



BOARD OF COMMISSIONERS

PUBLIC MEETING

AGENDA-MINUTES

July 17, 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 - Absent
Commissioner Matt Mulqueen
Commissioner Mark Pinsley
Joseph A. Zator, Twp. Solicitor, Zator Law Offices
Ralph Russek, The Pidcock Company
Renee Bickel, Township Manager
Randy Cope, Director of Twp. Operations
Steve Carr, Director of Finance
Jerry Charvala, Assist. PWs Manager
Herb Bender, PW General Group Services Leader - Absent
Glen Dorney, Chief, SWT Police Department
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 before this meeting to discuss legal matters.

4. MINUTES:

a. June 5, 2019 – Board of Commissioners Minutes

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Mulqueen, to approve the June 5, 2019 BOC Meeting Minutes. All in favor; none opposed; and Commissioner Block abstained, because he was not at the June 5th meeting; and Commissioner Bond was absent this evening. Therefore, the vote was 3-0.

b. June 19, 2019 – Board of Commissioners Minutes

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, to approve the June 19, 2019, BOC Meeting Minutes. All in favor; none opposed; one

abstention (Commissioner Mulqueen) was not at the June 19th meeting; & Commissioner Bond was absent this evening. Therefore, the vote was 3-0.

5. ORDINANCES:

- a. Advertised for Possible Adoption - An Ordinance Reenacting, Amending And Restating Chapter 240 (Parks And Recreation) Of The Codified Ordinances Of The Township Of South Whitehall To Provide For Simplified Rules And Regulations For South Whitehall Township's Parks And Recreational Areas And Special Events, To Provide For Review Of Requests For Exceptions, Violations And Penalties, A Severability Clause And An Effective Date**

Randy Cope, Director of Township Operations, reviewed briefly what was discussed at the last meeting with regard to this ordinance, and what it was all about. We've been working with our Parks & Rec Board to come up with a more simplified and clarified Parks & Recreations Rules & Regulations. Some items addressed are hours which Parks are open—they are open dawn to dusk; also, added a few prohibited activities—no ice skating, i.e. at Wehrs Dam. Deals with when you need a permit. It comes down to organized activities in our park system, pavilion rentals require a permit; organized sports require a field permit. We must remember these are public parks—it is a first-come, first-serve basis. Special event application permit has also been added, which can be used for all kinds of events. This permit allows for the Township to review the details of event, prior to accepting event. On another note, there is no digging of any kind in the parks.

Randy explained we are seeking a motion to approve said ordinance. This ordinance was previously advertised.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Mulqueen. All in favor; none opposed.

A Roll-Call Vote was taken as follows:

Commissioner Pinsley:	AYE
Commissioner Mulqueen:	AYE
Commissioner Block:	AYE
Commissioner Morgan:	AYE

Motion carries.

6. RESOLUTIONS:

- a. A Resolution Granting A Waiver of Subdivision And Land Development Review And Approval Requirements Of The South Whitehall Township SALDO For A Plan Entitled "Dorney Park Project 2020" Relating To Properties Located At 3830 Dorney Park Road**

George Kinney, Director of Community Development said this is a request for Subdivision and Land Development Review and Approval.

Dorney Park LLC submitted a request to waive the formal review process of the Subdivision and Land Development Ordinance for a project entitled "Dorney Park Project 2020", which proposes to replace an existing water attraction (Island Water Works) with a similar updated water attraction on a 0.3 acre portion of the property located at 3830 Dorney Park Road.

In-house staff and Township Engineering consultants have reviewed the plans and find the project to be low-impact and presenting no significant planning issues.

The applicant is requesting to waive the requirements of eight (8) SALDO sections. The Township Engineer has no engineering objections to six of the eight requests. The two remaining requests are related to SALDO sections requiring that the plan be recorded prior to any issuance of building permits. The Township has granted these waivers to Dorney Park in the past in projects of similar scale, on the condition that all regularly required approvals required for the building permits be achieved and that all appropriate protections for the Township be put in place before any building permits may be issued. The applicant is not requesting the deferral of required right-of-way improvements to fronting roads as may be typically requested by a land development applicant. The reason for this may be that the Township has deferred the right-of-way improvements repeatedly in the past to the extent that it has become traditional for the Township to recognize the standing of those deferrals and not require Dorney Park to request them for each land development. The Board may wish to confirm this with the applicant.

If the Board is inclined to grant the land development waiver request, a resolution has been prepared to act upon in support of such action.

Applicant was in attendance and had nothing more to add to this.

Township Engineer Ralph Russek said, for the record, the plan does propose relocation of a 12-inch water line and a 12-inch sanitary line. Those relocations should be reviewed with the PW Department in advance of them undertaking that work.

There were no additional questions by the Board or Public.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Block, granting said waiver. All in favor; none opposed.

b. A Resolution Appointing Mike Bruckner to the South Whitehall Township Civil Service Commission

Township Manager Renee Bickel explained that Mr. Bruckner comes to us with 39 years of experience in higher education, from Muhlenberg College. Mr. Bruckner was interviewed by Commissioners Morgan & Mulqueen, along with Renee. Township Manager Bickel and Chief Dorney did discuss this candidate. Everyone was in agreement that he would make an excellent member for the CSC.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Block, to appoint Mr. Mike Bruckner to the SWT CSC. All in favor; none opposed.

Mr. Bruckner was in attendance this evening; President Morgan thanked him for his willingness to serve the Township in this way. She said that we look forward to having him.

c. A Resolution Appointing Phillip Ingram as an Alternate Member on the South Whitehall Township Civil Service Commission

Renee explained that Mr. Ingram comes to us with 32-years of experience in service management.

Mr. Ingram was also interviewed by Commissioners Morgan & Mulqueen, along with Renee. Township Manager Bickel and Chief Dorney also, as above, discuss this candidate. Everyone was in agreement Phillip Ingram would make an excellent member on the CSC.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, to appoint Mr. Phillip Ingram as an Alternate Member to the SWT CSC. All in favor; none opposed.

Mr. Ingram was in attendance this evening; President Morgan thanked him for his willingness to serve the Township in this way. She said that we also look forward to having him.

7. MOTIONS:

a. Motion Granting Permission for Township to Submit a "Letter of Support" on behalf of the Lehigh Valley Planning Commission's Request for the 2019 BUILD Grant

President Morgan said that the LVPC was looking for letters of support from communities impacted by this particular project and grant. This project is the Riverside Drive Multimodal Revitalization Corridor Project, which will ultimately impact the Jordan Greenway Project—all these trail ways will eventually be linked together.

A MOTION was made by Commissioner Block, which was seconded by Commissioner Pinsley, granting permission for the submission of a letter of support on behalf of the LVPC. All in favor; none opposed. (Copy of the letter was included in the packet.)

b. Motion Requesting Permission for Additional Funds to be Added to Blanket Purchase Orders as Specified

Steve Carr, Finance Director explained the following:

Due to unplanned General Services work, we have depleted the funds encumbered on the following blanket purchase orders:

PO #20190099 - New Enterprise (Stone and Blacktop - General Services) approved amount of \$50,000, need to add an additional \$50,000. The overage is attributed to paving on SWT campus, Yellowstone Rd, 18th Street and Shop II. The budgetary line for general services is 01430002/40240 and has an available balance of \$110,597.00.

PO #20190035 – New Enterprise (Water and Sewer Dept.) approved amount of \$5,000, need to add an additional \$6,500. The overage is a result of unforeseen water breaks. The budgetary line for the water department is 06431002/40240 with an available balance of \$26,975.00 and sewer is 08431002/40240 with an available balance of \$11,490.00.

PO #20190104 – OldCastle Lawn and Garden (mulch and wood carpet) approved amount of \$4,000, need to add an additional \$7,500. Public Works mulched and created some flower beds. Mulched and/or replaced wood carpet at each playground within the Township. This was not considered when the blanket purchase order amount was determined and requested. The budgetary line for general services is 01430002/40240 and has an available balance of \$110,597.00.

We are respectfully asking for the additional funds to be added to each of the aforementioned blanket purchase orders to be used for the remainder of 2019.

The Board was in agreement that they do prefer that the Blanket POs be lower and then Finance comes back for more, as being done today, just so that more control is exercised over this type of thing.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Block, to move forward with the adding of additional funds to each of the aforementioned blanket purchase orders being used for remainder of 2019. All in favor; none opposed.

c. Motion Requesting Permission to Proceed with Purchase of Two (2) Harris XG75M Mobile

Chief Glen Dorney said that the PD is requesting permission to proceed with the purchase of 2 Harris XG75M mobile radios. The purpose of this purchase is to continue moving forward with the radio replacement. Improvement plan initiated last year. These radios will be placed in two Sergeants' vehicles in order to have access to the City of Allentown's radio platform. If the Lehigh County Radio upgrade plan goes as expected, the entire county will migrate to the 800MHz encrypted system within the next several years. These radios will allow us to spread the cost of the upgrade over the course of several years, rather than one large purchase to upgrade all vehicles at one time.

Three quotes were obtained from Industrial Communications Co., Tactical Public Safety LLC, and TuWay Communications. Industrial Communications was the lower price at \$5,836.66. The purchase would be made out of the Capital account 30410003-40720. The items are within the budgeted amount available.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, granting permission to proceed with purchase of two Harris XG75M Mobile radios from Industrial Communications in the amount of \$5,836.66. All in favor; none opposed.

d. Motion Requesting Permission to Award Water Station Repair and General Well and Pump Service Contract

Jerry Charvala, Assist. PW Manager explained that this contract is a three-year contract with two one-year options and is budgeted under maintenance services and repairs (06431002-40370 - \$50,000.00), for repair and service of all water booster and well pump stations. This is a time and equipment contract as each repair on a booster pump or well pump is different and as such different equipment is needed for each repair. There were four (4) bidders, the first two(2) were deemed unresponsive as one of the bid requirements is that the company have a Pennsylvania Licensed Professional Engineer on staff to assist with design or corrective action and all permits as issues arise.

Public Works and Finance has reviewed the recommendation from Spotts, Stevens and McCoy and based on that PW is asking the commissioners to award the Water Station Repair and General Well and Pump Service Contract to Kohl Brothers, Incorporated of Myerstown, PA.

Jerry added that Kohl Brothers have serviced the Township for over 30 years.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, granting permission to award water station repair and general well and pump service contract to Kohl Brothers as explained above by Jerry Charvala. All in favor; none opposed.

e. Motion Requesting Permission to Purchase a Used Stepp 3 Reclaimer

Jerry Charvala explained that PW is requesting permission to purchase a used Stepp 3 Reclaimer for the purchase price of \$12,500. A new unit currently sells for \$34,000 to \$38,000.

The Reclaimer the Township currently owns is a 2004 Ray-Tech Infrared Reclaimer with a two-ton capacity. Due to its age and use, the Reclaimer can no longer be utilized as it has unrepairable rusting, will not pass inspection and the burners need to be replaced as well.

The Reclaimer is used to keep blacktop hot all day and is essential in repairing potholes. This also saves the Township money that is lost due to materials not staying hot enough to be used.

PW has found a used Reclaimer with a four-ton capacity, being sold by Stephenson Equipment who has allowed the Township to test the unit and have mechanics inspect it. It has been agreed upon that this piece of equipment would be a good purchase considering the purchase price. We have also attached other used Reclaimers for sale, to be used in comparison to validate a fair market value.

PW is hereby asking the Board of Commissioners to approve the purchase of the above-mentioned Reclaimer as this was not a budgeted expense in 2019. The item would be taken out of State Highway Aid, Major Machinery and Equipment (35 430 003 40760).

Jerry said that this should last about 15 years.

A MOTION was made by Commissioner Mulqueen, which was seconded by Commissioner Pinsley, granting permission to purchase the Reclaimer as explained above by Mr. Charvala. All in favor; none opposed.

f. Motion Requesting Permission to Proceed with the Demolition of Restrooms at Covered Bridge Park.

Randy Cope, Director of Township Operations, explained that We are requesting permission to proceed with the demolition of the restrooms near the playground and pavilions in Covered Bridge Park. We frequently receive complaints that these bathrooms are undersized, constantly malfunctioning, smell and are not ADA compliant. Public Works would like to begin the demolition process including: disconnecting the utilities, tearing down the building and removing the concrete pad. During this process, we will also fully inspect the septic system and make any needed repairs. Starting this process early, will give us a head start on the anticipated rebuild in 2020.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, to begin with the demolition of restrooms at Covered Bridge Park, as explained by Randy Cope, as stated above and as shown in packet. All in favor; none opposed.

8. CORRESPONDENCE AND INFORMATION ITEMS – FYI.

- a. **Public Notice - Planning Commission Meeting, Thursday, July 18, 2019, 7:00 p.m.**
- b. **Public Notice - Zoning Hearing Board Meeting, Wednesday, July 24, 2019, at 7:30 p.m.**
- c. **Public Notice - Joint Meeting between the SWT Planning Commission and the Board of Commissioners, at Parkland High School, Tuesday, July 30, 2019, 6:00 p.m.**

9. DIRECTION/DISCUSSION ITEMS:

a. Zoning Request – Regarding Lopsonzski

Per IOM from the SWT Community Development Department, the Lopsonzski's were before the Board last October, as reflected in the October 3, 2018 BOC Meeting Minutes.

On October 3, 2018, a landowner presentation was made to the BOC regarding a request to rezone 7.3 acres at the northwest of SR309 and Snowdrift Road from Rural Residential (RR) to Neighborhood Commercial (NC). The BOC ultimately recommended that the request be considered in tandem with the Comprehensive Plan update.

At this time, the only change to the original request previously presented is that a use has been determined. That being self-storage. Staff would again recommend the BOC not refer the request to the Planning Commission at this time and while the Comp Plan is currently being updated.

At this time, Mr. Mark Bradbury was in attendance on behalf of his clients the Lopsonzski's presented to the BOC. He explained that they had come before the board back in October 2018, and at that time, did not have a use in mind, which is a point he is here to discuss with the Board this evening on behalf of his clients. Mr. Bradbury explained that in SWT, storage facilities are at 95% capacity. They do not cause more traffic issues—which is currently a topic of importance in the township; they are neighborhood friendly, and they are quiet, along with bringing in a lot of tax dollars with little impact to the Township. He said they did not want to come back to the BOC until they had a really good use for the property and feel they do now. He said that before they proceed with this project, they would want to do some tests—do research on this site first, if the Township feels this is something the Township might want.

Mark Bradbury said that he is before the BOC, and said all he is asking is that you make a recommendation to the Planning Commission. If it goes to the PC and they look at it and have concerns, that is not the final decision—it would still have to come back to you, the BOC. This is not the final decision, but a stepping stone to go do our testing to see if this is going to work. We need a platform in order to move this forward. You would go through that review process. They would then make a recommendation to you, with regard to how they thought.

George Kinney explained just so this is clear to everyone—how this works is that, if you want to entertain this, you would remand this back to the Planning Commission, and they would treat this almost like a land development. It would go through the review process and they would recommend to you if they thought the zoning was appropriate. Mark Bradbury said that it would also have to go through the LV Planning Commission for review also.

Solicitor Zator said to clarify for the record that any recommendation by the Board tonight would not be a recommendation that this is a good idea, or that they like the zoning concept—it is just a recommendation to send it to the Planning Commission for consideration.

Mr. Bradbury said that is all they are asking.

George clarified and said that once it is zoned, you have the rights for any of those permitted uses for that district.

Commissioner Mulqueen wanted clarification that once the PC does look at this, that they (Lopsonzski's) would still need a zoning change. It was confirmed that this was indeed the case.

Commissioner Mulqueen stated that he wants to make sure that everything that is being done is fully in line with our Comprehensive Plan. We do not want to do anything outside of that line. We are putting a lot of resources into that and we want to be running parallel to that, not outside of that scope. The Board was in agreement with this.

George said that if the PC gets to a point where they do not feel comfortable with a full rezoning change, he thinks they could fall back on a use variance as a possibility. He feels there might be some options, so he thinks to send it back to the PC to ferret through this would be OK.

At this point in the meeting, all questions had been asked/answered.

A MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Block, recommending that the Lopsonzski Project go back to the Planning Commission for further discussion and review and vetting as discussed this evening. All in favor; none opposed.

10. OLD BUSINESS:

At this time, Commissioner Block asked Mr. Tamerler to give an update on the spotted lantern fly situation. Mr. Tamerler said that the Lehigh County Conservation District got a \$250,000 grant in order to have things available to local residents. They have banding that you can put on trees, and a lot of information on this. However, one of the most effective ways is to use trap trees and to put systemic insect control in it—they are very easy to kill at the site of chemical. In the next couple of weeks you will really begin to see them hatching. They are already hatching in the city. He also touch on commercial vehicles, you have to take a course and test on line and then every time your commercial vehicle makes stops, checks need to be made in accordance with some new laws regarding the spotted lantern fly issue.

Mr. Tamerler explained that if you drill a hole in the tree and put the systemic insect control in it, it will kill the spotted lantern flies. The number one tree affected is the tree of heaven and their second favorite are maple trees.

The Board thanked Mr. Tamerler for taking the time to brief everyone on this.

11. STATUS ITEMS:

a. Executive Department – Township Manager Renee Bickel

- Trash Survey – It is still open for two more days. Great response by the public. Renee went over the results with the Board. Results will be posted to the website for everyone's review.
- Trash Contract – Results of the trash survey will be reflected in the bid for the trash contract. At the next meeting we are looking to have a motion to advertise for this particular contract; with bids opening up early September. Our goal is to maintain a high level of service to our residents and try to keep costs down.

b. Community Development Department – George Kinney

- King George Update – This will occur at the next meeting.
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- Regional Comprehensive Plan Draft – is due out on the 25th. Everything we do needs to be consistent with this plan. He asks that people take a look at this—there is a 45-day time period where you can comment on this.
- Food Truck Ordinance – Currently working on this—circulating a draft internally right now.
- New Hire, Code Enforcement Staff – Will be starting on Monday—Aaron Silverstein.

c. Finance Department – Steve Carr

- Munis Upgrade – Scheduled to take place weekend of August 1st. Still working out kinks—which are minimal. Dave Manhardt has partnered with Steve on this extensive project.
- Credit Cards, Water Smart, & Neptune/Rio Projects – Progressing steadily.
- Renovation Project – Renovation Staff working with architects/engineers on design and costing of that. Very deep with Pidcock regarding the layout of this campus. At next meeting hope to talk a bit about how campus will look like with regard to parking lots, drainage, and the recycling center. This is the longest part of the process.

d. Parks & Recreation Department – Randy Cope

- New Parks & Rec Manager to start next Monday—Mike Kukitz.
- Currently in the middle of field trips with regard to our summer playground program. Totally maxed out—currently have 32 summer counselors.
- Covered Bridge Park Mural – This will be on the pedestrian foot bridge. It will highlight events we have in the park system. We are receiving a lot of positive feedback on this.
- Grove Street Park Playground – moving forward. Should be another several weeks until completion.
- Jordan Creek Greenway – Still significant landscaping yet to be done. However, progressing nicely. On October 31st, the one-mile spur of trail will be open.
- The Large Flowerheads Concert – Had a few hundred people.
- The Ardvarks are scheduled for July 19th – we expect anywhere from 500-1,000 people for this event.
- This Friday Movie in the Park – The Grinch, to start around 7P.

e. Police Department – Chief Glen Dorney

- Chief gave a verbal of his status reports at this time.
 - Community Events - Chief said a goal for SWT-PD is to create more events in our community to engage our youth. Regarding the 1st Annual Police Academy – we had a great response. We currently have 24 who have signed up for this program. There will be a graduation ceremony at the end of this week for participants.
 - National Night Out – Scheduled for Tuesday, August 6th. Crime Watch groups will also be there.
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- Staffing – Officially, we are now at full staffing. Seven of the new officers currently in training. Full complement in September.

f. Public Works Department – Jerry Charvala

- SCADA Project – fully installed. Working on punch list.
- Line striping – Now complete.
- Roadway Paving – Starting mid-August
- PW continues to investigate numerous water issues, which they are trying to remediate. Storm water coordinator, Mike Elias – has been hired, who will handle these issues, as well as MS4.
- Hampshire Court – Replaced 60' of galvanized pipe with PCP pipe.
- Working on detention ponds along Route 22.
- Dorney Stations – Installed.
- Hosted DEP – They were extremely please to see all the improvements made to the system. Inspections went well. President Morgan said to let Staff know they did a great job!

13. COURTESY OF THE FLOOR:

Mike Wolfe, Resident at 1223 N. 24th Street – Mr. Wolfe had a sundry list of items. It was suggested that he meet with Township Manager Renee Bickel and Chief Dorney, when the Code Enforcement person has come on board, since many of the items are code-enforcement related. That was acceptable to Mr. Wolfe. He gave his list to Renee, who will take a look at each item in preparation of their meeting.

14. 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.

15. EXECUTIVE SESSION: None to be held after this meeting.

16. ADJOURNMENT: At 9:03 p.m. a MOTION was made by Commissioner Block, which was seconded by Commissioner Pinsley, to adjourn. All in favor; none opposed.

17. APPROVED: On August 7, 2019, a MOTION was made by Commissioner Pinsley, which was seconded by Commissioner Mulqueen, to approve the July 17, 2019 BOC Meeting Minutes. All in favor; none opposed. This was a 4:0 Vote—Commissioner Bond was absent this evening.
