
MINUTES

SEPTEMBER 11, 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, September 11, 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
Jacob Oldaker, Esq., Township Solicitor
David Nelson, Fire Chief (Absent)
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 an extended moment of silence will follow to honor the first responders, American citizens and Military that were lost in the 9/11 tragedy, and also add a prayer for the people of Ukraine.

APPROVAL OF MINUTES

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

Regular Public Meeting – August 14, 2023

SIX Commissioners were present and five voted “yes”. Motion carried.

Commissioner SLONAKER stated that Commissioner ROMAN is absent and absence is not excused.

B. PUBLIC HEARING & VOTING ON CONDITIONAL USE

INDEX # 2022-23A – WB Homes Land Acquisitions, LP – 404 Sumneytown Pike, North Wales, PA 19454. **Location: * Rural Road, Whitehall, PA 18052, PIN 548895351592**, the subject property is located in the R-3A Special Care Community Residential Zoning District. Applicant is requesting conditional use approval pursuant to Sec. 27-73 (D) 7 and Sec. 27-141 of the Whitehall Township Zoning Ordinance for a 116 unit age restricted (over 55) special care residential community.

Present were Erich Schock Esq. of Fitzpatrick, Lentz & Bubba, Christopher Canavan-WB Homes President and Justin Greyhorn, as well as Township Solicitor Jack Gross and Zoning Officer Christopher Gittinger.

WB Homes is proposing to develop the property for a community of 116 age restricted (over 55) with 57 single family attached and 59 detached cottage type dwellings. The area surrounding the property is developed with a variety of residential uses, including two special care communities (Horizons Village and Fellowship Community) and bordered by Rural Road on the west and the Brynwood Drive development to the east. The developments primary entrance will be off Rural Road and three emergency access connections are designed from Brynwood Drive, Elizabeth Court and Rural Road near Fellowship Community. A communal clubhouse located near the center of the development will provide space for a fitness center, community kitchen and dining and other activities. Thirty foot wide streets are being proposed which will be large enough for two travel lanes and parking on one side. Various criteria was reviewed that meets and/or exceeds all the requirements of the zoning ordinance.

Commissioner SLONAKER made a motion approving the conditional use request, after hearing held on Monday, September 11, 2023 regarding Index #2022-23A at the property located at Whitehall, PA, seconded by Commissioner GINDER.

Six Commissioners were present and five voted “yes” and one voted “no” (FISHER). 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.

*Attorney Jack GROSS entered the following statement into the minutes:
On July 25, 2023, Whitehall Township received an Agricultural Security Area application from Brad Stanko for his property located at 4590 Spring Street. The application has been sent to North Whitehall Township.

C. COURTESY OF THE FLOOR

President Marx announced that there is a 3 minute time limit for comments and it will be strictly adhered to.

Rob PILIGIAN of 415 Oakwood Drive asked the status of the sale of the previous police station on Lehigh Street. Deputy Mayor MEYERS noted that he is working on how to market the building and the bid documents are in the process of being prepared.

Andrew KOPECK of 3763 Dogwood Drive thanked the Commissioners for the moment of silence in remembrance of 9/11. He also thanked Frank Clark for getting the hole fixed on Rural Road. Also noted were the following areas that need to be maintained: Range Road pathway (past Recycling Center) and Lehigh Street in the area of Skateaway both have low hanging branches and/or weeds that need removal. Lastly, he asked that consideration be given to changing the Lafarge Fund to something different. Commissioner GINDER noted to keep in mind that Lafarge contributed a lot to the Township and helped with the creation of the Cementon Playground.

D. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 27-2023 (SECOND HEARING)

TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO ACCEPT A DEED OF DEDICATION FROM JEFFREY F. VOICE AND MARY B. HENNINGER ALONG WASHINGTON STREET FOR THE PURPOSE OF RIGHT-OF-WAY AND FUTURE ROAD CONSTRUCTION

President MARX read Bill No. 27-2023 to the Board

Commissioner FISHER moved to approve the motion, seconded by Commissioner WARREN

SIX Commissioners were present voting “yes”. Bill No. 31-2023 was approved.

2. BILL NO. 31-2023

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF CURBING AND SIDEWALKS FOR 156+/- FEET ALONG THE MAUCH CHUNK FRONTAGE OF 150 MAUCH CHUNK ROAD AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President MARX read Bill No. 31-2023 to the Board.

Commissioner FISHER moved to approve the motion, seconded by Commissioner GINDER

SIX Commissioners were present and voting “yes”. Bill No. 31-2023 was approved.

3. BILL NO. 32-2023

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS), IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (TOWNSHIP)

President MARX read Bill No. 32-2023 to the Board.

Commissioner ATIYEH moved to approve, seconded by Commissioner MARX

SIX Commissioners were present and voting “yes”. Bill No. 32-2023 was approved.

E. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3276

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT/ MAJOR SUBDIVISION PLAN OF MACARTHUR COMMONS

REDEVELOPMENT 2, LOCATED AT 2601 & 2631 MACARTHUR ROAD (DEVELOP)

President MARX read Resolution No. 3276 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner GINDER

Todd Dratch of Abrams Realty & Development was present and received kudos from Board members for what he has done with the commercial properties on MacArthur Road. By developing this parcel, it will help to eliminate the truck parking issue on this site. He is willing to install security cameras as was done for the Giant store.

SIX Commissioners were present and voting “yes”. Resolution No. 3276 was approved.

2. RESOLUTION NO. 3277

TITLE: A RESOLUTION TRANSFERRING FUNDS WITHIN THE GENERAL FUND AND CAPITAL RESERVE FUND TO PROVIDE FOR APPROPRIATIONS TO MEET UNANTICIPATED CURRENT FISCAL YEAR EXPENSES CONSTITUTING BUDGET TRANSFER 2023-01 (ADMIN)

President MARX read Resolution No. 3277 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner ATIYEH

SIX Commissioners were present and voting “yes”. Resolution No. 3277 was approved.

3. RESOLUTION NO. 3278

TITLE: A RESOLUTION APPROVING THE EMERGENCY OPERATIONS PLAN OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. (ADMIN/BOC)

President MARX read Resolution No. 3278 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner ATIYEH

SIX Commissioners were present and voting “yes”. Resolution No. 3278 was approved.

4. RESOLUTION NO. 3279

TITLE: A RESOLUTION AUTHORIZING THE MAYOR OR THE DEPUTY MAYOR TO EXECUTE DOCUMENTS NECESSARY TO ENTER INTO AN AGREEMENT OF SALE FOR THE PURCHASE OF AN AGRICULTURAL CONSERVATION EASEMENT FOR PROPERTY OWNED BY WEINHOFER FARMS LLC AND JOHN G. WEINHOFER AND LISA C. WEINHOFER

President MARX read Resolution No. 3279 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner WARREN

Donna Wright of Lehigh County Farmland Preservation clarified deed and agreement sale information with Attorney Gross. Ken Snyder of 4272 Abigail Lane reviewed and verified

items of concern within the agreement of sale.

SIX Commissioners were present and voting “yes”. Resolution No. 3279 was approved.

F. REPORTS OF PUBLIC OFFICIALS

Commissioner ATIYEH updated the Board that the Rec Comp Plan Committee is moving forward in the interview process for choosing the firm who will be awarded the contract of preparing the plan.

Commissioner FISHER asked that if anyone foresees a problem with the Eagle Scout project for the IRT (signs at intersections) to please him know prior to Friday.

- Meeting with WTICDA regarding EV grants
- Lastly, he noted that 9/11 happened when he was in 8th grade and that day inspired him to want to be involved to help his community and country.

Commissioner GINDER noted that the Chestnut Street IRT crossing lines need to be redone

- Chestnut Street IRT crossing on the barn side of the road needs to have growth cut back
- Status of Mechanicsville Road – Frank Clark advised there is a meeting scheduled for Wednesday
- Commissioner WARREN added the Governor’s Action Team should be contacted and also feels this work should be part of the multimodal project
- Thanked all involved in getting the parking lot at W Catty Playground completed so quickly
- Noted a typographical error on this months Treasurer report – ending balance date
- Asked that a building for recreation be discussed for the future
- Lastly, noted that one date is left for bingo caller at Senior Center

Commissioner SLONAKER noted areas he has seen that trees and/or weeds need to be removed: along S. 6th Street extension and along Grape Street entrance area of the L.V. Mall.

Commissioner WARREN updated TIP and Long Range Transportation plan have been released and 3rd & Grape is on and Kimmett & Fullerton Ave have been added. He believes that Presidential & Mauch Chunk should be evaluated for a traffic signal.

Mayor HAKAKAL advised he has submitted his monthly report and specifically noted the proclamation for recognizing September as Suicide Prevention Month.

Treasurer KOREN advised she submitted the August reports showing the Treasurers Distribution Acct And what was paid out in business privilege to the Township and School District thus far. Cash Depository Acct monies are transferred to the Finance Officer every day, as well as the Central Operating Acct

*At this time, Commissioner SLONAKER motioned that under Section 3.08 of the Township Charter, Andy Roman has forfeited his office as Commissioner on September 11, 2023, due to failing to attend three consecutive regular meetings of the Board of Commissioners, without being excused, seconded by Commissioner GINDER. Six Commissioners were present and voting “yes”. Motion passed.

G. ADJOURNMENT

MOTION – Commissioner ATIYEH moved, seconded by Commissioner FISHER to adjourn the meeting at 10:25 p.m.