

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

CALL TO ORDER:

Franklin Ruch called the meeting to order at 6:00 PM at the Mahoning Township Building, 2685 Mahoning Drive East, Lehigh, PA 18235

PLEDGE OF ALLEGIANCE: John Wieczorek led the Pledge of Allegiance

PRESENT:

Franklin Ruch, Chairman; John Wieczorek, Vice Chairman; Bruce Steigerwalt, Supervisor; Robert Slaw, Supervisor; Myron Blahy, Supervisor; Thomas Nanovic, Solicitor and Natalie D. Haggerty, Secretary-Treasurer

ABSENT:

PUBLIC COMMENT:

Ronald Wenrich 408 Ashtown Drive Lehigh: Applying for part time snow removal and snow plowing. Asked if he got an application.

Barry and Connie Christman 591 Mahoning Drive East Lehigh: Refrain to speak until later.

Joseph Bennett 619 Iron Street Lehigh: Asked to approach the Supervisors to make aware of a situation occurring. We have nine properties of which are along SR443 which are being partially taken by PennDOT. I'm opposed to the complete taking of my property and want to make you aware of a situation we are trying to overturn by speaking with PennDOT about the engineering of this. My property is to the right of Aldi's which I propose as two fast food pads. However, about a month ago after extensive negotiations with PennDOT, I am asking them to put the detention pond not on my property but on the Rudlitsch Estate that I was under agreement to purchase. That they place in the back not the frontage. The frontage is what's valuable along SR443. This is poor utilization of commercial land. Hope that the township would consider a letter to

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

PennDOT, asking the solicitor to represent the townships interest in this request to engineer these two parcels, so frontage is not taken. My specific interest is the land I bought from St. Luke's. Many developers go and fight the assessments. For a lower assessment you would send your solicitor. Here you would get zero taxes, they will take my property and it will no longer be on the tax rolls. I am requesting to consider the solicitor at very least writing a letter to PennDOT in support of our plight of having this reengineered that the water run off is to the back and the valuable frontage stays along SR443.

Jay Cooperman 1700 Lower Smith Gap Road Kunkletown, PA: My company name is Dynamic Properties and within the township we have a rental community called Springdale Gardens. There is some history with this property it has gone through several developers. My company purchased in 2014 as a rental property and currently has 20 residential rentals that are full. What we're looking to do is add additional 40 units. Developers approached the township previously to develop two more phases of twenty units each and I don't know were it stood, no record of approvals that would be good today. Currently, pads are already poured prior to our takeover. Situation came up with sewage, we have a solution for this. We have enough water within our current capacity. There should not be an impact to traffic. The purpose of my visit today is to bring to your attention that this is a project we would like to get moving on. We believe it would be a good value to the community. Question directed to Tom to verify if he went thru files and corresponded back to Attorney Ozales with his findings. In the near future they would like to come in with a preliminary conceptual plan. Currently not zoned for multi family or density that we need but because the pads are already there, we are in a rental community. Need to address the zoning as well, advised to discuss with zoning officer to see if there is a need for variance. Come back with conceptual plan.

APPROVAL OF MINUTES:

MOTION

John Wieczorek made a motion to approve the minutes of the January 7, 2019 Board of Supervisors Organization Meeting. Seconded by Myron Blahy, yes. Franklin Ruch abstain; John Wieczorek, yes; Bruce Steigerwalt, yes Robert Slaw, yes and Myron Blahy, yes 4-0 vote. Motion carried.

MOTION

John Wieczorek made a motion to approve the minutes of the January 7, 2019 Board of Supervisors Regular Meeting. Seconded by Myron Blahy. Franklin Ruch abstain; John

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

Wieczorek, yes; Bruce Steigerwalt, yes Robert Slaw, yes and Myron Blahy, yes 4-0 vote. Motion carried

Barrie and Connie Christman requesting waiver from Article VII Section 99-B (3): We applied for a permit to add an addition on a building. Got a building permit in December and received an occupancy permit in June 2018 for the building Radical Wines. Shortly after that we realized that our building demanded handicap access for our bathroom facilities. We let it go for a couple of months. We had the first phase complete and was thinking about the second phase but wanted to see the traffic flow. In October we contacted an engineer to provide additional space for a handicap bathroom. The best suited area onto the building was the rear center, less disturbed land. Drew up the plans and submitted them to Carl Faust in December. Carl came to us with second additions to nonresidential buildings require the SALDO adhered, which is a land development plan. The plans called for a 16x20 addition 320 square feet. The land development plan calls for the whole plotted land which is nineteen acres. That would far exceed the cost of putting the addition up. Carl referred me to the Board of Supervisors. The supervisors have the authority to modify any of the provisions in the SALDO and that is why we are asking for the waiver. Again, its only handicap access for a bathroom, the rest of area is storage. SALDO is for health, safety and welfare of the public, so when we designed the bathroom to go in between a septic system and a garage door it's not interfering with any kind of sight distance, land use or parking. Health, we're supplied by borough for water. Septic, it's 10 feet from where the bathroom will go. Safety, it's in the rear of the building. Welfare of the community is priority. Second, the building is there for the entertainment of the locals. Local artists come there to perform. We do local benefits within the community, example of Friends of Animals, fire company did a soup kitchen. Requesting the Board to grant the waiver request for the addition of the handicap bathroom. Questions, is there a procedure to file the waiver. Tom Nanovic read the state law. Robert Slaw pointed out that the Planning Commission unanimously recommended the waiver. Did you file it according to procedure? Will need to file a land development application with the waiver request. Carl Faust shared that technically the addition they want to put on will be the third addition. Connie said the letter I received from Carl said fourth addition. After I got the letter, I called Natalie. We did not put any additions on that property. I told her no. So, she called Carl, they did a change of use for changing a door. Rumor was that there were two changes to that building. To address the letter there are no other records. Waiver request needs to be done thru the right channels. They need to make application for land development and then a letter requesting a waiver from land development. They only have an occupancy for Radical Wines nothing else. Rumor has it that they are also using it for rental as venue one. That's an assembly use, it will drive up occupancy. All I got was the addition not the whole building. They need to state what the use is going to be. I wish I could answer you, Radical approached us August 2017 when American left. We applied for a distributor license and it fell thru. Is there an existing plan for the original septic system? Was it a permitted system? What is the size of the drain field to take the effluents from the septic tank. FDA came into Radical Wines, we have a letter from Scott Bieber that we provided to the FDA. They are looking for a waiver from the

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

land development requirement and they don't want to have to do a plan for the whole entire property. Suggestion of to do a land development plan for this immediate area so it includes sewer, where the water is coming from, where the parking is, where the drain filed is and where the side yard setbacks are. Don't care about the back eighteen acres. Three quarter of an acre is where the concern is. Show a deed plotting of the whole entire property and maybe plot where the residence is, no immediate area in front of the building, include the immediate corner. Are you sure you have the setbacks? They do meet the setback requirements. Do a deed plot, concentrate on that particular corner. We need to accommodate Radical Wines that is our tenant. Carbon Engineering cannot look at anything until summer. Connie will call Carl tomorrow. Is your addition going to be within ten feet of septic tank? Without seeing a drawing, we don't know that as a Board. Have Mike or Greg come to a Planning Commission Meeting and go thru all these things and have an open discussion?

NEW BUSINESS:

Per Capita Ordinance (Appointing the Elected Tax Collector as Delinquent Tax Collector of Per Capita)

MOTION

Bruce Steigerwalt made a motion to have Tom prepare and ordinance appointing the elected tax collector as a delinquent collector of per capita and setting rate of what she fills is appropriate. Seconded by Robert Slaw. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

Exoneration List 2018

MOTION

Bruce Steigerwalt made a motion to approve the 2018 exoneration list. Seconded by John Wieczorek. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes. 5-0 vote. Motion carried.

Craig Ziegenfuss Probationary Employee (6-month probation February 13, 2019)

MOTION

Bruce Steigerwalt made a motion to move Craig Ziegenfuss from probationary to full time employee effective February 13, 2019. Seconded by Franklin Ruch. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

Vacancy Auditor
Table

Summit Ridge (extension of time to April 30, 2019)

MOTION

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

John Wieczorek made a motion to grant an extension of time for the review of the subdivision plans for Summit Ridge Phase 1 to April 30, 2019. Seconded by Myron Blahy. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

Mahoning Valley Vol. Fire Co: EIT Volunteer Credit Certificates

(Mark Ebbert, Gregory Watts, Eric Gunsser, Frank Mase II, Robert Newton, Rob Frey, Charles Pollock, John Michalik, Neal Ebbert II, Shane Nothstein, Rickey Frey, Erik Reichard and Jason Nothstein)

MOTION

Bruce Steigerwalt made a motion to approve earned income tax volunteer credit certificates for Mark Ebbert, Gregory Watts, Eric Gunsser, Frank Mase II, Robert Newton, Rob Frey, Charles Pollock, John Michalik, Neal Ebbert II, Shane Nothstein, Rickey Frey, Erik Reichard and Jason Nothstein. Seconded by John Wieczorek. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

OLD BUSINESS:

CORRESPONDENCE:

John Wieczorek made a motion to accept and place on file the correspondence dated January 23, 2019. Seconded by Bruce Steigerwalt. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

***LEIDOS, INC. ROBERT D BEARD, PROJECT MANAGER

RE: INTENT TO SUBMIT APPLICATION FOR GENERAL STORMWATER PERMIT (NEW ENGLAND MOTOR FREIGHT)

***BARRY AND CONNIE CHRISTMAN

RE: WAIVER REQUEST FROM MAHONING TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT, ARTICLE VII-SECTION 99-31B (3)

***ST LUKES, PATRICK J BOWER, VICE PRESIDENT, DEVELOPMENT

RE: THANK YOU LETTER FOR ANNUAL DONATION

***APPLICATION FOR EMPLOYMENT, ROAD DEPARTMENT FROM SHAWN STROHL
MOTION

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

Franklin Ruch made a motion to place on file Shawn Strohl application for employment. Seconded by Myron Blahy. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes. 5-0 vote. Motion carried.

*****APPLICATION FOR EMPLOYMENT, ROAD DEPARTMENT FROM RONALD WENRICH
MOTION**

Franklin Ruch made a motion to place on file Ronald Wenrich application for employment. Seconded by Myron Blahy. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes. 5-0 vote. Motion carried.

*****BOROUGH OF JIM THORPE, LOUISE MCCLAFFERTY, BOROUGH SECRETARY
RE: REQUEST FOR INTERNATIONAL PROPERTY MAINTENANCE BOARD
APPOINTED MEMBERS LISTING**

*****PSATS LEGAL DEFENSE PARTNERSHIP NEWSLETTER WINTER 2019**

COMMITTEE REPORTS:

Police Committee: Nothing

Road Committee:

1. Received a cost of \$1200.00 from Jason Tree Service for the removal of five trees

MOTION

Bruce Steigerwalt made a motion to remove the five trees at a cost of \$1200.00 Seconded by Myron Blahy. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

2. Need to purchase two road closed signs at a cost of \$105.00 each. Authorize Nevin to purchase
3. Summit Hill Borough requested us to do brush cutting
4. Mahoning Heights and 902 water problem need to investigate.
5. Water pump on the red 1996 Dodge is leaking We have a part time road department worker that is willing to come in and replace the pump. Authority given for Chris Moses to make repair.

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

6. 2011 white Dodge oil pan was replaced and its leaking again, it's going back and its under warranty. Possibility of purchasing a pressure washer or a steam jenny. Hold off.
7. Asphalt box reclaimer on municibid. They run \$14,500.00 to \$15,000.00 new.

MOTION

Myron Blahy made a motion to allow Nevin to place bid at \$7000.00 (includes the 8% buyer premium). Seconded by Bruce Steigerwalt. Franklin Ruch, yes; John Wieczorek, no; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes. 4-1 vote. Motion carried.

8. Line painting and signs at the Lowes intersection, Carbon Dack Intersection, Walmart Intersection and Normal Square.
9. Ronald Wenrich and Nick Steigerwalt part time winter snow plowers

MOTION

Bruce Steigerwalt made a motion to hire Ronald Wenrich and Nick Steigerwalt as part time winter snow plowers. Seconded by Myron Blahy. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes. 5-0 vote. Motion carried.

OFFICIALS:

John Wieczorek: Questioned salt usage report

Bruce Steigerwalt: Building plans, need to set up a meeting.

Thomas Nanovic: Schaeffer Settlement Agreement

Audie Mertz: Explorer is in the shop cost of \$1500.00 provided by Fritz Auto to repair

MOTION

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
January 23, 2019

John Wieczorek made a motion to have repair done at Fritz at a cost of \$1500.00. Seconded by Myron Blahy. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes. 5-0vote. Motion carried.

Franklin Ruch: Executive session for personnel and contract negotiations.

ADJOURNMENT:

MOTION

John Wieczorek made a motion to adjourn the meeting at 8:05 PM Seconded by Bruce Steigerwalt. Franklin Ruch, yes; John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and Myron Blahy, yes 5-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty

Secretary-Treasurer