

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
July 24, 2019

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE: John Wieczorek led the Pledge of Allegiance

PRESENT:

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

PUBLIC COMMENT:

APPROVAL OF MINUTES:

MOTION

David Pollock made a motion to approve the minutes of the July 10, 2019 Board of Supervisors Meeting. Seconded by John Wieczorek. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried

NEW BUSINESS:

Wendy's Preliminary Plan Submission (Planners recommend conditional preliminary approval to Wendy's Preliminary Plan conditioned upon all items of LTL Consultants, Peter Eisenbrown review letter dated July 15, 2019 met and agreed to).

Kevin Fruck, Cornerstone Consulting Engineers; Kevin Jones, Wen Lehighton and Attorney Ralph Matergia present. A brief overview of the project was given. 2700 square feet proposed Wendy's with a drive thru and one-way circulation around site and will be located on Route 443. Proposing one entrance onto Blakeslee Boulevard (will require a PennDOT permit) which is one of the reasons why asking for preliminary plan approval and not preliminary final. Site does have a trash loading area, two outbuildings, one is a well house and there will be public sewer. We are proposing a new lateral. There is quite a bit of stacking for the drive thru, 32 parking spaces, 24 is the requirement and there is an underground stormwater basin. Engineer Fruck asked if they

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had seen LTL Consultants review letter of July 23, 2019. Advised that many of the comments are from outside agencies and they are required for final plan not preliminary plan. Technical items and clean up items have been addressed. The zoning issues are preliminary. Lighting: Trying to design a way so it does not spill over onto the adjoining properties. Kevin is looking into some different aspects of lighting to see if that goes away. But if we cannot design a way, we will approach adjoining neighbors to alert them of the issue to see if there is any objection to the lighting we are planning. The second of which we have this twenty-foot-wide planting strip requirement that we do not adhere to. It provides in your ordinance that we must meet that unless we get adjoining property owners to agree. I drafted a letter to send seeking that consent. They are the only two zoning issues.

MOTION

Bruce Steigerwalt made a motion to give the Wen Leighton Partners LLC conditional approval. Conditions being comments in article one conformance with the zoning ordinance and a review letter from our township zoning officer under article four as addressed as in Pete Eisenbrown, P.E. letter of July 23, 2019. Seconded by David Pollock. John Wieczorek, Chairman; Bruce Steigerwalt, Vice-Chairman; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried. *Noted to send a plan to Mark Ebbert, MVVF Co. # 1 Fire Chief.*

Radical Wines (extension November 30, 2019)

MOTION

David Pollock made a motion to grant extension for Radical Wines to November 30, 2019. Seconded by Myron Blahy. John Wieczorek, Chairman; Bruce Steigerwalt, Vice-Chairman; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

Summit Ridge Phase 1 (extension October 29, 2019)

MOTION

Bruce Steigerwalt made a motion to grant extension for Summit Ridge Phase 1 to October 29, 2019. Seconded by Robert Slaw. John Wieczorek, Chairman; Bruce Steigerwalt, Vice-Chairman; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

OLD BUSINESS:

American Tower

Concern of do we continue with existing cycles which are in effect to 2031 verses a one year buy out of an approximate value of \$300,000, and easement for 99 years. Request them to submit a proposed agreement that they would require for a 99-year easement. A concern is the access that shows on their plan to get to the tower. If we need to move the right a way, we will have that ability.

Sierra Vista Estates Preliminary Plans dated October 17, 2008, last revised January 30, 2019

Jake Arner and Attorney Kratz on behalf of AVP, present to sign final draft letter with attachments.

MOTION

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Bruce Steigerwalt made a motion to sign the letter dated July 24, 2019 concerning the conditions for preliminary plan approval for the Awesome View Properties, Sierra Vista Estates Preliminary Plans dated October 17, 2008, last revised January 30, 2019. Seconded by Dave Pollock. John Wiczorek, Chairman; Bruce Steigerwalt, Vice-Chairman; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

Jake shared an idea of short-term rentals, cabins, mixture of uses. Providing him the advantage of the ability to rent lots or cabins will allow to move the project faster, definite path for repairs to Flagstaff Road, definite path for marketing lots. Attorney Kratz asked if the township has an agreement that provides for escrow. Tom Nanovic asked if a narrative or outline of this idea can be provided.

Walmart Escrow Agreement

MOTION

Bruce Steigerwalt made a motion to approve the Walmart Escrow Agreement. Seconded by John Wiczorek. John Wiczorek, Chairman; Bruce Steigerwalt, Vice-Chairman; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

CORRESPONDENCE:

John Wiczorek made a motion to accept and place on file the correspondence July 24, 2019 Seconded by Myron Blahy. John Wiczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

***PA DEPT OF TRANSPORTATION, ALBERT LUBINSKY, CARBON COUNTY
MAINTENANCE MANAGER
RE: WINTER SERVICE REIMBURSEMENT NOTIFICATION FOR 18-19 SEASON

***CARBON ENGINEERING INC, R. MICHAEL TIRPAK II, PE
RE: LAND DEVELOPMENT PLAN FOR RADICAL WINES, CONNIE AND BARRY
CHRISTMAN, GRANTING TIME EXTENSION UNTIL NOVEMBER 30, 2019

***PA DEP
RE: ROUNDTABLE DISCUSSION ON RECYCLING: TUESDAY AUGUST 6, 2019 10:00AM
– 12:00

***HUNSICKER CONSTRUCTION
RE: QUOTE FOR REPAIRS TO SALT SHED \$1250
MOTION

Bruce Steigerwalt made a motion to approve the quote from Hunsicker Construction to make those repairs as listed in his proposal to the salt shed for \$1250. Seconded by John Wiczorek. John Wiczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

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***MAHONING VALLEY VOLUNTEER FIRE CO NO 1, JAY MICHALIK, ASST CHIEF
RE: CELEBRATION OF COMMUNITY EVENT WILL BE SATURDAY SEPTEMBER 14,
2019. NOTIFYING US THAT THEY FILED REQUIRED PAPERWORK WITH PENNDOT
FOR ROAD CLOSURE MILL ROAD AND SPRINGHOUSE

MOTION

John Wieczorek made a motion to send letter to MVVFC#1 advising we are in receipt of letter and acceptable of the road closure between Mill and Springhouse Road. Seconded by Robert Slaw. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes and David Pollock, abstain 4-0 vote. Motion carried.

***CARBON COUNTY TAX CLAIM BUREAU, RENEE ROBERTS

RE: PA REAL ESTATE TAX SALE LAW AMMENDED TO INCLUDE NO INDIVIDUAL
WHOSE LANDLORD LICENSE HAS BEEN REVOKED IN A MUNICIPALITY PURSUANT
TO ITS ORDINANCE MAY PURCHASE PROPERTY IN THE COUNTY IN WHICH THE
LOCAL MUNICIPALITY IS LOCATED AT TAX SALE UNDER THIS ACT.

***LTL CONSULTANTS, PETER EISENBROWN, PE

RE: WENDY'S LAND DEVELOPMENT PLAN PRELIMINARY PLAN 1ST REVIEW
(DATED JULY 15, 2019)

***LTL CONSULTANTS, PETER EISENBROWN, PE

RE: WENDY'S LAND DEVELOPMENT PLAN PRELIMINARY REVIEW 2ND REVIEW
(DATED JULY 23, 2019)

***NANOVIC LAW OFFICE, THOMAS NANOVIC

RE: AMERICAN TOWER

COMMITTEE REPORTS:

Police Committee:

Police budget in expended in over time line-item. To date expenditure is at \$40,500 and budgeted \$25,000, adjusted line item dollars for heart and lung and salary and that overage places over time within the police 40,500. Looking for direction from the Board moving forward for the remainder of the year. Questioned moving from unappropriated. Advised the police committee will discuss with Chief Mertz.

Road Committee:

Bruce Steigerwalt: Gave update on remaining paving. Take the monies from Spring Hill and use on Flagstaff. Remaining roads slated for improvement are Rex, Fritz, Semmel, Manor and some

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patching on Carnation. Nevin Frey will schedule work on Flagstaff, provided a quote for mulch for the playground at \$1977 and possibly will be able to get a quote for some weed barrier, if it's not too costly.

MOTION

Bruce Steigerwalt made a motion to purchase mulch at \$1977.00. Seconded by David Pollock. John Wiczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes and David Pollock, yes 5-0 vote. Motion carried.

Other items within the Road Department: will install a pipe on Breezewood weather permitting, Twin Crest culvert, not ours to fix. Mr. Beisell has a complaint regarding the cut off we created to get water off of Beisell Hill Road. The problem he has is that there is a pond on his property that he has a pipe that outlets the water from the pond onto our road, so my comment is the next time he asks about fixing curbing tell him we will fix as soon as he redirects his pipe from the township road.

Red Dodge will be out of commission in February 2020. We should replace with another small dump truck, get back on tract and get some pricing. Three big trucks, two small dumps and a pickup.

OFFICIALS:

Myron Blahy: Meet with the Chief

Bruce Steigerwalt: Need to get a set of plans to the fire chief. Office will forward.

Robert Slaw: TV dumped on Fredericks Grove Road, how does the Board feel if we set up a program that citizen can prepay a fee and set on a pallet in the back. If broken, we would have to box. Where would we put them. Office will schedule recycling event.

Tom Nanovic: We had the argument on the Shaeffer Skateboard Park in front of Judge Serfass. As soon as we get a decision, I will let you know.

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Natalie Haggerty: Seitz was here and took samples to test for asbestos from the old township building.

John Wieczorek: An executive session was held on July 17, 2019 for purpose of contract discussion. Contacted by Mr. Purcell from Lehigh Valley Hospital and he asked to meet with the Chairman to discuss an upcoming announcement. There will be an executive session at the conclusion of the meeting for personnel.

ADJOURNMENT:

MOTION

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

Respectfully Submitted,

Natalie D. Haggerty

Secretary-Treasurer