

**PARADISE TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
SEPTEMBER 19, 2022**

Call to Order

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

Pledge of Allegiance

Gonze led the Pledge of Allegiance to the Flag.

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 (Absent)

Tina Transue – Secretary

Executive Session

Solicitor Prevoznik stated that an Executive Session was held today at 5:05 p.m. and ended at 5:50 p.m. All three Supervisors were present. Zoning Officer Shawn McGlynn was also present. Solicitor Prevoznik stated that pending litigation for various matters was discussed, including potential resolutions. Solicitor Prevoznik stated that Zoning Officer McGlynn left the meeting at 5:40 p.m. at which time further discussion on litigation was held. No decisions were made.

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Approval of Minutes

Motion: Briglia moved and Stein seconded to approve the September 7, 2022 Board of Supervisors regular meeting minutes as presented.

Motion carried 2-0 (Gonze abstained due to absence).

Treasurer's Report

Transue read the Treasurer's Report.

Motion: Stein moved and Briglia seconded to accept the September 19, 2022, Treasurer's Report.

Motion carried 3-0.

Public Hearing

Doukakis Hearing – Gonze stated that a Board of Supervisors hearing for a Short-Term Rental (STR) license denial appeal was held at 4:30 p.m. today. On the record, Doukakis, through their counsel, asked for an extension through January 17, 2023, to hold the hearing on the appeal of the STR license denial. The extension requested by Doukakis was specifically contingent upon Doukakis maintaining the status quo and not utilizing the property as an STR. Gonze indicated that the hearing was continued to January 17, 2023, at 5:00 p.m., at the Municipal Building and that the Board had to ratify the continuance. The Doukakis' have also filed a Zoning Hearing Board appeal regarding the STR license denial.

Motion: Briglia moved and Stein seconded to ratify the continuance granted Doukakis by the Board of Supervisors at the hearing for a Short-Term Rental license denial appeal held September 19, 2022, at 4:30 p.m., to a time and date certain, specifically to January 17, 2023, at 5:00 p.m., at the Municipal Building, upon the express condition that the Doukakis property will not be used as a Short-Term Rental until both the Board of Supervisors hearing and the Zoning Hearing Board hearing are resolved. The continuance notice will be posted on the Municipal Building door and also on the Township's website.

Motion carried 3-0.

Innovation Church – Gonze stated that a Conditional Use hearing was held at 5:00 p.m. today in the Innovation Church matter. Gonze stated that the hearing has been continued to October 17, 2022, at 5:00 p.m. to be held at the Municipal Building.

Motion: Stein moved and Briglia seconded to ratify the continuance of the Innovation Church Conditional Use hearing granted by the Board of Supervisors at the opening of the conditional use hearing held September 19, 2022, at 5:00 p.m., to a time and date certain, specifically to October 17, 2022, at 5:00 p.m., at the Municipal Building. Zoning Officer McGlynn will repost the property with the continuance notice and it will be posted on the Municipal Building door and also on the Township's website.

Motion carried 3-0.

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Planning Commission Items

Martens Minor Subdivision/Lot Combination – Gonze stated that the Martens Minor Subdivision/Lot Combination plan was recommended by the Planning Commission to the Board of Supervisors for approval. Gonze stated that the plan would combine eight lots into five lots. Terry Martin was in attendance, on behalf of the Martens Family, to review the Minor Subdivision/Lot Combination plan with the Board. Solicitor Prevoznik stated that he communicated with Attorney McManus, the Martens' attorney, regarding the plan. Solicitor Prevoznik stated that Mr. Martin was also a part of the correspondence. Solicitor Prevoznik confirmed with Mr. Martin that he numbered the new lots on the plan to make it easier to record. Solicitor Prevoznik also confirmed that Mr. Martin added a provision to the bottom of the plan to state that if a waiver is granted for the sewage system replacement area that all the parties to this plan, their heirs, and assigns will not hold the Municipality responsible for any damages arising from granting the waiver. Mr. Martin requested a modification from Section 110-5.D of Chapter 110 and from Section 131-28 of Chapter 131 (SALDO) of the Paradise Township Code of Ordinances for the provision of providing a full replacement area for wastewater effluent disposal on the final lot configuration.

Motion: Briglia moved and Stein seconded to grant a modification from the requirements of Section 110-5.D of Chapter 110 and from Section 131-28 of Chapter 131 (SALDO) of the Paradise Township Code of Ordinances which require subdivision plans to designate a full replacement area for wastewater effluent disposal to be provided for each lot since the lots resulting from this plan are already developed with single family residence servicing a pre-existing on-lot sewage disposal system as no new building is being proposed which would increase sewage flows. The request for the modification includes a proposed covenant by all executing the plan on their behalf, their heirs, and assigns that Paradise Township is not liable for damages to persons or property arising from the granting of this modification request and further being contingent upon the plan being executed by all parties and recorded within 90 days of the September 19, 2022 meeting with the amended deeds to be recorded within 30 days thereafter.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to approve the Martens Minor Subdivision/Lot Combination plan contingent upon the plan containing modification language including the covenant releasing the Township from liability for granting the modification request and further contingent upon the plan being executed by all parties and recorded within 90 days of the September 19, 2022 meeting with the amended deeds to be recorded within 30 days thereafter.

Motion carried 3-0.

Unfinished Business

PARC Using Paradise Township's EIN Number for Purchases to be Reimbursed/Discuss/Any Action – The Board discussed ordering "Carry In – Carry Out"

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signs for PARC properties to be reimbursed by PARC.

Motion: Stein moved and Briglia seconded to approve ordering the "Carry In – Carry Out" signs for PARC properties to be reimbursed by PARC.

Motion carried 3-0.

Mount Airy Traffic Study/Discuss/Any Action – The Board asked Solicitor Prevoznik to reach out to Mount Airy's Attorney Belardi to find out the status of the Traffic Study that is due by September 30, 2022.

Motion: Briglia moved and Stein seconded to approve Solicitor Prevoznik contacting Mount Airy's Attorney Belardi to find out the status of the Traffic Study that is due by September 30, 2022.

Motion carried 3-0.

New Business

Overtime for Ingrid DeWitt to Cover 10/17 Board Meeting/Approve – Transue stated that she would be off on Monday, October 17, 2022, therefore overtime should be approved for Ingrid DeWitt to attend the meeting as Secretary.

Motion: Briglia moved and Stein seconded to approve overtime for Ingrid DeWitt to attend the Board of Supervisors meeting on October 17, 2022, in Transue's absence.

Motion carried 3-0.

MMO Pension Worksheet/Approve – Transue stated that the Minimum Municipal Obligation (MMO) report is an annual report that estimates the expected financial obligation for the coming year for the Pension Plan. The Plan must be approved by the Board each year before submitting it to the Pennsylvania Municipal Retirement System (PMRS). The estimated payroll for 2023 is \$563,795.20. The Minimum Municipal Obligation is \$56,379.52 plus a \$380.00 administrative charge, for a total obligation of \$56,759.52.

Motion: Briglia moved and Stein seconded to approve the MMO report for \$56,759.52 as presented.

Motion carried 3-0.

PSATS Sample Tax Resolution/Discuss/Any Action – The Board reviewed the sample tax resolution sent out by PSATS that would enact Act 57 of 2022 which requires all municipalities that levy real estate taxes to adopt a resolution or ordinance directing their tax collector to implement its provisions. Municipalities will have from October 10, 2022, the law's effective date, until January 9, 2023, to adopt the resolution or ordinance. The Board instructed Transue to prepare the resolution for adoption after October 10, 2022.

Motion: Briglia moved and Stein seconded to direct Transue to prepare the resolution for adoption at the October 17, 2022 Board of Supervisors meeting.

Motion carried 3-0.

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Budget Meeting Memo/Discuss/Any Action – The Board discussed several dates for the Budget Work Sessions. The Board will check their schedules and will set Budget Work Session dates at the next meeting.

MCTCC Committee Financing/Discuss/Any Action – The Board reviewed the email from the Monroe County Tax Claim Committee requesting input from municipalities on the best way to finance the committee. The email discusses two options: Option 1. Berkheimer would deduct the taxing authorities' cost from the EIT collections of each entity based on a rate needed to cover the committee's annual cost plus a reserve for future cost increases. Option 2. A predetermined calculation of annual costs for each entity would be deducted from their annual EIT collection. Paradise Township's estimated annual cost is \$32.57. The Board questioned what the funds are used for and requested that Transue research the issue.

Motion: Stein moved and Briglia seconded to table the discussion until the October 3, 2022 Board meeting.

Motion carried 3-0.

Reports

Solicitor - Solicitor Prevoznik stated that he has been in contact with the attorney for the Shackleton family concerning the Browns Hill Road project. The Board discussed securing an easement for the Browns Hill Road repairs.

Motion: Briglia moved and Stein seconded to authorize Gonze to speak to the property owner adjacent to the Browns Hill Road washout for permission to fix the culvert and to store rip rap on-site for future improvements.

Motion carried 3-0.

Solicitor Prevoznik questioned where the Township was at on the Clear Site Triangle issue. Gonze stated he would speak with Shawn McGlynn to determine where the Township stood on the issue.

Solicitor Prevoznik stated that he received an email from the Hawthorne Resort with plans that were difficult to read in the attachment of the email. Solicitor Prevoznik requested permission to work with Shawn McGlynn to discuss the Hawthorne Resort plans.

Motion: Briglia moved and Stein seconded to authorize Solicitor Prevoznik to work with Shawn McGlynn to discuss the Hawthorne Resort plans.

Motion carried 3-0.

Engineer – Mr. Unangst was not in attendance.

Zoning Officer – The Board reviewed the Zoning Officer's report.

PMREMS - Gonze stated that PMREMS put out a bid request again for the reconstruction of Station 11-1 in Coolbaugh Township and received one bid for 2.4 million dollars. At this time PMREMS is not moving forward with the reconstruction project.

Correspondence/Miscellaneous

None.

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Other Business/Public Comment

Stein asked if Mount Airy responded to the Notice of Violation letter sent out regarding the Timber Harvesting.

Motion: Briglia moved and Stein seconded to authorize Solicitor Prevoznik to reach out to Attorney Belardi about the Notice of Violation letter sent.

Motion carried 3-0.

Executive Session

Motion: Stein moved and Briglia seconded to recess the regular meeting and go into an executive session at 6:56 p.m.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to reconvene the regular meeting at 6:58 p.m.

Motion carried 3-0.

Solicitor Prevoznik stated that an Executive Session was held and all three Supervisors were present. Solicitor Prevoznik stated that property acquisition was discussed. No decisions were made.

Adjournment

Motion: Stein moved and seconded Briglia to adjourn the meeting at 7:00 p.m.

Motion carried 3-0.

Respectfully submitted,

Tina Transue

Tina Transue
Secretary