
MINUTES

December 8, 2014
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 December 8 2014, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

COMMISSIONERS

Linda K. Snyder, President
Philip J. Ginder, Vice President
Dennis C. Hower, Secretary
Phillips M. Armstrong
Clair Hunsberger
Gerard F. Palagonia
Thomas Slonaker

TOWNSHIP PERSONNEL

Edward D. Hozza, Jr., Mayor
John D. Meyers, Deputy Mayor
Charles Fonzone, Attorney
Brian Corrigan – Finance Officer
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.

2) APPROVAL OF MINUTES

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

Regular Public Meeting – November 10, 2014

Commissioner PALAGONIA stated the comments he made about the Egypt Fire Truck, the inspection of the vehicle, the 79 Hahn were left out. Mayor HOZZA asked if those comments were made after the executive session at the next meeting. President SNYDER stated she remembered the comments because he was reading it from some type of report. Commissioner PALAGONIA stated it was from an inspection report. President SNYDER stated she remembers commenting on it but not getting to political about it.

Seven Commissioners were present with 5 five voting “yes” and Commissioners PALAGONIA and SNYDER voted “no”. Motion carried.

- b) Commissioner ARMSTRONG moved, seconded by Commissioner PALAGONIA to approve the minutes of the following meeting:

Special Public Meeting – December 1, 2014

Seven Commissioners were present with six voting “yes” and Commissioner SLONAKER abstained. Motion carried.

B. COURTESY OF THE FLOOR

Chris CARAS, 1552 Hidden Valley Road, Lower Manager, General Manager of J.P. Mascaro Allentown Division, stated he oversees everything that goes on with Whitehall Township as it being one of their major contracts and takes comments personally. They average less than 20 misses per week from 26,000 pickups. Public Works has his personal cell phone number to call anytime for any special requests, are on it immediately, have no problem taking care of those issues, have had requests in the past when a resident would put a non-compliant item out or not put recycling out correctly, they would tag it and the Township would ask us to go back for it and had no problem doing that. He stated South Whitehall is a comparable Township, have a lot of the same pickups and have no complaints with them. He knows we have talked to Cindy OATIS, a big advocate of the toter system, dealt with her when they had the Palmer Township contract and she loved us too. During last winter services did not get more than 1 day behind when a lot of other companies got multiple days behind, even up to a week. Did get some compliments from Township residents, one complimenting the haulers on Saturday, November 29th, when workers saw a resident waving and struggling with her garbage bin in the snow and one came to help her, another one sent an email complaint but it was directed against the wrong company as it was a newspaper delivery person who had some issues with Christmas cards the other hauler was leaving at each stop, did apologize and mentioned we collect the garbage at his house and do a wonderful job. In another Township assisted an ALS, person whose contents were blowing everywhere and collectors picked it up for him. Admits they have had bumps in the road but challenges anybody to show him a business that doesn't suffer from the same things, there is no perfect business and everybody has issues whether they are operationally or employee wise. If he ever gets a complaint about an action that has happened on route that is inappropriate or out of line, is handled immediately within the guidelines of their employee handbook. On pickup issues, the comments made over the last few weeks do not give a fair representation as they are always responsive to any issues. Yard waste has been a big issue with the bad winter, they did get behind but was only for 1 day. Township employees have admitted to him that no matter who the hauler is, there is always yard waste issues. He stated benefits to the residents will be the garbage bill will decrease ~\$200 over the life of the contract, will still receive the same comprehensive service, will get the single stream recycling with a 32 gallon bin and single stream will generate a better return for recycling, residents will be more inclined to recycle, will have strict volume of limits for trash and recycling with the toter and arm system, will have less likelihood of property damage if you stay with us since there are some tight areas of the Township and taking an arm truck down some small alleys or streets could create some damage to occur. The Township will save ~\$1M over the life of the contract, believes they did an outstanding job, have hard workers, it isn't a glorified job but their workers come to work every day and give 100%, have been responsive and accurate during pick-ups, go above and beyond, proud of staff and employees for the job they have done over the life of this contract and the bottom line is the residents are the most important and will benefit much more if they decide to stay with them.

Donald GRIM – declined to speak.

Mark HEFFELFINGER, 606 Pine Street, Whitehall, stated we might be better off if we move on, had trouble all year long getting his trash picked up, sometimes had to call 3-4 days in a row just to get them to come by, finally had to buy another garbage can for his grass, is costing him more money to run 2 cans instead of just 1 and sometimes have to chase the recycling stuff about 25 feet away because they didn't put it back where they got it, feels we should try something different and also if we keep them they should be reimbursing us every time we have to call them. Commissioner PALAGONIA asked the street he lives on, with a response of Pine Street in Fullerton. Commissioner PALAGONIA asked if he ever called the Mascaro Company. Mr. HEFFELFINGER stated he calls them, the Township and is not just one day, is calling 3 days in a

row for multiple weeks and they tell him he is on top of the list. Commissioner PALAGONIA stated in the past 5 years he only called once and they came within an hour. Mr. HEFFELFINGER stated his is a couple days, multiple weeks in a row and actually talked to the GM. Commissioner PALAGONIA stated that is hard to understand. Mayor HOZZA noted he also spoke to Mr. HEFFELFINGER twice.

Brian DANNECKER, 1669 Washington Street, Catasauqua, a route supervisor for J.P. Mascaro, was also involved with the Hokey Fire Department for 10 years, lived in Stiles for 5 years, stated they do have hiccups, do get new drivers and pickers and have to train them, not every company is perfect but stay on top of them, if misses come in more than once they go on their hot spots list which are their priorities to make sure they are recovered, are the ones we go back and look to make sure they are taken care of and go above and beyond, stay on top of our guys and they do get disciplined.

Heather GEIGER, 806 Fernhill Lane, Whitehall, stated her concern is with the WCSD bus service and how immature the parents act as opposed to how the children act, has been trying to deal with the Police Department and is getting nowhere. Mayor HOZZA asked what she was told by the Superintendent or Director of Transportation, Ms. Smith. She stated she has gone to the Police Department multiple times, has done what they asked her to do but is getting nowhere. Mayor HOZZA asked if it is disciplinary issues of the children or parents. She responded both, her car was hit by a football today, was hit a couple times last year, is being parked in by parents even though there are open parking spaces, raised this with the Police many times and asked to speak to the Chief of Police which she never got to do. She was told when she bought her house, there were 2 parking spots in front of each house and if you allow it, to be double parked in but never gave that option. Mayor HOZZA questioned why they are taking cars to drop off their children if they live in the neighborhood. Ms. GEIGER stated it may be the cold weather and would be glad to stay after the meeting to meet with him and the Chief.

John DELSERRO, 924 Second Street, Whitehall, stated he is on the EAC, he and his neighbor have had misses where their trash was not taken, called Mascaro and got the third degree, said they would come out but never came out, does have some concerns with the container pickup in his neighborhood because cars park in the front and the alley is difficult and asked if any trial runs were done in questionable areas. Mayor HOZZA stated there were no trial runs and are aware not every area in the Township will be conducive to the carts and depending on the vote will be meeting on it to make those decisions before implementation. Mr. DELSERRO stated he has problems with Mascaro and would really like to see the contract go to somebody else.

Jeffrey C. FINK, 4336 Spruce Street, Whitehall, stated he has concerns with Mascaro also, dealt with them in the past, they said in the last 3 weeks they had hardly any complaints or less than 20 but knows of one in their back alley where they don't want to come around the corner and asked why they don't come in on Wilson Street and down the alley. He asked since the GM has driven our alleys and streets, if he has seen what his guys leave on our streets after they have been through, he said they have been tracking the last 3 weeks but what about the last 4 ½ years, would like to see his trash bill reduced but if it going to be at the cost of still having Mascaro, doesn't think it is worth it for anybody in the Township, they say they are going to make it easier for streaming the recycling but now they throw the bins around like kick balls and the other day they threw my neighbors bin from my house to his and it didn't make it. Mr. FINK stated when he got to Whitehall seven years ago, his trash containers were nice but now they are all busted up because they are dropped and when it is cold out they just throw them. They say they have hot spots with somebody checking, hasn't seen them come down the back alley where they don't pick up his neighbors trash, had six bags of leaves last Wednesday, they got full of snow and had to shovel around them because he does her driveway, they picked up 4 this week and had leaves all over the place, can do what they want but Mascaro, he wouldn't keep them.

Michael MIZUR, 3015 N. Front Street, Whitehall, has been taking up the issue with Mayor HOZZA about the firearms law in Whitehall and wants to find out what the official stance is. Attorney FONZONE stated the issue has been taken up by the Legal and Legislative Committee and they have determined that signs that violate the current law will be changed but there is some problem of knowing where they all are and are working on that. Mayor HOZZA stated the Recreation Department is taking an inventory of all current signs and what needs to be changed will be done by either painting or taping over the firearm section. Mr. MIZUR stated the Whitehall Code, Chapter 6 under Conduct, Article 1 Firearms, Fireworks, 6.1 Discharge of Firearms is also in violation of State law and needs to be looked at. Attorney FONZONE stated it has been looked at. President SNYDER stated those meetings are open to the public. Commissioner HOWER noted the December meeting has been postponed until January, it is no longer on the agenda but he is welcomed to come. Mr. MIZUR stated House Bill 80 has been signed by Governor CORBETT, goes into effect January 5th, then every individual citizen in Pennsylvania can sue a Township if they have a sign up that has anything to do with firearms. Attorney FONZONE asked if he finds any signs they haven't addressed, to let us know. Mr. MIZUR stated he was contacted by Ray BIEAK of the IRT who said they are changing the signs and maps to be in compliance and asked him for his input. Commissioner HOWER stated it is being worked on, there are signs all over the Township, need to take an inventory of each one. Mr. MIZUR stated it needs to be done faster, there is no reason for it not to. President SNYDER noted we can only work so fast, the Sign Department needs to make new signs just cannot erase it. Mayor HOZZA stated they can be painted or taped over but prefers painting as tape can be removed. Mr. MIZUR gave Attorney FONZONE a letter from his attorney on the issue noting it needs to be resolved by January 5th.

John TREIBER, 1017 W. Highland Street, Whitehall, stated his concern on garbage is his elderly neighbors and feels the larger containers will be hard for them to handle. He noted a handicapped neighbor stated he doesn't know how he would get his trash from beside his house down to the curb, has an elderly mother who couldn't handle it, feels a top heavy, large container is unsafe, has had only two missed pickups in seven years, called and the next day they came, hasn't had any problems with Mascaro, are courteous, friendly and likes them. President SNYDER commented she has a neighbor, who is a little difficult but every Christmas bakes for them and is happy with them.

Dennis LAUB, 4251 Adams Street, Whitehall, stated the article he read dealt with trash and recycling, leaves and Christmas trees, wants to know about grass and yard waste, one company is going 100% toters, the other is going 100% 32 gallons or the way we always had it. Mayor HOZZA stated yard waste will continue but will only be in the spring, summer and fall, not during the 3 winter months. Grass and leaves will continue seasonal and Christmas trees will continue the first full 2 weeks of January. The issue right now is the Mascaro bid verses the Waste Management option where we would move to the toter/carts but not on January 1, 2015, the first roll out would be the recycling toter/carts later in 2015 and then the roll out of the refuse carts. With the Mascaro system, the current pickup for refuse would remain in place. Mayor HOZZA stated they both bid on the current and the carts. Yard waste and grass still go in a resident's container, the way it has been.

Gerald GOMBERT, 3143 Terrace Circle, Whitehall, stated he supports Mascaro, is here 43 years, has no problem the way it is and holding the price/ lowering it and as far as toters, spends a lot of time on the road, got behind them and doesn't see the efficiency especially with cars parked in the streets.

Mark CESARE, 3120 Terrace Circle, Whitehall, stated he is a proponent to maintain the collection the way it is, is interested in saving \$40 a year, not an advocate of the toter system because on his street there about 5 people who put out 1 bag a week, a lot of elderly, don't need

toters in this Township. Mayor HOZZA asked if he had anything to add and if he is an employee of J.P. Mascaro, with an affirmative response. President SNYDER noted she thought everyone new that.

Paul MADERIC, 131 Sumner Avenue, Whitehall, is happy with Mascaro, has not had any problems over the years and is opposed to the new system, has 5-6 elderly people in his neighborhood, sees only 1 bad of garbage, steep driveways, he can handle it but doesn't see how others will.

C. **PULBIC HEARING AND VOTING ON ORDINANCES**

1. **BILL NO. 39-2014**

TITLE: AN ORDINANCE AMENDING CHAPTER 5 OF THE WHITEHALL TOWNSHIP CODIFIED ORDINANCES, CODE ENFORCEMENT, ARTICLE V, PROPERTY MAINTENANCE CODE, BY REVISING CHAPTER 10 OF THE CODE WITH RESPECT TO INSPECTIONS AND CERTIFICATES OF OCCUPANCY, SPECIFICALLY REGARDING CARBON MONOXIDE DETECTORS IN RENTAL PROPERTIES, AS A RESULT OF PENNSYLVANIA ACT 121 OF 2013. (LEGAL & LEGISLATIVE)

President SNYDER read Bill No. 39-2014 to the Board.

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

Seven Commissioners were present and voted "yes". Bill No. 39-2014 was approved.

2. **BILL NO. 40-2014**

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE COLLECTION AND TRANSPORTATION OF MUNICIPAL SOLID WASTE AND RECYCLABLES, CONTRACT NO. 2014-17, 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 SNYDER read Bill No. 40-2014 to the Board.

Commissioner ARMSTRONG moved to approve, seconded by Commissioner PALAGONIA.

Sam AUGUSTINE, 2650 Audubon Road, Audubon, Director of Marketing for J.P. Mascaro, stated they valued our contract over the past 5 years, believes 25% of the Township is not conducive to the totter system, also the remarks about senior citizens, the Township is saving over \$1M, \$130,000 up front with their bid, is lower than the totter bid of Waste Management and would have to buy totters over the next 2 years for about \$870,000. He stated over the past 5 years the amount of trash coming out of the Township is not high, is about 38 pounds per house, the yard waste goes to a compost facility, therefore 30% now of the waste is being taken out the waste stream between yard waste and recycling, will be adding a 32 gallon recycling container larger than current ones, going to single stream, will probably pick up another 4-6 pounds of recycling and will reduce the waste stream further. Toters will limit the amount of trash people can put

out and over holidays and in the spring time there is more trash, especially for larger families, it will restrict them by using a toter and most importantly residents will save \$40 a year staying with the same system and appreciates all the time given him over the last couple of month in discussing this.

Commissioner HOWER stated this is a big issue, talking millions of dollars, looked through some of the other municipalities having the toter system and noted he was an advocate in Pottstown of the toter system because he was the lowest bidder for the Pottstown 2012 contract. Mr. AUGUSTINE stated he wasn't necessarily an advocate, they won the contract. Commissioner HOWER stated you were the lowest bidder so the toter system was fine when you were the lowest bidder.

AT THIS POINT THE TAPING SYSTEM MALFUNCTIONED

Mr. AUGUSTINE stated it was the government who wanted the toters, this contract states fully automated where Pottstown is semi-automated and they use rear load trucks in Pottstown and is a bastardized system. Commissioner PALAGONIA stated last week the Mayor had Ms. OATIS with Palmer Township at the meeting where only 5% of the homes are difficult. Commissioner PALAGONIA stated he is not for the toter system in Whitehall, it won't work in 35% of the Township, narrow streets could result in trucks damaging nearby structures, would be an inconvenience to senior citizens, only had his grassed missed one time and likes it the way it is.

President SNYDER stated she received a number of calls, very demeaning not to consult with the residents prior, unconstitutional, could have taken input from citizens rather than dictating they should conform, it's Big Brother who wants the people to conform and she doesn't need to conform to anything, it's a punishment. Commissioner PALAGONIA agreed it is a punishment.

Paul GEISSINGER, 1983 Linden Lane, Whitehall, stated the toter system will limit the amount of trash people can put out, some will have to go down steps with the toter to put out one bag, automation can't happen in all of Whitehall Township and will affect some amounts of trash.

Tom STANG, 25 Boxwood Drive, Hershey, Waste Management, stated they use front loading trucks, in tight areas have someone pull out carts from between cars and feels they are able to pick up 90-95% with the toter system and residents will be able to use their old cans for grass, yard waste and leaves. President SNYDER asked if the carts will have a GPS to keep track of them. Mayor HOZZA stated they may. Mr. STANG noted it is an RFI reader. Commissioner SLONAKER stated since it will be a Township asset, thinks it will be a positive.

Al DEGENARO, 2650 Audubon Road, Audubon, lawyer with J.P. Mascaro, stated with Pottstown they did not give options, his company is not anti-carts, Pottstown is semi-automated, went from dual to single stream. Mr. DEGENARO stated by going with them it would be a \$40 savings per household. President SNYDER stated costs are not free. Mr. AUGUSTINE stated if you restrict the trash, you control how much they can put out.

Commissioner HOWER stated it is a difficult decision, appreciates both sides of the issue but we need to increase our recycling. Commissioner ARMSTRONG agreed stating he researched a senior housing development outside of Whitehall whose residents are happy with the toter system, sees the concerns but also need to look at the rewards we have, can meet the needs of our residents and this system is the future. Commissioner

SLONAKER stated the need to make people aware and attempted to make a point about the merits of the totter system but was interrupted whereas an argument arose and he referred to President SNYDER and Commissioner Palagonia as “idiots”.

President SNYDER stated “so I’m an idiot” but is not one of the women from the Treasurers’ office who he locked in a room and spit on them, just remember that, doesn’t want to hear the truth. Commissioner PALAGONIA asked how he would like to be locked in a room. President SNYDER stated that is what he is noted for, so who is the idiot. Commissioner SLONAKER apologized stating he has been trying to talk and she has been interrupting and then Mr. PALAGONIA interrupted. Commissioner SLONAKER stated with this we are not getting to the point of making people recognize what they are doing with their trash. President SNYDER stated they will be dumping in on Bridge Street just like they are dumping needles and syringes at Coplay Aggregates. The DEP is going after them since it is against what they were allowed. Attorney FONZONER stated he had a meeting at DEP with representatives of Coplay Aggregates and the Township, filed a 27-20 page brief, and previous to that DEP held up their application and twice denied their permit. Mayor HOZZA asked if DEP issued a work order stop.

Seven Commissioners were present with four voting “yes” and Commissioners PALAGONIA, HUNSBERGER and SNYDER voted “no”. Bill No. 40-2014 was approved.

3. BILL NO. 41-2014

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE COLLECTION AND TRANSPORTATION OF MUNICIPAL SOLID WASTE AND RECYCLABLES, CONTRACT NO. 2014-17, 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)

Bill No. 40-2014 was pulled.

4. BILL NO. 42-2014

TITLE: AN ORDINANCE OF THE TOWNSHIP OF WHITEHALL IN THE COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A FEE SCHEDULE FOR THE COLLECTION OF MUNICIPAL SOLID WASTE BY THE TOWNSHIP OF WHITEHALL (ADMIN).

Bill No. 42-2014 was pulled.

5. BILL NO. 43-2014

TITLE: AN ORDINANCE OF THE TOWNSHIP OF WHITEHALL IN THE COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A FEE SCHEDULE FOR THE COLLECTION OF MUNICIPAL SOLID WASTE BY THE TOWNSHIP OF WHITEHALL. (ADMIN)

President SNYDER read Bill No. 43-2014 to the Board.

Commissioner ARMSTRONG moved to approve, seconded by Commissioner GINDER.

Paul GEISSINGER, 1983 Linden Lane, Whitehall, asked if the people who do not pay their garbage fees will be given the toter/carts, with an affirmative response. Deputy Mayor Meyers noted great headway has been made in securing back payments of garbage fees with liens placed on those properties that have not paid. Mr. GEISSINGER stated if carts will be given to everyone, then why should people pay the fee. Commissioner HOWER asked if he was telling residents not to pay the fee, with an affirmative response. Commissioner HOWER responded that as former Commissioner it was an irresponsible statement by him to tell people not to pay their garbage free.

Seven Commissioners were present with four voting “yes” and Commissioners HUNSBERGER, PALAGONIA and SNYDER voted “no”. Bill No. 43-2014 was approved.

6. BILL NO. 44-2014

TITLE: AN ORDINANCE OF THE TOWNSHIP OF WHITEHALL IN THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2015 ANNUAL BUDGET AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT, HEREINAFTER SET FORTH, DURING THE 2015 FISCAL YEAR. (ADMIN)

Bill No. 44-2014 was pulled.

7. BILL NO. 45-2014

TITLE: AN ORDINANCE OF THE TOWNSHIP OF WHITEHALL IN THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2015 ANNUAL BUDGET AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT, HEREINAFTER SET FORTH, DURING THE 2015 FISCAL YEAR. (ADMIN)

President SNYDER read Bill No. 45-2014 to the Board.

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

Seven Commissioners were present with four voting “yes” and Commissioners HUNSBERGER, PALAGONIA and SNYDER voted “no”. Bill No. 45-2014 was approved.

8. BILL NO. 46-2014

TITLE: AN ORDINANCE OF THE TOWNSHIP OF WHITEHALL IN THE COMMONWEALTH OF PENNSYLVANIA, FIXING THE REAL ESTATE TAX RATE FOR THE YEAR 2015. (ADMIN)

President SNYDER read Bill No. 46-2014 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 46-2014 was approved.

9. BILL NO. 47-2014 (First Reading)

TITLE: AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER ONE, PART 7(B) ENTITLED WHITEHALL TOWNSHIP POLICE PENSION FUND, IN ORDER TO COMPLY WITH STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014. (ADMIN/POLICE)

President SNYDER read Bill No. 47-2014 to the Board.
There were no questions or comments.

D. PULBIC HEARING AND VOTING ON ORDINANCES

1. RESOLUTION NO. 2864

TITLE: A RESOLUTION DECLARING THAT BILL NO. 44-2014, ADOPTING THE 2015 ANNUAL BUDGET, AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

Resolution No. 2864 was pulled.

2. RESOLUTION NO. 2865

TITLE: A RESOLUTION DECLARING THAT BILL NO. 45-2014, ADOPTING THE 2015 ANNUAL BUDGET, AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

President SNYDER read Resolution No. 2865 to the Board.
There were no questions or comments.

Seven Commissioners were present with four voting “yes” and Commissioners HUNSBERGER, PALAGONIA and SNYDER voted “no”. Resolution No. 2865 was approved but not by a majority plus one vote.

3. RESOLUTION NO. 2866

TITLE: A RESOLUTION DECLARING THAT BILL NO. 40-2014, FOR THE COLLECTION AND TRANSPORTATION OF MUNICIPAL SOLID WASTE AND RECYCLABLES, CONTRACT NO. 2014-17, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

President SNYDER read Resolution No. 2866 to the Board.

Commissioner SLONAKER moved to approved, seconded by Commissioner HOWER.
There were no questions or comments.

Seven Commissioners were present with six voting “yes” and Commissioner HUNSBERGER voted “no”. Resolution No. 2866 was approved

4. RESOLUTION NO. 2867

TITLE: A RESOLUTION DECLARING THAT BILL NO. 41-2014, FOR THE COLLECTION AND TRANSPORTATION OF MUNICIPAL SOLID WASTE AND RECYCLABLES, CONTRACT NO. 2014-17, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

Resolution No. 2867 was pulled.

5. RESOLUTION NO. 2868

TITLE: A RESOLUTION DECLARING THAT BILL NO. 42-2014, ESTABLISHING A FEE SCHEDULE FOR THE COLLECTION OF MUNICIPAL SOLID WASTE, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

Resolution No. 2868 was pulled.

6. RESOLUTION NO. 2869

TITLE: A RESOLUTION DECLARING THAT BILL NO. 43-2014, ESTABLISHING A FEE SCHEDULE FOR THE COLLECTION OF MUNICIPAL SOLID WASTE, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

President SNYDER read Resolution No. 2869 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner ARMSTRONG.

There were no questions or comments.

Seven Commissioners were present with six voting “yes” and Commissioner SNYDER voted “no”. Resolution No. 2869 was approved.

7. RESOLUTION NO. 2870

TITLE: A RESOLUTION DECLARING THAT BILL NO. 46-2014, FIXING THE REAL ESTATE TAX RATE FOR THE YEAR 2015, IS AN EMERGENCY ENACTMENT AND MAY TAKE EFFECT IMMEDIATELY. (ADMIN)

President SNYDER read Resolution No. 2870 to the Board

Commissioner PALAGONIA moved to approve, seconded by Commissioner SLONAKER.

There were no questions or comments.

Seven Commissioners were present and voted “yes”. Resolution No. 2870 was approved.

8. RESOLUTION NO. 2871

TITLE: A RESOLUTION ADOPTING THE TOWNSHIP OF WHITEHALL CAPITAL IMPROVEMENT PROGRAM (2015-2019), SPECIFICALLY FOR THE 2015 FISCAL YEAR. (ADMIN)

President SNYDER read Resolution No. 2871 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2871 was approved.

9. RESOLUTION NO. 2872

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF WHITEHALL REAFFIRMING AND REENACTING THE REALTY TRANSFER TAX, THE EARNED INCOME TAX, THE PER CAPITA TAX, THE LOCAL SERVICES TAX, AND THE BUSINESS PRIVILEGE TAX (ADMIN)

President SNYDER read Resolution No. 2872 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner HUNSBERGER.

There were no questions or comments.

Seven Commissioners were present and voted “yes”. Resolution No. 2872 was approved.

It was noted by Deputy Mayor Meyers that since Resolution No. 2865 did not pass by a majority plus one, no bills can be paid by the Township until after 30 days when the budget ordinance takes effect which will include the Police Pension checks.

Commissioner ARMSTRONG made a motion to reconsider Resolution No. 2865, seconded by Commissioner GINDER. Seven Commissioners were present and voted “yes”. Resolution No. 2865 was approved.

E. OTHER

1. Commissioner HUNSBERGER moved, seconded by Commissioner ARMSTRONG to approve the reappointment of Steve NEMETH to represent the Park and Recreation Board on the Recreation Commission, term to expire September 30, 2017.

Seven Commissioners were present with five voting “yes” and Commissioners GINDER and SNYDER voted “no”. Motion carried.

2. Commissioner SLONAKER moved, seconded by Commissioner HUNSBERGER to approve the accounting firm of Reinsel, Kuntz, Leshner, LLP as the Township Auditor for the review, analysis and reporting of the Township financial records for the fiscal year ending December 31, 2014.

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

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner PALAGONIA wished everyone a Happy Holiday and a Merry Christmas to all the people who work in the Township and a Happy Hanukkah to Howard.

Commissioner PALAGONIA stated back in July he mentioned about a significant arrest made in the Township with the help of Walter Felton and if anything has been done. Chief KULP stated Lt. MARKS is working on a commendation and program.

2. Commissioner HUNSBERGER wished a good Holiday to the Board and everyone working in the Township.
3. Commissioner GINDER thanked everyone in the Township for the good job they have done and wished a Happy Holiday and best of health to everyone in the room.
4. Commissioner HOWER asked about the progress on webcasting. Mayor HOZZA stated we are in the process of soliciting bids. Commissioner HOWER noted on how the Township came in under budget for the year and wished everyone a Merry Christmas.
5. Commissioner SLONAKER apologized to Commissioner PALAGONIA and President SNYDER for calling them a derogatory name noting he spoke in the heat of the moment. Commissioner PALAGONIA accepted the apology and offered an apology of his own but President SNYDER did not. Commissioner SLONAKER wished everyone a Merry Christmas.
6. Commissioner ARMSTRONG thanked the Board for appointing him, has really enjoyed serving and wished everyone Happy Holidays.
7. President SNYDER noted they approved funds for a fire truck at West Catty but she heard it won't fit in the building and they will be spending ~\$100,000 to accommodate it. Commissioner ARMSTRONG stated the Zoning Board has given them permission. Mayor HOZZA noted the money will be coming from the Fireman's Relief Fund.

President SNYDER asked if additional \$1,000 can be given towards the Fireman's banquet. The Board agreed.

Attorney FONZONE stated Lowe's had filed an appeal on their assessed value, Lehigh County and the School District did not act and the amount would have been \$5,100,000 but the Township filed an appeal and reached a settlement of \$9,347,510 from the original amount of ~\$10M. Commissioner PALAGONIA made a motion to approve of the settlement of the appraised value of \$9,347,510, seconded by Commissioner HUNSBERGER. Seven Commissioners were present and voted "yes". Motion carried.

8. Mayor HOZZA stated curbside yard waste will end on December 27, 2014 and resume the first full week of March, 2015. He reported that PREIT sold their ½ interest in the Whitehall Mall property to the other ½ owner of the property, the Washington Prime Group based in Bethesda, MD. He noted the Lehigh Valley Ice Arena converted one of its ice rinks into an indoor artificial turf facility for soccer, field hockey and lacrosse while the second rink will continue to operate as an ice rink, Big Lots will be occupying the space currently occupied by the Discount Book Store at the Whitehall Shopping Center, Olive Garden, owned by the Darden Group, will be undergoing a renovation and many of our commercial properties have obtained permits to replace their roofs due to

hail damage from the storm this past summer. He noted we have not received any information from ALDI on their plans for the Bottom Dollar Store after their takeover in January.

Mayor HOZZA stated the indoor adult and family swim and aqua aerobics continue at the High School pool, the annual Holiday Tree Lighting was a success and wished residents, dedicated staff and fellow elected officials a Merry Christmas, Happy Hanukkah and Happy New Year.

Howard LEIBERMAN, 2314 N. 1st Avenue, Whitehall, asked that more information be given on the agenda for the meetings and noted the special meeting to be held on December 15th at 6:00 pm to establish the Whitehall Area Development Authority.

G. ADJOURNMENT

1. MOTION – Commissioner GINDER moved, seconded by Commissioner HOWER to adjourn the meeting at 9:40 p.m.