



Wednesday, December 6, 2023

Board of Commissioners AGENDA-MINUTES – 7:00 PM

1. CALL TO ORDER

A. Roll Call

Attendees:

Commissioner Diane Kelly, President
Commissioner David M. Kennedy, Vice President
Commissioner Monica Hodges, Assist. Twp. Secretary
Commissioner Brad Osborne
Commissioner Jacob Roth
Joseph A. Zator, Twp. 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 *
Tricia Dickert, Director of Finance
Chief Glen Dorney, SWT-PD
Dave Manhardt, Director, Community Development Dept.
Chris Strohler, Long-Range Planner, CD Dept.
Gregg Adams, Planner, Community Development Dept.
John Frantz, Fire Marshal, Building Code Official *
Tom Harper, Code Enforcement Program Manager *
Rob Fehnel, IT Projects Manager *
Tracy Fehnel, Exec. Assistant
Kristin Blahnick, FN Reporting & Fund Bal. Specialist
Absent* **Attended Virtually ****

**For the record, Mr. Kennedy left after Agenda Item 3-D was finished.*

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS

A. All public sessions of the South Whitehall Township Board of Commissioners are electronically recorded, filed, and posted on the Township's Website for Public access.

B. Public /Virtual Meeting Rules

C. Board of Commissioners Met in Executive Session on the following dates to discuss Legal and Personnel Matters: December 6, 2023

D. **Resignation of David M. Kennedy, Commissioner (2:05)** At this time, Commissioner Kennedy explained he and his wife sold their home on the 30th, and so tonight he officially resigns his position on the SWT Board of Commissioners.

Throughout the past 26 years, Mr. Kennedy served on the SWT Public Safety Commission, SWT Pension Committee, SWT Finance Committee and lastly, the SWT Board of Commissioners the last two years. Additionally, Mr. Kennedy previously served 26 years on the Board for the PSD. He thanked the residents/voters of SWT for their support. He said, No one person can do it—he said he worked with a tremendous Board (BOC), and said he knows it will continue on with the swearing in of the new Board in January. He thanked the entire Board and all that has been accomplished, and also thanked Township Manager Tom Petrucci, and Herb Bender Director of Twp Operations, Jeff Kelly, Emergency Management Coordinator, and all other Staff for everything they have done. He wished everyone the best.

(14:19) Township Manager Tom Petrucci explained the process for handling vacancies. BOC has 45 days to accept said resignation, after it is tendered in writing. *(This was not yet received in writing from Mr. Kennedy—however, a verbal was received this evening.)* If they do not accept, resignation becomes effective in 45 days by default. Once effective, BOC has 30 days to appoint a successor to fill vacancy. Said appointment would last until the next municipal election in this case. The BOC does have a Citizen Board Appointment Policy, which generally recommends advertisement of vacant position, then

conduct interviews. Mr. Petrucci respectfully recommended that the BOC accept the resignation at a subsequent meeting, and then plan accordingly.

4. COURTESY OF THE FLOOR - Public Comment on Non-Agenda Items – (15:20) NONE.

Denise Hassick, Resident—34 S. 41st Street, Allentown. Subject: The increase of the Trash Bill

5. MINUTES (29:30)

A. November 15, 2023 - Board of Commissioners Meeting Minutes

A MOTION was made by Commissioners Roth and Hodges to approve the November 15, 2023, BOC Meeting Minutes as presented. All in favor; none opposed. Vote 4:0. Motion carried.

5. ORDINANCES

A. Previously Advertised for Possible Adoption – An Ordinance of the Township of South Whitehall, County of Lehigh, and Commonwealth of Pennsylvania, Fixing the Property Tax Rate for the Fiscal Year 2024; Levying a Real Estate Tax for General Revenue Purposes and for Fire Tax Purposes for the Fiscal Year 2024; Reaffirming the Current Tax Rates Provided for within Chapter 328, “Taxation”, of the Codified Ordinances of South Whitehall Township; and Appropriating Specific Sums Estimated to be Required for the Specific Purposes of the Township Government During the 2024 Fiscal Year; Providing for a Repealer Clause, Severability Clause and Effective Date.

(30:05) Township Manager Tom Petrucci explained that Section 1709 of the First Class Township Code requires the BOC to fix the property rate for 2024 fiscal year for real property taxes, in conjunction with the approval of 2024 Annual Budget. Each year the Township must pass an Ordinance to adopt the property tax rate. There is no change to the proposed property tax rate for 2024. The Budget includes the assumption and estimating revenues available in 2024 from property taxes—the overall rate is 3.31975 mills, which is .47 for the Fire Tax and 2.849750 for overall General Purposes. Mr. Petrucci respectfully requested a motion to adopt said ordinance.

A MOTION was made by Commissioners Hodges and Roth to adopt said ordinance as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

B. Motion to Advertise – Ordinance regarding Establishment of Environmental Advisory Council

(31:40) Mr. Chris Stroehler, Long-Range Planner, CDD, explained that one of the implementation plans from the Comprehensive Plan was to review some of the advisory Boards. Earlier this year, Staff looked at three-related advisory Boards—Green Advisory Council (GAC); the Environmental Advisory Council; and the Air Pollution Board. At the September 20th BOC meeting we reviewed purposes of these three. Staff made the recommendation to combine the three into one newly revised Environmental Advisory Council. An Ordinance doing so was also reviewed at the September 20th meeting, which has been sent to legal for review. Before the BOC this evening is the updated version of said ordinance. Staff requesting Motion to proceed with advertising of this ordinance. Following advertising, a subsequent hearing would then be scheduled for its adoption.

This is the first of three similar Ordinances which will be presented this evening, requesting motions to advertise.

Specifically, the following changes are outlined in the new Ordinance as follows:

- Under *PART I: ADMINISTRATIVE LEGISLATION*
 - Existing *Chapter 17 Article VII Environmental Advisory Council* will be removed, and all subordinate sections of this Article will be reserved for future use.

- The revamped Environmental Advisory Council language will be added as *Chapter 17 Article V Environmental Advisory Council*.
- Under *PART II, GENERAL LEGISLATION*
 - Existing *Chapter 85 Air Pollution* will be removed as it is no longer relevant due to the revised Environmental Advisory Council ordinance.

A MOTION was made by Commissioners Kelly and Hodges to proceed with advertising of said ordinance as explained by Mr. Stroehler. All in favor; none opposed. Vote 4:0. Motion carried.

C. Motion to Advertise – Ordinance Amendment regarding the Landscape and Shade Tree Commission.

(35:45) Mr. Gregg Adams, Planner, CDD, explained that this is similar to Mr. Stroehler's ordinance above. The is the 2nd of the Boards and Commissions Staff looked at. This is a draft ordinance to repeal the existing Article III, Landscape and Shade Tree Commission within Chapter 17 of the Codified Ordinance, and replace it with a new Article 7 Landscape and Shade Tree Commission. The existing Article III was adopted 1969. The current Article III includes regulation composition conduct of the Landscape and Shade Tree Commission, but a larger part is the regulations of trees within the public rights of way. Staff feels there is a need to amend the regulation of street trees, and with the adoption of the CP, and the looking at Boards in general, we now have the opportunity to look at this in a more holistic manner and develop a more consistent comprehensive template for each board, and then implement it. This template is very similar to the EAC template.

This update proposes the following:

- Utilize the format intended for use with all Boards and Commissions to be placed within Chapter 17 of the South Whitehall Township Codified Ordinance and place the new Article at its intended final location within proposed Chapter 17.
- Note the original creation of the Commission.
- Define the composition of the Commission, the length of terms of its members, the standard process for filling vacancies, and the standard process for the removal of members. Most of the items proposed are already so defined within the existing Article III.
- Define the jurisdiction of the Commission and its duties and responsibilities, including those duties and responsibilities to be common to all Boards and Commissions. The proposed jurisdiction is the current jurisdiction, so defined within the existing Article III.
- Define the rights and authority, organization, and bylaws of the Commission, all of which are proposed to be consistent within all Boards and Commissions,
- Define the procedures for noticing meetings, all of which are proposed to be consistent within all Boards and Commissions.
- Define the Commission's ability to utilize funding so appropriated by the Board of Commissioners.
- Define the Commission's requirements for reporting and record-keeping, all of which are proposed to be consistent within all Boards and Commissions.
- And define compensation for the Commission members, if any, in language which is to be consistent within all Boards and Commissions.

Staff is before the BOC this evening, and feels this ordinance is ready for final review by the BOC, and requesting permission to proceed with the advertising of said Ordinance for a hearing and for possible adoption in January.

A MOTION was made by Commissioners Roth and Hodges to proceed with advertising of said ordinance as explained by Mr. Adams. All in favor; none opposed. Vote 4:0. Motion carried.

D. Motion to Advertise – Ordinance for Regulation of Trees Chapter 330).

(38:50) Mr. Chris Stroehler explained that Staff has looked at the need to outline the purpose/intent of regulating street trees. This addresses some historical issues of properly allowing the enforcement of regulating street trees, and explains the process and purpose of requiring permits for the removal and trimming of street trees. Mr. Stroehler said Staff feels the three ordinances just discussed all go hand in hand. This ordinance directs what the Shade Tree Commission is essentially tasked to do, along with better aligning Staff duties in the enforcement of and promotion of street trees.

Mr. Stroehler explained that for Staff, having this ordinance at this level in the Township Code helps in their explanation to the residents. Information is on the website—there is an entire tree page which outlines some of this. Once these ordinances are adopted, Staff will be updating some of these resource materials on our website, advertising in the newsletter, and he also finds this information very useful for our EAC, and L&STC.

A MOTION was made by Commissioners Kelly and Roth to approve the advertisement of said resolution as explained by Mr. Stroehler. All in favor; none opposed. Vote 4:0. Motion carried.

7. RESOLUTIONS**A. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Dissolving the Green Advisory Council.**

(1:35:00) Mr. Stroehler explained the Green Advisory Council was established in 2019 via resolution. We are asking the Board to dissolve the GAC this evening by resolution. The resolution before you explains the dissolution, should the BOC choose to do so this evening. Then along with the EAC, we would then remove the Air Pollution Board as well; and, moving forward we would then have one clear direction for the EAC. Mr. Stroehler confirmed that those who currently sit on the GAC have been advised of what is going on. They are excited and very interested in participating in the new EAC, and are looking forward to this new direction and the resurgence.

A MOTION was made by Commissioners Roth and Kelly approving said resolution dissolving the GAC as explained by Mr. Stroehler. All in favor; none opposed. Vote 4:0. Motion carried.

B. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Authorizing the Execution of an Encroachment Agreement with Buckeye Pipe Line Transportation, LLC, Required for the Jordan Creek Greenway in Covered Bridge Park Project.

(45:25) Township Manager Tom Petrucci explained that Buckeye Pipe Line Transportation has utility facilities in the vicinity of the planned extension to the Jordan Creek Greenway from Wehr Mill Road to Lapp Road through CB Park, which is currently subject to a \$1,000,000 TASA-funded grant. Buckeye has approved the Township executing the required and enclosed Encroachment Agreement to allow for the ten-foot wide shared use path to cross Buckeye's Utility Facilities. Should at any time in the future Buckeye need to maintain, repair, operate, alter or remove the pipeline and the Township's encroachment (the Township's shared use path), interferes with Buckeye's ability to do so, Buckeye will have the right to modify or remove the shared use path. This covenant will run with the land and is permanently binding upon the Township. This project is currently available for bid via PennDOT ECMS system, with bids due to be let on December 7, 2023. Mr. Petrucci said he would ask for the approval of the encroachment agreement.

A MOTION was made by Commissioners Hodges and Kelly to approve said resolution, which authorizes the execution/approval of the Encroachment Agreement with Buckeye Pipe Line Transportation, as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

C. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Establishing Rates, Rents, Charges, and Delinquent Charges for Furnishing Water Service to Consumers, and Establishing the Circumstances under which Water Service is Discontinued and Municipal Liens Filed.

(47:40) Township Manager Tom Petrucci explained that official action is requested from the BOC in order to approve the resolution, confirming there are no rate increases or changes to provide water services to our residents/customers.

A MOTION was made by Commissioners Kelly and Roth approving said resolution above, and confirming that there are no changes or rate increases for water services for 2024. All in favor; none opposed. Vote 4:0. Motion carried.

D. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Establishing Rates, Rents, Charges, and Delinquent Charges for Furnishing Sanitary Sewerage Services to Owners and/or Consumers, and Establishing the Circumstances under which Water Service is Discontinued and Municipal Liens Filed.

(48:50) Mr. Petrucci explained that official action is requested from the BOC in order to approve the resolution, confirming that there are no rate increases or changes to provide Sanitary Sewerage Services for 2024. Same payment structure as 2023.

A MOTION was made by Commissioners Roth and Kelly to approve said resolution above, and confirming that there are no changes or rate increases for sanitary sewerage services for 2024. All in favor; none opposed. Vote 4:0. Motion carried.

E. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Approving and Adopting Municipal Solid Waste Collection Charges for Calendar Year 2023.

(49:50) Mr. Petrucci explained that SWT's current residential municipal solid waste collection, disposal, and recycling services contract expires on December 31, 2023. September 6, 2023, at the recommendation of the Administrative Staff, the BOC voted to award a 5-year MSW contract to J.P. Mascaro. The rate to be set via resolution, will cover the costs outlined in the service contract over the life of the contract. Rate is \$660/year per residential establishment unit. This rate will be carried through for the time of the contract.

This resolution also provides for a Senior Low-Income Discount credit on their solid waste and recycling fee not to exceed \$120/year, or \$30/quarter. Criteria is based on whether a resident is eligible for the PACE Program.

A MOTION was made by Commissioners Hodges and Kelly to approve the resolution confirming municipal solid waste collection charges for 2024, as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

F. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Approving the Budget for the 2024 Calendar/Fiscal Year Beginning on the First Day of January 2024 and Ending on the Last Day of December 2024.

(51:50) Township Manager Tom Petrucci explained that official action is requested from the BOC in order to approve the 2024 SWT Final adopted Budget pursuant to Article XVII, Section 1701 (b.2) of the First Class Township Code. The Budget must be made available for at least 20 days, the SWT BOC shall, after making revisions as appropriate, adopt the final budget not later than December 31, 2023. Staff is not

recommending any changes. The Township has met/exceeded its obligations to advertise the notice of availability of the Proposed Budget. There are no real estate tax increases, nor are there any increases for water, or sanitary sewer. There is however, an increase for MSW collection which has been factored into the budget. The budget has been read twice into the record at public meetings, and also a public special meeting was held specifically for review of the budget.

A MOTION was made by Commissioners Kelly and Hodges to adopt said resolution approving the 2024 SWT Final Adopted Budget. All in favor; none opposed. Vote 4:0. Motion carried.

8. MOTIONS

A. Motion Requesting Permission for Township Engineer to Conduct Corridor Analysis of Walbert Avenue, Huckleberry Road, Ridgeview Drive, Church Road and S.R. 309.

(55:15) Township Manager Tom Petrucci explained On October 30th, a site meeting was held with Brian Hite, who is the Transportation Planner for the Lehigh Valley Planning Commission and Herb Bender, who is the Director of Township Operations. The site meeting was requested by the Township in order to address an ongoing observed issue with wayward tractor trailer trucks that cannot find Pope Road for the manufacturing and trucking parking areas that are situated in the general vicinity of Pope Road.

The following was determined as a result of the site meeting:

- It was observed that the drivers of the tractor trailer trucks may not be able to clearly see the overhead street sign over Route 309 at the intersection of Pope Rd /Chapmans Road due to lighting and utility wires in front of the sign.
- It was recommended by Mr. Hite for the Township to engage the Township Engineer to contact the sign department of PennDOT District 5-0 to install a W2-1 intersection sign and supplemental W16—8aP with “Pope Road and Chapmans Road” on the approach shoulder of Route 309 Northbound in advance of the intersection. This new sign would provide enhanced awareness of the intersection/roadway the trucks are attempting to find. This would also help trucks turning left, westbound, on Chapmans Road for the growing warehousing and industrial area of the Township.
- It was also determined that Huckleberry Road at Church Road would benefit from additional truck restriction signs at the approaches on Huckleberry Road to the Intersection of Church Road. The Township must be cognizant that trucks are not likely to use Church Road and instead will attempt to use Ridgeview Drive to maneuver back to S.R. 309.
- It is recommended that the current truck restriction sign on Church have a supplemental sign on both sides and moved close to the intersection for visibility.
- Examples of the relevant signage were provide in BOC packet for reference purposes.

Township Engineer provided the following scope of work that would meet the requests of Mr. Hite as follows:

- Provide a sketch with justification to PENNDOT for the installation of additional wayfinding sign for “Pope Road and Chapmans Road” in the appropriate location.
- Provide a sketch to the Township for the installation of additional signage in the appropriate location(s).
- Provide an analysis and documentation to the Township for the restriction of truck traffic on Ridgeview Drive from Walbert Avenue to Huckleberry Road.
- Provide an analysis of the intersection of Ridgeview Drive and Walbert Avenue to determine the effects of allowing trucks on Ridgeview Drive from Bulldog Drive to Walbert Avenue.

The fee for the above-referenced scope was confirmed by the Township Engineer as (not to exceed) \$5,400. The Township Engineer will invoice for their services on a time and expense basis for only those hours worked on the project, in accordance with the Township rate schedule.

Township is requesting to proceed with the Township Engineer corridor study in an amount not to exceed \$5,400.00 and then forward the results of said study to the attention and for the consideration of the PennDOT District 5-0 Executive.

Township Manager said this has been an ongoing problem with the trucks in this area. The Pidcock Company will be conducting the study. Time line is approximately one month to complete.

A MOTION was made by Commissioners Kelly and Roth granting Township Engineer to conduct the analysis as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

B. Motion for Permission to Transfer \$1,500,000 from the Water Fund to the Water Fiscal Stability Fund

(59:40) Mr. Petrucci explained the SWT South Whitehall Township administration is respectfully requesting to transfer \$1,500,000.00 from the Water Fund to the Water Fiscal Stability Fund. The Finance Department has confirmed that this transfer will not result in any cash flow issues (after accounting for all known and anticipated expenditures for the rest of the fiscal year and the beginning of the 2024 fiscal year). The current Annual Percentage Yield of the Water Fiscal Stability Fund is 5.64%, so the requested transferred amount of \$1,500,000.00 will result at this time in \$7,050.00 in additional monthly revenue. Assuming no interest rate decreases by the Fed in 2024, this will result in \$84,600.00 in annual additional revenue. The total balance of the Water Fiscal Stability Fund following this transfer is forecasted to result in ~\$263,000.00 in total 2024 revenue (again, assuming no additional transfers or emergency withdrawals or any interest reductions by the Fed). It is possible that a rate cut will occur by the Spring of 2024, per recent reports.

President Kelly thanked Mr. Petrucci for bringing this opportunity to the BOC.

A MOTION was made by Commissioners Hodges and Roth granting permission to transfer \$1,500,000 from the water fund to the water fiscal stability fund as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

C. Motion To Authorize a Capital Purchase of a Server for Video Surveillance and Access Control Systems.

(1:01:30) Township Manager Tom Petrucci explained that the Township has two servers which manage the video surveillance and access control for the Township and PD. One of the servers is over five years old and is no longer under warranty. In addition, the increase in camera coverage due to the recent renovation has reduced the overall time available to archive video (to around thirty (30) days). This is impacting how long investigations can be stored. The Township is seeking to extend this to around 90 days. The existing server has 42TB of storage and the new one would have approximately 120TB, which would allow for the additional storage capacity. The recommendation is to replace the existing server with a new server that includes a five-year warranty and additional storage to support current needs and allow for future expansion. Township did get a quote for the server in the amount of \$17,877.50 for the replacement of the server. This money was not budgeted for this year, but money is available under IT budget. Staff is requesting a motion to approve said capital purchase.

A MOTION was made by Commissioners Kelly and Roth approving said motion to authorize said capital purchase of server as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

D. Motion to Approve Codification Project for 2024.

(1:03:25) Township Manager Tom Petrucci explained that the SWT Code is current through October 19, 2022. Codification is the professional service to formally incorporate adopted ordinances into the Code of SWT—this includes online and hard copy. Following a review of this service last year, Township management staff is continuing with previous recommendation to initiate the codification service at the conclusion of each year. The proposal in BOC packet includes Ordinances 1068 through 1080. Estimated cost is between \$2,785 and \$3,615 for this service to be conducted by General Code. Best practice is to keep this current every year so that residents and staff have most recent code available.

A MOTION was made by Commissioners Kelly and Hodges approving codification project for 2024 as explained by Mr. Petrucci. All in favor; none opposed. Vote 4:0. Motion carried.

E. Motion to Approve South Whitehall Landscapes Plan Technical Consultant – Amount \$10,000.

(1:04:40) Chris Stroehler, Long-Range Planner, CDD, explained that as the BOC knows we have been working on the Landscapes Plan for several months. We are currently putting together the final draft plan. If the BOC recalls we had Michael Baker who helped with the public engagement of the CP and putting together the final documentation. Staff has been talking to the MB planning team regarding the Landscapes Plan—to finalize the document, laying out the final product of the plan, and providing graphic and document layout support. Now that the plan has been adopted and staff is working on implementation, Michael Baker International has provided the amendment to the original planning assistance contract, offering the following services:

- Creation of a “transect” graphic, outlining the Open Space Designations introduced in the plan to help visualize the differences, relationships, and considerations of each designation.
- Further development and characterization of the proposed Open Space Designations, including a one-page description of each for the final plan.
- Assistance with design and formatting of the final plan for consistency with the Comprehensive Plan, including graphic support.

Staff is of the opinion that additional professional support to further develop the Open Space Designations will help to better inform all Township departments and boards as to the purpose, function, and management considerations of different categories of open space. Staff believes that having a clear vision for open space categories will also help educate the public as to the Township’s open space preservation goals. A “transect” is best described as a tool to help visualize and understand how an environment varies from place to place. It cuts a cross section along a spectrum of environments to show scales of intensity. For example, this can show the transition from the natural to the built environment or in the case of this plan, the transition from more natural open space to maintained open space.

Although the Michael Baker International scope of services is presented as an amendment to the existing contract, this should be considered as a new agreement and will require the authorization of additional funding spent on this new scope. The total lump sum for the services offered is \$10,438.00 and if authorized, all deliverables are anticipated to be completed by the end of 2023.

Staff is requesting authorization to execute the attached amendment to the contract with Michael Baker International to complete the outlined scope of services for a total of \$10,438.00.

A MOTION was made by Commissioners Hodges and Roth approving the execution of a professional services contract with Michael Baker International, as outlined, for the creation of the transect graphic for the development of those Open Space Designations and assistance with layout of the final plan. All in favor; none opposed. Vote 4:0. Motion carried.

F. Motion to Authorize Ridge Farms Phase 1-A Improvements Security Release #1.

(1:09:50) Mr. Gregg Adams, Planner, CDD, explained that this project was approved at the April 6, 2022 BOC meeting. Applicant has secured \$3,570,877.33 in improvements. Plan recorded July 5, 2023, and construction started shortly afterwards. Some improvements have been completed. The Applicant has requested a release of security for the completed improvements. Township Engineer as well as Township Staff have conducted inspections and have documented the construction of the required improvements and are authorizing the release of \$239,103.48. Detailed documentation supporting release is on file.

A MOTION was made by Commissioners Roth and Kelly authorizing Township Manager to sign the security release letter to the financial institution as explained by Mr. Adams. All in favor; none opposed. Vote 4:0. Motion carried.

G. Motion To Authorize Penns Crossing Waterline Construction Improvements Security Release #1

(1:11:24) Gregg Adams, Planner, CD, explained this project was approved at March 2, 2022 BOC meeting. Applicant has secured \$287,382.34 in improvements. The applicant has completed a significant amount of the required improvements and has requested a release of security for the completed improvements. The Township Water and Sewer Engineer's office and staff conducted inspections to confirm and document the construction of the required improvements and are authorizing the release of \$175,363.64. The detailed documentation supporting the release is shown in the Security Release Certification. Detailed documentation supporting release is on file.

A MOTION was made by Commissioners Hodges and Kelly authorizing Township Manager to sign the security release letter to the financial institution as explained by Mr. Adams. All in favor; none opposed. Vote 4:0. Motion carried.

H. Motion to Authorize Long's Water Technology Improvements Security Release #2

(1:12:42) Mr. Adams explained Long's is located 1567 Hausman Road. Project was approved at the January 19, 2022, BOC Meeting. The plan was recorded on May 26, 2022, and construction commenced shortly afterward. The applicant had secured \$293,145.91 in improvements, of which \$184,019.95 was released February 15, 2023. This would be second release of security. Applicant has completed more of the required improvements and has requested a release of security for the recently-completed improvements. The Township Engineer's office and staff conducted inspections to confirm and document the construction of the required improvements and are authorizing the release of \$11,055.00. After this release, \$98,070.96 remains in place to secure the unconstructed improvements. The detailed documentation supporting the release is shown in the attached Security Release Certification. (Phase 2 of this project will be starting in the future, and that phase is also secure.)

A MOTION was made by Commissioners Hodges and Kelly authorizing Township Manager to sign the security release letter to the financial institution as explained by Mr. Adams. All in favor; none opposed. Vote 4:0. Motion carried.

I. Motion to Waive Land Development Requirement for Robert Ehle, Upper Macungie Township – Minor Subdivision

(1:13:52) Mr. Adams said this is an application to subdivide the property located at 6119 Haasadahl Road in UMT. Applicant wants to subdivide the 87.8565-acre property into 1) a 6.2128-acre lot containing the existing dwelling and guest house, and 2) an 80.8827-acre lot containing two sheds and two pole barns of which 12.3150 acres (approximately 15%) is within SWT. 0.7610 acres are proposed for ROW dedication in UMT. No improvements are proposed. The portion in SWT is zoned Rural Residential-3, and contains no occupied buildings, has no road frontage, and is not served by public water or sewer. This appears to have no impact on SWT at all.

Mr. Adams said Staff has no objections to this request. Applicant's engineer said the portion we are talking about, is open space, and there are two pole buildings in SWT. No development proposed whatsoever.

MOTION made by Commissioners Roth and Kelly to waive land development as explained by Mr. Adams and Applicant's engineer. All in favor; none opposed. Vote 4:0. Motion carried.

9. CORRESPONDENCE AND INFORMATION ITEMS

A. Boards and Commissions – Informational Items/Vacancies (1:17:20)

- The Finance Department wants residents to know that payments made on December 29th, will be processed until 10A. Payments made after 10A will be processed on January 2, 2024.
- Offices will be closed on Friday, December 22nd and Monday, January 1st.
- Gregg Adams wanted to advise that the Planning Commission has voted to change their meeting night beginning 2024. It will be moving from the third Wednesday of the month to the second Thursday of the month.
- BOC will meet on Tuesday, January 2nd for its Reorganization Meeting and conduct its regular business as well. There will be no meeting on Wednesday, January 3rd.

B. PA Walk Works – Grant Announcement & Press Release

(1:21:55) Mr. Chris Stroehler explained as one of the implementation items of the CP Staff talked about active transportation, which is any form of non-vehicular transportation, transportation safety—a safety analysis of our roadways, and the larger idea of having this all in a Transportation Plan which would guide Policy and potential projects. Staff has been looking at all the goals of these items and Staff is happy to announce we have received \$20,000 via a Grant through the PA Walk Works Program, through the PA Department of Health and the PA Downtown Center. This is to support the development of an active transportation plan. Along with this transportation plan, we will look at bicycling, pedestrian, all forms of non-vehicular transportation—we want to roll in transit and access to transit, and accessibility and connectivity for all of our users. This project is also dove-tailing into our safety action plan which looks at both non-vehicular and vehicular safety hazards, etc. and try to develop where we need to put emphasis in having safer roadways, with the idea of eliminating fatalities and very serious injuries. Mr. Stroehler said Staff is excited about this plan and are looking at proposals from consulting firms, planning & engineering firms to help put this all together. Looking to come to next meeting with more information regarding starting this plan in 2024.

President Kelly said this is excellent. She congratulated Staff for submitting and being awarded this grant. SWT was the only municipality in the County to receive this award—well done.

10. DIRECTION/DISCUSSION ITEMS

A. Solid Waste/Recycling Routing and Optimization Study (1:25:00)

Township Manager Tom Petrucci explained that the BOC previously directed management/staff to evaluate comprehensively the overall solid waste/recycling/yard waste program, by an independent services firm, including but not limited to the following: *(See complete details in the meeting packet.)*

1. Independent evaluation of alternative solid waste, recycling and yard waste programs.
2. Review by way of an independent analysis of the optimization of the solid waste/recycling collection system method, including number of collection days, collection routes, waste and recycling route workload, tonnages, and the various time metrics associated with collection, travel, units per day, and non-service time.
3. Recommended methods of discussing/increasing educational awareness of solid waste and recycling program alternatives.

In the interim time period, the enclosed scope of work was developed with SCS Engineers, which is a firm that, among other things, specializes in solid waste environmental assessments. The estimated cost of conducting a full study in accordance with the scope of work is \$70,900.00.

Separate from the enclosed proposal/scope of work, the Township has also confirmed that the Pennsylvania Department of Environmental Protection Recycling Technical Assistance Grant Program may

be utilized to support a comprehensive review of the yard waste program in an amount supported by PA DEP not to exceed \$7,500.00.

Mr. Petrucci explained they are not seeking official action, but seeking direction from the Board of Commissioners to ascertain whether or not the Board would be inclined to move forward with utilizing SCS Engineers for this professional service, recognizing that separate official action would be required to authorize the professional services contract.

President Kelly thanked Mr. Petrucci for the research done on this project. President Kelly said she is certainly in support of moving forward with this—the Board was in agreement. Mr. Petrucci said that to his knowledge, there was never a previous study of this sort done in SWT. There have been some studies done, with recorded outcomes using some of the components talked about—studies which can be found on the DEP website.

11. OLD BUSINESS – NONE.

12. COURTESY OF THE FLOOR - Public Comment on Non-Agenda Items – NONE.

13. MOTION TO AUTHORIZE PAYMENT OF INVOICES & DISBURSEMENTS (1:33:55)

A. Invoices and Disbursements

A MOTION was made by Commissioners Roth and Hodges to authorize the payment of Invoices & Disbursements. All in favor; none opposed. Vote 4:0. Motion carried.

14. EXECUTIVE SESSION

A. Scheduled Accordingly – NONE.

15. ADJOURNMENT

A. Motion to Adjourn – At 8:34 P a MOTION was made by Commissioners Hodges and Kelly to adjourn. All in favor; none opposed. Vote 4:0. Motion carried.

16. APPROVED: December 20, 2023. A MOTION was made by Commissioners Hodges and Roth to approve the December 6, 2023, BOC Meeting Minutes as presented. All in favor; none opposed. Vote 4:0. Motion carried.