

MAHONING TOWNSHIP BOARD OF SUPERVISORS MEETING

MINUTES

February 14, 2024

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; Deborah McGowan, Supervisor; Ronald Reeser; Supervisor; Ronald Wenrich, Supervisor; Thomas Nanovic, Solicitor and Natalie D. Haggerty, Secretary-Treasurer.

PUBLIC COMMENT:

Linda Pollock, Mahoning Drive West – Previously requested a Right to Know in relation to overtime of police. Linda asked who prepares the police schedule and whether it is approved by the Board of Supervisors prior to being put in place. She also requested to know how much advance notice is needed for vacation and personal day requests so the schedule can be properly managed and possibly eliminate or reduce overtime. Linda was informed that it depends on the number of days requested as to how far in advance they must inform the police chief. Officer Jeff Frace stated they can take a day or two with short notice; if a week or more is requested it needs to be submitted 2-4 weeks in advance, Jeff was unsure. Robert Slaw asked what the point of the questions were. Linda said, “we have enough officers to cover shifts without paying 307 hours overtime at \$60.00/hr. in 5 weeks”. Robert Slaw, Ron Reeser, and Jeff Frace informed Ms. Pollock that the older the department gets the more time is accumulated. Due to some days not being able to be carried over to the next year, it is necessary for them to be taken and that causes shifts to be covered at an overtime rate. Robert stated we have been trying to hire part-time officers to cover shifts for at least 3 years and have been unsuccessful.

Andrew Yenser, Mahoning Drive West asked, “do we have multiple officers on the same shifts and if so, why”? Robert stated it is the discretion of the Chief to schedule as he sees fit. Andrew would like to have more coverage over longer periods of time.

Linda asked what happens when the overtime budget is reached, is it taken from other departments, are taxes raised? Robert responded that taxes have not been raised to cover overtime.

Linda asked why the police coverage time cannot be extended beyond the current time covered. Robert and Ron replied that the schedule and coverage concerns are being reviewed and they are actively working on this issue.

Andrew was disappointed that Chief Mertz did not attend the meeting as requested. Ron informed Andrew that the Police Chief could be reached Mon-Fri 7am-3pm with questions he has for him. Andrew stated he is asking his bosses for clarity on Chief Mertz’s administrative responsibilities. Ron assured Mr. Yenser that the Supervisors are working on the concerns and have discussed them with Chief Mertz. Andrew believes that Supervisors should be available for any discussions they have along with the Chief because the residents would like to address the people they voted into place to represent them. Robert confirmed the request was made to the Chief to attend the meeting. Yenser stressed he is not upset with the overtime or the police department itself; the concern is lack of coverage and he would like the township to work out a way to have the most police coverage possible; Yenser asked, “Are we maximizing the coverage with the personnel we have in place”.

Robert stated that contractually the Chief has control of the schedule.

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Linda Pollock inquired as to who would be contacted if someone is illegally parking a trailer and truck it needs to be removed. Per Jeff Frace the police would need to be contacted by the property owner and then the proper forms need to be completed through PennDOT for a legal removal. Currently a trailer and truck are parked in the fire company parking lot. The trailer was previously parked at 2278 Mahoning Drive West. Mark Ebbert asked the status of issues of 2278 Mahoning Dr W. Per Tom Nanovic there was a recent hearing, and the owner was sited and fined.

Jake Arner – Robert Slaw requested Jake bring a letter of extension regarding Sierra Vista

MOTION

Robert Slaw made a motion to accept the letter extension for Sierra Vista for December 31, 2024. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

APPROVAL OF MINUTES:

MOTION

Myron Blahy made a motion to approve the Minutes of the January 10, 2024, Board of Supervisors Meeting. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

APPROVAL OF TRANSFERS:

MOTION

Deborah McGowan made a motion to approve the following transfers:

\$32,809.55 General Checking to Payroll Checking pay date 1/11/24

\$17,775.36 General Checking to Payroll Checking pay date 1/18/24

\$18,722.84 General Checking to Payroll Checking pay date 1/25/24

\$17,215.33 General Checking to Payroll Checking pay date 2/01/24

\$18,400.64 General Checking to Payroll Checking pay date 2/08/24

\$537.97 Residential Street Light to General Checking

\$595.20 Residential Fire Hydrant to General Checking

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

APPROVAL OF TREASURER REPORT:

MOTION

Ronald Reeser made a motion to approve the Treasurer's Report for January 2024. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

APPROVAL OF PAYMENT OF BILLS AND PAYROLLS:

MOTION

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

Bill List #516 in the amount of \$436,239.25

General Check's #24643-#24691

State Check's #1832-#1834

Building and Land Check's #1086-#1088

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ARP Check's #90-#91

Subdivision Land Development Check's #1481-#1489

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

APPROVAL OF REPORTS

MOTION

Ronald Reeser made a motion to accept and place on file the following reports:

Mahoning Township Road Department Reports December 31, 2023-January 27, 2024

Mahoning Township Equipment and Fuel Log for December 2023

Mahoning Township Zoning Hearing Board minutes for January 16, 2024, January 30, 2024; and February 6, 2024

Mahoning Township Municipal Authority minutes for November 15, 2023, and December 20, 2023

Mahoning Township Zoning and Building Report January 2024

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

NEW BUSINESS:

Ordinance #2024-1 Subdivision and Land Development

MOTION

Robert Slaw made a motion to adopt Ordinance #2024-1. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

Hammel/Stern Minor Subdivision (revised plan 12/5/23)

(PC recommends granting conditional approval of the Hammel/Stern Minor Subdivision conditioned upon all items in LTL Consultants review letter of December 12, 2023, are satisfied).

MOTION

Robert Slaw made a motion for conditional approval provided the note on the plan is changed to include that stormwater design must be provided when there is a building / driveway to ensure the water is manageable and can soak into the ground. Tom Nanovic suggested that Ron Neher reach out to Pete to provide specific verbiage to appear in the note on the plan. Note #16 needs to be adjusted. Ron Neher will drop off plans once Pete reviews them.

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

Hammel/Stern Waiver Request Stormwater

(PC recommends waiver request from stormwater until building permit issuance)

MOTION

Robert Slaw made a motion to accept the waiver contingent to a satisfactory note (#16) change on the plans. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

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Merluzzi Subdivision Waiver Requests

- The Planning Commission recommends submitting to the Board of Supervisor a waiver request from Section 99-27. B(1) Plan Scale.

MOTION

Deborah McGowan made a motion to accept the waiver of the Scale. Seconded by Ron Reeser. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

- The Planning Commission recommends to the Board of Supervisors a Non building waiver for lot two.

Property is a field above Pizza Hut and used primarily for hunting. Per Robert there is no good road accessible for fire trucks. They agreed to have the property classified as non-buildable and post it as such.

MOTION

Robert Slaw made a motion to approve the waiver. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

- The Planning Commission recommends a waiver request for 90-day time extension May 26, 2024.

MOTION

Robert Slaw made a motion to accept the time extension; May 26, 2024. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

Cross Access Easement Agreement Carbon Plaza Shopping Center

An easement agreement between the mall and the credit union stating they can use each other's properties to access. There will be one driveway in (from 443) but can only leave through the mall so mutual agreements must be met. Tom Nanovic will report back that the easement agreement was discussed and there were no issues from the Board of Supervisors but when final it will be approved.

DROP Ordinance (Discussion)

An ordinance was drafted in prior contract negotiations but did not go forward. Officer Meek was given the drafted ordinance and is under review by the FOP. Natalie stressed the urgency of this being resolved.

Authorization to have Township Solicitor Draft Ordinance Amendment Clinic Road (T394) to Diaz Road

MOTION

Ronald Reeser made a motion to change Clinic Road to Diaz Road. Seconded by Ronald Wenrich. Robert Slaw, no; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 4-1 vote. Motion carried.

Resolution #2024-16 Disposition of Records Authorization of Municipal and Tax Collector Disposition of Records

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MOTION

Ronald Reeser made a motion to adopt Resolution #2024-16. Seconded by Myron Blahy. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

OLD BUSINESS:

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 December 31, 2024.** Philharmonic and Shark Tank are still interested in investing.

Robert wanted the Board to be aware that during the Zoning Hearing Board meeting regarding Sierra Vista, Jake informed the Board that he is rescinding camping and only two issues remain. Tom Nanovic believes the rescinding of the camping is temporary.

CORRESPONDENCE:

MOTION

Deborah McGowan made a motion to accept and place on file the correspondence dated February 14, 2024. Seconded by Ronald Reeser. Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

****LTL CONSULTANTS, STEPHEN WANNER, CODE ENFORCEMENT OFFICER

RE: VIOLATION NOTICE. UNPERMITTED STRUCTURE, 291 BREEZEWOOD RD

****LTL CONSULTANTS, STEPHEN WANNER, ZONING OFFICER

RE: BUILDING AND ZONING PERMIT APPLICATION DENIAL LETTER. SHED PERMIT, 781 MOUNTAINTOP DRIVE

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: AMENDMENTS TO ZONING ORDINANCE (3)

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: STORMWATER FACILITIES/PENNDOT. DRAFT COST FOR TOWNSHIP TO TAKE OVER OWNERSHIP AND MAINTENANCE OF STORMWATER FEATURES, RELATED TO PENNDOT PERMITTING.

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: CENTRAL EXECUTIVE COMMITTEE OF ODWU V MAHONING TOWNSHIP BOARD OF SUPERVISORS ORDER OF COURT

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: FOOD TRUCKS (LOCATED BEHIND YURCONIC INSURANCE AGENCY) EMAIL AND REVIEW. APPLICANT HAS FORWARDED MORE INFORMATION TO STEPHEN WANNER, PER TOM NANOVIC

****NANOVIC LAW OFFICES, THOMAS S NANOVIC

RE: MAHONING TOWNSHIP V ADAM R ACKLEY, SETTLEMENT/WITHDRAWAL

****PA DEPARTMENT OF TRANSPORTATION, CHRISTOPHER J SUROVY, DISTRICT TRAFFIC SIGNALS MANAGER, ENGINEERING DISTRICT 5-0

RE: TRAFFIC SIGNAL INSPECTION; SR 443 (BLAKESLEE BLVD) & SR 3002 (MAHONING MOUNTAIN RD)

****TEAMSTERS LOCAL UNION 773, WILLIAM HELLER

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RE: END OF CONTRACT UNION NEGOTIATION NOTIFICATION

****RESIDENT CONCERN

RE: PARKING ISSUES ON JAMESTOWN STREET

****NOTICE OF AVAILABLE EMERGENCY SERVICES TRAININGS, MEETINGS, SEMINARS; COORDINATED BY CARBON COUNTY EMA

****WORKSHOPS OFFERED TO PROVIDE EDUCATION ON HAZARD MITIGATION ASSISTANCE (HMA) AND HAZARD MITIGATION GRANT PROGRAM (HMGP)

****JAKE ARNER, PRESIDENT, AWESOME VIEW PROPERTIES

RE: EXTENTION APPROVAL, SIERRA VISTA ESTATES PHASE 1A FINAL PLAN REVIEW TIME TO DECEMBER 31, 2024

OFFICIALS:

Police: N/A

Road: Ron Reeser- Generator. (2001 installed) Notified about a month ago when we lost power that the generator did not start. Craig and Nevin inspected and saw that all anti-freeze had run out of the diesel generator. Water Pump is shot. Penn Power is unable to get parts. Nevin got prices: (30k) – can be placed where the generator is right now and is available. (17k) (34-38 weeks out) would support the Road Dept building only. The issue with that is the water system is in the admin building, the fuel tanks are powered by fuse boxes in Admin building. If we choose 17k we will need to run a new line (digging through the drain field) from the well to get water; also, will have to run a new underground line from the Road Dept to the fuel pumps. Robert is suggesting we wait for estimates with installation pricing. Water is a large issue. Robert prefers the generator be placed at the Road Dept. Ron asked “what do we do if we lose power” we will not be able to open garage doors to access trucks, no water, etc. Ron is going to reach out to Penn Power to see if there is any way we can rebuild the existing generator. Robert will give Nevin & Ron the contact information on the company he just purchased his (20kw) generator from. Hope is the current generator will be able to be fixed.

Fire Co – Mark Ebbert – Knox Box & FDC connections – are there provisions in the zoning that states they have to comply. Robert believes the Knox Box is part of the IBC (International Building Code) and they should be aware. Natalie will reach out to Stephen and ask him if the Knox Box is part of IBC. Many new businesses along 443 do have Knox Box but Mark hasn’t heard from Dollar General or Starbucks. Knox Box is a box that houses a key in the event fire department or emergency personnel needs to get inside the building.

Mark and Fire Company thanks the Board for their support in replacing the vehicle that totaled in the recent accident.

Natalie – Announced February will be the last Board of Supervisors meeting held at this building. The March meeting will be held at the new building.

Items needed to be purchased:

The new building sign is finished; however, it has been recommended that we change the light bulbs to LED and two quotes were provided. One from Frable and one from L&S Electric., Frable being the lesser of the two quotes.

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Time Clock – We will be purchasing a new time clock at a cost of 645.00 (one time purchase) + 167.00/annually for the warranty. This will be placed in the police department at the Diaz building, and we will move the existing time clock to the Road department once the police department moves into the Diaz building.

Both the police department and the road department will need new antenna's, the cost for the police antenna is \$2,000.00 and the cost for the road department antenna is \$900.00.

Also still needed are 2 cameras in the cells, one public entrance camera and two buzzers. No current quotes have been received.

Police need one additional computer; the department currently has four.

Police need 5 monitors to be used for security.

No estimates have been received yet, once they are the needs will be re-visited.

Robert and Myron had a few questions, Natalie deferred those questions to Audie for explanation.

Executive – Robert Slaw called for a brief executive session and stated they will not be conducting business afterward.

ADJOURNMENT:

MOTION

Robert Slaw made a motion to adjourn the meeting at 7:07pm. Seconded by Myron Blahy.

Robert Slaw, yes; Myron Blahy, yes; Deborah McGowan, yes; Ronald Reeser, yes; Ronald Wenrich, yes; 5-0 vote. Motion carried.

Respectfully Submitted,

Natalie D. Haggerty
Secretary-Treasurer