



PARADISE TOWNSHIP

MONROE COUNTY, PENNSYLVANIA

SUPERVISORS

Reda Briglia
Peter Gonze
Gary Konrath

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PARADISE TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES FEBRUARY 17, 2021

Call to Order

Chair Konrath called the meeting to order at 6:02 p.m.

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.

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

Konrath led the Pledge of Allegiance to the Flag.

Executive Session

Konrath reported that an Executive Session was held prior to the meeting regarding a litigation matter and that no decisions were made. Solicitor Prevoznik stated that he did not attend the Executive Session because of a conflict of interest. Attorney Andrew Wolf was present and advised the Board regarding the litigation.

Approval of Minutes

Motion: Briglia moved and seconded by Gonze to approve the February 1, 2021 Board of Supervisors regular meeting minutes as presented.

Motion carried 3-0.

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Treasurer's Report

Transue read the Treasurer's Report.

Motion: Gonze moved and seconded by Briglia to approve the February 17 Treasurer's Report.

Motion carried 3-0.

Unfinished Business

New Vehicle Purchase/Model Year Change – Konrath stated that the wait time to receive the 2021 Ford Edge approved for purchase at the February 1 meeting was approximately 18 weeks. Konrath indicated that the Township could receive a new 2020 Ford Edge within a week. The price for the 2020 Ford Edge was \$28,505.00 which is \$847.00 less than the 2021 Ford Edge.

Motion: Gonze moved and seconded by Briglia to approve the purchase of a 2020 Ford Edge in the amount of \$28,505.00 with CoStars pricing instead of the 2021 Ford Edge.

Motion carried 3-0.

Tank Creek Culvert/Devils Hole Road – Konrath stated that the Roadmaster Mike Mader relayed to him that one of the banks is falling in and if it continues to deteriorate the bridge may need to be closed to one lane until it is repaired. Mr. Unangst stated that Hanover Engineering is currently working on the permit. Mr. Unangst stated that the Board would have two options for the replacement culvert, either concrete or aluminum. At this time materials for concrete box culverts are delayed approximately 12 weeks. Mr. Unangst discussed with the Board the details for each option. Mr. Unangst stated that the project would cost approximately \$200,000.00 for an aluminum box culvert and approximately \$300,000.00 for the concrete box culvert. The concrete box culvert would have a longer life span than the aluminum box culvert.

Motion: Gonze moved and seconded by Briglia to approve using a concrete box culvert on the Tank Creek Culvert/Devils Hole Road Project.

Motion carried 3-0.

Zoning Board Attorney/Appoint Attorney – Gonze explained that he spoke with Attorney Hillary Madden and she was interested in becoming the Zoning Hearing Board Solicitor. At this time, Attorney Madden is serving as the Zoning Officer's Solicitor which she is willing to resign from to take on the role of Zoning Hearing Board Solicitor at the same rate she submitted to the Township as the Zoning Officer's Solicitor.

Motion: Gonze moved and seconded by Briglia to appoint Attorney Hillary Madden as the Zoning Hearing Board Solicitor at the same rate that was approved at the Reorganizational Meeting for Zoning Officer Solicitor.

Motion carried 3-0.

New Business

Zoning Officer's Hours/Approve Extra Hours – Briglia stated that at the Work Session on February 1 the Board discussed with Shawn McGlynn, Paradise Township Zoning Officer overseeing the submission process for Land Developments, Special Exceptions, Variance

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Requests and Conditional Use applications and also appearing at Public Hearings. It was acknowledged that these additional duties would require Mr. McGlynn to expend additional work hours. Mr. McGlynn stated that he thought ten hours a month would be sufficient. The Board would continue to review the number of hours needed based on workload.

Motion: Gonze moved and seconded by Briglia to approve up to ten additional hours per month to oversee submission processes for Land Developments, Special Exceptions, Variance Requests, and Conditional Use applications and also to appear at Public Hearings as needed at his current rate.

Motion carried 3-0.

Alternate BCO Request – Gonze stated that he was made aware by Mr. McGlynn that there was an issue with homeowners making improvements to their properties without permits. Mr. McGlynn was concerned that BIU, Paradise Township Building Codes Official, would not issue permits for work they had not inspected during construction and, therefore, was unwilling to retroactively issue permits. Mr. McGlynn stated that without a building permit issued, he could not move forward with issuing Short Term Rental licenses to homeowners. Mr. McGlynn suggested the Board could appoint SFM Consulting as the Alternate BCO, and he could issue the permits after an inspection was done to the property to confirm the work was done properly. Gonze stated that he would speak to BIU to determine why they will not issue the permits retroactively.

Public Hearing-Proposed Ordinance #265

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 160, Wireless Communications Ordinance #265.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #265 is in regard to enacting an amendment to Chapter 160, Wireless Communications Facilities into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 6:30 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #265 (See Exhibit 1). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

- T-1 – Notice of Public Hearing.
- T-2 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.
- T-3 – Proposed Ordinance #265.
- T-4 – Proof of Public Notice from Pocono Record.
- T-5 – List of Paradise Township Planning Commission 2020 minutes referencing the proposed Wireless Communications Ordinance.
- T-6 – Monroe County Planning Commission review letter dated December 17, 2020.
- T-7 – List of Paradise Township Board of Supervisors 2020 minutes referencing the proposed Wireless Communications Ordinance.
- T-8 – Sign-in Sheet.

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Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions. Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Briglia moved and seconded by Gonze to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to enact Ordinance #265 as advertised.

Motion carried 3-0.

New Business (Continued)

Resolution 04-2021/Fee Schedule – Resolution 04-2021 would adopt the fee schedule for the Wireless Communications Facilities.

Motion: Briglia moved and seconded by Gonze to adopt Resolution 04-2021 setting the fee schedule for the Wireless Communications Facilities.

Motion carried 3-0.

UGI Detour – Konrath stated that the detour for SR 0314 utilizing Woodland Road should be extended as UGI is still working in that area.

Motion: Gonze moved and seconded by Briglia to extend the detour for SR 0314 utilizing Woodland Road until March 1, 2021 unless no longer needed at which time the Chair may terminate the detour.

Motion carried 3-0.

Komatsu Loader Quote – Konrath stated that Mike Mader submitted a quote he received from the Komatsu dealer for a 2021 Komatsu WA270-8 Loader with a cost of \$165,410.00 with a trade in value for the Township's Komatsu WA250-3 of \$15,410.00 bringing the cost of a new loader to \$150,000.00. Briglia stated that the quote did not state if the pricing was through CoStars. The Board tabled the discussion until CoStars pricing could be verified.

Reports

Solicitor - Solicitor Prevoznik stated that he spoke to Attorney McManus, Planning Commission Solicitor regarding the proposed amendments to Chapter 58 (Driveways), Chapter 160 (Schedule of Regulated Land Uses) and Chapter 123 (Stormwater Management) ordinances sent to the Board at the January 18 meeting. Solicitor Prevoznik stated that Attorney McManus agreed to send the amendment to Chapter 58 (Driveways) and the amendment to Chapter 123 (Stormwater Management) back to the Planning Commission for further review. The Board discussed moving forward with the amendment for Chapter 160 (Schedule of Regulated Land Uses).

Motion: Gonze moved and seconded by Briglia to send the amendment to Chapter 58 (Driveways) and the amendment to Chapter 123 (Stormwater Management) back to the Planning Commission for further review.

Motion carried 3-0.

Motion: Gonze moved and seconded by Konrath to send the amendment to Chapter 160 (Schedule of Regulated Land Uses) to the Monroe County Planning Commission for review.

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Motion carried 3-0.

Executive Session – Konrath stated that the Board held an Executive Session at 5:30 p.m. with Attorney Wolf prior to the Board meeting to discuss the Zoning Hearing Board's decision on the Schlier matter. Attorney Wolf provided the Board with a summary of its options regarding the Zoning Hearing Board's decision which are to let the decision stand, to work with Mr. and Mrs. Schlier and their solicitor to come to mutually agreeable conditions, or to appeal the Zoning Hearing Board's decision. The Board discussed the options.

Motion: Gonze moved and seconded by Konrath to appeal the Zoning Hearing Board's decision and to authorize Attorney Andrew Wolf to file the appeal on behalf of the Board.

Motion carried 3-0.

Engineer - Mr. Unangst stated he had nothing further to report.

PMREMS – Gonze reported that PMREMS finished their year financially "in the black". Gonze stated that the planning for renovating the 11-1 station in Coolbaugh Township will be starting soon as they have the funds set aside for the project.

Public Hearing-Proposed Ordinance #268

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 1, Fowl and Small Animal Ordinance #268.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #268 is in regard to enacting an amendment to Chapter 1, Fowl and Small Animal into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 7:00 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #268 (See Exhibit 2). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

- T-1 – Proposed Ordinance #268.
- T-2 – Notice of Public Hearing.
- T-3 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.
- T-4 – Proof of Public Notice from Pocono Record.
- T-5 – Paradise Township Planning Commission minutes dated Jan. 12, 2021 referencing the proposed Fowl and Small Animal Ordinance.
- T-6 – Monroe County Planning Commission review letter dated December 17, 2020.
- T-7 – Paradise Township Board of Supervisors minutes dated Dec. 7, 2020 referencing the proposed Fowl and Small Animal Ordinance.
- T-8 – Sign-in Sheet.

Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions. Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

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Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Briglia moved and seconded by Gonze to enact Ordinance #268 as advertised.

Motion carried 3-0.

Correspondence/Miscellaneous

None.

Other Business/Public Comment

None.

Public Hearing-Proposed Ordinance #269

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 160-12.A(3)(b), Fowl and Small Animal Ordinance #269.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #269 is in regard to enacting an amendment to Chapter 160-12.A(3)(b), Fowl and Small Animal into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 7:10 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #269 (See Exhibit 3). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

T-1 – Proposed Ordinance #269.

T-2 – Notice of Public Hearing.

T-3 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.

T-4 – Proof of Public Notice from Pocono Record.

T-5 – List of Paradise Township Planning Commission 2020/2021 minutes referencing the proposed Fowl and Small Animal Ordinance.

T-6 – Monroe County Planning Commission review letter dated December 17, 2020.

T-7 – List of Paradise Township Board of Supervisors 2020 minutes referencing the proposed Fowl and Small Animal Ordinance.

T-8 – Sign-in Sheet.

Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions.

Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to enact Ordinance #269 as advertised.

Motion carried 3-0.

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Public Hearing-Proposed Ordinance #270

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 1, Junk and Abandoned Vehicles Ordinance #270.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #270 is in regard to enacting an amendment to Chapter 1, Junk and Abandoned Vehicles into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 7:15 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #270 (See Exhibit 4). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

T-1 – Proposed Ordinance #270.

T-2 – Notice of Public Hearing.

T-3 – Proof of Public Notice from Pocono Record.

T-4 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.

T-5 – Paradise Township Planning Commission minutes dated Jan. 12, 2021 referencing the proposed Junk and Abandoned Vehicles Ordinance.

T-6 – Monroe County Planning Commission review letter dated December 17, 2020.

T-7 – List of Paradise Township Board of Supervisors 2020 minutes referencing the proposed Junk and Abandoned Vehicles Ordinance.

T-8 – Sign-in Sheet.

Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions. Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to enact Ordinance #270 as advertised.

Motion carried 3-0.

Public Hearing-Proposed Ordinance #271

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 146, Junk and Abandoned Vehicles Ordinance #271.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #271 is in regard to enacting an amendment to Chapter 146, Junk and Abandoned Vehicles into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 7:20 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #271 (See Exhibit 5). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township

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Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

- T-1 – Proposed Ordinance #271.
- T-2 – Notice of Public Hearing.
- T-3 – Proof of Public Notice from Pocono Record.
- T-4 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.
- T-5 – List of Paradise Township Planning Commission 2020 minutes referencing the proposed Junk and Abandoned Vehicles Ordinance.
- T-6 – Monroe County Planning Commission review letter dated December 17, 2020.
- T-7 – List of Paradise Township Board of Supervisors 2020 minutes referencing the proposed Junk and Abandoned Vehicles Ordinance.
- T-8 – Sign-in Sheet.

Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions. Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to enact Ordinance #271 as advertised.

Motion carried 3-0.

Public Hearing-Proposed Ordinance #266

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 160-12, Short Term Rentals Ordinance #266.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #266 is in regard to enacting an amendment to Chapter 160-12, Short Term Rentals into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 7:35 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #266 (See Exhibit 6). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

- T-1 – Proposed Ordinance #266.
- T-2 – Notice of Public Hearing.
- T-3 – Proof of Public Notice from Pocono Record.
- T-4 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.
- T-5 – List of Paradise Township Planning Commission 2020 minutes referencing the proposed Short Term Rentals Ordinance.
- T-6 – Monroe County Planning Commission review letter dated December 17, 2020.
- T-7 – List of Paradise Township Board of Supervisors 2020 minutes referencing the proposed Short Term Rentals Ordinance.

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T-8 – Sign-in Sheet.

Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions. Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to enact Ordinance #266 as advertised.

Motion carried 3-0.

Public Hearing-Proposed Ordinance #267

Motion: Konrath moved and seconded by Briglia to recess the regular meeting and open the public hearing for the proposed ordinance to enact an amendment to Chapter 114, Short Term Rentals Ordinance #267.

Motion carried 3-0.

Solicitor Prevoznik stated that the purpose of Ordinance #267 is in regard to enacting an amendment to Chapter 114, Short Term Rentals into the Paradise Township Code of Ordinances.

Solicitor Prevoznik stated that the proposed ordinance was scheduled for tonight at 7:45 p.m. Solicitor Prevoznik summarized the advertised public notice for proposed Ordinance #267 (See Exhibit 7). Solicitor Prevoznik asked Shawn McGlynn, Paradise Township Zoning Officer to summarize each of the exhibits. Solicitor Prevoznik submitted the following Township Exhibits:

T-1 – Proposed Ordinance #267.

T-2 – Notice of Public Hearing.

T-3 – Proof of Public Notice from Pocono Record.

T-4 – Memo from Tina Transue, Executive Secretary, stating that the proposed ordinance was delivered to the Monroe County Law Library, Pocono Record and posted at the municipal building and on the Township's website.

T-5 – List of Paradise Township Planning Commission 2020 minutes referencing the proposed Short Term Rentals Ordinance.

T-6 – Monroe County Planning Commission review letter dated December 17, 2020.

T-7 – List of Paradise Township Board of Supervisors 2020 minutes referencing the proposed Short Term Rentals Ordinance.

T-8 – Sign-in Sheet.

Mr. McGlynn gave a brief summary of the ordinance.

Solicitor Prevoznik asked if the Board had any questions. The Board had no questions. Solicitor Prevoznik asked if any member of the public wished to discuss the Ordinance. No one participated or signed the sign-in sheet.

Motion: Gonze moved and seconded by Briglia to move Exhibits 1 – 8 into the record.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to close the public hearing and reconvene the regular meeting.

Motion carried 3-0.

Motion: Gonze moved and seconded by Briglia to enact Ordinance #267 as advertised.

Motion carried 3-0.

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Adjournment

Motion: Gonze moved and seconded by Briglia to adjourn the meeting at 7:54 p.m.

Motion carried 3-0.

Respectfully submitted,



Tina Transue
Secretary