

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

March 08, 2023

CALL TO ORDER:

Robert Slaw called the meeting to order at 6:45PM at the Mahoning Township Building 2685 Mahoning Drive East, Lehigh, 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:

Jake Arner in respect to township and zoning ordinance has a few questions. 1. Will short term rentals be included in R-3 and if not, would the township consider giving Jake a variance. Jake refers to rentals that include stick built custom homes that he and Berks will construct. Per Robert, the board is unable to answer the question because review of the ordinance is not finalized. 2. If Berks decided to put a central water facility in, would the township have any problem increasing the density to what is allowed in the current ordinance? There was confusion as to why if there is allowance in the ordinance why the question. A definite answer to the question could not be given because as stated earlier the ordinance review is not complete.

APPROVAL OF MINUTES:

MOTION

Myron Blahy made a motion to approve the Minutes of the January 31, 2023, Zoning Workshop Seconded by Ronald Reeser. Robert Slaw, Abstain (Absent); Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 3-0 vote. Motion carried.

Myron Blahy made a motion to approve the Minutes of the February 07, 2023, SALDO Workshop. Seconded by Ronald Reeser. Robert Slaw, Abstain (Absent); Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 3-0 vote. Motion carried.

Myron Blahy made a motion to approve the Minutes of the February 08, 2023, Board of Supervisors Meeting. Seconded by Ronald Reeser. Robert Slaw, Abstain (Absent); Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 3-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

Myron Blahy made a motion to approve the following transfers:

\$15,020.24 General Checking to Payroll Checking pay date 2/09/23

\$16,778.99 General Checking to Payroll Checking pay date 2/16/23

\$14,454.73 General Checking to Payroll Checking pay date 2/23/23

\$14,410.08 General Checking to Payroll Checking pay date 3/02/23

\$537.97 Residential Street Light to General Checking

\$595.20 Residential Fire Hydrant to General Checking

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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

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

PAYMENT OF BILLS AND PAYROLLS:

MOTION

Myron Blahy made a motion to approve the following bills and payrolls:

Bill List #504 in the amount of \$124,543.00

General Check's #24187-#24221

State Check #1797-#1799

Subdivision Land Development Check's #1368-#1373

Walmart Traffic Signal Check #1006

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

REPORTS

MOTION

Ronald Reeser made a motion to accept and place file the following reports:

Mahoning Township Road Department Reports February 06, 2023-February 24, 2023

Mahoning Township Equipment and Fuel Log February 2023

Mahoning Township Municipal Authority minutes for January 18, 2023

Mahoning Township Zoning Hearing Board minutes for February 07, 2023

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

NEW BUSINESS:

MOTION

Ronald Reeser made a motion to advertise to receive sealed bids for road materials and fuels.

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

After review with Nevin it was decided the same quantities as last year will be purchased.

Summit Ridge Phase 1 – Major Subdivision Reduction in Escrow (Release #1). LTL Consultants, Peter Eisenbrown recommends a reduction from current financial security in the amount of \$316,569.08. Current amount \$1,524,306.46, new letter of credit among of \$1,207,737.38

MOTION

Ronald Reeser made a motion of release #1. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; Deborah McGowan, yes. 4-0 vote. Motion carried.

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Carbon County Airport Reapproval beyond the 90-day requirement for recording

MOTION

Ronald Reeser made a motion to re-approve the Carbon County Airport plans due to it being beyond the 90-day requirement to ensure recording is accepted at the county. PC approved 9/21/22, BOS approved 10/12/22. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; Deborah McGowan, yes; 4-0 vote. Motion carried.

Carbon Plaza Starbucks requesting conditional final approval of the Starbucks project which is a multi-tenant retail building. The Planning Commission recommends conditional final plan approval. The agenda outlines the conditions and there were three discussed tonight. 1. LTL review letter comment 1A – size of parking space. The requirement is 20ft space based on zoning regulation, 18ft is stated in the plan. Asking that this size change is not a condition since it is an existing site today and they argue it is just a continuation of existing use that had 18ft parking. The Planning Commission strongly believes the parking spot size should be 20ft. 2. Would like to replace the free-standing sign that was removed by Penn Dot during construction and Starbucks would like to not have this be a condition because they are simply placing the sign on the exiting structure. 3. Since they are not accessing Penn Dot's right away, they do not feel there is a need for a condition. 4. Stormwater comment #1 related to Penn Dot. LTL stated work was being done in Penn Dot right away and requires Penn Dot approval. Starbucks states all work being done is on their property and none on Penn Dot right away, so they are asking that comment #1 be waived because it is not applicable.

MOTION

Ronald Reeser made a motion to accept 18ft parking spaces, referencing Section 116.77.B instead of 20ft. Seconded by Myron Blahy.

Robert Slaw, no; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, no. 2-2 vote. Motion failed.

MOTION

Myron Blahy made a motion to allow replacement of the free-standing sign removed by Penn Dot referencing section 116-47. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

MOTION

Myron Blahy made a motion that all applicable driveway regulations do not apply to Starbucks, referencing Section 116-80.B.

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

MOTION

Myron Blahy made a motion to waive Stormwater comment #1 related to Penn Dot approval, referencing Section 99-10.F.(2).(h).[4].

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

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MOTION

Robert Slaw made a motion to grant final conditional plan approval conditioned on LTL letter dated February 13, 2023, titled final land development plans first review, without the items discussed and motioned upon above. Conditions still needed for final approval are Zoning: 1A, 3 and 5. SALDO 1,2,3. Stormwater: 2 and General: 2,4,5,6,7,8. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; and Deborah McGowan, no. 3-1 vote. Motion carried.

Heart and Lung, Officer James Danner

MOTION

Deborah McGowan made a motion to approve Heart and Lung request by Officer James Danner Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

51 Jamestown Drive (stormwater). Cinder blocks and plywood were placed to divert water. 10 catch basins on hill and as the leaves coat the top the water continues down the hill. Diversion has been there 15+ years. If basins were kept clean it would take care of the issue. Township does clean the basis. No action

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)**

Planning Commission and Zoning Hearing Board Members to receive pay.

The Board broke for a short executive session at 7:45pm, returned 7:55pm

MOTION

Ronald Reeser made a motion to increase all future Supervisor pay from \$50.00 per meeting to \$100.00 per meeting, both the Zoning Hearing Board and Planning Commission members to be paid \$50.00 per meeting not to exceed 1,875.00 a year.

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

Tom will review and confirm when the Zoning Hearing Board and Planning Commission members will receive pay immediately since they are appointed and prepare an ordinance to be adopted.

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CORRESPONDENCE:

MOTION

Deborah McGowan made a motion to accept and place on file the correspondence dated March 08, 2023. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes and Deborah McGowan, yes. 4-0 vote. Motion carried.

***ALTRONICS SECURITY SYSTEMS, BOB HEIMBECKER, GM

RE: NOTIFICATION OF NON-COMPLILANT FIRE ALARM CONTROL PANEL REMOVAL AND REPLACEMENT NEEDS.

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

RE: F.T. SNODDY HOME PROJECT ADEQUACY REVIEW

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

RE: ADMINISTRATIVE COMPLETENESS NOTIFICATION LETTER FOR SIERRA VISTA ESTATES PROJECT RENEWAL NPDES PERMIT APPLICATION.

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

RE: ENFORCEMENT NOTICE; CALOGERO CARLINO, 2522 BLAKESLEE BLVD DRIVE WEST

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

RE: BARRY COHEN, BUILDING PERMIT APPLICATION INCOMPLETE, NOTIFICATION OF ADDITIONAL INFORMATION NEEDED.

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

RE: VIOLATION LETTER, CENTRAL EX. UNSAFE STRUCTURE BEAVER RUN DR.

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

RE: VIOLATION LETTER, PA PROPERTY PORTFOLIO INC. JUNK AND VEHICLES, CHAPEL DRIVE

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

RE: VIOLATION LETTER, TIMOTHY SOLOWEJ. JUNK/RUBBISH, ASHTOWN DRIVE

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

RE: VIOLATION LETTER, CENTRAL EX, COMM OF ODWU, INC. UNSAFE STRUCTURE, BEAVER RUN DR.

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

RE: VIOLATION LETTER, CENTRAL EX. COMM OF ODWU. WORK WITHOUT PERMIT, BEAVER RUN DR.

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

RE: FEB ZONING AND BUILDING ACTIVITY

***LTL CONSULTANTS, LTD, PETER EISENBROWN.

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RE: NOTES FROM CENTER ROAD SITE MEETING 3/1/23

***TOWNSHIP OF MAHONING, STEPHEN WANNER, LTL CONSULTANTS, CODE ENFORCEMENT OFFICER
RE: VIOLATION LETTER, S. BOYD. JUNK AND RUBBISH, BLAKESLEE BLVD DRIVE WEST

***TOWNSHIP OF MAHONING, STEPHEN WANNER, LTL CONSULTANTS, CODE ENFORCEMENT OFFICER
RE: VIOLATION LETTER, WEISS AND GLANZ. JUNK AND VEHICLES, BLAKESLEE BLVD DRIVE WEST

***TOWNSHIP OF MAHONING, STEPHEN WANNER, LTL CONSULTANTS, CODE ENFORCEMENT OFFICER
RE: FENCE DISPUTE REVIEW AND FINDINGS, JAMESTOWN DRIVE

***NANOVIC LAW OFFICES, THOMAS S NANOVIC
RE: MAHONING TOWNSHIP / ZONING ORDINANCE OVERVIEW: CAMPS VS CAMPGROUND

***NANOVIC LAW OFFICES, THOMAS S NANOVIC
RE: MAHONING TOWNSHIP ENFORCEMENT NOTICE REVISION, 2522 BLAKESLEE BLVD DR W

***NANOVIC LAW OFFICES, THOMAS S NANOVIC
RE: MAHONING TOWNSHIP ZONING ORDINANCE AMENDMENTS; SMALL LOTS

***NANOVIC LAW OFFICES, THOMAS NANOVIC
RE: PROPOSED RENOVATIONS / BID DOCUMENTS REVIEW AND RESPONSES BY WATKINS ARCHITECT

***PA DEPARTMENT OF TRANSPORTATION, MICHAEL B CARROLL, ACTING SECRETARY OF
TRANSPORTATION
RE: NOTICE OF PAYMENT LIQUID FUELS, MARCH 2023

***PA DEPARTMENT OF TRANSPORTATION, CHRISTOPHER J SUROVY, DISTRICT TRAFFIC SIGNALS MGR
RE: INSPECTION OF TRAFFIC SIGNAL, SR 443 & LOWES DR/CARBON MALL DR.

***PA DEPARTMENT OF TRANSPORTATION, MATTHEW HOCKENBERRY, PENNDOT BUREAU OF
PLANNING AND RESEARCH
RE: TRAFFIC COUNTING ON MUNICIPALLY OWNED ROADS

***PSATS, DAVID M SANKO, EXECUTIVE DIRECTOR
RE: MEMBERSHIP CONFIRMATION AND RECEIPT OF 2023 DATE STRIP FOR PLAQUE

***RESIDENT CONCERN REGARDING POLICE PROCESS; POLICE REPORT. P RAUCH. Discussed after the
meeting.

***THE SWORD TAG SOCIETY, CHRISTOPHER D NOTHSTEIN, PRESIDENT
RE: ANNUAL BASKET RAFFLE FUNDRAISER SOLICITATION

COMMITTEE REPORTS:

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POLICE COMMITTEE:

Speeding complaints, visibility of police department.

4-5 people complained about the Estes trucks speeding. Robert suggested we use Vascar to deter speeding. Myron Blahy will direct Audie to implement the use of Vascar. Appears to be many concerns with speeding throughout the township and lack of visibility of police. Deb McGowan suggested making the unmarked cars somehow more identifiable, maybe light bars, to identify police and stressed the police need to patrol more.

ROAD COMMITTEE:

Jim Thorpe Borough marked the borough line based on a local GIS map and it was not accurate. Nevin Frey "wheeled it off" from both Mahoning side and JT side. There is a 38-foot overlap. Nevin talked with JT and they recommended we split the overlap. Although not official it is a practical solution and a good compromise. It was agreed to split the overlap and the township line will be permanently identified.

OFFICIALS:

Deborah McGowan is attending the PSATS conference in April. She is asking that once the resolutions to vote on are distributed in mid to end of March the supervisors please review and give her their input, in writing, so she can properly represent the townships vote at the conference.

Deborah McGowan made the Board aware that the fire department attended a birthday party for an autistic child that loves fire trucks. The department spent time at the party with an ambulance, fire truck, brush truck, and allowed the kids to climb on the trucks. Deb recommended accommodation to Mark and the people who attended the birthday event. The entire Board was grateful and thanked Mark and his team.

Natalie informed the Board that CDBG application for 2023 was received and wanted clarification where the funds would be spent. 2022 funds were spent in Meadow Crest, and it was agreed 2023 would use their funds to finish in Meadow Crest.

Portions of road done on Westside showed stress cracks within two years of project, approximately 35 feet. Ron and Nevin confirmed that full depth reclamation (FDR) will do that. Ron suggested that since Recon is doing tarring work to fix manhole covers and driveways in that location, we should request an estimate to crack seal the first two blocks as we do not have the equipment to do the work ourselves.

Robert Slaw, in reference to the architect's response to Tom Nanovic's review of contract asked if we are satisfied and ready to go or do we need to wait one more month. Tom Nanovic and the Board do not think so and feel we are ready to go.

MOTION

Robert Slaw made a motion to bid the project once Tom, Pete, the architect, and Natalie are all in agreement. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes. 4-0 vote. Motion carried.

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Tom Nanovic announced there will be an executive session at the conclusion of the meeting, will not be returning for further business.

ADJOURNMENT:

MOTION

Robert Slaw made a motion to adjourn the meeting 8:24PM. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; and Deborah McGowan, yes 4-0 vote. Motion carried.

Respectfully Submitted,

Prepared from recording.