

**PARADISE TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
NOVEMBER 20, 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 (Absent)

Michael Stein – Supervisor

John C. Prevoznik – Solicitor

Charles Unangst – Engineer

Tina Transue – Secretary

Approval of Minutes

**Motion:** Stein moved and Gonze seconded to approve the November 6, 2023, Board of Supervisors regular meeting minutes as presented.

***Motion carried 2-0.***

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 20, 2023**

### Treasurer's Report

Transue read the Treasurer's Report.

**Motion:** Stein moved and Gonze seconded to accept the November 20, 2023, Treasurer's Report.

***Motion carried 2-0.***

### Planning Commission Items

*Rezoning 390 Recommendation/Any Action* – The Board discussed the Planning Commission's recommendation to approve the redistricting of Route 390 from the current R-1 district to a proposed R-3 district conditioned upon revising the definition of VEHICLE REPAIR SHOP, LIMITED RESIDENTIAL to include that a facility be ancillary to a single-family detached dwelling. Steve Dellinger from Hanover Engineering participated in the meeting via Zoom and Trevor and Janine Sopko were present to discuss the Planning Commission's recommendation. There was an extensive discussion regarding whether a vehicle repair shop could be part of a residential dwelling or must be a separate accessory structure. The proposed ordinance only allows a vehicle repair shop to be in an accessory structure. The Board requested Solicitor Prevoznik and Steve Dellinger review the proposed ordinance for inconsistencies.

### Unfinished Business

*Set Conditional Use Hearing Date/T-Mobile/Any Action* – Transue stated that a complete application has not been received.

**Motion:** Stein moved and Gonze seconded to table the discussion regarding setting a Conditional Use Hearing Date until the December 4, 2023, meeting.

***Motion carried 2-0.***

*Northeast Site Contractors Review and Approve Invoice/Update/Any Action* – Gonze stated that Mr. Unangst met with a representative of Northeast Site Contractors to discuss the issue with the manhole covers. Gonze also stated that he is waiting for a No Cost Change Order from Northeast Site Contractors to address the repairs of the manhole covers. Roadmaster Mader is to review the recommendation from Northeast Site Contractors on how many manhole covers are to be repaired and report back with his assessment.

*Equipment Operator/CDL Driver Applications/Any Action* – The Board directed Transue to notify the applicants who applied for the Equipment Operator/CDL Driver position that the position is no longer available.

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 20, 2023**

### New Business

*Advertise Special Meeting Date/Ratify* – Transue stated that she advertised the November 22, 2023, Special Meeting in the *Pocono Record* to be run on Monday, November 20, 2023.

**Motion:** Stein moved and Gonze seconded to ratify Transue advertising the November 22, 2023, Special Meeting in the *Pocono Record*.

***Motion carried 2-0.***

*Appoint Additional SEO/Any Action* – The Board discussed the Hanover Engineering letter dated November 16, 2023, requesting the Township to appoint Paul Gallagher Saba, SEO #04167 as an additional Sewage Enforcement Officer for Paradise Township.

**Motion:** Stein moved and Gonze seconded to appoint Paul Gallagher Saba, SEO #04167 as an additional Sewage Enforcement Officer for Paradise Township.

***Motion carried 2-0.***

### Reports

*Solicitor* – Solicitor Prevoznik distributed a memo dated November 20, 2023, regarding the possibility of increasing the Local Services Tax and the necessary steps to be taken if the Board should decide to pursue increasing the Local Services Tax. The Board discussed the memo. Solicitor Prevoznik stated that he had Executive session items to be discussed.

*Engineer* – Mr. Unangst stated that he submitted to Gonze the cost analysis for potential improvements to Peach Lane.

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

*EAC* – Stein stated that the EAC met on November 15, 2023. Stein stated that the EAC reiterated their recommendation to the Board from its previous meeting:

- 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.

Gonze accepted the EAC's recommendation and it is so noted.

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 20, 2023**

### Correspondence/Miscellaneous

Gonze stated that JSPA Realty, LLC sent an email to the Township requesting that the Board send a letter to the Pocono Township Commissioners stating that Paradise Township is in support of including the JSPA Realty, LLC's land holdings along the Route 611 corridor in Paradise Township to be included in Pocono Township's Central Sewage Collection System provided that JSPA Realty, LLC is responsible for all costs associated with required sewage planning, permitting, design, and construction of the proposed sewage service area expansion. Solicitor Prevoznik will review the letter and will follow up at the next meeting.

### Other Business/Public Comment

Stein stated that he had filled out a form to submit to PennDOT regarding the replacement of the bridge on Red Rock Road, as requested by PennDOT. Stein stated that he met with representatives from PennDOT and discussed historical and ecological concerns with the bridge replacement on Red Rock Road. Stein stated that PennDOT relayed to him that if historical or ecological studies were necessary it would delay the project approximately one year.

**Motion:** Stein moved and Gonze seconded to recess the regular meeting at 6:59 p.m.

**Motion carried 2-0.**

### Public Hearing (7:00)

#### *M & M Septic Appeal*

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

**Motion carried 2-0.**

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 the hearing will be continued to a time and date certain of December 4, 2023, at 7:00 p.m., at which time a decision will be rendered. Solicitor Prevoznik took sworn testimony from Transue that the continuation was posted on the Township website and the front door of the Township building.

**Motion:** Gonze moved and Stein seconded to continue the Public Hearing to a time and date certain of December 4, 2023, at 7:00 p.m. at the Paradise Township Building, located at 5912 Paradise Valley Road, Cresco, PA 18326.

**Motion carried 2-0.**

**Motion:** Stein moved and Gonze seconded to reconvene the regular meeting at 7:06 p.m.

## **PARADISE TOWNSHIP BOARD OF SUPERVISORS MINUTES-NOVEMBER 20, 2023**

### **Motion carried 2-0.**

**Motion:** Stein moved and Gonze seconded to recess the regular meeting into an Executive Session at 7:08 p.m.

### **Motion carried 2-0.**

**Motion:** Stein moved and Gonze seconded to reconvene the regular meeting at 7:46 p.m.

### **Motion carried 2-0.**

### Executive Session

Solicitor Prevoznik stated that an Executive Session was held at 7:10 p.m. today; present were Supervisors Gonze and Stein, Mr. Unangst, and Solicitor Prevoznik. Solicitor Prevoznik stated that a discussion was held regarding contract negotiations and land acquisitions. Mr. Unangst left the Executive Session at 7:19 p.m. Attorney Paul Bruder joined the Executive Session via Zoom at 7:19 p.m. at which time a legal discussion was held regarding the M & M Realty, LP's Board of Supervisors Septic Appeal. Attorney Bruder left the Executive Session at 7:40 p.m. Secretary Transue joined the Executive Session at 7:41 p.m. and two personnel matters were discussed. The Executive Session ended at 7:48 p.m. No decisions were made.

**Motion:** Stein moved and Gonze seconded to post the Maintenance/Laborer position at the revised rate of \$17.00 per hour not the incorrectly posted rate of \$19.21. Transue will contact applicants who have already applied to inform them of the correct rate of pay.

### **Motion carried 2-0.**

### Adjournment

**Motion:** Stein moved and Gonze seconded to adjourn the meeting at 7:48 p.m.

### ***Motion carried 2-0.***

Respectfully submitted,

*Tina Transue*

Tina Transue