



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

August 15, 2018

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

Attendees: Commissioner Christina (Tori) Morgan, President
Commissioner Glenn Block, Vice President
Commissioner David L. Bond, Assist. Secretary
Commissioner Matthew J. Mulqueen
Commissioner Mark Pinsley
Joseph Zator, Twp. Solicitor, Zator Law Offices
Amy Snyder, Twp. Solicitor, Eckert & Seamans
Ralph Russek, The Pidcock Company
Renee Bickel, Township Manager
Randy Cope, Director of Twp. Operations
Steve Carr, Interim Director of Finance
Jeffrey Clapper, Public Works Manager
Glen Dorney, Chief, SWT Police Department
Jason Negron, Captain, SWT Police Department
Lenore Horos, Director of Risk Mgmt. & Contracts
George Kinney, Director of Community Development
Tracy Fehnel, Executive Assistant

2. PLEDGE OF ALLEGIANCE

3. NOTIFICATION: All public sessions of the South Whitehall Township Board of Commissioners are electronically recorded. The electronic record is kept until the minutes of the meeting are approved and destroyed if a request is not made to retain the electronic version at that time.

For the record, President Morgan advised that the Board met in Executive Session on Tuesday, August 7th, to discuss legal matters.

4. MINUTES:

a. July 11, 2018 – Board of Commissioners’ Meeting Minutes

A MOTION was made by Commissioner Block, which was seconded by Commissioner Mulqueen, to approve the July 11, 2018, BOC Meeting Minutes. All in favor; none opposed; Commissioner Pinsley abstained because he was not at this meeting. (Vote: 4-0).

b. July 18, 2018 – Board of Commissioners’ Meeting Minutes

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, to approve the July 18, 2018, BOC Meeting Minutes. All in favor; none opposed;

Commissioners Bond & Mulqueen abstained because they were not at this meeting. (Vote: 3-0).

5. **ORDINANCES:**

- a. **An Ordinance of the Board of Commissioners of the Township of South Whitehall, Lehigh County, Pennsylvania (The Township), Authorizing and Directing the Issuance of its General Obligation Note, Series of 2018, in the Aggregate Principal Amount of \$2,400,000 (the "2018 Note" or "Note") Pursuant to the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, as Codified by the Act of December 19, 1968 P.L. 1158, No. 177, as Amended and Supplemented; Providing the Proceeds of the Sale of the 2018 Note Shall be Applied to Carry Out the Township's Acquisition Project ("Acquisition Project") and to Fund Certain Capital Projects ("Improvement Projects"); Making Representations Regarding the Amortization of the Note; Determining that such Sale Shall be a Private Sale by Negotiated Bid under the Act, and Determining that the Note Shall be Nonelectoral Debt of the Township; Fixing the Interest Payment Dates, Denominations and Registration, Transfer and Exchange Privileges of the Note; Setting Forth the Maturity Dates, Principal Maturities and Current Interest Rates of the Note and Establishing a Required Schedule of Payments with Respect to the Sinking Fund, as Hereinafter Established, in Order to Amortize the Note; Establishing the Redemption Provisions of the Note; Accepting a Bid for Purchase of the Note and Authorizing Execution of Such Acceptance by an Appropriate Officer of the Township; Designating a Paying Agent and Registrar; Designating a Place and Method of Payment of the Note and Interest Thereon and Making Certain Covenants with Respect to the Tax Free Status Thereof; Establishing the Substantial Form of the Note Authorizing Execution and Authentication of the Note; Providing for the Registration of the Note, the Maintenance of Records of Registered Owners and Transfer of the Note; Covenanting to Pay the Principal of and Interest on the Note and Pledging the Full Faith, Credit and Taxing Power of the Township to such Purpose; Establishing a Sinking Fund for the Note and Authorizing and Directing Payment Therefrom; Setting Forth Certain Provisions with Respect to the Investment of Monies Therein; Designating a Sinking Fund Depository; Setting Forth Certain Rights of the Paying Agent and Noteholders in the Event of Default and Other Rights of the Parties with Respect to the Note; Providing for the Circumstances under which the Ordinance May be Amended or Modified; Authorizing and Directing Specified Officers of the Township to do and Perform Certain Specified, Required or Appropriate Acts; Authorizing the Execution of Documents for Closing and the Payment of Issuance Expenses; Declaring that the Debt to be Incurred is within the Limitation Imposed by the Act Upon Incurring of such Debt by the Township; Authorizing and Directing Proper Officers of the Township to Deliver the Note Upon Execution and Authentication Thereof, Upon Receipt of Proper Payment of the Balance Due Therefor, and Only After Specified Approval, as Required, of the Department of Community and**

Economic Development of the Commonwealth of Pennsylvania; Setting Forth Certain Covenants Relating to the Federal Tax Status of the Note; to the Extent Appropriate Providing for the Issuance of Irrevocable Instructions of Prior Debt and Providing for Compliance with the Securities and Exchange Commission Rule 15C2-12; Providing for Severability of Provisions of the Ordinance; Providing for Repeal of all Ordinances or Parts of Ordinances so Far as the Same Shall be Inconsistent; Providing When this Ordinance Shall Become Effective.

Attorney Kent Herman, of King, Spry, Herman, Freund & Faul, LLC, was in attendance to present on the above-mentioned ordinance. He said this is part of a process which was begun in November of 2017. This is the required closing resolution to the process, regarding the dissolution of the Authority. He has documents for signature by the Township Manager, which will then be submitted to the State for purposes of the overview and final approval; and, proposed closing date of September 25, 2018.

Township Manager Bickel explained that a large part of this is to pay off the remaining debt of the Water Fund of the Authority, and then the rest of it is for Capital Projects. Renee also explained that this Ordinance was previously advertised.

There was a brief time of Q&A by the Board and Public with regard to this ordinance. All Qs were answered accordingly.

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Block. A roll call vote was taken with regard to this Ordinance:

Commissioner Block:	Aye
Commissioner Bond:	Aye
Commissioner Mulqueen:	Aye
Commissioner Pinsley:	Aye
Commissioner Morgan:	Aye

All in favor; ordinance passed.

6. RESOLUTIONS:

- a. A Resolution To Amend The Unified Fee Schedule For Administrative Fees, Non-Residential Building Fees, Non-Residential Electrical Fees, Non-Residential Plumbing Fees, Residential Building Fees, Residential Electrical Fees, Residential Plumbing Fees, Other Permit Fees, Public Works Fees, Police Department Fees, Subdivision Or Land Development Fees And Non-Subdivision Or Land Development Fees; And To Provide For A General Repealer, Severability Clause And Effective Date**

George Kinney, Director of Community Development Department explained that if they recall, last year on December 20, 2017, the BOC authorized in its Unified Fee Schedule the removal of Third-Party review fees from the Township's Fee Schedule, and in so doing, allowed those vendors to directly collect their fees. This process is going extremely well.

When this was done, we attached as a public output piece an appendix to the fees schedule. What we are requesting now is not the Annual Fee Schedule Update, but simply to remove that Appendix from the Fee Schedule.

A MOTION was made Commissioner Mulqueen, which was seconded by Commissioner Pinsley, to approve the above-mentioned resolution amending the Unified Fee Schedule as explained by Mr. Kinney. All in favor; none opposed. (Vote: 5-0).

- b. A Resolution Extending a Conditional Offer of Employment for Entry-Level Position of Patrol Officer in the Township's Police Department to: George Horn, Jacob Martin, Whitney Peterson, Zachary Zavadel, Jayme Whipple, Tyler Bachman, Alexie Torres Santiago, and Ryan King, Conditioned Upon the Individuals Satisfactorily Completing Background Investigations, Polygraph Examinations, Medical Examinations, and Psychological Examinations to Confirm Their Fitness for Duty**

Chief Dorney said this is a lengthy process. We have conducted the Civil Service Examination—starting off with the Physical Assessment, written exam, and the oral interview over the last several months. We now have a list from the Civil Service Commission and are in a position to make the request to offer the conditional offer of hire to the eight candidates who are here to night.

At this time, Chief gave a brief synopsis of each of the candidates to the Board. At the end of this presentation of the candidates, Chief said that being part of this process, he had the opportunity to interview each one of these candidates, and is very excited to see them move forward in the process. It is very encouraging to see young members of our community to have an interest in law enforcement, and these are great candidates for us in the future.

President Morgan thanked the candidates for coming this evening and said it is a real pleasure to meet each one of you.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Block, approving the above-mentioned resolution extending a conditional offer of employment for entry-level position of patrol officer to the previously mentioned candidates, as stated by Chief Dorney. All in favor; none opposed. (Vote 5-0).

7. MOTIONS:

- a. Motion to Approve a Request for Waiver on Street Moratorium Regarding Installation of Gas Service at 2543 W. Highland Street, Allentown**
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Public Works Manager Jeff Clapper explained that a request for waiver was received for property located at 2543 W. Highland Street. They want to get gas service to their home. Gas service would be coming off of 26th Street, the road which is under a moratorium, which would be over in 2020. A waiver is being requested so they can replace their furnace which is failing. Nadia and Michael Pletz, the owners, were in attendance. Ms. Pletz made a thorough presentation to the board with regard to their request. At the end of her presentation there were no questions by the Board or the Public. Mr. Clapper said that there is no problem on his/staff's end either.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Block, to approve the above-mentioned Request for Waiver. All in favor; none opposed.

Ms. Platz thanked the Board for their time and for granting the Request for Waiver.

b. Part 1: Motion Requesting Permission to Reject Bid #2018-03, Broadway and Schaeffer Street Drainage Improvements Project; Part 2: Motion Requesting Permission to Re-Bid same

Public Works Manager Jeff Clapper explained that the plans are done, they have been put out for bid, and there was one bidder. He feels this project is overbid. Started asking around to generate some interest and the feedback received is that everyone is very busy at this time and if we could put this project off for a bit, they would be glad to give us a bid. Q: When does this mean the project would be done? Mr. Clapper said it would have to be next year. Mr. Clapper said that what he is now requesting is that the bid now be rejected; the money that is funding this project is from our State Highway Aid Fund. We can continue that money into 2019, and rebid this year with clarity in the specification informing the contractors that we would start this in Spring. It was agreed by all that presumably we should get more bidders.

All questions from Board were answered. There were no questions from the public.

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Block, to reject Bid #2018-03. All in favor; none opposed.

Next, a MOTION was made by Commissioner Block, which was seconded by Commissioner Mulqueen, granting permission to Re-Bid as explained by Mr. Clapper. All in favor; none opposed.

c. Motion Requesting Permission to Execute Agreement of Sale

Township Manager Renee Bickel explained that we are seeking permission from the Board to execute an Agreement of Sale for the Township to engage in the purchase of property, 18.865 acres of property located at Brickyard Road, to be purchased by the end of October 2018. The Seller has agreed to the Agreement of Sale, which as mentioned we are looking to execute. This land starts at the reservoir and comes down behind Brickyard Road into the open field. Randy Cope, Director of Township Operations said that it is actually contiguous to another parcel we recently acquired through development rights.

Essentially, we are turning a 9.8-acre park into an almost 27-acre park. Renee explained that we are looking to have settlement by the end of October this year.

There were no other questions by the Board regarding said property, which would enhance the already existing park system there.

Q from the public: What is the cost of said purchased property? Township Manager Renee Bickel said \$330,000.

A MOTION was made by Commissioner Block, which was seconded by Commissioner Mulqueen, to move forward with the execution of the Agreement of Sale for the property on Brickyard Road. All in favor; none opposed.

d. Motion Seeking Permission to Advertise Sections 49-50 of the Jordan Creek Greenway

Randy Cope, Director of Administration, explained that last month he came before the Board seeking permission to award a bid for construction of the Jordan Creek Greenway, which would connect Wehr Mill Road to the start of our easement with Mr. Jaindl. Randy explained that we were hopeful to get this project started this month as soon as the rain stops; once things dry out, we will then get started.

Randy explained that this bid is part of our TAP Grant, which was funded through the Commonwealth of PA and PennDOT. This bid will be run through the EMS System that the Commonwealth runs us through. This is a formality for us to continue that process moving forward. The Township is not running this bid per say, but we still need to go through our process as well. This would connect the Jaindl piece under the turnpike to Route 309. It is a fully funded project. We are hopeful to go out to bid in September 2018.

No questions from the Board or the Public.

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Pinsley, to granting permission to advertise as stated above. All in favor; none opposed.

8. CORRESPONDENCE AND INFORMATION ITEMS: Self-Explanatory.

- a. Public Notice – Planning Commission Meeting, Thursday, August 16, 2018, 7:00 p.m.**
 - b. Public Notice – Zoning Hearing Board Public Hearing, Wednesday, August 22, 2018, 7:30 p.m.**
 - c. Public Notice – Pension Committee Meeting, Thursday, August 23, 2018, 10:00 a.m.**
 - d. Public Notice – Mauch Chunk Paving Project, Regarding Start Date**
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9. DIRECTION/DISCUSSION ITEMS:

King George Inn Site – The Board and Staff had a brief discussion regarding the truck parking that is occurring on this site, in addition to how unsightly, unkempt this area is. The Board was in agreement that a conversation needs to occur with Mr. Patel regarding these concerns. Township Manager Renee Bickel and George Kinney, Director of Community Development said they will do so and report back to the Board on this matter.

10. OLD BUSINESS: None.**11. STATUS ITEMS: TABLED.****12. COURTESY OF THE FLOOR: None.****13. PAYMENT OF INVOICES: 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 Block, which was seconded by Commissioner Mulqueen, for the approval of payment of all invoices and purchasing requisitions as presented. All in favor; none opposed.

14. EXECUTIVE SESSION: None after this meeting.**15. ADJOURNMENT: Motion to Adjourn**

At 7:58 p.m. a MOTION was made by Commissioner Block, which was seconded by Commissioner Pinsley, to adjourn at this time. All in favor; none opposed (Vote: 5-0).

16. APPROVED: September 5, 2018

On September 5, 2018, a MOTON was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, to approve the August 15th BOC Meeting Minutes. All in favor; none opposed. (Vote: 5-0)
