
MINUTES

October 11, 2021
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, October 11, 2021 held virtually via WEBEX, with the following in attendance:

COMMISSIONERS

Philip J. Ginder, President
Joseph J. Marx, Jr., Vice President
Thomas Slonaker, Secretary
Jeffrey J. Warren
Charles G. Fisher
Randy Atiyeh
Michael D. Dee

TOWNSHIP PERSONNEL

Michael P. Harakal, Jr., Mayor
John D. Meyers, Deputy Mayor
John F. Gross, Esq.,
Township Solicitor
Michael Marks, Police Chief
Frank Clark, Engineer, KCE
Lee Rackus, PZ&D (Absent)
Colleen L. Gober, Tax Collector
Larissa Bruder, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a note of thanks given to all serving in the Armed Forces, First Responders, Healthcare Workers, Grocery Store Workers, and Municipal Staff who are all seeing the community through this hard time.

President GINDER read the statement on fair housing as required.

President GINDER read Robert Abbott resignation letter from IRT Committee and Recreation Commission as IRT Liaison.

President GINDER read Shawn Younis resignation letter from the Recreation Commission Senior Citizen Representative.

President GINDER read a letter from School District Superintendent Dr. Robert Steckel requesting that the Community Council Committee meet Tuesday October 19, 2021 - 1:00pm at school district. The Committee consists of President GINDER, Commissioner SLONAKER, Commissioner ATIYEH and Mayor HARAKAL.

APPROVAL OF MINUTES

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

Regular Public Meeting – September 13, 2021

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

B. COURTESY OF THE FLOOR

Robert PILIGIAN of Oakwood Drive, Whitehall addressed the Board by questioning the status/outcome of the activities that occurred in the Treasurer Dept back in January and have the recommendations outlined in the audit implemented and are reports being supplied regularly. President GINDER advised that he has been asking for certain reports per the audit that have still not been given. Treasurer GOBER stated that security has been implemented and that she has been short staffed on occasion and is very busy with numerous tasks and that is why reports have been delayed. Mr. PILIGIAN questioned whether there is adequate staffing and is the staff qualified. President GINDER noted that as far as he is aware there adequate staff. Treasurer GOBER added that its not lack of staff, but that its recovering from a previous employee that absconded with money and dealing with the restrictions from the pandemic.

Lori Ann FEHNEL 3307 N. Front Street, Whitehall asked if the Township is any closer to being able to pay bills online so there is a paper trail. Deputy Mayor MEYERS advised that we are not.

C. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 21-2021

TITLE: AN ORDINANCE AMENDING CHAPTER 27 (ZONING), ARTICLE VII (DEFINITIONS AND LIMITATIONS USES), ARTICLE IX (SCHEDULE OF PERMITTED, ACCESSORY, SPECIAL EXCEPTION AND CONDITIONAL USES), ARTICLE XVI (DEFINITIONS OF WORDS), TO REDUCE THE NEGATIVE IMPACT OF OUTDOOR COMMERCIAL COOKING OPERATIONS IN RESIDENTIAL NEIGHBORHOODS.

President GINDER read Bill No. 29-2021 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner MARX.

Seven Commissioners were present and voting “yes”. Bill No. 29-2021 was approved.

2. BILL NO. 29-2021

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF CURBING AND SIDEWALKS ALONG THE MACARTHUR ROAD ~~AND SPRING MILL ROAD~~ FRONTAGES OF 4124 AND 4128 SPRING MILL ROAD AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President GINDER read Bill No. 29-2021 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner DEE.

Seven Commissioners were present and six voting “yes” and one voting “no” (Marx). Bill No. 29-2021 was approved.

3. BILL NO. 30-2021(SECOND HEARING)

TITLE: AN ORDINANCE AMENDING CHAPTER 27 (ZONING) OF THE WHITEHALL TOWNSHIP ZONING ORDINANCE OF 1989 BY ADDING CONDITIONAL AND PERMITTED USES IN THE C-2, REGIONAL/COMMUNITY COMMERCIAL DISTRICT, INCLUDING THE USE OF COORDINATED COMMERCIAL DEVELOPMENT, TO SECTION 27-80.D AND PROVIDING CRITERIA FOR THE COORDINATED COMMERCIAL DEVELOPMENT USE IN SECTION 27-80.G; ADDING ADDITIONAL PERMITTED USES TO SECTION 27-80A; ADDING DEFINITIONS OF WORDS TO SECTION 27-94A. (PLANNING)

President GINDER read Bill No. 30-2021 to the Board.

Commissioner MARX moved to approve, seconded by President SLONAKER.

Commissioner WARREN had an issue with educational institution and self storage being included. Pet Daycare is also an issue with him as well. Would like to have input on where these would be placed. Amusement Facilities can possibly be expanded to gaming. Erich SCHOCK, Esq. of FLB advised that Amusement Facilities & educational institution are already allowed in the district. The other 2 (pet daycare and self storage) were asked to be included by staff. Attorney GROSS stated that his recollection mirrors Atty SCHOCK’S. Frank CLARK noted that self storage was included since the township has numerous in the C-2 zone already and it would cause an inconsistency to not include it.

Seven Commissioners were present and six voting “yes” and one voting “no” (WARREN). Bill No. 30-2021 was approved.

4. BILL NO. 31-2021

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASING GRANULAR SODIUM CHLORIDE TREATED WITH LIQUID MAGNESIUM CHLORIDE FOR THE PUBLIC WORKS BUREAU OF THE TOWNSHIP OF WHITEHALL IN ACCORDANCE WITH SECTION 3.20 OF THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE (PUBLIC WORKS)

President GINDER read Bill No. 31-2021 to the Board.

Commissioner WARREN moved to approve, seconded by President DEE.

Seven Commissioners were present and voting “yes”. Bill No. 31-2021 was approved.

E. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3169

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF KING KONE, LOCATED AT 4220 WRIGHT LANE, 4124 SPRING MILL ROAD AND 4128 SPRING MILL ROAD, WHITEHALL.

President GINDER read Resolution No. 3169 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner Dee.

Commissioner WARREN questioned there is pedestrian access from the parking area to main entrance. Mr. SAFI answered there is hardscaping being proposed. President GINDER questioned the status of Spring Mill Road and MacArthur Road intersection. Two way traffic from the lower entrance to MacArthur Road with only a right hand turn being allowed with new signage as noted by David LEAR, of Lehigh Engineering.

Seven Commissioners were present and voting “yes”. Resolution No. 3169 was approved.

2. RESOLUTION NO. 3170

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION AND LAND DEVELOPMENT PLAN OF PROPOSED INDUSTRIAL BUILDING, 5240 SILO DRIVE, WHITEHALL.

President GINDER read Resolution No. 3170 to the Board.

Commissioner DEE moved to approve, seconded by Commissioner SLONAKER.

Seven Commissioners were present and voting “yes”. Resolution No. 3170 was approved.

3. RESOLUTION NO. 3171

TITLE: A RESOLUTION AUTHORIZING THE MAYOR OF WHITEHALL TOWNSHIP TO ENTER INTO AN AMENDED SIDEWALK MAINTENANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION (BOC)

President GINDER read Resolution No. 3171 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner WARREN.

Seven Commissioners were present and voting “yes”. Resolution No. 3171 was approved.

4. RESOLUTION NO. 3172

TITLE: A RESOLUTION REQUESTING A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMONWEALTH FINANCE AUTHORITY LOCAL SHARE ACCOUNT (NORTHAMPTON AND LEHIGH COUNTIES) GRANT FOR THE HISTORIC MICKLEY PRYDUN FARM RENOVATION – PHASE II.

President GINDER read Resolution No. 3172 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner DEE.

Seven Commissioners were present and voting “yes”. Resolution No. 3172 was approved.

F. OTHER

1. MOTION – to reappoint Robert ABBOTT to the Recreation Commission, switching from IRT Liaison to Community at Large, term to expire September 30, 2024.

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

Mr. Abbott was thanked for his service and assistance over the past 20 years.

2. MOTION – to refer the Petition to rezone 3305 Municipal Drive from the OS-1 to R-4 zoning district to the Legal and Legislative Committee for further consideration.

Commissioner MARX noted that as Chairman of the L&L Committee he advised that the Committee will not be entertaining this matter.

Developer Abraham Atiyeh stated that he feels an error was made years ago in the zoning of this parcel since all other adjoining parcels are zoned residential. He would like the opportunity to present his case at L&L. Commissioner WARREN noted that when the master plan was done it was designated as open space as it had been previously.

Seven Commissioners were present and 2 voting “yes” and 5 voting “no”. (Marx, Slonaker, Warren, Fisher & Ginder) Motion denied.

3. MOTION – to refer the Petition to create a Health Care Overlay Zoning District (HCO) to the Legal and Legislative Committee for further consideration.

Request made by Lehigh Valley Health Network could involve the construction of a neighborhood style hospital. After lengthy discussion and numerous questions it was determined that the matter was too vague to properly consider. Abe Atiyeh also noted that as an adjoining property owner he would oppose it.

This item was tabled till more information is provided.

G. REPORTS OF PUBLIC OFFICIALS

Commissioner ATIYEH noted and upcoming 10/19/21 meeting with school district-Community Council and met with Park & Rec Board regarding youth organizations and the park system.

Commissioner DEE thank Tony COCCA and Michele DRAGOVITS for the hard work on putting together the Halloween Parade. There was a great turnout and was a wonderful night. He asked the public to make trick or treat night special for the kids.

Commissioner FISHER questioned status of grant. The MAYOR noted it is the process of being reviewed. He emphasized the success of the Halloween parade. He complimented Home Depot on the progress made on littering at that location. EAC is looking for scouts for eagle scout or gold award projects. He still encourages getting vaccinated and boosters when available.

Commissioner WARREN clarified his vote on the Coordinated Development Ordinance that he supports mixed uses just had concern about self storage use. The Multi Model Grant is out and suggests that the intersection of Eberhart Road and MacArthur Road be discussed to approve safety and connectivity.

Commissioner SLONAKER also thanked Tony Cocca and Michele Dragovits for their hard work on the Halloween Parade.

President GINDER thanked Attorney Gross for his diligence on finally getting the Haul Road Agreement signed. Frank CLARK advised that he still has not been successful with getting UGI to cooperate on their work on Lehigh Avenue. Suggestion was made to have Attorney GROSS put pressure on them. President GINDER noted that neither the September Treasurer Report or the reports for deposit accounts noted in the audit have been received by the Board. Treasurer GOBER advised that they will have them as soon as she is able. President GINDER questioned the status of NBMA supplying list of privately owned hydrants. Mayor HAKAKAL indicated that had yet to be received. Commissioner WARREN noted that NBMA does not track that information, so they are in the process of compiling a list. President GINDER announced that board/commission interviews are scheduled for November 4th @ 6:30pm to be held at the W. Catasauqua Playground Bldg. Also, budget hearings have been scheduled for October 26th, 27th and 28th @ 6:00pm at the W. Catasauqua Playground Bldg. He thanked Jack MEYERS and Police Pension Board and Cornerstone Investment, in saving the Township ½ million dollars less than anticipated. He also asked Jack MEYERS on getting monthly financials on IRT. Jack MEYERS advised that can happen once new software is up and running. He questioned the Treasurer when fire fighters would be receiving their real estate tax refund. Treasurer GOBER advised she is working on and she be out to them soon. President GINDER also asked that a Recreation Comprehensive Plan be worked on for the future.

Mayor HAKAKAL advised that milling of the road in front of the Township Building will be occurring on October 18th & 19th. Employees will be able to park to the rear of the

building traversing through Public Works access road. Kudos was given to Jack MEYERS, Debi BOWMAN, Chad HELMER and Kim LaBRAKE for their work on RACP grant. The MAYOR noted more greenery will be placed at Mickley Road footbridge since there is still money available. He visited Bridesburg Foundry upon receipt of request for air filtration system. The MAYOR also met with Frank CLARK, Peter TERRY and Phil GINDER at PennDOT District 5-0 to discuss status of 5th Street Bridge/Route 22 and MacArthur Road projects.

Treasurer GOBER stated that reason that monthly report is not completed is she did not receive daily reports for 9/17, along with an account being opened she was not aware of, which as of today has been rectified. Once she receives statement for that account she can then complete and send out her report. She advised that a lot of her day is consumed with returning phone calls and visiting elderly residents who need help with understanding their tax bills. It also takes her at least an hour to go back and forth to the bank. She requested that she have a discussion with Atty Gross to be advised what she legally can say regarding the situation that occurred in the tax office.

H. ADJOURNMENT

MOTION – Commissioner DEE moved, seconded by Commissioner MARX to adjourn the meeting at 9:38 p.m.