
MINUTES

NOVEMBER 11, 2024

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, November 11, 2024 held at the Whitehall Township Public Meeting Room, with the following in attendance:

COMMISSIONERS

Thomas Slonaker, President
Jeffrey J. Warren, Vice President
Randy Atiyeh, Secretary
Alberta Scarfaro
Ken Snyder
Elizabeth N. Fox
Robert Piligian

TOWNSHIP PERSONNEL

Joseph J. Marx, Jr., Mayor
John D. Meyers, Deputy Mayor
Jack. Gross, Esq., Township Solicitor
Mark Bilder , Fire Chief
Lt. Jeffrey Minarovic for Michael Marks, Police Chief
Frank J. Clark, Engineer, KCE
Lee Rackus, PZ&D
Tina J. Koren, Tax Collector
Larissa Bruder, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence will follow for the Veterans past and present.

President SLONAKER read the statement on fair housing as required.

APPROVAL OF MINUTES

Commissioner SCARFARO moved, seconded by Commissioner FOX to approve the Minutes of the following meeting with corrections:

Regular Public Meeting – October 14, 2024

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

B. PRESENTATIONS

1. RECOGNITION OF PENNSYLVANIA STATE POLICE, WHITEHALL TOWNSHIP FIRE & POLICE DEPARTMENTS

Mayor Marx gave thanks to the State Police and their heroic efforts on the night of the October 25th Maryland Circle Fire where over 400 hundred residents were evacuated and with no loss of life. In addition, Mayor Marx also commended the members of the Whitehall

Fire Department, Whitehall Police and all other agencies involved.

Fire Chief Mark Bilder presented State Trooper James Wossa and Trooper Phillip Buccigrossi with Certificate of Appreciation Awards for the recognition of their heroic efforts.

2. VETERANS DAY VIDEO - Presented by Lee Rackus

C. PUBLIC HEARING AND VOTING ON LIQUOR LICENSE TRANSFER

RESOLUTION NO. 3349

A RESOLUTION APPROVING THE TRANSFER OF PENNSYLVANIA RESTAURANT FEASTA ITALIANA LIQUOR LICENSE NO. E-1343 TOP STAR EXPRESS OF PENNSYLVANIA INC., FOR USE AT 4755 MAIN STREET, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA (BOC)

David Berger, Esq., of Norris McLaughlin explained to the Board that the applicant is requesting an approval for a liquor license transfer in order to offer beer and wine sales at the Top Star Express Convenience store located at 4755 Main Street. This Eating Place License is being transferred from Feasta Italiana of 2400 Schoenersville Road to Top Star Express located at 4755 Main Street, Whitehall. This type of license only allows for sale of malt brewed beverages, and for a matter of reference only a 12 pack of beer can be sold.

Hours of sales will be from 7am to closing Monday thru Saturday, and 9am to closing on Sundays. Coolers will be locked beyond that time frame. Separate registers will be installed for beer sales. Cameras are already in place. All employees will be receiving Responsible Alcohol Management Program/RAMP training. Restriction for on-site consumption is limited to one beverage.

Commissioner PILIGIAN moved to approve, seconded by Commissioner SNYDER.

Seven Commissioners were present and voting "yes". Resolution No. 3349 was approved.

NOTE: The above represents a brief summation of this Liquor License Transfer hearing. A complete, verbatim transcript of the proceeding can be viewed upon request at the Township Municipal Building, 3219 MacArthur Road, Whitehall, PA.

D. CONDITIONAL USE

INDEX # 2051-24A – LANDSTON EQUITIES LLC – 3150 COFFEETOWN ROAD, OREFIELD, PA 18069. **LOCATION:** *2451 MAIN STREET, WHITEHALL, PA 18052, PIN 549876036692, THE SUBJECT PROPERTY IS LOCATED IN THE I- INDUSTRIAL ZONING DISTRICT. APPLICANT IS REQUESTING CONDITIONAL USE APPROVAL FOR A 190,400 SQUARE FEET DISTRIBUTION FACILITY PURSUANT TO SEC. 27-81 (D)(7) OF THE WHITEHALL TOWNSHIP ZONING ORDINANCE.

Present were Erich Schock Esq. of Fitzpatrick, Lentz & Bubba, Rocco Caracciola of Jaindl Land Company, John McRoberts and Scott Harney of the Pidcock Company, as well as Township Solicitor Jack Gross and Zoning Officer Christopher Gittinger.

Lanston Equities LLC is proposing a 190,400 square foot distribution facility to manage the transfer and

movement of various products. The facility would have 28 loading docks, 148 parking spaces and 53 foot building height. A new 13.95 acre lot will be created from an existing 37.19 acre parcel.

The Planning Commission granted conditional use approval to the project in September with 10 conditions. A month later the applicant appeared before the Commission again seeking modification to two of those conditions.

Upgrades to the Range Road and Eberhardt Road intersection is being proposed and truck traffic would be routed south of the building. Lengthy testimony and discussion ensued regarding foreseeable truck traffic issues, mainly the impact of surrounding roads that will most likely be utilized.

It was the consensus of the full Board to utilize the 45 day decision-making process and will deliberate and vote at their December 9th meeting.

NOTE: The above represents a brief summation of this Conditional Use Hearing. A complete, verbatim transcript of the proceeding can be viewed upon request at the Township Municipal Building, 3219 MacArthur Road, Whitehall, PA.

E. COURTESY OF THE FLOOR

Joni Todesko of 424 4th Street stated concerns with UGI's recent street restoration. The amount of area that was disturbed and restored could have constituted a new road. Frank Clark to look into the regulations for same and report back to the Board.

Deb Rosene of 4408 N. Church Street reported that the EAC contracted with PennDOT for Adopt a Road and two cleanups are required per year for the area Fullerton Avenue from Park to Pine Streets. They had a successful cleanup last Saturday where 60 bags of trash were filled.

F. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 35-2024

TITLE: AN ORDINANCE AMENDING CHAPTER 15, SECTION 17 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP, ESTABLISHING BRIDGE STREET AS "ONE WAY ONLY SOUTHBOUND" FROM RELIANCE STREET TO RUCHSVILLE ROAD IN WHITEHALL TOWNSHIP.

President SLONAKER read Bill No. 35-2024 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner SCARFARO

Frank CLARK explained that Bridge Street started out as a one way dirt path and along the way there was paving done. When Taylor Villas came in, Bridge Street was already being utilized as a short cut so the Commissioners wanted the road to be one way out to Ruchsville Road and the HOP was approved as such, with site distance playing an important part of that.

Peter TERRY, Township Traffic Engineer explained that PennDOT has six criteria for the creation of a road to be one way. Unfortunately, they don't apply to this particular situation as it mostly applies to a city scenario where you have one way street in one direction and the next block is the opposite.

Ehrich Schock Esq., representing Jaindl Land stated that Jaindl owns the parcel that runs the length of the west side of Bridge Street from Ruchsville Road to Reliance Street. This creates an access issue to this parcel, even though there is no development plan for this parcel. Frank Clark advised that if this parcel is developed in the future that Reliance Street could be utilized as that is a two way street.

SEVEN Commissioners were present and all voting “yes”. Bill No. 35-2024 was approved.

2. BILL NO. 37-2024

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF BOTH CURBING AND SIDEWALKS FOR 2,626 FEET ALONG THE MAUCH CHUNK AND RURAL ROAD AND SCHADT AVENUE FRONTAGES OF 1995 SCHADT AVENUE, AS REQUIRED IN CHAPTER 21, SECTION 21-16 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President SLONAKER read Bill No. 36-2024 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner ATIYEH. Commissioner PILIGIAN noted that there are existing pedestrian crossing at both Schadt Avenue and Mauch Chunk and Mauch Chunk and Rural Roads with no curbing. Previous discussions on these type of deferrals has always been about safety and with having pedestrian crossings you are encouraging foot traffic. Commissioner WARREN stated that there is an interior walk path being provided. President SLONAKER added that each situation is different and should be looked at on a case by case basis. David Lear, conflict Engineer explained that since there cannot be a curb installed due to drainage and runoff issues, a sidewalk is dangerous to have since there is no barrier.

SEVEN Commissioners were present and voting “yes”. Bill No. 37-2024 was approved.

3. BILL NO. 38-2024 (FIRST HEARING)

TITLE: AN ORDINANCE ADDING SUBSECTION C TO ARTICLE III, SECTION 3.14, PUBLIC MEETINGS AND PUBLIC NOTICE OF MEETINGS

President SLONAKER read Bill No. 39-2024 to the Board.

4. BILL NO. 39-2024 (FIRST HEARING)

TITLE: AN ORDINANCE AUTHORIZING THE SUBLEASE OF 5209 SPRINGMILL ROAD TO LEHIGH COUNTY FOR A COMMUNICATIONS TOWER IN ACCORDANCE WITH THE CODE OF THE TOWNSHIP OF WHITEHALL

President SLONAKER read Bill No. 39-2024 to the Board.

5. BILL NO. 40-2024 (FIRST HEARING)

TITLE: AN ORDINANCE AMENDING CHAPTER 27, ZONING, ARTICLE XIII, SIGNS, OF THE TOWNSHIP ZONING ORDINANCE

President SLONAKER read Bill No. 40-2024 to the Board.

G. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3346
TITLE: A RESOLUTION AMENDING RESOLUTION NO. 3325 AND CONDITIONALLY APPROVING THE LAND DEVELOPMENT PLAN OF PROPOSED WAWA REDEVELOPMENT LOCATED AT MACARTHUR AND MICKLEY ROADS, INDEX NO. 2036-24A.

President SLONAKER read Resolution No. 3346 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner SNYDER

SEVEN Commissioners were present and voting “yes”. Resolution No. 3346 was approved.

2. RESOLUTION NO. 3347
TITLE: A RESOLUTION REQUESTING A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMONWEALTH FINANCE AUTHORITY STATEWIDE LOCAL SHARE ASSESSMENT GRANT FOR THE PURCHASE OF A SKID STEER LOADER FOR THE PUBLIC WORKS DEPARTMENT

President SLONAKER read Resolution No. 3347 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner SCARFARO

SEVEN Commissioners were present and voting “yes”. Resolution No. 3347 was approved.

3. RESOLUTION NO. 3348
TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MINOR SUBDIVISION/ LAND DEVELOPMENT PLAN OF FELLOWSHIP COMMUNITY INDEPENDENT LIVING APARTMENTS, LOCATED AT 3600 MAUCH CHUNK ROAD, INDEX NO. #2046-24A.

President SLONAKER read Resolution No. 3348 to the Board.

Commissioner PILIGIAN moved to approve, seconded by Commissioner FOX.

Commissioner PILIGIAN questioned the number trees to be removed and the Design Engineer advised that they will install more and a better species of trees than are being removed. Commissioner SNYDER noted that he has not seen comments on this plan from the Fire Chief, as he has a concern of how a fire apparatus will access the rear of buildings 2 and 3 due to steep slopes and with no paved road. After further discussion, the plan will be reviewed by the Engineers to address this concern.

The original motion was withdrawn.

Commissioner SCARFARO moved to table, seconded by Commissioner SNYDER

SEVEN Commissioners were present and voting “yes”. Resolution No. 3348 was tabled.

E. OTHER

MOTIONS

1. MOTION - to approve the formation of an Ad Hoc Committee for reviewing the Charter

This item will be held over until December for further discussion.

2. MOTION - to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo November 5, 2024.

Seven Commissioners were present and voting “yes”. Motion passed.

DISCUSSION

1. Establishment of an Open Space Committee

Commissioner SNYDER suggested waiting until the early part of next year to move forward.

Commissioner WARREN stated that this would go before the L&L Committee.

Commissioner PILIGIAN noted that this Committee should be made up of representatives from various Boards and Commissions along with the public.

The Board agreed to move it to L&L to start discussions.

F. REPORTS OF PUBLIC OFFICIALS

Commissioner FOX thanked Veterans for their service and attended the ceremonies today. She also attended the Fireman’s Banquet.

Commissioner SCARFARO thanked Veterans for their service and appreciates the sacrifice they made, as she has many in her family. She attended the Muslim Association of the Lehigh Valley Open House and it was a great event and they were very welcoming. Halloween Parade was a great success. Shout out to the Whitehall Girl’s Soccer and Basketball teams as they volunteered at a recent event. Thanked all for coming out tonight.

Commissioner ATIYEH thanked Veterans and Lee Rackus for the video presented this evening. He also thanked poll workers that work the recent election. Bingo callers are needed for the Senior Center.

Commissioner WARREN thanked Veterans and Lee Rackus for putting tonight’s video together. He thanked high school students who took training and manned the polls at the recent election, and they did a great job. Next, he stated that Senator Miller is looking to push forward for a LSA grant that is due at the end of month for updating MacArthur Parkway Study that was originally done in 2012. Updating is needed and it will be merged with Allentown and PennDOT’s study to the north so there are scenarios available to get funding for construction. Chad Helmer can put it together by the deadline and he is hoping to have it before the Board for approval in December. Lastly, further costs for the approved banner has become an issue with moving forward with installation. After discussion, it was determined that this will move forward once a permit is approved.

Commissioner PILIGIAN attended EAC and Recreation Meeting. Attended the budget hearings with a lot of good discussion. Thanks to Lee Rackus for the Veterans Day Video. Lastly, he participated in the Halloween Parade and it was enjoyable.

Commissioner SNYDER thanked Lee Rackus for the Veterans Day Video. Recreation Comprehensive Plan will need an additional study, which funding will need to be figured out.

President SLONAKER attended and had a fun time at the Halloween Parade. Participated in the Budget Hearings and is happy with the outcome. Lastly, giving thanks to Veterans, he stated that this country would not be as great as it is without the people who served.

Treasurer KOREN forwarded her report to the Board.

Mayor MARX forwarded his Report to the Board.

G. ADJOURNMENT

MOTION – Commissioner SCARFARO moved, seconded by Commissioner SNYDER to adjourn the meeting at 12:03AM.