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# **MINUTES**

**March 9, 2020**  
**Regular Public Meeting**

**Board of Commissioners**

**Township of Whitehall**

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**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, March 9, 2020, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

**COMMISSIONERS**

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

**TOWNSHIP PERSONNEL**

Michael P. Harakal, Jr., Mayor  
John D. Meyers, Deputy Mayor  
John F. Gross, Esq.,  
Township Solicitor  
Michael Marks, Police Chief  
Frank Clark Engineer  
Lee Rackus, PZ&D  
Colleen L. Gober, Tax Collector  
Larissa Bruder, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence for our troops serving home and abroad.

President GINDER read the statement on fair housing as required.

**APPROVAL OF MINUTES**

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

Regular Public Meeting – February 10, 2020

Seven Commissioners were present and voted “yes”, with one correction.  
Motion carried.

**B. COURTESY OF THE FLOOR**

Philips ARMSTRONG, Lehigh County Executive of 3151 Brynwood Drive, was present for his yearly visit. Executive ARMSTRONG commented on the following issues: 1) emphasized the necessity for residents completing and returning a census form. Approximately \$2,093 per person is given back to the County; 2) mail in ballots will be available – no more standing in lines to vote; and 3) plan in place for coronavirus and utilizing the CDC recommendations.

Clancy KISTLER (Chairman of Ethics Board) of 890 W. Highland Street. Mr. KISTLER handed out the 2019 year end synopsis. Along with Vice Chairman, Becky Beckwith and Ellen Bennett,

Secretary, advised their main focus is to make people aware that they are available for issues that arise and to follow the procedure of writing up the complaint, forwarding it to Executive Secretary who will then forward it to the Board for review.

Joseph WILFINGER of 293 5<sup>th</sup> Street advised that the Lehigh Valley is ranked 3<sup>rd</sup> in the State with poor air quality, thanks to the warehouses and rush hour traffic tie-ups on Route 22. The more carbon that is in the air the slower the jet stream becomes, which stalls weather patterns. He suggested planting more hardwood trees to help mitigate the problem. Mr. WILFINGER also noted a multi-municipality environmental council meeting coming up in Bethlehem.

Kerry Lynn CROSSIN of 4552 Cairo Drive asked the Board to reconsider the recently passed noise ordinance cut-off time of 10:30 pm to 10:00 pm and possibly cutting down the distance of 150 ft. Police Chief MARKS advised the Board that he is aware of the problems in that area and suggested that a visit to the neighbors may be the way to go at this time. If that does not ease the situation, then a revisit of the Ordinance may be necessary.

**C. PUBLIC HEARING AND VOTING ON ORDINANCES**

1. BILL NO. 3-2020 (SECOND HEARING)

TITLE: AN ORDINANCE OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES.

President GINDER read Bill No. 3-2020 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner ATIYEH.

Seven Commissioners were present and voting “yes”. Bill No. 3-2020 was approved.

2. BILL NO. 10-2020

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF TWO (2) 2020 FORD EXPLORERS AND ONE (1) 2020 FORD F150 FOR THE POLICE PATROL DIVISION, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (POLICE)

President GINDER read Bill No. 10-2020 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner DEE.

Seven Commissioners were present and voting “yes”. Bill No. 10-2020 was approved.

**F. PUBLIC HEARING AND VOTING ON RESOLUTIONS**

1. RESOLUTION NO. 3101

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING CAMP WHITEHALL RATES FOR THE YEAR 2020. (BOC)

President GINDER read Resolution No. 3101 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner WARREN.

Seven Commissioners were present and voting “yes”. Resolution No. 3101 was approved.

2. RESOLUTION NO. 3102

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING POOL PASS RATES FOR THE YEAR 2020. (BOC)

President GINDER read Resolution No. 3102 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner FISHER.

Seven Commissioners were present and voting “yes”. Resolution No. 3102 was approved.

3. RESOLUTION NO. 3103

TITLE: A RESOLUTION APPROVING THE PRICE ADJUSTMENT OF BITUMINOUS MATERIALS FOR SMALL QUANTITIES. (PUBLIC WORKS)

President GINDER read Resolution No. 3103 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner MARX.

President GINDER verified there are no Recreation Fees being assessed.

Seven Commissioners were present and voting “yes”. Resolution No. 3103 was approved.

4. RESOLUTION NO. 3104

TITLE: A RESOLUTION DECLARING THE INTENT OF THE TOWNSHIP OF WHITEHALL TO FOLLOW THE SCHEDULES AND PROCEDURES FOR DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL APPROVED ON DECEMBER 16, 2008. (BOC)

President GINDER read Resolution No. 3104 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner DEE.

Seven Commissioners were present and voting “yes”. Resolution No. 3104 was approved.

5. RESOLUTION NO. 3105

TITLE: A RESOLUTION TO AUTHORIZE THE DISPOSAL OF SPECIFIC RECORDS IN ACCORDANCE WITH THE PENNSYLVANIA RECORDS MANUAL.  
(BOC/DEVELOP

President GINDER read Resolution No. 3105 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner DEE.

Six Commissioners were present and voting “yes”. Resolution No. 3100 was approved.

Commissioner MARX advised Chief MARKS to congratulate both ARNOLD & DAVIS and note that we are very grateful for their years of service.

6. RESOLUTION NO. 3106

TITLE: A RESOLUTION AUTHORIZING THE MAYOR OF WHITEHALL TOWNSHIP TO ENTER INTO AN INDEMNIFICATION AGREEMENT AND APPROVING THE WELL ISOLATION DISTANCE WAIVER REQUEST REGARDING 3350 SEIPLES STATION ROAD PURSUANT TO 25 PA CODE SECTION 73.3(b).  
(BOC)

President GINDER read Resolution No. 3106 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner WARREN.

Seven Commissioners were present and voting “yes”. Resolution No. 3106 was approved.

7. RESOLUTION NO. 3107

TITLE: A RESOLUTION AUTHORIZING THE MODIFICATION OF LANGUAGE CONTAINED ON CERTAIN SIGNS LOCATED IN STILES PLAYGROUND, JEFFERSON STREET PLAYGROUND AND THE CEMENTON PLAYGROUND.  
(BOC)

President GINDER read Resolution No. 3107 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner SLONAKER.

Seven Commissioners were present and voting “yes”. Resolution No. 3107 was approved.

8. RESOLUTION NO. 3108

TITLE: A RESOLUTION AUTHORIZING THE MAYOR OF WHITEHALL TOWNSHIP TO ENTER INTO SITE ACCESS AGREEMENTS REGARDING TWO (2) OFF-SITE MONITORING WELLS ASSOCIATED WITH LUCKNOW-HIGHSPIRE

TERMINALS, LLC (FORMERLY GULF OIL'S FULLERTON TERMINAL AT 2451 MAIN STREET, WHITEHALL) TO BE LOCATED ON WHITEHALL TOWNSHIP LANDS AT 2382 PINE ST AND IN N. 4<sup>TH</sup> AVENUE'S ROADWAY BORDERING 2408 PINE STREET WHITEHALL, PA 18052. (ADMIN)

President GINDER read Resolution No. 3108 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner FISHER.

Seven Commissioners were present and voting "yes". Resolution No. 3108 was approved.

9. RESOLUTION NO. 3109

TITLE: A RESOLUTION CONDITIONALLY APPROVING SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT OF 4154 ROOSEVELT STREET LLC LOCATED AT 4154 ROOSEVELT ST., WHITEHALL PA. (DEVELOP)

President GINDER read Resolution No. 3109 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner SLONAKER.

Seven Commissioners were present and voting "yes". Resolution No. 3109 was approved.

10. RESOLUTION NO. 3110

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF 3434 N. FRONT STREET LLC, LOCATED AT 3434 N. FRONT STREET, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1941-19.

President GINDER read Resolution No. 3110 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner ATIYEH.

Discussion ensued regarding existing parking issues from current residents Christina Mills – 3448 Quarry St and Pamela Turek – 3446 Quarry St and also stormwater runoff issues which Frank CLARK addressed that the slope of the property would lessen from 10% to nearly 3%. Mr. CLARK also advised that the relief was granted by the ZHB for the lot size requirement.

Seven Commissioners were present and voting "yes". Resolution No. 3110 was approved.

11. RESOLUTION NO. 3111

TITLE: A RESOLUTION AUTHORIZING THE FILING OF A FORMAL APPLICATION AND BUSINESS PLAN FOR THE WHITEHALL TOWNSHIP POLICE AND MUNICIPAL SERVICES COMPLEX PROJECT UNDER THE REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM. (ADMIN)

President GINDER read Resolution No. 3111 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner FISHER.

Seven Commissioners were present and voting “yes”. Resolution No. 3111 was approved.

**G. OTHER**

1. MOTION – Motion to approve Real Estate Tax Assessment Appeal of 955 Grape Street.

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

2. MOTION – Motion to approve Jason Haskey for the Fire Police.

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

**H. REPORTS OF PUBLIC OFFICIALS**

Commissioner DEE sent condolences to the family of the woman recently killed at the MacArthur & Mechanicsville Road intersection. He also encourages residents to fill out and return the census. Commissioner DEE thanked Executive ARMSTRONG for being present in the community.

Commissioner ATIYEH noted that he recently attended the Twp Park and Recreation Meeting and was informed about the Jefferson Pool repairs that are needed or will be needed in the near future. He also urged people to attend the Special Olympics Event on May 1st which is normally held at Whitehall High School but due to construction will be held at Parkland High School this year.

Commissioner MARX advised that Student Government Day will be May 18<sup>th</sup> and encouraged anyone who can attend to do so as it is always an enlightening day.

Commissioner SLONAKER has been receiving complaints of the MacArthur & Mechanicsville Road intersection. PennDOT needs to do their improvement of extending the north bound turning lane.

Commissioner FISHER thanked Executive ARMSTRONG for speaking this evening and is glad to hear of the steps the County is taking on the coronavirus situation. He can't emphasize enough on protecting yourself.

Commissioner WARREN stated his concerns with the MacArthur & Mechanicsville Road as well. He also noted the urgency of the sidewalk installation on Mechanicsville Road.

President GINDER thanked Executive ARMSTRONG for being present this evening and for all he does for the Township and at the County.

Mayor HAKAKAL advised of Officer's Davis & Arnold retirement and they will be missed. The Township has saved money by the lack of having a severe winter. The MAYOR also noted that there is information on the Township website related to Coronavirus.

Treasurer GOBER noted that the 2020 Township Real Estate Tax and Garbage Bill is now being Collected.

President GINDER stated that an executive session will be held on legal and personnel matters.

***I. ADJOURNMENT***

MOTION – Commissioner FISHER moved, seconded by Commissioner DEE to adjourn the meeting at 8:40 p.m.