
MINUTES

JULY 11, 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, July 11, 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 (Absent)
Randy Atiyeh
Andy Roman

TOWNSHIP PERSONNEL

Michael P. Harakal, Jr., Mayor
John D. Meyers, Deputy Mayor
Samuel Cohen, Esq.,
Acting 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 noted that an Executive Session was held on June 20, 2022 via Webex regarding legal issues. A Special Board meeting was held on June 27, 2022 via Webex regarding Riverside Drive Project. Another Executive Session was held on July 6, 2022 regarding legal issues.

APPROVAL OF MINUTES

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

Regular Public Meeting – June 13, 2022

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

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

Special Public Meeting – June 29, 2022

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

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

Regular Public Meeting – February 14, 2022

Six Commissioners were present and voted “yes”. Motion carried. President MARX apologized for the oversight of LoriAnn Fehnel’s comment.

B. COURTESY OF THE FLOOR

Rob PILIGIAN of 415 Oakwood Drive asked the status of the Tax Office Audit and the Sexual Harassment claim. Deputy Mayor MEYERS indicated that the Audit is in the process of being performed this week and will hopefully be able to have a presentation to the Board at next month’s meeting. President MARX advised that the harassment claims are being mediated in October. Mr. PILIGIAN then commented on the June 29th meeting held regarding Riverside Drive. He was appalled at how the Township was treated, as it was made to seem as if the Township should be grateful for all monies previously allocated to the Township that were mostly for bridge repair and also that the Township was almost being threatened that if Riverside Drive was not accepted by the Township, no further federal dollars would be given to the Lehigh Valley. It appeared that the Board was kept in the dark up until this meeting or shortly before. Commissioner WARREN noted that he had sent an email last August showing the submitted application. The Mayor indicated that there were conversations over time but not any significant depth. Ken SNYDER of 4272 Abigail Lane asked for clarification of what this meeting was. President MARX indicated that on June 29, 2022 members of the LVPC, PennDOT, Lehigh County and the Board of Commissioners, Attorney Jack GROSS, Mayor HAKAKAL, Lehigh County Executive ARMSTRONG, along with other staff members were given a presentation on the impact this project would have on Whitehall Township. Mr. PILIGIAN commented that it is highly unusual that with a project of this magnitude, it was only known of late, that the roadway would have to be accepted by the Township, especially where PennDOT is involved. President MARX noted that some of the comments during the meeting were unprofessional and unnecessary. As the Board was aware of the RAISE grant submission and that Riverside Drive would be extended from Allentown into Whitehall, there was a lack of communication between LVPC and the Township. The Township having to accept Riverside Drive was only found out when Phil GINDER started participating in the LVPC meetings. Mr. PILIGIAN also was appalled that a project of this magnitude only needs a verbal commitment to move forward with the project. Commissioner WARREN stated that he believes this issue was accelerated was when it was found out they had to spend the monies by a certain time.

Ken SNYDER of 4272 Abigail Lane asked why someone like Congresswoman Wild wasn’t involved in the meeting as he believes there should be with a project of this magnitude and the impact of not receiving federal funding in the future if the Township does not commit to the acceptance of the roadway. He also verified that the Township Solicitor has been engaged to devise a list of caveats.

C. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3206

TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT AT 2016 CENTER STREET, WHITEHALL PA. (DEVELOP)

President MARX read Resolution No. 3206 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner ATIYEH.

Six Commissioners were present and voting “yes”. Resolution No. 3206 was approved.

E. REPORTS OF PUBLIC OFFICIALS

Commissioner ATIYEH asked the status of the Cementon Pool. The Mayor indicated that it is being evaluated. Commissioner WARREN added that with the help of NBMA, the Township staff is in the process of troubleshooting to see how bad the leak is and to determine where it is. Commissioner Atiyeh also verified that Camp Whitehall has been moved to Hokey Park.

Commissioner WARREN commented that the Police Youth Academy has concluded with 30 young adults of middle school age. His daughter attended and as a parent he was impressed on how well the program was organized and the how well the Police Officers communicated with the children in attendance and the parents weeks prior.

Commissioner ROMAN stated that he took a tour with Michael Madden who spoke to the Board last month about drainage issues around the Bridge Street/Race Street area in W. Catasauqua. He took pictures of the Race Street Bridge foundation that appears to be crumbling, along with a pothole that is open that you can see the river below and when trucks drive over the bridge it shakes. He urged that this bridge should be closed down before something tragic happens. Commissioner WARREN asked that the Township find out when this bridge was last inspected. On another matter, Commissioner ROMAN advised that the school district has reversed their decision on outsourcing tax collection. He also noted that he hosted a bingo event at the Senior Center and it was a fun time.

Commissioner SLONAKER asked Chief Marks if the Department was overwhelmed with complaints for the 4th of July holiday. Chief Marks noted that this is a valley wide problem and the passing of the new laws really will not help, as it puts it on the backs of the police department but really doesn't give them any more to work with. He feels the only way to rectify this problem is to repeal fireworks being legal.

Commissioner GINDER noted he had a few items, but first he wanted to read a letter from Justin Benner Asst Chief at Station #39:

Subject: 7/7 vehicle fire incident on Rt. 22

Commissioners Marx & Ginder,

I wanted to provide some information on an incident that occurred yesterday evening. At 4:51pm, a vehicle fire was dispatched on Rt. 22 sending stations 36 and 37. The initial report was a “fire underneath a vehicle on the side of the road”. Deputy FM Bilder responded and due to the number of 911 calls received, the column of visible smoke and status of our staffing tracking board showing no responders for 36 or 37, he requested station 38 respond at 4:54pm. Shortly after he requested station 39 respond at 4:58pm. The first apparatus to arrive was from station 38 at 5:05pm, with 2 personnel on board, who were now dealing with a fully involved vehicle fire and approximately 150 yards of brush on fire. They did not have any back up until a unit from station 39 arrived approximately 5 minutes later. Both stations 36 and 37 failed to respond entirely. By the end of the incident, stations 2 (Catasauqua) and 33 (Hanover Twp) also responded to assist with the extending brush fire along Rt. 22.

I’m not writing this with any ill intent towards our volunteers or department leadership. All 4 of our fire houses have awesome volunteers who truly want to be here and do the job of a firefighter. However, those who are left and still responding to calls are tired. Burnout is becoming a very real concern for our remaining volunteers, at least speaking for my station. We need help to reduce the burden. Unfortunately in yesterday’s case, none of the members of 36 or 37 were available to respond. This is becoming a scary reality more and more for all of our township fire houses.

This incident is another example of how delayed fire response due to lack of staffing resulted in the incident progressing for the worse. This just as easily could have been a house fire, a cardiac arrest, a motor vehicle accident with an occupant trapped or some other emergency where lives are at stake and they don’t have 15 minutes to wait for a fire truck. Luckily in this case, the outcome was just increased property damage due to the delay.

I understand budget season is nearing. I sincerely hope the township is taking a good look at how we can guarantee our fire apparatus respond 24/7 in 2023. In PA, there are several successful examples of volunteer fire departments utilizing full-time and part-time career staff along with their existing volunteers to successfully provide adequate fire protection and I’d be happy to be apart of leading that charge alongside our department’s top leaders . I am depending on Whitehall Township to make something happen, not only as a volunteer with the WFD, but also as a township resident with a wife and small child. Speaking as a township resident, I am more than happy to pay an extra \$20 a month on my mortgage if it means every fire truck will promptly respond to my house if there is a fire. I can’t speak for ~28k other people, but generally speaking money earmarked for fire protection is usually received well by the public. This is especially true when it is presented as a significant increase in level of service provided.

Thanks for taking the time to read this. Please feel free to share with whoever you see fit. If you have any questions please feel free to give me a call.

Justin Benner

Commissioner GINDER stated the Township has to figure out now what avenue needs to be taken for the safety of our residents. Chief NELSON noted that we are past the critical stage as we are now down to 69 volunteers split between 4 stations. He has tried numerous recruiting tactics with little success. It takes 21 firefighters to fight a fire and there are typically 4 or 5 on a scene today. We cannot constantly rely on outside resources. Unfortunately, this has become a world-wide issue and the Township has to address this issue now and it will take time to implement a partial or full paid department. In addition, Commissioner ROMAN and President MARX stated that fuel reimbursement normally given at the end of the year should be given to these volunteers now. President MARX commented that the Township has a fiduciary responsibility to protect the citizens and the volunteers at all cost. He believes a fire tax is necessary. He would like to have an executive session pre-budget season to discuss this issue as well as other personnel issues in public works, the recreation director position, exempt

employees and also with upcoming police contract and two failing pools there are a lot of hard decisions to make. Commissioner GINDER said the fire department issues needs to be addressed now and requested the Mayor get discussions under way immediately. He then questioned Frank CLARK on the status of Mechanicsville Road. Mr. CLARK stated that PennDOT requested revised R/W plans that where submitted for review. Commissioner WARREN noted that PennDOT should be given a deadline as the school year is nearing as well as winter where the work will have to be put off again. Commissioner GINDER then asked where the punchlist for the building stands. Jack MEYERS indicated that the items are dwindling down and the meeting room equipment needs one more item before installation. Commissioner GINDER reiterated that gas money be expedited to the fire personnel. He questioned the MAYOR on the status of Public Works helping out on maintenance on the trail. The MAYOR indicated that discussions with the Public Works & Recreation Dept indicates that since they are engaged in paving they can only get to grass cutting on rainy days. Commissioner GINDER, as well as Commissioner ATIYEH noted that the Jefferson Street Playground needs some upkeep. Commissioner GINDER also noted that the IRT was billed \$250 for caution signs at Bridge and Reliance Street and he believes that should be a Township bill. He also questioned whether a student pass issued to a Whitehall student could be used in Coplay and vice versa. Jack MEYERS indicated that hasn't been done for a long time. It is something that can be considered for next year.

President MARX thanked staff and professionals for all the help and input given on the Riverside Drive Project. Secondly, he is requesting a meeting sometime next month with administration to discuss the fire dept, public works, recreation and the recreation director position, exempt employee's salary evaluations. He believes that by meeting before budget season, it will give Jack MEYERS direction on putting the budget together. Commissioner ROMAN stated he feels that there should be a budget process with different committees that meet well in advance of the budget being put together. Commissioner WARREN noted that since Commissioner ROMAN has not attended budget hearings yet he should know that there is a process in place by which sessions are held in October where the Board meets with department heads and reviews what they have submitted. Any changes needed are made and the final budget is voted on in December. Possibly additional time should be given to review in October, but he doesn't feel that the department heads should be micromanaged. Commissioner ROMAN feels that a plan needs to be established and then the budget is crafted to support the plan and more structure in the decision making process is needed. Mayor HAKAKAL noted that was a good idea. Chief Marks stated that since Commissioner ROMAN has not been through a budget process, he should first experience one before making accusations that not enough time or effort is put into the process already in place. He also takes offense for himself and all the Bureau Chiefs that they are not doing their due diligence when putting their budgets together. Ken Snyder stood up and clarified, that any critique of the administration, was directed at the Mayor and not the staff, and that He (the Mayor) is ultimately responsible for the performance of Whitehall Township.

Mayor HAKAKAL stated that he discussed with the school district that the 10 students that participated in Student Government Day did a great job and were interested in learning the workings of the Township. He noted that Tanner Lilly's Eagle Scout Project has been completed and the bird houses are attracting birds. More Eagle Scout projects are in the works. He attended the Muse Day Spa ribbon cutting. The Mayor met with Cetronia Ambulance to discuss some concerns. He is continuing his lobbying for Bill 606 to allow municipalities to use radar for traffic control. He noted that he believes the Township is in a position to move forward with the Riverside Drive decision. He attended the Hokendauqua Legion Flag Burning Ceremony. He also attended a kickoff meeting with PennDOT staff, Frank Clark and Chad Helmer on getting a list of projects together to be utilize TASA grant money. Commissioner GINDER asked that he be informed of when these meetings are in the future. He is working on getting signage figured out on the Township complex. President MARX indicated that the call box inside the main doors needs to be marked better as to where to find it. He also advised that the multi modal grant is

not being applied for. He attended a meeting with Jack MEYRS and Attorney GROSS with the representatives from the Whitehall Copley School District and believes there will be a beneficial program at the outcome.

Treasurer KOREN stated that the Business Privilege invoices have been sent out and she has reported what has been collected so far. The office is busy collecting all taxes. President MARX noted that two resolutions are being drafted for business privilege extension for the due date and also to consolidate the business license and business privilege to go out together.

President MARX noted that he requested that Attorney GROSS review and finalize the contract with the school district regarding the tax office and to also review the police contract

F. ADJOURNMENT

MOTION – Commissioner ATIYEH moved, seconded by Commissioner ROMAN to adjourn the meeting at 9:10 p.m.