

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

CALL TO ORDER:

Robert Slaw called the meeting to order at 4:00 PM at the Mahoning Township Building (Public Works Building) 2685 Mahoning Drive East, Leighton, PA 18235

PRESENT:

Robert Slaw, Vice Chairman; Myron Blahy, Supervisor; David Pollock, Supervisor; Brian Reeser, Supervisor; Thomas Nanovic, Solicitor and Natalie Haggerty, Secretary-Treasurer.

Motion to Accept Bruce Steigerwalt's Resignation (tendered verbally on December 8, 2021)

MOTION

David Pollock made a motion to accept Bruce Steigerwalt's letter of resignation dated December 29, 2021. Seconded by Myron Blahy. Robert Slaw, yes; David Pollock, yes; Myron Blahy, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Announced to the public there was an executive session held on December 1, 2021 and December 3, 2021 for purpose of litigation.

PUBLIC COMMENT:

Ronald Reeser 679 Breezewood Road: Questioned if there was any update as to whom can do speed and weight limit study. Tom Nanovic provided written response.

APPROVAL OF MINUTES:

MOTION

David Pollock made a motion to approve the Minutes of the November 10, 2021 Board of Supervisors Meeting. Seconded by Myron Blahy. Robert Slaw, yes; David Pollock, yes; Myron Blahy, yes and Brian Reeser, yes 4-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

David Pollock made a motion to approve the following transfers.

\$15,934.53 General Checking to Payroll Checking pay date 11/11/21

\$15,609.08 General Checking to Payroll Checking pay date 11/18/21

\$15,090.24 General Checking to Payroll Checking pay date 11/24/21

\$15,030.56 General Checking to Payroll Checking pay date 12/2/21

\$16,747.10 General Checking to Payroll Checking pay date 12/9/21

\$18,280.82 General Checking to Payroll Checking pay date 12/16/21

\$15,395.01 General Checking to Payroll Checking pay date 12/23/21

\$17,615.13 General Checking to Payroll Checking pay date 12/30/21

\$537.97 Residential Street Light to General Checking

\$595.20 Residential Fire Hydrant to General Checking

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

APPROVAL OF TREASURER REPORT:

MOTION

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

Brian Reeser made a motion to approve the Treasurer's Report for November 2021. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

PAYMENT OF BILLS AND PAYROLLS:

MOTION

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

Bill List #487 in the amount of \$99,508.03

General Check's #23566-#23596

State Check #1753

Building Land Check #1040

Subdivision Land Development Check's #1236-#1242

LVH Check's #122-#123

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

MOTION

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

Bill List #488 in the amount of \$123,944.88

General Check's #23597-#23621

Building Land Check #1041

Subdivision Land Development Check #1243-#1245

LVH Check #124

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

REPORTS

MOTION

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

Mahoning Township Road Department Reports November 8, 2021-December 24, 2021

Mahoning Township Zoning Hearing Board minutes for November 18, 2021

Carbon County Council of Government minutes for September 28, 2021 and November 23, 2021

Mahoning Township Building and Zoning Report for October and November 2021

Mahoning Township Financial Statements December 31, 2020

Mahoning Township Municipal Authority minutes for August 18, 2021, September 15, 2021, October 20, 2021 and November 17, 2021

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

NEW BUSINESS:

Jan & Ryan Wentz Estate of Ellen N. Diaz Boundary Line Adjustment Plan (Planning Commission recommended conditional approval conditioned upon plans being signed and notarized by the owner, mylar and draft deed description for the consolidated lot)

MOTION

Robert Slaw made a motion to grant conditional approval of the Jan & Ryan Wentz Estate of Ellen N. Diaz Boundary Line Adjustment Plan. Conditions of plans being signed and notarized

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

by the owner, mylar and draft deed description for the consolidated lot. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Meeting Dates 2022 (motion to advertise)

MOTION

David Pollock made a motion to advertise meeting dates 2022. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Adoption of the 2022 Budget-Resolution 2021-#28

MOTION

Brian Reeser made a motion to adopt Resolution 2021-#28 of the Township of Mahoning appropriating specific sums estimated to be required for the specific purposes of the municipal government, set forth during the year 2021. The total revenues for the fiscal year 2022 be in the amount of \$2,955,358.00 and the total expenditures for the fiscal year 2022 be in the amount of \$2,955,358.00. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Adoption of the 2022 Tax Levy-Resolution 2021-#29

MOTION

David Pollock made a motion to adopt Resolution 2021-#29: "A Resolution of the Township of Mahoning, fixing the tax rate for year 2022. Tax rate for General Purposes, the sum of 5.0 mills, For Fire Protection Purposes, the sum of .5 mills, For Road Machinery Purposes, the sum of .5 mills, For Building and Land Purposes, the sum of .75 mills. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Closing the Books for 2021 including the interest effective December 31, 2021 (Motion to close the books)

MOTION

Myron Blahy made a motion to close the books for 2021 including the interest effective December 31, 2021. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Marilynn Ruch 6yr seat as auditor

(Verify term with county)

MOTION

Robert Slaw made a motion to fill vacant seat of auditor by Marilyn Ruch. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Tarone Blocker Subdivision Plan Time Extension to March 9, 2022

MOTION

Myron Blahy made a motion to accept Tarone Blocker Subdivision Plan Time Extension to March 9, 2022. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock,

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

yes and Brian Reeser, yes 4-0 vote. Motion carried.

Component 1 Sewage Facilities Planning Module for Tarone Blocker

MOTION

Robert Slaw made a motion to sign and forward to DEP Component 1 Sewage Facilities Planning Module for Tarone Blocker Subdivision Plan. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Component 2 Sewage Facilities Planning Module for Drue & Jan Haydt Subdivision

Resolution # 2021-30

MOTION

Myron Blahy made a motion to adopt Resolution # 2021-30 Component 2 Sewage Facilities Planning Module for Drue & Jan Haydt Subdivision and sign and forward to DEP. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Ordinance 2021-2 Regarding Church Road Amending Section 10 of Chapter 112 (Section 112-21-One-way streets), Section 21 of Chapter 112-21-Parking Prohibited at all times)

Note: ordinance number will change due to year adopted.

MOTION

Brian Reeser made a motion to advertise Ordinance Amending Section 10 of Chapter 112 (Section 112-21-One-way streets), Section 21 of Chapter 112-21-Parking Prohibited at all times). Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

LVH PennDOT LOC Release

MOTION

Robert Slaw made a motion to table Lehigh Valley Hospital PennDOT Letter of Credit release. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Wendy's Professional Fees Escrow and Letter of Credit Release

MOTION

Robert Slaw made a motion to table Wendy's Professional Fees Escrow and Letter of Credit release. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Watkins Architect Professional Agreement

MOTION

David Pollock made a motion to sign Watkins Architect Professional Agreement. Seconded by Myron Blahy. Robert Slaw, no; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 3-1 vote. Motion carried.

Agreement between Mahoning Township and Teamster 773

MOTION

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

Robert Slaw made a motion to approve the Agreement between Mahoning Township and Teamster 773. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Mahoning Valley Drive in Appeal

MOTION

Robert Slaw made a motion to ratify the filing of the Mahoning Valley Drive In appeal to the Mahoning Township Zoning Hearing Board decision. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

CCCOG (Previously discussed if we wanted to be a member or not in 2022)

MOTION

Myron Blahy made a motion to notify the Carbon Council of Governments of the townships desire to no longer be a member. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Chief of Police Contract

MOTION

Myron Blahy made a motion to adopt Police Chief Contract expiration date of 12/31/22. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Mahoning Valley Vol. Fire Co. requesting permission to pay from fire fund for preventative maintenance of generator from On Site Maintenance, LLC – West Penn costs of \$550 for service and \$200 new battery

MOTION

Robert Slaw made a motion to authorize the preventative maintenance on the generator and purchase of a battery. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

OLD BUSINESS:

LVH Traffic Signal and Signage Agreement

Motion

Robert Slaw made a motion to approve and sign the Lehigh Valley Traffic Signal and Signage Agreement. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Firework Ordinance: TABLE

Air B&B Ordinance: TABLE

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

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING
MINUTES
December 29, 2021

submitted to the Township). **RECEIVED EXTENSION LETTER TO March 31, 2022**

MOTION

Robert Slaw made a motion to accept Sierra Vista Phase 1A extension to March 31, 2022. Seconded by David Pollock. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Sierra Vista Pre-Security Agreement

MOTION

Robert Slaw made a motion to table Sierra Vista Pre-Security Agreement. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Broke for an executive session at 4:46 PM. Returned for business at 5:15 PM.

CORRESPONDENCE:

MOTION

Brian Reeser made a motion to accept and place on file the correspondence dated December 29, 2021. Seconded by Robert Slaw. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser 4-0 vote. Motion carried.

***BOROUGH OF JIM THORPE, LOUISE McCLAFFERTY, BOROUGH SECRETARY

RE: NOTICE OF HEARING BEFORE JOINT UNIFORM CONSTRUCTION CODE BOARD OF APPEALS
REGARDING CASTELLANO PROPERTY

***CARBON COUNTY PLANNING COMMISSION, IVAN O MEIXELL, PLANNER

RE: REVIEW AND FINDINGS OF MINOR SUBDIVISION/LOT LINE REVISION, WENTZ & DIAZ

***CARBON ENGINEERING, MICHAEL TIRPAK, P.E.

RE: TIME EXTENSION GRANTED REGARDING SUBDIVISION PLAN FOR TARONE BLOCKER

***CARL FAUST, MAHONING TOWNSHIP ZONING OFFICER

RE: DECISION ON ZONING APPLICATION, CONVERTING EXISTING BARN TO SINGLE-FAMILY HOME,
ASHTOWN DRIVE

***LTL CONSULTANTS, PETER EISENBROWN

RE: REVIEW AND DISCUSSION OF FENCE LAYOUT AT LVH CARBON CAMPUS

***LTL CONSULTANTS, PETER EISENBROWN

RE: REVIEW OF BOUNDARY LINE ADJUSTMENT REGARDING MINOR SUBDIVISION PLAN FOR
WENTZ/DIAZ ESTATE.

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: LETTER OF UNDERSTANDING REGARDING ZONING VIOLATION/APPEALS SCHWALM

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: DRAFT SETTLEMENT AGREEMENT FOR SCHWALM REVIEW

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: RELEASE AND INDEMNIFICATION AGREEMENT FOR WENDY'S

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: REVISED ORDINANCE 2021-2 REGARDING CHURCH DRIVE FOR REVIEW AND APPROVAL

***NANOVIC LAW OFFICES, THOMAS NANOVIC

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

RE: CONFIRMATION THAT ENGINEERING AND TRAFFIC STUDY TO REVIEW TOWNSHIP ROAD SPEED LIMIT CAN BE CONDUCTED BY POLICE OFFICERS, ROAD MASTERS, MAINTENANCE SUPERVISORS OR TRAFFIC TECHNICIANS.

***NANOVIC LAW OFFICES, S. GRAHAM SIMMONS, CONNIE CHRISTMAN

RE: EMAIL DISCUSSION REGARDING MAHONING TOWNSHIP EASEMENT

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: MAHONING TOWNSHIP, LEHIGH VALLEY HEALTH NETWORK TITLE INSURANCE / EASEMENT

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: TRAFFIC SIGNAL AND SIGNAGE EASEMENT/LEHIGH VALLEY HOSPITAL

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: REVISION LETTER REGARDING TEAMSTERS CONTRACT

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: BREEZEWOOD / BEDNAR ROAD WORK REVIEW

***JOHN BEDNAR, RESIDENT

RE: LETTER OF CONCERN REGARDING THE CHANGE IN FLOW OF RAINWATER AND ROAD DEBRIS DEPOSITED IN THE STREAM DUE TO RECENT ROAD WORK.

***PA COMPENSATION RATING BUREAU, ERIC ZHOU

RE: CORRECTION LETTER REGARDING PROPOSED CHANGES FOR A NEW AND SEPARATE CLASSIFICATION FOR VOLUNTEER FIRE DEPARTMENT SUPPORT STAFF.

***PSATS

RE: 2021 ADOPTED PSATS RESOLUTIONS

***PSATS NEWS BULLETIN, DECEMBER 2021 EDITION

***RESIDENT REQUEST FOR FIREWORKS ORDINANCE TO BE IMPLEMENTED FOR PETS

***COSTARS CONNECTION: VOLUME 1 ISSUE 4

***CARBON ENGINEERING INC., R. MICHAEL TIRPAK II

RE: MUNICIPAL ENGINEERING SERVICES PROPOSAL

***CARBON ENGINEERING INC., R MICHAEL TIRPAK II

RE: INTRODUCTION OF ZONING OFFICER SERVICES FROM JAMES G DEAN

***PA DEPT OF ENVIRONMENTAL PROTECTION, MICHAEL TARCONISH, ENVIRONMENTAL GROUP MANAGER WATERWAYS & WETLANDS PROGRAM

RE: GENERAL PERMIT ACKNOWLEDGMENT NOTIFICATION LVH CARBON CAMPUS

***CARBON CONSERVATION DISTRICT, LUKE GRAVER, CONSERVATION DISTRICT TECHNICIAN

RE: SANDLIRSKY HOME PROJECT ADEQUACY REVIEW, BEVER RUN DRIVE, LEHIGHTON

***BLUE MOUNTAIN INSPECTION SERVICE, CARL E FAUST, MAHONING TOWNSHIP ZONING OFFICER

RE: BLOCKER SUBDIVISION. DRIVEWAY VS. STREET REVIEW

***ACELA, ARCHITECTS & ENGINEERS, DANIEL WITCZAK, PE, PMP, PRESIDENT

RE: MUNICIPAL ENGINEERING & ARCHITECTURE SERVICE, REQUEST FOR CONSIDERATION FOR MUNICIPAL ENGINEER, ARCHITECT AND/OR CONSULTANT.

***HOLLY HEINTZELMAN, ATTORNEY AT LAW

RE: REQUEST TO RE-APPOINT BERNARD MIECZKOWSKI TO A NEW FIVE-YEAR TERM, COMMENCING JANUARY 2022

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 29, 2021

COMMITTEE REPORTS:

Police Committee: Ford Explorer

MOTION

Myron Blahy made a motion to remove striping an equipment from the Ford Explorer and place on Municibid. Seconded by Brian Reeser. Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Road Committee:

Nothing to report.

OFFICIALS:

David Pollock: Adam Ziegler currently leases land at the Diaz property and wishes to continue to do so. I will ask him to submit a formal request.

Thomas Nanovic: Requested a brief executive session for purpose of litigation.

Robert Slaw: Presented plaques to David Pollock and Myron Blahy for appreciation of their service.

Audie Mertz: Men room issue of a leaky pipe. Call Burdell Snyder.

Mark Ebbert: Thanked the Board for their support.

ADJOURNMENT:

MOTION

Robert Slaw made a motion to adjourn the meeting at 5:22 PM. Seconded by David Pollock Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 4-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty,
Secretary-Treasurer