
MINUTES

May 8, 2017

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, May 8, 2017, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

COMMISSIONERS

Phillips M. Armstrong, President
Dennis C. Hower, Vice President - absent
Thomas Slonaker, Secretary
Jeffrey L. Dutt
Philip J. Ginder
Joseph J. Marx, Jr.
Linda K. Snyder - absent

TOWNSHIP PERSONNEL

Edward D. Hozza, Jr., Mayor
John D. Meyers, Deputy Mayor
Charles Fonzone, Attorney
Lee Rackus, PZ&D
Frank Clark, Township Engineer
Michael Marks, Police Chief
Brian Cuth, Police Officer
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag, a moment of silence for our veterans.

President ARMSTRONG read the statement on fair housing as required.

2) **APPROVAL OF MINUTES**

- a) Commissioner DUTT moved, seconded by Commissioner MARX to approve the minutes of the following meeting:

Regular Public Meeting – April 10, 2017

Five Commissioners were present, four voted “yes” and Commissioner SLONAKER abstained. Motion carried

B. COURTESY OF THE FLOOR

Ed YOUNG, 870 4th Street, Whitehall, questioned the pickup of trash and recycling using a front end loading system, noting on a windy day some things blow outside of the truck and he picks up what is on the street. Mayor HOZZA stated they are aware of the issue on windy days, garbage needs to be in tied plastic bags, then put in the trash container but recycling should be loose, not in plastic bags. The automated system is designed for pick-up in the front so the driver can see and stop the process if there is any material that should not be going into the landfill or into recycling, if it is in the back he cannot see, is their responsibility to pick up any residual material that falls into the street and will reach out to the supervisor for Waste Management. DEP rules dictate as to what material goes where, all our organic material goes to First Regional Compost

Authority in Weaversville and not every community in the Lehigh Valley picks up yard waste and cut grass 9 months of the year curbside. Commissioner DUTT asked if there is any way we can remind people there garbage needs to be in plastic bags. Mayor HOZZA stated a reminder will be on Facebook and the website.

Mr. YOUNG asked if the area by the Pine Street Bridge and Lehigh Valley Railroad is going to be a trail, thought it was to be done in a couple of months. Mayor HOZZA stated there is a meeting tomorrow with the D&L Trail at Northampton Borough at 5:30 pm. Mr. YOUNG asked how they will intersect that trail with the one behind Darktown. Mayor HOZZA stated the plan is with a vehicular or pedestrian bridge in the general area of the CWSA Pumping Station.

Aneta KAFARSKI, 5019 Fox Run Lane, Whitehall. Mayor HOZZA stated her issue is at Fox Hollow. There was a planned drainage swale behind the lots and drainage on either side of the lots which took the storm water down to inlets when it was developed. At that time there was no legal agreement on those drainage swales, when approved they were installed, the lots were sold, the swales were put in as directed in the plan, were inspected, property owners received a certificate of occupancy and is where the Township involvement ends with the maintenance of the swales. Mayor HOZZA stated her neighbor was sent a letter stating his landscaping has created a dam and she should reach out to her neighbor or the other option is a civil matter. Ms. KAFARSKI stated they asked the builder for a solution to keep water out of their basement and black pipes were attached to the gutters and run underground to the back yard, the neighbor was upset when they put up the fence, will not speak with them about the drainage issue, will not take him to court because of the expense, he is the one making the problem, complains about everything, one day there may be a sinkhole in her backyard, will not insure her property for sinkholes but was advised to do so.

Mario SPAGNOLETTI, 351 Sumner Avenue, Whitehall, thanked the Mayor for getting the illegally dumped TV's removed from the field on Fairmont Avenue.

C. PULBIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 16-2017 (Second Reading)

TITLE: AN ORDINANCE REPEALING ORDINANCE NO. 2684 (BILL NO. 29-2007), WHICH VACATED A PORTION OF GREEN ALLEY FROM APPLE STREET (A.K.A. NORTH LEHIGH AVENUE) TO LEHIGH STREET (SR1010) BORDERING THE PROPOSED WHITEHALL FARMS SUBDIVISION NO. 1675-05, WEST CATASAUQUA AREA OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA; AND VACATING A PORTION OF GREEN ALLEY FROM A POINT SIX (6) FEET NORTH OF THE EDGE OF EXISTING PAVEMENT APPROXIMATELY FIFTY-FIVE (55) FEET TO LEHIGH STREET (SR1010) BORDERING THE PROPOSED HAVEN RIDGE SUBDIVISION NO. 1675-05, WEST CATASAUQUA AREA OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

President ARMSTRONG read Bill No. 16-2017 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner MARX. There were no questions or comments.

Five Commissioners were present and voted "yes". Bill No. 16-2017 was approved.

2. BILL NO. 17-2017

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PERFORMANCE OF MICROSURFACING TYPE A SINGLE APPLICATION FOR THE PUBLIC WORKS BUREAU OF THE TOWNSHIP OF WHITEHALL, BID 2017-10 IN ACCORDANCE WITH SECTION 3.20 OF THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE (PUBLIC WORKS)

President ARMSTRONG read Bill No. 17-2017 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner GINDER. There were no questions or comments.

Five Commissioners were present and voted “yes”. Bill No. 17-2017 was approved.

3. BILL NO. 18-2017

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF A FIVE YEAR UNLIMITED TASER CARTRIDGE PLAN IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (POLICE)

President ARMSTRONG read Bill No. 18-2017 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner DUTT.

President ARMSTRONG asked how many Tasers are used during the year. Chief MARKS stated the problem is the training. To stay current each Officer needs to fire 4 cartridges per year. Also the batteries for the Tasers as you need to turn them on every day to make sure there is an active electrical circuit, needs to be done to certify usage.

Five Commissioners were present and voted “yes”. Bill No. 18-2017 was approved.

D. PULBIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2972

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF KEYSTONE HARLEY DAVIDSON, LOCATED AT EBERHART ROAD & 7TH STREET, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1892-16. (DEVELOP)

President ARMSTRONG read Resolution No. 2972 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner SLONAKER.

Commissioner GINDER noted he saw the traffic figures and asked what happens if Lidl doesn't develop. Frank CLARK stated they start over as to the access, are four different

subsections in the Resolution that call out the conditions for them to start, all are dependent on Lidl, cannot get started until Lidl is underway, there is protection in the Resolution.

Five Commissioners were present and voted “yes”. Resolution No. 2972 was approved.

2. RESOLUTION NO. 2977

TITLE: A RESOLUTION ALLOWING FOR PRICE ADJUSTMENT OF BITUMINOUS MATERIALS FOR SMALL QUANTITIES FOR THE TOWNSHIP’S ULTRA-THIN BONDED WEARING COURSE (PUBLIC WORKS/BOC)

President ARMSTRONG read Resolution No. 2977 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner DUTT. There were no questions or comments.

Five Commissioners were present and voted “yes”. Resolution No. 2977 was approved.

3. RESOLUTION NO. 2978

TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR NEW LAND DEVELOPMENT OF KEYSTONE HARLEY DAVIDSON WHITEHALL TOWNSHIP, LOCATED AT EBERHART ROAD AND SEVENTH STREET, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1892-16. (DEVELOP)

President ARMSTRONG read Resolution No. 2978 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner SLONAKER. There were no questions or comments.

Five Commissioners were present and voted “yes”. Resolution No. 2978 was approved.

4. RESOLUTION NO. 2979

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MINOR SUBDIVISION PLAN OF 3342 W. COLUMBIA STREET, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1894-17. (DEVELOP)

President ARMSTRONG read Resolution No. 2979 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner MARX. There were no questions or comments.

Five Commissioners were present and voted “yes”. Resolution No. 2979 was approved.

E. MOTION

1. Commissioner GINDER moved, seconded by Commissioner SLONAKER to approve the reappointment of Dennis WEHR to serve on the Plumber’s Examining Board, term to expire April 30, 2020.

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

2. Commissioner DUTT moved, seconded by Commissioner GINDER to approve the request for payment of bills submitted for the MacArthur 75 Celebration.

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

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner GINDER asked about holding L&L. It was noted they will meet.
2. Commissioner DUTT stated the Senior Center is open, having exercise classes, lunch and historical talks, runs Tuesday thru Friday from 9 am to 2 pm at the West Catasauqua Playground building. He thanked Commissioners GINDER and MARX and all the volunteers who worked on the new memorial out front.
3. Commissioner MARX stated the memorial will be dedicated on Memorial Day at 1 p.m., will have guest speakers, the Whitehall Chorale will sing, will have a bag pipe player, will be a wonderful event and invited everyone to attend.

Commissioner MARX stated he has a letter (attached) from Joe and Denise NIKA about her near miss at Eberhart and MacArthur Roads and the action she had to take to avoid a tri-axle dump truck by going into the Church parking lot.

4. President ARMSTRONG stated Student Government Day was held on May 1st with 16 students from the high school, received great feedback from the students, they had no idea about all of the things the Township is involved with, their bus came way before they were ready to leave, and have a lot to be proud of with our Whitehall students.

President ARMSTRONG noted he had worked at the Whitehall Middle School for the Open House for the Communities That Cares program and Snack Pack program, noted the large amount of food that has been donated to make sure our students don’t go hungry, was amazing to see how the people of Whitehall have stepped up and provided for such a great need.

President ARMSTRONG stated the committee for the memorial was formed a year ago with lofty goals, raised ~\$50,000 and is wonderful how the Township comes together to back these type of projects not only with money but with hard labor.

5. Mayor HOZZA stated he met with the local DEP Field Representative who informed him that another notice of violation for dust for the quarry was sent to MCK.

Mayor HOZZA stated he issued a statement to the media regarding the West Catasauqua Fire Company noting the social ends of the Fire Departments are not owned by Whitehall Township, the couple involved were never employees or volunteers of Whitehall Township and hopes the new board of the West Catasauqua Social Hall will institute new

accounting controls to prohibit any action like this in the future and thanked the District Attorney and his office for the investigation into the matter.

Mayor HOZZA commented on a story by the Chairman of the LVEDC stating that bricks and mortar retail is dead, that the movement is now internet shopping and the future will be to build more warehouses in the Lehigh Valley that cater to internet shoppers. He noted Whitehall Township does rely on the bricks and mortar retail as our tax base, there is still a segment of the population that likes to feel and touch merchandise before purchasing it, our retailers are still doing quite well but need to be realistic, moving forward the Township will rely on the fastest growing segment of the economy which is medical, the greatest number of jobs in the next 20 years will be medical related and will see more medical facilities in former retail establishments on MacArthur Road since there is a need here and in the surrounding areas north of Route 22 for medical facilities.. The first will be a St. Luke's Care Plus, at the corner of MacArthur Road and Schadt Avenue and a Health Network Laboratories across MacArthur Road.

Mayor HOZZA noted the Annual Electronics Recycling, Document Shredding and VIN Etching Event is rain or shine on Saturday. The Historical Society's Flea Market is also on Saturday, thanked the students for Student Government Day, feels they left with a keen appreciation of what local government is about and looks forward to the dedication of the memorial.

Mayor HOZZA noted the Fifth Street Bridge will close for ~4 years, everyone will need to use Fullerton Avenue and MacArthur Road. The funding for the work being done now is ~\$80M, the funding for the next phase of widening Route 22 and the rebuilding of the Fifth Street Bridge will be from the increase in the gas tax that was passed several years ago and Penn DOT has stated the bridge will be rebuilt as a vehicle bridge with sidewalks.

Mayor HOZZA stated donations will be accepted on Saturday also for the food bank and there is a container in the lobby of the Municipal Building for donations also.

G. ADJOURNMENT

1. MOTION – Commissioner DUTT moved, seconded by Commissioner MARX to adjourn the meeting at 7:55 p.m.