

Herrick Township Hearing

O'Brien asked Ross if he knew what a Right to Know request was. Ross said yes. O'Brien said, "We submitted a Right to Know request. Would you say the communication with the police is the same? How many incidents were there with the facility? Neyhart objected to the question. O'Brien said, "Okay, I'll ask the next witness."

O'Brien next asked Ross if he was familiar with the comprehensive plan. Ross said yes and that he is speaking about the one from 2005. O'Brien asked, "Does that plan provide for a drug and alcohol treatment facility?" Ross said, "Nothing specific. Just plans and objectives." O'Brien asked, "Does it identify land use or mention a ski recreational area?" Ross said, no. O'Brien said he had no further questions.

Next, there were questions from the public. Heather Eriksen asked Ross how many rooms does he have for rent. Ross replied 13 rooms, sleeps 42.

Ed Sandy asked if Ross would retain any surrounding property. Ross said yes. Sandy asked, "Will any of it be available to Bellino for future sale? If she wanted to expand the place?" Ross said, "I want to place it in a conservation easement. I don't foresee selling it." Sandy said, "My concern is the diminished value I may suffer with the rehab being so close. Is there any way we can be compensated? I will lose \$460,000." Neyhart objected to the question as this is a hearing only to the conditional use permit.

Andrew Belcher said, "Under the article, the attorney talked about emergency services and what it will require for volunteers and state police with a type of facility it will be. There could be possible recurring debt to police and volunteers. As a supervisor, you know volunteer staff is dwindling. Putting in another facility will put a hindrance on services to the community." Belcher said, "Emergency services are called all the time to the Carbondale facility. Can you say it won't have an effect on services?" Ross said he couldn't answer.

Mark Reading asked if there was anything that would restrict patients from leaving the property. Ross said from what he was told there wouldn't be. Reading asked, "Will clients be on and off the property while getting treatment?" Ross said, "From what I understand, they will have supervised outings."

Jennifer Burman asked if Ross would be a partner in the facility and would any other township official (supervisors, planning commission members) or COG officials profit. Ross said, no, to all.

Sandy asked why Ross was applying for the change of use. Ross said because he was the applicant.

Patrice Ebersole stated, "This is an example (pointing to the audience) of community you have. Why do you want to subject these people to a situation they feel threatened by, other than money? Where is the thought of jeopardizing young people, by the people who rent? I am mind-boggled you would consider this in the community with an awesome place for a restaurant and inn. But it hurts these people. Why? What is your logic behind this deal?" Neyhart objected to the questions because this was a hearing.

Amanda Burns asked Ross if he had contact with any other solicitors, supervisors, planning commission members via phone, text, etc. since he abstained or recused himself. Neyhart objected to the question because it lacks appropriate value for the hearing. McAndrew said he could answer if he was in contact with solicitors but not reveal what was said because it was confidential. Ross said, "Yes, I contacted Ed, Marissa and Nancy but I did what I felt the context had no bearing on this case. There is township business that needs to be carried forth." Burns asked how often Stone Bridge is full. Ross said most ski weekends, summer, Christmas, other holidays. "Every room is full."

Donald Herr asked how many days the facility is open. Ross said the restaurant is open Thursday-Sunday but the inn is

open 7 days a week.

Stephen Pendrak asked Ross, "You referred to the conservancy to the surrounding property. Does the conservancy exist?" Ross said, yes. Pendrak asked, "Are you free to sell the property to anyone at any time?" Ross replied, "Yes, just like you can sell your house." Ross then ended his testimony.

Neyhart called Cynthia Bellino to testify. O'Brien and Hailstone both objected because she wasn't a resident of the township. McAndrew noted their objections but allowed her testimony as a witness as it was previously agreed upon. Bellino said she owned and operated Just Believe Recovery Centers in Pennsylvania and Florida for the past 6 years. She said both have detox centers. "In a detox unit, people are messed up. They are high, drunk. Some have mental illness. Detox takes 7-10 days, depending on insurance or we can help with scholarships. The next level is a 30 day treatment. There are counselors and techs who guide every move patients make. The ratio of techs to clients is 3-1. We are state licensed. The PHP level (partial hospitalization program) is the 3rd level (what is being considered for the Stone Bridge property). They have been away from substances for 30-50 days. They are supervised 24 hours a day, there are counselors there. The whole day is structured. We can dig deeper into traumas once they are clean. People aren't on welfare. They are coming from families you wouldn't expect."

Neyhart asked if the facility is for human health services. Hailstone objected to the statement. Neyhart asked what is the proposed use for the Stone Bridge facility. Bellino said, "Treat people with addictions. Level of care is PHP level. 30-50 days of being clean. People can leave against medical advice. The most we will have is 31 clients. Seven employees at different times around the clock. People won't have their vehicles. They will not have access or being unsupervised. We will have two or three vans. We will take them to outings. Skiing, state parks and we will supervise them. More people will be on staff to supervise. Staff will have their own vehicles. Patients will have their mental health and psychiatric medicines." Neyhart asked, "All part of a human health facility?" Bellino replied yes.

Neyhart asked if there was a higher response for emergency response calls. Bellino replied, "Might be a little more in Carbondale but not more than when it was a hospital." Neyhart asked if ambulance service is related to detox. Bellino said, yes. Neyhart said there wouldn't be detox for the Stone Bridge property. Bellino said correct. She said there are 100 clients in Carbondale and most calls are for alcoholics.

Hailstone read the email Bellino sent to Ross regarding suing people in the township if they don't vote with the township's laws. "Who is the Brian in the email," he asked Bellino. She pointed to Supervisor Brian Zembrzycki and said the email should have gone to the attorneys. Hailstone asked if the facility would have a security system. She said, yes. He asked if it would have fencing. She said if it was needed, yes. Hailstone asked if her plans can change. Bellino replied, "No, this is what we planned but down the road, who knows. Plans are just for today."

O'Brien said, "You will start with the PHP program. Are you saying you will never seek any other changes?" Bellino replied, "No, I don't know what the future holds. Not ready now for anything else but if I have a right, yes." O'Brien said, "Taxpayers would have a right to know what changes there would be." Bellino said she believed that is in the township's zoning. O'Brien asked what kind of drugs would be given out at the facility. Bellino said, "They would be prescribed by a doctor. No oxycodone, opiates, methadone but any antipsychotic, anything needed for anxiety, mental health." O'Brien said, "You don't see an additional need for emergency services. There were 85 services calls in the past 3 years in Carbondale." Bellino said, "Seems

fair but they aren't all for us. There is a business near us with doctors." O'Brien named dates of 2-8-18 for a call for an assault and 11-19-17 for disorderly conduct. Bellino said she didn't know because she wasn't here all the time.

O'Brien asked if there were any problems with illegal drugs. Bellino said, yes, it is common for the Carbondale facility but it wouldn't be here in Herrick. O'Brien asked, "But you told the supervisors you could down the road have a detox here. So it could be a concern." He asked Bellino if there were any suicides at the Carbondale facility. Bellino said, no. O'Brien mentioned the dates of 11-23-15 and 5-2-17. He said he got the information from the Lackawanna County Communications Center's descriptions. Or said maybe it was attempted suicide. Bellino said, "Might be what they thought might be a concern but don't say we had a suicide." O'Brien asked, "With potential services at Herrick facility, is there any policy book in place for the facility?" Bellino replied, "When I own the facility." O'Brien asked if she ever discussed the potential use with Ross. Bellino said, yes. O'Brien asked if they met in person or text with Ross in relation to the proposed facility. She said, yes, and she could pull them up for him. O'Brien said, "I asked for all correspondence to be sent. No text messages were given. How about emails?" She said, yes, that was what she meant. O'Brien requested all correspondence be sent to him as he only got 1 or 2 messages. He asked her if she discussed the conditional use application with anyone on the planning commission board. She said she talked with someone in passing but didn't know their name.

Eriksen said, "There will be 30 clients and only 7 people on staff with 3 shifts concerns me. It's extremely and dangerously small. I would have more supervision for high school kids going to the zoo. I have firsthand knowledge of a family member going through this. My concern is gross understaffing." Bellino replied, "I can guarantee on understaffing by state regulations for PHP." Eriksen asked what happens next after they complete the program. Bellino said they would go to a safe house. Eriksen said, "My experience is that they don't go far. How full is the Carbondale facility?" Bellino said there are 28 in detox and 54 residential. There are 66 for PHP but it is closed for remodeling. Eriksen asked what the basic recidivism rate was. Bellino replied, "I can't answer that. I will get it for you. We really care about them. We are doing excellent with what we do. Not everyone succeeds with that." Dan Eriksen asked, "When patients come in, do they change their clothes? Do family members come to visit? Do you search the family members, search their pockets?" Bellino said people do change into patient type clothing and people will be searched and have to leave things at the reception desk but, "If people want to bring drugs in, they will hide them in places I can't search."

Sandy asked how long she was in recovery. Bellino replied, "I am 11 years sober. I go to meetings. You have to be honest with yourself. I have been around it for 27 years." Sandy asked, "What is to stop you from changing this into a detox?" Bellino replied, "Nothing. But not now but in the future if I can, yes. I can ask the same with you. Are you going to do anything at your house? I do have plans to expand the detox in Carbondale." Sandy asked how often are visiting days. Bellino said once a week.

Janine Laingman asked what happens to the people once they complete treatment. Bellino said they have techs transfer them, sometimes to their homes.

Pendrak said, "Are a good portion of clients schizophrenics?" Bellino said, "We have some." Pendrak said, "You will have schizophrenic and bipolar on the property and they can leave at any time?" Bellino said, yes. Pendrak asked, "Why did you only address Brian in the email?" Bellino said, "To help them out. I sent them based on

rules of the ADA (Americans with Disabilities Act) law. The ADA law doesn't have to step in. Your zoning laws approve this already. They shouldn't hate them, not talk to them, take work away from them, like a mob." Pendrak asked again, "Why did you only address one township supervisor and not others?" Bellino said, "I sent it so it would go to their attorney. I don't know the other name." Neyhart objected to the questions because the hearing was about the change of use application and the email was 'whimsical.' O'Brien said, "This is a hearing in a free society. Why was the email sent to Brian and not Nancy?" She said, "I said to send it to the attorney. I should have said to the board so it would be a way out." Pendrak said, "Why did it say, 'I hope Brian understands the importance of voting?'" Bellino replied, "Because Brian was fearful he would lose business." Pendrak asked how she knew he was fearful. Bellino replied, "I overheard him say he has to work in the community. I am here to testify what we are going to do at the treatment center. If you want to twist it around. I have every right with your zoning to own it. Elliot has the right to apply for the conditional use permit. Whoever is driving the fear is not right. I heard that I was arrested last weekend. I was with my grandchildren."

Burman asked what type of license is needed for PHP. Bellino said PA license and there will be 24 hour staff, nurses, doctors and psychiatrists on call but they aren't needed for PHP. Regular private insurance will be accepted here. Staff will be trained in CPR, will have access to Narcan, all kinds of training. "We have a 40% success rate. Only open for 6 years in Carbondale." Burman asked Bellino if she was aware that the area doesn't have ALS (Advanced Life Support) support in the area. Bellino said, "Yes, but I am familiar with the calls to Elk Mountain." Burman asked, "Are you aware BLS (Basic Life Support) doesn't have Narcan?" Bellino replied, "No, but we have Narcan. I can train the ambulance crew and provide the community with Narcan." Burman asked if there is a need for Narcan in PHP. Bellino said no. Burman asked Bellino if she has business with a planning commission member. Bellino said, no. Burman asked if the staff have criminal records. Bellino said some have DUI's.

Deborah Keller said, "April 2017, Lackawanna County was offered a deed to the Carbondale facility in lieu of foreclosure." Bellino asked, "Why are you asking?" Keller replied, "Not paying on it." Bellino said she can't speak about it because it is still in court. Neyhart objected to question. McAndrew called a 5-10 minute recess.

Neyhart asked Bellino a series of questions if the facility will have production of flammable materials, radioactive materials, outdoor activity in excess of 65 decibels, vibration, sky reflective glaze, smoke, odors, gas, emission of fly ash, contamination of air or groundwater. Bellino replied, no, to all of them.

O'Brien referred to Section 608 and asked Bellino if she was aware of the conditional uses of the township zoning ordinance. Bellino said, no, because she didn't put in the application. O'Brien said, "So, you can't say it is compliance with Section 608 but you said yes that this use was allowed under zoning. Have you read or are you aware of any additional use that should be in harmony of the township and the topographical effect on safety, public health and the environment? Was any study developed?" Bellino replied, no. O'Brien asked, "Has the topographical and physical development plan been developed? Have you seen it?" Bellino said, "I have seen occupational licenses, licenses for the hotel. I am not changing the structure of the building." O'Brien said it will have an effect on the community. Bellino said, "There is more harm with an open bar than a treatment facility." O'Brien said, "Conditional uses. There is no undue burden on facilities or on the township. Mr. Ross will have to be responsible to provide

improvements if needed. Were you aware?" Bellino said, "Not here. The property will not be changed. Are you asking if a drug/alcohol treatment center is going to cause danger to people in their backyard? I have not read any of the ordinances in this township." O'Brien said, "When Ross testified he said he doesn't have the knowledge of operational use prior to the transfer." Bellino replied, "He couldn't. He isn't a drug and alcohol treatment professional." O'Brien asked, "Do you recall his testimony about the operational day to day use of the facility? Mr. Ross said you would have more information on how things could be run." Bellino said, yes. O'Brien said, "You testified that zoning could allow for a facility." Bellino said, yes. O'Brien said, "But you just testified that you didn't read any of the ordinance." Bellino said, "I read one or two." O'Brien said, "How about conditional uses in Section 608?" Bellino said, no. O'Brien said, "So, you haven't read that section?" Bellino replied, "I have discussed it with my son and attorney." O'Brien said, "Is your opinion that all township zoning ordinances

are the same?" Bellino said, "No, but a lot of it is and a lot of it is not. This township is different in wording and verbiage is different than others." O'Brien said, "You testified you didn't read Section 608."

Heather Eriksen said, "This is a phenomenally expensive business you hope to open. Are you willing to share where your financial backing is and financial setup is so you can assure us it won't go into foreclosure?" Neyhart objected to the question. Eriksen said, "The township is desperately afraid of your freedom to choose what to do down the pike or another CEO comes down the pike." McAndrew said it is a good question but not for what was said at this hearing and she said Eriksen already spoke. With that, the hearing ended after over 3 hours of testimony.

McAndrew said another hearing on the application is scheduled for Thursday, July 19 at 6pm. The planning commission will reconvene their meeting tomorrow night.

Herrick Twp. Planners hear conflict matters about Treatment Center

by Theresa Opeka

The Herrick Township Planning Commission held their meeting Thursday, June 14. It was reconvened from last month. The item on the agenda was the change of conditional use permit from Elliot and Kim Ross for Stone Bridge Inn and Restaurant to a proposed drug and alcohol treatment center.

Steve Ursich called the meeting to order. He said the planning commission held an executive session from 6:30 to 7:30 regarding legal issues pertaining to zoning issues. He read a letter from Andrew Belcher who asked Mr. Ross to resign as a supervisor and any and all committees in the township and Susquehanna County. The letter went on to say that Ross allegedly recused himself from activities related to the change of use permit. It also said Ross has and continued his correspondence with other township officials and the township's solicitor. "He has failed his community and lost the trust and respect of me and many others." He said with a lack of trust he can't continue in his position and if he has any honor he will step down. He ended his letter by thanking Ross from his years of service.

Ursich next read a letter from Jennifer Burman asking to be considered to fill one of the vacancies on the planning commission. She stated she has been a resident for 6.5 years. The request will be considered at the next supervisors meeting.

Ursich also read letters from Lisa Rivers and Michael Legorie that were also read at last week's supervisors meeting. Both opposed the change of use application. Another letter against it written by Lisa Cone was also read.

Two letters in favor were read. The first from Dr. Kielty Turner, a licensed clinical social worker who has worked in Southampton, NY and at Marworth in Waverly said there were no effects on public safety or diminished property values and that the decision is "not about what we prefer, and may say not in our backyard but it's already in our backyard."

The second was from Nancy Ross, Elliot Ross' mother. She said she didn't and never did have an interest in Stone Bridge. She said she is a psychologist and Stone Bridge is a good site for the treatment center.

Ursich had a memo from himself regarding a conflict of interest with Ross' appli-

cation because he has family members that reside in a property owned by Ross. But, he said, he would be there for a quorum. A motion was made to accept the memo with planning commission members Matt Ferrel, Jeri Turner and Tony Ezman voting in favor.

Ezman said, "We don't have enough information to vote on the application. We need more information and made a motion to table the vote until they get more information. All voted in favor. Motion passed."

Bud Meredith asked about the other open planning commission position and if he would qualify for it. He is a resident of Bucks County and of the township. Attorney Michael O'Brien said it all depends where you vote.

Catherine Meredith said, "Everyone in favor of the center keeps referencing this area being isolated but it is not. My grandbabies will be playing there. It is a combined living area. It's a resort. I want my comments written into the record."

Township solicitor Marissa Cino McAndrew said she should come to the next hearing where a stenographer will be entering comments into the legal record just like at last night's hearing. Her comments, however, will be entered into the meeting minutes.

Jim Breshale asked if there could be an additional venue considered for the next hearing due to the concerns the weather may get hot. He also said people in the back couldn't hear.

McAndrew said they will be getting a microphone for the next meeting.

The meeting was adjourned. The next planning commission meeting on business not pertaining to the change of use application will be held on Thursday, July 12 at 7:30pm. The next planning commission meeting pertaining to the application will take place after the next hearing, which will be held on Thursday, July 19 at 6pm.

Lawn Supper in Starrucca Thurs., June 21

A Lawn Supper with Chicken & Biscuits will be held on Thursday, June 21 at the Starrucca Baptist social rooms with serving at 5 P.M. Please bring a donation plus food pantry item. The public is welcome.

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