
MINUTES

August 10, 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 August 10, 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
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
Frank Clark, Keystone Engineering
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 past and present.

2) APPROVAL OF MINUTES

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

Regular Public Meeting – July 13, 2015

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

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

Special Public Meeting – July 20, 2015

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

B. COURTESY OF THE FLOOR

Kerry KRAMER, 1259 Echo Drive, Whitehall, stated he is a new resident from Perkasio, comes from a generation of Fire Fighters, was a first responder for ~10 years, a skilled machinist, worked for the PA Department of State Parks, suggested having an adult night at the Fullerton Pool with the Bryan Dan Moore Band, estimates between 500-1,000 people if promoted right, suggested having a live band concert every Saturday night in July and August of and he will pay for one band. Understands West Catty is looking for a new pumper, will also need a new aerial,

looking at \$500,000 for a new one but would not need to float a bond or a low interest loan from the state because we are in the flight path of an International Airport run by the FAA can get a grant.

Ed YOUNG, 870 Fourth Street, Whitehall, stated the asbestos contamination that took place 20 weeks ago is still not resolved, is a health and safety issue and when ACM Associates tested the area, it tested positive for asbestos. In July the Mayor stated no one had access to the area but checked with a friend from Public Works, was told after the incident H. T. Lyon's had worked in the basement and perhaps they would like to know if their employees were exposed to asbestos. Mayor HOZZA stated they were not in the bomb shelter after March 14, can show the invoices for work they did on the 1964 Carrier unit was prior to March 14, the employee who gave him that information is mistaken, no one has been down unless to give an estimate for clean-up. Mr. YOUNG asked if it is safe to go down to the basement if there is asbestos in the area. Mayor HOZZA stated based on three contractors who were here, agreed people going into the Emergency Management Center would be fine, have estimates from ACM, ECO Services and NBC Environmental, he and the Deputy Mayor will review the bids for the wet clean up and the HEPPA vacuum. Mr. YOUNG asked why is it being cleaned up if the companies are saying it's okay. Mayor HOZZA stated the companies have said the test results from ACM are minimal, on two filing cabinets and looking back the Carrier unit in the basement was on the entire day of the fire, the intake took in all of the contaminants of the fire, the filtration system designed to eradicate nuclear air worked on smoke, therefore had very little smoke damage after the fire, is going by the three federal certified firms that were here, will review their EPA qualifications to move forward with the cleaning and with another inspection afterwards. Mr. YOUNG stated the DEP has jurisdiction over the removal of asbestos and what happened to the material. Mayor HOZZA stated it is in his home and will part with it when the company comes to do the cleanup. Mr. YOUNG asked what if he has a fire at his house and its spread over the community because it won't burn up. President SNYDER advised the MAYOR to get the numbers, let's get this thing done and the Board agreed. President SNYDER stated the Mayor will get the numbers, then it will get done and is the end of it. Commissioner GINDER stated at budget to go further about the asbestos down there on the air conditioning ducts and the pipes when the building was built, to get prices to remediate all of the asbestos so when someone is working there the question doesn't come up again. Commissioner PALAGONIA stated he would like to know what it will cost. President SNYDER stated the Mayor will get the numbers. Commissioner PALAGONIA stated the Mayor created the problem and should pay for it himself. Mr. YOUNG agreed stating why should the Township incur the cost and why did he do it since he has Public Works people, doesn't know why Mr. HOWER doesn't put up a complaint that his Teamster workers weren't down there to do the job. Commissioner HOWER stated it is not his workmen, is the Teamster's president but does not represent that bargaining unit, they are employees of the Township and are setting an awful precedent if an employee who makes a mistake has to clean it up as much as he agrees it probably wasn't the smartest thing to do and are we now going to say an employee or Police Officer who gets in a chargeable accident with a Township vehicle has to pay for the repairs. Mayor HOZZA noted Public Works employees do not clean the buildings, have a contract with a cleaning crew who tried for a whole Saturday to clean 20 feet of 30 years of wax.

Kerry KRAMER, 1259 Echo Drive, Whitehall stated asbestos is not a new thing, they are not doing anything to Martin Towers because it is filled with asbestos and to put things in perspective here, asbestos has been plaguing our society for 30-40 years. When he went to Upper Bucks County Technical School, the Assistant Director decided to have the summer help kids remove asbestos, is nothing new to society and municipalities, people do make mistakes but the Mayor has a handle on things, is a very good Mayor.

Jeff WARREN, 4568 Pharaoh Street, Whitehall, stated there are 2 different types of asbestos, friable and non-friable, tiles are non-friable and are not regulated. Friable is what is on the pipes,

should have been cleaned up by the last Administration after the fire, why renovate this whole building and not remove the asbestos on those pipes, did the last Executive not do an inspection, is the Mayor responsible for the problem today for those pipes that could have been removed in a more efficient fashion when this building was empty, being fully renovated, when we were in a state of emergency and contracts could have been let without any bid, so why wasn't it taken care of then, is that considered a mistake and not to reference a newspaper article that was a political push piece. President SNYDER asked to keep the line on the political stuff as it will only turn into a war, does not want it to go overboard because it will just make matters worse. Mr. YOUNG stated the newspaper article stated the Township's cleaning contractor was unable to strip the wax from the basement hallway and because of the cost the Mayor decided to have them stop, then took it upon himself to clean it with a sander, there is documentation that outlines standards for handling asbestos tainted items in the workplace, are 2 types of asbestos, on a scale of 1 to 10 with 10 being the worse, floor tiles are probably a 1 or 2, he released asbestos into the air, to stop lying and get the facts straight forward with the people in the Township. Mayor HOZZA stated he should also get straight forward with the people in the Township and asked where he was on May 19th. Mr. YOUNG stated with his brother-in-law at the polls. President SNYDER stated to drop it, we all make mistakes in life, we know what happened, it's a done deal, will find out what it takes to clean it up, will do it, and will move on because it's just going to snowball. Commissioner PALAGONIA asked Mr. YOUNG if he asked him to come here, with a negative response and when was the last time they talked. Mr. YOUNG stated he didn't get the message, always a missed call and doesn't know what he wanted to talk about but certainly wasn't this. President SNYDER stated when it comes to motions, Commissioner HOWER will submit one in regard to this particular subject, is not going to be a political thing, will be what the Board decides to do, then it is going to stop because to keep it up we are not accomplishing anything, are many subjects in this Township that should be taken care of and that is what is wrong with Washington and why they do not accomplish anything and to keep it up like this we will be like Washington, so it stops as of tonight unless there is something major involved we don't know and asked the Solicitor to write the motion. Mr. YOUNG stated he agreed, was here because it dragged on, so he won't be here next month. President SNYDER stated it will be worked out, is the place to come, not to be gossiping over the fence. Mayor HOZZA stated he can come and complain about the parking. Mr. YOUNG stated the business across the street has a sign to hire personnel, already have 14 trucks on the parking lot, leaves 3 places for people to park, was told the Board revised the zoning ordinance but still have 7 to 12 cars parked on 4th Street. President SNYDER stated they did revise it but will be for new development. Mr. YOUNG stated if a company has a place to park for their employees, they can't park their trucks there. Commissioner PALAGONIA asked since that business started if he feels it has grown, with an affirmative response. Commissioner PALAGONIA stated may need to look back at that ordinance. Mr. YOUNG stated every Thursday and Friday night they park double in the lot and asked the Zoning Officer if there is another business there, she said didn't know. Mayor HOZZA stated they may realize they have outgrown their space and will relocate in Whitehall or out of the Township to a larger space. Mr. YOUNG stated he doesn't have a problem because he has two spaces in back of his house. President SNYDER stated they will take that into consideration for future development.

Ron CLEVER, 428 Kansas Avenue, Whitehall, stated at the workshop session it came to the Board's attention some children are playing basketball in the street, the newspaper article stated it is a congested area, has considerable traffic and children dart into the path of oncoming cars. He lives on that street of 16 houses, is not a thru street, is not aware of it being a congested area, not a considerable amount of traffic, has found the children to be respectful and the article states the Mayor and Solicitor will exam legal guidelines so the Board can talk with police about enforcement. His observation is the police responded in a professional, intelligent and practical way, is not sure this is just making a mountain out of a mole hill.

Sheila CLEVER, 428 Kansas Avenue, Whitehall, was upset when she found out the police were with the children, raised her children here, whether there is basketball there or not, they are playing in the street because backyards are too small to play, was actually grateful the children were playing basketball and doing something constructive, are now playing football because they can't play basketball, they do move when the cars come, is upset the basketball net will be taken away, doesn't feel it is a good signal for the kids.

Jeffrey and Tammy MACKIEWICZ, 418 Kansas Avenue, Whitehall, stated Mr. CLEVER was the gentleman who directed the children to move it from in front of his house to the front of his house. Tammy MACKIEWICZ stated it isn't a huge issue anymore because their problem has been resolved. Mr. MACKIEWICZ stated some youths involved with the basketball incident, lit a plastic bottle with an unknown substance in it and thru it in their backyard from a neighboring deck, witnessed most of it, police came and did recover the item. They came last week at the urging of Officer DAVIS since he believes these hoops should be removed from public streets. The hoop was not a gift from a neighbor, the base is broken, is not weighted, the backboard fell off at least once, the hoop hung down for 5 days or more and no adult claimed ownership, was in a public street, the children said they owned it, at no time did he see it on private property and showed some pictures and a video to the Board. He stated Roy HAFNER a resident since 1972, told the children to set it up in front of his house to play there but did not take responsibility for ownership and two of the children were shooting air soft guns into the hoop at 11 pm. Mrs. MACKIEWICZ stated children should never be playing in the street, 100 yards away from their house is a recreational area but no improvement has been made to it and did attend the Park & Recreation meeting last Wednesday. Mayor HOZZA stated on the original 1972 development plan, that parcel was given to Whitehall Township, while it states "recreation area" believes it is also a sewer easement with manholes going thru the property, access to it is thru the first home on Kay Drive that is vacant, the Township has an easement for access only for maintenance of the parcel, there is also no parking allowed on Kay Drive and would be a safety issue for the children crossing over Kay Drive. He noted in the Park and Recreation Plan this parcel was never called out to be developed as a park, there is a plan for a relocation of an existing park in this zone, and are looking at the area just redone by PennDOT and the CWSA along the new ramp for eastbound traffic on Rte. 22 and are working with the new owner of Maryland 3 to see if it would be a public/private partnership. Mayor HOZZA stated he discussed the parcel with our Rec Director Greg Mooney, access to that area was at the top of the hill on the steep slope and believes that is why the former Administration got the easement to get equipment in to cut the grass. Mayor HOZZA stated the PA Vehicle Code forbids objects in the street, will speak to the Police Chief and asked the Commissioners to look at it at Legal & Legislative. Commissioner HOWER noted they added the issue to the agenda. Mrs. MACKIEWICZ stated the Police Report had the wrong street address and did not mention it almost fell on an officer. President SNYDER stated it will be brought up at the L&L meeting this Wednesday, is open to the public, noted it may not get completely solved that night but will be taken care of because it goes beyond the children playing in the streets. Mayor HOZZA stated manhole covers, street trees that overhang under 14 feet, basketball hoops, hoses and garbage cans used to save parking spaces are a safety issue not only for the children but for our street sweepers and snow plow drivers.

Ronald CLEVER, 428 Kansas Avenue, Whitehall, stated he came to do a nice thing, the children move when a car comes by, was unaware there would be a finger pointed at him as if he told someone to move a basketball hoop with is not true, only had conversation about the hoop with the Police Officers to compliment them on how they were handling it, to compliment the children for moving out of the way and is shocked to think someone actually thinks he has some relationship to the hoop, children or the parking space it is in.

Panna CHIBBER, 1688 Harding Circle, Whitehall, stated she has been battling this for 4 years with the police and zoning, lives in the development with shared alleys and driveways, has a

neighbor who put up a hoop, invited kids to play on her driveway, is annoying and negligence if she allows them on her property and they get hurt, has a video of the kids playing in the alley at 8:45 pm by the light of their cell phones, saw a car almost hit a young boy, called the police, the child's mother filed false charges against her, there are parks, we pay taxes and if this isn't going to be enforced to give back our tax money. President SNYDER stated she believes they have it pretty much under control and will have Attorney FONZONE provide them with the information for Wednesday night.

Allen CARR, 4139 Roosevelt Street, Whitehall, stated he is trying to fathom what purpose the Zoning Hearing Board actually performs since at the last zoning appeal for the development of the Majestic Mill on Roosevelt Street, had a vote for 22 dimensional variances for Hyman Properties to develop the mill, no new testimony was allowed because it was an appeal hearing, people in attendance were behaved, were insulted three police officers were there, before had unanimous decisions at the Township, County and State levels saying no, then got kicked back to the County and then to the Township, yet three members of the Zoning Hearing Board changed their vote to do it because it would be good for the Township, then after the meeting a 4th member changed their vote from nay to yea, doesn't think you can do that, turns out there was a threat of a federal lawsuit and is the Township going to stand behind its own ordinances/regulations and citizens or cave to threats of federal litigation and would like to see if we can investigate the ethical standing of these people who represent us on the Zoning Hearing Board.

Attorney FONZONE stated he is not certain what he wants done. Mr. CARR stated he would like that decision vacated. Attorney FONZONE stated he has the right to appeal it to the courts. Mr. CARR asked if it is done thru the Township since doesn't the Township Solicitor represent the citizens of the Township. Attorney FONZONE stated he represents what the Board of Commissioners tells him and asked if he spoke at any of the hearings. Mr. CARR stated he did, however doing the hearing they were told they were not allowed because they did not have standing since they were not participants in the County or State hearings. Attorney FONZONE stated he has a right to appeal that also. Mr. CARR stated he understands legal representation was there both for the Zoning Hearing Board and the Township and if the Township Solicitor represents the Administration or the citizens of the Township. Attorney FONZONE stated he gets his orders from the Administration and noted the Zoning Hearing Board is an independent body, a corporation unto themselves, the only control the Board of Commissioners has over them is their appointment. Mr. CARR stated then this Board of Commissioners actually has no say over what the Zoning Hearing Board does, with an affirmative response. Mr. CARR stated then they can do whatever they please with our laws. Attorney FONZONE stated with 22 variances of various dimensions, is not usual to get smaller variances. Mr. CARR stated is it unusual, with no new testimony, to change your mind and vote yes. Attorney FONZONE stated there was a Judge's ruling they had to look at also. Mr. CARR stated the Judge stated he wasn't going to get involved, is something the Zoning Hearing Board had to look at and kicked it back. Attorney FONZONE stated the Judge also made some decisions with respect to what they could look at. Mr. CARR stated the only thing sent back were the dimensional variances for the density yet there was no additional testimony and still the decision was reversed. Attorney FONZONE asked the final vote. Mr. CARR stated before amended was 3-2 and now allegedly 4-1 and the ones that voted yes have always voted no for 3 years, so what magically changed for them to change their minds. Attorney FONZONE stated the Judge made certain rulings is sure they were aware of, must have been guided by them but cannot answer for them. Mr. CARR asked if it could be looked into to see if there was a threat of a federal lawsuit, if we are going to cave because of a federal lawsuit and who controls this Township. Attorney FONZONE stated he can look at anything he wants, does not know what he is saying even if true was a factor in their vote and may have just looked at what the Judge said. Mr. CARR stated it was made clear at that meeting the apartments were going to happen, was never a problem they never wanted the apartments, the problem was the density, now will have a building having the highest occupancy of 49 apartments

in one building and have rules against it. Attorney FONZONE stated it was with the discretion of the Zoning Hearing Board to the total number of units allowed, cannot answer what changed their minds. Mr. CARR asked if the Commissioners have the ability to reverse that decision, with a negative response. Mayor HOZZA asked if they could reverse or challenge the variances within 30 days. Attorney FONZONE stated they have the right to appeal if they want. Mr. CARR asked if the citizens have to get their own attorney or can they go thru the Township. Attorney FONZONE stated they cannot go thru the Township but anyone who is interested has the right to appeal. Mr. CARR asked then why was the Township Solicitor doing at the meeting. Attorney FONZONE stated he was representing the desires of the Commissioners against the applicant. Mr. CARR stated the citizens thought they were being represented by the Township since the Zoning Hearing Board had their own Solicitor, the people were denied cross examination of witnesses and could not clarify to the Zoning Hearing Board that certain facts were not correct when stated as fact. Attorney FONZONE asked how long this matter went on, with a reply of 6 years. He stated then in 6 years the applicant was kept from doing what he wanted, feels his office did a good job of representing the citizens of Egypt, the matter went to the appellant courts at least twice, came back down and only at that point was it sent to the Zoning Hearing Board for a very limited reason. Mr. CARR stated the reason was for the dimensional 22 variances and in 6 years everybody unanimously said no, his concern is the density of the building is too high which is not allowed anywhere else in the Township and to ask members of the Fire Department how long it will take to clear out a 49 apartment building if there is an emergency, this will not stop here since legal precedence has been set now and the rules of the Township for dimensional variances no longer apply. Attorney FONZONE stated the building is big, has 101 parking spaces, doubts it can be duplicated any other place in the Township and zoning case-to-case does not have precedent. Mr. CARR stated the Township is currently embroiled in a lawsuit in another development, is afraid to see what the specifics are because of the backing of the Federal Government under the new Obama plan where he is going to dictate what the density is going to be in local neighborhoods, we won't have any say in it and this is the first step. Attorney FONZONE stated this particular building does not fit the structure of that case. Mr. CARR stated the building on Roosevelt Street that required 22 exemptions to ordinances people have deemed necessary in order to have protection and good development within the Township have been thrown aside, feels it merits further examination as to why we have ordinances and laws for a reason and have chosen to ignore them. Attorney FONZONE stated he doesn't believe anyone has chosen to ignore them, the question is whether he and his neighbors want to appeal but won't go into the case involving the other property because it would get inflammatory and would go off on different areas such as civil rights. Mr. CARR stated no one knew of the alleged threat for a federal appeal and the Zoning Hearing Board caved. Attorney FONZONE stated he doesn't believe that is true in this case, got fair representation for 6 years, unfortunately the outcome was not what he wanted, the only road open now is to see if there are any basic grounds for an appeal, the courts have spoken, the Zoning Hearing Board has spoken and can be appealed by anyone who has standing. Mr. CARR stated at this point the only one with standing is the Township according to the attorney at the hearing who read it into the record at the meeting when they were not allowed to speak. Attorney FONZONE stated that was because the Judge sent it back to make a decision on the established record, not that there would be more testimony, the law changed, the Judge made decisions on certain parameters. Mr. CARR stated the Judge said the Township had overstepped its authority on the dimensional variances, asked for no changes, for 6 years the Zoning Hearing Board said no because it didn't match the plan, so the only thing that changed was the threat of a federal lawsuit. Attorney FONZONE stated the change was the Judge made rulings you have to obey, gave them the discretion they had and they worked in that area. Mr. CARR stated the Judge didn't tell them to reverse themselves, that your ordinances are invalid and asked if the Township has no plans on appealing this decision. Attorney FONZONE stated he doesn't have the authority to tell him and didn't know. Mr. CARR stated have 30 days, then it is a dead issue and asked if the vote was 3-2. Mayor HOZZA noted the hearing was July 18th and to refer to the solicitor of the Zoning Hearing Board to see if the vote was changed and

when and would reach out to Attorney MATZKIN and the Zoning Officer. It was noted that people in attendance only heard the 3-2 vote.

C. PULBIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 29-2015

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PERFORMANCE OF MICRO SURFACING FOR THE PUBLIC WORKS BUREAU OF THE TOWNSHIP OF WHITEHALL, BID 2015-07 IN ACCORDANCE WITH SECTION 3.20 OF THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE (PUBLIC WORKS)

President SNYDER read Bill No. 29-2015 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 29-2015 was approved.

2. BILL NO. 30-2015

TITLE AN ORDINANCE WAIVING THE REQUIRED INSTALLATION OF SIDEWALKS ALONG THE MACARTHUR ROAD FRONTAGE OF 2610 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AS REQUIRED IN CHAPTER 21, SECTON 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President SNYDER read Bill No. 30-2015 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner ARMSTRONG.

Frank CLARK stated he spoke with PennDOT on the impact it would have on the properties to the north and south, one concern was what happens to Sutler Drive because once you touch one corner, have to blanket the whole intersection and bring it up to ADA standards. PennDOT looked at the intersection, would like to keep MacArthur as a no pedestrian crossing, this keeps us on the west side and the north/south side arrangement where a list of things they would expect to be done. He noted at the south end by the bank there is a utility pole at the end of the sidewalk, there is a conflict of moving it forward, either the pole would have to be moved or the sidewalk brought around the pole. At the south driveway the curb cut and island would have to be removed and refashioned to have a 4 foot level crossing area to get a wheel chair or something similar thru the area, the light standard in the island would have to be moved, would need a curb cut to get out of the Chick-Fil-A parcel, install sidewalk on the Chick-Fil-A parcel up to Sutler Drive, because of large intersection would need to drop the curb with the tiles, there are seven lanes to cross, would need to cut the median out and drop it to get access, then take the stop bars at the nose of the island and pull them back 4-5 feet so cars would stop before they enter the crosswalk, then need to cut out the curb on the north side radius, put in a ramp and build a landing area beyond it. Further north need to put in sidewalk along Pier 1, would have to change the condition diagram which is the master plan of the signal to show all the changes, would have to modify the signal timing to accommodate the time it would take a person to ambulate across the intersection, would need to install PED

buttons to activate, is a litany of changes that would need to be made to install sidewalks in this area and the total project cost would be between \$65,000 and \$80,000. Mr. CLARK stated the sidewalk along the Chick-Fil-A frontage would be ~\$25,000 to \$30,000 with the potential the Township would be responsible for the rest but would not get you any further north. In his opinion should be looked at comprehensively, where do you want to get too and if there is a way to coordinate all of these efforts. He noted the ordinance calls out a waiver, in the Charter it is a postponement or delay and the Board at any time can require curb and sidewalk anywhere. Commissioner GINDER questioned if they do postpone it and look at sidewalks later, how much of the signalization can be incorporated into it, doesn't think it is a negotiable point in the future because the cost of the signalization is on the Township. Mr. CLARK stated it is a policy issue with them. Commissioner ARMSTRONG stated they can't go back and start MacArthur Road all over, is not pedestrian friendly in that area and is not sure we can make changes to decades of things done. Mayor HOZZA stated with certain redevelopment projects like American Family Services and Buchman's have had some success stories to get us to a walkable MacArthur Road but are areas that would be difficult like Dunkin Donuts at Schadt Avenue with the steep slopes, there are gaps and we know sidewalk next to curb is not great in an area that receives the amount of snow we do. President SNYDER stated years ago they wanted to build some type of pedestrian friendly bridge across MacArthur Road. Frank CLARK stated now you are dealing with the ADA regulations and a ramp to climb up over MacArthur Road would be long or would need an elevator. Commissioner SLONAKER stated he had brought up the possibility of running the sidewalk up and around and coming back. Mr. CLARK stated it was discussed but would be deviating so far from the path, would not be something that is used, would not be the most direct path which would cause more scrutiny in regard to ADA regulations because you would make people go a lot farther than normal, could accommodate a straight shot across Sutler by the Pier 1 corner. Mayor HOZZA noted the people who make the illegal U-turns there would be a major problem and asked the grade of the new restaurant because there are people who walk thru the parking lots and if the hill would still be there coming north to get into the parking lot where the shrubs are.

Attorney Jamie KRATZ, on behalf of Chick-Fil-A, Justin THORNTON, project engineer and John MARTINEZ, development manager. Mr. THORNTON stated there is a row of shrubs and existing trees between the parking lot and MacArthur Road, do not go up by Sutler and the grade will not change that much. Attorney KRATZ stated the purpose for the request was that the Shopping Center was previously granted the waiver so they wanted the waiver to remain, there is not a continuous path there and thought he heard someone say something about third party rights.

Bill ANTRIM, 1230 Echo Drive, Whitehall, stated on the ramp to go south at Sutler people fly around the corner and who would stop the people on the ramp from making the turn when someone is trying to cross. Mr. CLARK stated it is not a yield, you need to stop to make the right, so it would be a police enforcement issue.

Seven Commissioners were present with six voting "yes" and Commissioner SLONAKER voted "no". Bill No. 30-2015 was approved.

3. BILL NO. 31-2015

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF A 2016 PIERCE ENFORCER PUMPER FIRE TRUCK 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 SNYDER read Bill No. 31-2015 to the Board.

Commissioner HUNSBERGER moved to approve, seconded by Commissioner ARMSTRONG.

Commissioner PALAGONIA asked if there are bid proposals and was told the Pierce is the Rolls Royce of pumpers.

Don DREISBACH, Assistant Chief of Fire Station 37, stated he wouldn't classify them as 100% the best. Commissioner PALAGONIA stated they are more expensive than Smeal or KME and if there are bids from them. Mr. DREISBACH responded in the negative noting one of the criteria as a Committee was for a sole source provider. Commissioner PALAGONIA stated he was told throughout the Valley a lot of fire companies are buying the Smeal. Mr. DREISBACH stated they looked at 3 companies, Pierce, Ferrara and Spartan ERV as they fit the spec, others do not. Commissioner PALAGONIA stated they are a lot less and compared it to driving a Buick vs. a Rolls Royce. Mr. DREISBACH stated he could not comment on their price since they did not spec them and the ball park of the truck is from the prices they received. President SNYDER asked what the prices are. Mr. DREISBACH stated the Ferrara is roughly \$10,000 less at \$549,000 and Spartan at roughly \$500,000 but they tried to spec a truck as close to apples to apples as possible, so the committee was concerned on how Spartan could come in \$50,000 to \$60,000 less than the other 2 bidders. Mr. DREISBACH stated Allentown and Bethlehem had Pierce in the past, they went to the cheaper KME, both have gone back to the Pierce since it is a more reliable truck, also try to keep the Township mechanics in the spec process because they are the ones who have to fix it when the warranty runs out and was told by Jason that when he was interviewed for the job, the Mayor asked if he was buying a truck which one would he purchase and he replied a Pierce. President SNYDER asked what was budgeted. It was noted \$450,000. Commissioner PALAGONIA asked if the last few fire trucks we purchased were from KME, with an affirmative response. Mr. DRIESBACH stated it has been in the media some companies are having issues with them. Commissioner PALAGONIA asked if we aren't satisfy with those trucks. Mr. DREIBACH stated he can't speak for the other stations. Commissioner PALAGONIA stated it's nice to get the best but if the other ones are a lot cheaper and do the same job, he looked at those trucks and look like they are terrific vehicles. Mr. DREISBACH stated from a mechanical standpoint knows towns had difficulties with them, doesn't know what they are but are trying to provide the Township with the best possible one. He noted they and Hokendauqua are the 2 central stations, ran for 463 calls last year and this truck will cover about 50% of this Township. Commissioner PALAGONIA stated they are doing a great job, they all appreciate them but he deals in dollars and cents and thinks the Buick does a great job and has spoken to quite a few firemen. Mr. DREISBACH stated that may be personal preference. Commissioner PALAGONIA stated he is responsible for the money spent in the Township and would like it to be spent wisely. Mr. DREISBACH stated they are trying to build a truck for the Township that will be as useful 25 years from now when it is due to be retired as the day of delivery and the Hahn at the station now is still a useable truck but is behind in times, do not have room for equipment on it. Commissioner ARMSTRONG asked when the committee came up with this decision if they based it on all the things in the bid, what they thought was practical for the Township and did not base it on rumors of other equipment failing but that this was the best truck to meet your needs. Mr. DREISBACH stated the spec of the truck is by no means a glamour show

piece, is not the top of the line, trying to be practical, building a truck that will be useful for the Township, expandable so that it has plenty of room on it, no bells and whistles on it, trying to be practical and conscience with the money also. Commissioner PALAGONIA asked if the company was in the mid-West. Mr. DREISBACH stated it would be built in Appleton, Wisconsin, the area representative is Glick in Bird-in-hand, an hour away. Commissioner PALAGONIA stated then if there is a problem with the warranty it would go there. Mr. DREISBACH stated they have a mobile unit that would come to the Township and take care of the problem right here depending on what the problem is. Commissioner GINDER asked if the warranty is fairly equal on these trucks. Mr. DREISBACH they are with Pierce being one year longer on the warranty. Commissioner GINDER stated it is \$112,000 more than what is in the budget, could say yes to buy it but where do they come up with the other money. Mr. DREISBACH stated it is the price of the trucks, when they started looking at this 5 years ago when they were originally scheduled, thought the number then was \$425,000, back then that was practical, since that 5 years the emission thing came into effect which added \$10,000 plus onto the truck, manufacturers told us there is a 3% increase across the board each year on a truck, so since we bought the last truck that puts us at ~\$550,000. Commissioner GINDER stated when they budget a number, are stuck with it and can't order it on credit. Mr. DREISBACH stated they were shocked too with the prices that came in. Commissioner HOWER asked if there was one who was giving a discount. Mr. DREISBACH stated the representative from Pierce gave a quote, then had surgery and was given an extension on the price increase, the incentive is a \$26,000 savings if the Township pays for the truck when it's ordered, 9-10 months till delivery and an offer for a \$1500 performance bond if the company would go out of business to get our money back. Commissioner GINDER stated he would never pay \$500,000 for anything sight unseen, when it's produced, checks out with our firemen that everything works, then we write the check and not a penny before. Mr. DREISBACH stated the City of Allentown ordered a Pierce and they paid for it in advance to save money. President SNYDER stated that is Allentown and if he read the newspaper lately we don't want to get into the same situation as Allentown, they aren't doing too well right now and wouldn't compare them with Whitehall. Commissioner HOWER stated the need to have more information. Mayor HOZZA asked if the plan is to have the difference come from the Fireman's Relief, with a negative response noting they have not been approached but are capable of supplying equipment for the truck, is not sure if the Relief is willing to put out ~\$100,000. Commissioner GINDER stated they should not be looking at Fireman's Relief to pay our bills. President SNYDER stated she would like to get an opinion from the Chief about the extra money, on what truck, what price category because he was here at budget time when they budgeted the money. Commissioner PALAGONIA stated he would like to see a bid on the Smeal because he has a friend on the Fire Department in Macungie who loves it. Mr. DREISBACH stated he wouldn't say anything against the Smeal but it did not fit the criteria for their spec, are looking for a sole source which is a truck built by one company bumper to bumper, ground to roof and Smeal does not fit that category, sole source makes it better for the Township mechanics who will have to work on it down the road. Commissioner SLONAKER stated they are looking at something that is 20% more than what they had anticipated. President SNYDER stated they love the Fire Department but answer to everybody because they have to come up with this money for the fire truck since it comes out of their taxes. Commissioner SLONAKER stated since they were not thinking about this kind of money, asked the motions made be withdrawn so they can look at it further. Commissioner ARMSTRONG stated they would like a little bit more information on the bid differences, had budgeted \$450,000 and now it is 20% higher.

Robert BENNER, Fire Chief, stated he did not see the other 2 bids, was done by the Station and not by him personally, if they do not want to approve it tonight, they can review it again and will get back to them with an opinion. The Commissioners agreed. Commissioner PALAGONIA asked how he felt about Smeal and the KME. Chief BENNER stated he is not familiar with Smeal, have several KME's, this has been worked on by Station 37 and their Truck Committee. Commissioner PALAGONIA asked if he felt they could build a truck for \$450,000 the way they want it. Chief BENNER stated he doubt's it would be \$450,000. President SNYDER stated she feels they could come pretty close to that, has talked to some people who build fire trucks. Mr. DREISBACH noted after tonight the Pierce goes up 3%. Commissioner GINDER stated if they want to bear with us to get a truck made with the possibility to sell us more over the years or if they want to hold us to the guillotine for a fire truck, is more than willing to look at another company, they have to work with us if they want to do business with us. Mr. DREISBACH stated Station 39 is also looking at the Pierce. Commissioner GINDER stated it is all the more reason for them to work with us. Commissioner GINDER asked if they need to come up with another \$125,000 where would it come from. Deputy Mayor MEYERS stated it would have to be budgeted in next year's budget. Commissioner ARMSTRONG stated he would like to see a comparison of the warranties. President SNYDER stated she wants the Fire Chief's opinion on what he feels is needed on the truck because want and need are 2 different things. Commissioner SLONAKER noted they have to do this.

Both Commissioners withdrew their motions and Bill No. 31-2015 was tabled.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2899

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF CHICK-FIL-A, LOCATED AT 2610 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1869-15. (DEVELOP)

President SNYDER read Resolution No. 2899 to the Board.

Commissioner PALAGONIA moved to approve, seconded by Commissioner SLONAKER.

Attorney KRATZ stated they are in agreement with all of the conditions of the Resolution.

Seven Commissioners were present and voted "yes". Resolution No. 2899 was approved

2. RESOLUTION NO. 2900

TITLE: A RESOLUTION GRANTING THE MAYOR THE AUTHORITY TO EXECUTE A REIMBURSEMENT AGREEMENT WITH PENNDOT FOR WINTER TRAFFIC SERVICES WITHIN THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA. (ADMIN/BOC)

President SNYDER read Resolution No. 2900 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2900 was approved

3. RESOLUTION NO. 2901

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF ST. JOHN’S UNITED CHURCH OF CHRIST PARKING LOT PHASE 1, LOCATED AT 601 GRAPE STREET, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1871-15. (DEVELOP)

President SNYDER read Resolution No. 2901 to the Board.

Commissioner HUNSBERGER moved to approve, seconded by Commissioner PALAGONIA.

Commissioner GINDER asked who owns the unopened streets and alleys.

Attorney Jim PRESTON, representing the Church, stated Edgewood Lane has been unopened for more than 21 years, does not mean the Township has vacated that street but that it can no longer accept dedication of it, so that takes the Township out of it. The real estate that remains now, as with any unopened street, where it goes depends on where it came from, so typically it is divided at the center line and the property goes to the adjoining. If it turns out it came from either joiner than it wholly goes back to them. Commissioner GINDER stated since this unopened street hasn’t been used in excess of 20 years, probably never will be and if the church were to claim that land it would allow them a larger parking area, so now would be a time to claim it. Frank CLARK stated they are not choosing to use it at all in their project. Attorney PRESTON stated they talked about it, is pretty contentious with the neighbor, spent time before the Zoning Hearing Board, made some modifications to the plan so they no longer need relief, frankly are being held hostage, is not clear who owns it, believes ultimately it will be found the church owns out to the center line but to fight that now is not beneficial to the timing of the project. Frank CLARK stated there is a lot of history that goes with the parcel, a lot of digging to find out who owns it and where it came from but are avoiding that for this project.

Seven Commissioners were present with six voting “yes” and Commissioner ARMSTRONG abstained. Resolution No. 2901 was approved

4. RESOLUTION NO. 2902

TITLE: A RESOLUTION APPROVING THE RETIREMENT AND THE COMMENCEMENT OF MONTHLY PENSION BENEFITS TO FORMER POLICE OFFICER RICHARD HOPE. (ADMIN)

President SNYDER read Resolution No. 2902 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2902 was approved

5. RESOLUTION NO. 2903

TITLE: A RESOLUTION APPROVING THE RETIREMENT AND THE COMMENCEMENT OF MONTHLY PENSION BENEFITS TO FORMER POLICE LIEUTENANT RIBELLO BERTONI. (ADMIN)

President SNYDER read Resolution No. 2903 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2903 was approved

6. RESOLUTION NO. 2904

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 15-01 (ADMIN)

President SNYDER read Resolution No. 2904 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. 2904 was approved

7. RESOLUTION NO. 2905

TITLE: A RESOLUTION REVISING RESOLUTIONS 2533 AND 2593, WHICH APPROVED THE LAND DEVELOPMENT PLAN OF HAVEN RIDGE/PINE STREET CONDOS, PHASES 1 AND 2, INDEX 1675-05, WITH RESPECT TO CONDITION #6 OF RESOLUTION 2533 AND CONDITION #6 OF RESOLUTION 2593; WITH RESPECT TO RECREATION FEE PAYMENT FOR PHASE 2 OF THIS DEVELOPMENT. (BOC)

President SNYDER read Resolution No. 2905 to the Board.

Commissioner HOWER moved to approved, seconded by Commissioner PALAGONIA.

George PAXOS, developer of Haven Ridge, stated he posted \$106,000 in recreation fees when the development was started, hopes to start the completion of the rest of the roads in the next few months, with the difficult economy, the lending from banks, the paying of an additional \$150,000 up front is a financial hardship for the project, is asking to pay those funds as building permits are drawn and would guarantee the funds thru a letter of security.

Frank CLARK explained the options. One is to have 50% paid up front with the other 50% secured and paid as building permits are pulled. The other is zero dollars when the plan is filed but the whole \$150,000 would be secured in a letter of credit and would be paid as building permits are pulled. The third is to leave it like it is, 50% when the plan is filed and then 50% within 6 months. Mr. CLARK stated if there are no units developed, the Township is not entitled to a rec fee. Commissioner ARMSTRONG asked if the letter of credit would expire. Mr. CLARK stated letters of credit have tight language, they automatically extend and until the bank receives a letter from the Township, they cannot release it, comes back to the Township because it is in the Township's name, is not released until all the fees have been paid and everything is closed out, and is a secure instrument.

Seven Commissioners were present with five voting "no" and Commissioners SLONAKER and GINDER voting "yes". Resolution No. 2905 was denied.

8. RESOLUTION NO. 2906

TITLE: A RESOLUTION REVISING RESOLUTIONS 2533 AND 2593, WHICH APPROVED THE LAND DEVELOPMENT PLAN OF HAVEN RIDGE/PINE STREET CONDOS, PHASES 1 AND 2, INDEX 1675-05, WITH RESPECT TO CONDITION #6 OF RESOLUTION 2533 AND CONDITION #6 OF RESOLUTION 2593; WITH RESPECT TO RECREATION FEE PAYMENT FOR PHASE 2 OF THIS DEVELOPMENT. (BOC)

President SNYDER read Resolution No. 2906 to the Board.

Commissioner ARMSTRONG moved to approve, seconded by Commissioner HOWER.

Seven Commissioners were present with six voting "yes" and President SNYDER voted "no". Resolution No. 2906 was approved.

E. OTHER

1. Commissioner HOWER moved, seconded by Commissioner HUNSBERGER to approve the appointment of Lori A. FARKAS as a member of the Whitehall Township Fire Police.

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

2. Commissioner ARMSTRONG moved, seconded by Commissioner SLONAKER to approve the purchase of a one-half page ad at \$300.00 for all three seasons for the Varsity W Club in the Whitehall-Coplay School District.

Commissioner HOWER asked what the ad says. Commissioner HOWER stated with the storm they are paying for and the new fire truck, if it has his name on it would like to pay for it, not any tax dollars, knows it has been done in the past. President SNYDER stated they always put a little on the side for the Commissioners and to keep it the way it is. It was noted there are 12 people listed on the ad. Commissioner HOWER stated to approve the motion and then who wants can reimburse the Township.

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

3. Commissioner HOWER made a motion that the Solicitor examine all available documents and, if appropriate, request the Zoning Hearing Board to revoke its decision of December 18, 2012, Docket No. 1756, in regard to Coplay Aggregates, Inc. or , in the alternative, to clarify if said decision relied on the testimony of Brain Hilliard, Coplay Aggregates Director of Compliance, when in response to a questions as to whether all clean fill was being used, he stated on page 12 of Notes of Testimony of the December 18, 2015 hearing: “It’s all clean fill. We do the testing prior to acceptance and we also do some random sampling internally. DEP comes out and takes samples. We have yet to have a violation based on what we’ve accepted since 2004-ish, 2005 when first we had some contamination on site. We cleanup up and have had a clean bill of health since the time”. Further, the Solicitor is authorized to pursue any legal representation necessary to protect the rights of the citizens of Whitehall Township.

Commissioner HOWER moved to approve, seconded by Commissioner SLONAKER. Seven Commissioners were present and voted “yes”. Motion carried.

4. Attorney Eric SCHOTT and Bud NEWTON, Project Engineer, stated they are here as the first step in the process for a potential zoning map change, to ask the Board to refer it to the Planning Commission in order to start the process. The property is the northeast corner of Mauch Chunk Road and Schadt Avenue, a 7 acre parcel, currently zoned R-3A, are requesting to rezone it to R-4 noting in the R-3A you can do a 55 year older community, like Fellowship Community but cannot do it in R-4. In R-3A the lot size of single homes would be 13,000 sq. ft. and in R-4 would be 9,600 and when used for single family, R-4 is less dense than the adjoining lot of Fellowship Community. Across Schadt Avenue on Mechanicsville Road, you have R-4, so they are adjacent to R-4 and are adjacent to two churches. The proposal is for 19 lots from 12-13 under R-3A, are some physical conditions, part of the right-of-way was taken, sewer is challenging, if it stays at R-3A doesn’t know if it will go anywhere, just looking for them to send it to the Planning Commission to discuss it with them that it would be an appropriate map change. Commissioner ARMSTRONG stated he is the liaison to zoning and when someone else wanted to develop this site they were going to have an entrance off of Schadt Avenue and an exit onto Mauch Chunk Road. Bud NEWTON stated because of the lot lay outs and grades, it isn’t practical to come out onto Schadt Avenue and there are some site distance constraints also. Commissioner ARMSTRONG stated the concern back then was the traffic going out onto Mauch Chunk and only making a right turn but yours is for the only way in and out. Mr. NEWTON stated they have not talked to PennDOT yet, this is the first step to see if it is feasible to do this. Commissioner HUNSBERGER asked what they plan on doing with the big hole in the corner. Mr. NEWTON stated it probably would be the detention/infiltration basin, a lot of drainage goes to that corner now but there is a cross pipe on Mauch Chunk that goes over to the Jordan, will probably keep some of the shape that is there and build up around it, will look at it in sub-division/land development if this goes through.

Commissioner GINDER stated the process for this is the letter that was submitted, then the Commissioners either take no action on the request or refer the proposal to Legal and Legislative for further discussion, if deemed feasible, directs staff to prepare the appropriate ordinance for consideration by the Board of Commissioners, is properly advertised and doesn’t go to Planning. Attorney SCHOTT stated will be glad to follow the procedure. It was noted the earliest to be on Legal and Legislative would be in September.

5. Attorney FONZONE read a motion to direct the Mayor to expedite the process of engaging the lowest qualified bidder to clean the asbestos residue found in the basement to the extent specified in the bids.

Commissioner HOWER moved, seconded by Commissioner HUNSBERGER to approve.

Commissioner GINDER stated this is just for the one area, not looking at the whole basement. Mayor HOZZA stated there are two, one for the swipe that was 2 rooms and the other is for everything else other than the mechanical room. President SNYDER asked if they want to do the mechanical room later on. Mayor HOZZA stated in next year's budget or to combine it with the large capital expense coming in 2017-2018. President SNYDER stated the majority of it will be taken care of and everybody can go down there and this will come to an end.

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

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner ARMSTRONG stated school is coming, has been almost a year since we promised the people there and PennDOT took pictures months ago. Frank CLARK stated he has asked them to expedite it so we know if we have to go directly across from Rosewood and build a new ramp or use the existing High School ramp and go straight across, is the issue of what he is allowed to do on a PennDOT road and is ultimately their decision.
2. Commissioner SLONAKER stated they just passed the maintenance agreement and asked when they are going to cut the grass down at the intersection going south at Rte. 22 where the weeds are about 4-5 feet high. Mayor HOZZA stated it is now the responsibility of the Township, the gang mower has been in the shop but behind the construction fence is the responsibility of the new owner of the former Perkins and their landscaper will be coming in shortly.
3. Commissioner GINDER stated they received the Planning Commission bi-annual report and even though there hasn't been a lot in front of them, have been diligently working on things, have an excellent Planning Commission and thanked them for the job they do which makes the Board's job easier.
6. Commissioner HUNSBERGER thanked the Administration for getting the pot holes filled and asked what is happening to the former Buchmiller home. Mayor HOZZA stated there was a decision on 1242 Mickley Road rendered last week by Judge HALAL that assigned substantial fines to both the property owners on record and Citi Bank. There is a potential buyer, the one who bought 303 Florida Avenue, who would like to remediate the home and property, the owners cannot make that decision and Citi Bank is not returning his phone calls. The bank maintenance company is responsible for cutting the grass and Melissa is on them constantly.
7. Mayor HOZZA stated he attended a meeting at PennDOT District 5-0 along with 100 individuals for the pre-construction meeting for the Fullerton Avenue and Rte. 22 Section 400 Lehigh River Bridge Project. The successful low bidder was Wagman of York County at \$64,692,921.28. It will start on September 8th and will last 4 years. The detour on Fullerton Avenue will be in place for 2 years, northbound will be on the shifted bridge and southbound will go right at Benner's Market, down Fifth Street to Fairmont Avenue.

Mayor HOZZA noted the major construction projects in Public Works for the year have been completed. The micro-seal project of the Oakwood neighborhood will commence shortly. The June 30th storm clean-up continues along the Coplay Creek and the IRT and thanked the many volunteers who have helped with the clean-up. The Hokey Parkview Pool will close for the season on August 16th, the Fullerton and Cementon pools will close on August 23rd, Camp Whitehall will end on August 14th, there will be a Fall Festival celebration on Saturday, October 10th at the Whitehall High School and the Fall parade will be October 11th at 2:00 pm.

Mayor HOZZA stated he is asking the Township's Ethics Board to review and make recommendations regarding our current Home Rule Charter, Administrative Code and Ethics Code to address the issue of campaign finance, how it could affect Township business in regard to what is known as the prohibition of pay-to-play and when the review and recommendations are completed to bring them to the Legal and Legislative Committee and the Board of Commissioners for their review and/or passage. He noted many other municipalities, first class townships, cities and boroughs have added this to their Home Rule Charters, Administrative and Ethics Codes and it addresses the fact if you make a campaign contribution to an elected official in Whitehall Township, then that person or entity does not get a contract with the Township and since we do not envision the current State legislative will address this issue in the near future, it needs to be addressed at the local level.

G. ADJOURNMENT

1. MOTION – Commissioner HUNSBERGER moved, seconded by Commissioner PALAGONIA adjourn the meeting at 10:20 p.m.