
MINUTES

OCTOBER 14, 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 7:00 p.m. on Monday, October 14, 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
Alberta Scarfaro
Ken Snyder
Elizabeth N. Fox
Robert Piligian

TOWNSHIP PERSONNEL

Joseph J. Marx, Jr., Mayor
John D. Meyers, Deputy Mayor
Jack. Gross, Esq., Township Solicitor
Mark Bilder , Fire Chief
Michael Marks, Police Chief
Frank J. 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 the events taking place in the world.

President SLONAKER read the statement on fair housing as required.

APPROVAL OF MINUTES

Commissioner SCARFARO moved, seconded by Commissioner FOX to approve the Minutes of the following meeting with corrections:

Regular Public Meeting – September 19, 2024

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

B. COURTESY OF THE FLOOR

Joni Tedesco of 424 4th Street commented on the following items:

- Power of Treasurer to hire own staff
- Authority over union tax clerks
- Steps being taken to resolve the issues in the Tax Office

Karen Poshefko of 3303 Musselman Court commented on the following items:

- Status of revisions for shade tree ordinance
- Adopting an open space committee to manage incoming funds

Andrea Hoagland of 51 Kimmet Avenue commented on the following items:

- Garbage contract
- Hiring practices
- Operating standards/procedures

LoriAnn Fehnel of 3107 N. 3rd Street commented on the following items:

- Deputy Treasurer allowed to collect money
- Board/Commission Vacancies

C. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 26-2024

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS FOR 310 FEET ALONG THE CENTER STREET FRONTAGE OF 3229 N. FRONT STREET AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President SLONAKER read Bill No. 26-2024 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner WARREN

Commission WARREN commented that he was at the site today and there were children riding bikes and adults walking this location. (he presented pictures of the location to the Board members) He noted that the property was denied sidewalk deferral twice. First deferral was due to cost and the second time was due to trees that would need to be removed, which are partially dead (as the pictures indicate). He also noted that there is already a worn path that shows this section is heavily used. Also, there is a Lanta bus stop and a school bus stop in the vicinity. Due to these facts, he feels sidewalks should be required.

Commissioner PILIGIAN noted that if sidewalks are installed there will be loss of vegetation that is currently along this section. He feels this request should be granted since there are sidewalks on the north side and along with recommendation of the Planning Commission. He also noted that since there is already a worn path there, it comes down to a matter of what surface this path will be. LoriAnn Fehnel of 3107 N. 3rd Street stated that safety should come first and sidewalks should be installed.

Karen Poshefko of 3303 Musselman Court explained that initially the Shade Tree supported the deferral since they wanted to preserve the two trees that are existing. After revisiting the site today, and noticing that the one tree is in poor condition, they are now reconsidering their recommendation. She also requested that if the sidewalks are installed, that a buffer zone be installed where the existing vegetation is that will be removed.

Jonathan Bolton of 5455 7th Street, who is the Chairman of the Planning Commission also explained that the Commission recommended deferral as they prefer to see more greenery. There is already a path existing and more often then not, people walk in the street.

Commissioner SLONAKER stated that he believes that safety is most important.

SEVEN Commissioners were present and one voting “yes” (PILIGIAN) and six voting “no”. Bill No. 26-2024 was denied.

2. BILL NO. 30-2024 (SECOND HEARING)

TITLE: AN ORDINANCE AUTHORIZING THE SALE OF WHITEHALL TOWNSHIP PROPERTY LOCATED AT 3731 LEHIGH STREET IN WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA TO SAFEWRAP LLC, IN ACCORDANCE WITH THE TERMS AND CONDITIONS EXPRESSED IN BID 2024-08, FOR THE SUM OF \$610,185.99. (ADMINISTRATION).

President SLONAKER read Bill No. 30-2024 to the Board.

Commissioner SCARFARO moved to approve, seconded by Commissioner FOX

Commissioner PILIGIAN is concerned that the Township is releasing a property that could be utilized for the Recreation Dept since they are in need of a facility.

Mayor MARX explained that a major investment would need to be done to bring the building up to code.

SEVEN Commissioners were present and voting “yes”. Bill No. 30-2024 was approved.

3. BILL NO. 31-2024

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS FOR 147 FEET ALONG THE HOKENDAUQUA STREET FRONTAGE OF 3434 N. FRONT STREET AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President SLONAKER read Bill No. 31-2024 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner WARREN

The applicant’s representative stated that after numerous studies and design there are two alternatives for the property. The first does not require sidewalks along Hokendauqua Street but instead pedestrian striping will be provided to get to the other side of the street which continuously goes to a spot across from the IRT. A flashing rectangular beacon sign will also be added at this location. There is also a retaining wall on the property which is 65 ft in length and 4 ft in height and will be utilized to provide safe access to the sprinkler room. The other proposal would be to install sidewalk which would be at a 10% grade and at some points will be 13% grade due to ADA requirements for landing areas and will also have to deviate around a utility pole.

Commissioner WARREN noted that in 2020, the same property was denied a sidewalk deferral request by unanimous consent. The landowner stated that his original plans depicted a sidewalk (along Hokendauqua Street), and the deferral request was for the alley (Quarry Street). The deferral request was denied.

Commissioner WARREN added that he would like to see these requests before final engineering since there was more than 25 ft setback available and the building possibly could have been moved. Commissioner SNYDER commented that the deferral should be approved due to the circumstances at the site.

Commissioner SLONAKER feels the deferral is necessary due to the steep slopes, unless he can be

convinced otherwise.

LoriAnn Fehnel of 3107 N. 3rd Street feels that due to safety concerns the deferral should not be approved.

Adam Shafnisky of 3425 N. Front Street previously testified on applicant's behalf in favor of the apartments being approved. He stated that he walks in this area and has to walk in the street and on numerous occasions has had to step aside for vehicles. Hokendauqua Street is heavily traveled and the developer is encouraging foot traffic by having parking across the street from the building. He feels that sidewalks are necessary with the most important issue which is safety. Mr. Shafnisky added that the applicant's engineer earlier stated that the urban fill at the site was not suitable for building a retaining wall. If the site is not suitable for a sidewalk and retaining wall, how can you build residential units on the property with the same fill. He hopes that during the building process the developer is required to replace the unsuitable fill.

Christine Mills of 3348 Quarry Street is familiar with this area and with the safety issue in mind would like to see sidewalks installed.

SEVEN Commissioners were present and four voting "yes" (SNYDER, PIGILIGAN, SCARFARO & ATIYEH and three voting 'no' (WARREN, FOX & SLONAKER). Bill No. 31-2024 was approved.

4. BILL NO. 32-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF A 2024 CRACK PRO SEALING MACHINE FOR THE PUBLIC WORKS DEPARTMENT, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (FIRE)

President SLONAKER read Bill No. 32-2024 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SNYDER

SEVEN Commissioners were present and voting "yes". Bill No. 32-2024 was approved.

5. BILL NO. 33-2024

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE BELMONT GLEN STORM SEWERAGE PROJECT IN 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. 33-2024 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner SCARFARO

SEVEN Commissioners were present and voting "yes". Bill No. 33-2024 was approved.

6. BILL NO. 34-2024

TITLE: AN ORDINANCE ADDING CHAPTER 16 (PARKS AND RECREATION),

ARTICLE I (PARK RULES AND REGULATIONS), SECTION 7 (DEFINITIONS) AND SECTION 2(J) (PROHIBITED ACTS); AND CHAPTER 21 (STREETS AND SIDEWALKS), ARTICLE IV (SIDEWALKS AND CURBS), SECTION 35. (CAMPING ON PUBLIC PROPERTY).

President SLONAKER read Bill No. 34-2024 to the Board.

Commissioner SCARFARO moved to approve, seconded by Commissioner PILIGIAN

Commissioner WARREN verified that camping will still be allowed (boy scouts, civil war event) with the appropriate approvals.

SEVEN Commissioners were present and voting “yes”. Bill No. 34-2024 was approved.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3340

TITLE: A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A LETTER OF COMMITMENT TO THE LEHIGH COUNTY REDEVELOPMENT AUTHORITY FOR THE PURPOSES OF SECURING A MAIN STREET MATTERS GRANT FROM THE STATE OF PENNSYLVANIA FOR BLIGHT REMEDIATION PURPOSES. (DEVELOPMENT)

President SLONAKER read Resolution No. 3340 to the Board.

Commissioner SCARFARO moved to approve, seconded by Commissioner PILIGIAN

Commissioner PILIGIAN gave thanks to Lee RACKUS for her hard work on this grant.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3340 was approved.

2. RESOLUTION NO. 3341

TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT WB HOMES LAND ACQUISITIONS, LP, WHITEHALL PA. (DEVELOPMENT)

President SLONAKER read Resolution No. 3341 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner ATIYEH

SEVEN Commissioners were present and voting “yes”. Resolution No. 3341 was approved.

3. RESOLUTION NO. 3342

TITLE: A RESOLUTION REQUESTING A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMONWEALTH FINANCE AUTHORITY NORTHAMPTON/LEHIGH LOCAL SHARE ASSESSMENT GRANT FOR THE PURCHASE OF A SKID STEER LOADER FOR THE PUBLIC WORKS

DEPARTMENT (PUBLIC WORKS)

President SLONAKER read Resolution No. 3342 to the Board.

Commissioner SCARFARO moved to approve, seconded by Commissioner SNYDER

SEVEN Commissioners were present and voting “yes”. Resolution No. 3342 was approved.

4. RESOLUTION NO. 3343

TITLE: A RESOLUTION TRANSFERRING FUNDS WITHIN THE GENERAL FUND TO PROVIDE FOR APPROPRIATIONS TO MEET UNANTICIPATED CURRENT FISCAL YEAR EXPENSES CONSTITUTING BUDGET TRANSFER 2024-01 (ADMINISTRATION)

President SLONAKER read Resolution No. 3343 to the Board.

Commissioner FOX moved to approve, seconded by Commissioner PILIGIAN

SEVEN Commissioners were present and voting “yes”. Resolution No. 3343 was approved.

5. RESOLUTION NO. 3344

TITLE: A RESOLUTION OF WHITEHALL TOWNSHIP, ADOPTING A POLICY REGARDING THE USE OF PUBLIC VIDEO SURVEILLANCE RECORDING AND MONITORING EQUIPMENT.

President SLONAKER read Resolution No. 3344 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner SCARFARO

SEVEN Commissioners were present and voting “yes”. Resolution No. 3344 was approved.

6. RESOLUTION NO. 3345

TITLE: A RESOLUTION OF WHITEHALL TOWNSHIP, AUTHORIZING THE PLACEMENT OF BANNERS ACROSS PENNSYLVANIA STATE ROUTE 145.

President SLONAKER read Resolution No. 3345 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner SCARFARO

Commissioner PILIGIAN asked if this will require additional work for the Township’s Public Works Dept. Mayor MARX advised it will take more extensive traffic control as compared to putting up banners.

SEVEN Commissioners were present and voting “yes”. Resolution No. 3345 was approved.

7. RESOLUTION NO. 3346
TITLE: A RESOLUTION AMENDING RESOLUTION NO. 3325 AND CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF PROPOSED WAWA REDEVELOPMENT LOCATED AT MACARTHUR AND MICKLEY ROADS, INDEX NO. 2036-24A.

President SLONAKER read Resolution No. 3346 to the Board.

This item was tabled at the request of the developer.

E. OTHER

MOTIONS

1. MOTION - to approve the appointment Thomas Hornberger to serve as a member of the Whitehall Township Fire Police.

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

2. MOTION - to approve the reappointment of Erica Shull to the Whitehall Township Recreation Commission, with the term expiring on September 30, 2027

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

3. MOTION - to approve the reappointment of Robert Abbott to the Whitehall Township Recreation Commission, with the term expiring on September 30, 2027

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

4. MOTION – to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo.

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

5. MOTION - A motion of the Board of Commissioners authorizing the draft of a letter to the state representatives serving Whitehall Township. The purpose of the correspondence is to request they oppose House Bill 1976 and House Bill 2045. The letter is to be jointly signed by the Board and the Mayor.

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

DISCUSSION ITEMS

1. WTICDA - Report and Funding for 2025 (K. Snyder) - will discuss at Budget Hearings
2. Sign Ordinance Revisions (K. Snyder & J. Gross) - Ordinance on November BOC Agenda
3. Forming a Commission to update Charter (K. Snyder) - Motion on November BOC Agenda
4. Recording Devises in Public in Meetings (K. Snyder)- Ordinance on November BOC Agenda

F. REPORTS OF PUBLIC OFFICIALS

Commissioner SNYDER noted that the Park & Recreation Comprehensive Plan is moving forward and there will be a public comment meeting on October 30th at the High School Auditorium.

Commissioner FOX thanked residents for coming to the meetings and offering their comments. Looking forward to the Halloween Parade.

Commissioner PILIGIAN stated that he attended the EAC, IRT & Recreation meetings. The EAC is moving forward and happy to see that the Township absorbing costs of bags for recycling. During the IRT meeting, the North Whitehall representatives stated they are hoping to have the bag house/fire station buildings be rehabilitated. He is also looking forward to the Halloween Parade.

Commissioner SCARFARO wanted to comment on the Michael Ann & Saquon Barkley Foundation which she is involved with. This Foundation is a nonprofit organization founded to support the goals of our youths to excel in academia and athletics by providing scholarships, educational and athletic guidance. Very proud to be involved with this Foundation and proud of Saquon and his family for giving back to the community. They are holding a purse bingo fundraiser on November 2nd @ the Cementon Playground Bldg.

Commissioner WARREN advised the details of the Open Space Forum to be held on October 30th at the High School Auditorium. He thanked Commissioner SNYDER and staff for the work on the temp sign ordinance. He also thanked the Mayor and Staff for the installation of countertops, plumbing etc at the Parkway Pavilion. He commented that when it comes to reviews of sidewalk deferrals, he will err on the side of caution and safety as years ago he witnessed a child being hit.

Commissioner ATIYEH thanked the Fire Department volunteers who put on the Haunted Parkway. He and his family enjoyed an outing there and thought they did a great job. He also encouraged residents to attend the October 30th meeting.

President SLONAKER noted the Halloween Parade is October 26th, Trick or Treat is October 27th and to do so safely. Lastly, get out on November 5th to vote and encourage others.

Treasurer KOREN advised she forwarded her report earlier to the Board. She also requested that the Board determine the garbage fee as she would like to get the bills out to the residents in January. Deputy Mayor MEYERS noted that the Board needs to discuss installment payments and rebates in order to make that decision.

Mayor MARX gave an overview of his Report:

1. Explained the Trash Hauler Bid process
2. Thanked Chief Bilder as well as the Assistant Chiefs with the increase in membership as well as bringing back the dive team.
3. Went on the Presidential detail and can't say enough about the professionalism of our Police Dept.

The Board agreed to hold Budget Hearings on October 28th, 29th & October 31st starting at 6:00pm.

G. ADJOURNMENT

MOTION – Commissioner SCARFARO moved, seconded by Commissioner PILIGIAN to adjourn the meeting at 9:45 pm.