
MINUTES

June 12, 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, June 12, 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
Thomas Slonaker, Secretary
Jeffrey L. Dutt
Philip J. Ginder
Joseph J. Marx, Jr.
Linda K. Snyder

TOWNSHIP PERSONNEL

Edward D. Hozza, Jr., Mayor
John D. Meyers, Deputy Mayor
Sarah Murray, Attorney
Lee Rackus, PZ&D
Thomas Deily, Engineer
Michael Marks, Police Chief
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag, a moment of silence for our troops serving at home and around the world and for District Judge Robert HALAL and his family and the PIERSON and MILANDER families for their traffic losses this past week.

President ARMSTRONG read the statement on fair housing as required.

2) **APPROVAL OF MINUTES**

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

Regular Public Meeting – May 8, 2017

Seven Commissioners were present with 5 voting “yes” and Commissioners HOWER and SNYDER abstained. Motion carried

B. OATH OF OFFICE

Police Chief Michael MARKS stated Joseph REMMEL started his career with the Whitehall Township Police Department on April 17th, came highly recommended from the Lehigh County Sheriff’s Department, and has been assigned to the Field Officer Training Program for the next 3 months. He welcomed his family to the Whitehall Township Police family noting it isn’t the easiest career for family members but there is always someone here to lean on in times of need and the oath he is about to take is a solemn oath, one that is the foundation for the badge and also the duties he has sworn to protect and serve this community.

Police Officer Joseph REMMEL was given the oath of office by Notary Public Patricia SWEENEY. Mayor HOZZA presented Officer REMMEL with his badge and welcomed him to the Whitehall Township family.

C. PRESENTATIONS

Mayor HOZZA recognized Cortney BORDNER, a second grade student at Steckel Elementary, who requested donations for the Snack Pak Program at her school instead of presents for her birthday which was a huge success.

Denise CONTINENZA, coordinator of the Whitehall-Coplay Communities That Care Program (CTC), stated it is the only one in Lehigh County, is the framework to get the community rallied around the wellness of our young people, meets monthly, has 35 members, is a data driven process from a variety of sources, mainly the PA Youth Survey, to get to the root of issues, continuously go thru 5 phases to gather and analyze data, decide what to work on, work on it, implement programs, evaluate, and then go thru the cycle again. It started back in 2011, identified 5 things to work on, saw our kids are smoking marijuana and using alcohol, found we have kids going without food, thus the Snack Pak Program, because if they are hungry, they can't learn, then drop out of school and get involved in crime and have a downward spiral, found the reason kids are using substances because parents allow it, kids felt they aren't appreciated or recognized so we are engaging them in more activities in the community and found the hard drug problem escalates in kids between 18-25 who are not on a career path or vocation. The CTC implements programs, policies, and practices to get to the root of the issues. President ARMSTRONG noted the Student Government Day, all of the school clubs were involved with the Fall Festival and students volunteered at the MacArthur 75 Gala as waiters and waitresses and did a fantastic job. Ms. CONTINENZA stated the newly formed Rotary Club will be working with the school district in doing a career fair. A community meal is offered once a month to decrease hunger, is supported by bingo's and many donations, established a pantry at the Middle School for the Snack Pak program which feeds 120 children across all grade levels at the school. It was noted there are community gardens, one sponsored by the Historical Society and the other by Lafarge Corporation for the Hunger Program. The Summer Breakfast Program starts at St. John's Church on Third Street on June 19th with free breakfast from 8:30 am to 10:00 am for any child in the community, will also have activities and noted Realtor Shari NOCTOR has done an amazing job in spearheading the Hunger Program. Ms. CONTINENZA stated our CTC is being used as a model for other school districts and everyone should be proud to live in Whitehall Township. An anonymous survey will be done again in the fall for all 6th, 8th, 10th and 12th graders to get data to analyze again and if anyone wishes to be part of a committee, they meet the 3rd Friday of every month at Faith Lutheran Church from 8:30 am to 10:30 am.

D. COURTESY OF THE FLOOR

Peter MOHR, 2309 N. 1st Avenue, Whitehall, on behalf of St. John's UCC Church on Grape Street, regarding request for a crosswalk on Grape Street as the street and Church are becoming busier, have had a few close calls, looking for status of their request. Mayor HOZZA stated the need for bids as it is over \$25,000 and hope to have it completed by Christmas Eve of this year.

Becky BECKWITH, Senior Pastor at St. John's UCC Church, related the happenings going on at the Church so they are aware of the investment they are asking them to make for their safety and the community's. Have over 800 members, ~150 children and youth, average attendance in worship is over 260, have taken in over 200 members in the last 2 years, is a growing congregation, have 3 active youth groups, 5 choirs with over 40 members meet weekly, have 16 committees meet once a month and 5 meet quarterly, have seasonal programs, vacation bible

school with ~100 adults and children helping, last week had 300-400 people attending the Celebrate the Community, do a live Nativity in December with 200-300 attending, along with bingo's, garage sales, basket socials and lots of fundraisers with most of these people crossing Grape Street. They are a spiritual home and their faith calls for them to be part of the community. They have 3 scout troops and 2 Zumba groups that meet weekly, have a school bus stop, and in September will be opening a Christian Learning Center, a day care and pre-school. This summer will be a site for a 4-H Youth Camp, are in partnership with Valley Youth House with Respite Care for families with autistic children, rent out for various functions, are also an emergency center and will be discussing the start of a church with the large population of Hispanics in Whitehall. The traffic has increased on Grape Street, is tough crossing and thanked the Mayor for sitting in the dunking booth with all the proceeds going to Whitehall Firefighters. Mayor HOZZA stated with the ramps closed on Fullerton Avenue for construction and the Fifth Street Bridge closed, Grape Street and Fairmont Avenue traffic has increased, have been told the west side ramps on Fullerton Avenue should be open by Christmas which should relieve some of the additional traffic on Grape Street and Fairmont Avenue. He noted even though Grape Street is a Township road, Penn DOT has to weigh in on the decision making for the sign.

Mario SPAGNOLETTI, 351 Sumner Avenue, Whitehall, stated the Lehigh County Conservation District held their annual Environmental Thon on May 9th for the middle schools and May 11th for high schools, had various classes, the theme was Agricultural Soil and Water Conservation Stewardship, 31 teachers, and ~ 170 children participated, and the Whitehall Middle School won an achievement award.

Mr. SPAGNOLETTI thanked Mayor HOZZA on the Recycling Event and Commissioners ARMSTRONG, DUTT and GINDER and all the volunteers, was a big success and thanked Al RECKER for the coverage in the newspaper.

E. PULBIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 19-2017

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF CURBING AND SIDEWALKS ON THE FRONTAGE OF 3342 W. COLUMBIA STREET FOR A DISTANCE OF APPROXIMATELY 200 FEET, AS REQUIRED IN CHAPTER 21, SECTON 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President ARMSTRONG read Bill No. 19-2017 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". Bill No. 19-2017 was approved.

2. BILL NO. 20-2017

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 APPLICATIONS FOR EMPLOYMENT AND PROMOTION WITHIN THE BUREAU OF POLICE, DETERMINING EXAMINATION PROTOCOLS AND CREATION OF ELIGIBILITY LISTS, SETTING FORTH STANDARDS FOR PHYSICAL, PSYCHOLOGICAL AND VOICE STRESS ANALYZER EXAMINATIONS, AND ESTABLISHING RULES GOVERNING SUSPENSIONS, REMOVALS, REDUCTIONS IN RANK, HEARINGS AND RECORD MAINTENANCE. (CSC/ADMIN)

President ARMSTRONG read Bill No. 20-2017 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner DUTT.

Commissioner MARX asked Chief MARKS if he is happy with the testing procedures at this time. Chief MARKS stated they are currently in discussion with the Civil Service Commission and are working thru what the next phase will be. Deputy Mayor MEYERS stated the only change here is in Section 6.01, the words “Board of Commissioners” appear as the appointing authority whereas it should be the “Mayor”.

Seven Commissioners were present and voted “yes”. Bill No. 20-2017 was approved.

3. BILL NO. 21-2017

TITLE: AN ORDINANCE AMENDING ORDINANCE NO. 883, CODIFIED AS SECTIONS 4-1 THROUGH 4-5 OF THE ADMINISTRATIVE CODE OF WHITEHALL TOWNSHIP, DESIGNATING THE SIZE OF STREET NUMBERS TO BE AFFIXED TO ALL HOUSES, BUILDINGS, STRUCTURES, AND PLACES OF BUSINESS 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. (DEVELOP)

President ARMSTRONG read Bill No. 21-2017 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 21-2017 was approved.

4. BILL NO. 22-2017 (First Reading)

TITLE: AN ORDINANCE AMENDING CHAPTER XXVII OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP, ZONING, §27-81, INDUSTRIAL ZONE REGULATIONS, SUBSECTION 27.81 A, WITH RESPECT TO PERMITTED USES. (Legal and Legislative)

President ARMSTRONG read Bill No. 22-2017 to the Board. There were no questions or comments.

F. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2980

TITLE: A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE WHITEHALL TOWNSHIP TRAFFIC IMPACT ADVISORY COMMITTEE REGARDING PROPOSED TRAFFIC IMPROVEMENTS AT THE MACARTHUR ROAD (PA 0145) AND EBERHART ROAD (S.R. 1010) INTERSECTION AND EBERHART ROAD AND SEVENTH STREET INTERSECTIONS WITH REGARD TO EXPENDITURE OF TRAFFIC IMPACT FEES PURSUANT TO THE TRAFFIC IMPACT FEE CAPITAL IMPROVEMENTS PLAN. (Traffic Impact/Development)

President ARMSTRONG read Resolution No. 2980 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2980 was approved.

2. RESOLUTION NO. 2981

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF WENDY’S RESTAURANT, LOCATED AT 2545 MICKLEY AVENUE, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1900-17. (DEVELOP)

President ARMSTRONG read Resolution No. 2981 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2981 was approved.

3. RESOLUTION NO. 2982

TITLE: A RESOLUTION AUTHORIZING THE TOWNSHIP OF WHITEHALL TO ABANDON A STORM WATER EASEMENT ON REAL PROPERTY BORDERING AND INCLUDING PORTIONS OF SCHADT AVENUE, MAY AVENUE, AND CHERRY STREET IN THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

President ARMSTRONG read Resolution No. 2982 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2982 was approved.

G. REPORTS OF PUBLIC OFFICIALS

1. Commissioner SNYDER stated these are her feelings, not looking for comments, hopes future Boards will stop and think before they make decisions, is her Top 10, but is not funny. She noted there are things they do on the Board they are happy with, are things we think about later on and wish we had done different and this is one of those things. 1) She regrets her vote of approval for Pathstone, the agreement made to settle the dispute, disagrees with the letter the President needs to read at the beginning of every meeting, is degrading and demeaning, gives the impression the Board did something to individuals considered discriminating, in all her years on the Board has never discriminated against anyone or anything, the Zoning Board or no one did anything wrong. 2) When anyone speaks at the microphone, can negotiate with them but cannot control everything they say or should we. 3) Believes in freedom of speech and Sunshine because it is a disinfectant. 4) Believes the Board was intimidated, even to the point of not being told the truth on many occasions and if it meant we would no longer get grants, then so be it. 5) Believes we sold our souls in order to receive grant money which was not worth it for the Board or residents when you look at the entire picture because it will affect every residents in time. 6) We opened the door for this type of development maybe forever because if another developer comes in and we want to go to court, does not believe a judge would defend us because we approved everything they wanted. 7) Disagrees with the legislation they passed regarding the parking because it will negatively affect all established neighborhoods in this community where this type of development is able to be built. If you do for one, you have to do for all. 8) Hopes future Boards will have more courage and fight harder than she had but were told over and over we did not have a choice. 9) Gave too much and the rewards we received were not worth it. 10) If you don't agree or trust whatever you are being advised, insist on getting a second opinion. She will be leaving shortly and if her comments help to make more informed decisions then she accomplished something for the betterment of all our citizens and for this Board of Commissioners. Does not mean it in a negative or slanderous way, believes everyone did what they thought was right, including herself, but wishes she could go back in time and change things.

Commissioner SNYDER asked about the garbage situation on North Second Street in Cementon. Mayor HOZZA stated a family compound has a private road and a business which was not known by him or anyone. The residents of this compound drive their garbage down to the end of Second Street, get out of their cars, cross Second Street and place their garbage behind a guard rail on the river side of Second Street. He reached out to the property owner of the private drive and two of the residents along it but the property owner will not allow Waste Management trucks on his private road so this process will continue until a resolution can be found. Today, depending on the Zoning Board, none of those homes would have been approved because they are not on a Township or State Street. Another option given the property owner was to place dumpsters for garbage and recycling, but were denied. Waste Management offered a waiver and that was denied, are in a holding pattern with the owner of the private road, and were hoping there was an easement for residents to use such as the Whitehall Diner has with the used car lot owner. There are 3 owner occupied homes, one is the property owner's father, and 2 rental properties. The property owner puts his trash and recycling toter's on Second Street but will not allow the other residents to keep their carts on his side of Second Street. Waste Management will continue as before and we are looking into why they did not get carts. Commissioner SNYDER asked if the residents can come down and put their garbage on Second Street. Mayor HOZZA noted the property owner will not allow it and since she knows the family, if she would like to be the intermedator

to get a solution to this matter. Commissioner SNYDER stated since she grew up there and knows everyone is willing to try.

2. Commissioner SLONAKER stated he was stopped for pedestrians at the rail trail on S. Church Street but a truck, from the area we approved to fill the quarry, cut in front of him and almost hit the pedestrians and asked if a sign stating “Pedestrians have the Right-of-Way” is needed. Chief MARKS stated since it is a State Road they will have a say on any sign you post, has been the law in PA that pedestrians have the right-of-way in a crosswalk, they do enforce it when they see it, but is a cultural thing in this area, in the New England States if you dangle your foot off the curb, traffic comes to a grinding halt but is not the tradition in the Mid-Atlantic States. Commissioner SLONAKER stated the signs already there indicate it is a viable crosswalk. Chief MARKS stated it is a difficult situation, is not sure spending money on additional signage is going to get the results we are looking for. Mayor HOZZA stated he would call and also about cutting the grass of the triangle. Commissioner GINDER asked if we have the ability to police the haul road, with a negative response as it is a private road. Commissioner SLONAKER stated in Egypt, by the car wash by Scheidy’s Road, a one way sign is missing. Lee RACKUS stated she spoke to Mr. CLARK about it, is not sure if he had a chance to look at the plan.
3. Commissioner MARX thanked everyone for the successful Memorial Day dedication of the Veteran’s Memorial, his committee, the Commissioners, the Mayor, Mrs. SWEENEY, Chief MARKS and his department, Chief NELSON and surrounding Fire Companies that came out and assisted, the Boy Scouts and many others, was a successful dedication, is a beautiful memorial and invited anyone who hasn’t seen it to stop by.

Commissioner MARX stated an email from Ms. RACKUS stated the Hobel/UGI Quarry will be ramping up, asked if a meeting can be held to make sure dust levels are contained with the water truck, operation hours are followed, and gates are closed so our citizens aren’t complaining to us and to look at North Coplay, Coplay, and West Coplay Roads and do some temporary patching since people will be using them with the Coplay Bridge closed. Ms. RACKUS stated we are grouped in with Allentown, UGI will meet with each municipality affected and go over their program, they have to be very aggressive otherwise will be in trouble with the PUC. Commissioner GINDER stated if the quarry will be filled in sooner, need to figure the timeline to get the road repaired so it doesn’t sit for 5 years. Ms. RACKUS stated she would check in the conditions of approval on the repair time. President ARMSTRONG asked since they will be meeting quarterly, if we can have a meeting sooner since Rt. 329 is backed up and Lafarge cannot get out of their plant to go left. Mayor HOZZA stated based on UGI’s schedule, they will be looking for a second location.

President ARMSTRONG noted he had a meeting with our State Representatives and Senators and there is a bill in the State House and Senate now for local municipalities to have radar.

4. Commissioner DUTT stated as of September 1st our Active Lifestyle Senior Center will be a certified Silver Sneakers program for all our exercise programs, there are 18,000 people within a 5 miles radius that have Silver Sneakers on their insurance plans and a Pickle Ball League for seniors will be starting at West Catty Playground in September. Commissioner DUTT congratulated the graduates of Whitehall High School and noted the couple of tragedies that have taken place in the Township and reminded people if they notice something in somebody or have a loved one in trouble, to say something and if we pull together as a community may help to reduce these incidents from happening.

5. Commissioner HOWER noted the Township lost a great man in Bob HALAL, is heartbreaking. He thanked everyone involved in the new memorial, great to see the community come together. He stated he visits other memorial sites on Memorial Day and asked if the VFW's and American Legions could spread out their times and if something can be done to stop the traffic on Rt. 329 and Fullerton Avenue while the ceremonies are going, is a disgrace to our Veterans that people cannot stop for 3 minutes to pay their respects and asked for people to have more respect. Joe WILFINGER stated in the book on Flag Courtesy, other than for military, it is not enforceable in the United States.
6. President ARMSTRONG stated the workshop meeting on July 3rd will be held on July 10th at 6:00 pm prior to the regular meeting. He commented on the veteran who hugged and thanked him at the dedication of the memorial for doing it, is a great thing when the community comes together. He noted on Saturday night had another great MacArthur 75 Celebration with the Marine Band along with fireworks, gave out free t-shirts, honored our veterans and thanked Howard and Alice LIEBERMAN for putting it together.

President ARMSTRONG stated the talk is that America isn't going in the direction of the Paris accord on the environment but doesn't mean Whitehall isn't, have gone to our new recycling program, doing our LED lights, are way ahead and as a Township will continue to meet all of the environmental needs, are following the rules and will come in compliance with all of the regulations, if not more, for protecting our environment.

7. Mayor HOZZA stated on every Memorial Day is great to get to as many events as possible and agrees on the need to try and spread them out. The Chestnut Street Barn received the engineering plan for the restoration. Camp Whitehall will begin on Monday, June 19th. Unfortunately, the number of high grass, weed warnings and citations issued by our new code enforcement officer are thru the roof. Have been in contact with Penn DOT on the detour with the closure of the Coplay Bridge, are watching when school is out and traffic diminishes on the review of the timing at Second Street and Main St/Rte.329 in Cementon and also at the Lehigh Street Bridge. It was a wonderful event on Saturday night with the band and fireworks and everyone involved with the MacArthur 75 Committee are doing a great job in enlightening everyone on General MacArthur and this highway. He noted there will be an archeological dig at the Fort Deshler site across from Scheetz with Penn DOT's Historical Review Department supervising. Working to get replacement parts for an issue with the electric system at the Hokendauqua pool. One of his proudest moments as Mayor was on Memorial Day and the dedication of the memorial, and thanked the whole community, as we have eight villages and the key is unity and this project unified this Township and thanked the committee for a wonderful job.

H. ADJOURNMENT

1. MOTION – Commissioner HOWER moved, seconded by Commissioner DUTT to adjourn the meeting at 8:40 pm.