



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

October 19, 2022

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

Attendees:

Commissioner Diane Kelly, President
Commissioner David M. Kennedy, Vice President
Commissioner Monica Hodges, Assist. Twp. Secretary
Commissioner Michael Wolk
Commissioner Brad Osborne
Joseph Zator, Solicitor, Zator Law
Anthony Tallarida, Twp. Engineer, The Pidcock Co.

Tom Petrucci, Township Manager
Herb Bender, Dir. of Twp. Operations
Mike Elias, PW Utility & MS4 Coordinator
Mike Kukitz, Parks & Rec Manager
Tricia Dickert, Assist. Director of Finance
Steve Brown, Lieutenant, PD
Dave Manhardt, Director, Community Development Dept.
Chris Stroehler, Long-Range Planner, CD Dept. *
Gregg Adams, Planner, Community Development Dept.
Chris Kiskeravage, Twp. Fire Commissioner *
John Frantz, Fire Marshal, Building Code Official
Tom Harper, Code Enforcement Program Manager
Rob Fehnel, IT Projects Manager *
Tracy Fehnel, Exec. Assistant
Absent* **Attended Virtually ****

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS:

- a. **All Public sessions of the South Whitehall Township Board of Commissioners are electronically recorded, filed, and posted to the website for Public access.**
- b. **Public/Virtual Meeting Rules**
- c. **Board of Commissioners Met in Executive Session on the following date(s) to discuss Legal and/or Personnel Matters: October 19, 2022, before start of this evening's meeting.**

4. COURTESY OF THE FLOOR: Public Comment on Non-Agenda Items – None.

5. MINUTES:

a. October 5, 2022 – Board of Commissioners Minutes

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Kennedy, to approve the October 5, 2022, BOC Minutes as presented. All in favor; none opposed. Vote was 5:0. Motion carried.

6. PRESENTATIONS:

- a. **Keycodes Inspection Agency, David Shields, President - Review of Proposed Fee Increases**

Dave Manhardt, Director, Community Development Department explained that this is normally done at the Re-Organization Meeting at the beginning of the year, where we discuss fee increases; however, we thought it prudent to get a head start on this so that

Keycodes/Dave Shields will present this evening and at the next meeting Barry Isett Assoc., who is our third-party residential will present.

Dave was here this evening to present on the third-party fee increases this evening and basically said that 90% of the fee schedule has not changed since 2016. With the current conditions, and trying to maintain everyone who is working for him, so that we can provide the services we need to provide, he thought it necessary to increase the fees. The fees are being set to cover the costs. He explained when he created the company, he modeled it after what the Department of Labor and Industry did and the International Code Council. He gave an example of his rates vs. theirs and he was considerably lower than them now. He said that if you compare his fees vs. others in the area, they are very competitive and actually less than others. He is asking for an approximate 20% increase to fees. Most of the increase will go to employee salaries in order to keep current employees. This becomes effective January 1, 2023.

7. **ORDINANCES:**

- a. **For Discussion/Motion to Advertise said Ordinance - An Ordinance Reenacting, Amending, And Restating Chapter 144 Article III (Fire Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting The 2018 Edition Of The International Fire Code With Local Amendments; Providing That State Law Controls Where Requirements Are In Excess Of This Ordinance; And Providing For A Repealer, Continuation And Saving Clause, Severability Clause And Effective Date**

John Frantz, BCO/Fire Marshal explained that this ordinance is to adopt the 2018 International Fire Code, and we are here asking permission to proceed with the adoption of said ordinance. Basically two changes have been made. Legal review completed by Attorney Alderfer. Included is the specific repealer of the former open burning regulations that have been in effect in the Township. Also Township Manager Tom Petrucci's comments regarding recycling/garbage were included. Open burning changes are part of this ordinance. This ordinance adds clarifications and some restrictions; however, Mr. Frantz feels comfortable that it can be enforced. Ultimately, if we need to revisit this at a later point in time, we can do so. Mr. Frantz said he will keep the Board apprised of any issues, which may come up as a result of the adoption of said ordinance.

A MOTION was made by Commissioner Hodges, which was seconded by Commissioner Kennedy, granting permission to proceed with advertisement of said ordinance. All in favor; none opposed. Vote 5:0. Motion carried.

- b. **Motion to Adopt said Ordinance - An Ordinance Reenacting, Amending And Restating Chapter 92 Of The Codified Ordinances Of South Whitehall Township In Its Entirety, Providing That The Ordinance Shall Be Known As The South Whitehall Township Police And Fire Emergency Alarm Ordinance And Further Providing For Name; Purpose And Intent; Definitions; Alarm System Installation Requirements;**
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Alarm System Operation Requirements; Alarm System Technical Information; Alarm System Repair Service; Alarm System Disconnecting; Verified Response; Registration Fees; False Or Nuisance Alarm Determination; Service Fees; Appeals; Payments; Fines And Penalties; Remedies For Violations; Police/Fire Department Duty; Immunities Preserved; Severability; Failure To Enforce Not A Waiver; Repealer And An Effective Date.

Tom Harper, Code Enforcement Program Manager, explained that Staff is here this evening seeking adoption of said SWT Police and Fire Emergency Alarm Ordinance. This ordinance will replace current Alarm ordinance of 2010.

Highlights are as follows:

- It provides for the reduction of free occurrences from 6 to 2/year.
- Invoice billing will be conducted on a quarterly basis instead of biannually.
- The involved party must submit a plan to Township as to how they are going to eliminate future false or nuisance alarms.
- It allows for the Board of Commissioners to establish the fees annually as part of the fee schedule resolution process.
- Addresses the outdated language and terminology
- Addresses alarm verified response.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Kelly, to adopt said ordinance. All in favor; none opposed. Vote 5:0. Motion carried.

- c. Direction/Discussion of said Ordinance - An Ordinance Amending The South Whitehall Township Zoning Ordinance By Deleting Section 350-48(n)(2) No-Impact Home-Based Business, Creating New Sections 350-48(h)(5) Home-Based Business, No-Impact And 350-48(h)(4) Home-Based Business, Low-Impact, Renumbering Existing Section 350-48(n)(3) Nursing Home To Section 350-48(n)(2), Renumbering Existing Sections 350-48(h)(4) Through (h)(6) To 350-48(h)(6) Through (h)(8) To Accommodate The New Sections 350-48(h)(4) And (h)(5), Correct All Impacted Links Within The Zoning Ordinance; And, Providing For A Severability Clause, Retention Of Rights To Enforce Clause, A Repealer Clause, And An Effective Date.**

Dave Manhardt, Director, Community Development Department, explained that we are revisiting this because at a previous meeting someone came before the Board asking about the low-impact home-based business. This item is for Direction/Discussion, no vote, this evening. It came before the board last year. Changes have been made and being brought back for consideration—these changes will get us more in line/consistent with the MPC. The MPC is more restrictive. Gregg Adams, CD Planner, reviewed changes made. If a resident moves in who is not happy with a low-impact home based business, then we would go through the ZHB decision to ensure business is consistent with decision—having this decision gives Staff/Township a very clear answer to provide to residents who may be complaining.

Solicitor Zator explained, because low-impact home-based businesses are mandatory under the MPC, it is permissible for the Township in its ordinances to be more generous to property

owners, you just cannot be more restrictive with regard to low-impact home-based businesses. Many municipalities, if not most, have low-impact based businesses, which is a fall-back if you qualify for the no-impact.

Low-impact home-based businesses must maintain a residential appearance. Low impact is subject to the BP Tax.

Solicitor Zator has some suggestions to discuss with Staff with regard to said ordinance before moving forward with advertising; therefore, we will not proceed with advertising at this time. (44:24)

8. **RESOLUTIONS:**

a. **A Resolution Granting A Waiver Of Certain Review And Approval Requirements Of The South Whitehall Township Subdivision And Land Development Ordinance For A Plan Entitled “Lehigh Valley Health Network Ch 1503 Neuro Rehab Patio”**

Gregg Adams, CD Planner, explained this is an application to further develop the property at 1503 N. Cedar Crest Blvd. The Plan proposes to construct a Neuro Rehabilitation Patio in the grassy area on the southwest corner of the 1503 Building, as well as offset the additional impervious surface by creating five additional islands within the existing parking lot. The property is zoned General Commercial-1 (Special Height Limitation). Lehigh Valley Health Network is the owner and applicant.

Chris Brown, Architect, was in attendance to present on behalf of the Applicant this evening. This was previously the Coordinated Health building. LV Hospital is currently developing the interior to be a community reintegration neuro-laboratory. Indoors & outdoors, it is designed to rehabilitate from traumatic brain and spinal injuries or surgeries—like a general rehabilitation center, but with a focus on neuro-related rehabilitation. Plans are underway for interior portion. Mr. Brown said they are constructing the outdoor piece. Building is around 75,000 SQF and sits on a 4 acre site. His portion of the outdoor project is about 2300 SQF. Trying to create a series of outdoor environments folks would typically encounter on a regular basis. This will be designed in a way to give the therapists a variety of interactions with their patients and get them prepared to go back home and back to their real-life activities. Mr. Brown explained he was asking for the waiver because although it is a small relatively minor project, it has the components to trigger land-development review. The guidance from SWT Staff was to seek a waiver from the Land Development Process, but essentially going through the design and review process, doing it on a staff basis. Gregg said what this does is remove the actual waiver from the sections that require PC review. He still gets full staff review, and has to still comply with every other section of SALDO. But, in essence, cuts down the process because he would have gone to PC and then come back to BOC, so this saves at least a month of time and money. Still a full review—just a little time and money saved.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to approve Resolution Granting Waiver as explained above by Mr. Brown and Mr. Adams. All in favor; none opposed. Vote 5:0. Motion carried.

b. A Resolution Granting Conditional Preliminary/Final Approval To A Major Plan Entitled "1670 Church Road Padda Property LLC"

Gregg Adams, CD Planner, explained this is an application to further develop the property located at 1670 Church Road. The plan proposes to renovate the existing commercial building, construct a 23-space parking lot, and stormwater management facility on the 3.4912-acres parcel. The property is zoned Industrial Commercial-1 Special Height Limitation IC-1. Padda Property LLC is the owner and applicant.

Kevin Markel, w/Barry Isett & Assoc., was in attendance on behalf of the Applicant this evening. This location previously existed as a vehicle service garage/gas station. Applicant is proposing to renovate it and reopen it as a truck garage, truck vehicle repair facility. No gas dispensing is proposed. Also proposing to construct additional impervious for parking for the vehicles to be repaired, and employee parking. Will be doing full storm water management to comply with State, county, and local regulations. Proposing to construct roadway improvements to Church Road, as well as dedicate ROW required for local road. In addition, reserve future ROW for the Township down near railroad tracks for potential roadway improvements. Storage area for vehicles will be fenced. Worked through all the outside agency approvals as well. Not proposing any traffic circulation modifications to the plan. Acceptance of Conditions has been signed by Applicant.

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, granting preliminary/final approval to plan entitled "1670 Church Road Padda Property LLC". All in favor; none opposed. Vote 5:0. Motion carried.

c. A Resolution Approving Sewer Planning Module - 1670 Church Road

Mike Elias, PW Utility & MS4 Coordinator, explained that the owners have requested a resolution approving 1 EDU of allocation, 220 GPD of sewer allocation.

A MOTION was made by Commissioner Osborne, which was seconded by Commissioner Kelly, to approve said resolution as explained by Mr. Elias. All in favor; none opposed. Vote 5:0. Motion carried.

d. See Motion 9-A First, followed by 8-D: A Resolution Extending Conditional Offer Of Employment To The Entry-Level Position Of Patrol Officer In The Township's Police Department To Candidates #68737 and #81373, Conditioned Upon The Individual Satisfactorily Completing Medical And Psychological Examinations To Confirm Their Fitness For Duty

A MOTION was made by Commissioner Osborne, which was seconded by Commissioners Hodges and Wolk, to approve said resolution extending conditional offer of employment to candidates #68737 and #81373. All in favor, none opposed. Vote 5:0. Motion carried.

e. A Resolution Appointing ___ to the South Whitehall Township Landscape and Shade Tree Commission (2 Vacancies)

President Kelly thanked all the candidates for their interest in serving in these roles and taking the time to be interviewed.

President Kelly said there are currently two vacancies on the LSTC. We have one applicant who expressed interest in this board. One position will be filled this evening, the other kept open.

Commissioner Hodges made a MOTION to nominated James Gilleo for LSTC. The motion was seconded by Commissioner Kelly. All in favor; none opposed. Vote 5:0. Motion carried.

f. A Resolution Appointing ___ as an Alternate Member to the South Whitehall Township Civil Service Commission (2 Vacancies)

Commissioner Kelly made a MOTION to nominate Shoukat Mughal, as an Alternate member of the SWT CSC. The motion was seconded by Commissioner Kennedy. All in favor; none opposed. Vote 5:0. All in favor; none opposed.

g. A Resolution Appointing ___ to the South Whitehall Township Parks & Recreation Board (1 Vacancy)

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Hodges, to nominate Jacob Roth to the SWT P&RB. All in favor; none opposed. Vote 5:0. Motion carried.

h. A Resolution Appointing ___ to the South Whitehall Township Green Advisory Council (3 Vacancies)

President Kelly said three positions are available. Since others are interested, two will be filled, with 1 vacancy remaining.

A MOTION was made by Commissioner Hodges, which was seconded by Commissioner Kelly, to nominate Sara Seipel to the GAC. All in favor; none opposed. Vote 5:0. Motion carried.

A MOTION was made by Commissioner Hodges, which was seconded by Commissioner Kelly, to nominate Todd Fahringer to the GAC. All in favor; none opposed. Vote 5:0. Motion carried.

i. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Appointing Diana Valkova as the Deputy Treasurer for the Township Pursuant to Article VIII-A, Section 801-A(c) of the First Class Township Code

Township Manager Tom Petrucci explained that the First Class Township Code requires a deputy treasurer within 60 days after the appointment of the treasurer. Herb Bender is serving as the Treasurer and we need to complete the requirement for the deputy treasurer. Diana Valkova is a member of Finance and it is appropriate to utilize her in that role.

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, to approve said appointment of Diana Valkova as Deputy Treasurer. All in favor; none opposed. Vote 5:0. Motion carried.

j. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Authorizing the Transfer of 10,000 Gallons Per Day of Its Wastewater Treatment Capacity Allocation to the Lehigh County Authority

Herb Bender, Director of Township Operations explained that PW is requesting the transfer of 10,000 gallons of sewer allocation to LCA. This is to cover the flows we are rerouting to UMT sewer system. The peak flows for that sewer line are 10,000 GPD that ends up in Little Lehigh Relief Interceptor. This goes along with the rerouting of the sewer line off the Tilghman Street Bridge. The reason for transferring 10,000 gallons of allocation to LCA is that is the amount of our peak flow a day that will end up in LCA's trunk line, which will take it to the treatment plant.

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, to approve said resolution authorizing said transfer as explained by Mr. Bender. All in favor; none opposed. Vote 5:0. Motion carried.

9. MOTIONS:

a. Motion to Proceed with Adoption of the Entire Civil Service Eligibility List for Patrol Officer in the SWT Police Department. See Agenda Item 8-D once List has been approved.

Lieutenant Steve Brown explained that testing process for entry level patrol officer began October 1st. Following that, interviews were done. A list was then compiled and is front of the Board. It was approved by the CSC earlier today. We are here this evening, requesting BOC approval of said list.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to proceed with adoption of said list. All in favor; none opposed. Vote 5:0. Motion Carried.

b. Motion to Reject all Proposals Submitted with Regard to Request for Proposals and Qualifications (RFP) for Professional Human Resource Consulting Services Due to Lack of Responsive Proposals and Budgetary Constraints

Township Manager Tom Petrucci explained that South Whitehall Township placed the above-referenced RFP on the PennBid system to receive proposals with a submission deadline of Monday, October 10, 2022, at 4:00P. The PennBid system distributed the notice of availability of the RFP to over one-thousand (1,000) possible firms.

There were three (3) respondents (Certified HR Experts, Integrity Personnel, and Higher International Human Resources. Of the respondents, Purchasing Agent & Expense Account Specialist Donna Zackeru considered both Certified HR Experts and Higher International Human Resources to be non-responsive proposals due to administrative procedural issues

(ex. lack of signed documents, failure to follow correct format, and/or failure to follow RFP instructions).

Upon review of the cost of the proposal submitted by Integrity Personnel (Monthly: \$7,900.00; Annual: \$94,800.00 plus \$85.00 per hour for all additional services) and factoring in the status of the ongoing interviews for the Human Resources Generalist position, it is recommended that the Board of Commissioners reject all proposals for the above-referenced RFP.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Osborne, to reject all proposals that were submitted in reference to the South Whitehall Township, Lehigh County, PA Request For Proposals and Qualifications (RFP) for Professional Human Resource Consulting Services due to the lack of responsive proposals and budgetary constraints. All in favor; none opposed. Vote 5:0. Motion carried.

c. Motion to Proceed with Advertising of Request for Proposal Regarding the Towing Operator Services Contract

Lieutenant Steve Brown explained that current towing contract will expire in September, and there are no more extensions. Tow companies are used within the Township for towing and storage services for vehicles with five tons of gross vehicle weight or less which become disabled/damaged in accidents or impounded. The tow companies act as an independent contractor for the Township and bill the vehicle owner directly, with no expense to the Township, unless a Township vehicle is being towed.

SWT PD is requesting permission to formally request proposals, publicly via RFP for towing services.

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, granting permission to proceed with advertising of RFP regarding towing operator services contract. All in favor; none opposed. Vote 5:0. Motion carried.

d. Motion to Approve a One-Year Extension to Jordan Creek Greenway - Segments 35-45 Design BRC-TAC-25-173 (DCNR C2P2 Grant), which expires 12.31.2022

Township Manager Tom Petrucci explained that Township Staff currently working with Michael Baker to complete design work needed for the JCG Trail, which was funded by a TASA Grant for construction phase. This entire project includes the development of engineered plans and required permits for a trail project along the Jordan Creek Greenway from Wehr Mill Road to Cedar Crest Boulevard. As discussed at the July 1, 2022, Board of Commissioners meeting, the township needed to proceed with the Jordan Creek Greenway project using a two phased approach. Phase 1 included the design work needed from Wehr Mill Road to Lapp Rd and phase 2 would include the design work needed from Lapp Rd. to Cedar Crest Boulevard. The length of the overall project is approximately 2 miles. DCNR funding and approval process will be utilized under this grant for design, engineering, and permitting. Securing the three necessary easements to extend the trail from Lapp Road to Cedar Crest Boulevard took a little longer than originally anticipated—grant expires end of

2022. This was due in part because of the pandemic and in part because there was specific language added to each easement which required solicitor review and revisions. We are still working through some of the particular items related to the TASA Grant and will be circling back w/Board next month for the River Road Widening.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Kelly, granting a one-year grant extension for the Jordan Creek Greenway- Segments 35-45- Design BRC-TAG-25-173 to ensure proper design, engineering and permitting. All in favor; none opposed. Vote 5:0. Motion carried.

10. **CORRESPONDENCE AND INFORMATION ITEMS:**

a. **Boards and Commissions – Informational Items/Vacancies**

CURRENT VACANCIES ON BOARDS/COMMISSIONS:

1. Civil Service Commission - 1 Alternate Vacancy
2. Green Advisory Council - 1 Vacancy
3. Landscape Shade Tree Commission - 1 Vacancy
4. Park & Recreation Board - 0 Vacancies
5. Public Safety Commission - 1 Vacancy
6. Environmental Advisory Council - 3 Vacancies
7. Zoning Hearing Board - 3 Alternate Vacancies

UPCOMING MEETINGS: Details posted on website.

- Thursday, October 20th – Crime Watch, 6P
- Thursday, October 20th - Planning Commission Meeting, 7:30P
- Monday, October 24th - Landscape & Shade Tree Commission, 10A
- Wednesday, October 26th - Zoning Hearing Board, 7P
- Friday, October 28th - Trick or Treat, 6P

Applications continue to be accepted.

11. **OLD BUSINESS**

a. **Wehr’s Dam – Explanation by Herb Bender, Director of Twp. Operations.**

Herb Bender explained, Teams Meeting held today with contractor and our engineer. Will probably see the ported dam be set up within 1 to 1 ½ weeks. Movement will be seen down there this year.

b. **Comprehensive Plan Update - Explanation by Dave Manhardt, Director, Community Development Department**

Mr. Manhardt explained things continue to move along. Draft CP is 90% complete. Been working with PC and BOC on land use—which is where the rubber meets road for the CP. We want to make sure we are very deliberate and are receiving enough comments, so pace has slowed down a bit so that we can get through this piece of it since it is the most important piece of it. Will be discussing this and the draft at the PC Meeting under Old Business. Anticipate a draft going out tomorrow afternoon, minus the land-use portion. We want to

go over some of the details of the land-use portion at the PC Meeting. Sent out the Implementation Plan w/details of each item. Survey out there for Boards to fill out asking for a time frame and a priority. Dave thanked Chris Strohler for all the work he put in on this project.

12. **DIRECTION/DISCUSSION ITEMS:**

a. **2023 Proposed Budget Items - *Items Requiring Direction/Discussion from the Board of Commissioners.***

Tricia Dickert, Director of Finance, explained that after the Budget Meeting, the Board still had some residual questions, which answers were provided to the Board yesterday on. This evening Staff is looking for direction on some of the items that will need to be decided on by the Board, before we proceed with a proposed budget

- **Consideration of 2023 Donations - General Fund.**

Tricia Dickert - Board was provided a list of donations from last year. Staff needs to know if any changes are to be made, if any—additions/ deletions.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Hodges, to direct Staff to include all of these donations in the proposed budget with the exception of the Parkland Elementary Wrestling Club. All in favor; none opposed. Vote 5:0. Motion carried.

- **Water/Sewer Funds - 2023 Recommended Rates (1:35)**

Tricia Dickert - LCA has raised and will in all likelihood continue to raise their rates on both water and sewer every year. Staff discussed appropriate increases to ensure Township is fully funded in water and sewer, as well as beginning to contribute to the Fund Balance Policy approved by Board. LCA has passed on significant increases to the Township for several years, which have not been passed on to the residents.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to direct Staff to prepare the budget figures for the water fund in accordance with the rate increase outlined in scenario #2, which provides for a 11% increase, as well as a \$5/quarter fee increase. All in favor; none opposed. Vote 4:1. Motion carried.

Tricia Dickert - Regarding the Sewer Fund recommendation by Administration is to go with a 20% increase, and a \$10 base charge, which equates to an annual increase of \$75.48 on the average household. This will sustain the program, and will also help set money aside to build the Fund Balance previously approved.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to direct Staff to prepare the budget figures for the Sewer Fund with the understanding that there would be a 20% increase to the fees, as well as a \$10/quarter fee increase. All in favor; none opposed. Vote 5:0. Motion carried.

- Refuse Fund - Review Revised Figures (1:53)

Tricia Dickert - There was one revenue piece missing, which was the Grant revenue expected to be received in 2023. Staff reached out to Hough Associates, who applies for this particular grant, and we were advised the amount we can expect to receive next year is \$89,768, of which we'll pay a fee of approximately \$11,042. This changes the revenue picture, with a revised figure of \$2,941,126 with expenses of \$3,021,714, which leaves Township with projected deficit of \$80,588, that if the Board approves the budget would be handled by using the cash carried forward from 2022.

- Emergency Management Coordinator Position - 2023 Compensation (2:06)

Tom Petrucci – Staff is asking for clarification as to whether the amount should be adjusted to compensate the EMC a little more than what is currently being compensated, with the understanding it has not been adjusted since 2012. Also, we looked at what other communities pay their EMC, which varies greatly. Ultimately, it is the Board's decision to do what you feel is right for SWT. If an adjustment is made, this would have to come back via resolution. President Kelly recused herself from this discussion, as her husband is the EMC. Vice President Kennedy asked Mr. Petrucci and Bender to look at this and see what would be a good amount, and then bring it back to the Board via resolution. Clarification was made that the Board is supportive of increasing this line item, and the resolution would then define what that amount is. The budget as proposed can well absorb this amount. This is a form of stipend, and therefore a resolution should be done.

A MOTION was made by Commissioner Osborne, to adjust the EM line item overall to \$6,000, for the purposes of the advertisement of the proposed budget. All in favor; none opposed. Vote 5:0. Motion carried. (2:12)

- Recommended Use of Bond Funds for 2023 Capital Projects (1:55)

Tricia Dickert - The question was the use of Bond funds for sidewalk capital improvements at the municipal building. We were going to confirm the use of these funds with the PFM. The Administration's response yesterday—it is proposed to use \$250,000 in bond funding to complete the sidewalk extension for the municipal building. It is recommended due to the fact that the Township needs to utilize 85% of the bond amount within three years for capital projects. The sidewalk project will communicate to residents and business owners that the Township is following through on its own sidewalk deferrals when calling on sidewalk deferrals for others.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to direct Staff to proceed with the General Fund Budget and the Debt Service Budget, as though you are including the sidewalks as part of that process, with the understanding that PFM should also be notified as to how Township is changing use of the Bond money. All in favor; none opposed. Vote 5:0. Motion carried.

- Capital Projects (1:59)

Tricia Dickert - These were presented to the Board at the budget workshop. The capital projects are funded by a portion of the expected cash carry forward at end of 2022. On Monday we discussed approximately \$2,006,000 of the expected cash carry forward end of 2022. This is an additional opportunity for Board to weigh in on the Capital Projects portion or to go with what was presented to Board on Monday at the workshop. Right now, the anticipated cash carry forward (these are estimates based on expense/revenue trends we typically see the last three months of the year), the estimated cash carried forward in the General Fund is expected to be \$7,681,680. Of that, we would be looking to fund 2023 Capital Projects in the amount of \$2,006,000.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Kennedy, to direct Staff to keep the proposed Capital Projects as submitted by the Administration Staff, with the understanding that if it exceeds the 30% threshold, to adjust accordingly. All in favor; none opposed. Vote 5:0. Motion carried.

This ends budget portion of meeting.

b. Sidewalk Deferrals - Crackersport Road

Dave Manhardt, Director, Community Development Department, explained there were some site visits, and asked if any more clarification is needed with regard to them.

President Kelly asked if there was perhaps another step we need to make part of this process, so that if the PC makes a recommendation to the BOC, before we notify owners, this additional step would allow Staff to do due diligence and then present this information to the Board, as the governing body, so that they can better decide if the call in of a deferral is appropriate at that time.

Dave explained that part of the CP is to do a multi-modal study, where they will be looking at sidewalk corridors and connectivity. Out of that plan will be generated priority corridors, which will be a way to help the Township prioritize where deferrals make sense. Also, something to keep in mind is that these deferrals were agreed to, and therefore, the Township can call them in if they so choose to do so. It is a balance. Challenges are on the engineering and design side of things.

President Kelly said as a result of the site visit, there is one thing she learned and that is to very carefully consider deferrals. They need to make sense—is it an area that will even have pedestrians? It involves a lot of work by both Township and Landowner—again careful consideration is necessary.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to not proceed with the call-ins on Crackersport Road, given the connectivity—roads to nowhere. She does not feel we should move forward. All in favor; none opposed. Vote 5:0. Motion carried.

13. COURTESY OF THE FLOOR: Public Comment on Non-Agenda Items – None.

14. MOTION TO AUTHORIZE PAYMENT OF INVOICES & DISBURSEMENTS:

a. Invoices and Disbursements

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, to approve the payment of all invoices. All in favor; none opposed. Motion carried. Vote 5:0.

15. EXECUTIVE SESSION: None.

16. ADJOURNMENT: At 9:32 p.m. a MOTION was made by Commissioner Kennedy and President Kelly to adjourn. All in favor; none opposed.

17. APPROVED: On **November 2, 2022**, a MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, to approve the October 19, 2022, BOC Minutes as presented. All in favor; none opposed. Vote was 4:0. Motion carried.
