



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

January 20, 2021

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 - Absent

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 of Commissioners did meet in Executive Session prior to this evening's meeting to discuss legal matters.

4. MINUTES

a. January 6, 2021 - BOC Meeting Minutes

A 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.

5. PRESENTATIONS:

At this time, President Morgan talked about reports in the news regarding allegations made against the Township in a lawsuit filed earlier last week. Allegations pertained to a former employee of the Township (terminated 2 years ago). These allegations made against the former employee were previously reported to and investigated by the PA State, Lehigh County, D.A.'s Office, who determined no criminal charges were warranted. Any claim that the Township does not exercise appropriate oversight with respect to its Police Department or that the Department's policies and procedures are deficient, is without merit. The SWT PD has received the honor of being Awarded Accreditation by the PA Law Enforcement Accreditation Commission, which is a rigorous and ongoing assessment of the PD compliance with an extensive range of professional standards. This PLEAC Accreditation is a distinction earned by fewer than 12% of the municipal law enforcement agencies in the Commonwealth of PA. President Morgan said that as a Board and Township, it was felt important to share this information.

6. ORDINANCES:

- a. Advertised for Possible Adoption - 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**

Solicitor Zator explained this at last meeting with request to advertise, and has been duly advertised. The \$115,000 from Fiscal Stability Fund envisioned by this ordinance would be the limit of funds spent, no other funds will be authorized to be spent above this amount for this expenditure. The very specific details for this program and how it will operate in concert with the Greater Lehigh Valley Chamber of Commerce are outlined in the Exhibit attached to the ordinance.

Commissioner Mobilio, said that although some may not agree with all the details of this Ordinance, he feels that the Board as a whole is interested in doing what we can to help local businesses. In the end, this program will provide a lifeline for some businesses. As a Township we have done extremely well with our finances and have a unique opportunity to help our local small businesses. He thanked the GLVCC, specifically Jessica O'Donnell and Ashley Lorah and well as the Commissioners in support of this program—he feels this is a great opportunity to help. He is thankful for all who helped make this happen, and looks forward to seeing a lot of participation in this program.

Solicitor Zator said this Ordinance is now ready for a Vote by the Board.

Commissioner Kelly made a motion that we move forward with the Grant Program, but ask that the funding be taken from our COVID Grant money so that we are a pass-through of that money to our SWT small businesses; President Morgan added, that is assuming all auditing guidelines are built into this Grant Program to use COVID Grant money have been met—which may or may not be the case. The Motion was seconded by Commissioner Wolk.

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

Solicitor Zator wanted to note for the Board that the proposed Ordinance which has been advertised states in Section 65-4, that the fiscal stability fund is the source of the \$115,000; therefore, if there is going to be a change to the ordinance to not use the fiscal stability fund, but instead to use COVID funds, that are channeled from the Federal government, through the County, through the Township, that would be a change to the ordinance and would, therefore, need to be readvertised.

Commissioner Kelly withdrew her motion and made a new Motion—A MOTION granting permission to advertise the Grant Proposal Commissioner Mobilio has brought forth with the funding to come from the COVID Grant relief fund money. The motion was seconded by Commissioner Wolk.

Roll Call Vote as follows:

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

Motion did not carry.

A MOTION was made by Commissioner Mobilio to adopt the above-codified ordinance as originally presented for the COVID-19 Relief Small Business Grant Program. The Motion was seconded by Commissioner Setton.

Roll Call Vote as follows:

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

Ordinance passes; motion carried.

7. **RESOLUTIONS:**

a. **A Resolution Granting Preliminary/Final Approval to a Minor Plan Entitled "George Sam"**

Dave Manhardt, Director, Community Development Department explained this is a minor subdivision which came before the PC back in November 2020 regarding moving lot lines and dissolving a lot line to add some land to it—the adjacent property. There were a few deferrals related to sidewalk and ROW. Township Engineer Tony Tallarida said this is

straightforward. Nothing to add. There were five deferrals recommended by the PC, and sees no reason why we cannot move forward with this this evening.

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

A MOTION was made by Commissioner Setton, which was seconded by Commissioner Kelly, to move forward with granting preliminary/final approval to a minor plan entitled “George Sam”.

Roll Call Vote as follows:

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

Motion carried.

b. A Resolution of the Board of Commissioners of South Whitehall Township Confirming Individuals Nominated by the Volunteer Fire Companies as Special Fire Police Each for a Five (5) Year Term

President Morgan explained that the Fire Police have an important volunteer role within the community. They are an amazing resource who assist our PD and our Fire Departments with traffic, crowd control, accident scenes, natural disasters, fires, or any other incidents requiring assistance. We are grateful for their dedicated service to our Township. Chief Dorney echoed President Morgan’s comments by saying we rely heavily on them, and they are always there for us—they do a fantastic job. We are very grateful for their service to SWT.

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

A MOTION was made by Commissioner Morgan, which was seconded by Commissioner Kelly, to move forward with the adoption of the above-mentioned resolution, confirming the individuals listed each for a five-year term.

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 Establishing the Contributions by Police Officers to the South Whitehall Township Police Pension Plan for the Year January 1, 2021 to December 31, 2021

Township Manager Renee Bickel explained that this is a requirement of the Police Pension Plan. Allowable under the Police Pension Plan is up to a 5% contribution, but it is allowable

for the collective bargaining agreement to agree to an amount less than 5%. This year in accordance to the collective bargaining agreement is 2.25% from January 1, 2021 to December 31, 2021. This is the Police contribution to the Police Pension Plan for 2021.

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

A MOTION was made by Commissioner Mobilio, which was seconded by Commissioner Kelly, to approve above-mentioned resolution establishing the contributions by Police Officers to the SWT PD Pension Plan for year 2021 as explained above.

Roll Call Vote as follows:

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

Motion carried.

8. **MOTIONS**

a. **Motion Requesting Permission to Award Bid for the Kohler Ridge Park/Master Site Development Plan Project**

Mike Kukitz, Parks & Recreation Manager, explained that we are looking to award the contract to Omnes who will create a Master Site Development Plan for the Kohler Ridge Park property. As you know, the Township acquired this land of almost 26 acres, which will be the Township's second largest park. References for Omnes were very favorable and confirmed Omnes is in line with what we are looking for. Asking that the contract be awarded to Omnes in the amount of \$39,400 as explained above. Half of this has been budgeted in the 2021 Budget and the other half is DCNR Funded.

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 award the contract to Omnes for the Kohler Ridge Park/Master Site Development Plan Project.

Roll Call Vote as follows:

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

Motion carried.

9. **CORRESPONDENCE AND INFORMATION ITEMS:**

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

President Morgan – We still have two alternate CSC positions available. Additionally, Mr. Dunbar from the PC and LSTC will be retiring, and greatly missed. These positions will also need to be filled.

A more in-depth review of the process regarding volunteer boards/commissions has been provided by Commissioners Morgan and Mobilio to the BOC for review/consideration. Commissioner Kelly would like to have a Workshop in order to talk about goals for the different committees and the process, in order to come up with a plan that works for the Township. President Morgan said the plan is that Staff and Legal will be taking a look at them first, and let us know the basics that need to be in them based on the First-Class Township Code and anything else that we have in place as far as ordinances, so that BOC has a basic structure to work off of. We can then get together as a Board in a workshop to discuss them further. The interview process will be on the agenda, second meeting in February.

b. Public Notice - Planning Commission Meeting, Thursday, January 21, 2021, 7:00 p.m. – Self-explanatory.

Additionally, there will be a BOC Workshop Wednesday, January 27th, at 6P regarding the Land Development Notification Process; and, a Zoning Hearing Board Meeting Wednesday, January 27th, at 7P. Wehr's Dam Workshop will be scheduled once we hear back from PA DEP. Township Manager Renee Bickel will advise as soon as we hear back.

10. DIRECTION/DISCUSSION ITEMS: None.

11. OLD BUSINESS: Township Manager, Renee Bickel

a. Wehr's Dam – Status: No word from PA DEP on permit as of yet. Renee made some calls to follow up on.

b. Campus Renovation Project: Plan to transition back to the building mid-February. Currently waiting for some of our vendors for things to be done, as a result of COVID. It will take a bit to transition everyone back. One floor of the building is in the process of cubicles being installed. Overall, good progress being made. Renee presented photos of campus. Public Meeting Room will be completed March 1st. In terms of budget, site work is not done yet—paving streets around campus, and yard and garden center. Due to the weather, there will be some delays with site work, but will keep BOC posted. Goal for this completion date is May 1st. Budget – Project is on target as anticipated; have now gone through our allowances, but do not anticipate any large changes going forward.

c. Credit Cards: Dave Manhardt reported out on this in his report. See below.

12. DEPARTMENT REPORTS:

a. Executive Department – Township Manager Renee Bickel

Recognition of three PW employees who retired: Combined years of service is 125 years of service. Each one was over 40 years. Jim Balliet, 44 years; Rusty Frantz, 40 years; George Yanachko 41 years. They will all be missed. Looking to celebrate them more post-pandemic. Three incredible gentlemen who spent their careers with SWT.

- b. Community Development Department** - Dave Manhardt, Director, Community Development Department. Regarding Credit Cards, now have a comprehensive system in place, with all pieces talking back and forth together. Intense testing continuing, but can see light at end of tunnel. Website becomes platform for self-service portal. Website getting close to launch.
- CD Report – Processed 970 Permits 2020; approximately 70 new home COs; 10 ZHB cases; 25 PC cases. CP – finished up with “where should we grow” and getting ready to transition to Phase 4 Kickoff meeting, end of February.
- c. Finance Department** – Scott Boehret, Director of Finance. Currently in the middle of year-end financial close process for 2020. 2020 Financial Statements will be available at February Finance Committee meeting.
- d. Parks & Recreation Department** – Randy Cope, Director, Township Operations. Ribbon Cutting for CB Park new playground, Thursday, May 13th, 4P. Restroom project – has been ordered. Late March/early April installation. Jordan Creek Greenway status Erosion Sedimentation Plan submitted LC Conservation District for approval. Applying for a DCNR Grant in 2021 to support construction of Greenway from boardwalk section to Lapp Road. Phase 2 continue working w/land owners and high school, to take this from Lapp Road to CC Blvd. Beginning to develop RFP for the P&R Trail Open Space Plan. Also working on upcoming events for 2021.
- e. Police Department** – Chief Glen Dorney. December 2020 stats: took 793 Reports; made 25 arrests; EMS Assists 212. COVID vaccinations given to officers. Dorney Park and LV Health Network working together to have COVID vaccination clinic next Wednesday, the 27th, by appointment only. Hired new police officer, Amanda Krampf, currently in Allentown Police Academy, graduating 2nd week in June. Another new hire expected shortly.
- f. Public Works Department** – Randy Cope, Director, Township Operations. Working on getting lights down from holiday; bridge inspection punch list; water station routine maintenance and overall system management for water/sewer systems; working with SSM to design and engineer a water main replacement project in Bridgeview Terrace neighborhood; also acknowledged retirees Jim Balliet, Rusty Frantz, and George Yanochko, a tremendous group of gentlemen, each of them being an incredible resource to our Township.
- g. Township Engineer** – Tony Tallarida, The Pidcock Company. A lot of projects came in this year. Additionally, working on year-end report with regard to projects in construction, under maintenance, or being closed out. BOC to see YE report shortly.
- h. Fire Departments** – Chris Kiskeravage, Township Fire Commissioner. Many of the first-responders have received their COVID vaccinations. Training taking place; ready for service.
- 13. COURTESY OF THE FLOOR:**
- Joanne last name? – Topic: Comp Plan.
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14. 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 Setton, and seconded by Commissioner Morgan, to approve the payment of all invoices.

Roll Call Vote as follows:

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

Motion carried.

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

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

- 16. APPROVED:** On **February 3, 2020**, a MOTION was made by Commissioner Kelly, which was seconded by Commissioner Wolk, to approve the January 20, 2021, BOC Meeting Minutes.

Roll Call Vote as follows:

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

Motion carried.
