
MINUTES

APRIL 10, 2023
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 10, 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
Andy Roman (Absent)

TOWNSHIP PERSONNEL

Michael P. Harakal, Jr., Mayor
John D. Meyers, Deputy Mayor
Sam Cohen Esq. for 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 to honor our men and women in uniform, our first responders and the people of Ukraine.

President MARX read the statement on fair housing as required.

APPROVAL OF MINUTES

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

Regular Public Meeting – March 13, 2023

SIX Commissioners were present and five voted “yes” and one abstention (WARREN)
Motion carried.

President MARX noted that there was an Executive Session of the Board held on Monday, March 6, 2023 regarding legal issues.

**B. OATHS OF OFFICE
POLICE OFFICERS – JORDAN ISAAC & JOELLE MOTA**

Chief Marks introduced the newest members of the Whitehall Township Police Department. On July 5, 2022, Jordan Isaac started his career with the Whitehall Township Police Department. After 24 weeks of police academy training, he is now in his final weeks of field training. On March 27, 2023, Joelle Mota was employed by the township and is also now assigned to the field training officer program. Tonight, they stand before the Board of Commissioners and the public to take their oath of office.

Joelle Mota comes to the Whitehall Police Department via the Catasauqua Police Department where he worked for the past four years, along with working part time at several smaller agencies. Jordan Isaac has worked as a 911 dispatcher in Northampton County, EMT and has been a volunteer fire fighter as well. We here at the department look forward to watching their careers progress as you serve the township with dedication and honor.

Chief Marks also welcomed the Mota and Isaac families to the family here at Whitehall. This isn't always the easiest job. There are long hours, holidays that must be staffed, and night shifts to patrol when most others are in bed. All of these factors combine with dealing with a steady workload and difficult situations. This all contributes to a fair amount of stress in an officer's life throughout their career. Please know that Joelle, Jordan and all of their families will have someone to lean on during tough times and to celebrate the good ones as well.

The oaths that Officers Isaac and Mota are about to take, is the very foundation for wearing the badge and thus they swear an oath to perform the duties along with protecting and serving this community. I respectfully ask Ms. Bruder to present the oath of office and ask their families to come forward and formally present the badge of office to Officer Jordan Isaac and Officer Joelle Mota.

Executive Secretary Larissa BRUDER performed the Oath of Office with Officer's Isaac and Mota. Chief MARKS then handed badges to Officer Isaac's mom and Officer Mota's son to pin on them.

C. COURTESY OF THE FLOOR

LoriAnn FEHNEL of 3107 N. 3rd Street addressed two concerns:

- 1) Mayor Harakal was recorded visiting Fady Salloum's property and feels he should not be getting involved with any potential zoning issues at this residence.
- 2) Candidate Michael Cocca has used the Township logo on his campaign website and that suggests that the Township is endorsing him. President MARX advised that he became aware of the situation earlier and contact was made and the Township logo was removed.

Commissioner WARREN submitted an email he received from resident Joann KOURY as she could not be present. Her concerns are as follows:

Concerns: Schadt Avenue/MacArthur Road

- A. Approximately 100 yards on either side of traffic light there are 6 ingress/egress points total.
- B. The Whitehall Plaza changes have significantly increased traffic with left and right turns onto Schadt causing more congestion to an already busy location and vehicles are jumping the curb onto MacArthur.
- C. Traffic onto Mickley Avenue is also increasing and sending more traffic onto Mickley Road.
- D. Vehicles are cutting through the neighborhood at Hampshire Drive, and many are not stopping at stop signs on Hampshire. At most times of day, it is impossible to make a left turn onto Schadt from Hampshire.

Possible Solutions

- 1) Add plantings long the entire parking lot of Whitehall Plaza to prevent curb jumping
- 2) Make entry or exit from Schadt one way only
- 3) Make exit from Dunkin Donuts an entrance only onto Schadt Avenue
- 4) Signage to restrict through traffic onto Hampshire Drive
- 5) Adjust traffic lights to time better so traffic moves more freely

Concerns: Mickley Road/MacArthur Road Intersection

- A. The new plans for the Whitehall Mall is a concern that traffic will create more overflow onto Mickley Road and congestion at traffic light
- B. Daily I have witnessed up to three cars consecutively running red lights at Mickley and MacArthur Road intersection. Mostly on the north south direction of MacArthur
- C. The traffic light east on Mickley Rd from the Rite Aid is too short for green, reported over a year ago.
- D. Vehicles making left turns from Rite Aid at a no left turn egress onto Mickley Rd.
- E. Please police MacArthur and Mickley regularly on weekend evenings as there is quite a bit of speeding and racing that we hear

D. PUBLIC HEARING AND VOTING ON ORDINANCES

- 1. BILL NO. 13-2023 (FIRST HEARING)
TITLE: AN ORDINANCE OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, REPEALING THE STORMWATER MANAGEMENT ORDINANCE OF WHITEHALL TOWNSHIP, WHICH WAS ADOPTED ON APRIL 9, 2007, AS ORDINANCE NO. 2671 AND ADOPTING IN ITS PLACE THE WHITEHALL TOWNSHIP STORMWATER MANAGEMENT ORDINANCE, AS AMENDED FOR WHITEHALL TOWNSHIP
- 2. BILL NO. 14-2023
TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR CONSTRUCTION OF 2023 CDBG ADA HC RAMPS CONCRETE CURB AND SIDEWALK IMPROVEMENTS IN WHITEHALL TOWNSHIP, CONTRACT NO. 2023-01 IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (DEVELOP)

President MARX read Bill No. 14-2023 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner ATIYEH

SIX Commissioners were present six voting “yes”. Bill No. 14-2023 was approved.

3. BILL NO. 16-2023

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS FOR 500 FEET ALONG THE CHESTNUT STREET FRONTAGE OF 5101 BEEKMANTOWN ROAD AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President MARX read Bill No. 16-2023 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER.

Commissioner WARREN and Ken SNYDER both had concerns with how this would affect the Board’s ability to require installation in the future. Attorney GROSS and Commissioner GINDER both noted that the codified ordinance states that the Board of Commissioners can require installation at any time.

SIX Commissioners were present and voting “yes”. Bill No. 16-2023 was approved.

4. BILL NO. 17-2023

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS FOR 1200 FEET ALONG THE CHESTNUT STREET FRONTAGE OF 5101 BEEKMANTOWN ROAD AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President MARX read Bill No. 17-2023 to the Board.

Commissioner ATIYEH moved to approve, seconded by Commissioner FISHER.

SIX Commissioners were present and voting “yes”. Bill No. 17-2023 was approved.

E. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3247

TITLE: A RESOLUTION AUTHORIZING THE DISPOSAL OF SPECIFIC TOWNSHIP RECORDS IN ACCORDANCE WITH THE TOWNSHIP’S RECORD RETENTION AND DISPOSAL SCHEDULE. (ADMINISTRATION)

President MARX read Resolution No. 3247 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SLONAKER.

SIX Commissioners were present and voting “yes”. Resolution No. 3247 was approved.

2. RESOLUTION NO. 3248
TITLE: A RESOLUTION EXTENDING THE DEADLINES OF THE CONDITIONAL APPROVAL OF THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF EAGLE VIEW TOWNES, LOCATED AT 5266 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1884-16. (DEVELOP) PROVIDED UNDER RESOLUTION NO. 3005 ON FEBRUARY 12, 2018

President MARX read Resolution No. 3248 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner SLONAKER.

SIX Commissioners were present and voting “yes”. Resolution No. 3248 was approved.
3. RESOLUTION NO. 3249
TITLE: RESOLUTION CONDITIONALLY APPROVING THE LOT CONSOLIDATION/ MAJOR SUBDIVISION PLAN OF PROPOSED INDUSTRIAL DEVELOPMENT GREYSTONE CAPITAL, INDEX 1998-22 (DEVELOP)

President MARX read Resolution No. 3249 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner WARREN

SIX Commissioners were present and voting “yes”. Resolution No. 3249 was approved.
4. RESOLUTION NO. 3250
TITLE: A RESOLUTION AUTHORIZING WHITEHALL TOWNSHIP TO SATISFY THE JUDGEMENT OF MJ-31107-CV-0000006-2023 AGAINST ROBERT J. GANCI AND KATHLEEN F. GANCI

President MARX read Resolution No. 3250 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER.

Zoning Officer Chris GITTINGER was present to explain the sequence of events.

SIX Commissioners were present and voting “yes”. Resolution No. 3250 was approved.
5. RESOLUTION NO. 3251
TITLE: A RESOLUTION ACCEPTING A FUTURE ROADWAY DEDICATION FOR THE RIVERSIDE DRIVE RAISE GRANT PROJECT (ADMIN/BOC)

President MARX read Resolution No. 3251 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner ATIYEH.

SIX Commissioners were present and voting “yes”. Resolution No. 3251

was approved.

6. RESOLUTION NO. 3252
TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN INDEMNITY AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR LEHIGH COUNTY PARCEL ID. 549828018530 FOR HIGHWAY OCCUPANCY PERMIT APPLICATION NUMBER 271431

President MARX read Resolution No. 3252 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER

SIX Commissioners were present and voting “yes”. Resolution No. 3252 was approved.

7. RESOLUTION NO. 3253
TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN INDEMNITY AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR LEHIGH COUNTY PARCEL ID. 549828208392 FOR HIGHWAYOCCUPANCY PERMIT APPLICATION NUMBER 271431

President MARX read Resolution No. 3253 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner ATIYEH.

SIX Commissioners were present and voting “yes”. Resolution No. 3253 was approved.

8. RESOLUTION NO. 3254
TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN INDEMNITY AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR LEHIGH COUNTY PARCEL ID. 549827198526 FOR HIGHWAY OCCUPANCY PERMIT APPLICATION NUMBER 271431

President MARX read Resolution No. 3254 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner GINDER.

FIVE Commissioners were present and voting “yes”. Resolution No. 3254 was approved.

9. RESOLUTION NO. 3255
TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN INDEMNITY AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR LEHIGH COUNTY PARCEL ID. 549827364102 FOR HIGHWAY OCCUPANCY PERMIT APPLICATION NUMBER 271431

President MARX read Resolution No. 3255 to the Board.

Commissioner ATIYEH moved to approve, seconded by Commissioner FISHER.

SIX Commissioners were present and voting “yes”. Resolution No. 3255 was approved.

F. OTHER

1. MOTION – to approve the appointment of Karen Poshefko to serve on the Whitehall Township Environmental Advisory Council, term expiring December 31, 2026.

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

2. MOTION – to approve the appointment of James Schultz to serve on the Whitehall Township Recreation Commission, term expiring December 31, 2026.

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

G. REPORTS OF PUBLIC OFFICIALS

Commissioner ATIYEH congratulated the two officers sworn in earlier and gave appreciation to Chief MARKS for his diligence in recruiting.

Commissioner FISHER addressed the following issues:

Since the health inspection idea has been put on the back burner he asked if there are other mechanisms that can be utilized. Attorney GROSS will research.

He noted that he spoke with WTICDA in working together with reaching out to Whitehall businesses that would be willing to install EV stations.

EAC will be making a presentation at the May workshop meeting in regards to the Township being a Bird Town.

Clean up on April 22nd along the Jordan Creek Parkway from 9-12pm with food being provided after.

Mayor Harakal noted that employees from the Lehigh Valley Mall are volunteering for these cleanups thanks to new manager Colleen Ansbach.

Deb Rosene advised that PennDOT is cleaning up the dump area under the Route 22 overpass and they also put up no trespassing signs as well as install fencing.

Lastly, Commissioner FISHER asked again that a public email system be thought about, something similar to NIXL where announcements could be pushed out monthly to residents via email or text.

Commissioner GINDER addressed the following issues:

Advised that he has been in contact with Sheldon Christman regarding the IRT crossing gates getting installed and he is looking into utilizing grant money and also the type of gate. He also would like to have flashing lights at main crossings looked into by Frank Clark and Sheldon Christman.

Recreation Comprehensive Plan Update – Mayor HARAKAL advised that Chad Helmer is researching for a grant with the State and was advised to move forward with meetings.

A few Commissioners toured the Lehnert Road Barn and there are definitely many issues there such as health and fire hazards. He questioned what the intent is on spending money at this location or should a new building be thought about. Jack MEYERS advised that the employees are no longer working out of that building, it is just being used for storage and verified with Ken Snyder that the building is insured.

Commissioner WARREN & GINDER suggested that a proper water line connection be made to the Peter Grim house as an alternative and to serve the many functions that are held at that location. President MARX also noted that liquid fuels should not be stored in the barn, but instead in an appropriate type of storage shed.

Frank Clark was asked about the status of the Lehigh Avenue wall and he advised it was checked a few months ago and there was minimal movement and a report will be forthcoming.

GPS markers are being provided by the County for the trail.

Has yet to receive Playground & Park Officers list.

EAC Comp Plan status – Deb Rosene noted that they have met with a company that is interested but the EAC does not have enough dollars to fund it. Mayor HAKAKAL advised that Chad Helmer can look for grants to help fund it.

Commissioner SLONAKER noted that he is still waiting for his Christmas Tree pick up, as well as another on his street.

Commissioner WARREN stated that since PennDOT is still in the design phase of the MacArthur Road signal upgrade, he asks that more aesthetic pleasing light standard replacements be considered to make MacArthur Road more inviting.

While traveling for work in Alabama he visited the Shinbone Valley Fire Dept. which is the department that the Township donated a fire truck to in 2021. They have done some upgrades/repairs to the truck but left Township lettering to memorialize its origin.

President MARX asked that when new bureau chiefs are hired to have them come to board meeting so the Commissioners can meet them.

Mayor HAKAKAL – no report

Treasurer KOREN stated that she has provided her monthly report to the Board. She also noted that during the time period of March 1 to March 31 the three tax clerks receipted over \$5,000 transactions.

H. ADJOURNMENT

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