



## BOARD OF COMMISSIONERS

**PUBLIC MEETING**

**AGENDA-MINUTES**

**January 6, 2021**

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

**As this is a virtual GoTo Meeting, Township Manager, Renee Bickel took a Roll Call for attendance purposes as follows:**

Commissioner Wolk:	HERE
Commissioner Mobilio:	HERE
Commissioner Kelly:	HERE
Commissioner Setton:	HERE
Commissioner Morgan:	HERE

Attendees: Commissioner Christina (Tori) Morgan, President  
Commissioner Diane Kelly, Vice President  
Commissioner Michael Wolk, Assist. Secretary  
Commissioner Matthew Mobilio  
Commissioner Joe Setton  
Joseph A. Zator, Twp. Solicitor, Zator Law Offices  
Anthony Tallarida, Twp. Engineer, The Pidcock Company  
Renee Bickel, Township Manager - Absent  
Randy Cope, Director of Twp. Operations  
Herb Bender, PW Superintendent  
Mike Elias, PW Utility & MS4 Coordinator  
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)**

**4. MINUTES**

**a. December 16, 2020 - BOC Meeting Minutes**

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Mobilio, to approve the December 16, 2020 BOC Meeting Minutes as presented.

Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Mobilio:	AYE
Commissioner Kelly:	AYE
Commissioner Setton:	AYE

Commissioner Morgan: AYE  
Motion carried.

5. **PRESENTATIONS:** At this time, Chairman Morgan gave the 2020 SWT Year-End Accomplishments/Highlight Report. (Report Attached to minutes.)

6. **ORDINANCES:**

a. **Request to Advertise - An Ordinance Amending the Codified Ordinances of South Whitehall Township to Add a New Chapter 65 Entitled the South Whitehall Township COVID-19 Relief Small Business Grant Program and Further Provide for Severability, Failure to Enforce not a Waiver, Repealer, and Effective Date**

President Morgan handed this item over to Commissioner Mobilio. He summarized by saying he felt it was important that we do everything within our power to help our citizens and businesses of South Whitehall. This grant money, in combination with the opportunities provided by federal, state and local governments—it truly takes a village to help business and people survive something of this magnitude. Commissioner Mobilio feels this is the best and quickest way in which we can help our people. He asked that all commissioners show solidarity in the helping of our people.

Comments made/Questions answered by both Board and Public at this time.

Township Solicitor Joe Zator explained that the ordinance authorizes that a certain amount of money be set aside for this Grant Program. Once funds are expended, there is no further authorization. Technically it remains on the books of the Township. However, once funds are expended, that is it.

Commissioner Kelly asked that as the newsletter goes to every household, we put something in the next newsletter with regard to supporting our small businesses—to encourage and motivate our citizens to make choices to frequent and support our small businesses in the long term.

Jessica O'Donnell, Executive Vice President of Affiliated Chambers for The Greater Lehigh Valley Chamber of Commerce, and Ashley Lorah, Emmaus Main Street Manager, AVP, Affiliated Chambers (EPCC, WLCC, SLCC) were both in attendance this evening. Jessica explained that through your leadership you will be able to impact many businesses throughout the Township. They have worked closely with Lehigh and Northampton Counties regarding their small COVID relief programs. She explained in three weeks they saw over 300 applications in Lehigh County. The Chamber also put out a grant for \$1,000 a piece to small businesses. She said this was a lifeline to some of these small businesses. People are currently afraid to get out there in order to support small business at this time during COVID. The SWT grant program would also be a lifeline to businesses within your Township. The future is so unknown for these businesses. She went on to say that you will truly be able to impact these small businesses.

A MOTION was made by Commissioner Mobilio, which was seconded by Commissioner Setton, to proceed with the advertising of the above Ordinance, with regard to COVID-19 Relief, as presented this evening.

Roll Call Vote as follows:

Commissioner Wolk:	NO
Commissioner Mobilio:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	NO
Commissioner Morgan:	AYE

Motion carried to move forward with advertising. President Morgan thanked Commissioner Mobilio for all his hard work on this. Additionally, she thanked the Chamber for their support regarding this.

## 7. **RESOLUTIONS:**

### a. **A Resolution Appointing Lee N. Solt as an Alternate Member to the South Whitehall Township Zoning Hearing Board**

President Morgan explained that Lee Solt was brought forth as the recommended candidate for this position. Commissioner Mobilio, as well as ZHB Chairman Don Kline, were also part of the interview process of each candidate.

Comments made/Questions answered by both Board and Public at this time.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Mobilio, to appoint Lee Solt as an Alternate Member to the South Whitehall Township Zoning Hearing Board.

Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Mobilio:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	NO
Commissioner Morgan:	AYE

Motion carried.

### b. **A Resolution To Amend The Fee Schedule Regarding Administrative Fees, Construction Permit Fees, Special And Other Permit Fees, Subdivision Or Land Development Fees, Non-Subdivision Or Land Development Fees, Police Department Fees, Public Works Fees, And Parks And Recreation Fees; And To Provide For A General Repealer, Severability Clause And Effective Date**

Dave Manhardt, Director, Community Development Department, explained that we typically update the fee schedule at the beginning of the year, and periodically changes sometime occur throughout the year, as the fee schedule is used.

Pavilion rental fees – Pavilion #1 has electricity and is closest to where restrooms will be situated, and closest to playground and parking—this is the smallest pavilion. Plans are being made to run electric to Pavilion #2; however, because we are in a floodplain, we need to

keep that in mind when running electric, and will be referring to code in this situation. Randy Cope, Director of Township Operations explained location is the biggest factor when people are deciding which pavilion to use.

Application Fees for Zoning Issues was a concern of Commissioner Mobilio. He feels some of these fees are not appropriate as far as what the end game really is regarding what it will cost the Township to review these things, what the Township has to pay engineers to be at these meetings, etc. Changing zoning is a huge undertaking, and some of the fees related to this should be higher.

Solicitor Zator explained that what the law allows regarding the fees schedule is that the Township cannot operate as a profit center. Township can recoup all its costs, but cannot make money on these items. The Township can raise fees, if the Township is underpaying themselves in terms of recouping those costs.

In light of the fact that the Board will need more time to discuss this further—looking at the re-zoning fees, the Board decided to proceed with the fee schedule as is, and then revisit after Staff has done more research on fees related to zoning/re-zoning issues (Schedule “D” Fees).

Solicitor Zator said the Board can adopt this Fee Schedule at this time, including Schedule “D”, and then come back and amend Schedule “D” at a later date.

Comments made/Questions answered by both Board and Public at this time.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to approve above-mentioned resolution which adopts said Fee Schedule as is, with the understanding that the Board will come back and revisit Schedule “D” of the Fee Schedule regarding modifications that may need to be made.

Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Mobilio:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE

Motion carried.

**c. A Resolution Extending The Conditional Preliminary/Final Approval Granted To A Major Subdivision Plan Entitled, “KRE Spring View Commercial II”**

Dave Manhardt, Director, Community Development Department explained that this is a request for a 180-day extension for KRE II, at the corner of Broadway and Cetronia. Original Resolution passed January 2020, COVID happened, and they could not get through their checklist. This is their first request for an extension

Comments made/Questions answered by both Board and Public at this time.

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A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Setton, granting 180-day extension request.

Commissioner Wolk: AYE  
Commissioner Mobilio: AYE  
Commissioner Kelly: AYE  
Commissioner Setton: AYE  
Commissioner Morgan: AYE  
Motion carried.

## 8. **MOTIONS**

### a. **Motion to Approve 2021 Rate Schedule for Spotts, Stevens and McCoy (SSM), Township Utility Engineer**

SSM requested a 2.9% increase over last year.

Comments made/Questions answered by both Board and Public at this time.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to approve 2021 Rate Schedule for SSM, Township Utility Engineer as presented this evening.

Roll Call Vote as follows:

Commissioner Wolk: AYE  
Commissioner Mobilio: AYE  
Commissioner Kelly: AYE  
Commissioner Setton: AYE  
Commissioner Morgan: AYE  
Motion carried.

### b. **Motion to Approve 2021 Rate Schedule for Hanover Engineering, Geotechnical Engineer and Alternate Sewage Enforcement Officer (SEO)**

Comments made/Questions answered by both Board and Public at this time.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, approving the 2021 Rate Schedule for Hanover Engineering, in addition to naming of SEO.

Roll Call Vote as follows:

Commissioner Wolk: AYE  
Commissioner Mobilio: AYE  
Commissioner Kelly: AYE  
Commissioner Setton: AYE  
Commissioner Morgan: AYE  
Motion carried.

### c. **Motion to Approve 2021 Rate Schedule for Keystone Consulting Engineers, Alternate Township Engineer and Sewage Enforcement Officer (SEO)**

Comments made/Questions answered by both Board and Public at this time.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, approving the 2021 Rate Schedule for KCE, in addition to naming of SEO, as presented by Mr. Erdman this evening.

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Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Mobilio:	AYE
Commissioner Kelly:	AYE
Commissioner Setton:	AYE
Commissioner Morgan:	AYE

Motion carried.

**d. Motion to Approve 2021 Rate Schedule for The Pidcock Company, Township Engineer**

Mr. Tallarida explained that The Pidcock Company is requesting a 2.2% increase in the rate schedule as presented.

Comments made/Questions answered by both Board and Public at this time.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Kelly, to approve the 2021 rate schedule for The Pidcock Company as presented by Mr. Tallarida.

Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Mobilio:	AYE
Commissioner Kelly:	AYE
Commissioner Setton:	AYE
Commissioner Morgan:	AYE

Motion carried.

**9. CORRESPONDENCE AND INFORMATION ITEMS:**

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

President Morgan explained that the Green Advisory Council did meet in December. Draft of survey regarding single-use plastics given to Board for review. Working on electronic recycling event May 22<sup>nd</sup>, 9A-12P at Parkland High School, teaming up with North Whitehall. Also working on flyer regarding trash, recycling and yard waste.

Current vacancies – 2 alternate positions open on Civil Service Commission.

**b. Public Notice – 2021 SWT Meeting Schedule – FYI.**

**10. DIRECTION/DISCUSSION ITEMS:**

**11. OLD BUSINESS: Randy Cope, Director Township Operations reported as follows**

- a. Wehr's Dam – Status:** Still no word from PA DEP regarding our permit. Still in permitting process. Did follow up with Michael Baker, our engineer, to see if they have any update on this—they do not.
- b. Campus Renovation Project:** This project continues to move forward. Site work continues--curbing being poured. Furniture due to arrive in next few weeks.
- c. Credit Cards and Website – Status:** Dave Manhardt explained there are a lot of pieces to this—things being set up on the front end and back end. Customer Self-

Service was set up w/ Munis. Next, worked with third-party credit card vendor to get that to work with the customer self-service. Did have a successful test transaction. Should begin taking payments with a month or so. These components will be part of new website. Also, meeting/agenda software is another component which will be imbedded into the website. On target for beginning of February. Dave gave a mini presentation of what the new website looks like.

**12. COURTESY OF THE FLOOR:**

Brian Hite – 1273 Eck Road. Topic: Ongoing difficulties regarding construction activities located by his residence. President Morgan said that there is a gap in what we can and cannot do—we need to look at an ordinance, or revisit this, to see what we can do in order to close this gap that exists, so situations like this do not happen again.

Mike Kulp, Black Creek Group, owner of development across the street from Brian Hite. Will be helping Mr. Hite mitigate some of the things that have been going on at his property as a result of the construction, They are committed to being good, long-term neighbors.

**13. PAYMENT OF INVOICES:**

**a. Invoices and Purchasing Requisitions have been reviewed by the 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 Mobilio:	AYE
Commissioner Kelly:	AYE
Commissioner Setton:	AYE
Commissioner Morgan:	AYE

Motion carried.

**14. EXECUTIVE SESSION: No executive session after this meeting.**

**15. ADJOURNMENT: At 9:37 p.m. a MOTION was made by Commissioner Kelly, which was seconded by Commissioner Setton, to adjourn. All in favor; none opposed.**

**16. APPROVED: On January 20, 2021 MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to approve the January 6, 2021 BOC Meeting Minutes as presented.**

Roll Call Vote as follows:

Commissioner Wolk:	AYE
Commissioner Mobilio:	AYE
Commissioner Setton:	AYE
Commissioner Kelly:	AYE
Commissioner Morgan:	AYE

Motion carried.