



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

November 3, 2021

1. CALL TO ORDER: 7:00 p.m.

Roll Call taken as follows:

Commissioner Wolk: HERE
Commissioner Long: HERE
Commissioner Setton: HERE
Commissioner Kelly: HERE
Commissioner Morgan: HERE

Attendees:

Commissioner Christina (Tori) Morgan, President
Commissioner Diane Kelly, Vice President
Commissioner Michael Wolk, Assist. Secretary
Commissioner Joe Setton
Commissioner Ben Long
Joseph Zator, Twp. Solicitor, Zator Law
Anthony Tallarida, Twp. Engineer, The Pidcock Company

Randy Cope, Interim Township Manager/Dir. of Twp. Operations
Herb Bender, PW Manager
Mike Elias, PW Utility & MS4 Coordinator
Mike Kukitz, Parks & Rec Manager
Scott Boehret, Finance Manager
Chief Glen Dorney, SWT Police Department
Dave Manhardt, Director of Community Development
Tracy Fehnel, Exec. Assistant

2. PLEDGE OF ALLEGIANCE

3. NOTIFICATION: All Public sessions of the South Whitehall Township Board of Commissioners are electronically recorded, filed, and posted on BoardDocs for the Public's access.

***(boarddocs.com; USERNAME: swhitehall; PASSWORD: swtpublic)**

President Morgan advised that the Board did meeting in executive session prior to this evening's meeting to discuss legal matters, and regarding land acquisition.

4. PRESENTATIONS:

a. Herbein and Company - Presentation of 2020 Audit (attached).

Chris Turtell, CPA – Audit Partner, Herbein presented the 2020 Audit. Mr. Turtell's presentation will be attached to this set of minutes.

After presentation was over, Board shifted down to 7-A in order to make a motion to accept the 2020 Audit as presented.

5. ORDINANCES: None.

6. RESOLUTIONS:

- a. A Resolution Amending Resolution No. 2019-47 to Permit Security Draws/Presentation Further than 60 Miles from the Township's Office for a Major Plan Entitled "4741 Chapmans Road Flex Warehouse Facility 2019"**

Dave Manhardt, Director, Community Development Department, explained that this is for the project located at 4741 Chapmans Road Warehouse, 102,250 SQF Warehouse; approval granted 2019; last before the Board 2021 asking for same request—permission to draw 60 miles away. Switching banks—new bank located in Florida. Staff has no objections. Attorney Pereira said changing to JP Morgan Chase. She did review—everything remains same (coverage), just changing banks. In event draw is required, payment of staff person to get draw is covered—whatever travel expenses are incurred. Acceptance of Conditions has been executed, and an amendment of security agreement has been signed.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Setton approving above-mentioned Resolution Amending Resolution No. 2019-47 to Permit Security Draws/Presentation Further than 60 Miles from the Township's Office for a Major Plan Entitled "4741 Chapmans Road Flex Warehouse Facility 2019"

Roll Call vote as follows:

Commissioner Wolk:	AYE
Commissioner Long:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE
Motion carries.	

b. A Resolution Granting Preliminary Approval to a Major Plan Entitled "Ridge Farms"

Dave Manhardt, Director, Community Development Department, explained the Applicant is looking for Preliminary Plan Approval. This is the first step, and we will see additional final plans that come through. This project is along Cedar Crest Boulevard, between Walbert and Huckleberry. At October 21, 2021, PC Meeting, PC recommended approval of the preliminary plan subject to 35 conditions. The resolution before board this evening has 38 conditions, in the following categories: Development needs all the agreements to be in place; professional review letters; outside agency approvals (LVPC, PennDOT, etc.); ROW dedications and street dedications; easement issues—these are all conditions typical for any subdivision approval.

Conditions to highlight: Access at Buchman and Dawes Streets and whether they had rights to that access—addressed in Condition #28. Phase 2, which is at the top of the hill, and is an issue getting water to the top of the hill. Transmission main has to come in from the reservoir tank—addressed in Condition #31. Potential for project to fall apart is another concern. Addressed in Condition #32; this condition is to protect the Township to get the TND.

Attorney Jim Preston explained that we can only move within the confines of the Preliminary Plan.

Tony Tallarida, Township Engineer explained that this is a Preliminary Plan. They check through all the management of the water—all the water created by the development and its eventual discharge locations; these have all been addressed. Open items are: Checking the specific top elevations of structures and profiles, which is something done in final phases. Noting that this first phase will be at the bottom of a hill, how will this work with the surrounding development? There will be water running to the site, around the site—we

check to make sure that in each phase, that all the water will continue to be managed in each of the specific phases so that there will be no problems downstream or to any of the residential neighbors.

The project is likely to be a 10-year build, the exact start date is still unsure at this point, due to permits currently being pursued—project anticipated to start next year.

A MOTION was made by Commissioner Long, which was seconded by Commissioner Setton, to grant Preliminary/Final approval to a major plan entitled “Ridge Farms”.

Roll Call vote as follows:

Commissioner Wolk:	AYE
Commissioner Long:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE

Motion carries.

c. A Resolution Extending A Conditional Offer Of Employment For Entry-Level Position Of Patrol Officer In The Township's Police Department To Applicants: #78314, #62339, and #44406 Conditioned Upon The Individuals Satisfactorily Completing The Background Investigation, Polygraph Examination, Medical Examination, And Psychological Examination To Confirm Their Fitness For Duty

Chief Glen Dorney explained that this is a process element, which we did at the last meeting, requesting conditional offers of employment. This does not employ them but allows us to initiate the background investigation and process to get someone hired for a final hire. The prior three candidates—two were offered employment elsewhere, and the other did not proceed in the background investigation due to cause. We are looking to start the process again. Requesting to start this process with the next three, with the hopes we may get one.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to extend a conditional offer of employment to applicants #78314, #62339, & #44406.

Roll Call vote as follows:

Commissioner Wolk:	AYE
Commissioner Long:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE

Motion carries.

7. MOTIONS

a. Motion to Accept the 2020 Audit as Presented

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to accept the 2020 Audit as presented by Chris Turtell of Herbein and Company.

Roll Call vote as follows:

Commissioner Wolk:	AYE
Commissioner Long:	AYE
Commissioner Setton:	AYE

Commissioner Kelly:	AYE
Commissioner Morgan:	AYE
Motion carried.	

8. CORRESPONDENCE AND INFORMATION ITEMS:

a. Boards and Commissions – Informational Items (review of upcoming meeting dates.)

The LVPC is involved in a task force workshop and is putting together a group for consideration of changes to the Municipalities Planning Code. They are looking to outline the challenges of the MPC, develop a single legislative platform, and then develop an advocacy strategy moving forward. There will be more workshops forthcoming on this. Dave Manhardt said as a region, they are tackling the issue by getting a unified voice to lobby for changes w/the MPC, involving representatives from both counties—Northampton and Lehigh.

CURRENT VACANCIES ON BOARDS/COMMISSIONS:

1. Civil Service Commission - 1 vacancy, alternate position
2. Landscape Shade Tree Commission - 2 vacancies
3. Parks & Recreation Board – 1 vacancy
4. Zoning Hearing Board – 1 vacancy, alternate position

b. Public Notice – Budget Workshop Session, Wednesday, November 10, 2021, 6P

c. Public Notice – Public Hearing Dates Regarding Premier Center Luxury Apartments

Status of Hearings - Solicitor Zator explained that the technical hearings have concluded. If there is a meeting on the 11th, it would not be a hearing. Whether that occurs is up to the Board. If they are complete with their deliberations and are ready to vote, they could elect to have a vote on the 11th. If not ready to vote or if they decide to do so at a regular public BOC meeting, that would be an option also.

9. DIRECTION/DISCUSSION ITEMS: None.

10. OLD BUSINESS:

a. Wehr’s Dam – Status:

Randy Cope, Interim Township Manager – Nothing new to report on this Wehr’s Dam this evening. Still waiting to hear on Grant Application and Permit from DEP.

11. MINUTES:

a. October 20, 2021 – BOC Meeting Minutes – TABLED until next meeting.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Setton, to TABLE the October 20, 2021 meeting minutes. All in favor; none opposed.

Roll Call vote as follows:

Commissioner Wolk:	AYE
Commissioner Long:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE

Motion carried.

12. COURTESY OF THE FLOOR:

Follow up on Yard Waste Drop-Off Site being open only on a Saturday. Could hours be extended to weekdays? Currently, for Fall/Winter, hours are Saturdays 8A-3P. Randy Cope said no formal decisions made at this point to change—it has been advertised in our newsletter/website. When we switch over from spring/summer to fall/winter, we go to only Saturdays. Will discuss this possibility further with the PW Team.

13. PAYMENT OF INVOICES:

- a. Invoices and Purchasing Requisitions have been reviewed by the Interim Township Manager and the Director of Finance, who authorize that checks be issued to pay bills as tabulated.**

A MOTION was made by Commissioner Kelly, and seconded by Commissioner Wolk, to approve the payment of all invoices. All in favor; none opposed.

Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Long:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE

Motion carried.

14. EXECUTIVE SESSION: None.

- 15. ADJOURNMENT: At 8:39P, a MOTION was made by Commissioner Kelly, which was seconded by Commissioner Setton, to adjourn. All in favor; none opposed.**

16. APPROVED: November 17, 2021

A MOTION was made by Commissioner Morgan, which was seconded by Commissioner Setton, to approve the November 3, 2021, BOC Meeting Minutes as presented. All in favor; none opposed.