

## Paupack Township Board of Supervisors

### Meeting Minutes

June 28, 2012

The Paupack Township Board of Supervisors conducted an extra meeting for June, 2012 at 7:30 PM, which was advertised in a due and timely manner.

#### The following Township Officials were present:

Bruce Chandler, Chairperson  
Leigh Gilbert, Supervisor

Thomas Oakley, Supervisor  
Ronald Bugaj, Solicitor

#### The following members of the public were present at the meeting:

Art Burckes  
Kevin Katz

Richard Varick  
Carl Fregoni

Gordon Kinzinger

Mr. & Mrs. Lasko

- **Resolution Wayne Ambulance:** The Paupack Township Board of Supervisors has adopted by resolution 2012-23 Wayne Ambulance as being the primary BLS, and ALS first responders. The feeling here is that the Supervisors felt that Wayne Ambulance would best serve the residents of Paupack Township. Bruce Chandler made a motion to designate Wayne Ambulance as the Township's primary first responders as BLS & ALS. Tom Oakley seconded the motion. All voted yes to accept Resolution 2012-23.
- **The backhoe purchase:** At the regular meeting of the Paupack Township Supervisors a motion was made in error regarding the purchase of a new backhoe loader. This error is being corrected at this meeting as/per the make and model of the machine. It will be a Case Backhoe Loader, not a John Deere.
- **Update on vacating Daniels Road – Paupacken Lake Estates:** We are still waiting for documents in regards to the ordinance, which should be available for the regular Board of Supervisors meeting July 12, 2012. There is a description necessary as/per DEP mandate.
- **Update on the Richard Varick permits issue:** Chairperson Bruce Chandler stated that it was time to set the record straight regarding the Code Enforcement Violations currently lodged against Mr. Richard Varick. Solicitor Ronald Bugaj explained the issues with avoiding the permit process when it comes to Sewage, Building, and Zoning. The understanding at this point in time is that the sewage issues have been addressed on a residential level, not commercial, and the building & zoning requirements are still an issue. Mr. Varick stated that the sewage issue has been given to Kiley Associates for a possible upgrade to commercial status. It was mentioned that the meeting tonight is to address the zoning issues with Mr. Varick's property. Mr. Varick states that "he will not be applying for a hearing before the Zoning Hearing Board." It was brought out that there has been no appeal applied for addressing Mr. Varick living in this building that doesn't have a Building Certificate of Occupancy. Mr. Varick stated that he plans to apply for a commercial use of the building. Attorney Bugaj questioned Ms. Beth Vail (Mr. Varick's architect) as to where she stands with Mr. Varick's project. It was stated that the Paupack Township's Board of Supervisors will not intervene, unless absolutely necessary, in any of these proceedings. Mr. Varick stated that he is moving forward quickly with corrective measures. It was mentioned by Attorney Bugaj that the Township has every right to have Mr. Varick evicted from the building, but is trying to work with Mr. Varick to bring these permit issues to a conclusion. Mr. Varick responded by stating "Do what you have to do." Mr. Carl Fregoni (with BIU) stated that Mr. Varick moved forward with building this structure without the proper permits. Mr. Varick agreed with that statement. Attorney Bugaj asked questions regarding the three (3) electric meter heads. Mr. Carl Fregoni explained BIU's issues with having three (3) meter heads. Attorney Bugaj asked Mr. Varick to explain why we should continue to let him have three (3) meter heads. Mr. Varick claims that the

three (3) meter heads are for future expansion in regard to future commercial use. Attorney Bugaj stated that the meters are an issue due to the permits currently applied for are residential. Mr. Varick claims he is moving forward with the commercial usage angle. Supervisor Thomas Oakley asked Mr. Varick to explain what he wants in there now, as to permits, and usage. Supervisor Oakley stated the Township is only trying to get Mr. Varick into compliance with Township Ordinances; Mr. Oakley followed that statement with "so please tell us what you have in there now. Example; Businesses, and Tenants, and what are your intentions?" Mr. Varick stated that the septic system is to be increased in size. He further noted that currently he is renting space, has storage, and retail sand blasting supplies. Mr. Varick stated that he was currently working with Ms. Beth Vail, and Kiley Associates to bring this project into compliance. Attorney Bugaj stated that this is more of a zoning issue than a building issue. Attorney Bugaj asked Mr. Varick, "Do you currently have permits for the two (2) commercial businesses located there." Mr. Varick stated "No". Attorney Bugaj stated, "You are operating these businesses without permits." Mr. Varick stated that, "Rolin Edwards is stopping him from operating his businesses." Attorney Bugaj stated, "But you are still operating after you were told to stop." Supervisor Oakley stated, "Our only goal is to get you into compliance." Supervisor Oakley also pointed out, "Mr. Varick hasn't applied for any commercial usage at this time". Attorney Bugaj pointed out that twice Mr. Varick has been given twenty (20) days to comply. Attorney Bugaj advised that the Supervisors should file for non-compliance. Mr. Varick claims that Zoning Officer Rolin Edwards called him a liar. Attorney Bugaj stated that, "Maybe Mr. Edwards called you a liar because you lied to him." Supervisor Oakley mentioned, "We had a meeting with you in February, and you pledged your cooperation."

Attorney Bugaj recommendation: At the regular meeting of the Paupack Township Supervisors on July 12, 2012, bring all the professionals to the meeting, and have Mr. Varick convince the Township to not take action to stop current use if he is in violation of Township Ordinances, otherwise Attorney Bugaj advises the Township to take action against Mr. Varick. Attorney Bugaj suggests that electrical meter heads could become a major problem, if Zoning Officer Rolin Edwards say they go, then they go, if not you will be shut down. Mr. Varick states that he is clear on Attorney Bugaj's recommendation. Chairperson Bruce Chandler make a motion to accept Attorney Bugaj's recommendations, Supervisor Thomas Oakley seconded the motion, and all voted yes to accept Attorney Bugaj's recommendations.

With nothing else to come before the Board, the meeting adjourned at 8:23 PM.

Respectfully submitted,



Leigh Gilbert, Supervisor