

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
October 23, 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; David Pollock, Supervisor; Natalie D. Haggerty, Secretary-Treasurer and Thomas Nanovic, Solicitor

PUBLIC COMMENT:

Craig Jaffee and Bud Newton: Carl Faust asked that we come in and discuss what we are proposing to do at the previous Payless Shoe Source. Lehigh Valley Health Network are looking to come into that space. As a result of that we needed to do some regrading in the parking lot to make some ADA spaces compliant with the current parking regulations. We will be raising up portion of the parking lot and overlaying the rest of it. No changes outside to building. Regarding pervious and impervious, the only new impervious will be adding one half parking space, all these green areas were previous paved spaces we will be removing. We are adding 268 sq. feet of paving and eliminating 1146 sq. feet of additional paving. Net reduction in amount of impervious. Based on that, I don't believe we need to go through land development. Carl wanted us to bring this in and go over it to make sure the Board of Supervisors are ok with it. The Board agreed that there was no need for land development.

Jake Arner, Sierra Vista Estates: Drawing presented showing the proposed additional right of way for Flagstaff Road and paving that we are offering. What it does, will accommodate two 45-foot-long busses. Offering to give you the additional right of way for that which will be ten foot on the inside of the curb. This was one of the conditions of the Preliminary Conditional Sierra Vista Subdivision, survey and submit an improvement to the Flagstaff Road turn. Wouldn't this dedication take place when we accept the final plan. Incorporate at that time.

In addition to that, PennDOT told me to take down my signs on 209. Zoning approval is not required for directional signs. PennDOT wants the Board of Supervisors to approve the sign that has been there for ten years. We do not require zoning for directional signs. Tom said it needs to go to Carl, Jake Arner said it needs to come to the Board of Supervisors for a signature. He

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believes its and existing sign and does not need approval. Advised to start with Carl Faust, Zoning Officer.

Last item, seeking direction of the Board. I have spoken to all my neighbors that adjoin to me. Bagel Bunch is in a commercial zone and Flagstaff Ballroom is also commercially zoned. I have commercial property on both sides of me, so what I would propose to the township is we would do a light commercial zone overlay district on top of the hill. I would like to put a winery and short-term rentals there. Where should this request be made? Place request in writing and it will be considered at some point in coordination with the re write of our zoning ordinance.

APPROVAL OF MINUTES:

MOTION

David Pollock made a motion to approve the minutes of the October 9, 2019 Board of Supervisors Meeting. Seconded by John Wieczorek. John Wieczorek, yes Bruce Steigerwalt, yes; Robert Slaw, abstain; Myron Blahy, yes and David Pollock, yes 3-0 vote. Motion carried

NEW BUSINESS:

Poconospray Patch

There's no time period that we must do anything, so we don't risk jeopardizing anything by acting immediately Set up a meeting on site. Tom will send a letter to the Bonding Company and Poconospray Patch letting them know there's a problem. Troxell's and Beissel's are the worst of the roads. Who is going to be our expert? Nevin or Peter.

Summit Ridge Phase I Final Plan Sets

Planning Commission recommend conditional final plan approval of Summit Ridge Phase 1 Plan conditioned on addressing comments 1 through 10 of LTL Consultants letter of October 14, 2019 and mylar

MOTION

Bruce Steigerwalt made a motion to grant conditional plan approval to Summit Ridge Phase 1 Plan conditioned on addressing comments 1 through 10 of LTL Consultants letter of October 14, 2019 and mylar. Seconded by David Pollock. John Wieczorek, yes Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

Award bid of 1996 Dodge 3500 Dump Truck

MOTION

Robert Slaw made a motion to award the bid of 1996 Dodge 3500 dump truck at a cost of \$6,103.00. Seconded by Bruce Steigerwalt. John Wieczorek, yes Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

OLD BUSINESS

Lowes/Carbon Plaza Mall Intersection SR 443 Improvements

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Discussion of the issue related to part of the Route 443 PennDOT project. PennDOT asked us to sign a sidewalk maintenance agreement for sidewalks that are located at Lowes and Carbon Plaza Mall. We had a meeting with Craig Jaffee and Bud Newton, we said that we the township do not have the ability to maintain those sidewalks and we intend to pass on to the property owners. They made it clear that they don't want the sidewalks, concerned with the Americans Disability Act requirements. They may have to put more sidewalk in then what PennDOT is showing on their plans. Conversation of the township writing to PennDOT saying Carbon Dack is suggesting instead of putting a sidewalk in have a four-foot-wide shoulder along there. We said we would write to PennDOT and say we met with Carbon Dack and they're not willing to maintain this contract. They don't want the sidewalk and they are a big business in our township. Why don't we go back and look at the four-foot shoulder again and not have a sidewalk? Let's see how PennDOT responds to that and not sign the sidewalk and maintenance agreement because once we sign that puts us on the hook, but the agreement provides that we can put the property owner on the hook. But they say they are going to resist that. If the township is unwilling to do maintenance on sidewalks for snow, they may be able to withhold liquid fuels. Tom will write the letter. Was discussion had for agreement with Carbon Dack for maintenance of traffic signals. Yes, and they are not opposed.

CORRESPONDENCE:

David Pollock made a motion to accept and place on file the correspondence dated October 23, 2019. Seconded by John Wieczorek. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

***PSATS LEGAL DEFENSE, FALL 2019

***NANOVIC LAW OFFICES, THOMAS NANOVIC
RE: MAHONING TOWNSHIP / DOPIRA PROPERTY TITLE SEARCH REQUEST

***MAHONING TOWNSHIP MUNICIPAL AUTHORITY
RE: SIERRA VISTA ESTATES PLANNING MODULE APPLICATION MAILER

***CARBON ENGINEERING, INC.
RE: SIERRA VISTA ESTATES RESIDENTIAL DEVELOPMENT, SANITARY SEWER
SYSTEM REVIEW COMMENTS

***CARBON COUNTY CONSERVATION DISTRICT, WENDY'S RESTAURANT
LEHIGHTON PROJECT ADEQUACY REVIEW

***PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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RE: CHAPTER INDIVIDUAL 102 NPDES PERMIT SR 443 ROADWAY IMPROVEMENTS

*** NICHOLAS DIGILIO 2700 BLAKESLEE BLVD DRIVE EAST

RE: DUMPING OF ASPHALT AND TREE SHAVINGS ON RACETRACK PROPERTY

Comment: Forward to Carl Faust

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: WEN LEHIGHTON PARTNERS COPY OF LETTER RECEIVED FROM ATTORNEY
MATERGIA PROVIDING CONCENT OF ADJOINING PROPERTY OWNERS

***PSATS SALARY SURVEY 2019

***PSATS NEWS BULLETIN: OCTOBER 2019

COMMITTEE REPORTS:

Broke for a short executive session at 6:50 PM. Returned to business at 7:05PM.

MOTION

John Wieczorek made a motion to rescind the new contract schedule of October 27, 2019.

Seconded by David Pollock. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

MOTION

John Wieczorek made a motion to put back in place the prior schedule. Seconded by David Pollock. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

Police Committee: John Wieczorek and Myron Blahy met talked about over time and scheduling. Other notes we had an opening session with the FOP for contract negotiations. Have not got any tentative dates back, I will email again tomorrow to see if we can establish another date.

Road Committee: Price for two radios for two new trucks at \$1,490.00 installed

MOTION

Bruce Steigerwalt made a motion to approve the expenditure of \$1,490.00 for two radios, two antennas kits, the service call and installation. Seconded by David Pollock. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

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Radio that is in truck we are selling, old radio does not pick frequencies up. John Deere Mower has outlived its usefulness. It needs a fuel injection pump. So, with that we are not going to fix. Place it on Municibid for parts. Looking at commercial series zero turn. The back door is broken again. The question is whether we need the crash bar on that door or if we can go with a knob or lever. Street sweeper there's an issue, question of it needs to be taken to a certified John Deere Dealership who has a computer to basically reset the computer. It must reset the auxiliary, the last person that used it either cancelled it or ignored it. The COG is paying for it. Nevin will take it down.

OFFICIALS:

Bruce Steigerwalt attended COG Meeting last night and they had a speaker talking about House Bill 1813 related to local government control. Passed it to John and let him decide what he wants to do with it.

Tom Nanovic: We have the hearing coming up for the hospital, do we wish to have it here or at a larger venue? It would need to be re advertised. Find out Ambulance or Fire Co. would be available.

MOTION

John Wieczorek to check the availability for another venue and having that in hand, re-advertise. Seconded by David Pollock. John Wieczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes and David Pollock, yes 4-0 vote. Motion carried.

Natalie Haggerty: Township had their yearly renewal meeting for Liability and Auto Insurance. No increase except a slight increase in auto due to new trucks. Workers Comp, we will be with the state for three more years. Need three clean years. Health care is going up 6.2% family coverage \$31,161.48 single coverage \$13,411.20, includes our dental and vision. We're with Highmark.

ADJOURNMENT:

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MOTION

Robert Slaw made a motion to adjourn the meeting at 7:30 PM. Seconded by David Pollock. John Wiczorek, yes; Bruce Steigerwalt, yes; Robert Slaw, yes; and David Pollock, yes. 4-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty

Secretary-Treasurer