
MINUTES

March 9, 2015
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 March 9, 2015, 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 - absent
Philip J. Ginder, Vice President
Dennis C. Hower, Secretary
Phillips M. Armstrong
Clair Hunsberger - absent
Gerard F. Palagonia
Thomas Slonaker

TOWNSHIP PERSONNEL

Edward D. Hozza, Jr., Mayor
John D. Meyers, Deputy Mayor
Charles Fonzone, Attorney
Frank Clark, Keystone Engineering
Lee Rackus, PZ&D
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag, a moment of silence for Danny PAVELKO of Coplay Borough, for Commissioner Linda SNYDER and her daughter and for our troops.

2) APPROVAL OF MINUTES

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

Regular Public Meeting – January 12, 2015

Commissioner HOWER noted a correction on page 3 to his name.

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

B. COURTESY OF THE FLOOR

Bob WIEDER, 3224 Oakland Square Drive, Bethlehem, declined to speak until later.

C. PULBIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 3-2015 (Second Reading)

TITLE: AN ORDINANCE AUTHORIZING THE MAYOR OF WHITEHALL TOWNSHIP TO ENTER INTO A PERMANENT DEED OF EASEMENT AND RIGHT-OF-WAY GRANT WITH THE NORTHAMPTON BOROUGH MUNICIPAL AUTHORITY PARALLEL TO SR0022 EASTBOUND RUNNING BETWEEN

FIRST STREET AND A POINT ON THE EAST SIDE OF CATASAUQUA
AVENUE OTHERWISE IDENTIFIED AS SECTION 400. (BOC)

Vice President GINDER read Bill No. 3-2015 to the Board.

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

Five Commissioners were present and voted “yes”. Bill No. 3-2015 was approved.

2. BILL NO. 5-2015

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR
PROVIDING JANITORIAL SERVICES FOR SPECIFIC MUNICIPAL BUILDINGS
FOR WHITEHALL YTOWNSHIP, RFP NO. 14-21, 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)

Vice President GINDER read Bill No. 5-2015 to the Board.

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

Five Commissioners were present and voted “yes”. Bill No. 5-2015 was approved.

3. BILL NO. 6-2015

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR
CONSTRUCTION AND INSTALLATION OF HANDICAPPED ACCESSIBLE
RESTROOM FACILITIES AT THE HOKENDAUQUA PARK AND PLAYGROUND,
IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER
WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF
\$25,000 BY ORDINANCE. (RECREATION)

Vice President GINDER read Bill No. 6-2015 to the Board.

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

Five Commissioners were present and voted “yes”. Bill No. 6-2015 was approved.

4. BILL NO. 7-2015

TITLE: AN ORDINANCE AMENDING CHAPTER 15, SECTION 41 OF THE CODIFIED
ORDINANCES OF WHITEHALL TOWNSHIP, ESTABLISHING ADDITIONAL
“HANDICAPPED PARKING ZONES” AT CERTAIN LOCATIONS ALONG
PUBLIC STREETS THROUGHOUT THE TOWNSHIP. (DEVELOP)

Vice President GINDER read Bill No. 7-2015 to the Board.

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

Five Commissioners were present and voted “yes”. Bill No.7-2015 was approved.

5. BILL NO. 8-2015

TITLE: AN ORDINANCE AMENDING CHAPTER 6, CONDUCT, ARTICLE I, FIREARMS AND FIREWORKS, BY ELIMINATING SECTION 6.1 DISCHARGE OF FIREARMS AND REPLACING IT WITH DISCHARGE OF ROCKETS, FIREWORKS OF EVERY NATURE WHATSOEVER, POWDER OR ANY OTHER DANGEROUS COMBUSTIBLE MATERIAL WITHIN THE CORPORATE LIMITS OF THE TOWNSHIP OF WHITEHALL, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA AND REPEALING SECTION 6.3 EXCEPTIONS. (BOC)

Vice President GINDER read Bill No. 8-2015 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner HOWER.

Bob WIEDER, 3224 Oakland Square Drive, Bethlehem Township, spoke on behalf of Pennsylvanians for Self Protection and the Lehigh Valley Tea Party and urged the Board to vote yes on the bill as the organizations he is representing are committed to making certain all municipalities in the Lehigh Valley comply with the State law.

Five Commissioners were present and voted “yes”. Bill No. 8-2015 was approved.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2877

TITLE: A RESOLUTION AUTHORIZING & DIRECTING THE MAYOR TO SUBMIT THE REQUIRED PENNDOT TRAFFIC SIGNAL APPLICATION FOR INSTALLING A FLASHING WARNING DEVICE AT 575 GRAPE STREET PEDESTRIAN CROSSWALK FOR APPROVAL TO PENNDOT AND SIGN THE APPLICATION ON BEHALF OF WHITEHALL TOWNSHIP. (BOC)

Vice President GINDER read Resolution No. 2877 to the Board.

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

Five Commissioners were present and voted “yes”. Resolution No. 2877 was approved.

2. RESOLUTION NO. 2878

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING CAMP WHITEHALL RATES FOR THE YEAR 2015. (BOC)

Vice President GINDER read Resolution No. 2878 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner SLONAKER.

Commissioner ARMSTRONG noted the very reasonable rate for a camp. Commissioner PALAGONIA noted the great staff. Vice President GINDER stated Whitehall Township does a wonderful job with Camp Whitehall, hears nothing but wonderful remarks from parents and as the kids grow up who went to that program, they remember it well.

Five Commissioners were present and voted “yes”. Resolution No. 2878 was approved.

3. RESOLUTION NO. 2879

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING POOL PASS RATES FOR THE YEAR 2015. (BOC)

Vice President GINDER read Resolution No. 2879 to the Board.

Commissioner ARMSTRONG moved to approve, seconded by Commissioner PALAGONIA.

Commissioner ARMSTRONG noted that with the snow melting we are thinking of pool passes. Commissioner PALAGONIA noted today was like a spring day.

Al RECKER, Whitehall-Coplay Press, asked if rates are the same as last year. Mayor HOZZA stated both the camp and pool pass rates are the same as last year.

Five Commissioners were present and voted “yes”. Resolution No. 2879 was approved.

4. RESOLUTION NO. 2880

TITLE: A RESOLUTION AUTHORIZING THE DISPOSAL OF SPECIFIC TOWNSHIP RECORDS IN ACCORDANCE WITH THE TOWNSHIP’S RECORD RETENTION AND DISPOSAL SCHEDULE (TREASURER/TAX COLLECTOR)

Vice President GINDER read Resolution No. 2880 to the Board.

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

Five Commissioners were present and voted “yes”. Resolution No. 2880 was approved.

5. RESOLUTION NO. 2881

TITLE: A RESOLUTION APPROVING THE COST OF LIVING ADJUSTMENT FOR ELIGIBLE RECIPIENTS OF THE POLICE PENSION FUND. (ADMIN)

Vice President GINDER read Resolution No. 2881 to the Board.

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

Five Commissioners were present with four voting “yes” and Commissioner PALAGONIA abstained. Resolution No. 2881 was approved.

6. RESOLUTION NO. 2882

TITLE: A RESOLUTION APPROVING THE AMOUNT OF INTEREST RETURN TO BE CREDITED TO POLICE PENSION FUND MEMBER CONTRIBUTIONS FOR FISCAL YEAR 2014. (ADMIN)

Vice President GINDER read Resolution No. 2882 to the Board.

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

Five Commissioners were present and voted “yes”. Resolution No. 2882 was approved.

7. RESOLUTION NO. 2883

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF WHITEHALL TO ESTABLISH THE POLICE PENSION CONTRIBUTION RATE FOR MEMBERS OF THE FUND (ADMIN)

Vice President GINDER read Resolution No. 2883 to the Board.

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

Five Commissioners were present and voted “yes”. Resolution No. 2883 was approved.

8. RESOLUTION NO. 2884

TITLE: A RESOLUTION AUTHORIZING & DIRECTING THE MAYOR TO SUBMIT THE MACARTHUR RD (SR 145) AND MAIN ST (SR 329) APPLICATION FOR TRAFFIC SIGNAL APPROVAL TO PENNDOT AND SIGN THE APPLICATION ON BEHALF OF WHITEHALL TOWNSHIP. (BOC)

Vice President GINDER read Resolution No. 2884 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner ARMSTRONG.

Commissioner HOWER asked if they took any of our concerns. Mayor HOZZA stated it isn’t done yet, the signal is done but not the final plan.

Five Commissioners were present and voted “yes”. Resolution No. 2884 was approved.

9. RESOLUTION NO. 2885

TITLE: A RESOLUTION APPOINTING KENNETH S. SNYDER AS AN ALTERNATE TO THE WHITEHALL TOWNSHIP ZONING HEARING BOARD. (BOC)

Vice President GINDER read Resolution No. 2885 to the Board.

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

Five Commissioners were present and voted “yes”. Resolution No. 2885 was approved.

E. OTHER

1. Commissioner ARMSTRONG moved, seconded by Commissioner PALAGONIA to approve the Township's pledge of collateral to assist the volunteer firefighters for the construction improvements to the West Catasauqua Fire Station.

Commissioner PALAGONIA asked if we had any idea how much this will cost the Township.

Donald DREISBACH, 2005 Columbia Street, Whitehall, Assistant Fire Chief of Station 37, stated they are setting a cap of \$120,000 on the renovations, are currently at ~ \$100,000 on the quotes, want to keep a buffer for any unseen incidentals, this is just for collateral, will be going to the Relief Association to do this. Mayor HOZZA stated this is what was done by Hokendauqua for their Fire Station, took a loan from the Association, the Township backed the loan and was also done for the building of the Cementon Community Building.

Five Commissioners were present and voted "yes". Motion carried.

2. Commissioner SLONAKER moved, seconded by Commissioner PALAGONIA to approve the appointment of Diane LINDEMAN as Deputy Tax Collector for the Township of Whitehall.

Five Commissioners were present and voted "yes". Motion carried.

3. Commissioner PALAGONIA moved, seconded by Commissioner HOWER to approve the appointment of Rhonda BASTIAN to complete an unexpired term on the Whitehall Township Industrial and Commercial Development Authority, term to expire December 31, 2017.

Five Commissioners were present and voted "yes". Motion carried.

4. Commissioner SLONAKER moved, seconded by Commissioner HOWER to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo dated December 11, 2014.

Five Commissioners were present and voted "yes". Motion carried.

5. Commissioner ARMSTRONG moved, seconded by Commissioner HOWER to extend an invitation to Governor Tom WOLF and the Secretary of DCED Dennis DAVIN to a meeting with the Board and representatives of the Township, the Borough of Catasauqua and the Borough of Coplay.

Al RECKER of the Press asked what the timeline is and the agenda. Mayor HOZZA stated it will be based on his schedule and will be on community and economic development projects in First Class Townships, Boroughs and Second Class Townships.

Five Commissioners were present and voted "yes". Motion carried.

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner PALAGONIA mentioned with back-to-back snows was difficult for Public Works drivers to plow because a lot of vehicles didn't move and could have,

they couldn't go curb-to-curb in a lot of areas, the ice built up and he got numerous complaints about it, need to get the cars off the main roads so the Public Works drivers can do a good job but were handcuffed.

2. Commissioner ARMSTRONG stated he will meet with the students from Whitehall High School on March 16th who were chosen to participate in Student Government Day to go over the various rules and maybe have them attend a public meeting prior to May 11th when their actual Commissioners meeting will take place at 1:00 pm and they will be voting on some laws.

He spoke with Mrs. Ford of the school's Art Department who agreed the Art Club and painting class will team up to paint a mural on the Schadt Avenue Playground Building, is happy with the cooperation we are getting from the school and is waiting on ideas/saying and measurements from the Playground Association. The Art Department also thought it would be nice to have student artists along the trail painting various spots for the Stroll Down the Trail on September 27th and noted Rite-Aid has committed for that day.

Commissioner ARMSTRONG stated he asked about putting a student on the Park and Recreation Board, looked at their by-laws but noted its insanity if you keep doing the same thing and expect different results and D and E of the by-laws state "to provide adequate, balanced recreation programs to meet the needs and interest of every citizen and to provide leadership in coordinating all activities of a recreation nature in the community". He noted this is really tough for that board because their hands are full with their own knee-hi programs and since he has been a member there has been a quorum only once for a meeting, adding a student may not be the solution but feels the solution may be to partner up with the Rec Commission, not sure we need both as stated by one of the members to him. He stated the intent is great, doesn't fault anyone but they have their hands full, need to either fuse the Boards or reorganize and change the system to meet the needs more of the entire community since the playground people are a valuable asset for what they do. Mayor HOZZA noted on the Rec Commission there is a more varied representation of the Township versus the Park and Rec Board. Commissioner ARMSTRONG noted the by-laws say this is what they are supposed to be doing and is impossible. Mayor HOZZA stated the process would be to start with Legal and Legislative but the Board would have the final say on a merger of the two boards. Commissioner GINDER stated L&L would thrash it out, send proposals back to the Board to review, they send their suggestions back to L&L, then the Board would vote on it and noted when he came on the Board many years ago, the Park and Rec Board was here for many years, in the 90's the Rec Commission was formed, there was a lot of in-fighting and what you are seeing over the years is we have outgrown these two boards with the changing needs of the Township, change is inevitable and agrees it should be looked at. Mayor HOZZA noted the one control mechanism is that the Rec Commission approves grants along with this Board and to control those funds is something paramount with any type of merger. Commissioner GINDER stated he feels that is why the Rec Commission was formed to control those recreation dollars we get from development, is not much development now and that fund is going down with money going out over the years. Commissioner ARMSTRONG stated we are such a diverse Township now, have so

many things we can be doing but to go to these playground people is too much. Commissioner GINDER agreed and noted there are less and less volunteers who have more and more on their plate and years ago the President or Vice President of the playgrounds had to show up at meetings or there was question if they would get Township funds for recreation but is an awful thing to enforce when people don't have the time and have their own families to deal with but feels he is on the right track. Commissioner ARMSTRONG asked Commissioner PALAGONIA if he would be in agreement, with an affirmative response. Commissioner ARMSTRONG stated he would ask Mr. MOONEY if he would put a proposal together, as change is good. Commissioner PALAGONIA stated change is good if it will advance recreation in the Township. Commissioner ARMSTRONG noted the people on the Park and Rec Board where in favor of something changing for the better.

3. Commissioner SLONAKER noted he distributed the monthly report on the Police Pension fund and it is doing well.
4. Commissioner HOWER wanted to thank Public Works and noted when you have storms back-to-back there are laws out for truck drivers that they cannot drive over certain hours but are suspended for municipal workers and those are long days and appreciates everything they do in keeping everybody safe. Commissioner HOWER asked if there was anything new on the pension matter. Attorney FONZONE responded in the negative stating he has called several times. Commissioner HOWER asked where we are at with the video recording of the meetings. Mayor HOZZA stated a meeting with the third contractor had to be rescheduled due to a snow storm and is the one who did Lower Macungie who uses You Tube which keeps the cost down.

Commissioner ARMSTRONG asked about putting the bills being discussed on the TV screens. Commissioner HOWER asked if some copies could be made available. It was noted the ad in the newspaper states "that copies of the full text of the proposed legislative items may be examined by any citizen in the Administration office of the Township of Whitehall, PA, on any business day between 8:00 am and 4:00 pm". Commissioner HOWER stated for residents who come to the meetings, wishes it was more, to have a handful of copies for interested parties to look at the full bill if they want. It was suggested to put them on the website once it is upgraded. Commissioner ARMSTRONG asked if they could be flashed on the screen. It was noted it would be better on the website since the Board could be moving on with a Bill and not everyone in the audience is finished reading it on the screen and would delay the meeting. Commissioner HOWER agreed, stating with smart phones today they can pull it right up. Commissioner SLONAKER stated at the County they do provide several copies of all of the bills, people pick up what is pertinent to them and is a first come, first serve.

5. Commissioner GINDER stated the special meeting scheduled for March 16th to go over the LERTA legislation has been cancelled since there was not enough time for it to be advertised and asked if it will be rescheduled, with a negative response. Mayor HOZZA noted the WADA only needs one meeting. Commissioner GINDER noted Commissioner HOWER received the Fireman's Relief Audit in the mail, will give it to Administration to distribute the necessary copies.

Commissioner GINDER asked if Greg Mooney has looked into where the rec funds went when Mike HOBEL developed Coplay Road. Mayor HOZZA stated what we tried to uncover is the majority of those funds went to the Cementon District and were used to build the Community building but cannot find anything as it was all pre 2007 and we had the fire. Commissioner GINDER asked if there is a way of knowing what the percentage of a rec fee was on a lot at that time that went to the Rec Commission since that number has changed over the years. Lee RACKUS stated when she gets the money in, fills out the deposit form and forwards it to the Recreation Director, believes it was 60-40. Deputy Mayor MEYERS stated he doesn't know what it was at that time but believes most of it was to do the Cementon building. Lee RACKUS stated the bulk went to that district, the rest went to the Central Planning District, may have copies of the deposit forms but it won't show the breakdown. Mayor HOZZA noted recreation documents were not a priority to clean after the fire. Commissioner GINDER stated Mr. HOBEL took the time to come to a public meeting, understands with the fire but would like to see the Township get some type of approximate numbers of where his money went. Mayor HOZZA stated the building was about \$300,000, there was a mortgage which he believes was paid off by the 55 and older community development rec fees behind Scheetz. Lee RACKUS stated it wasn't until we had the Recreation Commission in the 90's that there was a split, before that it went to the Rec Board and that district and will see what she can find. Commissioner PALAGONIA stated he thought they asked the Rec Director to check into it about 6 months ago, with an affirmative response. Mayor HOZZA stated he just gets the amount from Lee who noted the recreation records won't show how it was split up.

6. Mayor HOZZA noted that Commissioner SLONAKER mentioned the Police Pension Fund had a good return for the month, The annual return for 2014 was 5.38% with an actuarial assumption of 6% and combining the 2013 return of 23.77% the Township's return was 14.57% as compared to the 6% actuarial and will provide a benefit to the fund in the 2015 actuarial valuation and thanked Deputy Mayor Meyers, the Pension Board and Cornerstone for their valued assistance in managing this plan.

Mayor HOZZA stated for January, 539.7 tons of garbage and 157.9 tons of recycling were collected by Waste Management with a total cost of \$151,527 which was \$52,980 less than what was paid in January, 2014. Our preliminary 2014 year-end numbers, before our audit report, showed expenses of \$223,835 less than budgeted when including the contingency reserve, revenues were \$1.8M over budget making our financial picture \$2.6M better than what was budgeted and the General Fund end-of-year balance was \$5.7M or \$309,470 more than what was budgeted.

Mayor HOZZA noted street sweeping will begin shortly when the snow melts, asked everyone to sweep their sidewalks and curbs when their street is posted for sweeping including our commercial properties. He noted Earth Day is April 18th with events planned. Our electronic recycling, document shredding, vehicle VIN etching and new this year, in helping out the CTC, is our non-perishable food drive to be held at the Township Municipal Complex on May 2nd from 9 am to 1 pm. The annual flower planting will involve weekdays in May and on Saturday, May 23rd and to call the Mayor's office to volunteer and hopes that spring has sprung.

Howard LEIBERMAN asked how many meetings are needed for the LERTA and TIF. It was noted only one meeting is needed for the WADA which is April 13th. After discussion, it was noted the first reading for LERTA will be on April 13th along with a resolution for the TIF and the second reading for LERTA will be in May.

Commissioner ARMSTRONG asked if the School Board seemed cooperative. Mr. LEIBERMAN noted it is an experience working with the solicitor for the School Board to achieve a goal that would be beneficial to the entire community. Commissioner ARMSTRONG asked if he thought it would be more advantageous if the School Board solicitor was not a part of the negotiation. Mr. LEIBERMAN stated in the last two weeks a number of things have occurred, there are a lot of pieces going together and if it falls in line, may get us around the need for the School Board.

G. ADJOURNMENT

1. MOTION – Commissioner HOWER moved, seconded by Commissioner PALAGONIA adjourn the meeting at 8:00 p.m.