

---

# **MINUTES**

**February 12, 2018**  
**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, February 12, 2018, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

**COMMISSIONERS**

Dennis C. Hower, President  
Philip J. Ginder, Vice President  
Thomas Slonaker, Secretary  
Shawn E. Clary  
Jeffrey L. Dutt  
Joseph J. Marx Jr.  
Jeffrey J. Warren

**TOWNSHIP PERSONNEL**

Edward D. Hozza Jr., Mayor  
John D. Meyers, Deputy Mayor  
Chuck Fonzone, Township Solicitor  
Bruce Somers, Acting Police Chief  
Frank Clark Engineer  
Lt. Greg Bealer, Police Officer  
Lee Rackus, PZ&D  
Colleen L. Gober, Tax Collector  
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence for our troops serving home and abroad.

President HOWER read the statement on fair housing as required.

2) **APPROVAL OF MINUTES**

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

Regular Public Meeting – January 8, 2018

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

**B. APPOINTMENT OF TOWNSHIP COMMISSIONER**

**MOTION** - Commissioner MARX moved, seconded by Commissioner SLONAKER to approve the appointment of Jeffrey J. WARREN to serve as a Township Commissioner on the Whitehall Township Board of Commissioners term expiring December 31, 2019.

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

**C. OATH OF OFFICE**

Jeffrey WARREN took the Oath of Office to begin his service as Whitehall Township Commissioner from Notary Public Patricia SWEENEY.

Lt. BEALER introduced new Police Officers Michael JORDAN and John BOWLBY. Officer JORDAN was hired on July 10<sup>th</sup>, 2017, graduated from the Allentown Police Academy on December 7<sup>th</sup>, 2017, received an honor for firearms training by attaining a perfect score on 3 State mandated courses of fire and has begun his field training program. Officer BOWLBY was hired on January 22<sup>nd</sup>, 2018, was previously an officer for Lower Saucon Township and Colonial Regional Police, has started his abbreviated field training due to his previous experience. Lt. BEALER welcomed them and their families to the Whitehall Township Police family noting these are not easy times for law enforcement but speaks to the character of our younger generation who continue to pursue this career, the oath they are about to take is a solemn oath, one that is the foundation for the badge and also the duties they will swear to protect and serve this community.

Police Officers Michael JORDAN and John BOWLBY were sworn in by Notary Public Patricia SWEENEY. Mayor HOZZA presented the badge of office to each officer and welcomed them to the Whitehall Township family.

**D. PUBLIC HEARING AND VOTING ON CONDITIONAL USE**

1. RESOLUTION NO. 3001

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE CONDITIONAL USE OF DVS ENTERPRISES INC., LOCATED AT 250 N. SECOND STREET, COPLAY, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1905-17. (DEVELOP)

President HOWER read Resolution No. 3001 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner DUTT.

Trisha MAJUMDAR, of Plunkett and Graver, counsel for DVS Enterprises, noted the property is located at 250 N. 2<sup>nd</sup> Street, Coplay with a small portion being in Whitehall, are here for conditional use approval based on Section 27.55 of the ordinance pertaining to lots divided by different zoning districts, have received zoning relief from Coplay, and are requesting that Coplay zoning apply to the Whitehall portion of the property.

David SCHUERERMANN, President of DVS Enterprises, testified he is owner of the property of ~4.5 acres, a third of an acre is in Whitehall, proposing 48 apartments in 6 buildings with 8 units in each, property in Whitehall in located in OS2 zoning, has owned the property ~20 years, was for sale for ~5 years, no interest because of no demand for commercial property in Coplay, overlooks a park, museum, across from existing apartments, adjacent to the rail-trail, feels the site is conducive for apartments, would not alter the character of the neighborhood, does not feel it would increase traffic congestion or endanger public safety, will not overcrowd the land, will only be ~35% coverage, would not violate any federal, state laws or regulations, received a favorable recommendation from the Planning Commission for the project with one condition being an inter-municipal agreement between Whitehall and Coplay to clarify the duties of emergency responders, is being worked on, Police Chief of Coplay has stated in a

letter they would be the primary responder. Plans were updated to comply with the Fire Chief's recommendation to increase the internal area of the parking area and add one additional hydrant.

Michael MINERVINI, Project Engineer, testified the plans were submitted to the LVPC, their storm waters comments have been addressed, will be re-submitting plans next week along with the submission to the DEP for the NPDES permit.

Frank CLARK stated he went thru the LVPC letter as well as our own review, there are no deal breakers, everything works consistently, looked at it because Whitehall has an easement along the rail trail and the plan is consistent with the holdings that Whitehall retains.

Commissioner SLONAKER noted it was stated he didn't see any increased traffic, just more foot traffic but people will need to go to work. Mr. SCHUERERMANN stated the need to get back to neighborhood community type of living were people who live in an apartment can walk to the grocery store, parks and bank. Commissioner GINDER noted the emergency response agreement was not complete yet. Attorney MAJUMDAR stated the Police Chief of Coplay agreed to be the responding department, an inter-municipal agreement has been drafted and submitted to both Coplay and Whitehall, Coplay is not completely on board with signing a formal agreement which puts us in a bind for this to be a condition but are working to get it signed, both parties are in agreement but with some tweaks. Commissioner GINDER stated our Police Chief has concerns about who will have enforcement and what asked about the Fire Department. Attorney MAJUMDAR stated the response she received from Coplay is they have no problem with the Police and Fire Departments being the responders. Commissioner MARX noted all the addresses will be Coplay so Lehigh Valley Communications will dispatch Coplay unless mutual aid is called for.

Township Fire Chief NELSON stated as it is already, if Coplay has a fire, Whitehall are mutual aid with them and is the one who made the recommendation for the additional fire hydrant. Lt. SOMERS stated as long as it is dispatched from the 911 Center would go to a 30 unit which is Coplay and mutual aid would be the same if Coplay would ask to assist them.

Attorney FONZONE noted the agreement stated if an emergency develops Coplay would do its best to meet it but should be looked at harder and the Planning Commission felt the letter should be from Coplay's legislative body not the Police Chief.

Attorney MAJUMDAR stated from a legal perspective this is a conditional use request, emergency responders really have nothing to do with the zoning and to put it as a condition seems to be out of bounds. Commissioner MARX asked if this can be streamlined since if a mutual aid is requested by the County, we will respond anyway. Attorney FONZONE stated they can get insurance to protect the Township from risks. Commissioner SLONAKER noted the need to protect our residents. Commissioner DUTT asked if this would be something to delay the vote. Attorney FONZONE stated they could vote contingent upon an agreement being reached. Attorney MAJUMDAR stated she feels an inter-municipal agreement is separate from the conditional use, the condition should be that they put forth a good faith effort to have it signed. Commissioner DUTT stated their position is to protect the citizens of Whitehall and the solicitor states we can approve it contingent on that being signed. Solicitor FONZONE stated there is no reason for Whitehall to buy general liability insurance to cover a loss and be exposed to a risk they didn't create. Attorney MAJUMDAR stated the recommendation from the Planning Commission was there be an agreement to clarify

duties and responsibilities for emergency services, there was nothing about insurances, seems to be morphing into something way beyond what was recommended, the conditions for a conditional use have to reasonable and related to zoning.

Lee RACKUS stated there are other properties in the Township that are bounded by jurisdictional boundary lines, is up to them and legal advice to determine the magnitude or responsibility we assume. Typically where ever they pay taxes too is the responsible agency. Those that are bisected the owner has the ability to elect which municipality they will pay taxes too. Commissioner MARX stated if a call is made for a fire or police action, no municipality controls who goes to that call, if mutual aid is asked for we will go, does not understand why there is any legal interference here on who is responsible. Fire Chief David NELSON stated if it is Township property we are obligated to respond to a call, if there is no paperwork stating that Coplay will respond, then we are obligated to respond. Frank CLARK noted the Planning Commission wanted a letter from Coplay's elected officials saying Coplay would be the first responders and noted one municipality cannot indemnify another one. Attorney MAJUMDAR stated what is being asked is liability and indemnification, a condition on a conditional use, is not fair or legal to her client, all conditions should be based on zoning issues, is what the MPC requires. Mr. SCHEUERMANN stated only 3 units of a building will be in Whitehall, Coplay will respond, he has to insure the building and to build to state codes. Commissioner DUTT stated the Solicitor is not advising us to approve until the agreement is signed. Attorney MAJUMDAR stated then if they cannot get Coplay to indemnify, which they will not do, then the project cannot move forward. Mr. SCHEUERMANN asked what he wants him to indemnify Whitehall for. Attorney FONZONE suggested he call his insurance broker to find out.

After a continued lengthy discussion, the Board went into an executive session.

When the Board reconvened, seven Commissioners were present and voted "yes" to approve. Resolution No. 3001 was approved.

**NOTE: The above represents a brief summation of this Conditional Use Hearing. A complete, verbatim transcript of the proceeding can be viewed at the Township's Municipal Building, 3219 MacArthur Road, Whitehall, PA.**

2. RESOLUTION NO. 3002

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF MULTI-TENANT RESIDENTIAL BUILDINGS, LOCATED AT 250 N. SECOND STREET, COPLAY, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1906-17. (DEVELOP)

President HOWER read Resolution No. 3002 to the Board.

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

Seven Commissioners were present and voted "yes". Resolution No. 3002 was approved.

**E. COURTESY OF THE FLOOR**

Lori Ann FEHNEL, 3100 block of Third Street, Whitehall, stated there has been a rash of thefts, burglaries and criminal mischief in the Township, became a victim on January 11 at 6:20 am

when an intruder came on her property with a knife, took out 3 of her surveillance cameras, was minutes from leaving her home with her children. She posted this on social media to try to find the person because she wants her kids to feel safe. Incidents have happened in the Hokey section and in Coplay and asked what can be done to deter these criminals. Lt. SOMERS stated there were 4 burglaries reported last month which is low. Ms. FEHNEL asked what can be done to get the Crime Watch back. President HOWER stated the low turnout at Crime Watch is because people do not want to volunteer or get involved but is apparent she wants to get involved. Ms. FEHNEL stated she believes this activity is coming from a home in the alley in the 3100 hundred block of Vine Street, has seen it, the police know which home it is, after she posted on social media had a tip in 10 minutes that her intruder went onto Lehigh Street and north on Second Street. Ms. FEHNEL stated some Police Departments post the crime with the date and time on Facebook, feels we should be more social media active to make the community more aware. Lt. BEALER stated the departments Facebook page is up but cannot man it 24 hours. Mayor HOZZA stated it is also a tool that criminals are using to leave one area and go to another. Mayor HOZZA asked if there was any attempt to burglarize her garage or home. Ms. FEHNEL stated the 3 cameras were cut and then the tip stated the individual at 6:34 am was on Lehigh Street then going north on Second Street. Mayor HOZZA suggested she take over the Crime Watch on the 4<sup>th</sup> Monday of each month. Ms. FEHNEL stated they need more police presence in the residential neighborhoods. Mayor HOZZA stated two more Police Officers were sworn in today but also takes a commitment by the community by paying their taxes and contributing to the Township.

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

**1. BILL NO. 1-2018**

**TITLE: AN ORDINANCE LIMITING OPEN BURNING IN THE TOWNSHIP;  
PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE  
DEEMED TO BE INVALID; REPEALING ORDINANCES, RESOLUTIONS,  
OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR  
AN EFFECTIVE DATE. (FIRE)**

President HOWER read Bill No. 1-2018 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner SLONAKER.

Commissioner MARX stated there is no way this can be enforced.

Commissioner SLONAKER concurred. Commissioner DUTT stated he knows we are after those who are more of a nuisance but how will it be enforced.

Fire Chief David NELSON stated enforcement is when they get called out, are not searching for it, are not policing it, are getting complaints and have nothing to enforce it with. He noted the Township receives grant money for being a non-burn Township and if we don't enforce that, will not receive the grant money. There is a Clean Air Quality that goes thru Allentown and is directed with us. When a Police Officer comes out and notes someone is burning, we can fine them but need to go thru a whole bunch of hoops, this is just to define it so the issue can be taken care of quickly, need to define the ordinance to take the issue at hand. There has been a no burn policy in Whitehall way before him. Commissioner SLONAKER stated he sees it as being similar to fireworks, not allowed to do it but the police can't be everywhere. Chief NELSON stated the

Fire Department is not going out searching for homes that are burning but when we get the complaint we need to address it and take care of it and that is what this ordinance is about. Commissioner DUTT stated then it is basically the ones you get called for, with an affirmative response. Chief NELSON stated he doesn't have the resources to search people's homes but when called that you caught your garage or shed on fire, we have nothing to stand on to hold you accountable except for endangerment of the area. President HOWER asked how much grant money we get. Mayor HOZZA stated we are part of the LVPC region, there are funds that go into LVPC transportation for pollution reduction projects which right now the emphasis is on reducing traffic and carbon dioxide which is also here with open burn and as a first class Township we have been mandated for years to have no open burn. Commissioner MARX stated if it doesn't pass, then we will lose funding. Mayor HOZZA stated we will get a letter from the DEP and EPA. Commissioner GINDER stated they can be used for cooking, are just looking for steps to control nuisance fires when the Police and Fire departments are called out.

Seven Commissioners were present with six voting "yes" and President HOWER voted "no". Bill No. 1-2018 was approved

2. BILL NO. 2-2018

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS ALONG THE MACARTHUR ROAD FRONTAGE OF 5266 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AS REQUIRED IN CHAPTER 21, SECTION 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President HOWER read Bill No. 2-2018 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner CLARY.

Jeff STRAUSS, developer, stated the section that abuts MacArthur Road is on a plateau along with a lower section, plan to make Mason Lane a 36 foot car path, received approval from Penn DOT thru an HOP access permit to Rte.145 from a new road, Eagle View Terrace, a 36 foot car path, connects to Mason Lane into a cul-de-sac with a car path extended to 26 feet that will connect onto Rt. 329. There will be 35 town homes, a set of twins and one single family lot. Deferrals are for a sidewalk along Rt. 145 leading to nowhere, one for the single family lot as there are sidewalks on the other side of the street, and for East Mason Lane that will connect to Rte. 329 and lead to nowhere. Has received favorable feedback from the Planning Commission and residents as it will expand access to their properties. Storm water is being managed, the LVPC has given a favorable review on the plan. The final Act 167 approval will be once we get the NPDES permit in union with the Board's approval.

Commissioner WARREN asked if there is a curb cut there and the other side when heading west on Eagle View where the sidewalk ends, doesn't see it on the map, with an affirmative response. Mr. STRAUSS stated they also added sidewalks to connect up to the intersection at Routes 145 and 329 to make it pedestrian friendly. Commissioner WARREN asked how they would get to the

nearest park. Mr. STRAUSS stated they would have to go thru someone’s yard instead of walking on Rte. 329, his property is surrounded by private property and cannot provide direct access. Commissioner SLONAKER noted he feels that would present problems and noted a deferral isn’t permanent. Mayor HOZZA stated the Board vacated Ohio Avenue several years ago, feels that will be the path to the park and asked if there can be a macadam pathway to his property line. Frank CLARK stated it is already slated for an apron for snow storage at the end of the cul-de-sac.

Seven Commissioners were present with Commissioner MARX voting “yes” and the other six Commissioners voting “no”. Bill No. 2-2018 was not approved.

3. BILL NO. 3-2018

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS ALONG THE EAST SIDE OF EAGLE VIEW LANE IN THE PROPOSED EAGLE VIEW ESTATES DEVELOPMENT, AT 5266 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AS REQUIRED IN CHAPTER 21, SECTON 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President HOWER read Bill No. 3-2018 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner MARX.

Seven Commissioners were present with four voting “yes” and Commissioners GINDER, CLARY and SLONAKER voting “no”. Bill No. 3-2018 was approved

4. BILL NO. 4-2018

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS ALONG THE EAST SIDE OF MASON LANE IN THE PROPOSED EAGLE VIEW ESTATES DEVELOPMENT, AT 5266 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AS REQUIRED IN CHAPTER 21, SECTON 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President HOWER read Bill No. 4-2018 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner CLARY.

Frank CLARK stated this is the little stub of Mason Lane coming off of Rte. 329. Commissioner WARREN asked what happens if the school district would put a bus stop at the corner. Mr. STRAUSS stated the plan was designed for a school bus to go into the cul-de-sac with a proper turnaround. Frank CLARK stated the school district cannot give an answer until they see what the student load would be.

Seven Commissioners were present and voted “no”. Bill No. 4-2018 was not approved

5. BILL NO. 5-2018

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF ONE (1) 2018 CHEVROLET TAHOE 4WD VEHICLE FOR THE FIRE 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 HOWER read Bill No. 5-2018 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 5-2018 was approved

6. BILL NO. 6-2018

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF TWO (2) 2018 DODGE CHARGER VEHICLES, TWO (2) 2018 DODGE DURANGO AWD VEHICLES, AND ONE (2) 2018 DODGE RAM D1500 VEHICLE FOR THE POLICE PATROL DIVISION, 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 HOWER read Bill No. 6-2018 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner CLARY.

Commissioner SLONAKER questioned the need for a pick-up truck. Lt. BEALER stated will the downsizing of modern police cars and the equipment put in them, have found property like bicycles, evidence that needs to be transported, that cannot fit into cruisers.

Seven Commissioners were present and voted “yes”. Bill No. 6-2018 was approved.

**G. PUBLIC HEARING AND VOTING ON RESOLUTIONS (cont'd)**

3. RESOLUTION NO. 3003

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING CAMP WHITEHALL RATES FOR THE YEAR 2018. (BOC)

President HOWER read Resolution No. 3003 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 3003 was approved.



4. RESOLUTION NO. 3004

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING POOL PASS RATES FOR THE YEAR 2018. (BOC)

President HOWER read Resolution No. 3004 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 3004 was approved.

5. RESOLUTION NO. 3005

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF EAGLE VIEW TOWNES, LOCATED AT 5266 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1884-16. (DEVELOP)

President HOWER read Resolution No. 3005 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner CLARY.

Commissioner WARREN asked about the street lighting with four standard lights at major corners and the Township is converting to LED. Mayor HOZZA noted the Township owns the street lights, conversation to LED is starting this spring and to install the standard fixture being put in all residential sub-divisions. Commissioner WARREN asked if the four fixtures are adequate. Mayor HOZZA asked if there was a photometric done, with a negative response. Commissioner WARREN stated there is a storm inlet halfway down Eagle View and one half-way down Mason Lane when coming off of MacArthur Road down to Eagle View and if that is an issue as far as over land flow. Frank CLARK stated the developer has agreed to either adding a few extra inlets or to change the type of grate. Commissioner DUTT stated they were under the assumption this was an HOA community. Frank CLARK responded in the negative stating there is an HOA to manage the pond due to NPDES permitting, someone needs to maintain it, the Township will not, the pond is included with one of the lots, is actually real estate tied to the pond. Commissioner GINDER asked what happens if the HOA goes belly up in 20 years. Mr. STRAUSS stated a lien would be placed on the property owner. Commissioner GINDER asked what happens if the lot doesn't sell. Mr. STRAUSS stated then he would own the lot and be responsible but the Township has the right in an emergency situation to go in and remedy any scenario and the take action against the HOA. Frank CLARK stated the laws have changed, an HOA is always tied to a property now, and agreements give the Township plenty of recourse. Commissioner WARREN stated Mason Lane will be 2-way up to Eagle View from Rte. 329 and asked if the entrance from 329 changes, with an affirmative response. Commissioner WARREN asked about Eagle View to Rte. 145, the Mason Lane section, if that will be improved. Mr. STRAUSS stated they will do an overlay as it is still a public road. Commissioner GINDER asked about the unnamed Street between Rte. 329 and Mason Lane. It was noted it is Sharga Lane and is a public street and asked that it be listed. Commissioner GINDER asked why there are no sidewalks. Mr. STRAUSS stated sidewalks would not be feasible as there is nowhere to put it due to the parking situation. Lt. BEALER stated cannot get emergency vehicles up it right now the way it is configured. Commissioner

GINDER asked if there is a need to make it one-way. Fire Chief Dave Nelson suggested limiting parking to one side on Mason Lane East. Frank Clark stated Sharga is very narrow, no way to increase the width, there is no HOP for it, to do anything would require a review by Penn DOT and to make it a one-way will require a traffic study. Mr. STRAUSS stated he would fund a traffic study, does not want it to impede the approval of the sub-division. Commissioner GINDER asked about street trees for Emily Circle. Mr. STRAUSS stated there is nowhere to put them. Frank CLARK stated when town houses are developed, it is very tight, generally secure a certain percentage of street trees, once the utilities and sidewalks are in, if there are places to put them, they go in on the yard side of the sidewalk. Frank CLARK noted the following would be added to the plan: photometrics to determine ultimate street light placement, list the work Sharga Lane on the plan, relocate street trees to be placed outside of the sidewalk on the house side were practical and add additional trees to be secured to be field located by the Township Engineer during construction and the developer will fund the traffic study to determine the feasibility of turning Sharga Lane one way south and if warranted, the developer will install the proper signage

Seven Commissioners were present and voted “yes” with the additions. Resolution No. 3005 was approved.

#### **H. OTHER**

1. Commissioner WARREN moved, seconded by Commissioner CLARY to approve the reappointment of John DELSERRO to serve on the Environmental Advisory Council, term expiring December 31, 2020.

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

2. Commissioner DUTT moved, seconded by Commissioner MARX to approve the appointment of Joseph WILFINGER to serve on the Recreation Commission representing the Whitehall Historical Preservation Society, term expiring September 30, 2020.

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

#### **I. REPORTS OF PUBLIC OFFICIALS**

1. Commissioner MARX noted there is a telemarketing firm calling seniors to sell them insurance for their water and sewer lines, it is legitimate, they try to intimidate seniors but should not to buy it because chances of lines failing are pretty slim.
2. Commissioner DUTT stated he will have a report of the results of the survey for the Historical Iron Works section in Hokendauqua next month.
3. Commissioner GINDER thanked Mrs. RACKUS for the Planning Commission report and to thank them for everything they do. He asked by next month to have something on the weight limits for Lehigh Avenue. Frank CLARK stated they are looking at the truck routes as well as the weight limit with Peter TERRY. Commissioner GINDER asked about the wall. Attorney FONZONE stated we have an agreement. Commissioner GINDER stated Penn DOT promised a survey, wants to know whose property the wall is on. Attorney FONZONE stated we did get the final order but did not get a survey.

Commissioner GINDER asked how they can give us land and a final order without a survey when they agreed to it and wants to know whose land the wall is on.

4. Commission SLONAKER congratulated Commissioner WARREN on his appointment and also the people just appointed to boards and commissions.
5. Commissioner CLARY congratulated Commissioner WARREN also and noted he is looking forward to working with him.
6. Commissioner WARREN stated his is humbled by the opportunity, was very impressed with the packet he received on Friday, gave him a totally different perspective and asked about Mechanicsville Road moving slowly with Penn DOT. Frank CLARK stated it has been picking up speed, can't negotiate with the property owners until he knows that Penn DOT is on board.
7. President HOWER congratulated Commissioner WARREN, has seen his passion for the well-being of the Township over the years, will be a great addition to the board. Thanked Fire Chief NELSON for all the good things he is doing.
8. Mayor HOZZA read a statement (copy attached) concerning his resignation as Mayor of Whitehall Township.

***J. ADJOURNMENT***

1. MOTION – Commissioner WARREN moved, seconded by Commissioner CLARY to adjourn the meeting at 10:35 p.m.