

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

April 13, 2022

CALL TO ORDER:

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

PRESENT:

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

PUBLIC COMMENT:

CJ Tyson: 765 Upper Nis Hollow Drive

Complaint of stormwater in his driveway due to blocked storm drain. Resident continues to keep clear but all stormwater funnels to his driveway. Road Department is recommending that they will grade shoulders and dig trench.

Kate Polischak 716 Lehigh Street Lehigh (speak under old business)

Amie Barclay 129 Friendship Road Lehigh (speak under old business)

APPROVAL OF MINUTES:

MOTION

Deborah McGowan made a motion to approve the Minutes of the March 2, 2022 Board of Supervisors Meeting. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Ronald Reeser, yes and Deborah McGowan, yes 5-0 vote. Motion carried.

MOTION

Myron Blahy made a motion to approve the Minutes of the March 9, 2022 Board of Supervisors Meeting. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Ronald Reeser, yes and Deborah McGowan, yes 5-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

Myron Blahy made a motion to approve the following transfers:

\$15,152.38 General Checking to Payroll Checking pay date 3/10/22

\$17,466.33 General Checking to Payroll Checking pay date 3/17/22

\$14,774.95 General Checking to Payroll Checking pay date 3/31/22

\$16,075.96 General Checking to Payroll Checking pay date 4/7/22

\$537.97 Residential Street Light to General Checking

\$595.20 Residential Fire Hydrant to General Checking

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

APPROVAL OF TREASURER REPORT:

MOTION

Robert Slaw made a motion to approve the Treasurer's Report for March 2022. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes; and Ronald Reeser, yes 5-0 vote. Motion carried.

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PAYMENT OF BILLS AND PAYROLLS:

MOTION

Ronald Reeser made a motion to approve the following bills and payrolls:

Bill List #492 in the amount of \$169,322.95

General Check's #23737-#23779

State Check's #1762-#1764

Subdivision Land Development Check's #1260-#1266

LVH Check #128

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

REPORTS

MOTION

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

Mahoning Township Road Department Reports March 7, 2022-April 8, 2022

Mahoning Township Equipment and Fuel Log March 2022

Mahoning Township Municipal Authority minutes for January 19, 2022 and February 16, 2022

Mahoning Township Building and Zoning Report for March 2022

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

NEW BUSINESS:

LVH Deed

Resolution 2022-16 Authorizing Chairman to execute the LVH Corrected Deed Fee Simple (contingent upon receiving the Record Owner Lien Certificate and indemnification from LVH)

MOTION

Robert Slaw made a motion to adopt Resolution 2022-16 Authorizing Chairman to execute the LVH Corrected Deed Fee Simple (contingent upon receiving the Record Owner Lien Certificate and indemnification from LVH). Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

LVH Indemnity Agreement

MOTION

Robert Slaw made a motion to approve LVH Indemnity Agreement. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

PennDOT request for LVHN to apply for a PennDOT permit in the name Township for the small portion of sidewalk in the PennDOT right of way

MOTION

Robert Slaw made a motion to deny PennDOT request to take over portion of sidewalk in the PennDOT right of way. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

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Road Material Bids

MOTION

Ronald Reeser made a motion to award the bid for all road materials to Lehigh Asphalt. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

Fuel Material Bids

MOTION

Ronald Reeser made a motion to award the bid to Suburban Propane for all fuels. Seconded by Deborah McGowan. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

Spring Hill Road Bids

MOTION

Deborah McGowan made a motion to award bid for 2022 Paving Project to Lehigh Asphalt at a cost of \$58,100.82. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

Drue & Jan Haydt Minor Subdivision (Motion to approve all conditions met beyond time for recording at county level)

MOTION

Robert Slaw made a motion to approve the Drue & Jan Haydt Minor Subdivision. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

Joe C. Neff & Kenneth G. Ahner Lot Line Adjustments Plan

Planning Commission granted conditional approval of the Joe C. Neff & Kenneth G. Ahner Lot Line Adjustments Plan with condition of note be placed on the plan stating lot two is an existing non-conforming lot, in terms of minimum lot width at the right of way line. The note should also state that this lot will remain non-conforming based upon the proposed lot line changes and a revision date. Check with the office of recorder of deeds to see if a handwritten note on plan is acceptable.

MOTION

Robert Slaw made a motion to approve the Joe C. Neff & Kenneth G. Ahner Lot Line Adjustment Plan. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

SALDO 2022

Planning Commission recommend submitting for adoption SALDO 2022 to the Board of Supervisors for grant submission/meet grant requirements.

MOTION

Robert Slaw made a motion to approve SALDO 2022 draft date March 16, 2022 for submission to meet grant requirements. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

ZONING 2022

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Submit for adoption of Zoning 2022 for grant submission/meet grant requirements

MOTION

Robert Slaw made a motion to approve Zoning Ordinance 2022 draft date April 2022 for grant submission to meet grant requirements. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

Mahoning Valley Speedway/Calogero Carlino

MOTION

Robert Slaw made a motion to schedule an advertise public meeting at racetrack. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

OLD BUSINESS:

James Danner: Heart and Lung Request
(Request withdrawn letter dated April 6, 2022)

MOTION

Myron Blahy made a motion to accept James Danner's letter to withdraw request for Heart and Lung dated April 6, 2022. Seconded by Robert Slaw. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, yes and Ronald Reeser, yes 5-0 vote. Motion carried.

Amie Barclay: Heart and Lung Request (discuss in executive session) motion later in agenda

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 June 30, 2022 TABLE**

Sierra Vista Pre-Security Agreement TABLE

CORRESPONDENCE:

MOTION

Deborah McGowan made a motion to accept and place on file the correspondence dated April 9, 2022. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blay, yes; Brian Reeser, yes; Deborah McGowan, yes; and Ronald Reeser, yes 5-0 vote. Motion carried.

***PSATS, DAVID SANKO, EXECUTIVE DIRECTOR

RE: 2022 PROPOSED BYLAWS CHANGES, NOMINATIONS REPORT, AND RESOLUTIONS

***PENN DOT LTAP TECHNICAL INFORMATION SHEET #219 SPRING/2022

***PENN DOT LTAP QUARTERLY REVIEW, SPRING 2022

***PA TURNPIKE COMMISSION

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RE: ANNUAL REMINDER REGARDING ENCROACHMENTS OR INCURSIONS ONTO COMMISSION PROPERTY

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

RE: COMPLETENESS NOTIFICATION LETTER, SHERRY MINOR SUBDIVISION PROJECT NPDES RENEWAL

***LTL CONSULTANTS, LTD, PETER EISENBROWN, PE, TOWNSHIP ENGINEER

RE: MINOR SUBDIVISION FINAL PLAN, 3RD LTL PLAN REVIEW – HAYDT

***PETER EISENBROWN, EMAIL DISCUSSING HOP SIGN OFF FOR SIDEWALK. MAHONING TOWNSHIP OR LV HOSPITAL

***NANOVIC LAW OFFICES, THOMAS NANOVIC

RE: MEETING AT MAHONING VALLEY SPEEDWAY TO ANALYZE NOISE LEVEL ACCEPTANCE.

***NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: LETTER REQUESTING CLARIFICATION BEFORE DECISIONS ARE MADE REGARDING HOP FOR SIDEWALK LVH

***NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: LVH/HOP FOR SIDEWALK, TOWNSHIP PREFERENCE LVH IS APPLICANT FOR HOP.

***NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: LVH/INDEMNITY AGREEMENT FINAL COPY FOR SUPERVISORS' APPROVAL

***NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: HAYDT MINOR SUBDIVISION "RIGHT OF WAY OR RIGHT OF WAY FOR ACCESS TO PROPERTY" AGREEMENT REVIEW

***NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: SCHWALM/ZONING VIOLATION, PROPOSED LETTER TO BE SENT TO ATTONRY SCHNELL MONDAY APRIL 11 UNLESS OTHERWISE INSTRUCTED.

***NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: MAHONING TOWNSHIP/APPEAL OF MARK D SCHWALM, COPY OF SETTLEMENT AGREEMENT, ENFORCEMENT NOTICE WITHDRAWL

Broke for Executive Session 8:42 PM. Returned 9:07 PM

MOTION

Robert Slaw made a motion to deny Amie Barclay's request for Heart & Lung. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Brian Reeser, yes; Deborah McGowan, abstain and Ronald Reeser, yes 4-0 vote. Motion carried.

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Kate Polischak 911 Dispatcher spoke on behalf of Amie Barclay. You are telling all your police officers they do not matter.

Amie Barclay: 129 Friendship Lane. Questioned her denial.

COMMITTEE REPORTS:

POLICE COMMITTEE:

Myron Blahy: Update on MVDI. Brief has been filed

ROAD COMMITTEE:

Nevin Frey: Provided a list of roads that need some repair. Will provide Nevin with budgeted dollar amount.

Provided backhoe quotes to the supervisors. He is wanting to purchase using ARP funds.

MOTION

Deborah McGowan made a motion to purchase New Holland Backhoe at a cost of \$99,861.61 using ARP funds. Motion failed for lack of second.

MOTION

Robert Slaw made a motion to purchase Cat Backhoe at a cost of \$134,267.00. Motion failed for lack of second.

MOTION

Deborah McGowan made a motion to purchase New Holland Backhoe at a cost of \$99,861.61 using ARP funds. Seconded by Ronald Reeser. Robert Slaw, no; Myron Blahy, no; Ronald Reeser, yes; Deborah McGowan, yes and Brian Reeser, yes 3-2 vote. Motion carried.

OFFICIALS:

Ronald Reeser: Inquired about abandonment of Packerton Hollow Lane? Add to next agenda.

Issues to pass along to Paul Jarrett: Springdale, two properties located by the Diaz Building, 213 Ashtown Drive, property located at the intersection of Oak and Seneca. Botek Pumpkin Lease update and bring back to next agenda

ADJOURNMENT:

MOTION

Robert Slaw made a motion to adjourn the meeting at 9:07PM. Seconded by Myron Blahy. Robert Slaw, yes; Brian Reeser, yes; Ronald Reeser, yes; Myron Blahy, yes and Deborah McGowan, yes 5-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty,
Secretary-Treasurer