
MINUTES

APRIL 08, 2024
Regular Public Meeting

Board of Commissioners

Township of Whitehall

A. CALL TO ORDER

- 1) The Regular Public Meeting of the Whitehall Township Board of Commissioners was called to order at 7:00 p.m. on Monday, April 08, 2024 held at the Whitehall Township Public Meeting Room, with the following in attendance:

COMMISSIONERS

Thomas Slonaker, President
Jeffrey J. Warren, Vice President
Randy Atiyeh, Secretary
Alberta Scarfaro
Ken Snyder
Elizabeth N. Fox
Robert Piligian

TOWNSHIP PERSONNEL

Joseph J. Marx, Jr., Mayor
John D. Meyers, Deputy Mayor
Jack Gross, Esq., Township Solicitor
David Nelson, Fire Chief
Michael Marks, Police Chief
Frank Clark, Engineer, KCE
Lee Rackus, PZ&D
Tina J. Koren, Tax Collector
Larissa Bruder, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence will follow for reflection of our troops stationed overseas and that may be in harms way.

President SLONAKER read the statement on fair housing as required.

APPROVAL OF MINUTES

Commissioner SCARFARO moved, seconded by Commissioner SNYDER to approve the Minutes of the following meeting with a correction:

Regular Public Meeting – March 11, 2024

SEVEN Commissioners were present and seven voted “yes”. Motion carried.

B. PRESENTATION – PARK PROPOSAL FOR RANGE ROAD PROPERTY

Mike Bender owns and operates St. Lukes Sports Center (previously LV Ice Arena) proposed the following:

Full operations of the Range Road complex with exclusive rights (land lease) which would include bookings, management, websites and day to day operations. Township responsibilities would remain the same.

Improvement includes 4-6 leveled multipurpose fields and upgraded parking lot

Create community engagement – leagues, clubs & tournaments

Create a lasting impact with jobs and improve tourism, expansion opportunities into new markets

Committed to being a catalyst for positive change, promoting health, community and well-being through the power of sports and outdoor activities.

This proposal will be reviewed in conjunction with the Recreation Comprehensive Plan.

C. **COURTESY OF THE FLOOR**

LoriAnn Fehnel of 3107 N. 3rd Street noted that she interviewed with the Board on March 4th for two volunteer positions (Traffic Impact Committee & Zoning Hearing Board Alternate) and was disgusted that no motion was put forth at the March 11th meeting for appointment. She stated that when a resident wants to volunteer their time they shouldn't be rejected, unless there is a criminal history that would prevent them from serving. It is her understanding that there was no motion made for her because of an email that she had sent the Board regarding an issue between Commissioner FOX and Fady Salloum. Comments made were truthful and she has proof of that.

Karen Poshefko of 3303 Musselman Court reported the following information from WeConserve PA Conference:

Approximately 300 people from across PA attended. This was a diverse group of skilled professionals from many levels of local municipal and county governments, PA Game Commission, DCNR, Soil Conservation Districts, Wildland Conservancy, & Trout Limited.

Highlights from "mobile seminars are as follows:

April 3rd Tour of The Jordan Creek Greenway--Sites included City of Allentown Rail to Trail conversion Near Central Catholic HS. Covered Bridge Park, South Whitehall Twp riparian buffer and install. Trexler Game Preserve – education partnerships.

April 4th Land, water & Tree Crop Conservation in an Urban Area – Gertrude Fox Conservation Area flood mitigation. Louise Moore County Park – arboretum tour. Wayne Grube Memorial County Park – riparian buffer, native tree planting, meadow restoration & archery hunting.

Rivers overflowing is the best way to describe the experience as the valley experienced yet another multi-day rain event and we were not able to visit all sites because of flooding. Presenters were frank about the challenges that they faced planning, implementing and now managing these sites. Given the challenges they faced they didn't give up. On behalf of the EAC, encourage this board to start the process to update our comprehensive plan which will be a framework to enact sustainable development practices, save open land, mitigate flooding and make our community a safe and healthy place for everyone.

Deb Rosene of 4408 N. Church Street read the following statement:

I would like to make this statement as a resident of Whitehall to inform the public of the Open Space Referendum on the April 2024 primary ballot.

I am not originally from Whitehall, I come from a town in Illinois with a similar industrial past. I moved to the Lehigh Valley in 2010, to Bethlehem Township and believed I would remain there for the rest of my life. In 2013 I was relocated to Dallas, TX where I lived for 6 years. I moved to Whitehall Township in April of 2019 after purchasing a home on Church St. I love the small town feel of Egypt and the ability to walk to the IRT, or even down my street where I could experience nature.

After 6 years in Texas, the Lehigh Valley had changed dramatically. E-Commerce came to the valley along it a huge increase in truck traffic. People followed the employment opportunities adding to the congestion. That is why the Open Space referendum is so important to our community. This referendum is critical to preserving our quality of life. The monies raised by the proposed Open Space fund will help us preserve farmlands critical to our food sources, protect wildlife habitats and watersheds for clean water and combat undesirable development. Twenty-five per cent of the Open Space fund can be used to improve and maintain existing Open Space areas such as the Jordan Creek Parkway, Whitehall Parkway and the IRT. Funds will come from a real estate tax increase, but the impact to Whitehall Twp residents is minimal, in fact, a property with an assessed value of \$ 200k would pay a mere \$10 per year or \$.027

cents per day!

An Open Space fund will enable smart development. It will give the township the ability to purchase land adjacent to existing parks and open spaces as well as desirable properties less than 10 acres which are not eligible for preservation from county or land trust programs. It will prevent the contention experienced last fall preserving the Weinhoffer farm because funds will be available.

During the pandemic we all learned how important nature was. We escaped to the outdoors for recreation to enjoy the wildlife and to feel less isolated. Many studies have shown that being in nature offers many benefits from easing stress, boosting mood, and reducing disease. Open Spaces help us combat pollution by absorbing carbon and reducing the temperature in forested areas.

What happened to the town where I grew up? In 30 years the 2-lane country road that connected nearby communities is now a 6-lane highway with additional lanes for turning. The farms that bordered this road are gone. Let this be a cautionary tale of what we do not want Whitehall Township to become.

Ed Kaintz of 5216 Pennsylvania Street noted the following issues:

- Status of Cementon Pool
- Egypt Quarry Blasting intensity
- What is being brought into Coplay Quarry
- How Egypt Quarry will be left once blasting is completed

Mayor MARX explained that the Cementon Pool is being fixed and if enough staff can be hired it will be open this season. The quarry's are DEP compliant. The Coplay Quarry will soon be filled and truck traffic will soon end. The Egypt Quarry will be filled in with the ground that has been piled along MacArthur Road.

Jean Makovsky of 4207 Pennsylvania Street verified that Cementon Pool will be utilized if enough staffing is hired.

Bruce Charles of 76 Madison Lane noted the following issues:

- No parking signs on road behind Taylor Villas
- Cementon Park use of fertilizer
- Closing pools to save money
- Signs on poles for advertisement
- Bus stop structure at Gallagher and Mauch Chunk Road
- Sealing cracks in his neighborhood streets
- McDonalds left turn off of Mechanicsville Road
- Vehicle purchases

Mayor MARX advised that the bus stop structures are on private property and the Township has no jurisdiction over them. He will have Public Works take care of sealing the cracks in the neighborhood.

Frank Clark commented that the Township does not have jurisdiction on Mechanicsville Road.

PennDOT will be shifting the lanes to make it easier to get around a car turning into McDonalds.

Mayor MARX stated that the decision on pools will be made during the Rec Comp Plan.

Vehicle purchases recently made were necessary as they were at the end of their life, some had been maintained for over 40 years.

Charles Fisher of 3234 Flatrock Drive thanked Eagle Scout Lilly for his project that has been completed in the parkway and that it is important to recognize the scouts for their efforts.

Susan Barthol of 3046 Birch Street stated that she was thankful that her concern with potholes at 7th & Birch Sts. from last month were taken care of quickly. Work was also done to 7th & Lehigh and it is much better.

Andrew Kopack of 3763 Dogwood Drive noted the following issues:

- Street sweeping state roads – Township is reimbursed
- Truck sign for MacArthur Road (area of Mechanicsville to Municipal) -resident needs to file complaint
- 5 minute rule for public instead of 3 minutes
- Range Road cleanup – is ongoing

Tara Mrazik of 3131 Meadow Lane noted that she is the vice president of Tri Boro soccer and wanted to state that she is in full support of the presentation made for the Range Road property. She would like to see the monies given to other municipalities for field rentals go to Whitehall.

Andrea Hoagland of 51 Kimmet Avenue asked what safeguards the current Mayor has put in place to make sure that staff and residents feel safe. Mayor MARX assured that all employees and residents are treated fairly and equitably and the wrongdoings of the previous Mayor have been handled legally and justly.

D. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 12-2024

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS FOR 147 FEET ALONG THE HOKENDAUQUA STREET FRONTAGE OF 3434 N. FRONT STREET AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President SLONAKER read Bill No. 12-2024 to the Board

Commissioner WARREN moved to approve the motion, seconded by Commissioner SCARFARO

Discussion ensued with the explanation of the difficulty in installing sidewalks at this location. A crosswalk, pedestrian warning signs and a stop sign was proposed by the Developer, although the stop sign was not warranted at this location.

- * Commissioner PILIGIAN noted that installing sidewalks would lead to nowhere but applicant willing to install pedestrian warnings and crosswalk. He feels they are providing safer people to get across Hokendauqua Street.
- * Commissioner WARREN stated that a grass buffer would not be needed and feels that the pool/guy wire can be moved.

LoriAnn Fehnel of 3107 N. 3rd Street stated that since apartments are being proposed and most likely children will be living there, it should be a priority to provide sidewalks no matter what the issue/cost is for safety purposes.

Charles Fisher verified how the safety implementations will be made sure to be installed.

Attorney Gross stated that it is part of the conditions of approval and will be apart of the Agreements as well and be installed to Township standards.

Resident of 3488 Quarry Street stated that she and her neighbors have attended all of the meeting regarding this property was disappointed that this was approved for apartments as the property is half the size that is what normally required and the stated the issues that come along with this type of development vs. single family homes.

SEVEN Commissioners were present voting with 3 voting “yes” (PILIGIAN, SNYDER & ATIYEH) and 4 voting “no” (SCARFARO, WARREN, FOX & SLONAKER). Bill No. 12-2024 was denied.

2. BILL NO. 13-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR CONSTRUCTION OF 2024 CDBG ADA HC RAMPS CONCRETE CURB AND SIDEWALK IMPROVEMENTS DESIGN BUILD IN WHITEHALL TOWNSHIP, CONTRACT NO. 2024-01 IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (DEVELOP)

This item was removed from the agenda.

3. BILL NO. 14-2024

TITLE: AN ORDINANCE AMENDING CHAPTER 21 (STREETS AND SIDEWALKS), ARTICLE IV SIDEWALKS TO CURBS)

President SLONAKER read Bill No. 14-2024 to the Board.

Commissioner FOX moved to approve the motion, seconded by Commissioner ATIYEH

SEVEN Commissioners were present voting “yes”. Bill No. 14-2024 was approved.

4. BILL NO. 15-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE DISMANTLING AND SALVAGE OF THE VILLAGE GREEN BARN IN WHITEHALL TOWNSHIP, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (RECREATION)

President SLONAKER read Bill No. 15-2024 to the Board.

Commissioner WARREN moved to approve the motion, seconded by Commissioner SCARFARO

Commissioner WARREN asked that since the funds for this is being taken from the Chestnut Street Barn, that any excess funds by years end be used to replace said money to have the proposed repairs completed for that project.

SEVEN Commissioners were present voting “yes”. Bill No. 15-2024 was approved.

5. BILL NO. 16-2024 (FIRST HEARING)

TITLE: AN ORDINANCE AMENDING CHAPTER 7, ARTICLE I, § 7-4, SUBSECTION D OF THE TOWNSHIP CODE

President SLONAKER read Bill No. 16-2024 to the Board.

No action taken.

6. BILL NO. 17-2024 (FIRST HEARING)
TITLE: AN ORDINANCE AMENDING CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE IV (SUBMISSION REQUIREMENTS)

President SLONAKER read Bill No. 17-2024 to the Board.

No action taken.

E. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3314
TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF 3434/3435 N. FRONT STREET APARTMENTS, LOCATED AT 3434-3435 N. FRONT STREET, INDEX NO. 2034-24a. (DEVELOP)

President SLONAKER read Resolution No. 3314 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner SNYDER

SEVEN Commissioners were present and voting “yes”. Resolution No. 3314 was approved.

2. RESOLUTION NO. 3315
TITLE: A RESOLUTION AUTHORIZING THE WAIVER OF THE TEMPORARY MASTER PLUMBER/MASTER PLUMBER LICENSE FEE FOR THE MEMBERS OF THE WHITEHALL TOWNSHIP PLUMBERS EXAMINING BOARD AS ESTABLISHED BY THE WHITEHALL TOWNSHIP CODIFIED ORINANCES, CHAPTER 29, FEES § 7.10 (c).

President SLONAKER read Resolution No. 3315 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner ATIYEH

SEVEN Commissioners were present and voting “yes”. Resolution No. 3315 was approved.

3. RESOLUTION NO. 3316
TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT ARD MAC COMMONS LLC/ARD WMPAD, LLC, WHITEHALL PA. (DEVELOP)

President SLONAKER read Resolution No. 3316 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner FOX

SEVEN Commissioners were present and voting “yes”. Resolution No. 3316 was approved.

F. OTHER

1. MOTION – to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo March 26, 2024.

Commissioner SCARFARO moved to approve, seconded by Commissioner WARREN

SEVEN Commissioners were present and voting “yes”. Motion passed.

DISCUSSION ITEMS

1. Zoning Amendment – Abra Development for 3855 Lehigh St & 3305 Municipal Drive
After a brief presentation, a unanimous motion was taken to pass onto Legal & Legislative Committee for review.
2. Traffic Impact Advisory Committee – Setting Term Limit (J. WARREN)
A unanimous motion was taken to pass onto Legal & Legislative Committee for review.

G. REPORTS OF PUBLIC OFFICIALS

Commissioner FOX noted she has been ill and was not able to attend any meetings that she is a liaison to. Thanked the residents for attending.

Commissioner SCARFARO stated that she was at March’s L&L meeting and the only item discussed was on the Board’s agenda tonight.

Commissioner ATIYEH advised he as well as some other Commissioner attended the Park & Recreation Open House and it was informative and people who attended got to voice their opinions. He also commended Brandon Hibler for coming on board and moving forward with this issue.

Commissioner WARREN commented that the Board was in receipt of correspondence regarding Holcim Cement Plant and with that he would like to see sweeping of Main Street in front of the plant. Secondly, he would like to see the Field 5 project (Egypt) to start moving forward.

Commissioner PILIGIAN noted that he appreciates that the Township picks up yard waste and hope that continues going forward and also commented that the Cameron Tract is also a great place for people to utilize. Secondly, he reminded the Commissioner that whatever you post on social media lasts forever and recommended on being mindful of what you post.

Commissioner FOX thanked all that came out this evening.

Commissioner SNYDER attended WTICDA meeting and a report from them will be forthcoming. He spoke with Lee RACKUS and got a better understanding of how citations are processed. He also attended the CWSA Meeting. Next, he discussed the survey that was taken for the Recreation Comp Plan and with only 288 responses, he would like to see a postcard/flyer mailed out to the residents since, with so little response, the survey becomes invalid to use. It was the consensus of the Board that the cost is too great on the chance that you will get more responses. Commissioner ATIYEH added that when the survey was first posted, Brandon Hibler made flyers with the QR code for the survey and handed them out to the Park

& Rec Directors to give out at the parks. Lastly, he noted that with the referendum coming up to be voted on that would create a tax increase if approved, to know there are a lot of big ticket items coming before the Board and Administration that will need to be decided on.

Mayor MARX advised he met with US Senator Bob Casey at the Egypt VFW for a veterans event. Next, he delivered the municipal agreement for the reciprocal pool agreement to Coplay for their review and signature. The Township received three hundred ton of stone for the parkway parking lot and public works has completed it. Installed bumper pads on corners of tv in board room. Interviewed candidates for Fire Chief and tendered an offer and we are waiting for the acceptance. An inhouse meeting will be held to discuss the Surveyor position and a presentation will be made to the Board.

Commissioner WARREN added that he hopes that a co gets issued prior to the Civil War Weekend.

Treasurer KOREN noted that she forwarded her report to the Board and to let her know if there are any questions. The office is very busy with producing 300 to 350 receipts a day. She, along with Jack Meyers and the School District had a meeting with RKL auditors and they will be coming into the office in May to give suggestions for improvements.

Frank CLARK noted that Attorney Fogerty is getting the necessary easement from Verizon and are close to the wrapping up the Mechanicsville Road paperwork and the repair process for the 72" pipe has been completed.

*President SLONAKER advised that the Board is going into an executive session.

H. ADJOURNMENT

MOTION – Commissioner ATIYEH moved, seconded by Commissioner SCARFARO to adjourn the meeting at 9:38 pm.