

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

November 08, 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; Deborah McGowan, Supervisor; David Pollock, Supervisor (By Phone); Thomas Nanovic, Solicitor and Natalie D. Haggerty, Secretary-Treasurer.

ABSENT:

Ronald Reeser, Supervisor

PUBLIC COMMENT:

Sal Mello questioned the status of our Zoning and SALDO and was instructed to return in December.

APPROVAL OF MINUTES:

MOTION

Myron Blahy made a motion to approve the Minutes of the October 11, 2023 Board of Supervisors Meeting. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

Myron Blahy made a motion to approve the following transfers:

\$14,652.22 General Checking to Payroll Checking pay date 10/12/23

\$19,263.41 General Checking to Payroll Checking pay date 10/19/23

\$15,607.75 General Checking to Payroll Checking pay date 10/26/23

\$16,486.16 General Checking to Payroll Checking pay date 11/02/23

\$537.97 Residential Street Light to General Checking

\$595.20 Residential Fire Hydrant to General Checking

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

APPROVAL OF TREASURER REPORT:

MOTION

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

APPROVAL OF PAYMENT OF BILLS AND PAYROLLS:

MOTION

Deborah McGowan made a motion to approve the following bills and payrolls:

Bill List #512 in the amount of \$197,425.72

General Check's #24509-#24547

State Check's #1827-#1830

Building and Land Check #1080

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Subdivision Land Development Check's #1451-#1463

LVH Check #144

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

APPROVAL OF REPORTS

MOTION

David Pollock made a motion to accept and place file the following reports:

Mahoning Township Road Department Reports October 09, 2023 – November 03, 2023

Mahoning Township Municipal Authority Minutes September 20, 2023

Mahoning Township Planning Commission Meeting minutes from September 20, 2023

Mahoning Township Zoning and Building Report for October 2023

Lehigh Canal Recreation Commission Meeting minutes September 28, 2023

Carbon County Tax Collection Committee Meeting minutes February 15, 2023

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

NEW BUSINESS:

Fee Schedules 2024 provided to the Board for review. Will be adopted at organizational meeting in January 2024

Meeting Dates 2024

MOTION

Robert Slaw made a motion to advertise 2024 meeting dates. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Motion to advertise Proposed 2024 Budget

MOTION

Myron Blahy made a motion to advertise the Proposed 2024 Budget making available to the public. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Motion to advertise Public Notice of Intent to appoint Certified Public Account to Perform 2023 Audit (Kirk and Suma).

MOTION

Robert Slaw made a motion to advertise Public Notice of Intent to appoint Certified Public Account to Perform 2023 Audit (Kirk and Suma).

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

Starbucks Development Agreement, Stormwater Management Agreement, Letter of Credit

MOTION

Robert Slaw made a motion to approve Starbucks Development Agreement and Stormwater Management Agreement and accept the Letter of credit. Seconded by Deborah McGowan.

Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

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Dollar General Development Agreement, Stormwater Operating and Maintenance Agreement, Letter of Credit

Have submitted the plans, the development agreement is in hand, has provided the bond and am awaiting finalization of the stormwater agreement. There are also a few minor changes needed to the development agreement per Tom. Tom suggested meeting prior to the Planning Commission meeting to sit down and discuss the agreement in detail and finalize any questions or concerns.

MOTION

Robert Slaw made a motion to approve agreements subject to Tom Nanovic's review. Motion failed 2-2 vote. ROLL CALL: Robert Slaw, no; Deborah McGowan, no; Myron Blahy, yes and David Pollock, yes

MOTION

Robert Slaw made a motion to TABLE. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Summit Ridge Phase 1 Letter of Credit Renewal in the amount of \$205,303.82 and Development Agreement Extension

MOTION

Deborah McGowan made a motion to accept the Summit Ridge Phase 1 Letter of Credit Renewal in the amount of \$205,303.82 and Development Agreement Extension. Seconded by: Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Sage Meadows Letter of Credit Renewal in the amount of \$431,223.16 and Development Agreement Extension.

MOTION

Myron Blahy made a motion to accept Sage Meadows Letter of Credit Renewal in the amount of \$431,223.16 and Development Agreement Extension. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Generator Change Order Approval

MOTION

Myron Blahy made a motion to approve a change order to purchase a 45kw generator for Mahoning Township Renovation Project at a cost of \$61,730. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Resolution 2023-23 Traffic Signal Maintenance Agreement. (Revision right turns slip lanes from yield to stop controlled)

MOTION

Myron Blahy made a motion to approve Resolution 2023-23 Traffic Signal Maintenance Agreement. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 4-0 vote. Motion carried.

Letter to be sent for Removal from Planning Commission

MOTION

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David Pollock made a motion to send a letter to a Planning Commission member. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, 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 March 31, 2024.**

CORRESPONDENCE:

MOTION

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

***THE CARBON CHAMBER & ECONOMIC DEVELOPMENT CORP

RE: INVITATION TO THE 2023 ANNUAL AWARDS GALA

***CARBON CONSERVATION DISTRICT, REANNON ZANGAKIS, DISTRICT TECHNICIAN

RE: REHRIG HOME BUILD PROJECT ADEQUACY REVIEW, UPPER NIS HOLLOW DRIVE

***CARBON CONSERVATION DISTRICT, REANNON ZANGAKIS, DISTRICT TECHNICIAN

RE: SHIPWASH HOME BUILD PROJECT ADEQUACY REVIEW, 308 UPPER NIS HOLLOW DRIVE

***CARBON CONSERVATION DISTRICT, REANNON ZANGAKIS, DISTRICT TECHNICIAN

RE: GACHYNSKY HOME BUILD PROJECT ADEQUACY REVIEW, SWISS VIEW ROAD

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

RE: CARBON PLAZA FIRST COMMONWEALTH FEDERAL CREDIT UNION ADEQUACY REVIEW, BLAKESLEE BLVD DRIVE EAST

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

RE: NOTICE OF TERMINATION APPROVAL LETTER FOR FRACKVILLE, SIEGFRIED #1&2 REBUILD

***CARBON CONSERVATION DISTRICT, REANNON ZANGAKIS, DISTRICT TECHNICIAN

RE: LEACH HOME BUILD PROJECT ADEQUACY REVIEW

***LTL CONSULTANTS, PETER EISENBROWN, PE TOWNSHIP ENGINEER

RE: CARBON PLAZA MALL / LOWES TRAFFIC SIGNAL REQUEST FROM YEILD TO STOP SIGN

***LTL CONSULTANTS, PETER EISENBROWN, PE TOWNSHIP ENGINEER

RE: HAMMEL/STERN MINOR SUBDIVISION FINAL PLAN, 1ST LTL PLAN REVIEW

***LTL CONSULTANTS, PETER EISENBROWN, PE TOWNSHIP ENGINEER

RE: FIRST COMMONWEALTH FEDERAL CREDIT UNION, PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, 1ST LTL PLAN REVIEW

***LTL CONSULTANTS, STEPHEN WANNER, BCO AND ZONING OFFICER

RE: BUILDING PERMIT DENIAL LETTER, WINTER MOUNTAIN ROAD, LEACH

***LTL CONSULTANTS, PETER EISENBROWN, PE TOWNSHIP ENGINEER

RE: CENTER ROAD PROJECT FY 2022, RECOMMENDATION TO AWARD RECON CONSTRUCTION SERVICES INC FOR ABOVE PROJECT EXPECTED TO BEGIN APRIL 2024, WEATHER PERMITTING.

***LTL CONSULTANTS, STEPHEN WANNER, ZONING OFFICER

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RE: DEP CONCERN 13 SPRUCE STREET, EMAIL REQUESTING DIRECTION FROM THE BOARD GOING FORWARD

Note: Have Steve Wanner pursue what tom Nanovic found in ordinance for littering. Also have all violations placed in a spreadsheet showing status.

GARBAGE ORDINANCE & STATE LAWS COULD ALLOW US TO ENFORCE THIS ISSUE. WILL HAVE STEPHEN WANNER FOLLOW THROUGH AND CITE BASED ON TOM'S FINDINGS.

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

RE: UNSAFE STRUCTURE & TRASH/RUBBISH ACCUMULATION – 286 LOWER NIS HOLLOW DR

***LTL CONSULTANTS, STEPHEN WANNER, BCO & ZONING OFFICER

RE: BUILDING PERMIT, UPPER NIS HOLLOW DR DENIAL LETTER. REHRIG

***LTL CONSULTANTS, STEPHEN WANNER, BCO & ZONING OFFICER

RE: BUILDING PERMIT DENIAL LETTER – MANOR LANE – 4 U HOMES

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

RE: UNSAFE FUEL APPLIANCE, HOUSE HEATER FUEL LINE – UGI NOTIFICATION

174 MAUCH CHUNK STREET – TASCHLER

***LTL CONSULTANTS, STEPHEN WANNER BCO & ZONING OFFICER

RE: FENCE PERMIT DENIAL, 39 MAPLE DRIVE – STUCKLEY

***PIRMA, 2023 CALL FOR LEADERSHIP, BOARD MEMBER POSITION CONSIDERATION

***UGI UTILITIES,

RE: NOTIFICATION OF UNSAFE CONDITIONS, LEAK ON FUEL LINE, 174 MAUCH CHUNK ST – TASCHLER

***UGI UTILITIES

RE: NOTIFICATION OF UNSAFE CONDITIONS, GAS FIRED EQUIPMENT, 136 JAMESTOWN ST – KELLY

***THOMAS NANOVIC, SOLICITOR

RE: EMAIL OFFERING POTENTIAL OPTIONS ON HOW TO HANDLE GARBAGE DUMPING ONTO RESIDENT PROPERTY

***PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, CHRISTOPHER J. SUROVY, DISTRICT TRAFFIC SIGNALS MANAGER

RE: TRAFFIC SIGNAL SR443 LOWES CARBON PLAZA

COMMITTEE REPORTS:

POLICE COMMITTEE:

Myron Blahy requested an executive to discuss personnel at the conclusion of the meeting.

ROAD COMMITTEE:

Brush cutting & trucks just about suited up for the winter.

Martins Sweeping expected on Breezewood 11/09

Dirt and Gravel roads are done and are on target.

OFFICIALS:

Robert Slaw – Zoning & SALDO

MOTION

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Robert Slaw made a motion to recommend the approval of SALDO & Zoning as it stands. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, no; Deborah McGowan, yes, David Pollock, no 2-2 vote. Motion fails.

The SALDO and Zoning will be placed on the agenda for the December meeting.

ADJOURNMENT:

MOTION

Myron Blay made a motion to adjourn the meeting at 6:55PM. Seconded by Robert Slaw. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes; and Deborah McGowan, yes 4-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty
Secretary-Treasurer