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# **MINUTES**

**September 12, 2022**  
**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, September 12, 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  
Randy Atiyeh (Absent)  
Andy Roman

**TOWNSHIP PERSONNEL**

Michael P. Harakal, Jr., Mayor (Absent)  
John D. Meyers, Deputy Mayor  
Jack Gross, Esq.,  
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.

**APPROVAL OF MINUTES**

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

Regular Public Meeting – August 8, 2022

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

**B. PRESENTATION-SUICIDE AWARENESS/PREVENTION MONTH PROCLAMATION**

Commissioner GINDER read the prepared Proclamation. Allison FRANTZ of the Suicide Prevention Coalition of Lehigh County was present and thanked the Board for acknowledging recognizing September as Suicide Awareness and Prevention Month.

**C. COURTESY OF THE FLOOR**

Anthony MOLCHANY of 4235 Ammon Way asked the Board to consider budgeting for a Township Health Inspector as there are numerous food establishments/stands/trucks etc. in the Township that should be closely monitored for the health and safety of the residents. The Board will take this under advisement.

Joni TRUMP of 3064 Coplay Circle stated that she is having issues with contractors associated with Whitehall Farms encroaching on her property while they are cutting into the tree line. She was advised to contact the police non-emergency whenever someone is on her property without permission.

Sue BORGER of 5147 Fornaciari Drive noted that she was present to let the Board know that the person who has been living in a camper parked on the street in front of her property is harmless. This person has fallen on hard times and asked permission to park there. Mrs. BORGER also noted that she allows said person to utilize her yard and has supplied coffee and kindness. Some neighbors have outreached as well, but others want her to be removed.

Connie KNOFF of 3065 reiterated Miss TRUMP's concerns. The contractor has also left the cut debris behind, promising that they would return to retrieve it. After further discussion, it was determined that this issue may be unrelated to Whitehall Farms development, instead it may be a contractor installing fiber cable. Frank CLARK will look into the matter.

Stephanie GRESH of 3787 Dogwood Drive noted her concerns of the significant impact that the LVHN proposal will have on the residents of her neighborhood.

Anthony KOPECK of 3767 Dogwood Drive voiced his concern that the Township has not notified the residents of the adjoining neighborhood of the LVHN proposal and that the only way he did find out was by receiving a flyer. It was explained that, by law, the only time residents are notified is for a zoning variance. Mr. KOPECK added that it was his understanding that the Whitehall Township Authority has sold land abutting his property to LVHN. The Board was not aware if that sale was finalized and suggested that Mr. KOPECK attend the next WTA meeting.

Mike HOCKMAN of 4150 Reliance Street stated his concern with property on Reliance Street (previous Albright/Fritz) that has become overgrown and it is creating a safety hazard as this growth is encroaching into the roadway. Deputy Mayor MEYERS indicated that enforcement notices may have been sent out and that he will check with Zoning on the matter.

Patrick THOMAS of 1911 Belleview Drive explained of an ongoing issue of caged pigeons inside and outside of 1936/1940 Schadt Avenue. This is creating a health and quality of life issue for the surrounding properties. The Township's Zoning Officer has advised that the pigeons along with the enclosures have been removed. Mr. THOMAS disagrees as he has seen the birds as well as the enclosures in the rear of the property, which is covered by a tarp. He also noted that both sides of Belleview Drive are parked with vehicles that have no license plate and said cars are swapped out after being worked on in the street. Deputy Mayor MEYERS advised that he will discuss with pigeon issue with Zoning and Chief MARKS advised he will send an officer out to look into the vehicle issue.

Edward & Monica SALASH of 3739 Dogwood Drive complained of having lights shining into to their home since the new configuration of MacArthur Rd & Lehigh St was done. They would like to see trees

planted for a buffer as part of the LVHN proposal. They would also like to see a crosswalk installed, as Mr. SALASH has had some near misses crossing to get to the trail. Mr. SALASH also noted the disturbing use of jake break by truckers and requested signs placed on MacArthur Road. Frank CLARK advised that studies would need to be done to justify signs and there are strict requirements that need to be met.

Cyndee HART of 3827 Rosewood Lane asked what the status of the LVHN proposal is since they were present at the Board's Workshop meeting. President MARX advised that a new concept plan was submitted for their review. The Board is getting input from staff and engineering professionals before moving forward.

Lynda HASSICK of 3795 Dogwood Drive advised that she is the person who put the flyer out to the neighbors. She too feels that there should be a method of electronically notifying residents of agendas and meeting minutes. She also questioned if LVHN purchased land from the Cemetery located on Mechanicsville Road? Commissioner GINDER advised that the Board is only aware that LVHN was in negotiations with that land owner. The next meeting that this issue will be discussed is on 10/3/22.

Dave HASSICK of 3795 Dogwood Drive asked if it would be possible to see the revised plans that have been submitted. He was instructed to contact the Development office. He then asked what happens moving forward with this plan. President MARX explained that it will most likely go to Legal & Legislative for review and to determine if the proposal should move forward. If it is determined to move it forward it would then be passed on to the Planning Commission for a recommendation.

Melody FAISETTY of 3127 Sodl Lane stated that she was involved with a situation in her neighborhood which the Fire Department was called out. She expressed her gratitude to them for how they handled the situation and how comforting they were to her. She and her husband would like them to know that their efforts are appreciated and should be recognized. They both would like the Board to seriously consider a paid fire department.

Paul MADERIC of 131 Sumner Avenue asked that speeding issues be addressed in some fashion. Commissioner GINDER asked that everyone contact the State Representatives to pass radar legislation in Pennsylvania which would make it much easier for the police to do their jobs.

Ken SNYDER of 4272 Abigail Lane noted the Board should take the time to educate to the residents how the overlay process works. He proceeded to explain what has taken place until now regarding the LVHN proposal.

Margaret BOLESKY of 3861 Rosewood Lane asked the Board what they want to see across the street. She also asked when the crosswalk in front of the school will happen. She has worked years on trying to get it done and advised there are grants available and would like to see the Township pick up the ball on this.

At this time Commissioner FISHER commended all that came out to address the Board and doing their civic duty. He suggested that they would be great candidates for any board/committees that have openings.

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

1. BILL NO. 19-2022 (SECOND HEARING)  
TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO ACCEPT A

DEED OF DEDICATION FROM EBERHART PROPERTIES, LLC ALONG  
EBERHART ROAD FOR THE PURPOSE OF RIGHT-OF-WAY AND FUTURE ROAD  
CONSTRUCTION

President MARX read Bill No. 19-2022 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner  
ROMAN.

SIX Commissioners were present and voting “yes”. Bill No. 19-2022 was  
approved.

2. BILL NO. 20-2022 (SECOND HEARING)

TITLE: AN ORDINANCE AMENDING THE DEADLINE FOR FILING RETURNS FOR  
BUSINESS PRIVILEGE TAXES UNDER CHAPTER 24, ARTICLE I OF THE  
WHITEHALL TOWNSHIP CODE

President MARX read Bill No. 20-2022 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner  
FISHER.

SIX Commissioners were present and five voting “yes” and one abstention (Slonaker)  
Bill No. 20-2022 was approved.

3. BILL NO. 21-2022

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL  
FOR INSTALLATION OF WATER AND SEWER LINES TO SERVICE THE  
PAVILION AT THE WHITEHALL PARKWAY, IN ACCORDANCE WITH SECTION  
3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF  
ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (RECREATION)

President MARX read Bill No. 21-2022 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner  
ROMAN.

SIX Commissioners were present and six voting “yes”. Bill No. 21-2022 was approved.

4. BILL NO. 22-2022

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 PROMOTION  
WITHIN THE BUREAU OF POLICE DETERMINING EXAMINATION PROTOCOLS  
AND CREATION OF ELIGIBILITY LISTS. (CSC/ADMIN)

President MARX read Bill No. 22-2022 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner GINDER.

Commissioner WARREN asked why the look-back is only 2 years for illicit drug use. Chief Marks noted that internal questioning is more stringent than the civil service rules.

SIX Commissioners were present and six voting “yes”. Bill No. 22-2022 was approved.

5. BILL NO. 23-2022

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR DEMOLITION OF THE DWELLING UNIT LOCATED AT 921 PENNSYLVANIA STREET, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (DEVELOPMENT)

President MARX read Bill No. 23-2022 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER.

SIX Commissioners were present and six voting “yes”. Bill No. 23-2022 was approved.

6. BILL NO. 24-2022

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE INSTALLATION OF A SANITARY SEWER CONNECTION TO SERVICE THE PROPERTY AT 2114 LEHIGH AVENUE, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (DEVELOPMENT)

President MARX announced this item was tabled as no bids were received.

7. BILL NO. 25-2022

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF PROPOSALS FOR THE GROUND WATER MONITORING PROGRAM FOR THE NOVAK SANITARY LANDFILL, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (ADMIN)

President MARX read Bill No. 25-2022 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner SLONAKER.

Deputy Mayor MEYERS noted that four years remain on this program.

SIX Commissioners were present and six voting “yes”. Bill No. 25-2022 was approved.

8. BILL NO. 26-2022 (FIRST HEARING)

TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO ACCEPT A DEED OF DEDICATION FROM EBERHART PROPERTIES, LLC ALONG EBERHART ROAD FOR THE PURPOSE OF STORMWATER EASEMENT

President MARX read Bill No. 26-2022 to the Board.

9. BILL NO. 27-2022 (FIRST HEARING)  
TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO ACCEPT A DEED OF DEDICATION FROM ST. JOHN'S UNION CEMETERY ASSOCIATION ALONG 7<sup>th</sup> STREET FOR THE PURPOSE OF STORMWATER EASEMENT

President MARX read Bill No. 27-2022 to the Board.

10. BILL NO. 28-2022 (FIRST HEARING)  
TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO ACCEPT A DEED OF DEDICATION FROM JORDAN GATES INVESTMENT GROUP, L.P. ALONG OAKWOOD DRIVE FOR THE PURPOSE OF RIGHT-OF-WAY, FUTURE ROAD CONSTRUCTION AND UTILITY CONNECTIONS

President MARX read Bill No. 28-2022 to the Board.

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

1. RESOLUTION NO. 3212  
TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF WHITEHALL FARMS, LOCATED AT 3855 LEHIGH ST. AND 3305 MUNICIPAL DRIVE, WHITEHALL, INDEX #1979-21.

President MARX read Resolution No. 3212 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner WARREN.

After a lengthy discussion and the request of additional conditions regarding

- 1) removing remains of basketball court across Lots 40 & 41
- 2) install walking path
- 3) HOA to maintain walking paths within development

This item was tabled to allow further discussion with the Developer and motions were rescinded.

2. RESOLUTION NO. 3213  
TITLE: A RESOLUTION TRANSFERRING FUNDS WITHIN THE GENERAL FUND AND LIQUID FUELS FUND TO PROVIDE FOR APPROPRIATIONS TO MEET UNANTICIPATED CURRENT FISCAL YEAR EXPENSES CONSTITUTING BUDGET TRANSFER 2022-01 (ADMIN)

President MARX read Resolution No. 3213 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner

FISHER.

SIX Commissioners were present and voting “yes”. Resolution No. 3213 was approved.

3. RESOLUTION NO. 3214

TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND WHITEHALL TOWNSHIP TO ENTER INTO A SETTLEMENT AGREEMENT REGARDING THE TAX ASSESSMENT APPEAL OF EIGHTEEN SAC SELF-STORAGE CORPORATION AND THE PROPERTY KNOWN AS 3001 MACARTHUR ROAD (ADMIN/BOC)

President MARX read Resolution No. 3214 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER.

SIX Commissioners were present and voting “yes”. Resolution No. 3215 was approved.

4. RESOLUTION NO. 3215

TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND WHITEHALL TOWNSHIP TO ENTER INTO A STIPULATION AND SETTLEMENT AGREEMENT REGARDING STORMWATER PLANS, WITH 4154 ROOSEVELT STREET, LLC (ADMIN/BOC)

President MARX announced this item was pulled from the agenda,

**F. OTHER**

1. MOTION – to designate Friday, October 28, 2022, from 6:00 pm to 8:00 pm, as the official Trick or Treat night in Whitehall Township with a rain date of Saturday, October 29, 2022. Motion was unanimously approved.
2. MOTION - to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo August 25, 2022. Motion was unanimously approved.

**G. REPORTS OF PUBLIC OFFICIALS**

Commissioner ROMAN passed around pictures of Hanover Township’s recently installed marquee, as well as their maintenance of their Armed Services Park as compared to the Township’s. He believes the Township needs to do some upgrades to the area in front of the building.

Treasurer KOREN advised she submitted her monthly reports. She noted that she located the previously used amusement game license form. She has revamped the form and asked permission to utilize it once it is approved by Attorney Gross. There is little record from previous years on what businesses have paid. Commissioner GINDER questioned the negative balance showing in the Lafarge Account. Treasurer KOREN advised that she only reports on what the bank statement shows. She believes

Commissioner FISHER reminded all that the Hoot Hike will be taking place on Friday in the Parkway. He also noted that there will be an Adopt A Highway event on either 9/23 or 9/24 on Fullerton Avenue and will notify everyone when a date is set. Commissioner FISHER also reminded all that the next recycling event will be taking place on 10/22 at the Whitehall Coplay Middle School.

Commissioner GINDEER noted the passing of Robert Day Lewis who served and volunteered many dedicated years on the Rail Trail. He passed condolences to his family. Commissioner GINDER then noted that the earlier request of Anthony Molchany for a health inspector needs to be thought about carefully. As many years ago this was looked into by Lee RACKUS and instituting this type of inspection, it opens the Township up for liability. He would like to revisit this issue with Mrs. RACKUS before proceeding.

Commissioner SLONAKER thanked PennDOT for their expedited work on lengthening the north bound MacArthur Road left turn lane in front of the WAWA.

Commissioner WARREN stated that now that the T Rex fire truck is in service, he would like to see the station have some type of notification of clearance installed on the garage door, so when the driver is rushing to leave he is sure that the truck will clear.

***H. ADJOURNMENT***

MOTION – Commissioner GINDER moved, seconded by Commissioner FISHER to adjourn the meeting at 10:41 p.m.