

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

December 9, 2020

CALL TO ORDER:

Bruce Steigerwalt called the meeting to order at 6:00 PM at the Mahoning Township Building (Public Works Building), 2685 Mahoning Drive East, Lehigh, PA 18235

PRESENT:

Bruce Steigerwalt, Chairman; Robert Slaw, Vice Chairman; Myron Blahy, Supervisor; Brian Reeser, Supervisor; David Pollock, Supervisor; Thomas Nanovic, Solicitor; Natalie D. Haggerty, Secretary-Treasurer and Peter Eisenbrown, Engineer

PUBLIC COMMENT:

APPROVAL OF MINUTES:

MOTION

Myron Blahy made a motion to approve the Minutes of the November 11, 2020 Board of Supervisors Meeting. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

MOTION

David Pollock made a motion to approve the Minutes of the November 5, 2020 Budget Workshop. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Robert Slaw, abstain; Myron Blahy, yes; David Pollock, yes and Brian Reeser, abstain 3-0 vote. Motion carried.

MOTION

Myron Blahy made a motion to approve the Minutes of the November 19, 2020 Budget Workshop. Seconded by David Pollock. Bruce Steigerwalt, yes; Robert Slaw, abstain; Myron Blahy, yes; David Pollock, yes and Brian Reeser, abstain 3-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

David Pollock made a motion to approve the following transfers.

\$15,160.28 General Checking to Payroll Checking pay date 11/19/20

\$14,511.09 General Checking to Payroll Checking pay date 11/25/20

\$15,545.54 General Checking to Payroll Checking pay date 12/3/20

\$14,872.28 General Checking to Payroll Checking pay date 12/10/20

\$537.97 Residential Street Light to General Checking

\$595.20 Residential Fire Hydrant to General Checking

Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

APPROVAL OF TREASURER REPORT:

MOTION

David Pollock made a motion to approve the Treasurer's Report for November 2020. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

PAYMENT OF BILLS AND PAYROLLS:

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MOTION

Bruce Steigerwalt made a motion to approve the following bills and payrolls.

Bill List #474 in the amount of \$125,724.55

General Check's #23101-#23135

State Check's #1713-#1714

Subdivision Land Development Checks #1167-#1168

PKR Enterprises Check #1005

Road Machinery Check #1058

Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

APPROVAL OF REPORTS:

MOTION

Myron Blahy made a motion to approve the following reports:

Mahoning Township Road Department Activity Report for November 9 to December 4, 2020

Mahoning Township Equipment and Fuel Log November 2020

Mahoning Township Zoning Officer Report for November 2020

Mahoning Township Building Code Official Report for November 2020

Mahoning Township Planning Commission Minutes for October 21, 2020

Mahoning Township Municipal Authority Minutes for October 21, 2020

PennDOT Preconstruction Conference Minutes October 15, 2020

Carbon County Council of Government Minutes October 27, 2020

Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

NEW BUSINESS:

LVH Agreements (Discussion)

- Traffic Signal Agreement
- Stormwater and Maintenance Agreement
- Development Agreement

Proposed agreements were shared with the Board and Peter on November 23rd. Received comments from Peter and revised the agreements and sent black lined copies to the Board on December 1st. To date have not received comments back. Bruce has comments on traffic signal agreement an escrow account in the name of the township has been established by LVHN. Shouldn't we be establishing that account? Tom believes that it is the intent. Tom will reword to make clear. Bruce saw in the development agreement that we just received the estimates. Pete advised yes, we received via email water authority, sewer authority and township. The township portion is comprised of work of property and work for PennDOT, total value of that estimate of six million. It has not been reviewed. A bond will be posted with MTMA. They are not done with their review yet, hopefully approved at their meeting next week. Bruce questioned if we should wait to see signed agreement from MTMA until we sign the land development plans. Tom advised yes. Pete advised there will be four separate letters of credits (MTMA, Lehighon Water Authority, Township improvements and PennDOT improvements). Tom will get the agreements to Attorney Simmons and address the escrow. The supervisors will have to meet to approve the agreements.

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Felten Minor Subdivision waiver request to section 99-11A2 requiring side lot lines to be substantially at right angles to the roadway.

MOTION

David Pollock made a motion to grant waiver requiring side lot lines to be substantially at right angles to the roadway. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Felten Minor Subdivision Conditional Approval (Planning Commission granted conditional final plan approval based on Peter Eisenbrown, LTL review letter dated November 17, 2020, label lot line adjustment, signatures, owner's affidavit signed and notarized and mylar of the final plan.

MOTION

David Pollock made a motion grant conditional final plan approval conditioned upon Peter Eisenbrown, LTL review letter dated November 17, 2020, label lot line adjustment, signatures, owner's affidavit signed and notarized and mylar of the final plan. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Robert Yurchak correspondence Reverse Subdivision Waiver Request (three lots #83D-35-A115, 83D-35-A116 and 83D-35-A177)

He does not want to submit plans. Since about 1985 we ask all to combine lots and submit plans.

MOTION

Bruce Steigerwalt made a motion to not grant the waiver request and require a reverse subdivision like we have in the past. Seconded by Robert Slaw. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, no; David Pollock, yes and Brian Reeser, yes 4-1 vote. Motion carried.

Wendy's (elimination of the fence as shown on the plan at the top of the landscape wall and a replacement of guide rail)

The Board is in favor of the request, noting pedestrian safety fence is not otherwise required along the top of the retaining wall. The wall will require a building permit. The Board also discussed the wall that was constructed is different than the detail provided shows, in that the top of the wall is level with the adjoining parking lot, compared to the sloped bank above the top of the wall, as per the detail. They are deviating from what we they had on their plan, the fence was showed voluntarily not a requirement.

MOTION

Bruce Steigerwalt made a motion to allow the fence to be replaced by guiderail unless a fence is required by the building code and Carl Faust's interpretation. Seconded by David Pollock. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Adoption of the 2021 Budget-Resolution 2020-#25

MOTION

David Pollock made a motion to adopt Resolution 2020-#25 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 2021 be in the

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amount of \$2,774,413.00 and the total expenditures for the fiscal year 2021 be in the amount of \$2,774,413.00. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Adoption of the 2021 Tax Levy-Resolution 2020-#26

MOTION

David Pollock made a motion to adopt Resolution 2020-#26: "A Resolution of the Township of Mahoning, fixing the tax rate for year 2021. 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. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

DROP Proposed Ordinance (Discussion)

Discussion of proposed ordinance, Tom will forward to our pension administrator to make sure its ok.

Motion to advertise to receive bids or proposals for the 2020 Mahoning Valley Vol. Fire Co. Rehabilitation Project

MOTION

Robert Slaw made a motion to advertise to receive bids for the 2020 Mahoning Valley Vol. Fire Company. Seconded by David Pollock. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Motion to advertise Meeting Dates 2021

MOTION

David Pollock made a motion to advertise meeting dates for 2021. Seconded by Myron Blahy. Bruce Steigerwalt, no; Robert Slaw, no; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 3-2 vote. Motion carried.

Fee Schedules 2021

Discussion took place regarding 2021 fee schedules. Noted to increase Zoning Hearing Board schedule and Planning Commission fee schedule.

OLD BUSINESS:

American Tower: 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. 2. 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).

TABLE

MOTION

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Bruce Steigerwalt made a motion to accept their letter dated December 9, 2020 for the extension to January 31, 2021. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Sierra Vista Pre-Security Agreement
TABLE

Amusement Tax

There is no fee for attendance however if you decide to enter your car you pay a fee. We charge amusement by admission we do not charge for the fees that they pay to race and this is similar. Attending and engaging, send a letter and copy of ordinance highlighting that section.

MOTION

David Pollock made a motion to send letter with copy of ordinance. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

CORRESPONDENCE:

David Pollock made a motion to accept and place on file the correspondence dated December 9, 2020. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

***ON-SITE MAINTENANCE, WILMER LEINBACH

RE: QUOTE FOR ON-SITE MAINTENANCE AGREEMENT FOR GENERAC
GENERATOR

MOTION

David Pollock made a motion to go with On Site Maintenance for yearly service to our generator at a cost of annual service of \$400.00 and semiannual checkup at \$120.00. Seconded by Brian Reeser. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

***MODERN GROUP POWER SYSTEMS

RE: QUOTE FOR ON-SITE MAINTENANCE AGREEMENT FOR GENERAC
GENERATOR

***ACELA, DANIEL WITCZAK, PE

RE: MUNICIPAL ENGINEERING & ARCHITECTURE SERVICES AND 2021 FEE
SCHEDULES

***LEHIGHTON AREA MEMORIAL LIBRARY, MELISSA HAWK, LIBRARY DIRECTOR

RE: THANK YOU LETTER FOR CONTRIBUTION

***STONE CORNER RESOURCES, LLC, BRENT L BIRTH, P.L.S.

RE: WAIVER REQUEST ON MILDRED FELTEN BOUNDARY LINE ADJUSTMENT

***EARTHRES, SCOTT R CAMPBELL, P.G. SENIOR PROJECT MANAGER

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RE: NOTIFICATION OF PUBLIC WATER SUPPLY PERMIT APPLICATION WENDY'S LEHIGHTON

***PA DEPT OF ENVIRONMENTAL PROTECTION, ROBERT J JEVIN III, P.E.
ENVIRONMENTAL GROUP MANAGER, WATERWAYS AND WETLANDS PROGRAM
RE: IDENTIFICATION AND NOTIFICATION OF TECHNICAL DEFICIENCIES RELATED TO FRACKVILLE-SIEGFRIED REBUILD

***JUSTIN MARKEL
RE: LETTER OF INTEREST TO BECOME THE LOCAL EMERGENCY MANAGEMENT COORDINATOR FOR MAHONING TOWNSHIP

***ROBERT T YURCHAK, ATTORNEY AT LAW
RE: REQUEST APPROVAL OF REVERSE SUBDIVISION ON PRYSZLAK LOTS (3)

***PMHIC – BENECON, MARLANA RICCI, ACCOUNT MANAGER
RE: RECEIVED SURPLUS CLAIM FUND CHECK FOR 2019 IN THE AMOUNT OF \$27,388.68

***SIANNA LAW, CHRISTOPHER GERBER
RE: NO INCREASE IN RATES FOR 2021

***NANOVIC LAW OFFICES, THOMAS NANOVIC
RE: SKETCH PLANS THE SHOPPES OF MAHONING

***THOMAS ZIMMERMAN
RE: WILL SERVE ANOTHER TERM ON THE ZONING HEARING BOARD

Discussion of vacant Dr. Diaz building and if there is any interest in going to look at the building.

OFFICIALS:

Myron Blahy: Any interest of having the last meeting via ZOOM.
Short executive session at adjournment of meeting.

ADJOURNMENT:

MOTION

David Pollock made a motion to adjourn the meeting at 8:42 PM. Seconded by Myron Blahy. Bruce Steigerwalt, yes; Robert Slaw, yes; Myron Blahy, yes; David Pollock, yes and Brian Reeser, yes 5-0 vote. Motion carried.

Respectfully Submitted,
Natalie D. Haggerty
Secretary-Treasurer