



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

May 20, 2020

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

As this is a virtual GoTo Meeting, Township Manager Renee Bickel took a Roll Call Vote 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 Joe Setton
Commissioner Matthew Mobilio
Joseph A. Zator, Twp. Solicitor, Zator Law Offices
Anthony Tallarida, Twp. Engineer, The Pidcock Company
Renee Bickel, Township Manager
Randy Cope, Director of Twp. Operations
Steve Carr, Director of Finance
Chief Glen Dorney, SWT Police Department
George Kinney, Director of Community Development
Tracy Fehnel, Executive Assistant - Absent

2. PLEDGE OF ALLEGIANCE

- 3. NOTIFICATION:** All Public sessions of the South Whitehall Township Board of Commissioners are recorded. The recording is kept and posted to boarddocs.com until the minutes of the meeting are approved. Said recording is then destroyed if a request is not made to retain the electronic version at that time.

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

4. MINUTES

a. May 6, 2020 - BOC Meeting Minutes

A MOTION was made by Commissioner Mobilio, which was seconded by Commissioner Kelly, to approve the May 20, 2020 BOC Meeting Minutes.

Roll Call Vote taken as follows:

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

Motion carried.

5. ORDINANCES

a. Advertised for Possible Adoption - Motion Requesting Permission to Advertise - An Ordinance Amending Chapter 304, Article III (Street Excavations) Of The Codified Ordinances Of South Whitehall Township To Permit An Applicant To Request A Waiver From The Provisions Of Section 304-26(J), And To Provide For Severability, Retention Of Rights To Enforce, Repealer And An Effective Date

Tom Harper, Enforcement Program Manager for the Township explained that this Ordinance will allow Applicant to seek relief from the street restoration work that is required in Chapter 304, Article III, Section 304-26(J). This section determines the amount of milling and paving restoration that needs to be done based upon the number, size, and location of street cuts by the contractor/applicant. This could lead to a small area or the whole street needing to be restored. This amendment will create a new subsection 304.26 (N). In this subsection, applicant will be required to present their waiver request for relief to the BOC, at which time the BOC during their waiver review process, with the criteria set forth in the amendment, will then make their decision. This waiver does not relieve the applicant of complying with any other requirements of Section 304.26.

No questions by BOC or Public.

A MOTION was made by Commissioner Kelly, which was seconded by Commissioner Setton, to move forth with the adoption of the amended ordinance as explained by Mr. Harper.

Roll Call Vote taken as follows:

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

Motion carried.

The BOC next went to Agenda Item 7-A, UGI – Request for Waiver.

6. RESOLUTIONS

a. A Resolution Granting Final Approval to a Major Plan Entitled "Hotel Hamilton"

George Kinney, Director, Community Development Department, explained that this is a request from Hotel Hamilton LLC (Owner/Applicant) to construct a 4,084 square-foot bank, a 14,562 square-foot pharmacy and a 100-room extended-stay hotel. The proposal includes 192 parking spaces and the commitment to retain the existing King George Inn. The tract is zoned Highway Commercial HC.

- February 3, 2016 – The Board of Commissioners granted Preliminary Plan approval (Resolution #2016-22). One-year extensions for the project were granted in 2017, 2018 and 2019. Pursuant to this approval the Commission granted three (3) waivers as follows:
 - ✓ Waiver of requirement to locate sidewalks within a street right-of-way line. Due to stormwater improvement needs, the Commission authorized the sidewalk location outside of the right-of-way line and as shown on the preliminary plan at the time.
 - ✓ Waiver of driveway centerline location. The Commission authorized the centerline of a driveway to be closer to a street intersection than three hundred (300') feet and as depicted on the preliminary plan at that time.
 - ✓ Waiver to exempt establishing the ultimate right-of-way. The Commission waived the need for applicant to establish an ultimate right-of-way for an arterial street in favor of the right-of-way noted in the preliminary plan at that time.
- February 20, 2020 – The Planning Commission unanimously recommended Final Land Development approval subject to twenty-four (24) conditions and one additional (1) waiver as follows:
 - ✓ Request to waive requirement for showing street trees, easements, and rights-of-way within 400 feet of the tract. The Planning Commission recommended approval citing the detail provided in the final plan is sufficient.

There was no Zoning Hearing Board action as the plan is compliant with zoning provisions and no zoning relief was necessary.

- The lengthy delays related to this project have been primarily due to stormwater issues and the pursuit of mitigation strategies. It appears the applicant has worked through those matters and is recommending an on-site solution. It should be noted that the proposed stormwater system is designed such that it would tie into a proposed PennDOT culvert replacement project for this area once constructed.
- A proposed use/tenant for the King George Inn has not been identified but would be evaluated pursuant to zoning at such time.
- The Planning Commission noted that this property continues to attract parking for commercial vehicles. The Board of Commissioners may want to suggest that the applicant become more vigilant in the removal of those vehicles in the future.

At this point in the meeting, George Kinney turned the meeting over to the Applicant to present. Bud Newton, Project Engineer, Attorney Bill Malkames, and Mr. Atul Patel were all in attendance to present.

Bud Newton said this was started back in 2015, and this is probably the first project under the historic overlay ordinance, with the intent to save the KGI, which Mr. Atul Patel has done a nice job or restoring it back to some of its original condition. One of the problems which held them up was the drainage across the site. One of the objectives they had since the start

of this project was to provide an easement and conveyance facilities that PennDOT could tie into. We are running a culvert across the entire length of the site, which will discharge onto our property, and then go into the downstream system on the Cedar Point Shopping Center. We are ready to move ahead with the project. We will be replacing the sanitary sewer across the site. We've come up with a way to collect the water which comes across Cedar Crest Boulevard—we will have a concrete culvert, which will have a grading system on the top of it for safety reasons—can drive/walk over it. Mr. Newton did show a rendering of what the site will look like, with sidewalks, trees, etc. He feels we have a really good project here, due to working with Staff, Twp. Engineer, and Solicitor Zator's Office.

Mr. Newton explained that PennDOT had some concerns with regard to traffic exiting the site—making a left turn onto Cedar Crest Boulevard. They did require that we restrict this exit to no left turns—right turns only. That is why we have the concrete median in there. As a result of discussions with the Planning Commission, we moved the truck entrance, the first left in, off of Hamilton Boulevard, between the bank and the retail building.

Township Engineer, Tony Tallarida, explained there will be multiple signs to be placed at the entrance on Hamilton specifying “do not enter”, “wrong way”, “one way”, “exit”, things like that. Mr. Newton added by saying the geometry was changed there so that there was a configuration with channelization, which will lead people in the proper direction. They designed the intersections off of Hamilton and along Cedar Crest; they are channelized/angled in such a way to encourage the vehicles to go in the direction you want them to go. This is part of the reason we did the one-way driveways also. Coming down Hamilton from Cedar Crest, the first driveway is a left in. The second driveway is a left out. The third driveway is a left in, on the far side of the Hotel, and there will be substantial signage to help with that.

Mr. Newton touched on the future of the KGI. As of now it has been restored as best as we can. Looking at the possible adaptive reuse of the building. At the present time, no potential users. The facades of the building facing Hamilton and Cedar Crest will not be changing. We will adaptively reuse it, which will make it ADA compliant. Mr. Newton advised that Mr. Patel wanted to wait until he had final approval of the plan before he did any marketing.

A MOTION was made by Commissioner Kelly, which was seconded by President Morgan, to approve the above-mentioned Resolution, granting final approval to a Major Plan Entitled “Hotel Hamilton”.

Roll Call Vote taken as follows:

Commissioner Wolk: AYE

Commissioner Mobilio: AYE

Commissioner Setton: AYE

Commissioner Kelly: AYE – Commissioner Kelly thanked the developer for the beautiful restoration of the KGI.

Commissioner Morgan: AYE

Motion carried.

President Morgan congratulated Messrs. Patel, Newton, & Malkames, and said that she knows this has been a long time in coming. She feels it will be a beautiful enhancement to that corridor. She thanked them for all their hard work.

b. A Resolution Amending Resolution No. 2019-29 which Granted Final Approval to a Major Plan Entitled "Crackersport Road and Eck Road Warehouses" Granting an Additional Waiver Pursuant to SALDO Sections 312-13(f)(3) and 312-43 (Major Plan 2017-104)

President Morgan said that Agenda Item 6-B has been TABLED and will be on a future BOC Agenda.

c. A Resolution In Support Of South Whitehall Township Board Of Commissioners To Work With Lehigh County's State House And State Senate Delegation To Further Investigate The Plan Set Forth Called "SR 20-01 Regional Prosperity District"

Mark Pinsley, Lehigh County Comptroller, was in attendance to present with regard to this resolution as follows: Mr. Pinsley explained that this has been on their website for a few weeks now "What is the Regional Prosperity District?" He said that we are seeing the difficulties on both businesses and residents due to the COVID event/economy. This is multi-fold—to provided money to the county, and to provide money to the Regional Prosperity District—which includes the zoo, the arts, anything part of the creative economy, and then 50% of the money would go to municipalities. The goal of the resolution is to get support for a working group. We are very early on in the process—but, what are alternatives to the property tax, as well as other taxes that may be coming due to the COVID economy. There are limited resources to help the municipalities. Federal government has slowed their ability to help state or local municipalities. This is simply forward thinking with regard to what we can do for our residents and municipalities. He was here this evening to answer any questions, and then hopefully get South Whitehall's vote to support this, and also have someone to join the working group for this Plan—SR 20-01 Regional Prosperity District.

Mr. Pinsley gave the example of how this worked in Allegheny County, when they issued a 1% sales tax, which they used in lieu of increasing property tax, which is good for those on fixed incomes or the poor.

Commissioner Mobilio said he has looked into this. He said that in PA, regarding property taxes Pennsylvanians have had a tough go of it for quite some time. Now is the time for creative ideas. We are now looking at an unknown economic future. Doing things the way we've always done and doing business as usual is probably the worst thing we can do now given our economic climate. Next year we will not be getting the same amount of money across the board as we have in the past. We need to ask ourselves, can we do a property tax freeze and help stimulate and make sure our community is not only surviving, but thriving? While I do not support any increase in taxes, I love the idea of getting local leaders and officials, including state representatives and state senators on board with this problem. There is not a solution to this problem. I fully support us getting people in a room to

brainstorm this and come up with ideas. I will not agree to signing on to any which way as far as tax increases are concerned. We need to make sure we are benefiting the residents, as well as coming up with a plan. He asked for clarification, if all we are voting on is getting people in a room to discuss? He said that getting a lot of people in a room to discuss—you can't go wrong with that.

Mark Pinsley said yes, we would be voting on a discussion, not a tax—being part of the discussion.

President Morgan said that we cannot sit back and wait for our state, or federal government to do something. We need to start taking care of things from the ground level up—if we get extra support from a state or federal level, that's great. But, we cannot just rely on that. She said we need to be proactive so that we become more sustainable, especially in light of the pandemic. She agreed with Commissioner Mobilio and said it will be great to get a bunch of people in a room to brainstorm, and have a think tank on what we can do that will have as little impact as possible on our residents, but ultimately support them and make our community sustainable for the long haul.

Mr. Pinsley explained that reaction by other municipalities in the Township to date has been very positive.

Commissioner Mobilio said his intent is that he would not sign on to something, unless it is handled as a bi-partisan issue. This is something for both sides to be involved in. He stressed any municipalities that are involved should see this as a bi-partisan issue.

Mr. Pinsley explained that ultimately a decision will be made at the State level, so this is support for a document that would potentially be sent to the State—the State is primarily republican at this time. This would have to pass through the Republican House and Senate.

Mr. Pinsley said he has not talked to supporters at the State level as of yet, because he said if we do not get the support at the local levels first, there is no point going to the state level, but there is support at the county level—those who want to be involved in the working group.

The Resolution is a show of support for the discussion to take place on this issue—to see if we can come up with solutions at a local level.

Resident Lee Solt asked if municipalities would be able to make the decision as to what to do with any monies received from this? Mr. Pinsley said he would support the municipalities being able to make that decision themselves—they could actually make a decision to use these monies to lower property taxes if they so choose. Mr. Solt said he hates to see things always go back to the responsibility of the taxpayer to foot the bill. He does not want to see that happen.

Commissioner Wolk asked—How do we get feedback in the Township with a short turn-around. How do we do this?

President Morgan said we would get a group together first, in order to decide how we would do this; then pull in public input to make sure residents were involved.

For the record, Commissioner Mobilio said he would not support any plan that raises taxes without having some mechanism by which we can lower other taxes or stabilize taxes.

Mr. Pinsley said the goal of this proposal is to provide alternate methods.

A MOTION was made by Commissioner Mobilio, which was seconded by Commissioner Setton, to move forward with the development of a working group for further discussion and investigation to talk about the concept of regional prosperity district--“SR 20-01 Regional Prosperity District” as presented by Lehigh County Comptroller, Mark Pinsley.

Roll Call Vote taken as follows:

- | | |
|-----------------------|---|
| Commissioner Wolk: | NO – Commissioner Wolk thanked Mark Pinsley for his leadership in doing this. He would like to look at this closer. It isn’t that he wouldn’t or couldn’t come back and support this in the future. |
| Commissioner Mobilio: | AYE |
| Commissioner Setton: | AYE |
| Commissioner Kelly: | NO – Commissioner Kelly is not going to support this at this time. She went on to say that she feels very unsure as a commissioner in her first term, while we are in COVID, and she wants to be super protective of our citizens tax-wise, because we are not on the other side of this. |
| Commissioner Morgan: | AYE – Commissioner Morgan said that—I am voting yes for the opposite reason, which I feel shows initiative to try and look at ways to manage taxes and costs. |

Commissioner Mobilio addressed Mr. Pinsley and said that because we are currently in unprecedented times, now is the time to be bold and look for new ideas. It’s not the time to hide under a rock until this passes us. We need to get out ahead of this and he feels creating a working group to just talk about it, there is literally no harm in it.

Motion carried.

President Morgan thanked Mr. Pinsley for all his hard work and presenting this evening. She went on to say that said that between Commissioners Mobilio and Setton, and herself, they will figure out who would best represent, a combination of different people, as far as a representative for discussion group.

Mark Pinsley, Lehigh County Comptroller, thanked them for their support in this matter.

7. MOTIONS

a. UGI – Request for Waiver

Randy Cope, Director, Township Operations explained that this coincides with what we just adopted in Agenda Item 5-A. We met with UGI, and then staff met to discuss what would be a happy medium for both parties (residents & utility people).

Hugh Gallagher, President & CEO, AmeriGas Propane, UGI Corporation, was in attendance and presented as follows: Hugh presented a Project Overview Map—"Get Gas Bungalow

Park". Currently the Bungalow Park area has no gas main in front of it, which is the area they are looking to extend their facilities into in order to give residents the option of receiving natural gas.

GET (Growth Extension Tariff) Projects

- UGI pays for installation of gas main in front of prospective customers home
- 12-year project lifecycle for residents to hook up at their convenience
- Customers may pay up front hook up fee or pay a rider on their bill
- Projects must meet a minimum profitability requirement. This is fundamentally different than our Replacement & Betterment Program
- Restoration costs can drive a project to be cancelled

Project Statistics

- Project is 5,100 linear feet long of 2' plastic gas main
- Offers natural gas to 75 new parcels
- Public right-of-way is 60' wide, road width is typically 30' wide
- 15' wide area available off road edge, gas could be installed and still have room for trees to be planted 5' or more away
- Horizontal Directional Drill method of installation, grass cuts proposed when crossing other utilities
- Strong interest from residents for the project
- If required to install within the street the high of restoration/mill & overlay costs would push this project out of the acceptable range

Commissioner Mobilio wanted clarification as follows: If you are granted this waiver, will this allow you to put the gas lines in on residential property that is within the rights-of-way regardless or not if that resident wants gas or not? Hugh said that is correct.

Commissioner Mobilio asked that we hold off making a decision on this item. He would like to give Residents the opportunity at our next meeting to voice their feedback and ask questions with regard to this particular UGI project and the impact it would have on them. President Morgan & Commissioner Kelly both agreed with this suggestion, and that this be on the next agenda as stated by Commissioner Mobilio.

President Morgan summarized by saying it is the consensus of the BOC to hold off making a motion on UGI's – Request for Waiver at this time, and revisit this on the next BOC Meeting Agenda (June 3rd) in order to offer Residents an opportunity to speak, or even call in before the next meeting, to have any questions they may have answered.

Mr. Gallagher thanked the Board for their time this evening.

b. Motion to Proceed with Engagement of Granicus for Website, Agenda Management, and Video Streaming

Township Manager Renee Bickel explained that over the past several months the Web Redesign Team—Renee Bickel, Randy Cope, Dave Manhardt, and Tracy Fehnel have been working and re-evaluating different vendors; initially started out evaluating website vendors, but in that search for website vendors, we found different vendors who provide a complete communication system, a complete total government solution, that incorporates website, along with agenda management, and provides a package that incorporates and allows us to communicate in a much more efficient and quick manner with the residents of SWT. Renee

explained that representatives from Granicus are in attendance. Essentially we would like to engage and move forward with Granicus, which would include a website redesign, a new agenda management software, video streaming, and ways to search things, which will take you to direct spots in video, etc.

The expense for Granicus—there is a first year, one-time fee and some subscriptions, for an approximate total of \$21,200, which would be our first-year expense. Subsequent years will be comparable to what we are currently paying for our website and boarddocs software. At year five of engagement, we will only be 17% over what we are currently paying, and again that includes the third solution, which is video.

When we did the analysis, there were 14 different criteria we utilized in evaluating the different vendors. See packet for details. However, we did hear you and “ease of citizen use” and “ability to find information easily/quickly” were a major factor in recommending Granicus. Randy Cope added on that, from the back end of this, ease of updating for whatever device you are using is a key element that makes this software nice.

Dustin Brinkman, Director of Sales for Granicus, went through his presentation. He went over Priorities vs. Results, which included SWT’s initiatives, Granicus Solutions to those initiatives, and Proof of Results. They currently have presence in the Federal Government all the way down to smaller municipalities.

The current transition will be a phased approach. The Agenda Management/Video will have a project management team to take them through that. That process will move forward as we are building the website, which runs between six to eight months. The process is incredibly well vetted out. We have done thousands of these projects. This will be rolled out to your community in the most effective way.

Township Manager Renee Bickel explained that this software will integrate with Munis and Water Smart.

President Morgan said that from a municipal and government standpoint, you’re on point with the needs of local government, which is exactly what we have been looking for. This will be a long-term benefit to our community and our residents.

MOTION made by President Morgan, which was seconded by Commissioner Setton, to move forward with the Engagement of Granicus for Website, Agenda Management, and Video Streaming

Roll Call Vote taken as follows:

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

Motion carried.

- c. A Motion To Allow The Public Works Department Of South Whitehall Township To Mutually Cooperate With And Provide Mutual Assistance To The Public Works Departments Of Upper Macungie Township; Lower Macungie Township And North**

Whitehall Township In The Form Of Vehicles, Equipment, Materials, Services And Manpower Should Situations Arise Whereby The Cooperating Townships Request Assistance Due To Emergencies, Disasters, Shortages And/Or Other Situations Where The Director Of Operations Determines, In His Discretion, That Providing Such Assistance Or Services Will Not Over-Burden The Township Or The Public Works Department

Township Manager Renee Bickel explained that this came up from a conversation with Township Managers from NWT, UMT, LMT, and herself, as we all entered the COVID Pandemic. Question came up—What happens if someone tested positive for something and it took out the entire sewer department? Would SWT be willing to help out in an emergency and send manpower? Renee explained that we currently have done a lot of collaboration with other municipalities over the years, but each municipality wanted to put a motion on their agenda to say that we would agree to help each other out if the need arose in an emergency. The conduit to do this would be our Director of Township Operations, Randy Cope, who would have the ability to make that determination.

NWT and UMT have already passed this on their agendas. LMT will be doing this in June. This is saying we are willing to help each other out in the event of an emergency.

From a legal standpoint what are the ramifications to the Township? Solicitor Zator explained that the intent of this is that if there is a specific project where we might have the possibility to exposure to damage—for example, we send our crew to go open a sewer line using our camera system. In those instances, there will be more formal action taken at that time. However, this is a motion formalizing something that has been going on between surrounding townships for quite some time.

Renee explained that we would never turn over our equipment to the other townships—we would be the operators of our own equipment. A larger project would definitely involve a formal agreement ,which would be entered into and brought to the Board.

MOTION made by Commissioner Kelly, which was seconded by Commissioner Setton, granting approval to move forward with this cooperative effort as discussed above.

Roll Call Vote taken as follows:

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

Motion carried.

8. CORRESPONDENCE AND INFORMATION ITEMS

- a. **Public Notice - Planning Commission Meeting, Thursday, May 21, 2020, 7:00 p.m.**
- b. **Public Notice - Zoning Hearing Board Meeting, Wednesday May 27, 2020**
- c. **Police Chief - Statistics Report**

Chief Dorney explained that due to the COVID pandemic, numbers are down significantly. In the month of April, handle 657 calls vs 1,013 in 2019. 197 EMS calls, many of which were COVID related. We are very diligent with the PPE we are wearing in light of this pandemic. UCR dropped to 45 for the month vs 116 in 2019. Only had 9 arrests for the month vs 56 in 2019. In the last two weeks, you can tell public activity is dramatically beginning to pick up. Public has been doing a great job with quarantining and cooperating with us during this pandemic. Kudos to them.

President Morgan took the time to express her appreciation to our Police and Public Works Departments who have been out there during this pandemic. A big thank you to all of them.

d. Township Engineer - Status Report

Tony Tallarida said there has been a steady flow of land developments submissions into the Township. Many are resubmissions, in a cleanup phase. We are also beginning to see that construction is starting back up again, with everyone following their COVID policies.

9. DIRECTION/DISCUSSION ITEMS

a. Open Space and Fee in Lieu of - Continued from last agenda

Commissioner Mobilio said before we get into the discussion for Agenda Item 9-A, he wanted to bring to the attention of the Board, a request from residents, David and Lori Eisenberg, who live off of Winchester Road. They have a concern regarding sidewalks between Red Maple Road and Deerfield Drive, along Winchester Road. Would like to have the appropriate staff members take a look at this—realizing it is first the homeowners' responsibility, followed with the Township having secondary responsibility. George Kinney, Director, Community Development Department, said he will get this information to Tom Harper immediately for handling.

President Morgan said the question is—Should we be bringing the Open Space and Fee in Lieu of decisions/discussion before the BOC at a much earlier stage? We have a lot of recommending bodies all of which are involved in this process. I checked to see if we have had a history of issues—and we have not. In her opinion, she believes the process is there for a reason. We have very intelligent people who review all of this information in detail. For the BOC to get very involved in it at the beginning could create a lot of confusion and stir. She went on to say that she does not have a problem with, once the P&R Board makes a recommendation, that their recommendation goes in the BOC packet for informational purposes. However, if the BOC has a question, comment, or issue, I don't believe it should be something we are discussing at that point, at a public meeting—because at that point, the developer needs to be included. Any questions should go to the Township Manager, who in turn will forward it on to where it needs to go—the correct recommending body. I can't agree to changing the process to have the BOC intimately involved with it at the beginning of the process. She stated this is just her opinion regarding this matter. Also, she went on to check that legally we are absolutely following our SALDO.

Commissioner Wolk said for the very large developments, we may need to ensure that the BOC is involved in the viewpoint very early on—to be practical and reasonable in what we are doing.

For the purposes of those who are listening to this meeting, Commissioner Mobilio wanted to advise that the Board of Commissioners are the ultimate authority on this issue. Whether we are the first or last line of defense, we make the ultimate decision. Currently we are the last line of defense, and we rely on those experienced individuals from other committees and boards to look at the various issues and provide guidance. He does not want it misconstrued that things are put on the table without us having the opportunity of knowing what those recommendations are, or that somehow we are bound by what those recommendations are. By the time this information gets to us, it has passed through many different levels and has had to go through many iterations for recommendations, adaptations, and when we get it, it has been thoroughly vetted. I am satisfied with the process and confident it works well.

Commissioner Kelly thanked each for their comments. I understand if you don't want to support what I had suggested to the Board regarding our ordinance that land dedication is a legislative decision. We can certainly take that step Commissioner Morgan that you recommended that after P&RB sees it, that we can have their recommendation in our packet. Maybe we can begin to understand the process more with this new board moving forward and have further discussion as we move along.

Commissioner Setton feels the appropriate people are looking at this information in this process, which is the right thing to do. He went on to say that generally speaking open space is what we want. Anytime we can get open space that is substantial, it is good for us. He's all for that and he feels most people in the township would agree with that. And, he feels that is what the Township is doing, which has his full support.

President Morgan said it sounds like the consensus is to keep the process the way it is. We will continue to watch it, and certainly Commissioner Kelly, we want to continue to educate the Board on this process and how it works and address concerns. The recommendation from the P&RB can certainly be put in the BOC packet for informational purposes only, but not something we have a conversation about without the proper individuals included at a public meeting. Questions go through the Township Manager Renee Bickel so that they get funneled through the proper channels.

There were no other questions/comments by the Board or the Public, so President Morgan said at this time we can put this matter to rest.

10. OLD BUSINESS

a. Wehr's Dam Status

Township Manager Renee Bickel said that there has been no change. We are still in the permitting process.

Before discussing Wehr's Dam further, she wanted to bring to the Board's attention something Advanced Disposal asked her to. We have agreed to change some residents' trash pickup day from Thursday, to new day of Wednesday, because Thursday is their busiest day with the new development on Walbert Avenue—this change will help even out their service routes. This will affect 246 residents, who will have a change in day of trash pickup, and they will receive a notice, which will be put on their trash bins.

(Back to Wehr's Dam discussion.) Commissioner Mobilio mentioned his concern with the last referendum, in that it allocated certain dollars to Wehr's Dam, without forecasting what the ongoing maintenance costs were going to be. He does not want to spend the maximum amount of dollars to maintain Wehr's Dam that we are allocating. He agreed with Mr. Pinsley's suggestion that this money be released into the general fund, but does not know how this is done. The referendum was a vote by the residents to restore the dam, without an expectation of what dollars are needed to maintain it in the future. There are no grant dollars to support it—the State does not support dams, there is no money to support it, and it is coming out of the taxpayers' pockets.

Finance Manager Steve Carr said what we are looking at is—What is PA DEP going to tell us to do to the dam? That is the question. That factor will determine the cost. We have estimates on fixing the dam, which are well north of \$1M; however, there could be other fixes that could be more or less than that. That is all unknown, until such time we hear back from the State.

Township Manager Renee Bickel said the Referendum was for \$600,000; the initial cost back after that referendum is well north of that number, because of the PA DEP requirements. For several years, the Township put \$50,000 into an account. We know it will be much more than \$600,000 to fix. The referendum allows for the Township to go into debt up to \$600,000 to fix the dam. Regarding Grants, there are grants for removal of dams, but not for repair/rehab of dams.

Question – What would have to be done to release the \$200,000 which has been set aside for Wehr's Dam into the General Fund? Renee explained nothing has to be done. That was a choice made by the prior Board to help fund that. The money set aside in fiscal stability has no play on the referendum. Solicitor Zator said that is correct. What was voted on in the referendum is called "electoral debt".

President Morgan explained that the \$200,000 was money set aside for additional costs, above the \$600,000.

Township Manager Renee Bickel explained that since the referendum passed, we have been working with the engineer, and the PA DEP application is in. They take 12-18 months to come back once application is submitted. We have no idea if they will approve or deny our permit—it is still in the permitting process. The PA DEP is considering it a rebuild, where we are considering it a rehab. So, that will be the cost differential.

Solicitor Zator explained that currently the PA DEP, based upon its own inspection of the dam, considers the dam to be deficient, and it must be repaired. This permitting process will determine the extent of the mandatory repair. Ultimately, once we are through this

permitting process, we will have no choice but to repair it. That day is coming. We just don't know when that day is or what that price tag will be. Just letting the dam alone is not a possibility. It will have to be addressed per PA DEP requirements. There are two choices: It is either repaired or removed.

Steve Carr said the \$200,000 is restricted to Wehr's Dam—it is in a fiscal stability fund, producing interest. A decision was voted on by the prior board to do this. So if you want to release the restriction off the \$200,000, it would require a motion by the Board to do so—to release the Wehr's Dam restriction. It would then become just fiscal stability monies that would support the general fund anyway—if that is what you are looking to do.

A MOTION was made by Commissioner Mobilio to release the Wehr's Dam restriction on the \$200,000 that was set aside for Wehr's Dam so that it can be used in the General Fund.

Question – what is the law that governs a decision like this?

Solicitor Zator said that if you are looking for a legal conclusion, he would need to look into this first.

Township Manager Renee Bickel said that if the Board so desires, we can look into this and the place this on the next agenda for further discussion.

President Morgan said there is a MOTION on the floor to release the restrictions on the \$200,000, being held for Wehr's Dam, that is independent of the referendum money voted on by the SWT Residents. MOTION on the floor by Commissioner Mobilio.

Commissioner Setton said that he loves the Wehr's Dam/Park, and feels it is a jewel of the Township. He does understand Commissioner Mobilio's point of view on this matter, and therefore, seconds the MOTION.

Roll Call Vote taken as follows:

Commissioner Wolk:	NO	- Commissioner Wolk went on to say that he agrees with Mr. Pinsley's request. He appreciates Commissioner Mobilio's point of view on making the change; however, he feels Solicitor Zator should look into this first—it would be prudent to hear his advice at the next meeting, before voting on this.
Commissioner Mobilio:	AYE	
Commissioner Kelly:	NO	
Commissioner Setton:	AYE	
Commissioner Morgan:	AYE	- Steve Carr, Finance Director, confirmed that the total will be \$150,000 that the restriction will be removed from.

Motion carried.

b. Campus Renovation Project

Steve Carr, Finance Director explained that the renovation project is back on at full bore now. Things are starting to take shape.

Received this evening an updated report from Boyle, which will be forwarded to the Board. We had a \$500,000 reserve built into the project pricing, which we have used about \$95,000 during this demo phase, which is usually the most costly phase of a project. We are actually

in a fairly good position from that standpoint. Regarding the time schedule – At the beginning of this project, we were ahead of schedule, and then with COVID, we lost the time we had gained—and now back on track with the initial plan. We are hoping end of 2020/beginning of 2021 we will be back in our building, servicing the residents of our Township.

Commissioner Wolk thanked Steve Carr for the great job he is doing with his financial management job, updates while in COVID, and managing the campus renovation project, as well.

c. **Credit Cards** – Due date of June 30th.

11. **COURTESY OF THE FLOOR**

Lee Solt – SWT Resident. Playgrounds, developments, Open Space – Could we ask a developer to incorporate a playground into these developments as a requirement, to lessen burden to the Township? Commissioner Mobilio said there are a lot of things to take into consideration. It's not something that you would do for all developments, for example if it is a 55+ community, or maybe they are putting in luxury apartments for singles, etc. This might add a whole other level of bureaucracy to the Township that we may not be ready for yet. Also, we cannot make one developer do one thing and not another.

Commissioner Wolk thought in the case of Ridge Farms, Lee Solt's suggestion is a good idea in general. Ridge Farms – 130+ acres, 46 acres of open space. 17 acres of usable open space. He didn't recall seeing one playground on the plan. Here is a situation where he feels Lee Solt's idea is applicable.

Joe Setton said that he believes the Open Space is dedicated to the Township. Thus, the Township can make a determination as to what they want to put there.

Lee Solt said he just wanted to put this thought out there, just to think about, and perhaps save the Township some money in the long run.

Commissioner Kelly thanked Lee for bringing this to the Board. Perhaps we can do some research to see what other communities are doing towards this end, to see if this has ever been done before.

Solicitor Zator said that typically regarding amusement type things/playgrounds that get put in, typically it is a combination of things—land dedication, land set aside, and fee in lieu of. Then the request is made by the Township; a developer instead of giving cash to the Township, could spend that money on playground equipment. That's how it gets there. Normally it is not cash + playground equipment, because the ordinance establishes "x" number of dollars per unit. Most developers do not care if they pay cash or set it aside for playground equipment.

President Morgan thanked Lee for his comments. She explained that additionally, the Township needs to be very careful with regard to strategic placement of playgrounds due to the upkeep/operational standpoint. Also, we have a lot of pocket parks in the Township, some of which do not get used, so sometimes we are better off keeping it as open space.

She went on to say that Mr. Solt has definitely sparked some thought, and this may be something we can take a closer look at as we move forward.

Brian Hite - Asked what the timeline of roadway improvements was with regard to a development under construction. Township Engineer, Tony Tallarida answered this question, as it related to Brian's inquiry.

There were no other COF at this time.

12. PAYMENT OF INVOICES:

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

Roll Call Vote taken as follows:

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

Motion carried.

13. EXECUTIVE SESSION: No executive session after this meeting.

14. ADJOURNMENT: At 10:44 p.m. a MOTION was made by Commissioner Kelly, which was seconded by Commissioner Mobilio, to adjourn. All in favor; none opposed.

15. APPROVED: June 3, 2020 - A MOTION was made by Commissioner Setton, which was seconded by Commissioner Mobilio, to approve the May 20, 2020 BOC Meeting Minutes.

Roll Call Vote taken as follows:

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

Motion carried.
