



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

December 19, 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
Ralph Russek, The Pidcock Company
Renee Bickel, Township Manager
Randy Cope, Director of Twp. Operations
Glen Dorney, Chief, SWT Police Department
George Kinney, Director of Community Development
Brooke Neve, Director of Finance
Jeffry Clapper, PWs Manager
Jerry Charvala, Assistant PWs Manager
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 today, prior to the start of this meeting, to discuss legal and personnel matters.

4. **MINUTES:**

a. **December 5, 2018 – Board of Commissioners’ Meeting Minutes**

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Bond, to approve the December 5, 2018 Meeting Minutes. All in favor; none opposed—Vote was 4-0, Commissioner Mulqueen abstained—he was not at the December 5th Meeting.

5. **ORDINANCES:**

a. **An Ordinance Reenacting, Amending And Restating Chapter 144 Article IV (Building Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting Provisions Of The 2015 Edition Of The International**

Building Code As The Building Code Of South Whitehall Township And As Part Of The Municipal Building Code Of South Whitehall Township; Repealer; No Effect On Pending Suits Or Proceedings; Severability; Effective Date

Joseph Zator, Township Solicitor, explained that this Ordinance, like all the other ordinances on the agenda this evening, have been advertised and primed for action this evening should the board so decide. Regarding this first ordinance, and said what I am about to say, applies to the second ordinance as well—regarding the Building Code, in the early 2000s, the International Building Code which became in PA adopted as part of the PA Uniform Construction Code, it replaced both as the industry standard, and periodically that code is updated by the Standards Board that creates it. The ordinance in front of the Board tonight is an ordinance that will update the current form of the Uniform Construction Code to be the 2015 version. When the UCC first came into use in PA across the Commonwealth, there was an opportunity for Municipalities that had standards in certain regards that were more stringent than what was being enacted in the 2000s. SWT did opt to take advantage of that opportunity in having stringent standards above and beyond what was this new code at that time. This has been carried forward with each re-enactment by this Township since, and is part of what is being proposed this evening. The current ordinance that is in place was adopted in 2012 and that envisioned the 2009 UCC being put in place. What you are doing this evening is to enact the 2015 version of the Code with local amendments.

A MOTION was made by Commissioner Mulqueen to move forward with the adoption of said ordinance as explained above. The motion was seconded by Commissioner Block.

A roll call vote was taken as follows:

Commissioner Pinsley	- Aye
Commissioner Bond	- Aye
Commissioner Mulqueen	- Aye
Commissioner Block	- Aye
Commissioner Morgan	- Aye

Motion carried. Vote was 5-0. Ordinance is passed.

b. An Ordinance Reenacting, Amending And Restating Chapter 144 Article VI (Residential Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting Provisions Of The 2015 Edition Of The International Residential Code As The Residential Code Of South Whitehall Township And As Part Of The Municipal Building Code Of South Whitehall Township; Repealer; No Effect On Pending Suits Or Proceedings; Severability; Effective Date

Attorney Zator said that everything just said with regard to the Building Code also applies here, except that this is the Residential Code.

A MOTION was made by Commissioner Pinsley to move forward with the adoption of said ordinance as explained above. The motion was seconded by Commissioner Block.

A roll call vote was taken as follows:

- Commissioner Pinsley - Aye
- Commissioner Bond - Aye
- Commissioner Mulqueen - Aye
- Commissioner Block - Aye
- Commissioner Morgan - Aye

Motion carried. Vote was 5-0. Ordinance is passed.

- c. **An Ordinance Of The Township Of South Whitehall, County Of Lehigh, And Commonwealth Of Pennsylvania, Setting And Reaffirming The Rates Of Taxation Referred To In Chapter 2, "Taxation", Of The Codified Ordinances Of South Whitehall Township, Fixing The Tax Rate For The Year 2019 And Appropriating Specific Sums Estimated To Be Required For The Specific Purposes Of The Township Government, Hereinafter Set Forth, During The Current Fiscal Year And Providing For A Repealer Clause, Severability Clause And Effective Date**

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Pinsley, to move forward with the adoption of the above-said ordinance Setting and Reaffirming the Rates of Taxation Referred to in Chapter 2, Taxation, of the Codified Ordinances of SWT, and Fixing the Tax Rate for year 2019.

A roll call vote was taken as follows:

- Commissioner Pinsley - Aye
- Commissioner Bond - Aye
- Commissioner Mulqueen - Aye
- Commissioner Block - Aye
- Commissioner Morgan - Aye

Motion carried. Vote was 5-0. Ordinance is passed.

- d. **An Ordinance To Be Known As The "South Whitehall Township Sewage And Industrial Waste Ordinance" Amending Chapter 274 Of The South Whitehall Township Codified Ordinances (Relating To Sewers And Sewage Disposal) And Adding Part 5 Entitled "Industrial Waste/Pre-Treatment" To Conform To The City Of Allentown Sewage And Industrial Waste Ordinance Which Was Enacted To Comply With Federal Law Applicable To The Administration And Operation Of Its Pretreatment Program (To Which The Township Is Required To Conform By Agreements Relating To The Treatment Of Wastes Discharged Into The Township's Sanitary Sewer System At The City's Treatment Plant); Repealing Ordinances Or Parts Thereof In Conflict Herewith; Providing For A Severability Clause And An Effective Date**

Randy Cope, Director of Township Operations explained that this was before the Board December 5th, for permission to advertise. It has been advertised accordingly. We do update this every three years. It has been reviewed by our Solicitor's Office. It essentially sets our extra strengths thresholds. Staff is recommending it for approval this evening. This is all part of standard procedures.

There were no questions by the Board/Public.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Bond to move forward with the adoption of the above-said ordinance.

A roll call vote was taken as follows:

Commissioner Pinsley	- Aye
Commissioner Bond	- Aye
Commissioner Mulqueen	- Aye
Commissioner Block	- Aye
Commissioner Morgan	- Aye

Motion carried. Vote was 5-0. Ordinance is passed.

- e. **An Ordinance Amending Chapter 336 (Vehicles And Traffic) Of The Codified Ordinances Of The Township Of South Whitehall To Provide For Additional Parking Zones For Persons With Disabilities And Disabled Veterans And To Provide For Severability, Retention Of Rights To Enforce, Repealer And An Effective Date.** Township Manager Renee Bickel explained that this Ordinance is updated on an annual basis. It is a consolidation for all motions that have been passed in the year for which we install handicapped signs. Also, any signs taken down at a particular address, have been deleted from said ordinance also.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Mulqueen to move forward with the adoption of the above-said ordinance.

A roll call vote was taken as follows:

Commissioner Pinsley	- Aye
Commissioner Bond	- Aye
Commissioner Mulqueen	- Aye
Commissioner Block	- Aye
Commissioner Morgan	- Aye

Motion carried. Vote was 5-0. Ordinance is passed.

6. RESOLUTIONS:

a. Resolution Authorizing Township Manager to Sign – PennDOT Applications for Traffic Signal Approvals (See locations listed below).

Intersections:

SR 1017 (Mauch Chunk Road) & T-567 (Scherersville Road)

SR 1017 (Mauch Chunk Road), Girard Ave. & SR 1021 (Pirma Ave.)

SR 1002 (Tilghman Street) and Parkway Road

SR 0222 (Hamilton Boulevard) and Lincoln Avenue (T-481)

Township Manager Renee Bickel explained that this goes back to our Green-Light-Go Grant that we have—These are the PennDOT applications to adjust the timing based on the studies done.

Jeffrey Clapper, Public Works Manager explained that these applications adjust the timing at the above-listed intersections. If the timing changes do not work yet, they will go back again and make more adjustments. He said when they do the studies, there are three times during the day that they look at the counts. 7P-6:15A; 6:15A-2P; and 2P-7P.

Q: What does the grant do—what is it for? Mr. Clapper explained that it pays for retiming/mobility through the intersection. This particular grant is specifically for timing.

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Block Mulqueen authorizing Township Manager to sign the PennDOT applications. All in favor; none opposed.

b. 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 2019.

Brooke Neve, Finance Director, explained that our Municipal Solid Waste Collection Charge for the Calendar year 2019 will remain at the \$280/year as we discussed through our budgeting process and is also in accordance with our last year of our contract with JP Mascaro. Staff recommends that the Board approve via motion the \$280/year for refuse collection for year 2019.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block Mulqueen approving and approving the above-said resolution which adopts the Municipal solid waste collection charges for calendar year 2019. All in favor; none opposed.

7. MOTIONS:

a. Motion Accepting Resignation of Alvin C. Thompson as Tax Collector for South Whitehall Township

Township Manager Renee Bickel explained that this is a motion to make official and to accept the resignation of Al Thompson, SWT Tax Collector. It is his intent to retire. Therefore, the Board needs to make a motion to accept his resignation. There will be a transition period where a new Tax Collector will be appointed by the Board. Al Thompson has agreed to stay on longer through that transition period.

Solicitor Zator agreed that we should not have a pre-determined date for Al Thompson's resignation for when his duties should be concluded.

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Mulqueen, to accept Alvin C. Thompson's resignation, as South Whitehall Township Tax Collector, subject to the effective date of the actual resignation, being the date in which the Township Manager has determined whereby duties have been properly transitioned to the replacement Tax Collector. All in favor; none opposed.

President Morgan wished Mr. Thompson well and thanked him for all his years' of service as SWT Tax Collector.

b. A Motion for Consideration for the Replacement of Fire Protection in the Township Building

Township Manager Renee Bickel explained that this is a motion to proceed with the unbudgeted replacement of a Fire Panel—an enunciator and smoke detector for the Township Building. We recently did an update of panic buttons located throughout the Township Building which were tied to an older panel. We need to update our Simplex panel in order for them to dial out correctly. This is a necessary upgrade. Our panels are outdated and obsolete. Cost will be approximately \$33,000 to do the full project. This newly installed equipment will be able to be used in the future and will be expandable. We are proposing to take the money out of the unappropriated reserve which has a balance of approximately \$400,000.

No questions from Board/Public.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, to move forward with replacement of the Fire Protection in the Township Buildings. All in favor; none opposed.

8. CORRESPONDENCE AND INFORMATION ITEMS:

a. Public Notice – Planning Commission Meeting, Thursday, December 20, 2018, 7:00 p.m. – FYI.

b. Public Notice – 2019 Meeting Schedules – FYI.

9. DIRECTION/DISCUSSION ITEMS:

a. Daniel L. Puchyr, Resident, regarding an abandoned street extension of Windsor Drive

Mr. Puchyr was in attendance. He explained that he owns the property just east of Windsor Drive (the old gas station). He approached the Board with some plans from his engineer to show the Board so that they have a clear idea of his request to the Board.

The property being discussed is Windsor, immediately going in toward Allentown east of that property (old gas station).

Mr. Puchyr explained that the property in question here, based on the facts map, indicates that Windsor Drive goes out about 10' out to Tilghman Street and this piece has been vacated for years. There are utilities going through that section. His intent would be to add it as parking.

Solicitor Zator explained to the Board that what Mr. Puchyr is requesting is to vacate Windsor Drive. Road vacation means that, to the extent the Township has any rights, in an area originally deemed as a road, the Township would be giving up those rights. That is what a vacation does. While we have not done a title search, he assumes from what Mr. Puchyr is presenting, that Windsor Drive is a road that was at some point historically laid out in a subdivision plan as a public road. It looks like it was constructed in part, but not entirely, with the original intent being to take it out to Tilghman Street. So between the Township owned triangular property which connects to the off ramp and the old gas station property which has been acquired, is such road that Mr. Puchyr would like to see the Township vacate—give up its rights. (It was confirmed that the only thing this could/would be used for is parking.)

Township Manager Renee Bickel clarified by saying that if the Board agrees to consider this, for our process tonight, the first step would be that escrow is established for our engineer and solicitor to take a look at (deed/title search, etc.). Solicitor Zator said then ultimately the engineer's office and my office would report back to the Board, and if you decide after that report to move ahead, there is a formal process involving an ordinance that would be adopted.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Block, giving direction that an escrow be established, and for the Township Solicitor and Township Engineer to move forward and look into the situation as discussed above. Additionally, Mr. Puchyr will complete the application, and as mentioned, said escrow to be opened accordingly. All in favor; none opposed.

10. OLD BUSINESS:

Township Manager Renee Bickel explained that at our last meeting we had made a motion to purchase 22 radios for the Police Department; additionally, a request was made by the Board at that time for Chief Dorney to explore the number of additional radios that he would need, plus cost.

Chief Dorney explained that he did research this, and due to the amount of discount we would receive making the purchase now, versus waiting to purchase later—to upgrade all the radios in the department, he did get a quote for 28 additional radios for a total cost of \$112,368.34. That, if we do so by the end of the year, would result in a savings of \$26,600 vs. waiting until after the year and working on getting everyone in the same radio platform in the entire department with the capabilities of communicating with our school district as well as the City of Allentown, again all on the same radio. Therefore, this is the request being made today. Due to the budget for next year, we already have budgeted an additional \$50,000 for this project. So, essentially it would leave a \$62,368.34 short fall of what was budgeted. Township Manager Renee Bickel said that she would propose that we take that out of the unappropriated reserve which balance can sustain that amount.

Chief Dorney explained that the old radios get returned and we do get money back for them, which has been factored into this final cost of radios.

The Board was in agreement for safety reasons alone, that we should do this now.

No additional questions/comments from Board or Public.

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Mulqueen, to move forward with the purchase of 28 additional radios at a total cost of \$112,368.34, and said funds in the amount of \$62,368.34 to come out of the unappropriated reserve. All in favor; none opposed.

Chief Glen Dorney thanked the Board.

11. COURTESY OF THE FLOOR:

There was an inquiry from the audience. There were oil and chips put down on Chapmans and Blue Barn Roads. They lined Chapmans and Blue Barn up to the start of Blue Barn Meadows. There is no striping from there down to the Upper Macungie line. What is the reason for this? Township Manager Bickel said that is state owned/operated. She asked that our Public Works Manager, Jeff Clapper reach out to PennDOT and ask them. Jeff said that he will get this gentleman's name/number and will get back to him on this. The Board was in agreement that it is very difficult to see the road at night, and will look into this regarding the striping in this area.

No other COF at this time.

- 12. 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.

- 13. EXECUTIVE SESSION: None after this meeting.**

- 14. ADJOURNMENT: At 8:06P, a MOTION was made by Commissioner Block, which was seconded by Commissioner Pinsley, to adjourn. All in favor; none opposed.**

- 15. APPROVED: On **January 2, 2019**, a MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Bond, to approve the December 19, 2018 Meeting Minutes. All in favor; none opposed—Vote 5:0.**
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