

Sunday January 15, 2017....10 AM to 11:45 AM, BHW Special Meeting

Blue Heron Woods POA Directors met at the home of Pat and John Scagliotti

**President-John Scagliotti; Vice-President- Rich Klein; Treasurer-Alissa Weiss Wade;  
Sgt Arms: Lou Lombardo; Architect Committee: Will Rivera, Rebecca Rivera, Ryan Neenan  
Absent: Carolyn Szalsky-Secretary; Bob Geis-Alternate**

Minutes recorded by Coach Lou Lombardo

**TOPIC:** Information from Meeting with Attorney Spall on 9-24-16

PCCD (Pike County Conservation District)

NPDES (National Pollution Discharge Elimination System) permit expires in 2019.

What is in the best interests for the Blue Heron Woods POA?

Lot 141 violations.

1. Lot 141 (BHW south) issue-illegal clearing of trees; Will Rivera had a communications with the excavator. The property representative was belligerent and threatened Will.....wanted to know where Will lived. The listed owner of Lot 141 is Lisa Picinich.
2. The Lot 141 owner has not submitted application/paper work to the Pike County Conservation District; confirmed by Ellen. The Lot 141 owner has not signed the co-Permittee contract.
3. Will Rivera-the Lot 141 owner believes that he is grandfathered and not subject to regulations of the BHW Architect Committee. There is a lien against Lot 141.
4. Rich Klein delivered written material to attorney Spall on December 9, 2016. Spall called on December 10, said he would have relevant information.
5. Rich Klein visited the Spall Law Office on January 10, 2017. Rich requested a letter from Spall to be sent the Lot 141 violator.
6. John Scagliotti-we are still awaiting a form letter from attorney Spall; The following properties have applied to the Architect Committee: Lot 5, Lot 59, Lot 99, no compliance from Lot 141. Lot 59 is awaiting PSSD letter for file.
7. Rich Klein-have we been billed by attorney Spall? Alissa Weiss response-No! Chris Finney is the associate attorney of John Spall.
8. Coach Lou-can BHW lose the Permit if Lot 141 does not comply and creates environmental problems. Will Rivera response-Yes, the BHW POA could lose the Permit. Lot 141 has 8.3 acres.....he could be selling timber.
9. Alissa-all current liens are against property owners who have not built homes. Lot 141 has a lien and they have cleared a large space on the lot. I will send an updated spread sheet regarding the liens that have been filed against BHE properties.
10. Rebecca Rivera-our goal is to resolve the Lot 141 issue before warm weather arrives.
11. John S-We need new chains for the pathway that runs from the cull de sac (ATV-logger pathway) at BHW south. This is BHW common property. We cannot allow 4 wheelers due to drainage issues.

12. Will R-We must get signage----NO TRESPASSING
13. Alissa W-4 chain areas are needed (maintenance issue).
  - 2 Chains needed-BHW South, Route 402-Route 6 connector
  - 1 Chain needed-Decker Creek-leads to the BHW sanctuary (360 feet)
  - 1 Chain needed-Woodcrest-pond/swamp area
14. Alissa W- I will send reminder letters regarding the covenant violations.
15. Will and Rebecca-we will take a Spring walk to review properties.....special kudo to Coach Lou for his masterful privacy stone wall (propane tank)
16. John S-the PCCD Permit expires on January 1, 2019. We should make a decision during the 2017 year. We shall ask the attorney to craft an explanation letter for BHW POA members.
17. Will R-The PCCD should send a rep to a BHW POA meeting. They should explain to BHW property owners that they must individually file and pay for the NPDES permit if the POA allow the permit to expire.
18. John S-All present protocols for building would remain the same. The individual must pay the NPDES permit fee.
19. Will R-They must also file with the PCCD to get a permit from the respective township.
20. John S- attorney Spall recommended to let the NPDES permit expire. If we had 150 developed lots it would be best to allow the permit to expire. We have less than 30 homes....do we want the permit to expire?
21. Coach Lou-are we obligated to notify BHW property owners or can we just allow the permit to expire? If we seek to renew there will be a cost per property owner.
22. Alissa W- there would be a special assessment to cover the cost of a renewed permit (5 year lifespan). If some owners do not pay we must pick up the slack. Palmyra, Blooming Grove, and Lackawaxen cannot issue building permits until Pike County gives permit.
23. Alissa W-we should get a letter from the DEP (Alissa will contact the Wilkes Barre office) and the PCCD that says individual lot owners are responsible for compliance to their rules when building a home.
24. John S- Ellen of the PCCD always has a witness attending her meetings...she spouts the company line. John S asked, what are the ramifications if we allow the permit to expire? Ellen did not give a response.
25. Coach Lou-why would property owners without homes care about the 2019 permit expiration date? Why would they wish to pay the fee? Is the permit fee raised every 5 years? John S-yes the fee can be raised and regulations are changed constantly.....if we renew there will be no changes to the regulations....we would be grandfathered....if the permit lapses and then we reapply for a permit, we are subject to new regulations.
26. John S-currently, all BHW violations are cleared.
27. Rick K- our lawyer must make a presentation at the June BHW POA meeting.

28. Ryan Neenan-I can help with the legalize language (dumb it down). I can make a power point presentation.
29. John S-we must get details from the DEP, then attorney Spall.
30. Ryan N-if we do not extend the permit----we should recommend that people start construction of new homes before January 2019.
31. Will R-can the BHW POA put a "stop work" order against Lot 141? Maybe not if he uses cash and fulfills township and PCCD regulations, ie. does not submit plans to the BHW Architect Committee, violates POA building covenants, does not play dues.
32. Rich K-Jack is a builder, using the cull de sac area with a dump trailer. Will R- we should discuss this at the next meeting.
33. Rich K-parking at the mailbox area....yellow Nissan pickup truck goes to Route 6 (maybe a car pool situation). I think the owner lives near Caroline.
34. Alissa W-I will make an email list of questions for the DEP.