
MINUTES

SEPTEMBER 9, 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, September 9, 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
Mark Bilder , Fire Chief
Michael Marks, Police Chief
Frank J. 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 the victims and their families of the Georgia school shooting and for the passing of past Board President and long time Commissioner, Richard Fahringer.

President SLONAKER read the statement on fair housing as required.

APPROVAL OF MINUTES

Commissioner WARREN moved, seconded by Commissioner SCARARO to approve the Minutes of the following meeting with corrections:

Regular Public Meeting – August 12, 2024

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

President SLONAKER announced that the Board had an executive session for personnel matters on September 3, 2024.

B. CONDITIONAL USE

INDEX # 2049-24A – Proposed Tractor Supply Company Store – 4500 Cameron Valley Parkway, Suite 400, Charlotte NC 28211. **Location: * 3581 W. Columbia Street, Whitehall, PA 18052, PIN 548983908300**, the subject property is located in the C-2A, Local Commercial Zoning District. Applicant

is requesting conditional use approval pursuant to Sec. 27-79D(3) of the Whitehall Township Zoning Ordinance to permit recreation vehicle sales at this location.

Tractor Supply has submitted this application to request approval for recreation vehicle sales. This would include trailers, pedal boats, and motorized vehicles including mini-bikes, dirt-bikes, go-karts, scooters, tractors, utility vehicles, and all-terrain vehicles on the subject property.

The above mentioned items will be kept in an outside fenced display area. The vehicles will be locked and connected with security alarm cables. No test driving will be allowed on drivable equipment. Applicant testified that the use is not adverse in any way, it follows all code statutes, zoning ordinance and comprehensive plan and is consistent with the surrounding area.

Commissioner PILIGIAN made a motion approving the conditional use request, after a hearing held on Monday, September 9, 2024 regarding Index #2049-24A at the property located at Whitehall, PA, seconded by Commissioner SNYDER.

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

NOTE: The above represents a brief summation of this Conditional Use Hearing. A complete, verbatim transcript of the proceeding can be viewed upon request at the Township Municipal Building, 3219 MacArthur Road, Whitehall, PA.

C. COURTESY OF THE FLOOR

LoriAnn Fehnel of 3107 N. 3rd Street commented on the following items:

- Handicap doors being installed
- Tax Office issues
- Request for social media policy

Joni Tedesco of 424 4th Street commented on the following items:

- Statement posted regarding Tax Office closure
- Request of Commissioner Snyder to Treasurer Koren on 2 month leave of absence
- Steps being taken to resolve the issues in the Tax Office

No discussion due to possible impending litigation

Dawn Saganowich of 3123 Sodl Lane commented on the following items:

- Statement on Tax Office closure
- Resolving issues in the Tax Office
- Garbage contract and fees

No discussion on Tax Office due to possible impending litigation.

Garbage contract was done according to legal procedures. Required advertising was done and also sent to a list of haulers. Only two haulers submitted a bid and one was rejected due to missing documentation. This situation is industry wide and is being experienced by other municipalities as well.

Susan Barthol of 3046 Birch Street commented on the following items:

- Summer concert series success
- Second shredding event – cancelled

- Stop sign concerns at 7th & Birch.

Jerry Wernicki of 4297 Truman Circle commented on the following items:

- Advised of a new computer scam he encountered whereby a program is downloaded on computer and is asked to send money to not release personal information/pictures. Will be forwarded to Police Chief. Commissioner ATIYEH noted that the Senior Center provides workshops on these type of issues.

Bruce Charles of 76 Madison Lane commented on the following items:

- Tax Office issues and ways to resolve issues
- Thanked Commissioner SNYDER for visiting his property and listening and caring about his concerns.

Deb Rosene of 4408 N. Church Street thanked Larissa Bruder for doing a good job on the Newsletter. She was very happy to see the article on sustainable practices and the meeting schedule

Jeff Blew of 1938 Alberta Drive stated his concern of an issue he is having with a neighbor who smokes marijuana and the odor is permeating into his home and is affecting his quality of life and enjoyment of his property. Mayor MARX advised that he will have Chief MARKS contact him regarding this issue.

Dennis Hower of 4866 Heidi Court and President of Teamsters Local 773 that represents the township union employees. He has concerns about what has been going on in the tax office and is always willing to come here and resolve the conflict so that the township can move forward. He provided Treasurer Koren with a copy of the union contract.

Anthony Kopack of 3763 Dogwood Drive commented on the following items:

- Tax Office issues
- Recycling Center cardboard compactor and a method to accept material when machine is down

Andrea Hoagland of 51 Kimmet Avenue commented on a concern of employees utilizing a Township truck and trailer on a weekend.

C. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 27-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE MECHANICSVILLE ROAD WIDENING PROJECT 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. (TRAFFIC)

President SLONAKER read Bill No. 27-2024 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner PILIGIAN

SEVEN Commissioners were present and voting "yes". Bill No. 27-2024 was approved.

2. BILL NO. 28-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE AND

RECYCLABLES, CONTRACT NO. 2024-03, IN ACCORDANCE WITH SECTION 3.20
IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF
ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (PUBLIC WORKS)

President SLONAKER read Bill No. 28-2024 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner PILIGIAN
Commissioner SNYDER explained that this item was discussed thoroughly at the Workshop Meeting with the proposed Contractor and questions asked that dealt with quality of service, type of equipment, past issues when this Contractor was the hauler years ago and was assured that those issues will not occur. He understands the concerns of the substantial increase that comes along with this and has talked extensively with Deputy Mayor MEYERS regarding ways to help curb costs. Based on this, he supports this approval of this contract.

Commissioner WARREN noted that because of receiving performance grant funds from DEP, the residents need to be good stewards and appropriately dispose of trash, recycling and yard waste. As well, when the contract is due again in 5 years, the contractors will look at tonnage of each item and we handled the trash. He then asked what type of trucks will be utilized. JP Mascaro III advised that all new side load automated trucks are being purchased and the driver will have the ability to observe the dumping and address any issues that may occur.

Commissioner PILIGIAN added that the possibility of the Township returning to collecting is not feasible. The cost of purchasing and maintaining trucks is astronomical and would require taxes to double. As a comparison, residents in Mahoning Township in Carbon County pay \$280 per quarter and that is only for trash pickup. Another item to keep in mind is that if a load is contaminated, it costs the Township, so it is very important to put items out appropriately. He also is supporting the approval of this contract.

President SLONAKER agreed with sentiments from Commissioner's SNYDER and PILIGIAN. This decision was not taken lightly. Remember all board members have to pay this fee as. The Board will be further discussing avenues to help with senior citizens and residents on a fixed income. In addition to that, Commissioner PILIGIAN noted that he is pushing for quarterly billing.

SEVEN Commissioners were present and voting "yes". Bill No. 28-2024 was approved.

3. BILL NO. 29-2024

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF BOTH CURBING AND SIDEWALKS FOR APPROXIMATELY 500 FEET ALONG THE MACARTHUR ROAD FRONTAGE OF 3561 WEST COLUMBIA STREET AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President SLONAKER read Bill No. 29-2024 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SCARFARO

SEVEN Commissioners were present and voting "yes". Bill No. 29-2024 was approved.

4. BILL NO. 30-2024 (FIRST HEARING)

TITLE: AN ORDINANCE AUTHORIZING THE SALE OF WHITEHALL TOWNSHIP PROPERTY LOCATED AT 3731 LEHIGH STREET IN WHITEHALL TOWNSHIP,

LEHIGH COUNTY, PENNSYLVANIA TO SAFEWRAP LLC, IN ACCORDANCE WITH THE TERMS AND CONDITIONS EXPRESSED IN BID 2024-08, FOR THE SUM OF \$610,185.99. (ADMINISTRATION).

President SLONAKER read Bill No. 30-2024 to the Board.

No action taken.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3335

TITLE: A RESOLUTION AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BODY TO EXECUTE AN AGREEMENT WITH BERKHEIMER WHEREUNDER BERKHEIMER IS RETAINED AS THE EXCLUSIVE TAX OFFICER FOR THE COLLECTION, ADMINISTRATION, RECEIPT AND ENFORCEMENT OF THE PROVISIONS OF THE RESPECTIVE TAX ENACTMENT OF THE GOVERNING BOARD LEVYING AND ASSESSING THE BUSINESS PRIVILEGE TAX FOR THE TERM HEREINDEFINED, TOGETHER WITH SUCH EXTENSIONS AS MAY BE AGREED UPON, SAID TAX ENACTMENT HAVING BEEN ADOPTED UNDER AND PURSUANT TO THE AUTHORITY OF THE PENNSYLVANIA LOCAL TAX ENABLING ACT (ACT 511, P.L. 1257) AND APPROVING AND ADOPTING THE RULES AND REGULATIONS PREPARED BY BERKHEIMER TO ADMINISTER AND ENFORCE THE BUSINESS PRIVILEGE TAX (ADMINISTRATION)

President SLONAKER read Resolution No. 3335 to the Board.

Commissioner ATIYEH moved to approve, seconded by Commissioner SCARFARO

SEVEN Commissioners were present and voting “yes”. Resolution No. 3335 was approved.

2. RESOLUTION NO. 3336

TITLE: A RESOLUTION AUTHORIZING A LIAISON BETWEEN WHITEHALL TOWNSHIP AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF BUSINESS PRIVILEGE TAX FOR THE TOWNSHIP, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE TOWNSHIP FOR THE PURPOSE OF THE COLLECTION, ADMINISTRATION, RECEIPT AND ENFORCEMENT OF ASSESSING THE BUSINESS PRIVILEGE TAX (ADMINISTRATION)

President SLONAKER read Resolution No. 3336 to the Board.

Commissioner SCARFARO moved to approve, seconded by Commissioner FOX

SEVEN Commissioners were present and voting “yes”. Resolution No. 3336 was approved.

3. RESOLUTION NO. 3337
TITLE: A RESOLUTION ADOPTING THE SCHEDULE OF COLLECTION COSTS TO BE IMPOSED AND ADDED TO DELINQUENT TAX BY H.A. BERKHEIMER, INC. FOR ADMINISTERING AND ENFORCING THE BUSINESS PRIVILEGE TAX (ADMINISTRATION)

President SLONAKER read Resolution No. 3337 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner SCARFARO

SEVEN Commissioners were present and voting “yes”. Resolution No. 3337 was approved.

E. OTHER

MOTIONS

1. MOTION - to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo August 15, 2024.

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

2. MOTION - to designate Friday, October 25, 2024, 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 26, 2024.

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

F. REPORTS OF PUBLIC OFFICIALS

Commissioner SNYDER commented that the last 2-3 weeks the Township has made the newspaper, Philadelphia news and all the negative comments on social media, he has decided to take the high road and provide the good that is taking place in the Township:

Recreation had a great summer with turnouts at the pool, camp and summer concert series. Improvements to West Catty Building Also doing a great job on upkeep on the trail.

Police Dept is out and working hard with writing 200 tickets and giving 400 warnings and 59 criminal arrests. Four new officers are in training.

Fire Department will be busy in October with Fire Prevention Month and schedule to be at over 30

Daycares and Fifteen people have returned to the Township Fire Dept

Working with Administration and Commissioner WARREN on camera policy

Old Police Building being sold

Working with Lee Rackus & Chris Gittinger on revising sign ordinance

Working together on the budget

Discussing improving the Twp Charter

Moving the Township forward in a positive way.

Commissioner FOX agreed that the Township needs to move forward in a positive fashion and thanked

residents for coming to the meetings and offering their comments.

Commissioner PILIGIAN stated he attended the EAC meeting. He thanked Jack Meyers for the breakdown of the pavilion costs that he previously requested. He asked that we all think about the events and people that perished on September 11th terrorist attack.

Commissioner SCARFARO noted that she concurs with Commissioner SNYDERs sentiments and thanked all the residents that come and participate at the meetings. She thanked her fellow Commissioners, the Mayor and Treasurer for the work they do and feels that we all want to do what's best for community.

Commissioner WARREN agreed with fellow Commissioner remarks with all the good things happening in Whitehall. He thanked all individuals that have been involved with the Parkway Pavilion Project. He also noted that Richard Fahringer was active on many boards and was instrumental in the preserving of the Whitehall Parkway land.

Commissioner ATIYEH gave a shout out to Saquan Barkley and his first win of the season as a Philadelphia Eagle. He thanked Mayor MARX for recognizing September as Suicide Prevention Month. He also noted the great job Recreation has done with summer events, pools etc. public Works doing a great job with paving this summer. Lastly, he welcomes the audience participation and asks that humility and respect need to be given by everyone.

Commissioner SLONAKER commented that the Board may disagree at times, but they really are working together to provide the best for the community.

Treasurer KOREN advised she forwarded her report earlier to the Board. She also noted that a link for on-line payments for real estate and garbage will hopefully be posted to the website this week.

Mayor MARX gave an overview of his Report:

- Chief Bilder submitted and received a grant for new air packs.
- Lehigh Valley Dairy is 90% demolished.
- Police motorcycles are now on the street. Congratulations to Officer's Kester and Nistal for completing their training.
- Jefferson Playground grant which will purchase new equipment as well as benches and picnic tables.
- Coplay Creek Restoration near the Hokendauqua Pool has started.
- West Catasauqua Building new flooring is complete along with many other upgrades.
- Negotiated that the Twp will only be responsible for snow shoveling on the Fifth Street Bridge
- Thanks to Senator Miller and Representative McNeill for supporting a change in a requested grant for a foam trailer to a sealing machine, with added thanks to Sheldon and Jack Meyers for their hard work in getting the paperwork completed.
- Lastly, Mayor MARX requested that we all bring civility back to our lives and the need to work together for the greater good.

G. ADJOURNMENT

MOTION – Commissioner SCARFARO moved, seconded by Commissioner ATIYEH to adjourn the meeting at 9:43 pm.