
MINUTES

MARCH 14, 2022
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, March 14, 2022 held virtually via WEBEX, 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

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
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.

President MARX noted that an Executive Session was held on February 17, 2022 at the West Catasauqua Playground Building for legal and personnel issues.

APPROVAL OF MINUTES

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

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

B. COURTESY OF THE FLOOR

Rob PILIGIAN of 415 Oakwood Drive, Whitehall advised that he had filed a Right to Know Request for costs incurred for the investigations of the Tax Office and the Mayor’s sexual harassment claims. He has received the information and thanked Deputy Mayor Jack MEYERS.

He advised that \$44,438 has been spent of taxpayer's money to pay for the costs incurred and this doesn't include time that was spent by Township Police and other staff utilized in these investigations which in-turn makes this number deficient. He feels that there is loss of trust with the taxpayers and a failure to lead by these individuals. He also noted that the lobby doors into the building was very difficult to open and was surprised to notice that there was no electronic capability, as there was prior to the building renovation. He also commented that there was extra diligence from the tax clerk when he was paying his tax bills. Treasurer KOREN stated that new receipts and protocols have been put in place so that every cent taken in is accounted for. Commissioner GINDER commented that as he was President of the Board when these issues developed, the Board was advised as to what procedures where to be done to investigate and the investigations and audits found that there was such bad bookkeeping that no one could be charged. Mr. PILIGIAN stated that he has spent over 20 years on the Planning Commission and as a long time resident, finds these matters a disgrace and a stain on Whitehall Township. Commissioner ROMAN commended Mr. PILIGIAN in having the courage to speak out and advised that in working with the Treasurer and President MARX they are trying other avenues to further the tax office investigation since additional information was found that was missed originally. Commissioner GINDER asked that the full Board be given copies the new findings. Treasurer KOREN stated that what was found is that there are numerous residents who paid cash and their accounts were not credited and their properties were liened which led to them paying for legal fees or even paying twice. She advised that she will provide what records the Attorney confirms she can share. President MARX advised Mr. PILIGIAN that he has spoken with staff regarding the front doors and that they need to be modified so that access is easier. He also stated that he will make sure that the proper parties are held responsible for monies spent on audits and investigations.

Ken SNYDER of 4272 Abigail Lane, Whitehall stated he disappointed to see that items of the past months that he felt should be discussed are still not on the Commissioner's agenda. He also noted he has the same concerns at previously stated by Mr. PILIGIAN. He advised that his mother was one of the residents that received a letter from the tax collector stating taxes were not paid when in fact they were and in the end he matter was rectified. It is concerning to him that the full Board is not aware of the recent findings in the tax office. The second issue is the status of the building and why it's not discussed. Lastly, the issues surrounding the Mayor must be having an effect on the staff and who is managing that as in a large corporation he would have been asked to step aside until the matter has been resolved. Treasurer KOREN advised that every month she does submit a report to the Board along with the financials. Mr. SNYDER feels that these new issues should be made known to the public. President MARX added that Treasurer KOREN is doing a great job considering there was no transition of power. The Treasurer called him on her first day in office when she found things in disarray. Law enforcement was contacted and an investigation was started. Mr. SNYDER also brought to the Board's attention that he received a letter from Zoning stating that it was found that he did not pay two \$250.00 fees dating back 15 years, which are apparently for use permit fees. Lee RACKUS explained that with having a relatively new zoning officer, he has been going through file and trying to address inconsistencies. Mrs. RACKUS will discuss with him that some businesses may be "grandfathered" meaning that the business may have been started prior to the use permit fee being instituted. President MARX then addressed Mr. SNYDER's concerns on the new building and advised that he has been working with Tim CHRISTMAN, the Township's Building Maintenance Supervisor and the Construction Manager on outstanding items and he also noted that no Board member was present during the building committee meetings, as it was handled by the Mayor and other staff. Mr. SNYDER found that concerning since any other committee/commissions has a board member liaison appointed to it. The Mayor advised

that he felt these decisions fell upon staff members who work in the building every day. He agrees that there were some things overlooked during the process, but once they were realized they are being addressed.

D. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 4-2022

TITLE: AN ORDINANCE AMENDING THE WHITEHALL TOWNSHIP CODIFIED ORDINANCES, CHAPTER 1, ENVIRONMENTAL ADVISORY COUNCIL, §1-78 THROUGH §1-86.

President MARX read Bill No.4-2022 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner WARREN.

Commissioner FISHER noted thanks to the EAC, L&L members and Attorney GROSS for working on these updates.

Seven Commissioners were present and voting “yes”. Bill No. 4-2022 was approved.

2. BILL NO. 5-2022

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF A NEW CATERPILLAR ASPHALT COMPACTION ROLLER, 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 MARX read Bill No. 5-2022 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner SLONAKER.

Seven Commissioners were present and voting “yes”. Bill No. 5-2022 was approved.

3. BILL NO. 6-2022

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 MARX read Bill No. 6-2022 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner FISHER.

Seven Commissioners were present and voting “yes”. Bill No. 6-2022 was approved.

4. BILL NO. 7-2022
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 MARX read Bill No. 7-2022 to the Board.

Commissioner ATIYEH moved to approve, seconded by Commissioner GINDER.

Seven Commissioners were present and voting “yes”. Bill No. 7-2022 was approved.

5. BILL NO. 8-2022 (FIRST HEARING)
TITLE: AN ORDINANCE AMENDING ARTICLE XXXVI, PERSONEL RULES AND REGULATIONS, SECTION 1-212 (RESIDENCY REQUIREMENTS) TO PROVIDE FOR UPDATED GEOGRAPHICAL LIMITATIONS FOR ALL PERSONS EMPLOYED BY THE TOWNSHIP OF WHITEHALL.

E. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3187
TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION PLAN OF WHITEHALL MALL – RAYMOUR & FLANIGAN; LOCATED AT 2001 WHITEHALL MALL, INDEX # 1993-21.

President MARX read Resolution No. 3187 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner GINDER.

Commissioner GINDER verified with Frank CLARK that all engineering items have been taken care of. Commissioner WARREN questioned if sidewalks will be shown on the plan. Mr. CLARK noted that they will be included in the cost estimate.

Seven Commissioners were present and voting “yes”. Resolution No. 3187 was approved.

2. RESOLUTION NO. 3194

TITLE: A RESOLUTION AUTHORIZING THE FILING OF A FORMAL COMBINED APPLICATION AND BUSINESS PLAN FOR THE “WHITEHALL TOWNSHIP POLICE AND MUNICIPAL SERVICES COMPLEX” AND “WHITEHALL TOWNSHIP POLICE AND MUNICIPAL SERVICES COMPLEX – PHASE II” (JOINTLY, “COMBINED PROJECT”) UNDER THE REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM (“RACP”) AND AUTHORIZING THE COMMITMENT OF BOND PROCEEDS TO BE USED AS MATCH AND INTERIM FINANCING FOR THE PROJECT UNDER RACP.

President MARX read Resolution No. 3194 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SLONAKER.

Commissioner WARREN thanked all who were involved in obtaining this grant.

Seven Commissioners were present and voting “yes”. Resolution No. 3194 was approved.

3. RESOLUTION NO. 3195

TITLE: A RESOLUTION TO ESTABLISH THE AMOUNT OF THE TREASURER’S BOND FOR 2022, WITH SAID BOND TO BE SECURED THROUGH THE COUNTY OF LEHIGH CLERK OF JUDICIAL RECORDS. (ADMIN/TREAS).

President MARX read Resolution No. 3195 to the Board.

Commissioner ROMAN moved to approve, seconded by Commissioner GINDER.

Seven Commissioners were present and voting “yes”. Resolution No. 3195 was approved.

4. RESOLUTION NO. 3196

TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT AT 395 MICKLEY ROAD, WHITEHALL PA. (DEVELOP)

President MARX read Resolution No. 3196 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner FISHER.

Seven Commissioners were present and voting “yes”. Resolution No. 3196 was approved.

F. REPORTS OF PUBLIC OFFICIALS

Commissioner ROMAN reminded the Board to review his email sent regarding instituting a six month tax reprieve for small businesses in the Township.

Commissioner SLONAKER had no comments.

Commissioner FISHER thanked the people who appeared before the Board to be interviewed for Boards and Commissions seats available. Two scouts have received approval through Minsi Trails Council for their projects. He also noted that the Minsi Trails Scouting would like to discuss some ideas with the Board to promote scouting.

Commissioner ATIYEH thanked Public Works for all their hard work they’ve performed with the winter storms. He also stated that he would like to see the Board go back to in-person meetings.

Commissioner WARREN thanked Whitehall Township Police Dept and the School District for putting together the Township’s first Youth Law Enforcement Academy. He also asked Frank CLARK the timeline for the install for the Pavilion’s sewer line. Mr. CLARK stated that he is finishing the spec and will have it to the Township by the end of the week. Commissioner WARREN noted that Lehigh County Chamber of Commerce has grant money available for small businesses. Businesses with 100 or less employees are eligible for up to \$15,000.00. If the Township would try to offer some monies for relief it would compromise the budget and any projects that are to be done this year.

Commissioner GINDER also reiterated that the County has money available for small businesses.

President MARX advised that he has become aware that the Township no longer has representation at the Lehigh Valley Planning Commission. The Mayor has not reapplied for the seat that was held by a Township representative for quite some time and it is imperative that the Township be able to be represented. Commissioner GINDER stated that this is a bad time for this to happen considering the Riverview Project is ramping up and our previous Mayor worked hard to get representation. The Mayor has stated that he will try to re-engage with LVPC.

Mayor HAKAKAL noted that with the assistance of Rep. Susan Wild’s staff, three grants have been submitted to help with the following issues: 1) 72” pipe replacement 2) Water St. & Eberhart Rd flooding and 3) 14th & Fairmont flooding. Numerous interviews were held to fill positions in Development and Tax Office. The Rotary and Historical Society are working together to replant beds around the Grist Mill to prepare for the June 25th Heritage Day Event. The Mayor also noted that he has attended sessions on getting Pennsylvania to allow the use of radar for traffic control. Commissioner GINDER asked the Mayor if the Treasurer’s office is fully staffed. The Mayor advised that there is still one open position.

Ken SNYDER commented that he feels it is imperative that the Board act immediately on the issue of representation on the Lehigh Valley Planning Commission. Commissioner GINDER noted that the first thing we need to do is if the seat is still available and if it is he is willing to

volunteer to fill the position.

Treasurer KOREN urged the Board to fill the remaining position in her office

G. ADJOURNMENT

MOTION – Commissioner ROMAN moved, seconded by Commissioner FISHER to adjourn the meeting at 9:22 p.m.