
MINUTES

FEBRUARY 12, 2024 **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 7:13 p.m. on Monday, February 12, 2024 held at the Whitehall Township Public Meeting Room, with the following in attendance:

COMMISSIONERS

Thomas Slonaker, President
Jeffrey J. Warren, Vice President
Randy Atiyeh, Secretary (Absent)
Alberta Scarfaro (Absent)
Ken Snyder
Elizabeth N. Fox

TOWNSHIP PERSONNEL

Joseph J. Marx, Jr., Mayor
John D. Meyers, Deputy Mayor
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 for reflection of our troops stationed overseas and that may be in harms way.

President SLONAKER read the statement on fair housing as required.

President SLONAKER apologized for the late start due to the Board being in an Executive Session for legal matters.

APPROVAL OF MINUTES

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

Regular Public Meeting – January 8, 2024

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

B. VOTING ON POSITION OF COMMISSIONER

MOTION - Commissioner SNYDER motioned, seconded by President SLONAKER to approve the appointment of Robert PILIGIAN to serve as Township Commissioner on the Whitehall Township Board of Commissioners, term expiring December 31, 2025.

FOUR Commissioners were present and three voted “yes” and one voting “no” (WARREN) Motion fails.

President SLONAKER asked for any other nominations. Commissioner WARREN motioned, with no second to appoint Michael COCCA. Motion fails.

President SLONAKER again asked for another nomination. Commissioner WARREN questioned if this process could be held till the end of the meeting. As it was advised it could be, President SLONAKER then withdrew the ask for another nomination. After further discussion it was decided to move forward with any other nominations.

Commissioner WARREN motioned, seconded by Commissioner FOX to approve the appointment of Ron SCHOLLER to serve as Township Commissioner on the Whitehall Township Board of Commissioners, term expiring December 31, 2025. Commissioner SNYDER questioned how Mr. Scholler can be nominated when he was not interviewed as the other two candidates that have been nominated. Attorney GROSS noted that anyone can be nominated, if it is found that they are not qualified, they are not sworn in to take the seat. Commissioner SNYDER then asked Commissioner WARREN if would advise why he nominated Mr. Scholler. Commissioner WARREN stated that he knows the gentlemen, he is a former retired South Whitehall Twp Police Officer, and has a handle on municipal issues. He ran for magisterial judge and his campaign literature noted where he stands on the future of Whitehall Township. Commissioner SNYDER then asked Commissioner FOX what her reasons she believes that Mr. SCHOLLER should be Commissioner. Commissioner FOX noted that she reviewed the application, she did some research, he has worked with kids and is a first responder and also served in the military. At this time, President SLONAKER asked for public comment.

Lori Ann Fehnel of 3107 N. Third Street, noted that she was present for the interviews and believes that Mr. Piligian is the best candidate as he has the knowledge, wisdom and experience the Township needs. She stated that Mr. Piligian’s demeanor was calm even when asked tough questions, and was not impressed with the way Mr. COCCA answered some questions. She expressed her displeasure with the nomination of Mr. Scholler who did not come to be interviewed and was not present this evening.

Deb Rosene of 4408 N. Church Street, is concerned that two Commissioners are absent and this should be decided with a full board.

Andrea Hoagland of 51 Kimmet Avenue voiced her concern of the consideration of Mr. Cocca as he is related to the previous Recreation Director and Mayor and she has had issues with those gentlemen in the past. She also noted that Mr. Scholler should not be considered if he did not show to be interviewed.

Andrew Kopeck of 3763 Dogwood Drive agreed with all Commissioners should be present for a decision of this nature.

Charles Fisher, of 3234 Flatrock Drive asked what happens if it goes to the Lehigh County. President SLONAKER advised that they will follow the necessary rules to make the appointment.

At this time, Attorney GROSS explained that the way the Charter works is that four

Commissioners must agree on one person, if all four present do not vote for one person then there is no appointment. The meeting can be adjourned for this issue and reconvened and that 24 hours notice must be given, which can be done and hopefully reconvene by the end of day of the 14th, which is the last day for appointment.

Joni Todesco of 424 Fourth Street asked if the absences of the two Commissioners were excused. President SLONAKER advised that they were.

Karen Poshefko of 3303 Musselman Court asked if the two Commissioners were present during the interview process. President SLONAKER noted that Commissioner ATIYEH was not present.

FOUR Commissioners were present and three voted “yes” and one voting “no” (SNYDER) Motion fails.

At this time President SLONAKER asked for a motion to take the agenda out of order and suspend this item till the end of the meeting. Commissioner SNYDER motioned, seconded by Commissioner WARREN. Vote taken 4-0 to approve the motion.

C. COURTESY OF THE FLOOR

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

Andrea Hoagland of 51 Kimmert Avenue voiced a concern with trailers that are being parked at the cemetery and the equipment on these trailers is not locked and feels it is a dangerous situation.

Andrew Kopeck of 3763 Dogwood Drive had the following concerns:

- asked what the status is of the fire study presented in November.
- concerned with a tree branch at Range Road & Schadt Avenue that was hanging but now fell due to the heavy snow and is now blocking the sidewalk
- Water Authority did not remove snow from sidewalks in a timely manner
- feels that yard waste should be eliminated from the garbage contract

Charles Fisher of 3234 Flatrock Drive and Deb Rosene of 4408 N. Church Street noted that the Township may want to consider only holding one recycling event as it is hard to get the volunteers from the school, which are primarily football players. President MARX stated that the Township is locked in to the June date, but if it is deemed unnecessary, the second date in September can be cancelled. Charles Fisher also commented that he is in favor of agenda item Resolution #3301.

Fady Salloum of 303 Sumner Avenue asked what the status is of his proposal from last month to purchase and reinstall a banner across MacArthur Road in the vicinity of the Lehigh Valley Mall. The ok has to be given to apply to PennDOT for a permit and it has to be determined by the Township (structural engineer from Keystone) if the poles will handle the load, cable and wind shear. Mr. Salloum then asked the status of the sidewalk issue on Mechanicsville Road. Frank CLARK explained that they are working with PennDOT and also Verizon due to a utility line running through the easement. Mr. Salloum then commented on the deplorable conditions that exist at the Lanta bus shelter in front of Bank of America/Rite Aid property. Lee RACKUS advised that this has been an ongoing issue and her

department has been sending out violation notices and trying to get them to comply as maintenance is the responsibility of the property owner.

D. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 5-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PROVIDING OPERATIONAL AND MAINTENANCE SERVICES FOR STREET LIGHTS FOR WHITEHALL TOWNSHIP, 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)

President SLONAKER read Bill No. 5-2024 to the Board

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

FOUR Commissioners were present voting “yes”. Bill No. 5-2024 was approved.

2. BILL NO. 6-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PROVIDING OPERATIONAL AND MAINTENANCE SERVICES FOR TRAFFIC CONTROL DEVICES FOR WHITEHALL TOWNSHIP, 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)

President SLONAKER read Bill No. 6-2024 to the Board.

Commissioner SNYDER moved to approve the motion, seconded by Commissioner FOX

FOUR Commissioners were present voting “yes”. Bill No. 6-2024 was approved.

E. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3295

TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT FOR BLOOMIN BRANDS – PROPOSED OUTBACK STEAKHOUSE, WHITEHALL PA. (DEVELOP)

President SLONAKER read Resolution No. 3295 to the Board.

Commissioner FOX moved to approve, seconded by Commissioner SNYDER

FOUR Commissioners were present and voting “yes”. Resolution No. 3295 was approved.

2. RESOLUTION NO. 3296

TITLE: A RESOLUTION APPROVING THE COST OF LIVING ADJUSTMENT FOR ELIGIBLE RECIPIENTS OF THE POLICE PENSION FUND. (ADMIN)

President SLONAKER read Resolution No. 3296 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SNYDER

FOUR Commissioners were present and voting "yes". Resolution No. 3296 was approved.

3. RESOLUTION NO. 3297

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF WHITEHALL TO ESTABLISH THE POLICE PENSION CONTRIBUTION RATE FOR MEMBERS OF THE FUND (ADMIN)

President SLONAKER read Resolution No. 3297 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner FOX

FOUR Commissioners were present and voting "yes". Resolution No. 3297 was approved.

4. RESOLUTION NO. 3298

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 SLONAKER read Resolution No. 3298 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SNYDER

FOUR Commissioners were present and voting "yes". Resolution No. 3298 was approved.

5. RESOLUTION NO. 3299

TITLE: A RESOLUTION OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, ADOPTING A FIVE-YEAR SMOOTHING METHOD TO DETERMINE THE ACTUARIAL VALUE OF ASSETS AS PART OF THE ACTUARIAL VALUATION FOR THE WHITEHALL TOWNSHIP POLICE PENSION PLAN, ACCORDING TO §203.2 OF THE REGULATIONS COVERING THE IMPLEMENTATION OF THE ACTUARIAL FUNDING RULES OF ACT 205 OF 1984 (P.L. 1005, NO. 205, 53 P.S. §§895.101-895.803) PUBLISHED BY THE PUBLIC EMPLOYEE RETIREMENT COMMISSION, CURRENTLY KNOWN AS THE MUNICIPAL PENSION REPORTING PROGRAM (MPRP).

President SLONAKER read Resolution No. 3299 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner FOX

FOUR Commissioners were present and voting "yes". Resolution No. 3299 was approved.

6. RESOLUTION NO. 3300
TITLE: A RESOLUTION APPROVING THE RETIREMENT AND THE COMMENCEMENT OF MONTHLY PENSION BENEFITS TO FORMER POLICE OFFICER RAY SEILING. (ADMIN)

President SLONAKER read Resolution No. 3300 to the Board.

Commissioner FOX moved to approve, seconded by Commissioner SNYDER

Police Chief MARKS commented that Ray worked 32 years for the Township and was a very steadfast and always dependable, great officer and a credit to the badge. The Board thanked Officer Seiling for his years of service.

FOUR Commissioners were present and voting "yes". Resolution No. 3300 was approved.

7. RESOLUTION NO. 3301
TITLE: A RESOLUTION DESIGNATING THE MICKLEY-PRYDUN FARM AS A PLACE OF HISTORICAL SIGNFICANCE IN THE TOWNSHIP OF WHITEHALL AND LEHIGH COUNTY

President SLONAKER read Resolution No. 3301 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner FOX

Commissioner SNYDER verified that this recognition is to acknowledge that this site has historical value to the Township. Commissioner WARREN clarified that this does not hold the renovation to follow all original construction, what was not original can be redone without issue.

Deb Rosene of 4408 N Church Street requested a plaque be placed identifying the property as a historic site.

FOUR Commissioners were present and voting "yes". Resolution No. 3301 was approved.

Commissioner PILIGIAN was sworn in by Notary Public Larissa BRUDER.

F. OTHER

DISCUSSION ITEMS

Commissioner SNYDER explained that he discussed in detail the below items during the Workshop Meeting and will give a brief summary of each:

- 1 Fire Department volunteer requirements, stipends, contracts and training.
 - Recruitment- create more incentives
 - Stipends-to make it fair and possibly increased
 - Equipment-budgeting and inventorying

Commissioner WARREN added his concerns with stipends and the necessity of replacing equipment.

- 2 Recreation Capital Improvements for the parks in 2024, plans for the Pavilion, Mickley-Prydun Farm and West Catasauqua. Request for each park's Wish List for additional improvements and the funding of these projects.
 - Wish lists for Park & Rec and visited numerous buildings and is studying issues that he has seen at each
 - Allocating money appropriately to get projects done quicklyCommissioner WARREN commented on the importance of grants and devising a match fund account.

G. REPORTS OF PUBLIC OFFICIALS

Treasurer KOREN forwarded her report to the Board. Tax office has closed out the tax year 2023. March 1st garbage and township tax will be out to the residents. This year the business privilege licenses and invoices were out early and have already collected \$47,495 in just two months. She is also expecting another unclaimed property check.

Commissioner FOX attended her first EMA meeting and found it very interesting and learned a lot. Chris Grim was present and noted that EMA hadn't met in awhile and during the meeting it was discussed that EMA will be more active. Commissioner WARREN questioned the use of NIXL. Mr. Grim advised that you only want to use for true emergency issues. Over-use tends to cause people to disregard the alert. The other issue that needs to be addressed is communication between himself, the Mayor and department heads.

Commissioner WARREN already discussed his main issue with Mechanicsville Road and suggested to stay in close contact with the Attorney and feels the tree that is causing the site issues should be taken down.

Commissioner SNYDER verified the CWSA meeting as he is the liaison. He also noted that he is the liaison for the Zoning Hearing Board and verified that the Township will have an Attorney present to enter an appearance.

Mayor MARX noted the following from his report:

- Declaring a snow emergency for the impending storm starting at 4am till 3pm on 2/13
- Parkway Pavilion – winterized the lines and PPL has completed the meter hookup
- Working with School District on a tax abatement/rebate for members of the fire department
- Studying Fire department issues
- Studying Director of Operations and Surveyor positions
- West Catasauqua Building is being refreshed

VOTING ON POSITION OF COMMISSIONER (Resumed)

At this time President SLONAKER asked for a nomination

Commissioner WARREN motioned, seconded by Commissioner SNYDER to approve the appointment of Robert PILIGIAN to serve as Township Commissioner on the Whitehall Township Board of Commissioners, term expiring December 31, 2025.

FOUR Commissioners were present and voted “yes”. Motion passes.

Commissioner PILIGIAN was sworn in by Notary Public Larissa BRUDER.

H. ADJOURNMENT

MOTION – Commissioner SNYDER moved, seconded by Commissioner FOX to adjourn the meeting at 9:34 p.m.