

**PARADISE TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
OCTOBER 16, 2023**

Call to Order

Chair Gonze called the meeting to order at 6:00 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

Approval of Minutes

**Motion:** Briglia moved and Stein seconded to approve the October 2, 2023, Board of Supervisors regular meeting minutes as presented.

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

Executive Session

Solicitor Prevoznik stated that an Executive Session was held at 5:50 p.m. today; present were the three Supervisors and the Solicitor. Solicitor Prevoznik stated that a discussion

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was held regarding litigation concerning two outstanding Notices of Violation. Also discussed were two legal issues i) a personnel matter and ii) a discussion relating to the jurisdiction of the M & M Realty Partners, LP's Board of Supervisors SEO Appeal. The Executive Session ended at 5:56 p.m. No decisions were made.

### Treasurer's Report

Transue read the Treasurer's Report.

**Motion:** Briglia moved and Stein seconded to accept the October 16, 2023, Treasurer's Report.

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

### Unfinished Business

*Equipment Operator/CDL Driver Applications/Any Action* – The Board tabled the discussion regarding the Equipment Operator/CDL Driver applications.

**Motion:** Briglia moved and Stein seconded to table the discussion regarding the Equipment Operator/CDL Driver applications.

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

### New Business

*Northeast Site Contractor's Additional Work Authorization/Any Action* – The Board discussed the Additional Work Authorization invoices in the amount of \$24,000.00 submitted by Northeast Site Contractors for the Road Paving Project on Woodland Road.

**Motion:** Briglia moved and Stein seconded to approve the Additional Work Authorization invoices in the amount of \$24,000.00 submitted by Northeast Site Contractors for the Road Paving Project on Woodland Road.

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

*Release Mount Airy Bond/Any Action* – Transue stated that she was contacted by Corey Robinson of Mount Airy #1, LLC requesting the release of Subdivision Bond # 0668932 in the amount of \$1,036,255.30. The Board discussed whether all conditions had been met and if there were any further reasons to hold the Bond and it was determined that there were none.

**Motion:** Briglia moved and Stein seconded to approve releasing the Mount Airy #1, LLC Subdivision Bond # 0668932 in the amount of \$1,036,255.30.

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

*2022 Mount Airy Greenway Report/Any Action* – The Board briefly discussed the 2022 Mount Airy Greenway Report and Hanover Engineering's comment letter dated October 2, 2023.

**Motion:** Briglia moved and Stein seconded to accept the 2022 Mount Airy Greenway Report.

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

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*Set Conditional Use Hearing Date/T-Mobile/Any Action* – The Board discussed dates to hold the Conditional Use Hearing for T-Mobile Northeast, LLC. T-Mobile is requesting to add a twelve-foot extension to an already existing tower.

**Motion:** Briglia moved and Stein seconded to schedule a hearing on November 20, 2023, at 4:00 p.m.

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

*S. Dellinger to Attend Planning Commission /Review Ordinance/Approve* – Mr. Unangst requested of the Board that Steve Dellinger attend the November 14, 2023, Planning Commission meeting to answer any questions the Planning Commission members may have regarding the proposed zoning district change for Route 390.

**Motion:** Briglia moved and Stein seconded to approve Steve Dellinger attending the November 14, 2023, Planning Commission meeting.

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

*Approve Overtime for Truck Delivery/CDL Training/Any Action* – Transue stated that overtime pay would be needed for members of the Road Crew to deliver and pick up the Township's truck and trailer that will be used by Michael Reed as part of his CDL training/testing.

**Motion:** Briglia moved and Stein seconded to approve the overtime needed to deliver and pick up the Township's truck and trailer that will be used by Michael Reed as part of his CDL training/testing.

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

*Joan Merli Planning Commission Resignation/Any Action* – Transue stated that Joan Merli submitted a letter stating she will not continue as a Planning Commission member when her term ends on December 31, 2023. Transue will post on Savvy Citizen and the website that there is an opening on the Planning Commission. The Board thanks Ms. Merli for her time served on the Planning Commission.

*DEND Properties Conditional Use Application Withdrawal/Any Action* –

**Motion:** Briglia moved and Stein seconded to accept the Conditional Use Application withdrawal letter from DEND Properties, LLC.

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

*Website Renewal/Any Action* – Transue stated that she was contacted by Thomas Trapp from CivicPlus to make the Township aware of a price increase and a Platform Migration of the website, as well as other policy changes for the Township's website. The price for 2024 will be \$2,415.00.

**Motion:** Briglia moved and Stein seconded to approve renewing a one-year agreement with CivicPlus in the amount of \$2,415.00

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

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### Unfinished Business (Continued)

*PFLA Town Hall Follow-Up* – Gonze stated that he reached out to Senator Brown's office on two separate occasions and has not heard back from them. Gonze stated that he also has not received the minutes from Mackenzie Miller regarding the informational meeting held at Paradise Falls Lutheran Association (PFLA) discussing safety and reckless driving on Route 191/Route 940. The informational meeting was with Senator Brown, PennDOT, and the Pennsylvania State Police. The Board discussed asking Jim Milot, from Hanover Engineering, to review and make recommendations for solutions to make Route 191/940 safer that would address reckless driving and speeding to be passed on to PennDOT. The Board will discuss this further at the November 6, 2023, meeting.

### Reports

*Solicitor* – The Board discussed reviewing the Resort Overlay Master Development Plan ordinance for possible changes for future development in the Township. Gonze requested that he be designated as the point person with JSPA Realty regarding the Hawthorne Mount Pocono Resort.

**Motion:** Briglia moved and Stein seconded to appoint Gonze as the point person with JSPA Realty regarding the Hawthorne Mount Pocono Resort.

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

The Board discussed dates to schedule Special Meetings to review ordinance changes/corrections recommended by General Code as part of the recodification process.

**Motion:** Briglia moved and Stein seconded to schedule Special Meetings to discuss the General Code recodification on November 9, 2023, at 1:00 p.m. and November 10, 2023, at 1:00 p.m. Transue is to advertise the Special Meetings in the *Pocono Record*.

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

*Engineer* – Mr. Unangst stated that he had nothing further.

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

### Correspondence/Miscellaneous

None.

### Other Business/Public Comment

Resident Shawn Garber was present and stated to the Board that he had concerns with the paving project on Woodland Road such as the height difference of the road surface and the manhole covers. Mr. Garber expressed his concern that vehicles could be damaged due to the "potholes" created by the construction process.

**Motion:** Briglia moved and Stein seconded to approve Mr. Unangst to meet with Roadmaster Mike Mader and Gonze to address Mr. Garber's concerns.

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

**Motion:** Briglia moved and Stein seconded to recess the regular meeting at 6:49 p.m.

**Motion carried 3-0.**

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

**Motion carried 3-0.**

Public Hearing (7:00)

*M & M Septic Appeal*

**Motion:** Briglia moved and Stein seconded to reopen the Public Hearing at 7:00 p.m.

**Motion carried 3-0.**

Solicitor Prevoznik announced that this hearing is a continuation of the Public Hearing that was last held on October 16, 2023, before the Board of Supervisors on the Appeal of M & M Realty Partners, LP ("M & M Realty"), in which M & M Realty is seeking approval to repair the existing sewage facilities by repair permit in lieu of filing an Act 537 Planning Module for multiple sewage facilities on its properties, located at 6315 Paradise Valley Road and 513 Grange Road.

Solicitor Prevoznik stated that an Executive Session was held prior to the hearing today; present were the three Supervisors and the Solicitor. Solicitor Prevoznik stated that a discussion was held regarding the briefs that were submitted by Attorney Martin Siegel and Attorney Andrew Wolf. The Executive Session ended at 5:56 p.m. No decisions were made.

**Motion:** Briglia moved and Stein seconded the finding that after a review of the briefs, the Board finds that it has jurisdiction and the case shall proceed.

**Motion carried 3-0.**

Attorney Wolf offered into evidence four documents as exhibits SEO-2 through SEO-5

**Motion:** Briglia moved and Stein seconded to move all exhibits into evidence.

**Motion carried 3-0.**

There was a discussion regarding the clarification of previous testimony.

**Motion:** Stein moved and Briglia seconded to continue the Public Hearing to a time and date certain of November 20, 2023, at 7:00 p.m. at the Paradise Township Building, located at 5912 Paradise Valley Road, Cresco, PA 18326.

**Motion carried 3-0.**

The transcript of the proceedings was taken and will be prepared by Donna Kenderdine Reporting.

**Motion:** Briglia moved and Stein seconded to reconvene the regular meeting at 7:33 p.m.

**Motion carried 3-0.**

**Motion:** Briglia moved and Stein seconded to rescind the motion to approve the Additional Work Authorization invoices in the amount of \$24,000.00 submitted by Northeast Site Contractors for the Road Paving Project on Woodland Road.

**Motion carried 3-0.**

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Adjournment

**Motion:** Briglia moved and Stein seconded to adjourn the meeting at 7:34 p.m.

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

Respectfully submitted,

*Tina Transue*

Tina Transue

Secretary