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# **MINUTES**

**March 11, 2019**  
**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 11, 2019, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

**COMMISSIONERS**

Dennis C. Hower, President (Absent)  
Philip J. Ginder, Vice President  
Thomas Slonaker, Secretary  
Shawn E. Clary  
Jeffrey L. Dutt  
Joseph J. Marx Jr.  
Jeffrey J. Warren

**TOWNSHIP PERSONNEL**

Michael P. Harakal, Jr., Mayor  
John D. Meyers, Deputy Mayor  
Sarah M. Murray, Esq., Township Solicitor  
Michael Marks, Police Chief  
Frank Clark Engineer  
Lee Rackus, PZ&D  
Colleen L. Gober, Tax Collector (Absent)  
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.

Vice 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 11, 2019

Seven Commissioners were present and seven voted “yes” with correction noted.  
Motion carried.

Vice President GINDER announced that Lehigh County EXECUTIVE Phillips Armstrong was the audience and welcomed him to the meeting. Executive ARMSTRONG stated that he has been making his “rounds” to the municipalities within the County to ask if there are any issues he needs to take back to the County Commissioners. He wanted to make sure everyone was aware of the COG meeting that was being held March 12<sup>th</sup> addressing grant writing. Executive ARMSTRONG noted his disappointment in Commissioner DUTT resigning and wished him well. Mayor HAKAKAL stated what an exceptional job Executive ARMSTRONG and Ed HOZZA have been doing at the County and Exec. ARMSTRONG noted that he is grateful for the cooperation they have received.

**B. COURTESY OF THE FLOOR**

Lori Ann FEHNEL of 3107 N. 3<sup>rd</sup> Street made note that there are at least 4 abandoned vehicles on her street and would like them made to comply to the ordinance. Witnessed two incidents at 3<sup>rd</sup> and Iron Streets of motorists not adhering to traffic controls. She is still adamant that a stop sign is needed. Ms. FEHNEL is also concerned in how snow emergencies are being handled. Mayor HAKAKAL advised that the process is being evaluated and changes will most likely be forthcoming. She also noted that people are parking within 2 feet of the fire hydrant on her street.

Joni TEDESCO of 424 4<sup>th</sup> Street voiced her concern of the 10:30 pm time limit in the fireworks Ordinance. She feels that 10:00 pm or even 9:00 pm is more appropriate. Consideration must be given to the veterans w/PTSD, people who need to get up early in the am, and household pets. Mrs. TEDESCO also thanked Commissioner DUTT for his service on the Board and wished him well.

Ray MINAROVIC of 4510 Nile Drive stated that the neighbor at 4512 Nile Drive does not maintain his property properly and is running a lawn mower business. The owner has had wood along side his house and in piles in the back yard for years. Mayor HAKAKAL advised that zoning is aware and is working on addressing the issues.

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

1. BILL NO. 6-2019

TITLE: AN ORDINANCE ESTABLISHING THE SALARY OF THE TOWNSHIP  
MAYOR FOR THE YEARS, 2020, 2021, 2022, AND 2023 (ADMIN)

Vice President GINDER read Bill No. 6-2019 to the Board.

Commissioner MARX recused himself from voting on this item.

Commissioner DUTT moved to approve, seconded by Commissioner CLARY.  
Discussion ensued regarding the percentage 3% vs. 2.75%.

Five Commissioners were present and voting "yes". Bill No. 6-2019 was approved.

2. BILL NO. 7-2019

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF PROPOSALS  
FOR PROVIDING JANITORIAL SERVICES FOR SPECIFIC MUNICIPAL  
BUILDINGS FOR WHITEHALL TOWNSHIP, RFP NO. 18-22, 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/ADMINISTRATION)

Vice President GINDER read Bill No. 7-2019 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner DUTT.  
There were no questions or comments.

Six Commissioners were present and voting "yes". Bill No. 7-2019 was approved.

3. BILL NO. 8-2019

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF PROPOSAL FOR CONSTRUCTION INSPECTION SERVICES PER REQUEST FOR PROPOSALS IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (ADMIN)

Vice President GINDER read Bill No. 8-2019 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner CLARY.

There were no questions or comments.

Six Commissioners were present voting “yes”. Bill No. 8-2019 was approved.

4. BILL NO. 9-2019

TITLE: AN ORDINANCE AMENDING THE CIVIL SERVICE RULES AND REGULATIONS OF THE TOWNSHIP OF WHITEHALL, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, SETTING FORTH STANDARDS AND PROCEDURES FOR THE OPERATION OF THE CIVIL SERVICE COMMISSION, PURSUANT TO THE FIRST CLASS TOWNSHIP CODE, DEFINING TERMS, ESTABLISHING THE DUTIES AND POWERS OF THE COMMISSION GOVERNING APPLICATIONS FOR EMPLOYMENT AND PROMOTION WITHIN THE BUREAU OF POLICE, DETERMINING EXAMINATION PROTOCOLS AND CREATION OF ELIGIBILITY LISTS, SETTING FORTH STANDARDS FOR PHYSICAL, PSYCHOLOGICAL AND VOICE STRESS ANALYZER EXAMINATIONS, AND ESTABLISHING RULES GOVERNING SUSPENSIONS, REMOVALS, REDUCTIONS IN RANK, HEARINGS AND RECORD MAINTENANCE. (CSC/ADMIN)

Vice President GINDER read Bill No. 9-2019 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner WARREN.

There were no questions or comments.

Six Commissioners were present voting “yes”. Bill No. 9-2019 was approved.

5. BILL NO. 10-2019

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF TWO (2) 2019 DODGE CHARGER VEHICLES 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)

Vice President GINDER read Bill No. 10-2019 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner SLONAKER.

There were no questions or comments.

Six Commissioners were present voting “yes”. Bill No. 10-2019 was approved.

6. BILL NO. 12-2019

TITLE: AN ORDINANCE AMENDING CHAPTER 6, ARTICLE I, FIREWORKS, BY ELIMINATING SECTIONS 6-1 (DISCHARGE OF ROCKETS AND FIREWORKS, OTHER CONDUCT), 6-2 (SALE, USE, ETC.), 6-3 (RESERVED), AND 6-4 (VIOLATIONS AND PENALTIES), AND REPLACING THEM WITH SECTIONS 6-1 (DISCHARGE OF ROCKETS; OTHER CONDUCT), 6-2 (SALE, USE, ETC.), 6-3 (USE AND SALE OF FIREWORKS, LIMITATIONS) AND 6-4 (VIOLATIONS AND PENALTIES).

Vice President GINDER read Bill No. 12-2019 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner DUTT. Discussion took place regarding the cut-of time of 10:30 pm for discharging of fireworks. It was decided upon to have the ordinance remain at the 10:30 pm time and if necessary can be amended in the future if needed.

Six Commissioners were present voting “yes”. Bill No. 12-2019 was approved.

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

1. RESOLUTION NO. 3052

TITLE: A RESOLUTION APPROVING THE AMOUNT OF INTEREST RETURN TO BE CREDITED TO POLICE PENSION FUND MEMBER CONTRIBUTIONS FOR FISCAL YEAR 2019. (ADMIN)

Vice President GINDER read Resolution No. 3052 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner CLARY. There were no questions or comments.

Six Commissioners were present and voting “yes”. Resolution No. 3052 was approved.

2. RESOLUTION NO. 3053

TITLE: A RESOLUTION OF THE GOVERNING BOARD OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION

WITH THE DISTRICT FOR OFFICIAL PURPOSES.

Vice President GINDER read Resolution No. 3053 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner SLONAKER. There were no questions or comments.

Six Commissioners were present and voted “yes”. Resolution No. 3053 was approved.

***E. OTHER***

1. **MOTION** – to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo dated March 5, 2019.

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

***F. REPORTS OF PUBLIC OFFICIALS***

Commissioner WARREN wished Commissioner DUTT well. There will be a void that will need to be filled.

Commissioner CLARY said it’s been a pleasure working with Commissioner DUTT and you will be missed and wished him the best.

Commissioner SLONAKER appreciates how much Commissioner DUTT accomplished and stated that he was a very good Commissioner.

Commissioner MARX wished Commissioner DUTT well on his future endeavors and stated that Emmaus is lucky to be getting him. Commissioner MARX also noted, that the EPA lifted the Administrative Order that was put on the signatories of Lehigh County. CWSA was very proactive and spent \$20 million to improve their system. Commissioner MARX questioned Frank Clark the status of Summit & Prospect St. surveys. Frank CLARK stated he believes they just need the final ok and should be ready to go.

Commissioner DUTT formally announced that as of March 30<sup>th</sup> he will be resigning his position as Commissioner. He and his wife are moving to Emmaus to help take care of his in-laws and to give his wife the opportunity to live in the town that she grew up in. Commissioner DUTT stated that his time as Commissioner would not have been complete without the people sitting there with him. This is not the end of his political career, as you never know what the future holds. He is not totally leaving, his is still going to be President of the Senior Center and is still heading the historical walks in Hokendauqua. He thanks everyone from the bottom of his heart to all the staff sitting in the room for their help.

Commissioner GINDER said to Commissioner DUTT that its been an honor and a pleasure working with him, wishes him the best and thanked him for his service.

Fire Chief Nelson announced that he has coordinated with the Police a dodgeball tournament as a fund raiser to help out a township employee that has taken ill. The High School has agreed to have the event held at the school gym this Saturday, March 16<sup>th</sup>.

Mayor HAKAKAL noted that there has been significant interest in the Lehigh Valley Dairy and feels to see something good come of it. The American Legion is celebrating a 100<sup>th</sup> Anniversary and the Fullerton Legion reached out asking for some support from the community. The Lions club funded the flags that are flying along Fullerton Avenue. A Freedom Foundation Veteran's trip is in the works of being planned. The Mayor also thanked Phillips ARMSTRONG for visiting, since he's been a big part of things that are happening in Whitehall. Mayor HAKAKAL asked the Board consider an executive session to discuss potential acquisition of property.

Lee RACKUS noted the Fort Deschler Sign Dedication will be taking place on March 29<sup>th</sup> at 11:00 am on the Trail at the sign location near the overpass of Route 145.

Vice President GINDER announced that the Board will be holding an executive session after adjournment.

**G. ADJOURNMENT**

MOTION – Commissioner MARX moved, seconded by Commissioner DUTT to adjourn the meeting at 8:04 p.m.