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# **MINUTES**

**OCTOBER 9, 2023**  
**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, October 9, 2023 held at the Whitehall Township Public Meeting Room, 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

**TOWNSHIP PERSONNEL**

Michael P. Harakal, Jr., Mayor  
John D. Meyers, Deputy Mayor  
Jacob Oldaker, Esq., Township Solicitor  
David Nelson, Fire Chief (Absent)  
Michael Marks, Police Chief  
Frank Clark, Engineer, KCE  
Lee Rackus, PZ&D (Absent)  
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 for our men and woman in uniform and our first responders.

President MARX announced that an Executive Session was held on Monday, October 2, 2023 for legal purposes.

**APPROVAL OF MINUTES**

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

Regular Public Meeting – September 11, 2023

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

**B. COURTESY OF THE FLOOR**

President Marx announced that there is a 3 minute time limit for comments and it will be strictly adhered to.

Karen POSHEFKO of 3303 Musselman Court thanked the Board for their service to the community. She also advised that there is a national travel website called “ebird.org” and Whitehall is listed.

She then noted an article from Parkland Press regarding South Whitehall meeting on farmland preservation. Lastly, she advised that she reviewed the township's Comprehensive Plan and has some additions/changes she would like to see be made.

Andrea HOAGLAND of 51 Kimmett Avenue noted that her concerns from months ago regarding the Mayor and Tony Cocca have not been addressed. She believes that there is an outdated mindset and believes there needs to be policy changes.

LoriAnn FEHNEL of 3107 N. 3<sup>rd</sup> Street stated that she was appalled at what has occurred with Andy Roman and commented that she felt his request to attend meetings via zoom was a reasonable accommodation and that he deserved a courtesy phone call before missing the third meeting. She also noted that the municipal building doors not being automated makes it difficult for a person in a wheelchair/scooter to enter the building.

Joni TODESKO of 424 4<sup>th</sup> Street also noted her displeasure with how the situation was handled with Andy Roman and asked what constitutes an excused absence versus unexcused. She believes that the residents voted him in and that they should have a say on this situation.

Marty KROBOTH of 3617 Park Street voiced his concern with the lack of maintenance at the playgrounds.

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

1. BILL NO. 33-2023

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE RENDERING OF PROFESSIONAL SERVICES FOR WORK ON THE COMPREHENSIVE PARK, RECREATION, OPEN SPACE AND TRAIL PLAN UPDATE AND THE JEFFERSON STREET RECREATION CENTER FEASIBILITY STUDY, 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 MARX read Bill No. 33-2023 to the Board

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

SIX Commissioners were present voting "yes". Bill No. 33-2023 was approved.

2. BILL NO. 34-2023

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE OF HARDWARE AND SOFTWARE FOR PLATE READER TECHNOLOGY, FOR THE POLICE DEPARTMENT, 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 MARX read Bill No. 34-2023 to the Board.

Commissioner GINDER moved to approve the motion, seconded by Commissioner

ATIYEH

SIX Commissioners were present and voting “yes”. Bill No. 34-2023 was approved.

3. BILL NO. 35-2023

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE INSTALLATION OF THE NEW FIRE POLICE TRUCK CHASSIS FOR FIRE DEPARTMENT, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (FIRE)

President MARX read Bill No. 35-2023 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner GINDER

SIX Commissioners were present and voting “yes”. Bill No. 35-2023 was approved.

4. BILL NO. 36-2023 (FIRST HEARING)

TITLE: AN ORDINANCE AMENDING ARTICLE XLI, SCOPE, APPLICATION AND EXCLUSIONS, SECTION 1-247 (EXCLUSIONS BY CONTRACT AMOUNT) AND ARTICLE XLIII, SECTION 1-261 (WRITTEN AND TELEPHONIC PRICE QUOTATIONS PER FIRST CLASS TOWNSHIP CODE) AND ARTICLE XLIII, SECTION 1-262, (CONTRACT LESS THAN STATUTORY LIMITS) TO RAISE THE MINIMUM BIDDING REQUIREMENTS AS PROVIDED BY APPLICABLE LAW AND THE FIRST CLASS TOWNSHIP CODE.

President MARX read Bill No. 36-2023 to the Board.

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

1. RESOLUTION NO. 3280

TITLE: A RESOLUTION REQUESTING A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMONWEALTH FINANCE AUTHORITY LOCAL SHARE ASSESSMENT (NORTHAMPTON AND LEHIGH COUNTIES) GRANT FOR THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS

President MARX read Resolution No. 3280 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner FISHER

SIX Commissioners were present and voting “yes”. Resolution No. 3280 was approved.

2. RESOLUTION NO. 3281  
TITLE: AN ORDINANCE AMENDING THE WHITEHALL TOWNSHIP EMPLOYEES DEFERRED COMPENSATION PLAN, IN ORDER TO COMPLY WITH THE SECURE ACT, AS PER INTERNAL REVENUE SERVICE CODE SECTION 457(B) AS AMENDED (ADMIN)

President MARX read Resolution No. 3281 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner GINDER

SIX Commissioners were present and voting “yes”. Resolution No. 3281 was approved.

3. RESOLUTION NO. 3282  
TITLE: A RESOLUTION AMENDING THE WHITEHALL TOWNSHIP EMPLOYEES DEFERRED COMPENSATION PLAN, IN ORDER TO COMPLY WITH THE CARES ACT, AS PER INTERNAL REVENUE SERVICE CODE SECTION 457(B) AS AMENDED (ADMIN)

President MARX read Resolution No. 3282 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner GINDER

SIX Commissioners were present and voting “yes”. Resolution No. 3282 was approved.

4. RESOLUTION NO. 3283  
TITLE: COMMUNITY AND ECONOMIC DEVELOPMENT COMMONWEALTH FINANCE AUTHORITY LOCAL SHARE ASSESSMENT (NORTHAMPTON AND LEHIGH COUNTIES) GRANT FOR THE PURCHASE OF A FOAM TRAILER FOR THE FIRE DEPARTMENT

President MARX read Resolution No. 3283 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner ATIYEH

SIX Commissioners were present and voting “yes”. Resolution No. 3283 was approved.

**E. OTHER**

1. MOTION - to designate Friday, October 27, 2023, from 6:00 pm to 8:00 pm, as the official Trick or Treat night in Whitehall Township with a rain date of Saturday, October 28, 2023.

Commissioner ATIYEH moved to approve, seconded by Commissioner FISHER.

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

2. MOTION - to approve the reappointment of Elizabeth Fox to serve on the Whitehall Township Recreation Commission, term expiring December 31, 2026.

Commissioner GINDER moved to approve, seconded by Commissioner ATIYEH

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

3. MOTION - to approve the reappointment of John Kelly to serve on the Whitehall Township Recreation Commission, term expiring December 31, 2026.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER.

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

4. MOTION - to approve the reappointment of Andrea Shumack to serve on the Whitehall Township Recreation Commission, term expiring December 31, 2026.

Commissioner WARREN moved to approve, seconded by Commissioner ATIYEH

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

5. MOTION - to approve the reappointment of Robert Miller to serve on the Whitehall Township Recreation Commission, term expiring December 31, 2026.

Commissioner WARREN moved to approve, seconded by Commissioner GINDER.

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

**F. REPORTS OF PUBLIC OFFICIALS**

Commissioner ATIYEH commended Recreation Director Brandon Hibbler on the ongoing work at the Township parks and his communication with the Board. Thanked the volunteers who are members of the committee that selected the firm who will compile the Recreation Comp Plan.

Commissioner FISHER noted that on October 15<sup>th</sup> the EAC will be conducting Adopt a Highway Cleanup along Front Street starting at 8:30am, reflective vests will be provided. Eagle Scout project in the Parkway has been approved by Council and is moving forward. Productive discussion with Lee Rackus, Vito Gallo and Mayor Harakal with moving forward with EV charging stations and WTICDA is willing to partner with businesses to obtain grant funding.

Commissioner GINDER asked Frank Clark the status of Mechanicsville Road. Mr. Clark advised that PennDOT is not going to require the Township to do an alternate engineering study and plans have been submitted to the design team. Chestnut Street Rail Trail striping and growth cut back still needs to be addressed. When will Fire Services Study be reviewed and Mayor noted it will be done at November’s

meeting.

Commissioner SLONAKER noted that the fencing has been started around the detention pond on S. Church Street.

Commissioner WARREN apologized for arriving late as he was stuck in traffic on Route 22. He asked what the SALDO amendment is on the L&L agenda. Attorney Gross explained that it is in reference to sidewalks and after discussion it most likely won't be an amendment. Commissioner Warren also noted that his concern is to sidewalks along MacArthur Road, he would like to see them set back with a buffer. Commissioner GINDER stated that unfortunately over the years, PennDOT has flip flopped with what they want and that's why there is no consistency along that roadway.

President MARX wanted to address the following untruthful statements that have been publicized –

- 1) That the building is not ADA compliant – the architects and engineers had the doors tested and they are 100% compliant, as well as having received a certificate of occupancy. He does agree that the doors be automated and that is being looked into by the Deputy Mayor.
- 2) That the Fire Department is not properly funded – the Board has never refused an appropriation. Whitehall has the same problem as all other fire departments have and that is volunteerism, unfortunately it is a national problem.

Mayor HAKAKAL stated that the Comprehensive Rec & Open Space and the Jefferson Street Feasibility Study has been put together as one process and is moving forward with the award to Herbert Rowland & Grubic. TASA Meeting is moving forward with 36 new parking spaces on Chestnut Street. Long Range Transportation Plan was discussed at LVPC. Commissioner WARREN added that the important intersection of 3<sup>rd</sup> and Grape Street was added to the list and thanked all who had a hand in making that happen.

Treasurer KOREN advised she submitted the September reports showing the Treasurers Distribution Account, Cash Reimbursement Account as well as the Central Operating balances. She also noted that the correction from last month's report was made and a revised report was sent.

**G. ADJOURNMENT**

MOTION – Commissioner FISHER moved, seconded by Commissioner ATIYEH to adjourn the meeting at 7:57 p.m.