



PARADISE TOWNSHIP

MONROE COUNTY, PENNSYLVANIA

SUPERVISORS

Reda Briglia
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PARADISE TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES FEBRUARY 1, 2021

Call to Order

Chair Konrath called the meeting to order at 6:00 p.m.

Roll Call

Officials Present:

Gary Konrath – Chair
Peter Gonze – Vice Chair
Reda Briglia – Supervisor

John C. Prevoznik – Solicitor
Charles Unangst – Engineer
Tina Transue – Secretary

Pledge of Allegiance

The Pledge of Allegiance was waived.

Public Comment Statement

Konrath 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. A public comment period will be held at the end of the regular agenda for any other business.*"

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

Approval of Minutes

Motion: Gonze moved and seconded by Briglia to approve the January 18, 2021 Board of Supervisors regular meeting minutes as presented.

Motion carried 3-0.

Planning Commission Items

Costanzo Land Development/Lot Combination Plan – Terry Martin and Daniel Costanzo were present in the matter of the Costanzo Land Development/Lot Combination Plan. Konrath stated that the Planning Commission recommended to the Board to approve the Plan subject to all comments from Hanover Engineering being addressed. Charles Unangst summarized his review letter dated January 7, 2021. Mr. Unangst explained that

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the consolidation plan was to combine four existing lots into two lots. Solicitor Prevoznik stated that on the plan, the warehouse is listed as having a conditional use; however, there are no records with the Township of a conditional use being granted. Solicitor Prevoznik also stated that the temporary easement listed on the plan for the daycare center playground should be listed as a permanent easement to meet the zoning requirement in the ordinance and it should be a written easement to be recorded. Solicitor Prevoznik also asked if there was an area for a replacement septic system as required by the ordinance. Mr. Martin stated that DEP approved the septic system for 400 gallons a day. Mr. Martin further stated that when DEP last checked the system, in 1997, it was functioning properly. It was also discussed that there was no record of the rear building having ever been permitted to be attached to the septic system. Mr. McGlynn suggested having Jake Schray, Paradise Township SEO, look at the buildings and their uses to run calculations as to current flows in order to compare them to authorized flows. It was noted that it was a long time since DEP looked at the system, and the uses are not the same. Mr. Martin stated he would contact Jake Schray to have him perform the appropriate calculations. There was further discussion on whether the Costanzo's had a conditional use permit for the rear structure shown on the plan. Mr. McGlynn stated that a permit was issued for that structure only as an accessory building and not as a separate use of land. Solicitor Prevoznik stated that the rear building should not be listed as having a conditional use but rather listed as an accessory building. Mr. Martin stated that they were addressing the lighting issue listed in Mr. Unangst's letter and would have Mr. McGlynn verify it once it is complete. Mr. Martin also stated that Mr. Costanzo received an estimate on paving the parking lot as required by the ordinance. Solicitor Prevoznik stated that the Costanzo's would need a developer's agreement in reference to having the parking lot paved. There was further discussion on an area for a replacement septic system. Mr. Martin stated that the septic system on this property is a spray system, and he was not aware of malfunctions occurring with this type of system which would make an area for a replacement septic system unnecessary. It was discussed that Mr. Martin would have to demonstrate that there would be no need for a replacement area and would have to obtain a waiver of that requirement. Mr. Costanzo orally agreed to grant a waiver of time for approval of the Land Development/Lot Consolidation Plan for 45 days. Mr. Martin stated that he would follow up with a written waiver.

Motion: Gonze moved and seconded by Briglia to accept a written waiver of time to act on the Costanzo Land Development/Lot Consolidation Plan for an additional 45 day period if received by the Township by Friday, February 5, 2021, or the plan is denied.

Motion carried 3-0.

Comprehensive Plan – Konrath stated that Steve Dellinger did forward a new meeting schedule to work on the proposed Zoning Ordinance/Map Update Program on Woodland Road, Route 715 and Route 390. The new plan would require four meetings instead of the original eight as earlier proposed. Konrath stated that the intersection of Route 191 and Route 715 is already a business district so he suggested concentrating on Woodland Road and Route 390 first. Konrath also stated that he believes a letter should go out to the homeowners who would be affected by rezoning the portion of Route 390 between

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Carazza's Restaurant and Koerners Road. Gonze stated that the homeowners would be notified regarding the process to change zoning districts in the form of notice of a public hearing on the matter. Konrath asked Transue to send letters to the homeowners who would be impacted by the change in their zoning district to inform them that the matter is coming before the Planning Commission. Konrath questioned whether Mr. Dellinger would be the contact person to write ordinances recommended by the Planning Commission. It was agreed that Mr. Dellinger would write the ordinances and then send to Solicitor Prevoznik for review.

Outdoor Lighting Ordinance – Konrath stated that he believed that business and residential uses should be separated in the proposed Outdoor Lighting Ordinance. The Board discussed the Outdoor Lighting Ordinance. Joel Schilling was also present and participated in the discussion. Mr. Schilling gave the Board names of other townships with similar ordinances to look at as examples. Konrath asked Transue to forward the current Paradise Township Lighting Ordinance to the Board and also examples of Lighting Ordinances from a several other townships.

Unfinished Business

Cleanup Flyer – Transue asked the Board for input on the flyer to put in the newsletter to explain the new Clean Up procedures. Gonze stated there were a few grammatical issues that should be fixed. Briglia suggested the line at the bottom that states "Please fill in Name, Address, and Phone Number on the other side and bring with you to clean up." should be made bigger and possibly a different color to bring attention to it. Briglia also suggested putting it on the back of the flyer.

New Business

Resolution 03-2021/Small Games of Chance – Konrath stated that Resolution 03-2021 was to put the Small Games of Chance question on the May 18, 2021 ballot. Small Games of Chance allows for charities to get licenses from Monroe County to hold fundraisers in the Township. Briglia stated that groups that usually hold fundraisers should be contacted to make their members aware that this will be on the ballot. Briglia suggested contacting Pocono Mountain School District, Most Holy Trinity Catholic Church, and the other churches in the Township as well as put a notice on Savvy Citizen, the Township's Website, and in the Township's Newsletter.

Motion: Briglia moved and seconded by Konrath to approve Resolution 03-2021.

Motion carried 3-0.

Purchase of New Escape/Edge – Konrath stated that the Township received two quotes for a new utility vehicle from Ray Price Motors. One quote was for a Ford Escape in the amount of \$24,187.00 and the other was for a Ford Edge in the amount of \$29,352.00. The Board discussed buying the bigger vehicle to have more cargo room. Both quotes were with the CoStars pricing.

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Motion: Briglia moved and seconded by Gonze to purchase the Ford Edge from Ray Price Motors in the amount of \$29,352.00 which is at the CoStars pricing.

Motion carried 3-0.

Zoning Hearing Board Attorney – The Board discussed the recommendation from the Zoning Hearing Board to not reappoint Attorney DeAngelo. Gonze stated that the ZHB recommended Attorney Hillary Madden. Attorney Madden is currently the Zoning Officer's Solicitor. Gonze stated that he would contact Attorney Madden to ask if she would be willing to serve as the ZHB Solicitor at which time her appointment as the Zoning Officer's Solicitor would be rescinded.

Motion: Briglia moved and seconded by Gonze to table the discussion until next meeting after Gonze speaks with Attorney Madden.

Motion carried 3-0.

Red Rock Road Restoration Grant – Konrath stated that Dody Frawley, Skelly & Loy, put together a bid review and recommendation for the Red Rock Road Stream Restoration project. The low bid was received from Luciano's Excavation in the amount of \$769,764.00. Ms. Frawley also sent a Notice of Award to be signed and sent to Luciano's Excavation. The Board discussed issuing an Intent to Award Notice to Luciano's Excavation prior to the issuance of the Notice of Award.

Motion: Briglia moved and seconded by Gonze to issue an Intent to Award Notice to Luciano's Excavation in the amount of \$769,764.00 contingent upon receiving all insurance documents, bonds, and all other contract documents required.

Motion carried 3-0.

Reports

Roadmaster – No Roadmaster's report received.

Solicitor – Solicitor Prevoznik stated that he nothing further to report other than the executive session issue.

Engineer – Mr. Unangst stated that Hanover Engineering received approval from PennDOT to proceed with the Traffic Calming Devices to be installed on Route 191. Mr. Unangst stated that the plans would need Konrath's signature and then they can be sent back to PennDOT. Mr. Unangst stated he would bring the plans to the Township Building this week for signature.

EAC – Konrath stated that the EAC was looking into creating a Mountain Biking course on one of Paradise Township's open space properties. Konrath stated that the EAC was looking into the feasibility of it.

PARC – Briglia stated that PARC did not meet in January due to COVID related issues.

Correspondence/Miscellaneous

None.

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Other Business/Public Comment

Zoning Hearing Board Decision on Schlier Hearing – The Board discussed speaking to Attorney Wolf regarding the Zoning Hearing Board Decision on the Schlier Hearing. Solicitor Prevoznik will reach out the Attorney Wolf to request, on behalf of the Board, an analysis of the appeal issues relating to the ZHB Decision on the Schlier Hearing.

Motion: Gonze moved and seconded by Briglia to request that Attorney Wolf provide an analysis of appeal issues in the Zoning Hearing Board Decision regarding the Schlier Hearing and to meet with the Board to discuss.

Motion carried 3-0.

Adjournment

Motion: Konrath moved and seconded by Gonze to adjourn the meeting at 7:23 p.m.

Motion carried 3-0.

Respectfully submitted,



Tina Transue
Secretary