

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

October 11, 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; David Pollock, Supervisor (By Phone); Thomas Nanovic, Solicitor and Natalie D. Haggerty, Secretary-Treasurer.

PUBLIC COMMENT:

Todd Weaver representative for Lehighton Area Heritage Alliance which is a historical society started about 7 years ago. Hoping to Piggyback off 50th anniversary that Lehighton was doing at the time. Currently have 8 members and the goal is to preserve, promote and pass on history. They are in the process of doing nonprofit and 5013C and they are planning to reach out to all the Townships and gather artifacts and eventually have a museum or visitor center and each chamber would have their own display. Todd is interested in attending our future meetings relating to the historic district we are currently discussing, offering any help he can, and hopes it creates growth. Robert Slaw is interested in joining forces and offered the opportunity to discuss the possibility of available space at the new Township building. Once renovations are complete and we are moved in they will set up a meeting to discuss further.

Jake Arner – A member of the Shark Tank team that will be joining us in Mahoning Township. We expect to get the money by the end of November for the Township escrow. Money for the entire development is expected early next year. To prevent any type of time crunch with holidays and such Jake would like to give an extension letter until March 2024. Robert Slaw suggested he submit the letter and Jake had one with him so he submitted it.

In relation to Flagstaff, Jake stated Tom from Flagstaff is remodeling the building and put a new roof on the ball room. Tom is planning to remodel the other building also and is planning to take the old main parking lot in front of the building and turn it into a wedding venue, landscaping it, and parking will be located down below in the new area. Tom did inquire about additional parking.

APPROVAL OF MINUTES:

MOTION

Deborah McGowan made a motion to approve the Minutes of the September 27, 2023 Board of Supervisors Meeting. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

Ronald Reeser made a motion to approve the following transfers:

- \$17,615.47 General Checking to Payroll Checking pay date 9/14/23
- \$15,193.22 General Checking to Payroll Checking pay date 9/21/23
- \$15,832.01 General Checking to Payroll Checking pay date 9/28/23
- \$22,705.78 General Checking to Payroll Checking pay date 10/05/23
- \$537.97 Residential Street Light to General Checking

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\$595.20 Residential Fire Hydrant to General Checking

Seconded by Myron Blah. Robert Slaw, yes; Ronald Reeser, yes; Deborah McGowan, yes, David Pollock, yes; and Myron Blahy, yes. 5-0 vote. Motion carried.

APPROVAL OF TREASURER REPORT:

MOTION

Myron Blahy made a motion to approve the Treasurer's Report for September 2023. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; Deborah McGowan, yes; David Pollock, yes; and Myron Blahy, yes. 5-0 vote. Motion carried.

APPROVAL OF PAYMENT OF BILLS AND PAYROLLS:

MOTION

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

Bill List #511 in the amount of \$236,444.50

General Check's #24474-#24508

State Check's #1823-#1826

Building and Land Check #1079

Subdivision Land Development Check's #1439-#1450

Fire Co Check #1039-#1040

Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; Deborah McGowan, yes; David Pollock, yes; and Myron Blahy, yes. 5-0 vote. Motion carried.

APPROVAL OF REPORTS

MOTION

Deborah McGowan made a motion to accept and place file the following reports:

Mahoning Township Road Department Reports September 24, 2023 – October 06, 2023

Mahoning Township SEO Report for August 1, 2023- September 30, 2023

Mahoning Township Equipment and Fuel Log September 2023

Mahoning Township Zoning and Building Report for September 2023

Seconded by David Pollock. Robert Slaw, yes; Ronald Reeser, yes; Deborah McGowan, yes; David Pollock, yes; and Myron Blahy, yes. 5-0 vote. Motion carried.

NEW BUSINESS:

Summit Ridge Phase I Escrow Release for Improvements (letter of credit in the amount of \$205,303.82).

Pete did inspection and a lot of work has been done, looks great. All questions Pete had, have been answered.

MOTION

Ronald Reeser made a motion releasing \$737,884.00 for the completed work. Seconded by Myron Blahy. Robert Slaw, yes; Ronald Reeser, yes; Deborah McGowan, yes; David Pollock, yes; and Myron Blahy, yes. 5-0 vote. Motion carried.

90-Day Extension Merluzzi Subdivision

MOTION

David Pollock made a motion to grant 90-Day Extension. Seconded by Myron Blahy. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

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Request of Sign (Deaf resident) Center Street

Will contact Reliable sign for price, call the resident to inform them of the sign cost and then the Township will install.

MOTION

Ronald Reeser made a motion to install a sign(s) provided the resident pays for said sign. Seconded by Myron Blahy. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

Starbucks Development Agreement, Stormwater Management Agreement, LOC

Starbucks accepted all changes to stormwater and development agreement except for one comment in the development agreement that Attorney McClain added regarding a default that is tied into the letter of credit. Stormwater agreement is fine. Starbucks is asking if we can approve the development agreement contingent upon them getting a letter of credit approved by Tom. All changes suggested were adopted but Attorney McClain added section 10.1 and Tom has not reviewed that yet. Tom needs to see the final letter of credit before approving. Tom will reach out to Starbucks.

MOTION

Deborah McGowan made a motion to TABLE the Starbucks Development Agreement, Stormwater Management Agreement. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

Dollar General Development Agreement, Stormwater Operating and Maintenance Agreement, LOC

The Development Agreement is in satisfactory form, but Dollar General has not seen it yet, waiting for approval to send it to Dollar General by the Board of Supervisors. The Board gave Tom approval to forward to Dollar General for review. They have the Stormwater Agreement for review. Dollar General sent Tom a site improvement bond, Tom made comments and forwarded to the Board of Supervisors, Tom is asking if there are any additional comments to the site improvement bond and if not, he will forward his comments to Dollar General stating we are not satisfied with your site improvement bond and this is why.

People moved out of Dollar General site and property is empty.

MOTION

Ronald Reeser made a motion to approve comments from Tom on the Development Agreement be sent to Dollar General for review. Seconded by David Pollock. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 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 December 31, 2023 (MOTION GRANTED EARLIER ON AGENDA TO DECEMBER 31, 2023)**

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Deborah McGowan made a motion granting extension to March 31, 2024. Seconded by Ronald Reeser. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

CORRESPONDENCE:

MOTION

Myron Blahy made a motion to accept and place on file the correspondence dated September 27, 2023. Seconded by David Pollock. Robert Slaw, yes; Ronald Reeser, yes; Deborah McGowan, yes; Myron Blahy, yes; and David Pollock, yes. 5-0 vote. Motion carried.

****REQUEST FOR HANDICAP SIGN FOR DEAF RESIDENT AREA. WENTZ, 266 CENTER STREET

****COUNTY OF CARBON EMERGENCY SERVICES, JUSTIN E MARKELL

RE: MAHONING VALLEY EMS – MUTUAL AID COVERAGE

****DEPARTMENT OF ENVIRONMENTAL PROTECTION, WASTE MANAGEMENT, AMY FAULCH, SOLID WASTE SUPERVISOR

RE: COMPLAINT REFERRAL – 13 SPRUCE STREET – WASTE, INCLUDING SEVERAL OIL CANISTERS, REFRIGERATORS, TYPEWRITERS AND MORE JUNK BEING DUMPED DOWN THE HILL ON THIS PROPERTY

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

RE: BUILDING/ZONING PERMIT DENIAL NOTICE FOR NEW POOL DECK, 43 VELVET LANE

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

RE: BUILDING/ZONING PERMIT DENIAL NOTICE TO CONSTRUCT AN ACCESSORY STRUCTURE (SHED), 712 BLAKESLEE BLVD DRIVE EAST

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

RE: NOTICE OF VIOLATION, NONPERMITTED SIGN, 1677 BLAKESLEE BLVD DRIVE WEST

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

RE: NOTICE OF VIOLATION, DILAPIDATED TRAILER, AND OVERGROWN VEGETATION, 608-610 NORTH FIRST STREET

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

RE: ZONING PERMIT APPLICATION DENIAL, COMMERCIAL PARKING MARCH CHUNK STREET; OAK DRIVE; FLAGSTAFF RD.

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

RE: NOTICE OF VIOLATION, UNSAFE STRUCTURE, TRASH & RUBBISH ACCUMULATION, 286 LOWER NIS HOLLOW DRIVE LOT #85 (85 CHEYENNE LANE)

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

RE: NOTICE OF VIOLATION, ACCUMULATION OF JUNK/RUBBISH, 2278 MAHONING DRIVE WEST

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

RE: NOTICE OF VIOLATION, ACCUMULATION OF JUNK VEHICLES AND RUBBISH/JUNK MATERIALS, 2294 MAHONING DRIVE WEST

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: PUBLIC HEARINGS/AMENDMENTS TO ZONING ORDINANCE AND SALDO RESCHEDULED DATE OF OCTOBER 24, 2023

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

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RE: PROPOSED SITE IMPROVEMENT BOND FOR DOLLAR GENERAL

*****ADDED AT MEETING BY DEBORAH MCGOWAN. RESIDENT ON MILL ROAD SUBMITTED LETTER OF APPROVAL GIVING PERMISSION TO THE POLICE TO SIT ON THEIR PROPERTY

COMMITTEE REPORTS:

POLICE COMMITTEE:

Taurus has no additional work needed beyond the sub frame rusting with an estimate of \$2,200.00.

MOTION

Ronald Reeser made a motion to repair the Taurus not to exceed the estimate of \$2,200.00. Seconded by David Pollock. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

ROAD COMMITTEE:

A tree on Fredericks Rd must be addressed. The tree fell over and is leaning on another tree which is the only reason it has not fallen on the road. This is a high traffic road and Ron feels it is a hazard. Suggested Nevin get estimate to have tree removed.

MOTION

Myron Blahy made a motion to have Nevin Frey obtain estimates to have tree removed from Fredericks Grove Rd and will approve not to exceed \$5,000.00. Seconded by Deborah McGowan. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

Salt was delivered.

International Truck, still at PVC waiting for a diagnosis.

Tar and Chip done about a month ago created about 2” of stone piled along edges. Ron suggests cleaning it up the best we can without pushing onto residents’ properties. Stated we may need to have Martin’s come out and pick it up and remove it.

OFFICIALS:

Deborah McGowan reported to police a homeless person in the area. Believes we have a lot of homeless people in the area. Deb would like to discuss during the budget meetings the possibility of donations to organizations that help the homeless, possibly Family Promise

Natalie Haggerty in relation to the Diaz Building.

Generator – Agreed in Aug to go with 35kw generator, was informed it is not big enough to service all areas. Concern is the lower north half of the police department; they believe it may not properly service due to the large HVAC unit outside servicing the police department. The unit is operational but old. Robert would prefer replacing that HVAC unit instead of increasing the size of the generator. Unit #4, powering the back half of the upstairs needs to be replaced. Must confirm if we keep the 35kw generator and replace the two units in question will the generator service all areas. ABC provided a maintenance agreement going forward. Natalie suggests pursuing possible grants for solar.

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Painting – Ready to paint. Received initial estimate from contractor 40k+. Reached out to several contractors some stated the job was either too large or their schedules did not allow for the immediate need. Received an estimate from a local painter and although it was comparable the original contractor estimate included more service than the local estimate. Ron Reeser states the process will not be able to move forward if they are dependent on the Road crew to do the painting.

MOTION

Ronald Reeser made a motion to accept the General Contract painting estimate to complete the painting.

Seconded by Deborah McGowan. Robert Slaw, yes; Ronald Reeser, yes; Myron Blahy, yes; Deborah McGowan, yes, David Pollock, yes 5-0 vote. Motion carried.

Natalie stated we are still under budget and pushing along for the February date.

Railing will be installed; we chose black to match everything else.

Sign – once we decide what we want on the sign, Ron Reeser will provide us with a sign contractor to provide an estimate.

Robert Slaw would like some sort of railing in the front of the building whether it is the Road department, GC, or site contractor purchasing and installing. Ron will look at the cost.

Angled “shed” roof at the police department entrance to be inspected to see if the posts are structural or cosmetic and determine if they need to be removed.

The grant on behalf of the Township for the Volunteer Fire Co was completed and submitted.

The budget preparation started. Met with Audie to discuss needs and suggest Audie attend the budget meeting.

Robert Slaw – rumor is Marshalls will be moving into the mall. The PC has not yet received any land development plans, and nothing has been submitted to the Township. A demolition permit was acquired but nothing else. Tom believes the only thing needed is a zoning permit. Natalie is going to confirm with Peter Eisenbrown whether a land development plan is needed and then inform the zoning officer.

Robert Slaw – Lowes. Merchandise is placed in fire lane areas and places pedestrians in danger. Asking the zoning officer to stop at Lowes and inform them to open the fire lane.

Stop Signs to replace yield signs at Lowes and Walmart status. Natalie sent a request to Peter, and he will draft a letter to Penn Dott and send to the Board for approval.

Comm Center letter request status. Natalie sent the request to the comm center and the comm center stated they already sent the letter to the Ambulance; Natalie forwarded the letter to the Board. Per Deb McGowan, Gary is saying he never received the letter.

ADJOURNMENT:

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Robert Slaw made a motion to adjourn the meeting at 7:22PM. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; Ronald Reeser, yes; David Pollock, yes; and Deborah McGowan, yes 5-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty
Secretary-Treasurer