
MINUTES

August 13, 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, August 13, 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

Michael P. Harakal, Jr., Mayor
John D. Meyers, Deputy Mayor
J. Jackson Eaton, Township Solicitor
Michael Marks, Police Chief
Frank Clark Engineer
Lee Rackus, PZ&D
Colleen L. Gober, Tax Collector (Absent)
Larissa Bruder, 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**

Commissioner WARREN moved, seconded by Commissioner CLARY to approve the Minutes of the following meeting:

Regular Public Meeting – July 09, 2018

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

B. COURTESY OF THE FLOOR

Mario Spagnoletti of 351 Sumner Avenue commented on the article regarding the sewage leak into the Little Lehigh and the costs that are incurred by 11 municipalities for the rehabilitation of the Lehigh County Interceptor. Commissioner MARX stated that the CWSA took the Administrative Order very seriously and are doing a great job on monitoring the necessary replacement and repairs that have been needed on interceptors and collection system pipes.

Ed KAINZ of 5216 Pennsylvania Street voiced concerns of a neighbor who buys auto auction vehicles (mostly trucks) and has them sitting on the street and in his yard w/out being moved for long periods of time. Most of the vehicles are licensed and registered. He also complained that the Egypt Quarry is blasting at least 3xs a week and the blasts are getting stronger. Lee RACKUS advised that Melissa WEHR (Zoning Officer) has been trying to address the on-going issue with the vehicles and will again have her take a look at the property. As far as the blasting concerns, the Township has no jurisdiction. Complaints and concerns need to be registered with the State.

Linda BELL of 5214 Pennsylvania Street voiced her concerns as well, regarding the blasting. Her whole building (a 4 pack of townhouses) shakes and pictures on the wall move and she has to be careful where she places anything that is breakable.

Robert KLINE of 3912 Old Country Circle would like the retention pond property and Mechanicsville and Old Country Circle cleaned up. The property has been abandoned and when it was cleaned out everything was dumped behind the pond. Lee RACKUS advised that this property has been problematic for quite some time. Numerous notices and court hearings have been sent to the former property owner which they never responded to or appeared for. Bank of America has recently taken ownership and as they will now be the responsible party. It will still be an uphill battle to get them to comply in a timely fashion.

C. PUBLIC HEARING AND VOTING ON ORDINANCES

1. **BILL NO. 17-2018 (FIRST HEARING)**

TITLE: AN ORDINANCE VACATING A PORTION OF AMERICAN STREET FROM WINT LANE APPROXIMATELY ONE HUNDRED FORTY (140) FEET TO AN UNNAMED ALLEY; VACATING THE UNNAMED ALLEY IN ITS ENTIRETY, FULLERTON AREA OF WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

2. **BILL NO. 18-2018**

TITLE: AN ORDINANCE AMENDING ORDINANCE 3073 ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS OF THE TOWNSHIP OF WHITEHALL TO ELIMINATE THE REQUIREMENT OF FILING OF CAMPAIGN FINANCE REPORTS WITH THE BOARD OF ETHICS, TO REQUIRE FILING THE SAME WITH THE TOWNSHIP AND TO REQUIRE DISTRIBUTION OF THE ORDINANCE ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS TO CANDIDATES.

President HOWER read Bill No. 18-2018 to the Board.

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

Seven Commissioners were present and voting "yes". Bill No. 18-2018 was approved.

3. **BILL NO. 19-2018**

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF EQUIPMENT FOR THE 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. 19-2018 to the Board.

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

Seven Commissioners were present and voting “yes”. Bill No. 19-2018 was approved.

4. BILL NO. 20-2018 (FIRST HEARING)

TITLE: AN ORDINANCE AMENDING THE WHITEHALL TOWNSHIP CODIFIED ORDINANCES, CHAPTER 27, ZONING, BY AMENDING THE GENERAL REGULATIONS TO PERMIT ‘ADAPTIVE RE-USE’ FOR AFFORDABLE HOUSING AS A PERMITTED USE IN THE C-1 AND C-2A ZONING DISTRICTS. (Admin)

5. BILL NO. 21-2018

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF BOTH CURBING AND SIDEWALKS ALONG THE LEHIGH STREET FRONTAGE OF THE ARLINGTON CEMETERY SUBDIVISION, AS REQUIRED IN CHAPTER 21, SECTION 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President HOWER read Bill No. 21-2018 to the Board.

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

Seven Commissioners were present and 3 voting “yes” and 4 voting “no”. Bill No. 21-2018 was denied.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3022

TITLE: A RESOLUTION TRANSFERRING FUNDS WITHIN THE GENERAL FUND AND LIQUID FUELS FUND TO PROVIDE FOR APPROPRIATIONS TO MEET UNANTICIPATED CURRENT FISCAL YEAR EXPENSES CONSTITUTING BUDGET TRANSFER 18-01 (ADMIN)

President HOWER read Resolution No. 3022 to the Board.

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

Seven Commissioners were present and voting “yes”. Resolution No. 3022 was approved.

2. RESOLUTION NO. 3023

TITLE: A RESOLUTION AMENDING THE AGREEMENT WITH THE NEWPORT GROUP AS THE TOWNSHIP RECOMMENDED 457(B) DEFERRED COMPENSATION PLAN PERMITTING INSTALLMENT PAYMENTS FOR

ALL TERMINATED PARTICIPANTS. (ADMIN)

President HOWER read Resolution No. 3023 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner SLONAKER.

Seven Commissioners were present and voted “yes”. Resolution No. 3023 was approved.

3. RESOLUTION NO. 3024

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MINOR SUBDIVISION PLAN OF 4303 SPRUCE STREET, LOCATED AT 4303 SPRUCE STREET, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1916-18.

President HOWER read Resolution No. 3024 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 3024 was approved.

4. RESOLUTION NO. 3025

TITLE: A RESOLUTION AUTHORIZING THE TOWNSHIP OF WHITEHALL’S AUTHORITY TO PROCEED WITH GRANT APPLICATIONS TO FUND A CONSULTANT AND OTHER STEPS TO OBTAIN APPROVAL UNDER THE NATIONAL REGISTER OF HISTORIC PLACES OF THE AREA KNOWN AS AND SURROUNDING THE THOMAS IRON WORKS NEIGHBORHOOD.

President HOWER read Resolution No. 3025 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner CLARY. Commissioner GINDER questioned if there are any stipulations on accepting this grant money, if awarded. Attorney EATON advised to have the application reviewed by legal counsel before submitting.

Seven Commissioners were present and voted “yes”. Resolution No. 3025 was approved.

E. OTHER

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner MARX reiterated his comments on the great job that CWSA is doing with the Administrative Order that was imposed on them.
2. Commissioner DUTT noted that on August 25th a Historical Walking Tour of Egypt will take place starting at 10:00 am. Also, on October 27th, a Walking Tour of the Thomas Iron Works

will take place starting at 11:00 am with local guides heading the tour.

3. Commissioner GINDER noted that in reviewing the EAC Minutes that they still are not offering financial reports. Jack MEYERS advised that he will have that addressed. His next concern was where we stand with restricting trucks on Race Street. Mayor HAKAKAL advised that the Township's Traffic Engineer completed the study and found that there is no justification, at this time, for restrictions. Information is being gathered to give a baseline as to all the field data, which then can be compared to data taken when there is more traffic after Race Street fully re-opens. Attorney EATON added that this information is being collected to utilize, if future failure occurs, to be able to hold PennDOT accountable for funds. Commissioner Ginder's final comment is he wanted to thank the staff on the collecting of delinquent garbage fees.
4. Commissioner CLARY commented as well, on the collection of the outstanding garbage fees.
5. Commissioner WARREN asked if the sidewalks at Mechanicsville & MacArthur will be in before the start of the new school year? Frank CLARK stated that it's still in negotiations and sidewalks will not be installed before the start of school.
6. Commissioner HOWER asked that Chris GRIM update the Board on flooding issues from the days rain event. Chris GRIM advised that Eberhart Road and Lehigh Street were flooded and roads were barricaded. Hokey Park was again flooded. He noted that costs for repairs be submitted to the County for reimbursement of funds.
7. Mayor HAKAKAL reported that after last week's rain event, the debris under Lehigh Street was cleared by the Township. He also noted that the Township is trying to address the concern that residents are blowing grass clippings out into the street. Public Works Director has started putting notices on doors of obvious offenders. Mayor also advised that he offered a letter of support for the Riverwalk Project. He felt that it was important to be involved as this project encompasses a portion of the Township.

President HOWER announced that the Board will be holding an executive session after the adjournment of the meeting.

G. ADJOURNMENT

1. MOTION – Commissioner DUTT moved, seconded by Commissioner CLARY to adjourn the meeting at 8:25 p.m.