

**PARADISE TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
NOVEMBER 21, 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  
Tina Transue – Secretary

Approval of Minutes

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

***Motion carried 3-0.***

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 21, 2022**

### Treasurer's Report

Transue read the Treasurer's Report.

**Motion:** Stein moved and Briglia seconded to accept November 21, 2022, Treasurer's Report.

***Motion carried 3-0.***

### Planning Commission

*Campbell/Fulmer Plan/Discuss/Any Action* – Terry Martin was in attendance on behalf of Perry and Debra Fulmer and Adam Campbell. Mr. Martin explained that the purpose of the Fulmer/Campbell Minor Subdivision/Lot Consolidation plan. Mr. Martin also stated that a modification of Section 110-5.D. of Chapter 110 of the Code of Paradise Township for the provision of providing a full replacement area for wastewater effluent disposal will be necessary. Mr. Martin stated that variance issues for setbacks must be addressed by the Paradise Township Zoning Hearing Board. Mr. Martin stated that the Paradise Township Planning Commission recommended Supervisor approval for a modification request pursuant to Section 110-5.D. of Chapter 110 of the Code of Ordinances requiring the provision of a full replacement area for wastewater effluent disposal. It was discussed that property owners needed to obtain variances before Board approval would be given to the subdivision/lot consolidation plan. Mr. Martin, on behalf of his clients, submitted a written request for a waiver on the time requirements under the Paradise Township Code of Ordinances and the Municipalities Planning Code for the Supervisors, to take action on the Final Minor Subdivision/Lot Consolidation Plan. The request is for an additional ninety-two days from November 21, 2022. The time extension would be to the February 20, 2023 meeting.

**Motion:** Stein moved and Briglia seconded to approve the waiver of time requirements and to put the Fulmer/Campbell Minor Subdivision/Lot Consolidation on the February 20, 2023 agenda, as requested by the applicant.

***Motion carried 3-0.***

### Executive Session

Gonze stated that an Executive Session was held on November 10, 2022, at 10:09 a.m. and ended at 10:50 p.m. All three Supervisors and Solicitor Prevoznik were present via Teams Meetings. Gonze stated that the Union contract was discussed as well as other personnel issues. No decisions were made.

### Unfinished Business

*Advertise 2004 Bucket Truck on Municibid* – The Board agreed to hold an Executive Session to discuss setting a price to place the 2004 Bucket Truck on Municibid.

*Pickleball Court Line Painting Quote/Approve* – Transue stated that she received a quote

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 21, 2022**

from Keystone Sealcoating in the amount of \$525.00 to paint the Pickleball Court lines on the basketball court at The Roof.

**Motion:** Briglia moved and Stein seconded to accept the \$525.00 to paint the Pickleball Court lines on the basketball court at The Roof. Transue will contact Keystone Sealcoating to schedule the line painting.

***Motion carried 3-0.***

### New Business

*Green Leaf Consulting Services Contract/Discuss/Approve* – The Board reviewed the contract from Green Leaf Consulting Services for forestry consulting regarding the Timber Harvesting activities on the Mount Airy Casino Resort conservation easement.

**Motion:** Briglia moved and Stein seconded to accept the quote from Green Leaf Consulting Services with an amount not to exceed \$2,000.00 without further action from the Board.

***Motion carried 3-0.***

*Hawthorne Pocono Resort Conditional Use Hearing/Cancel* – Solicitor Prevoznik stated that Hawthorne Mount Pocono Resort withdrew its Conditional Use Hearing application.

**Motion:** Gonze moved and Briglia seconded to notify the applicant that the hearing has been canceled as requested by the applicant.

***Motion carried 3-0.***

Solicitor Prevoznik stated that representatives from Hawthorne Mount Pocono Resort requested a meeting with the Supervisors to discuss road improvements to the entrance of the proposed resort. Solicitor Prevoznik stated that he explained to Hawthorne Mount Pocono Resort's Attorney, Donald Karpowich, that his clients could attend a Work Session on December 19, 2022, at 5:00 p.m. or possibly have a meeting with a Supervisor and the Township's Professionals. The Board discussed having Hawthorne's representative attend the December 19, 2022, Work Session at which time they would decide the best course of action to continue the conversation regarding the road improvements proposed by Hawthorne Mount Pocono Resort.

**Motion:** Stein moved and Briglia seconded to schedule a Work Session on December 19, 2022, at 5:00 p.m. with the representatives from Hawthorne Mount Pocono Resort to discuss road improvements to the entrance of the proposed resort.

***Motion carried 3-0.***

*M & M Realty Partners, LP/Joinder Plan/Sewage/Discuss/Any Action* – Solicitor Prevoznik stated that M & M Realty Partners was under a Conditional Use Decision and Order based upon a Stipulation signed by M & M Realty Partners which requires, pursuant to paragraph 4 of the Order, that M & M file a Lot Consolidation/Joinder Plan and deed for the parcels enumerated in that paragraph 4 of the Order within ninety days of the Conditional Use Decision and Order. The Conditional Use Decision and Order was issued on August 22, 2022. Accordingly, the provisions of paragraph 4 were required to be complete by November 20, 2022. This has not been done. Solicitor Prevoznik reported that Attorney Wolfe had sent a joinder deed which was reviewed by Hanover Engineering and the

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 21, 2022**

Solicitor. Attorney Prevoznik then contacted Attorney Wolfe and told him that the deed was inadequate and did not meet the provisions of paragraph 4. Attorney Wolfe contacted Attorney Prevoznik and requested a time extension of 60 days to complete the Joinder Plan. Attorney Prevoznik indicated that the extension could be granted upon the finding of good faith pursuant to paragraph 21 of the Conditional Use Decision and Order.

**Motion:** Briglia moved and Stein seconded to approve M & M Realty Partners, LP's request for a 60 day extension to comply with the provisions of paragraph 4 of the Conditional Use Decision and Order which condition required a lot consolidation plan and lot joinder deed be filed for the specific lots mentioned therein within 90 days of the August 22, 2022, Conditional Use Decision and Order, to wit: November 20, 2022, pursuant to paragraph 21 of the Conditional Use Decision and Order. For the purpose of this grant of extension to paragraph 4, the Board finds that M & M has acted in good faith, only in regard to paragraph 4, for the following reasons: 1) M & M Realty Partners hired Newman Williams, P.C. Law Office to prepare the lot consolidation plan and lot consolidation deed; 2) that the Newman Williams Law Office has experience in preparing lot consolidation deeds and joinder plans; and 3) that the Newman Williams Law Office attempted to comply with the conditional use requirement under paragraph 4 within the time frame by providing a proposed lot consolidation deed but not a plan. The determination of good faith as required by paragraph 21 to allow an extension of time to comply with paragraph 4 is only valid as to paragraph 4 and no other condition in the Conditional Use Decision and Order. Further, any future requests to extend the time frames in paragraph 4 or any other term or condition will require substantial good faith compliance to the entire Conditional Use Decision and Order in order to be considered. The extension granted herein is until January 20, 2023.

***Motion carried 3-0.***

*Appoint Planning Commission Solicitor – Cramer, Swetz, McManus & Jordan/Discuss/Any Action* – Transue stated that Attorney Tim McManus relayed to her that he did not wish to continue as the Planning Commission Solicitor. The Board discussed appointing the Law Firm of Cramer, Swetz, McManus & Jordan as the Planning Commission Solicitor.

**Motion:** Briglia moved and Stein seconded to appoint the Law Firm of Cramer, Swetz, McManus & Jordan as the Planning Commission Solicitor at the current rate of \$210.00 per hour for the remainder of 2022.

***Motion carried 3-0.***

*Appoint Alternate Solicitor for BOS/Discuss/Any Action* – Attorney McManus also served as the Alternate Solicitor for the Board of Supervisors. The Board discussed also appointing the Law Firm of Cramer, Swetz, McManus & Jordan as the Alternate Solicitor for the Board of Supervisors.

**Motion:** Briglia moved and Stein seconded to appoint the Law Firm of Cramer, Swetz, McManus & Jordan as the Alternate Solicitor for the Board of Supervisors at the current rate of \$210.00 per hour for the remainder of 2022.

***Motion carried 3-0.***

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 21, 2022**

### Reports

*EAC* – Stein stated that the EAC met on Wednesday, November 16, 2022. Subsequent to that meeting, member Joel Schilling submitted his resignation from the EAC.

**Motion:** Stein moved and Briglia seconded to accept Mr. Schilling's resignation with regret and thank you for his service.

***Motion carried 3-0.***

*Solicitor* - Solicitor Prevoznik stated that the Browns Hill Road culvert repair license agreement has been signed by the property owner, Cranberry Associates of Pennsylvania, LLC. The license agreement allows work to be performed on the property owner's property to remediate stormwater erosion by establishing protection facilities.

*Engineer* – Mr. Unangst had nothing further.

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

*PMREMS* - Gonze stated that the PMREMS budget was sent to the Board. Gonze stated that the staffing levels were back up to pre-Covid 19 Pandemic levels.

### Correspondence/Miscellaneous

None.

### Other Business/Public Comment

None.

### Executive Session

**Motion:** Stein moved and Briglia seconded to recess the regular meeting and go into an Executive Session at 6:45 p.m.

***Motion carried 3-0.***

**Motion:** Briglia moved and Stein seconded to reconvene the regular meeting at 6:49 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 contracts were discussed.

No decisions were made.

**Motion:** Briglia moved and Stein seconded to approve listing the 2004 Bucket Truck on Municibid with an opening bid of \$22,500.00 with a reserve and also to approve advertising the sale on Municibid in the *Pocono Record*.

***Motion carried 3-0.***

**PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 21, 2022**

Adjournment

**Motion:** Stein moved and seconded Briglia to adjourn the meeting at 6:51 p.m.

***Motion carried 3-0.***

Respectfully submitted,

*Tina Transue*

Tina Transue  
Secretary