

**PARADISE TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
FEBRUARY 21, 2024**

Call to Order

Chair Gonze called the meeting to order at 6:05 p.m.

Public Comment Statement

Gonze read the public comment statement "*Ladies and gentlemen, before the Board of Supervisors votes on any matter, the Board will allow for public comment on that particular item. If you wish to be heard at that time, please raise your hand, and you will be recognized.*"

Gonze stated that the meeting is being recorded for the limited purpose of preparing the official minutes.

Special Note

Gonze announced that to meet the requirements established by the Office of Open Records for virtual meetings, this meeting is being audio and video recorded via Zoom from the initial announcement of the meeting until its end. The meeting Zoom link was posted on the Township's website where the public may join the Zoom meeting, interact, and ask questions in real time.

Roll Call

Officials Present:

Peter Gonze – Chair

Reda Briglia – Vice Chair

Michael Stein – Supervisor

John C. Prevoznik – Solicitor

Charles Unangst – Engineer

Tina Transue – Secretary

Executive Session

Solicitor Prevoznik stated that an Executive Session was held at 5:50 p.m. and all three Supervisors and Solicitor Prevoznik were present. Solicitor Prevoznik stated that contractual negotiations were discussed as well as two personnel matters. The Executive Session ended at 6:04 p.m. No decisions were made.

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Approval of Minutes

Motion: Briglia moved and Stein seconded to approve the February 5, 2024, Board of Supervisors regular meeting minutes as presented.

Motion carried 3-0.

Treasurer's Report

Transue read the Treasurer's Report.

Motion: Stein moved and Briglia seconded to accept the February 21, 2024, Treasurer's Report.

Motion carried 3-0.

Unfinished Business

Richard Gannon EMC Appointment/Any Action – Gonze introduced Richard Gannon. Mr. Gannon is the Township's Emergency Management Coordinator Appointee. Gonze stated that he was notified that Mount Pocono Borough approved by resolution allowing Mr. Gannon to serve as the EMC for both municipalities.

Cintron Property Holding Tank Agreement/Any Action – Solicitor Prevoznik stated that the Cintron property has a malfunctioning septic system and the owners appeared before Magistrate Riley regarding the SEO violations. The property owners stated they would agree to a four-year agreement to have the system pumped out regularly to allow time for soil corrective measures to bring the system back into compliance. Solicitor Prevoznik provided the Board with a copy of the proposed Holding Tank Agreement. Solicitor Prevoznik asked the Board for approval to forward the proposed agreement to Cintron's counsel, Attorney Joseph Hanyon.

Motion: Briglia moved and Stein seconded to approve Solicitor Prevoznik to forward the proposed agreement to Cintron's counsel, Attorney Joseph Hanyon.

Motion carried 3-0.

Route 611 Water & Sewer Area Expansion – Solicitor Prevoznik stated that the Brodhead Creek Regional Authority's (BCRA) Delaware River Basin Commission (DRBC) Docket which included a request to expand its existing water and wastewater service areas was to be determined at the DRBC's February 2024 meeting. However, the discussion on the docket renewal was postponed to the DRBC meeting in May of 2024. This postponement allowed the BCRA to ask whether any of the other municipalities it served wanted to increase its future water and wastewater service areas. Solicitor Prevoznik stated that if Paradise wanted to include future service areas in the docket, it had to make a request prior to March 1, 2024. Solicitor Prevoznik presented the Board with two maps showing different options for extending future water and wastewater service areas along the Route 611 corridor. The first illustration depicted the Hawthorne property to be included (option A) and the second illustration depicted the Hawthorne property, the Wiscasset Road properties, the Trinity Hill properties including the Church, and the Maula property located on the opposite side of Route 611 (option B). Solicitor

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Prevoznik stated that simply submitting a request to include additional parcels in a future service area does not guarantee that such a service area will come to fruition. He further explained that in order to turn a property listed as a future expansion service area into an actual service area, would require many agreements including agreements between property owners, Paradise Township, Pocono Township, and the BCRA as well as Act 537 planning before any parcels could receive public and/or wastewater. The Board discussed each option.

Motion: Briglia moved and Stein seconded to approve Gonze signing a letter to the BCRA requesting that Paradise Township properties be included in its docket as future service water and wastewater service areas all properties listed in option B.

Motion carried 3-0.

Devils Hole Culvert Damage Assessment and Remediation Options – Mr. Unangst stated that Jason Smith met with Melvin Fish to assess the water damage to the Devils Hole Road Culvert. Mr. Fish submitted a quote to fix the damage to the culvert in the amount of \$15,775.00. Mr. Unangst stated that Mr. Smith confirmed that all machinery and materials are included in the quote, however it does not state that. Mr. Unangst stated that Papillion and Moyer also submitted a quote for a greater scope of work to fix the culvert in the amount of \$317,034.25. Mr. Unangst stated that the damage to the culvert has created an emergency and the damage should be fixed without delay so that it does not further damage or erode the properties supporting Devils Hole Road.

Motion: Briglia moved and Stein seconded to accept the proposal from Melvin Fish to fix the damage to the Devils Hole Road Culvert in the amount of \$15,775.00 based on the written Declaration of Emergency by Hanover Engineering subject to Mr. Fish revising the quote to state that it includes all machinery and materials.

Motion carried 3-0.

Mr. Unangst stated that Jason Smith has submitted an application for the emergency permit from the Pennsylvania Department of Environmental Protection.

New Business

Dogan Lot Line Adjustment/Any Action – John Shupp was present to discuss with the Board the lot line adjustment for Susan Dogan's property. Ms. Dogan owns two parcels, she resides on one parcel, and Pocono Heritage Land Trust will be taking over the larger parcel. Ms. Dogan is requesting a lot line adjustment to "square up" the parcel she will retain to give herself a sufficient setback from the PHLT controlled property. The lot line adjustment would transfer 1.72 acres from the larger parcel to the smaller parcel. Mr. Unangst stated that the Planning Commission reviewed the plan and recommended that the Board approve the plan if all comments from Hanover Engineering and Attorney McManus are addressed. Mr. Shupp stated that he will make the requested changes to

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the plan to address the comments from Hanover Engineering and Attorney McManus and submit a digital copy to the Township for approval at the next meeting.

Unique Properties Sketch Plan Review/Any Action – Tighe Meckes, from Keystone Consulting Engineers, was present to review a sketch plan for Unique Properties with the Board. Solicitor Prevoznik suggested to Mr. Meckes to get a written determination from Zoning Officer Shawn McGlynn, as to what the use of the property would be, whether it would be deemed a short-term rental resort or a motel. Solicitor Prevoznik indicated that Mr. McGlynn requested that the applicant provide a detailed set of floor drawings as well as a detailed operations plan in order for him to be able to make a decision. Solicitor Prevoznik will draft a letter for the Supervisor's signature to the Zoning Officer stating that the Board's recommendation on the sketch plan is to seek a determination letter from the Zoning Officer.

Motion: Briglia moved and Stein seconded to approve Solicitor Prevoznik drafting a letter for the Board of Supervisors' signature stating that the Board recommends that Mr. Meckes seek a letter of determination from the Zoning Officer in order to definitively determine the use of the property.

Motion carried 3-0.

New Mind Design Contract-Trail Map Brochures/Any Action – The Board discussed the New Mind Design contract. The cost is \$2,000.00 to have New Mind Design redesign the Open Space trail maps, to be funded from the Open Space Funds. Solicitor Prevoznik will add additional language to the contract regarding copyrights.

Motion: Briglia moved and Stein seconded to approve Solicitor Prevoznik revising the contract as discussed, which will be signed and sent to New Mind Design. The cost of the trail map redesign is \$2,000.00 to be taken out of the Open Space Funds.

Motion carried 3-0.

Hanover Engineering Water Issue Inspection on Lower Swiftwater/Ratify – Mr. Unangst stated that he attended a meeting with representatives of the BCRA regarding a stormwater complaint by a resident on Lower Swiftwater Road. Mr. Unangst determined that the pipe in question was located on private property and no further action is needed by the Township. There is no cost to the Township as the BCRA agreed to cover the cost of Mr. Unangst's inspection.

Motion: Briglia moved and Stein seconded to ratify the authorization by Gonze to have Mr. Unangst inspect the stormwater issue as reported by the BCRA at a residence on Lower Swiftwater Road.

Motion carried 3-0.

Hawthorne Scoping Meeting Application/Discuss – Mr. Unangst stated that the Township received from PennDOT copies of the Scoping Application paperwork for JSPA Realty, LP's Hawthorne Mount Pocono Resort. The Board discussed the Scoping Application paperwork.

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Motion: Briglia moved and Stein seconded to authorize Mr. Unangst to send a follow-up letter to JSPA Realty, LP regarding the Scoping Application.

Motion carried 3-0.

PMREMS Appropriation Release Request/Approve – Gonze stated that PMREMS sent a letter requesting that the budgeted allocation of \$100,000.00 for PMREMS be released. The allocation will be used toward the purchase of a new ambulance.

Motion: Briglia moved and Stein seconded to approve the release of the \$100,000.00 allocation for PMREMS, as budgeted.

Motion carried 3-0.

Reports

Solicitor – Solicitor Prevoznik stated he had nothing further.

Engineer – Mr. Unangst stated he had nothing further.

Zoning Officer – The Board reviewed the Zoning Officer’s Report.

Correspondence/Miscellaneous

None.

Other Business/Public Comment

None.

Adjournment

Motion: Briglia moved and Stein seconded to adjourn the meeting at 6:52 p.m.

Motion carried 3-0.

Respectfully submitted,

Tina Transue

Tina Transue