
MINUTES

August 8, 2022
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, August 8, 2022 held at the Coplay Whitehall Sewer Authority, with the following in attendance:

COMMISSIONERS

Joseph J. Marx, Jr., President
Philip J. Ginder, Vice President
Thomas Slonaker, Secretary
Jeffrey J. Warren
Charles G. Fisher
Randy Atiyeh
Andy Roman

TOWNSHIP PERSONNEL

Michael P. Harakal, Jr., Mayor (absent)
John D. Meyers, Deputy Mayor
Jack Gross, Esq.,
Township Solicitor
Michael Marks, Police Chief
Frank Clark, Engineer, KCE
Lee Rackus, PZ&D
Tina J. Koren, Tax Collector
Larissa Bruder, Executive Secretary

President MARX read the statement on fair housing as required.

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence will follow to honor our men and women in uniform and our first responders and the people of Ukraine.

President MARX stated that an Executive Session was held on July 6, 2022 via Webex regarding Riverside Drive. Another Executive Session was held in the Police Training Room on July 25, 2022 regarding personnel issues.

Commissioner GINDER noted the passing of David Howard who served on the Traffic Impact Committee since its inception in the early 1990's. Dave will be missed by whoever came into contact with him. Thanks to Dave for a job well done and your infectious smile and quick wit will always be with us.

APPROVAL OF MINUTES

Commissioner WARREN moved, seconded by Commissioner GINDER to approve the Minutes of the following meeting:

Regular Public Meeting – July 11, 2022

Seven Commissioners were present and voted “yes”. Motion carried.

B. COURTESY OF THE FLOOR

Rob PILIGIAN of 415 Oakwood Drive echoed Commissioner GINDER's sentiments to Dave Howard as well. He served with Dave for any years on the Traffic Impact Committee. Even though Dave was not a resident of the community, he felt Whitehall was his own community and would bring a different perspective and added a lot of positive and real world experience to the committee.

Mr. Piligian noted that he's pleased with the functionality of the renovated Township building. He next advised that the gravel parking area inside the Home Depot jughandle needs to be maintained. He also questioned the area along the Jordan River that is overgrown as well. Commissioner FISHER asked if a fence was placed between the Township owned land and Home Depot's parking lot. Mr. PILIGIAN advised that jersey barriers were placed there by the Township to deter truck parking, but no fence has been installed. Commissioner WARREN noted that the grass was let to grow to create a riparian buffer for the work that was done there. He also noted that an access to the river needs to be provided, which he will work with the Conservancy on that matter. President MARX advised he would speak with the Public Works Director on the grass cutting. Mr. Piligian also advised that Fairmont Avenue between 5th and Fullerton Avenue is becoming a dumping ground.

Karen POSHEFKO of 3303 Musselman Court asked if the township had and could release any details of the sale of a piece of Lazarus property located net to Fellowship Community and are the woods next to the property included. Lee RACKUS, Bureau Chief of Planning Zoning & Development advised that she could not confirm the sale nor any details or specifics as nothing has been submitted to her department at this time, but Ms. POSHEFKO can contact her for updates.

C. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 18-2022

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASING ROAD BUILDING MATERIALS FOR THE PUBLIC WORKS BUREAU OF THE TOWNSHIP OF WHITEHALL IN ACCORDANCE WITH SECTION 3.20 OF THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE (PUBLIC WORKS)

President MARX read Bill No. 18-2022 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner ATIYEH.

Seven Commissioners were present and voting "yes". Bill No. 18-2022 was approved.

2. BILL NO. 19-2022 (FIRST HEARING)

TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO ACCEPT A DEED OF DEDICATION FROM EBERHART PROPERTIES, LLC ALONG EBERHART ROAD FOR THE PURPOSE OF RIGHT-OF-WAY AND FUTURE ROAD CONSTRUCTION

President MARX read Bill No. 19-2022 to the Board.

3. BILL NO. 20-2022 (FIRST HEARING)
TITLE: AN ORDINANCE AMENDING THE DEADLINE FOR FILING RETURNS FOR BUSINESS PRIVILEGE TAXES UNDER CHAPTER 24, ARTICLE I OF THE WHITEHALL TOWNSHIP CODE

President MARX read Bill No. 20-2022 to the Board.

Initially, Commissioner WARREN motioned to approve and Commissioner ROMAN seconded. These motions were withdrawn as this was the first reading.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3207
TITLE: A RESOLUTION APPROVING THE REFUND OF PENSION CONTRIBUTIONS, PLUS ACCUMULATED INTEREST FROM THE POLICE PENSION FUND TO FORMER POLICE OFFICER AARON W. REED. (ADMIN)

President MARX read Resolution No. 3207 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner ATIYEH.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3207 was approved.

2. RESOLUTION NO. 3208
TITLE: A RESOLUTION IMPLEMENTING A NEW WHITEHALL TOWNSHIP POLICY TEMPORARILY WAIVING USE PERMIT FEES FOR BUSINESSES EXISTING IN WHITEHALL TOWNSHIP SINCE 2007

President MARX read Resolution No. 3208 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner ROMAN.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3208 was approved.

3. RESOLUTION NO. 3209
TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF WHITEHALL SELF STORAGE, 2813 LEHIGH ST., WHITEHALL, INDEX #1992-21.

President MARX read Resolution No. 3209 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner WARREN.

Commissioner WARREN asked if a gravel path could be provided to access the proposed

future 911 trail. Chris SMITH, Developer of the project advised he is happy to provide access and will work out details with Frank Clark.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3209 was approved.

4. RESOLUTION NO. 3210

TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN INDEMNITY AGREEMENT WITH TRINITY REAL ESTATE SERVICES, LLC FOR LEHIGH COUNTY TAX MAP NO. 549888097149 FOR THE LAND DEVELOPMENT PLAN TITLED WHITEHALL SELF STORAGE

President MARX read Resolution No. 3210 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner GINDER.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3210 was approved.

5. RESOLUTION NO. 3211

TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND WHITEHALL TOWNSHIP TO AMEND THE CHAPTER A29-1 FEE SCHEDULE REGARDING CERTIFICATE OF OCCUPANCY INSPECTION FEES AND TO ADJUST THE AMOUNT OF LATE FEES

President MARX read Resolution No. 3211 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner ATIYEH.

Lee RACKUS explained that this adjustment is being made to provided consistency between Key Codes and Township’s fee schedules.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3211 was approved.

E. REPORTS OF PUBLIC OFFICIALS

Commissioner ATIYEH asked for an update on the status of the Pennsylvania Street property. Lee RACKUS stated that the Township is in the process of securing a contractor to demolish the structure per the structural engineers report. Commissioner FISHER questioned how this will be paid for and Mrs. RACKUS explained that the Insurance Company has refused to pay on the claim due to the nature of the fire, so the Township will most likely need to lien the property.

Commissioner WARREN noted that it appears that Haven Ridge Development is nearly built out and questioned when final paving will be done. Frank CLARK advised that the base will need to be tested to see where any repairs will need to be made prior to final paving. He added that the streets in that development will remain private but must be built to Township standards. Commissioner WARREN noticed a path at the end of Rising Hill Road cul de sac. Mr. CLARK indicated that a walking path was intended to be available as close to the park a possible for access. Commissioner WARREN then asked

the status of Mechanicsville Road sidewalk installation. Frank CLARK advised that PennDOT requires any property owner abutting the area of line striping changes to signoff on the changes which is in the process of being completed. Last step is that Attorney Fogerty must verify the properties have a clean title.

Commissioner SLONAKER thanked Frank CLARK for his diligence in getting PennDOT to finally start the work on the northbound turning lane on MacArthur Road and Mechanicsville Road intersection extension.

Commissioner GINDER asked Jack MEYERS if the building punchlist is near completion? Mr. MEYERS noted that a few more items have been addressed with the biggest items remaining being the wallpapering of the bathrooms and the installation of the audio/visual equipment in the public meeting room. Commissioner GINDER questioned Frank CLARK if the wall at Lehigh Street was inspected for movement? Mr. CLARK advised that his inspector has it on his schedule. Commissioner GINDER also asked Frank CLARK the status of the property at Columbia & MacArthur. Mr. CLARK noted that he is working with the representatives of Tractor Supply and they are moving forward. Commissioner GINDER verified with Jack MEYERS that the \$250.00 road sign bill will be credited to the IRT. Lastly, he asked for an update on the Cementon Pool. Jack MEYERS advised that the skimmer has a leak which will require work and Tony Cocca is seeking pricing on consultants that can provide divers to inspect the pool walls and floor for potential leaks.

Commissioner FISHER apologized for not attending last month's meeting as he was recovering from Covid. With the recent tragedy on MacArthur Road, he questioned whether there were any options the Township could seek in curtailing the running of red lights. Chief MARKS stated statics that with the number of officers the Township has compared to the City of Allentown and Easton; our officers are making close to or as many traffic stops as those departments mentioned. Unfortunately, the issue lies with personal responsibility of the driver. Commissioner FISHER offered an idea of what he has seen take place on Route 378 about once a month which officers would sit in the median to deter speeding. Chief Marks stated that they do it occasionally and normally when the police vehicles are seen most motorists reduce their speed. Commissioner WARREN suggested that traffic cameras be installed at intersections along MacArthur Road. Chief MARKS noted that the Board will be seeing that in his budget. Commissioner WARREN added that maybe the if the Township purchases them PennDOT can install them as part of their signal upgrade program. Frank CLARK noted that PennDOT requires load analysis anytime you want to add to their mast arms. He offered that he has seen putting a four second delay on all reds at intersections work effectively. Secondly, Commissioner FISHER asked if there are any regulations regarding people living in campers that are parked on the street. Lee RACKUS advised that zoning laws stop at the street and Chief MARKS noted that he is not aware of anything in the vehicle code. Attorney GROSS stated he will look into the matter and if need be, work on an ordinance prohibiting this. Commissioner FISHER then asked the timeline of the construction of the Parkway Pavilion. Frank CLARK stated that there has been a delay in getting a contractor to install the water and sewer lines who would also be able to dig a trench and obtain necessary materials. Jack MEYERS indicated that there are now two possible vendors and are awaiting final quotes with prevailing wages. Commissioner FISHER advised that the EAC is putting together a Parkway Management Plan and is trying to raise money to get a consultant. At this time, Mario SPAGNOLETTI of 3508 Fellowship Court asked who was putting the bird boxes in the Parkway and is concerned if birds are being fed since he cannot get out there regularly. He also commented on the deteriorating condition of the Chestnut Street barn. Commissioner FISHER explained that two boys scouts worked with Dale Ott in refurbishing of existing houses and built some new ones as well, and he will check on the bird feeding. Commissioner GINDER also commented that the Chestnut Street Barn needs attention, at the very least a coat of paint. Lastly, Commissioner FISHER passed along that another recycling event will take place October 22nd and on September 16th 7-9 pm the EAC is hosting a Hoot Hike thru the Parkway.

Commissioner ROMAN asked Frank CLARK if he could provide a timeline regarding Michael Madden's stormwater runoff issue on Bridge Street in West Catasauqua when that could be addressed in conjunction with the bridge being resurfaced. Frank CLARK advised that he isn't involved since these roadways are PennDOT roads. Commissioner ROMAN commented that he was hoping the Township could have some involvement in helping to get the stormwater issue addressed. Mr. CLARK advised that the state will ask for comments on the project but there is little the Township can do. Commissioner ROMAN noted that in a previous email received, the bridge rating is poor and foundation is rated fair and is concerned with that compared to what he saw when he was out there last month and was hoping that the Board and/or the Township could get some input on the project.

President MARX noted his comments have already been addressed.

Due to Mayor HAKAKAL's absence, his report was submitted to the Board in writing. Jack MEYERS offered further administration information as follows: paid fire department costs are being analyzed, collective bargaining beginning with police contract and finalizing paperwork for transferring banking to TDBank.

Treasurer KOREN stated that she is in the process of coming up with a better reporting method for her monthly reports. She has been submitting daily reports to the school district which they appear to be happy with. Her office is in the midst of collecting all taxes.

F. ADJOURNMENT

MOTION – Commissioner ATIYEH moved, seconded by Commissioner ROMAN to adjourn the meeting at 8:08 p.m.