



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

January 16, 2019

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 A. Zator, Twp. Solicitor, Zator Law Offices
Lisa Pereira, Assist. Twp. Solicitor, Broughal & DeVito
Ralph Russek, The Pidcock Company
Renee Bickel, Township Manager
Randy Cope, Director of Twp. Operations
Glen Dorney, Chief, SWT Police Department
Steve Carr, Dir., Finance Department
George Kinney, Dir., Community Dev. Dept.
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 personnel matters. Additionally, the Board met on January 9, 2019, to discuss personnel issues.

4. **MINUTES:**

a. **January 2, 2019 – Board of Commissioners' Meeting Minutes**

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, to approve the January 2, 2019, BOC Meeting Minutes. All in favor; none opposed—Vote 5-0.

5. **COURTESY OF THE FLOOR:** (There were two of them.)

Resident, Alla J. Toff, 3410 Sturbridge Place, Allentown, PA 18104 – She was in attendance with a request/complaint. She said that several years ago they purchased a property adjacent to their residence—3326 Huckleberry Road. They purchased it to protect their property—they didn't want anyone living that close to them. The 3326 Huckleberry house

is not habitable, and they receive no services from the Township for this property/house. There is no kitchen, water. When they bought it, they called the Township and explained this, and received no bills. She explained that for the first time, they received a refuse/recycling bill. She called the Township and left them know there is no recycling, no trash for this property. She said that she was told that it was "residential". President Morgan said that we will have Steve Carr, our Director of Finance work with her to resolve this matter. She thanked the Board for their time.

Ashley Laura, Liaison for the The East Penn/Western Lehigh Chamber—SWT falls within the Western-Lehigh Chamber borders. Ashley explained that she has been in this position for six months. She wanted to do her due diligence and meet the leadership in this area. She thanked the Board for everything they have done to help them. She looks forward to continuing to work together and promote this area. She thanked the Board for their time.

There were no other COFs.

6. ORDINANCES:

- a. **For Discussion Only - An Ordinance Approving Collection Procedures And Adopting A Schedule Of Attorney Fees And Charges To Be Added To The Amount Collected As Part Of Municipal Liens For Unpaid Water And Sanitary Sewer Fees, Municipal Solid Waste Collection Charges And Abatement Of Nuisance Fees For Delinquent Accounts, Interest Charged On Delinquent Accounts, Authorization Of Township Officials To Take Related Actions On Collection Activities, Appointing Michelle R. Portnoff, Esquire As Solicitor For The Limited Purpose Of Collecting Unpaid Claims And Authorizing The Appointment By Resolution Of Other Professionals For The Purpose Of Collecting Unpaid Claims, And Providing For A Repealer, Continuation Clause, Severability, And An Effective Date.**

Solicitor Zator explained that as part of the dissolution of the Authority, a series of resolutions have been adopted by the Board of Commissioners, to replace resolutions that were put in place by the Authority. Two of those resolutions pertaining to this evening are 2017-57 & 2017-58. These were put in place appropriately back in 2017—now it is time to formalize some of those procedures, which are now necessary, which brings us to this ordinance before the Board for consideration this evening. Tonight there will be no voter action—just dialog. We are looking for permission to advertise. This ordinance was prepared by Portnoff, and Attorney Dugan is in attendance in order to answer any questions pertaining to this ordinance.

Resolution 2017-58 established collection procedures for water and sanitary sewer fees, interest and attorney fees. The proposed ordinance before you will entirely repeal and replace the 2017-58 resolution.

Resolution 2017-57 established a fee schedule for administrative fees and PWs fees related to operational matters for the water and sanitary sewer system. The ordinance before you

for consideration will only repeal the portion relating to municipal liens and claims collection costs billed to water and sewer. The update of all those fees is included also as part of this resolution. Staff has reviewed to make sure the necessary updates are included in this ordinance.

This is the general overview regarding the ordinance before you this evening.

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

7. **RESOLUTIONS:**

a. **A Resolution Extending The Conditional Preliminary Approval Granted to A Major Subdivision Entitled "Hotel Hamilton"**

George Kinney, Director of the Community Development Department, explained that this is a request to extend the resolution which was granted last year at this time. The resolution is valid through February 3, 2019. It requests preliminary plan extension and includes the Hotel Hamilton site. The Applicants were in attendance to explain why they want the extension so Mr. Kinney stepped aside in order that Attorney Malkames and Engineer, Bud Newton could present. After presenting to the Board, President Morgan said that she would like Mr. Newton and Attorney Malkames to have all the information into George Kinney & Staff by no later than February 6th so that they have ample time to go through all the information and for them to have time to prepare for their presentation on February 20th. She feels this would be the best use of time for everyone involved—George and Staff need time to go through the information. Everyone was on board with this.

Question: Do we really know what condition the King George Inn is in now? Mr. Newton said that there has been a lot of work done to weatherize the building, etc. He said that they will give the Board a complete list of everything that was done on the building. President Morgan said the Board would like to do a walk-through of this property prior to the next BOC Meeting. Mr. Newton and Attorney Malkames welcomed this idea. Everyone was in agreement that this would be a good thing to do.

Summary: It will be 17 days, with the conditions that are stipulated as discussed above, that the information is turned in by the 6th of February, and inspection done by the 6th. Presentation on the 20th. Therefore, a MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, to move forward with an extension of 17 days to February 20th, for preliminary approval granted to a major subdivision entitled "Hotel Hamilton". All in favor; none opposed.

Mr. Newton and Attorney Malkames thanked the Board for their time and consideration in this matter.

b. **A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania Approving and Adopting an Updated Blanket Purchase Order Listing**

Township Manager Renee Bickel explained that this is the Blank Purchase Order Listing for 2019. These are all items that were included in the 2019 Budget with the vendors that provide the service or product—this is done on an annual basis.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Mulqueen, to approve the updated Blanket Purchase Order Listing. All in favor; none opposed.

- c. A Resolution Of The Board Of Commissioners Of South Whitehall Township Ratifying The Effective Date Of The Resignation Of Alvin C. Thompson From The Office Of Tax Collector, Appointing Lynn-Anne Kocon, CPA As The Interim Tax Collector, And Appointing Deputy Tax Collectors To Assist Lynn-Anne Kocon, CPA In Her Role As Interim Tax Collector**

Township Manager, Renee Bickel explained that Al Thompson had notified the Township of his intention to resign/retire as SWT Tax Collector back in November 2018. This Board voted on December 19, 2018, to accept that resignation. This resolution is to appoint Lynn-Anne Kocon as the interim tax collector, as well as her two deputies. We did go through an interview process, and Lynn-Anne Kocon was selected. The School Board was involved in this process as well.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Bond, approving the above resolution (7-c). All in favor; none opposed.

- d. A Resolution of the Board of Commissioners of South Whitehall Township Appointing Randel T. Cope as Township Treasurer**

In Al Thompson's role as Tax Collector, he previously served as the Township Treasurer. We have the ability under the First-Class Township Code to separate those two duties—the Treasurer can be a Township employee. We are therefore recommending the appointment of Randel T. Cope to the position of Township Treasurer contingent upon his fidelity bond being issued.

Renee said that this has also been checked out with our Auditing firm, Herbein, confirming code allows for said appointment—this is a practice which other municipalities do. Solicitor Zator said they too also checked to make sure that this procedure is adequate and that the appointment is appropriate, and meets the legal requirements.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, approving resolution appointing Randel T. Cope as Township Treasurer, contingent upon his fidelity bond being issued. All in favor; none opposed.

- e. A Resolution Amending Resolution No. 2016-51 Designating Depositories for Township Funds**

A MOTION was made by Commissioner Bond, which was seconded by Commissioner Mulqueen, to approve the above resolution Designating Depositories for Township Funds. All in favor; none opposed.

8. MOTIONS:

a. Motion Approving 2019 Rate Schedule for Spotts, Stevens and McCoy, Township Utility Engineer

Randy Cope, Director of Township Operations explained that this is a 3% increase from 2018. SSM typically oversees our water and sewer division. Township Manager Renee Bickel said they fall in line with the other engineering firms regarding the increase of rate request.

A MOTION was made by Commissioner Block, which was seconded by President Morgan, approving the 2019 rate schedule for Spotts, Stevens and McCoy, Township Utility Engineer. All in favor; none opposed.

b. Motion to Accept the Formal Request for Leave of Absence from Sergeant Ronald G. Scholler, Jr.

Township Manager Renee Bickel explained that Sergeant Ronald G. Scholler has made a formal request for a leave of absence, beginning January 21st through May 22nd, 2019. Mr. Scholler is requesting to pursue a political campaign, and per Civil Service regulations, he needs to make a formal request, which is being brought before this Board, for consideration to approve or not approve his leave of absence. His request does meet the necessary criteria.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, to approve Ronald G. Scholler's request for a leave of absence. All in favor; none opposed.

c. Motion Requesting Permission to Proceed with Purchase of 45 Tasers

Chief Glen Dorney explained that he is requesting permission to move forward with the purchase of 45 Tasers, which have been budgeted for 2019. The current technology for our current Tasers is outdated—you can no longer get batteries or cartridges for them. The new Taser is the Taser x7 and much more reliable and durable, and offers more safety to the officer and the public as well. Chief went on to say that we will be the first Police Department in the State of PA to have this newest technology. The company we are to purchase Tasers from offered us a very large discount with this purchase, which will save us a lot of money by trading in the outdated Tasers/end of life products—and which will save us \$16,400. This includes two instructor certifications every year of this five-year plan, training suit, unlimited cartridges and batteries, and a full warranty on all of the products.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Mulqueen, approving the request to proceed with purchase of 45 Tasers. All in favor; none opposed.

d. Motion Requesting Permission to Proceed with Testing for Position of Sergeant

Chief Dorney explained that this is essentially routine practice. Every time we expire a list for a sergeant promotion, we need to test again. We currently have two vacancies. Again, our current list has been deemed expired—there are no more eligible candidates on that list. Therefore, we need to test again. Civil Service criteria has been met. We have the 90-day waiting period before we can begin testing which would be in March. We are, therefore, requesting permission to move forward with this process.

A MOTION was made by Commissioner Block, which was seconded by Commissioner Bond, approving request to move forward with this process. All in favor; none opposed.

e. Motion Requesting Permission to Proceed with Purchase of Generators

Randy Cope, Director of Township Operations, explained that this is the 16 generators budgeted for 2019 under the liquid fuels capital account. These will run our traffic signals should they go down in a severe weather event. These have a 10-12 hour run time, which is much more efficient than the current ones we are using. They are approximately \$977.46/generator, 16 being purchased, for a total amount of \$15,639.36. PWs did get three quotes for this purchase, with lowest quote going to Best Line Equipment.

A MOTION was made by Commissioner Block, which was seconded by Commissioner Bond, to approve the request to proceed with the purchase of 16 generators as explained above. All in favor; none opposed.

9. CORRESPONDENCE AND INFORMATION ITEMS:

- a. Public Notice - Planning Commission Meeting Thursday, January 17, 2019, 7:00 p.m. – Self Explanatory.**
- b. Interoffice Memorandum - Donna Zackeru, Purchasing Agent, re-Snow Plowing and Snow Removal Services RFP**

Randy Cope, Director of Township Operations, explained that PWs was working on this and seeking services to contact part of the snow plowing/snow removal. Looked into putting out Requests for Information—Unfortunately there was no interest. We ran into the fact that some companies are not up fitted with the equipment and looking for a longer-term contract with the Township to make it worth their while. We will be looking to see if this is a bid we could put out for fall of 2019. We will actively work on this so that we have help when a snow emergency occurs for 2019. President Morgan said that this is a very important option for us. Whatever we need to do to make something happen, we need to work towards that end.

Commissioner Mulqueen said that perhaps we would want to partner with another Municipality in order to draw more interested parties—basically “sweeten the pot” so to speak. The surrounding municipalities must have the same issues. Everyone was in agreement with this suggestion.

Non-Agenda Item - At this time, Randy Cope advised Board, in light of the upcoming storm event, that PWs will be on 12-hour shifts. Additionally, we made a new hire, Herb Bender, who came to us from the City of Allentown; he was the chief maintenance supervisor for the City. He was in charge of the snow plowing operation there, so we have a great addition to our team with some new ideas—we are really looking forward to working with him. Chief Dorney will also be working with Jeff Kelly, SWT Emergency Management Director, during this upcoming snow event.

Additionally, Township Manager Renee Bickel wanted to introduce Steve Carr as our new Director of Finance, who is also a great addition to our Finance Department. President Morgan added by saying that we are very excited to have Steve in this role; he has brought some very creative and innovated ideas to the group, and brings a very positive and exciting attitude to the staff. We welcome Steve.

10. **DIRECTION/DISCUSSION ITEMS: None.**

11. **OLD BUSINESS: None.**

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, to approve payment of invoices. All in favor; none opposed.

At this point of the meeting President Morgan asked that we take a five minute break in order that we can set up for the hearing. The time was 8:10 p.m. Solicitor Zator stepped down at this time.

13. **PUBLIC HEARING: 8:15 p.m.** Attorney Lisa Pereira, Broughal & DeVito, was in attendance to preside over the hearing on behalf of SWT. Also, a court stenographer (from Gallagher) was in attendance to take minutes for the hearing.

a. **Flex-Warehouse Facility 4741 Chapmans Road, Conditional Use Review #2018-601**

At 10:23 p.m. a MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, to move forward with granting this conditional use for the Flex-Warehouse Facility, at 4741 Chapmans Road, with the conditions as explained by Attorney Pereira. All in favor; none opposed. (Copy of those conditions will be attached to the minutes.)

Roll Call Vote taken as follows:

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

Commissioner Mulqueen: Aye

Motion carries.

14. **EXECUTIVE SESSION:** None after this meeting.
 15. **ADJOURNMENT:** At 10:30 p.m., a MOTION was made by Commissioner Block, which was seconded by Commissioner Pinsley, to adjourn. All in favor; none opposed.
 16. **APPROVED:** On February 6, 2019, a MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Bond, to approve the January 16, 2019 BOC Meeting Minutes. All in favor; none opposed. (Vote was 4-0, President, Tori Morgan was absent.)
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