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# **MINUTES**

**March 10, 2014**

**Regular Public Meeting**

**Board of Commissioners**

**Township of Whitehall**

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**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 10, 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  
Frank Clark, Keystone Engineering  
Linda Kulp, Police Chief  
Lee Rackus, PZ&D  
Diane M. Hunsicker, Tax Collector  
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. President SNYDER asked to remember Reverend Fox, a very important man to the Township, who loved everyone in Whitehall Township and was always there for us and may he rest in peace.

2) **APPROVAL OF MINUTES**

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

Regular Public Meeting – February 10, 2014

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

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

Special Public Meeting – February 19, 2014

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

**B. COURTESY OF THE FLOOR**

Panna CHIBBER, 1688 Harding Circle, Whitehall, stated ~ 2 months ago came and spoke concerning the police and a disorderly conduct citation she feels was improper and unfair and damage to her door, has heard nothing from the police, no one has come to

check on the door except Commissioner PALAGONIA, did say in her letter she would go public if nothing happened, everybody seems to be passing the buck so she feels it is fair she gives this letter to the Mayor for his eyes only.

Ms. CHIBBER stated she is a recruiter for a multimillion dollar national construction company, are looking for people to hire and if anyone knows somebody who needs a job, to see her afterwards. President SNYDER stated she appreciates her bringing that to the floor but they cannot do that here, it is not their job, she can speak to any members of the audience but they cannot use this as a public forum for that.

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

**1. BILL NO. 9-2014 (First Hearing)**

TITLE: AN ORDINANCE AMENDING THE BENEFITS UNDER THE PENSION PLAN PROVIDED TO THE TOWNSHIP'S MUNICIPAL EMPLOYEES THROUGH THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW CREATING A DEFINED CONTRIBUTION PLAN FOR ALL NEW ELIGIBLE NON-UNIFORMED EMPLOYEES. (ADMIN)

President SNYDER read Bill No. 9-2014 to the Board.  
There were no questions or comments.

**2. BILL NO. 11-2014**

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF PROPOSAL FOR RENTAL OF AN ASPHALT MILLING MACHINE, CONTRACT NO. 14-02 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. 11-2014 to the Board.

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

Seven Commissioners were present and voted "yes". Bill No. 11-2014 was approved

**3. BILL NO. 12-2014 (First Hearing)**

TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO EXECUTE DEEDS OF EASEMENT FOR PROPOSED TWO (2) GENERALLY TWENTY FOOT (20') WIDE SANITARY SEWER EASEMENTS ALONG WITH VARIABLE WIDE TEMPORARY CONSTRUCTION EASEMENTS, IN FAVOR OF COPLAY-WHITEHALL SEWER AUTHORITY UPON, ACROSS, OVER, UNDER AND ALONG PROPERTY OWNED BY THE TOWNSHIP OF WHITEHALL ALONG ROUTE 22, SITUATED IN THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA (DEVELOP)

President SNYDER read Bill No. 12-2014 to the Board.  
There were no questions or comments.

**D. PUBLIC HEARING AND VOTING ON RESOLUTIONS**

1. RESOLUTION NO. 2835

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHITEHALL TOWNSHIP AMENDING THE WHITEHALL TOWNSHIP POLICE PENSION PLAN AND THE PLAN DOCUMENTS OF THE PMRS (NON-UNIFORMED PENSION PLAN) TO APPOINT A CHIEF ADMINISTRATIVE OFFICER FOR THE PLAN CONSISTENT WITH ACT 44 OF 2009. (ADMIN)

President SNYDER read Resolution No. 2835 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2835 was approved.

2. RESOLUTION NO. 2836

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

President SNYDER read Resolution No. 2836 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2836 was approved.

3. RESOLUTION NO. 2837

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)

President SNYDER read Resolution No. 2837 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2837 was approved.

4. RESOLUTION NO. 2838

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

President SNYDER read Resolution No. 2838 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2838 was approved.

5. RESOLUTION NO. 2839

TITLE: A RESOLUTION APPROVING THE REFUND OF PENSION CONTRIBUTIONS, PLUS ACCUMULATED INTEREST FROM THE POLICE PENSION FUND TO FORMER POLICE OFFICER DAVID GILBERT. (ADMIN)

President SNYDER read Resolution No. 2839 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”. Resolution No. 2839 was approved.

6. RESOLUTION NO. 2840

TITLE: A RESOLUTION APPROVING THE AMOUNT OF INTEREST RETURN TO BE CREDITED TO POLICE PENSION FUND MEMBER CONTRIBUTIONS FOR FISCAL YEAR 2013. (ADMIN)

President SNYDER read Resolution No. 2840 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. 2840 was approved.

***E. OTHER***

1. Commissioner HOWER moved, seconded by Commissioner PALAGONIA to approve the appointment of Donald Lipson to serve as counsel to the Tax Appeals Board at a rate of \$120.00 per hour.

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

2. Commissioner SLONAKER moved, seconded by Commissioner GINDER to give permission to AT&T to file an appeal to the Township’s Zoning Hearing Board for a variance to install a new equipment shelter at their Range Road cell tower.

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

**F. REPORTS OF PUBLIC OFFICIALS**

1. Commissioner PALAGONIA commented on the rough winter where a lot of money was spent on materials and questioned if we have enough money to repair West Columbia Street first in the spring. Mayor HOZZA stated the first priority is to get the total amount of bills in, then evaluate where we stand, it does look like something may have to be cut whether it is West Columbia or another street but Jack and Brian are still working out the numbers. Commissioner PALAGONIA noted West Columbia is very bad and does not know of another street that is worse. Mayor HOZZA agreed but noted it would have to come from the Board to do a budget transfer to take a loan from a capital reserve account to do West Columbia and then pay it back next year, something to take under advisement. President SNYDER noted the need to wait until they know what the numbers are. Mayor HOZZA agreed but noted West Columbia Street is full depth reclamation with a contractor doing the road, will be a time consuming process and was budgeted for \$325,000.
2. Commissioner GINDER stated Ms. CHIBBER put a question to them that the police haven't responded back to her. Chief KULP stated she believes Lt. BERTONI spoke to her last week. Ms. CHIBBER stated he did but stated he wasn't able to speak to the officer yet. Chief KULP stated she believes he wanted to make arrangements for them to meet with her and will speak to him tomorrow.
3. Commissioner SLONAKER commented on the latest report from the Police Pension Fund, are now in the top 1% of all funds of their size in the United States, things are going very well, hopes they continue that way, are up over \$6M and every dollar saved there is less of what they have to put into the fund later on. Commissioner GINDER commented on his excellent job. Commissioner SLONAKER stated it is the guys, not him.
4. Commissioner ARMSTRONG stated the School/Township Committee does not meet until May, knows we are looking for more volunteers while listening to the CTC report, in the past had a Student Government Day where students came and participated, would like to start seeing things like that, noted there are some great clubs over at the High School, the Outdoor Club has been doing a lot, has set aside an area where we have some rare trees that were fenced in so nothing happens to them, believes they are umbrella magnolia's. Mayor HOZZA stated he does speak to the social studies classes at the Middle School, has been attempting to get the environmental group here to assist with recycling day, used to use the football team but with electronics, the company brings their own people but there are also other opportunities to assist that day or on clean-up day where we have people throughout the Township picking up trash, don't necessarily have to do it that day, can pick a day or a week when they want to volunteer and also with the Communities that Care program. Commissioner ARMSTRONG asked if the Government Day can be brought back, with an affirmative response. Commissioner ARMSTRONG stated he used to be in charge of the Student Council, would pick the people who would come over, thinks it gets the youth more involved in the community, would like to see us start some of those things and would volunteer to be the person to help.
5. President SNYDER reminded them of the upcoming meetings with the Sewer Authority because they are very important. President SNYDER asked the Mayor about the Cold Springs Bridge and remembers the discussion about the sidewalks when they were here. Mayor HOZZA stated we never told PennDOT to take it or leave it, believes the issue

came down too not only shoveling the snow on the sidewalks but if they start to crack or crumble that the Township would replace them and is when we said “no” noting that hasn’t occurred in this or another municipality ever, do enter maintenance agreements to shovel their snow and cut their grass but will not be replacing concrete and thinks that is where the consultant went back to PennDOT and stated that fact and has put a call into PennDOT because there are also several other issues we need to sit down with them to go over. President SNYDER stated she recalls there was a young resident who was concerned about how he would get across but doesn’t remember exactly what we said we were going to ask them to do. Mayor HOZZA stated our last conceptual of the bridge was it was going to be an elevated sidewalk on the western side of the bridge with no barrier and then he got a call from the Road Warrior stating what was going on and will find out what is going on. President SNYDER stated there were sidewalks and people used them and doesn’t remember saying no to anything.

6. Mayor HOZZA passed out a draft copy of PennDOT’s 12 year Transportation Improvement Program (TIP) which highlighted what PennDOT will be spending in our region the next 12 years and the projects that are going to occur in Whitehall Township amount to a quarter of a billion dollars from the widening of Route 22 between Airport Road and 15<sup>th</sup> Street to six lanes, to the rebuilding of the Lehigh River Bridge, the Fullerton Avenue Interchange, the Cementon Bridge, the Mickley Road Bridge over Rt. 22 and is by far the largest investment.

Mayor HOZZA noted a committee of the Public Works Director and Supervisor, Township Surveyor and the Police Patrol Commander will report back to him by May 2<sup>nd</sup> on an update to our current snow emergency routes, the plan is to complete the report, bring it before L&L in June or July, get estimates on the cost of the increased signage, get it into the 2015 Budget and ask for the Board’s approval for its implementation. He noted during the nine inch snow storm, an Army Reserve humvee was activated in Lehigh County in case emergency vehicles couldn’t get through to a home and one goal is to get the distance down on our snow emergency routes in case emergency services need to get to a home in the middle of a major snow storm and another goal is the availability of relocation of parking areas since it is one thing to ask residents to move their cars but if they don’t have an alley, driveway or garage, they have to find an area. He noted we are not in the same difficult situations as the cities that open up their parking decks to residents but there are areas in the Township where residents could take their vehicles.

Mayor HOZZA commented on upcoming grant submissions, one is a Lehigh County Casino grant for the Police Department, second is a DCNR grant the Township will write to benefit the Hokendauqua Park and Playground Association to obtain funding for new restroom facilities and the third is a federal highway/PennDOT TAP grant.

Mario SPAGNOLETTI, 351 Sumner Avenue, Whitehall, wished luck to our new Commissioner and since he talked about trees, thinks they will get along very well. He noted there is an environmental event at the Wildlands Conservancy at the end of March, beginning of April, about soil, stream restoration, anything environmental, and thinks Whitehall will be sending some students from the middle school and asked if there is anything they can do to get young school people interested to help preserve some of the environment that is left in Whitehall, would really appreciate it since the Township’s Environmental group has a sub-committee that deals with native trees, trees on the right-of-ways and on the streets. He noted our recycling event is in May and asked if the drug drop-off could be incorporated along with the VIN etching. Chief KULP stated she would look into it and noted DA Jim MARTIN wrote a grant for a permanent drop box

they now have at the police station and is available during working hours with Officer Davis but need to call for an appointment.

Commissioner ARMSTRONG noted Mr. FOX is the advisor of the Outdoor Club at the High School; the club is really expanding and growing and would be a good club to tap into.

Attorney FONZONE stated the local government services of the County Government Center has asked us to look at our realty tax transfer ordinance, has drafted something along his recommendation and asked if it should be referred to the Legal and Legislative Committee. President SNYDER stated if the Board agrees is where it should go because they do not have that much information to deal with it now.

**G. ADJOURNMENT**

1. MOTION – Commissioner HUNSBERGER moved, seconded by Commissioner PALAGONIA to adjourn the meeting at 7:29 p.m.