

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

April 12, 2023

CALL TO ORDER:

Robert Slaw called the meeting to order at 6:00PM at the Mahoning Township Building 2685 Mahoning Drive East, Lehighton, PA 18235.

PRESENT:

Robert Slaw, Chairman; Myron Blahy, Vice-Chairman; Ronald Reeser, Supervisor; Deborah McGowan, Supervisor, Thomas Nanovic, Solicitor and Natalie D. Haggerty, Secretary-Treasurer.

ABSENT:

Brian Reeser, Supervisor.

PUBLIC COMMENT:

Tim Eckhart is looking for guidance on zoning questions on Nis Hollow lot as to whether it is a corner lot or not, it is on a curve with no two streets intersecting the curve which according to the definition in the zoning book, it is not a corner lot. Definition of a "corner lot" will dictate setbacks that might prohibit the sale of this property. Per Stephen, zoning officer, anything along the road frontage is a front yard which will give you two side yards and two front yards, no back yard. Stephen is ok with assigning this property as a corner lot and setbacks would apply as such.

Recommended that Tim and Stephen meet at the property with a property design that best describes what the potential owner wants to do. Natalie will contact Stephen in the morning to meet with Tim.

Jake Ahner is asking on behalf of The Flagstaff whether residential lots can be used to park cars if there is overflow parking. The potential need for overflow parking is in relation to the tram service to JT. Advised to discuss with the zoning officer.

Donna Crumb, President, and founder of Blue Mountain Animal Rescue Society approached the board for permission and guidance to host their annual Rock n Rescue, a 3-day, family oriented, event in Mahoning Township. Mahoning Township resident, Matt Boyer, offered his property (located across the street from Tractor Supply) to house the event. The event will take place July 7-9, 2023, and will include 80's night DJ, cornhole tournament, rabies clinic, car show and nonprofit events. There will be (5) live bands (1pm-9pm) and food vendors and beer garden. Donna does not expect parking to be an issue because there is over 2 acres. Donna offered to the Fire Police to participate in parking and do a boot drive.

Recommendation is for Donna to talk with the zoning officer to determine what permits are needed, if any. The Board will consider waiving any fees associated with permitting.

APPROVAL OF MINUTES:

MOTION

Myron Blahy made a motion to approve the Minutes of the March 08, 2023, Board of Supervisors Meeting. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

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Myron Blahy made a motion to approve the following transfers:

- \$16,431.86 General Checking to Payroll Checking pay date 3/09/23
- \$16,734.43 General Checking to Payroll Checking pay date 3/16/23
- \$15,201.57 General Checking to Payroll Checking pay date 3/23/23
- \$15,499.33 General Checking to Payroll Checking pay date 3/30/23
- \$14,482.60 General Checking to Payroll Checking pay date 04/06/23
- \$537.97 Residential Street Light to General Checking
- \$595.20 Residential Fire Hydrant to General Checking

Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes. 4-0 vote. Motion carried.

APPROVAL OF TREASURER REPORT:

MOTION

Ronald Reeser made a motion to approve the Treasurer's Report for March 2023. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes. 4-0 vote. Motion carried.

PAYMENT OF BILLS AND PAYROLLS:

MOTION

Ronald Reeser made a motion to approve the following bills and payrolls:

- Bill List #505 in the amount of \$263,744.79
- General Check's #24222-#24271
- State Check #1800-#1802
- Subdivision Land Development Check's #1374-#1380
- Walmart Traffic Signal Check #1070

Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes. 4-0 vote. Motion carried.

REPORTS

MOTION

Myron Blahy made a motion to accept and place file the following reports:

- Mahoning Township Road Department Reports February 27, 2023-April 01, 2023
- Mahoning Township Equipment and Fuel Log March 2023
- Mahoning Township Municipal Authority minutes for February 15, 2023
- Mahoning Township Audit and Financial Report 2022
- Mahoning Township Zoning Hearing Board minutes for April 04, 2023

Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes 4-0 vote. Motion carried.

NEW BUSINESS:

Shared results of sealed bids for road materials and fuels. Received one bid for each. Road Materials from Lehigh Asphalt and Fuels from Suburban.

MOTION

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Ronald Reeser made a motion to accept bids from Lehigh Asphalt for all road materials and Suburban Propane for all fuel. Seconded by Robert Slaw. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Ratify advertisement of Public Notice Agriculture Security Area. Posted on the board and made public notice to any individual who would like to place their land in Ag Security. Received one modification, Louisa Steel, who would like to add 64.35 acres in Ag. Ag members met March 29 and current land in security was reviewed. Will stay open until April 21, 2023. Will then go to planning commission for review, the county planning commission for review. After review, a public hearing will be scheduled to add additional land.

MOTION

Deborah McGowan made a motion to accept the ratification of the public notice. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Receipt of Louisa Steel Ag Security Modification

MOTION

Ronald Reeser made a motion to acknowledge the receipt of the Louisa Steel Ag Security Modification. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes. 4-0 vote. Motion carried.

Ratify Advertisement to receive bids building renovation.

MOTION

Ronald Reeser made a motion to ratify advertisement to receive bids building renovation. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Resolution 2023-#16 – Disposition of Records

MOTION

Deborah McGowan made a motion to adopt Resolution 2023-16, Disposition of Records. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Advertise and Schedule Recycling Shredding Event

MOTION

Myron Blahy made a motion to advertise and schedule the recycling shredding event. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Resolution 2023-#17 – Resolution of Carbon County Council of Governments regarding the land application of sewage sludge within Carbon County

Carol Ethridge attended to educate the Board on material (Biosolids - human untreated waste) that is given to the farmers free to apply on fields. This material (sewage sludge) is class B and not treated in the same way Class A material is and is considered toxic. This resolution will be forwarded to our state representatives to revise the laws concerning land application of sewage

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sludge, impose stronger regulations, and allow local governments to strictly control including prohibiting the use of this pollutant within our jurisdictions.

MOTION

Myron Blahy made a motion to accept Resolution 2023-#17. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Authorization to approve quote to have the annual service completed on the emergency generator at the fire company.

MOTION

Myron Blahy made a motion for annual service to be completed on the emergency generator at the fire company. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; Deborah McGowan, yes. 4-0 vote. Motion carried.

Authorization to sign form for the Dollar General Project, form says you grant us permission to submit HOP permit on the township's behalf.

HOP permit needed for upgrades that will be done to the intersection and because they have no record of that roadway, they may be incorporating it into their record system.

MOTION

Ronald Reeser made a motion giving authorization to sign form for the Dollar General Project, granting permission to submit HOP on townships behalf. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

Banning Subdivision Extension 90 days (July 30, 2023)

MOTION

Ronald Reeser made a motion to accept the extension to the Banning Subdivision granting to July 30, 2023. Seconded by Robert Slaw. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

OLD BUSINESS:

Sierra Vista (Planning Commission granted conditional final plan approval of Sierra Vista Phase 1A, conditions: Compliance with comments of LTL letter of 10-20-2020. No construction to take place until pre-security agreement is approved and signed, and escrow fund for construction inspection and letter of credit for sewer main trench maintenance and Flagstaff Road overlay are submitted to the Township). **RECEIVED EXTENSION LETTER TO June 30, 2023 (MOTION GRANTED EARLIER ON AGENDA)**

CORRESPONDENCE:

MOTION

Myron Blahy made a motion to accept and place on file the correspondence dated April 12, 2023. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes. 4-0 vote. Motion carried.

***CARBON CONSERVATION DISTRICT, BRIANA FULMER, DISTRICT TECHNICIAN

RE: ADMINISTRATIVE COMPLETENESS NOTIFICATION LETTER, SUMMIT RIDGE PHASE 1

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***CARBON COUNTY PLANNING COMMISSION, IVAN O MEIXELL, PLANNER
RE: SUBDIVISION REVIEW & FINDINGS: WILLIAM S. & JEANETTE V. ZELLNER

***COLONIAL SURVEYING & MAPPING, DAVID HUMENANSKY, PLS
RE: 90-DAY EXTENSTION LETTER FOR TODD BANNING

***LTL CONSULTANTS, LTD. ROBERT RITTLE, BUILDING CODE OFFICIAL
RE: PERMIT DENIAL LETTER FOR ROOF MOUNT PV SOLAR, 2660 MAHONING DR W

***LTL CONSULTANTS, LTD. ROBERT RITTLE, BUILDING CODE OFFICIAL
RE: BUILDING PERMIT DENIAL LETTER, 37 STEWART CREEK RD

***LTL CONSULTANTS, LTD. STEPHEN WANNER, MAHONING TOWNSHIP ZONING OFFICER
RE: BUILDING PERMIT DENIAL LETTER, 1290 UPPER NIS HOLLOW DR.

***LTL CONSULTANTS, LTD. STEPHEN WANNER, MAHONING TOWNSHIP ZONING OFFICER
RE: BUILDING PERMIT DENIAL LETTER, 1230 BEAVER RUN DR., RESERVOIR HOUSE

***LTL CONSULTANTS, LTD. ROBERT RITTLE, BUILDING CODE OFFICIAL
RE: ADDITIONAL INFORMATION REQUESTED TO CONTINUE REVIEW OF PERMIT APPLICATION,
2186 MAHONING DR W.

***LTL CONSULTANTS, LTD. STEPHEN WANNER, CODE ENFORCEMENT OFFICER
RE: NOTICE OF VIOLATION; JUNK, BURNING, GRADING. 764 UPPER NIS HOLLOW DRIVE, LEHIGHTON

***LTL CONSULTANTS, LTD. STEPHEN WANNER, CODE ENFORCEMENT OFFICER
RE: NOTICE OF VIOLATION; HORSES AND DONKEYS KEPT ON PROPERTY. 891 OAK GROVE DR.
LEHIGHTON

***LTL CONSULTANTS, LTD. STEPHEN WANNER, CODE ENFORCEMENT OFFICER
RE: NOTICE OF VIOLATION; JUNK, RUBBISH AND GARBAGE. 2606 BLAKESLEE BLVD DR. WEST,
LEHIGHTON

***LTL CONSULTANTS, LTD. STEPHEN WANNER, CODE ENFORCEMENT OFFICER
RE: NOTICE OF VIOLATION; JUNK, RUBBISH AND GARBAGE. 2327 BLAKESLEE BLVD DR. WEST,
LEHIGHTON

***LTL CONSULTANTS, LTD. STEPHEN WANNER, CODE ENFORCEMENT OFFICER
RE: NOTICE OF VIOLATION; JUNK, RUBBISH AND JUNK VEHICLES. 437 CHAPEL DRIVE, LEHIGHTON

***LTL CONSULTANTS, LTD. STEPHEN WANNER, CODE ENFORCEMENT OFFICER

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RE: BUILDING PERMIT APPLICATION DENIAL (DETACHED GARAGE ADDITION). 1800 MAHONING DRIVE EAST, LEHIGHTON

***SCOTT C BIEBER, MAHONING TOWNSHIP SEWAGE ENFORCEMENT OFFICER

RE: SEWAGE SYSTEM CAPACITY FOR YENSER'S TREE FARM

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION IN RELATION TO JLM REAL ESTATE INVESTMENTS, LLC (DOLLAR GENERAL) APPLICATION FOR A CONDITIONAL USE

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: PROPOSED ORDINANCE FOR INCREASE OF SUPERVISORS' MEETING COMPENSATION MOTION

Robert Slaw made a motion to approve the advertising of the compensation ordinance. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

***PSATS, DAVID M SANKO, EXECUTIVE DIRECTOR

RE: 2023 PROPOSED RESOLUTIONS AND NOMINATIONS REPORT

***PSATS, DAVID M SANKO, EXECUTIVE DIRECTOR

RE: 2023 PROPOSED BY-LAW AMENDMENT FOR A DUES INCREASE

***PA TURNPIKE COMMISSION, JAMES STUMP, P.E. ACTING ASSISTANT CHIEF ENGINEER DESIGN

RE: ANNUAL REMINDER REGARDING ENCROACHMENTS OF INCURSIONS ONTO COMMISSION PROPERTY

***INFORMATION CONCERNING THE USE OF SEWAGE SLUDGE AS FERTILIZER COMPILED BY SAVE CARBON COUNTY

COMMITTEE REPORTS:

POLICE COMMITTEE:

New truck delivered. No side bars on the back windows.

ROAD COMMITTEE:

Brush truck will be stored in garage.

OFFICIALS:

Mark Ebbert thanked the Board for housing the brush truck. He feels it is very beneficial.

Mahoning Township enacted a 30 day burn ban.

ADJOURNMENT:

MOTION

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Robert Slaw made a motion to adjourn the meeting at 7:15PM. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes 4-0 vote. Motion carried.

Deb McGowan called for an executive session at the conclusion of the meeting, will not be returning for further business.

Respectfully Submitted,

Prepared from recording.