
MINUTES

OCTOBER 12, 2020

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 7:06 p.m. on Monday, October 12, 2020 held virtually via WEBEX, with the following in attendance:

COMMISSIONERS

Philip J. Ginder, President
Joseph J. Marx, Jr., Vice President
Thomas Slonaker, Secretary
Jeffrey J. Warren
Charles G. Fisher
Randy Atiyeh
Michael D. Dee

TOWNSHIP PERSONNEL

Michael P. Harakal, Jr., Mayor
John D. Meyers, Deputy Mayor
John F. Gross, Esq.,
Township Solicitor
Michael Marks, Police Chief
Frank Clark Engineer
Lee Rackus, PZ&D
Colleen L. Gober, Tax Collector
Larissa Bruder, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a note of thanks given to all serving in the Armed Forces, First Responders, Healthcare Workers, Grocery Store Workers, and Municipal Staff who are all seeing the community through this hard time.

President GINDER read the statement on fair housing as required.

APPROVAL OF MINUTES

Commissioner FISHER moved, seconded by Commissioner ATIYEH to approve the Minutes of the following meeting:

Regular Public Meeting – September 14, 2020

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

B. COURTESY OF THE FLOOR

No one present to address the Board.

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

1. **BILL NO. 26-2020**

TITLE: AN ORDINANCE AMENDING CHAPTER 15, SECTION 37 OF THE 2006 CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP, ESTABLISHING A 35 FT LGTH NO PARKING ZONE ALONG THE WEST SIDE OF KUHN'S LANE AT ITS MAIN STREET SR 329 CORNER IN THE EGYPT AREA OF THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

President GINDER read Ordinance No. 26-2020 to the Board.

Commissioner DEE moved to approve, seconded by Commissioner MARX. Commissioner DEE questioned if 35 ft. is enough length. Commissioner MARX noted that the residents there need as much available on-street parking as possible and in speaking with Fire personnel, the 35 ft will be enough for a fire truck to swing in.

Seven Commissioners were present and voting "yes". Ordinance No. 26-2020 was approved.

2. **BILL NO. 27-2020**

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE INSTALLATION OF FENCING FOR THE CEMENTON PLAYGROUND BASKETBALL AND TENNIS COURTS FOR THE RECREATION BUREAU OF THE TOWNSHIP OF WHITEHALL, BID 2020-07 IN ACCORDANCE WITH SECTION 3.20 OF THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE (RECREATION)

President GINDER read Ordinance No. 27-2020 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner WARREN.

Seven Commissioners were present and voting "yes". Ordinance No. 27-2020 was approved.

3. **BILL NO. 28-2020**

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE AND INSTALLATION OF NEW FINANCIAL MANAGEMENT SOFTWARE, FOR THE WHITEHALL TOWNSHIP MUNICIPAL BUILDING, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (ADMIN)

President GINDER read Ordinance No. 28-2020 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner SLONAKER.

Commissioner WARREN questioned if the software includes an Accounting/Auditing component and whether the contract has been reviewed by the Twp Solicitor and any escalation in fees. Deputy Mayor MEYERS noted that the agreement lists fixed fees and Debi BOWMAN-Township Finance Officer spoke that she worked with this system in Allentown and is very familiar with it. She also indicated that it has a very good auditing/accounting component and is highly confident of this system after doing extensive research. Commissioner SLONAKER advised that with the research he did on his own, he found that there are numerous versions and is satisfied that the Township Staff is recommending it.

Seven Commissioners were present and voting “yes”. Ordinance No. 28-2020 was approved.

4. BILL NO. 29-2020

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF BODY CAMERAS FOR THE WHITEHALL TOWNSHIP POLICE DEPARTMENT, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (POLICE)

President GINDER read Ordinance No. 29-2020 to the Board.

Commissioner FISHER moved to approve, seconded by Commissioner DEE.

Commissioner WARREN asked the grant value. Chief MARKS noted it was approximately \$44,000. Commissioner FISHER asked if this is the first time w/body cameras. Chief MARKS noted that it is the first time, but have had in-car cameras. Commissioner SLONAKER asked what they policy is when they will be used. Chief MARKS advised that rules established have been vetted through the Police Association, the DA and State Police.

Seven Commissioners were present and voting “yes”. Ordinance No. 29-2020 was approved.

5. BILL NO. 30-2020

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF THREE (3) 2021 DODGE CHARGER VEHICLES FOR THE POLICE PATROL DIVISION, IN ACCORDANCE WITH SECTION 3.20 IN THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE. (POLICE)

President GINDER read Ordinance No. 30-2020 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner WARREN.

Commissioner WARREN asked if there are discretionary funds for this purchase. MEYERS indicated that this Dept. stayed under budget. Chief MARKS noted that there was a car from 2019 that was not able to be purchased that was carried over.

Seven Commissioners were present and voting “yes”. Ordinance No. 30-2020 was approved.

6. BILL NO. 31-2020 (FIRST HEARING)

TITLE: AN ORDINANCE OF THE TOWNSHIP OF WHITEHALL AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OR A GENERAL OBLIGATION NOTE IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$8,700,000 FOR THE PURPOSE OF FUNDING CAPITAL PROJECTS, INCLUDING THE CONSTRUCTION OF A NEW POLICE STATION AND OTHER CAPITAL PROJECTS OF THE TOWNSHIP INCLUDING ADDITIONS, ALTERATIONS, RENOVATIONS, IMPROVEMENTS TO AND FIXTURING AND EQUIPPING OF CERTAIN TOWNSHIP FACILITIES AND GROUNDS. (ADMIN)

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 3135

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MINOR SUBDIVISION/LAND DEVELOPMENT PLAN OF 3332 & 3330 E. COLUMBIA ST., INDEX # 1968-20.

President GINDER read Resolution No. 3135 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner FISHER.

Commissioner FISHER questioned how trash would be handled. President GINDER also questioned how the unnamed Alley will be handled. Rob PILIGIAN advised that the trash is picked up and will continue to be on E. Columbia Street. The Alley doesn’t qualify as a street per the Township regulations. Commissioner WARREN had concerns with EMS being able to locate the rear house. Rob PILIGIAN advised that the enhanced 911 system utilizes the Parcel Identification Number which is assigned to each lot.

Seven Commissioners were present and voting “yes”. Resolution No. 3135 was approved.

2. RESOLUTION NO. 3136

TITLE: A RESOLUTION ADOPTING ESCROW AND REIMBURSEMENT POLICIES AND AGREEMENTS FOR SUBDIVISION AND/OR LAND DEVELOPMENT AND FOR MATTERS OTHER THAN SUBDIVISION AND/OR LAND DEVELOPMENT. (DEVELOP)

President GINDER read Resolution No. 3136 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner FISHER.

Seven Commissioners were present and voting “yes”. Resolution No. 3136 was approved.

3. RESOLUTION NO. 3137

TITLE: A RESOLUTION REQUESTING A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMONWEALTH FINANCE AUTHORITY LOCAL SHARE ACCOUNT GRANT FOR THE RENOVATION OF THE HISTORIC MICKLEY PRYDUN FARM

President GINDER read Resolution No. 3137 to the Board.

Commissioner WARREN moved to approve, seconded by Commissioner DEE.

Commissioner WARREN explained that this Resolution will allow for the submission of a grant application for gaming funds to obtain funds for renovations for the proposed property and grant would be written flexible to use for either home on the property. If this grant is not applied for, it would be another 2 years for an opportunity to apply for such a grant. Commissioner MARX voiced his concerns with possibly getting awarded funds but not being successful in the future in obtaining money and how will this property move forward without using tax dollars. Commissioner WARREN stated that he feels this is worth preserving for Whitehall's history and quality of life. Commissioner FISHER stated his concerns regarding taxes and long term utility on this site, but understands the importance of moving forward with the proposal and believes there is merit to do so. Commissioner DEE stated the importance of preserving history. President GINDER stated that he was in support of the original purchase of this property. The intent was for the area to remain open/space with the access to the Coplay Creek and the IRT being an asset. After receiving the inspection reports it is apparent that it will be costly to restore this property. He feels a proper Committee should be formed to evaluate this property. President GINDER would support this endeavor if it is done properly and with much consideration as to not involve tax dollars.

Seven Commissioners were present with 5 voting "yes" and 2 voting "no" (GINDER & MARX). Resolution No. 3137 was approved.

E. OTHER

1. MOTION - TO APPROVE THE REAPPOINTMENT OF JOSEPH WILFINGER TO THE RECREATION COMMISSION-HISTORICAL SOCIETY, TERM TO EXPIRE ON 9/30/2023.

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

2. MOTION - TO APPROVE THE REAPPOINTMENT OF ROBERT MILLER TO THE RECREATION COMMISSION-GARDEN CLUB, TERM TO EXPIRE ON 9/30/2023.

Commissioner WARREN noted that Mr. Miller and Mr. Wilfinger are great assets and support their reappointment.

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

3. MOTION - TO APPROVE THE REAPPOINTMENT OF JOHN KELLY TO THE RECREATION COMMISSION, TERM TO EXPIRE ON 9/30/2023.

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

4. MOTION – TO APPROVE THE REAPPOINTMENT OF ELIZABETH FOX TO THE RECREATION COMMISSION, TERM TO EXPIRE ON 9/30/2023.

Commissioner DEE thanked all the re-appointees for the volunteering and and the great work they do.

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

5. MOTION – TO ENDORSE THE BUREAU OF PLANNING ZONING & DEVELOPMENT LOCAL PROPERTY MANAGER GUIDE.

Commissioner’s MARX, FISHER & DEE noted that Lee RACKUS did a great job in preparation of this document. It will be a great tool for the property owners/managers.

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

6. MOTION – TO APPROVE THE WALMART SETTLEMENT OF OVERNIGHT TRUCK TRAFFIC PARKING LITIGATION.

Attorney GROSS explained that there was litigation w/WalMart over truck traffic parking issues and a proposed settlement consisting of a \$5,000 payment and a process between Twp Zoning Officer and Walmart to ensure there aren’t future problems.

In conjunction with this discussion, Commissioner MARX advised that over the past weekend, there was a T-Mobile truck with a tent set up in the parking lot. Lee RACKUS advised that her department will follow-up.

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

7. DISCUSSION – REZONING OF TOWNSHIP PROPERTY ALONG W. COLUMBIA & MACARTHUR ROADS FROM R1 TO C-2A

Mayor HAKAKAL stated that in evaluating the property over the years, this property would be an appropriate location, being adjacent to an industrial district, will make it more marketable and provide better income for the Township. Commissioner FISHER questioned the acreage of the tract. The Mayor stated it is 31.672 acres. He also asked what type of commercial facility could go there? Mayor advised that C-2A designation would be more community commercial with a maximum bldg. size being 20,000 sq ft. Mayor advised that he would provide a map of the area. This will move onto the LVPC and Twp Planning Commission. President GINDER raised a concern on access of the adjacent Quarry for utilization of a future Cameron Tract.

At this time, President GINDER confirmed that the Budget Hearings will be held on October 27, 28 and 29 to be held at the Schadt Avenue Playground Building.

E. REPORTS OF PUBLIC OFFICIALS

Commissioner FISHER noted that he will not be participating in Trick or Treating this year, he advised that any that do, refer to the guidelines that have been posted on the Twp. website. He also gave a public service announcement regarding the importance of getting flu shots this year that are now available at many pharmacies and doctor's offices.

Commissioner DEE strongly urged motorists to be cognizant of school bus stops and to stay aware and be cautious around them. Any buses stopped at an intersection, motorists must stop in all directions.

Commissioner WARREN voiced his concern with the appearance of store fronts/gutters of businesses on the southern end of MacArthur Road. He also noted that fire prevention week is a good time to have a conversation with your family and go over escape routes in your home.

Commissioner ATIYEH seconded Commissioner DEE's comment on school buses. He also stated that we need to consider providing healthy activities and positive opportunities for the youths in our community.

Commissioner SLONAKER noted that the land between the Home Depot parking lot and Jordan Creek is not being maintained. Frank CLARK advised that area is part of the Jordan Greenway Project which was designated for riparian buffer

Mayor HAKAKAL informed the Board that he has been meeting with WTICDA regarding the forming of a General Purpose Authority. He recently visited Cryo Science which has chosen Whitehall for their National Headquarters. The business contracts with professional sports teams and supplies equipment that lowers the athletes body temperature to limit inflammation and injuries. The MAYOR also advised that the building progress is on tract per the initial schedule provided by the contractor. After receiving notice that Fulton Bank will be closing at the end of the year, our Purchasing Agent is working on a request for banking services. He also apologized to the Board for any misunderstanding with regards to the Prydun Farm and providing information to them. He will put forth better communication efforts.

Treasurer GOBER advised that the September report will be completed tomorrow and will be mailed out to the Board. She also noted that she and the BP Clerk attended a virtual conference on the impact COVID has had on collecting business privilege tax and provided good information on ways to obtain taxes from non-paying businesses. She gave high praise to her BP Clerk who is willing to do what is necessary to get these funds collected.

F. ADJOURNMENT

MOTION – Commissioner FISHER moved, seconded by Commissioner DEE to adjourn the meeting at 8:49 p.m.