

**PARADISE TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
NOVEMBER 6, 2023**

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

Executive Session

Solicitor Prevoznik stated that an Executive Session was held at 5:23 p.m. and all three Supervisors, Solicitor Prevoznik, and Zoning Officer Shawn McGlynn were present. Solicitor Prevoznik stated that legal requirements set forth in various Conditional Use Applications were discussed. Solicitor Prevoznik stated that a Notice of Violation and the

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legal requirements for the removal of a nuisance sign were also discussed. Mr. McGlynn left the Executive Session at 5:40 p.m. Solicitor Prevoznik stated that a brief discussion was held on the legal issues regarding the M & M Realty, LLC Board of Supervisors Septic Appeal Hearing, and the Board discussed the legal position and required steps in the appeal process for the Hawthorne Mount Pocono Resort Conditional Use Decision and Order.

The Executive Session ended at 5:50 p.m.

No decisions were made.

Approval of Minutes

Motion: Briglia moved and Stein seconded to approve the October 16, 2023, Board of Supervisors regular meeting minutes as presented.

Motion carried 3-0.

Work Session

Meeting with Christine Meinhart-Fritz, MCPC/Open Space/Any Action – Gonze stated that the Board met with Christine Meinhart-Fritz from the Monroe County Planning Commission to discuss the use of Open Space monies for the Township's parks and other upcoming grant opportunities. Gonze also stated that resources for redesigning the trail maps were discussed.

Discussion with Shawn McGlynn/Zoning Status of Econo Lodge – Zoning Officer Shawn McGlynn met with the Board in an Executive Session at 5:23 p.m.

Motion: Briglia moved and Stein seconded to affirming that Mr. McGlynn is to continue to make all public information regarding Conditional Use Decisions available to any persons requesting the information.

Motion carried 3-0.

Unfinished Business

None.

New Business

Northeast Site Contractors Time Extension/Any Action – Gonze stated that a No Cost Change Order will be needed for the Northeast Site Contractors Road Paving Project on Woodland Road until May 31, 2024. Gonze stated that there are some outstanding manhole issues to be rectified to complete the project. All other work has been completed.

Motion: Briglia moved and Stein seconded to approve, upon written receipt provided by Northeast Site Contractor, a No Cost Change Order to extend the time for the substantial completion of the Road Paving Project on Woodland Road date to May 31, 2024.

Motion carried 3-0.

Hanover Engineering Northeast Site Contractors Review/Any Action – Mr. Unangst reviewed his comment letter discussing Payment Application No. 01 submitted by Northeast Site Contractors. Payment Application No. 01 includes the original contract

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price of \$627,566.55 plus Change Order No. 01 in the amount of \$24,000.00 to equal the updated contract price of \$651,566.55. The Payment Application is requesting that \$575,862.48 be released as that work has been completed, leaving a balance of \$75,704.07 for uncompleted work.

Motion: Briglia moved and Stein seconded to table the approval of Payment Application No. 01 from Northeast Site Contractors until the November 20, 2023, Board Meeting.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to authorize Hanover Engineering to work with Roadmaster Mader and Northeast Site Contractors to determine the extent of work and associated costs which needs to be completed on the Road Paving Project on Woodland Road.

Motion carried 3-0.

Northeast Site Contractors Review and Approve Invoice/Approve – This item has been tabled until the November 20, 2023, Board Meeting. See the motion above.

Advertise Budget Adoption in Pocono Record/Ratify – Transue stated that she placed the advertisement for the adoption of the budget in the *Pocono Record* to be published on November 6, 2023.

Motion: Briglia moved and Stein seconded to ratify the advertisement of the adoption of the budget in the *Pocono Record* to be published on November 6, 2023.

Motion carried 3-0.

Advertise Special Meeting Dates/Ratify – Transue stated that she placed the advertisement for the Special Meeting dates in the *Pocono Record* to be published on November 2, 2023.

Motion: Briglia moved and Stein seconded to ratify the advertisement of the Special Meeting dates in the *Pocono Record* to be published on November 2, 2023.

Motion carried 3-0.

Advertise Maintenance/Laborer Position/Approve – Transue stated that she will place the advertisement for the Maintenance/Laborer position in the *Pocono Record*.

Motion: Briglia moved and Stein seconded to approve advertising the Maintenance/Laborer position in the *Pocono Record*.

Motion carried 3-0.

CPA Advertisement/Approve – Transue stated that she will place the advertisement in the *Pocono Record* giving notice of the Township's intention to appoint a Certified Public Accountant to complete an audit of the Township's financial records for 2023 on January 2, 2024, at the Board of Supervisors Organization Meeting.

Motion: Briglia moved and Stein seconded to approve advertising the notice of the Township's intention to appoint a Certified Public Accountant to complete an audit of the

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Township's financial records for 2023 at the January 2, 2024, Board of Supervisors Organization Meeting in the *Pocono Record*.

Motion carried 3-0.

Kevin Transue EMC Resignation/Accept – Gonze stated that Kevin Transue has submitted a letter of resignation from the Emergency Management Coordinator position. Mr. Transue will serve as the EMC up to December 31, 2023.

Motion: Briglia moved and Stein seconded to accept Mr. Transue's resignation as the Emergency Management Coordinator effective up to December 31, 2023, with the Board's thanks and gratitude for his service.

Motion carried 3-0.

Transue will post the open position of Emergency Management Coordinator on the Township's website and will send out a *Savvy Citizen* notification.

Gift Card Donation to Library Fundraiser/Approve – The Board discussed donating four restaurant gift cards to the Barrett Paradise Friendly Library for the annual Tricky Tray fundraiser, as it has done in the past. Briglia suggested raising the amount of the gift cards to \$50.00 each. The gift cards will be purchased at Carrazza's Restaurant, Kasa's Pizza, The Frogtown Chophouse, and Water's Edge.

Motion: Briglia moved and Stein seconded to approve the purchase of four gift cards to donate to the Barrett Paradise Friendly Library for the annual Tricky Tray fundraiser in the amount of \$50.00 each. The gift cards will be purchased from Carrazza's Restaurant, Kasa's Pizza, The Frogtown Chophouse, and Water's Edge.

Motion carried 3-0.

Cuevas Settlement Agreement/Approve – Solicitor Prevoznik stated that an agreement was reached with Nairobi Cuevas in the matter of a Short-Term Rental Notice of Violation. Ms. Cuevas agreed to not operate a Short-Term Rental at the subject location of 214 Browns Hill Road, Henryville, PA, and the Township agrees to accept the payment of sums specified in the agreement as full and complete compromise of all disputes related to or arising out of this Action. Nairobi Cuevas agrees to pay the fine in the amount of Five Thousand Dollars (\$5,000.00) to Paradise Township as part of the Settlement Agreement. The Settlement Agreement is to be recorded and indexed to the Cuevas real property.

Motion: Briglia moved and Stein seconded to accept the Settlement Agreement for Nairobi Cuevas as well as the fine amount of Five Thousand Dollars (\$5,000.00). Solicitor Prevoznik is authorized to record the Settlement Agreement in the Monroe County Recorder of Deeds Office.

Motion carried 3-0.

Traffic Engineer/Route 191 & Route 940/Any Action – The Board discussed asking Jim Milot from Hanover Engineering to review and make recommendations for solutions to

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make Route 191/940 safer (eliminate speeding and reckless driving) to be forwarded to PennDOT for further discussion.

Motion: Briglia moved and Stein seconded to approve Jim Milot from Hanover Engineering to review and make recommendations for solutions to make Route 191/940 safer.

Motion carried 3-0.

M & M Realty Lot Consolidation Plan/Any Action – The Board discussed the M & M Realty Lot Consolidation Plan.

Motion: Briglia moved and Stein seconded to conditionally approve the M & M Realty Consolidation Plan. The conditional approval will be contingent on all of Hanover Engineering's comments being addressed, as well as all of Attorney McManus's comments. The Lot Consolidation Plan must be completed by December 18, 2023.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to approve Solicitor Prevoznik contacting M & M Realty LLC's attorney and Mr. Unangst will reach out to M & M Realty, LLC's engineer, to relay the conditions of the approval.

Motion carried 3-0.

Hawthorne/Pocono Twp Wastewater Treatment System/Any Action – Solicitor Prevoznik stated that JSPA Realty, LP has requested that Paradise Township participate in the next steps in consideration of allowing Pocono Township to expand its Central Sewage Collection System into Paradise Township along the Route 611 corridor. The Board discussed requesting an informational meeting with JSPA Realty, LP, Pocono Township, and the Brodhead Creek Regional Authority.

Motion: Stein moved and Briglia seconded to authorize Gonze and Mr. Unangst to attend an informal meeting to discuss allowing Pocono Township to expand its Central Sewage Collection System into Paradise Township along the Route 611 corridor.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to authorize Solicitor Prevoznik to enter an appearance for the Hawthorne Appeal.

Motion carried 3-0.

LST Tax Rate Discussion/Any Action – Briglia requested that Solicitor Prevoznik research the procedure and timeline needed to change the amount of the Local Services Tax.

Motion: Briglia moved and Stein seconded to authorize Solicitor Prevoznik to research the procedure and timeline needed to change the amount of the Local Services Tax.

Motion carried 3-0.

Reschedule T-Mobile Northeast Hearing Date/Any Action – The Board tabled scheduling a Conditional Use Hearing until T-Mobile Northeast submits an updated application and the application is deemed completed by the Zoning Officer.

Motion: Briglia moved and Stein seconded to table the scheduling of a Conditional Use

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Hearing until T-Mobile Northeast submits an updated application and the application is deemed completed by the Zoning Officer.

Motion carried 3-0.

Reports

Roadmaster – Mader summarized his report for the Board.

Solicitor – Solicitor Prevoznik stated he had nothing further.

Engineer – Mr. Unangst stated that he would be working with Roadmaster Mader regarding Peach Lane, as approved at a prior meeting.

EAC – Stein stated that the EAC met on September 13, 2023. Stein summarized the meeting for the Board. Stein stated that the EAC has two recommendations for the Board:

- The EAC recommends that the Paradise Township Board of Supervisors write to PA DEP recommending that the renewed Mt. Airy Dam Permit include requirements for water testing (e.g., temperature, flow, macro-invertebrates) above and below its dam on Forest Hills Run.
- The EAC recommends that the Paradise Township Board of Supervisors write to ARM Consulting (an engineering firm contracted by Mt. Airy) and request a plan for mitigation of deleterious effects of the Mt. Airy dam on Forest Hills Run downstream of the dam.

Stein stated that the EAC continues to work on a Welcome Letter to be sent to new residents of Paradise Township.

PARC – Briglia presented the PARC Budget for 2024 to the Board

Motion: Stein moved and Gonze seconded to approve the PARC Budget for 2024.

Motion carried 3-0.

Other Business/Public Comment

None.

Correspondence/Miscellaneous

Transue stated that she received a letter from Carol Hillestad asking residents to be mindful of the speed limit on Route 191/940 and that residents should keep their speed to the speed limit to "set the pace" to reduce people speeding on Route 191/940. Mrs. Hillestad asked that the letter be included in the newsletter and sent out on *Savvy Citizen*.

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Executive Session

Motion: Stein moved and Briglia seconded to recess the regular meeting and go into an Executive Session at 6:50 p.m.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to reconvene the regular meeting at 7:13 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 at 7:04 p.m. Attorney Paul Bruder joined the Executive Session. Solicitor Prevoznik stated that a legal discussion regarding the DEP appeal and the septic appeal before the Board of Supervisors for M & M Realty, LLC property.

No decisions were made.

Adjournment

Motion: Briglia moved and Stein seconded to adjourn the meeting at 7:14 p.m.

Motion carried 3-0.

Respectfully submitted,

Tina Transue

Tina Transue
Secretary