the Planning Commission did not recommend approval of the modification request and read from an email from Planning Commission Chairman Roger Christman going over the views of the Planning Commission in regards to the issue of the driveway. Vice Chairman David Shay then continued with stating the requirements for a Private Access to have a 20ft width, 12ft cart width, and proper depths of materials for the top layers of PennDOT approved materials that would have to be brought to standard. With the current stone depths, it could lead to another possible request for modification under the ordinance in regards to the PennDOT approved surface.

Vice Chairman David Shay shared his concern with approving the modification request that it could lead to further issues in the future for the Township if others would want to use this case to seek further approvals of similar cases for different properties. He then asked Attorney Filer if an approval would set a precedent for the Township. As all modifications are granted on a case-by-case basis, Attorney Filer shared that it would not be binding for the Board.

It was reiterated that the ordinance states a private access is not to serve more than three homes and Elmer Drive already has five homes at present. Vice Chairman Shay stated the applicant should have initially been told by the Zoning Officer about the ordinance and presented to the Zoning Board for a modification request. Vice Chairman Shay then asked if a Highway Occupancy Permit would be needed per PennDOT. Mr. Meckes stated he could not speak on behalf of PennDOT, but that Planning Commission Chairman Roger Christman had spoken with them.

Mr. Saunders shared that the permit would be for construction done inside the PennDOT right of way and would be closed out after work was done. There was further discussion in regards to the HOP and how the permits would apply to the property and how they were filed/recorded for future reference in regards to the owner or property itself.

Supervisor Randy Detrick reiterated his thoughts on allowing Mr. Saunders to continue with discussed improvements would lead to overall improvements to Ross Township. He also brought up having discussed with Chairman Roger Christman about what requirements would need to be met that could lead towards a possible approval recommendation.

Mr. Saunders stated they have been keeping up with the requirements set by the Planning Commission to be met even though they had asked to be able to go before the Board of Supervisors for a decision prior to extra work and costs. Mr. McDermott reiterated that they believe the current road to be adequate as it has been being used for years and that the Township has no responsibility for maintaining the road as the residents of Elmer Drive take responsibility for the maintenance.

After further discussions that circled back to previously mentioned items, Supervisor Randy Detrick asked Mr. Meckes if they could set a time to meet with him and Mr. McDermott at the property to be able to further observe and discuss options to be able to move forward at the next meeting.

OLD BUSINESS:

Pine Cone Court Dangerous Structure Decision

Attorney Filer stated he spoke with a representative for Monroe County Development who had provided him with the grant application for funding to move forward with demolition at the Pine Cone Court property. He had only received the application at the end of the day and should have the application ready for the next meeting.

The executive previous Township Solicitor, Attorney Campbell, had spoken with believed there should not be an issue with the application being approved, but that the Township would still need to wait for the application to be submitted to be confirmed. Prior to demolition, further notices would need to be sent out.

Supervisor Randy Detrick asked if it would be possible to move forward with the demolition and then use the funding to reimburse the Township to which Attorney Filer explained the grant would be for the demolition and, therefore, would have to go directly towards that versus the Township. There should be more information on the next steps to be taken at the next meeting.

NEW BUSINESS:

Reappoint Len Ventre for a 5-year term on the Zoning Hearing Board – To Expire 12/31/2029

A motion to reappoint Len Ventre for a 5-year term on the Zoning Hearing Board was made by Vice Chairman David Shay and seconded by Supervisor Randy Detrick. The motion carried 3-0.

Blue Ridge Fire – New Chief Warnick

Chief Paul Warnick introduced himself as the new Fire Chief and thanked the Board for adding them to the meeting agenda. He spoke with the Board of Supervisors about the budget to ensure longevity and efficiency for the Fire Department. Chief Warnick shared their fleet is getting older and the current budget they are operating under would not allow them to update in the future. He shared that, while the fleet is well maintained, parts are getting harder to source with the average age of the equipment being 25 years old. A further concern being that insurance companies may increase costs for residents from the age of the equipment.

In regards to a LSA Grant, Chief Warnick shared they had applied and asked Representative Jack Rader at a recent banquet about who said that it seemed something may have gotten held at the Township. Vice Chairman David Shay stated that the Board had not received anything as they would have provided their support for them to receive the grant. He further stated he would be in contact with Representative Rader about the grant application as he wondered why Blue Ridge had not received any funding when he read of other local departments grants in a memo from the Office of State Fire Commissioners.

Vice Chairman David Shay continued with listing the additional percentages of Township budget that have been allocated to the fire department on top of the usual allotment. He also shared similar budget limitations and issues for maintaining fleet vehicles within the Township Road Crew. While discussing options of how to fund the department in the future, a call came that required their response and they had to leave the meeting.

Approve Health Care Renewal for Township Employees

The Township had reviewed plan options for renewal of Health Care Benefits for Township Employees. With the Rate Relief Plan, there was an option to continue with the current plan with only a 1% cost increase.

Vice Chairman David Shay made a motion to move forward with the PPO Plan under the Rate Relief Plan. Supervisor Randy Detrick seconded the motion and it carried 3-0.

Advertise Part Time Office Position

The Board of Supervisors decided to hold on the posting of the Part Time Office Position until they could formulate a proper job description in their next workshop.

198 Roth Road

Owner of 198 Roth Road was present asking the Board of Supervisors if they would be exempt from needing a Stormwater Plan under the ordinance for the High Use Area they are building on their property for cattle farming. They are unsure if the plan would be needed with there being conservation practices put in place. Further confusion stemmed from discussions with Zoning Officer Jeff Snyder and Township Engineer Russ Kresge as the applicant stated they were told they were exempt, given the wrong form initially and then told would be listed as commercial property. Zoning Officer Jeff Snyder stated the original form had been filled out and they were told they would be exempt from needing a Building Permit unless there would be electric added.

Applicant shared they have a Conservation Project under NRCS in place to lessen environmental impact of raising cattle on the property, watershed and stream that runs through the property. The structure is an open sided, roofed building on the property measuring 300x40ft on the 90-acre property. The main purpose of the structure would be for manure capture and storage until it would be spread on the fields. It was also stated that the property is Preserved Agriculture Land and that they would need to maintain the Conservation Project for at least 25 years under NRCS.

Supervisor Randy Detrick reviewed an email from Engineer Russ Kresge in regards to the ordinance and the Conservation Project being agricultural versus building. It was determined that not everyone may have had full information in regards to the plan to have a full idea of what was being asked of the Township. Mr. Kresge had only seen the plan for the Building without the Conservation Plan and it was discussed that all information should have been received and passed along at the beginning of the process.

It was determined that Mr. Meckes could collect copies of everything and present them to Mr. Kresge the following morning to review and respond with a determination. It was explained that the applicant had money available for the plan should it been needed under a Growing Greener Grant.

Leins to be placed against 241 Vista Circle and 315 Ramblewood Drive

It was shared that judgements had been received for both properties on January 24, 2024 and that it was now up to the Board of Supervisors to make a decision about moving forward with pursuing the lien of both properties with a value of \$5,101.25 each. Attorney Filer was asked to look into more information for moving forward.

Vice Chairman David Shay continued with asking if the Township would be able to go back and start another proceeding against the properties to avoid reaching a case similar to Pine Cone Court. Attorney Filer stated he would need to confirm with the ordinance, but that it is standard that each day the violation continues they could seek judgement for. Vice Chairman David Shay stated a want for there to be continuous action against the properties if they were to remain in the same state for continued violations. Attorney Filer and Zoning Officer Jeff Snyder discussed going about being able to receive additional judgements against the properties.

Attorney Filer shared that the current judgements that had been received would need to be transferred from the Magistrate Court to the Court of Common Pleas which, in Pennsylvania, would place an

automatic lien on all properties owned by the owner in the county where the judgement was for five years at which point it would need to be renewed.

Vice Chairman David Shay made a motion that according to the judgement that was awarded on 214 Vista Circle and 315 Ramblewood Drive to allow the Solicitor, Attorney Filer, to move through the process to place liens on the properties in the amount of \$5,101.25 on each. Supervisor Randy Detrick seconded the motion and it carried 3-0.

Vice Chairman David Shay then asked Zoning Officer Jeff Snyder to move forward with new proceedings on the properties for days that had passed since the judgement was granted. He also asked Mr. Snyder about why they would be unable to issue nuisance violations on other properties like had been done on the others. Mr. Snyder shared that they had previously put properties together under solid waste, but had been advised by previous Solicitor, Attorney Rich Campbell, the Township may not have won the case under the particular ordinance so they were held until having the ordinance for an Unsafe Building/Structure. Vice Chairman David Shay shared his belief to continue to bring judgements against nuisance properties to bring attention to the owners in hopes they would come forward offering to clear properties up to Township standards to have the liens released to save time in the future. Attorney Filer confirmed the owner would receive notice of the lien being placed on the property once the judgment would be transferred from the Magistrate.

Zoning Officer Jeff Snyder asked Vice Chairman David Shay for confirmation under which ordinance the Board would like violations filed under, such as solid waste versus nuisance. Vice Chairman David Shay stated Mr. Snyder should have a conversation with Attorney Filer to discuss how best to proceed with outstanding violations within the Township.

Vice Chairman David Shay and Mr. Snyder continued into a conversation regarding the violations of the property at the "old racetrack" and whether or not the owners had been cited. Mr. Snyder shared that the owners had started removing vehicles from the property, but appears now they will not fully clean the lot up and that they could now move forward with a Civil Complaint after receiving direction from the Board of Supervisors. Vice Chairman David Shay stated about a previous motion that had carried allowing Mr. Snyder to move forward with citing violations that he came across. Mr. Snyder responded with stating again the previous Solicitor, Attorney Campbell, had advised against.

Mr. Snyder then continued in regards to the property located at 2200 Kunkletown Road being a lot that is less than one acre in size and houses four different structures which was cited last year when service was being added to an existing accessory structure. A Stop Work Order was issued and then the owner came in for an Electrical Permit. After this, the owner converted the structure into a single family home which Mr. Snyder was unaware of.

Mr. Snyder had visited the property earlier in the day to take photos and post the property at which time he was told by those at the property the building was only being used for storage and locked at all times. It was then discovered that the owner's mother-in-law was residing within the structure so a Cease and Desist was issued for a dangerous structure for them to be out by the following day, March 4, 2025. Mr. Snyder then confirmed that the other structures had permits and had prior inspections.

Vice Chairman David Shay asked for confirmation in regards to photos he had forwarded to Mr. Snyder of the property via email about recent work that appeared to have been done to the house and to

determine the situation of the septic on the property with converting a single-family home to a duplex. Vice Chairman David Shay then continued with showing Mr. Snyder the photos from his phone for review and his concerns towards how the property was being handled by the Zoning Office.

Mr. Snyder shared that the septic for the garage, which had a sink and toilet, was previously tied into the existing house. He also shared they had a Septic Report for the manufactured house on the lot which had been okayed by Borgers that it was functioning properly.

Vice Chairman David Shay asked about the additional meter base that had been added to be reviewed by Mr. Snyder. Supervisor Randy Detrick asked if the work had been done without a permit to which Vice Chairman David Shay confirmed the owner had received permits for the work, but not to transform the area into a living space or apartment. He further stated that he wanted to see all of the permits that had been issued to the property and for what they were for to then follow up with Mr. Snyder at a later time.

Vice Chairman David Shay then asked Attorney Filer about land with a nonconforming use could still be considered as such even if it had been abandoned for over twelve months. Attorney Filer stated he would have to look into the matter, but Mr. Snyder confirmed that it could. Mr. Snyder also stated that even if someone was not living in one of the structures on the property, the property had not been abandoned.

At 7:41pm Chairman James Zahoroiko requested a short recess and returned at 7:44pm.

Vice Chairman David Shay shared his thoughts for the current Zoning Office to which Mr. Snyder stated that SFM could send another representative to the Township instead if preferred. Vice Chairman David Shay shared he felt it to be a conflict of interest for the Zoning Official and Building Code Officials to be from the same office leading to potential issues.

Open Elected Position – Tax Collector

The Tax Collector position was announced to be open. Those interested must file by March 11, 2025 and require a petition with at least 10 signatures of Ross Township residents registered to vote within their declared party.

Laura Hoffman was present and further explained that a Background Check from the Pennsylvania State Police would also need to be submitted prior to being added to the ballot. She also explained once elected, there will be a 60day period to pass State Qualification and also have to complete set credits of continued education prior to the conclusion of the third year of a four-year term.

If no one would run, leading to a vacancy, the Board of Supervisors could advertise for applicants three times and then appoint a Tax Collector. The Board would also have the option to reinstate joint coverage with another local Township.

EVENTS:

Spring Clean Up Dates – May 9 & 10, 2025

A discussion was held over which dumpster company to use for the Spring Cleanup Days. Supervisor Randy Detrick made a motion to continue use of Scott's for the dumpster rentals. The motion was seconded by Vice Chairman David Shay and carried 3-0.

ROAD FOREMAN REPORT:Advertise Roads to be Bid for Paving

Road Foreman Ethan Brewer had shared a list with the Board of Supervisors of roads to be bid for paving including Rolling Hills, Woodstock and a remaining piece of Evergreen depending on what the budget would allow for. There also would be another set including Bonser, Young and Brick Church.

Vice Chairman David Shay made a motion to put out for bids for 1/26 of a mile of Rolling Hills, 1/4 of a mile on Evergreen and 7/10 of a mile on Woodstock for paving and bidding for tar and chip for 1.3 miles on Bonser, ½ mile on Young and .20 on Brick Church to be opened at the April Meeting. The motion was seconded by Supervisor Randy Detrick and carried 3-0.

Advertise Mt Eaton Road Culvert Project

Vice Chairman David Shay spoke with Engineer Russ Kresge's office on Friday about them having to put together Bid Specs. They are almost done, but need a motion to put together the proposal.

Vice Chairman David Shay made a motion to advertise the Mt Eaton Culvert Installation Project. The motion was seconded by Supervisor Randy Detrick and carried 3-0.

Discussion for Crack Sealing Rental

Road Foreman Ethan Brewer shared there is material leftover from sealing that was completed last year so the only additional cost would be to rent the machinery needed. The rental options were at \$2000/week or \$6000/month.

Supervisor Randy Detrick made a motion to approval renting machinery for a month, seconded by Vice Chairman David Shay. The motion carried 3-0.

CORRESPONDENCE:

The Board of Supervisors had reviewed the provided Correspondence items and there were no further questions.

RECEIPTS & EXPENDITURES:

After a review of the bills to be paid, a motion to approve the processing and payment of all current bills was made by Supervisor Randy Detrick and seconded by Vice Chairman David Shay. The motion carried 3-0.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:56pm. The motion to adjourn was made by Supervisor Randy Detrick, seconded by Chairman James Zahoroiko and carried 3-0.

Respectfully Submitted,

Lizzy Stortz

Temporary Recording Secretary