
MINUTES

February 13, 2017
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, February 13, 2017, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

COMMISSIONERS

Phillips M. Armstrong, President
Dennis C. Hower, Vice President
Thomas Slonaker, Secretary
Jeffrey L. Dutt
Philip J. Ginder
Joseph J. Marx, Jr.
Linda K. Snyder

TOWNSHIP PERSONNEL

Edward D. Hozza, Jr., Mayor
John D. Meyers, Deputy Mayor
Charles Fonzone, Attorney
Lee Rackus, PZ&D
Frank Clark, Township Engineer
Michael Marks, Police Chief
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag, a moment of silence for former Whitehall Township Commissioner Dales FLORES who passed away.

President ARMSTRONG read a statement on fair housing.

2) **APPROVAL OF MINUTES**

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

Regular Public Meeting – January 9, 2017

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

B. OATH OF OFFICE

Chief MARKS stated the three young men being introduced will serve the community with distinction for years to come, started their careers with the Whitehall Police Department on January 16, 2017, are currently assigned to the field officer training program and will conduct themselves with integrity, accountability and character to further the trust established with this community thru the generations of Whitehall Township Police Officers. The profession they have chosen is not always easy, comes with built in sacrifices, many a weekend will be missed as well as Christmas, other holidays and events but will always have the support they need as they are joining the Whitehall Police family. He noted the scrutiny of Police Officers is at an all-time high and they must never betray the oath they are about to take.

Police Officers Edwin NISTAL, Aaron REED and Hung NGUYEN were sworn in by Notary Public Patricia SWEENEY. Mayor HOZZA presented the badge of office to each officer.

C. PUBLIC HEARING AND VOTING ON LIQUOR LICENSE TRANSFER

1. RESOLUTION NO. 2961

TITLE: A RESOLUTION APPROVING THE TRANSFER OF PENNSYLVANIA RESTAURANT LIQUOR LICENSE NUMBER R-16136 FROM THE PENNSYLVANIA LIQUOR CONTROL BOARD TO WEIS MARKETS, INC., 1000 S. SECOND STREET, SUNBURY, PA, FOR USE AT 3644 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA. (BOC)

President ARMSTRONG read Resolution No. 2961 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner MARX.

Attorney Ellen FREEMAN, of O’Hara and Flaherty representing Weis Markets, stated the license would be used for a restaurant within the current grocery store with seating for 30 patrons, a selection of prepared food to consume on premise or to grab-and-go, will sell beer for on premise consumption and to go along with wine. President ARMSTRONG asked where it would be located in the store. Attorney FREEMAN stated the front left of the building, hours of operation would be Monday thru Saturday 8:00 am to midnight and Sunday from 9:00 am to 11:00 pm. There will be a dedicated restaurant manager who will receive RAMP training along with all servers, will offer on premise single servings of beer with a limit of 2 beers, also take out of 2 six packs and 4 bottles of wine, all purchases must be made at the café register and there will be no type of entertainment. Commissioner DUTT asked if there will be a sign stating drinks cannot be taken out of a certain area and how will it be enforced. Attorney FREEMAN stated there will be signage and a delineation of 4 foot bollards between the café and the grocery store.

David GILL, Weis Markets Director of Architecture, stated it would be completely delineated with the bollards, different flooring, would be located where the Pharmacy is now which will be relocated. Commissioner SNYDER asked if all the conditions are stated in this resolution, would like to see the hours of operation stated. Mr. GILL noted the hours are controlled by the Liquor Control Board, they follow their laws. Attorney FREEMAN stated they would have all of the privileges of a restaurant liquor license, will not be operating as a bar, will put the hours in the resolution but reserve the right to come back before the Board if they want to change the hours.

Kerry KRAMER, 1259 Echo Drive, Whitehall, asked how the police plan on enforcing this with people coming out onto MacArthur Road. Chief MARKS stated they would not do anything different than what they do with other restaurants or bars or anything else in the Township business wise, will treat everyone the same and if there is a violation of the law, will deal with it.

Seven Commissioners were present and voted “yes”. Resolution No. 2961 was approved with the added conditions as presented.

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

D. COURTESY OF THE FLOOR

Jim ROTH, 5604 N. Coplay Road, Whitehall, stated the gate was open with UGI trucks hauling out asphalt on Saturday and asked if that is allowed. Frank CLARK stated they are allowed to haul it out, do not want to landfill it and cannot process it on site. Mr. ROTH asked if consideration has been given to have weight restrictions on N. Coplay Road. Mayor HOZZA noted we have information on it now and are waiting to act on it.

Christ FEIDLER, 5046 Foxdale Drive, Whitehall, stated the quarry hours are getting flexible again, road is starting to get filthy, put the camera back, the road was bad after the snow storm and when will it get fixed. Frank CLARK stated are looking at rebuilding the road from the entrance to the quarry out to Coplay Road. Mr. FEIDLER asked if double yellow lines can be added to Chestnut Street because of the truck traffic going beyond the speed limit into Coplay Aggregates and if Coplay Aggregates can clean the road better.

Mayor HOZZA stated he has been in contact with the Army Corps of Engineers in New York and New Jersey, the head of government affairs assured him none of the tri-axle trucks coming into the Township are from any dredging project in New York or New Jersey and to contact the Army Corps in Philadelphia who is doing a dredging project in the Delaware. Mayor HOZZA noted these dredging of rivers and bays are being done to deepen them to accept larger cargo ships on the east coast vs. the west coast, was told by a Merchant Marine they are doing dredging on the Raritan River, are using dynamite to blast thru the rock which is then placed on barges and taken out to sea and dumped but the silt and the sand are worth money so it gets truck somewhere and are dealing with ~300 tri-axes a day coming into the Township. The Philadelphia Army Corps stated the material from the Delaware is being stored along the shore line areas before it is shipped. The Army Corps in New York and New Jersey stated they are not doing the Raritan River, is the New Jersey DEP, have not received a call back but recon is telling us it is coming from the Raritan River and emails have been sent to the head of environmental affairs for Beekmantown Road about cleaning the streets. Mayor HOZZA stated DEP reports show that 45,000 trucks have come into the Township within the last 13 months, cement is added in the summer to cut down on the odor except when it hits 90 degrees and areas in Cementon smell like the bottom of a river. Chris FEIDLER stated the trucks are racing on MacArthur Road. President ARMSTRONG agreed noting PA is the only State that does not allow local police to use radar and is a problem for local municipalities. Chief MARKS stated the Commercial Vehicle Team has been out more, 7 times in the last 3 weeks, have done 14 inspections on trucks, put 2 out of service, issued 23 citations, and are doing a good job. Frank CLARK noted the staff met with DEP representatives and will have the minutes as soon as DEP approves them also.

Harold SELL, 4254 Main Street, Whitehall, stated he is concerned about the speedi-dry put down by the Fire Department when there is an accident, are not sweeping it up like years ago and is dangerous to a motorcyclist as it causes you to slide when trying to stop. Mayor HOZZA stated it is in the contract now for tow operators that they must sweep the street. Deputy Mayor MEYERS stated the new Fire Chief is changing the policy, is also looking into using other products and if it happens during Public Works daily operations, the street sweeper will be sent out.

Mayor HOZZA asked if the response letter sent to Mr. HORVATH was shared, the fair housing statement read by President Armstrong also relates to group homes in the Township noting no elected official or staff member may discriminate against any class of people that live here. Our inspection agency was told by the property owner the broken bedroom and bay windows would be taken care of, the police have been there ~10 times since October and Cetronia 4 times, reached out to the owner in Princeton, New Jersey and was assured they would look into the supervision of the facility. Also reached out to Lehigh County Health and Human Services who has launched an investigation to see if 1 or 2 of the residents need to be moved or if the

supervision is inadequate to deal with the clients in the home, is all the Township can do with the oversight of a group home, have ~10 in the Township and 99% of the time do not have any issues, this is a first.

Mark PULCINKSY, 891 W. Highland Street, Whitehall, stated it is why the neighbors are here, something needs to be done, are concerned and appreciate what is being done. Mayor HOZZA stated these homes do work but in his opinion the state and federal governments do not need to close every facility where they have qualified people to give quality care and today see individuals being incarcerated for years when they should have been in a facility for mental illness.

Doug WILLIAMS, 944 W. Highland Street, Whitehall, stated he lives near the problematic group home, is disabled himself, believes in inclusion but feels his civil rights are being violated because he does not feel safe in his neighborhood because of this violate person who breaks windows, saw him kicking his neighbor's house, wonders if he will come and hurt him or his mother, is walking naked around the neighborhood, does he have violent sexual tendencies, should be in a more secure environment, asked if there are funds to get a civil lawsuit against this business to get them to do the right thing. Mayor HOZZA stated they can as a group of individuals but not as a local government.

Commissioner DUTT stated the structure of the MHMR is to protect the people living in those homes and need to go thru a lengthy process to remove someone. Commissioner HOWER asked at what point does it become a nuisance regardless of whatever condition a person may have, boggles his mind there are no regulations for these places, are going thru a transformation in this country, believes over the next few months will hear a ton of initiatives to privatize just about every service, is what is happening here since they privatized these mental health facilities and is ridiculous to put them in a home in a residential neighborhood with no regulation. Chief MARKS stated there is regulation, have enforced two criminal matters at that address, with the MHMR system have to be a lot more lenient with offenses that occur outside the home, have to rely on people in other government services. Commissioner HOWER stated they privatize all these services and then leave well-meaning citizens to pick up all the pieces. Commissioner GINDER stated to imagine trying to raise a family with young children next door and the people making these decisions would be screaming if it happened next door to them. Mr. WILLIAMS stated there are four children ages 1½ years to 7 years old that live across the street from him. He is disabled for 30 years, he and everybody else in the neighborhood have rights, feels unsafe and if he needs to open carry now when he goes out in is yard because someone mentally disturbed is going to come in his yard and attack him or his mother. President ARMSTRONG stated they didn't set up rules and regulations when the privatization was done but the Township cannot be the ones to set them up, they need to come from the state government.

Hilda GOODIN, 928 Highland Street, Whitehall, stated she is the next door neighbor to this home, they do not have any supervision, knows the police have been there 15 times and 4 ambulances have been there in the last 2 weeks. So many things have happened, one guy came into her yard, they come to her door and pull at it, had to have it repaired because the latch was pulled out, they come into her driveway, finds them looking in her window, are so many out of state cars and wonders if they are bringing people here from New York and New Jersey. President ARMSTRONG stated anytime she feels unsafe to call the police. Mr. GOODIN stated she moved their 10 years ago because it was a nice quiet place, everyone looks out for each other, now has to take blood pressure pills, doesn't think it is fair and worries about the little kids. Commissioner DUTT stated if people don't report things that are happening around their homes, there is nothing we can do if it is not documented and need to get the message out so people report things. Mayor HOZZA stated any citations must come from the PA Department of Health for any supervisory issues. Commissioner DUTT noted they need to have a certain amount of

staff regulated by the state. Ms. GOODIN stated our tax dollars are paying for the police, ambulances, and the damages to the home. Commissioner MARX stated if she or any neighbors fear for their personal safety or property to call the Whitehall Police, the other Commissioners agreed and Commissioner HOWER suggested to keep calling the owner of the property. Mayor HOZZA noted there are still people in our society who take care of their own, knows many who have sacrificed to take care of a family member and one is on the dais but for others it's the government's job.

Kerry Kramer, Echo Drive, Whitehall, stated people need to call their State Representative Dan MCNEILL. Mayor HOZZA also suggested State Senator Lisa BOSCOLA.

E **PUBLIC HEARING AND VOTING ON ORDINANCES**

1. BILL NO. 2-2017

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE ANNUAL MAINTENANCE AND SERVICE CONTRACT FOR COMPUTERS FOR THE WHITEHALL TOWNSHIP POLICE 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 ARMSTRONG read Bill No. 2-2017 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 2-2017 was approved

2. BILL NO. 3-2017

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PURCHASE OF (2) 2017 FORD UTILITY POLICE INTERCEPTOR VEHICLES, (1) 2017 FORD UTILITY POLICE INTERCEPTOR (K-9) VEHICLE, AND (1) 2017 FORD SEDAN POLICE INTERCEPTOR VEHICLE 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 ARMSTRONG read Bill No. 3-2017 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner MARX. There were no questions or comments.

Seven Commissioners were present and voted “yes”. Bill No. 3-2017 was approved

3. BILL NO. 4-2017

TITLE: AN ORDINANCE AMENDING CHAPTER 15, SECTION 40 OF THE 2006 CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP, ESTABLISHING A 2 HR LIMIT PARKING TIME ZONE FOR CERTAIN DAYS & TIMES ALONG THE SOUTH SIDE OF SOUTH LEHIGH AVENUE BETWEEN

FAIRVIEW STREET AND 92 FEET EAST IN THE TOWNSHIP OF
WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

President ARMSTRONG read Bill No. 4-2017 to the Board.

Commissioner SNYDER moved to approve, seconded by Commissioner DUTT. There were no questions or comments.

Seven Commissioners were present and voted “yes”. Bill No. 4-2017 was approved

4. BILL NO. 5-2017

TITLE: AN ORDINANCE ESTABLISHING THE SALARY OF THE TOWNSHIP
TREASURER FOR THE YEARS 2018, 2019, 2020, AND 2021. (BOC)

President ARMSTRONG read Bill No. 5-2017 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner GINDER.
Commissioner HOWER stated he felt a 3 year wage freeze is ridiculous.

Seven Commissioners were present with six voting “yes” and Commissioner HOWER
voted “no”. Bill No. 5-2017 was approved

5. BILL NO. 6-2017

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL
FOR PURCHASE OF A 2016 WEILER P385B TIER 4 FINAL COMMERCIAL
TRACK ASPHALT PAVER FOR THE PUBLIC WORKS DEPARTMENT, 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 ARMSTRONG read Bill No. 6-2017 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner HOWER.

Commissioner GINDER asked what happens to the old one. Deputy Mayor MEYERS
stated it goes to auction.

Seven Commissioners were present and voted “yes”. Bill No. 6-2017 was approved

6. BILL NO. 7-2017

TITLE: AN ORDINANCE ESTABLISHING LIMITS ON POLITICAL
CONTRIBUTIONS THAT A PERSON OR POLITICAL COMMITTEE MAY
MAKE OR OTHERWISE CAUSE TO BE MADE AVAILABLE TO A
CANDIDATE IN MUNICIPAL ELECTIONS WITHIN WHITEHALL
TOWNSHIP AND SETTING PENALTIES FOR VIOLATIONS THEREOF;
AND AMENDING THE CODE OF ETHICS OF THE TOWNSHIP OF
WHITEHALL TO PROVIDE FOR INVESTIGATION AND ADJUDICATION
OF ALLEGED VIOLATIONS BY THE WHITEHALL TOWNSHIP BOARD
OF ETHICS. (BOC)

President ARMSTRONG read Bill No. 7-2017 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner HOWER.

Commissioner SNYDER stated she is not against the ordinance, has seen pay-to-play in the Township over the years but if the state or federal government supersede what we want to do with Ethics as far as contributions to candidates. Attorney FONZONE stated they have the right to make the call. Commissioner SNYDER stated the Supreme Court ruled you can contribute as much as you want to a candidate. Commissioner HOWER stated the attorney at the L&L meeting stated it has not been challenged in cases she has seen. Commissioner SNYDER stated when Allentown did it with a gun and phone issues it was shot down, wants to make sure they are doing the right thing, when she is finished with her term will have 28 ½ years, never took a penny but has seen it done over the years and would make it a bigger amount. Commissioner HOWER stated he wanted to triple the penalties because of the need to take back our democracy and get this money out of our system. President ARMSTRONG stated Whitehall Township is one of the first in the area to come out against pay-to-play, are establishing something to let people know money isn't going to bait your way into Whitehall, will someone run for office and have someone wanting to give them \$50k, will that happen, will they accept it, will they challenge our law in court, they may but we feel we owe it to the citizens of Whitehall to ensure their democracy is not going to be pay-to-play. Commissioner GINDER stated they seem to be challenged by anything they do, if we feel this how we should go forward, then do it and forget the state and federal government, let them challenge us. Commissioner SNYDER asked if one reading is sufficient since it involves money, with an affirmative response. Commissioner MARX asked what the apparatus is for a reportable offense because can have political witch hunts. President ARMSTRONG stated when you get a petition, must also get a financial form, need to note every time you get a donation of \$50 or more. Commissioner MARX asked if it can be used because it is a County document, it was noted it is a public record have to file with the Township also. Mayor HOZZA noted this ordinance did not come from our Ethics Board, came from Attorney FONZONE firm, Gross and McGinley, is a collaboration of the legislation passed in the City of Philadelphia, Lehigh County and the City of Allentown, there has been no issue in this building with pay-to-play since January, 2008 when he became Executive/Mayor, has never happened under this administration and this Board and our whole staff are committed to the ethical functioning of this government.

Jim ROTH, 5064 N. Coplay Road, Whitehall, asked if there is going to be any numerical value put in, with an affirmative response.

Seven Commissioners were present and voted “yes”. Bill No. 7-2017 was approved

7. BILL NO. 8-2017

TITLE: AN ORDINANCE DEFERRING THE REQUIRED INSTALLATION OF SIDEWALKS ON THE BRIDGE STREET FRONTAGE OF 4175 AND 4181 BRIDGE STREET; AND CURBING FOR A DISTANCE OF APPROXIMATELY 40 FEET ALONG THE FRONTAGE OF 4181 BRIDGE STREET, AS REQUIRED IN CHAPTER 21, SECTION 407 OF THE CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP. (DEVELOP)

President ARMSTRONG read Bill No. 8-2017 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 8-2017 was approved

F. PULBIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2942

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF PROPOSED COMMERCIAL DEVELOPMENT – MCDONALD’S, LOCATED AT 2998 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1862-14. (DEVELOP)

President ARMSTRONG read Resolution No. 2942 to the Board.

Commissioner MARX moved to approve, seconded by Commissioner HOWER.

Frank CLARK stated the off-site improvements are still under negotiation, the developer is committed to build those with their traffic impact fees.

Six Commissioners were present and voted “yes” (Commissioner SLONAKER had temporarily left the room). Resolution No. 2942 was approved.

2. RESOLUTION NO. 2946

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MAJOR SUBDIVISION/LAND DEVELOPMENT PLAN OF PROPOSED GROCERY STORE, LOCATED AT 2845 MACARTHUR ROAD, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1878-15. (DEVELOP)

President ARMSTRONG read Resolution No. 2946 to the Board.

Commissioner DUTT moved to approve, seconded by Commissioner MARX.

Frank CLARK stated the developer wishes to add a few more conditions to the resolution to clarify responsibilities and limits of responsibilities and their attorney has drafted some additional language for the Board’s consideration.

Attorney Eric SCHOCK of Fitzpatrick, Lentz and Bubba, and Scott LOGAN of Lidl US, stated numbers 7 and 8 of the resolution are carryovers from the Planning Commission a few months ago, were worked on, are proposing they now become conditions of the approval along with some additional conditions related to the work Lidl and Township staff have been doing in defining the off-site improvements along the frontage and out to MacArthur Road. Worked with Mr. CLARK, are proposing number 7 be revised to say “Developer shall obtain an Act 167 compliance letter from the LVPC and number 8 would be “Developer shall obtain a clean Penn DOT letter and approval of the signal permits”. Commissioner SLONAKER asked if sidewalks are part of this, with a negative response. Frank CLARK stated that issue is a separate ordinance and still talking to Penn DOT on it.

Attorney SCHOCK stated the next two points pertain to the adjacent cemetery property. “Developer shall modify its storm water design to minimize encroachment onto the property of the adjacent cemetery”. Frank CLARK noted it is the area at 7th and Eberhart so not to infringe on the cemetery plots there. Attorney SCHOCK stated the corresponding one would be “Developer, with assistance of Township, shall obtain the permission of the adjacent cemetery for the work to be performed on its property”. Then separately the “Developer with assistance of Township, shall obtain the permission of St. John’s UCC Mickley’s for work to be performed on its property, including relocation of signage and reconfiguration of their parking area” and the “Developer and Township will enter into an agreement for a cost sharing agreement/partnership in order to construct the Eberhart Road improvements including but not limited to two signals and other offsite improvements”. President ARMSTRONG asked what the cost will be to the Township. Frank CLARK stated it will be in the \$300,000 range, will come out of the traffic impact fee which is earmarked for this corridor, will meet with the Traffic Impact Committee for their input and they will propose a motion to the Board for approval.

Both Commissioners amended their motions to include the proposed changes to the Resolution. Seven Commissioners were present and voted “yes”. Resolution No. 2946 was approved.

3. RESOLUTION NO. 2962

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING CAMP WHITEHALL RATES FOR THE YEAR 2017. (BOC)

President ARMSTRONG read Resolution No. 2962 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2962 was approved.

4. RESOLUTION NO. 2963

TITLE: A RESOLUTION OF THE BOARD OF COMMISSIONERS, TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING POOL PASS RATES FOR THE YEAR 2017. (BOC)

President ARMSTRONG read Resolution No. 2963 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2963 was approved.

5. RESOLUTION NO. 2964

TITLE: A RESOLUTION APPROVING THE NEWPORT GROUP AS THE TOWNSHIP RECOMMENDED 457(B) DEFERRED COMPENSATION PLAN

AND AUTHORIZING THE PROPER TOWNSHIP OFFICIALS TO ENDORSE THE CORPORATE AUTHORIZATION RESOLUTION. (ADMIN)

President ARMSTRONG read Resolution No. 2964 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2964 was approved.

6. RESOLUTION NO. 2965

TITLE: A RESOLUTION CONDITIONALLY APPROVING THE MINOR SUBDIVISION PLAN/LOT LINE ADJUSTMENT PLAN OF BERNARD MADEJA, LOCATED AT 4175 & 4181 BRIDGE STREET, WHITEHALL TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, INDEX #1893-16. (DEVELOP)

President ARMSTRONG read Resolution No. 2965 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2965 was approved.

7. RESOLUTION NO. 2966

TITLE: A RESOLUTION IN SUPPORT OF A CITIZEN’S COMMISSION FOR LEGISLATIVE AND CONGRESSIONAL REDISTRICTING. (BOC)

President ARMSTRONG stated with this resolution Whitehall Township will become the very first municipality in Lehigh County to take up this issue and is very proud Whitehall is going to lead the league in opening up democracy for its citizens.

President ARMSTRONG read Resolution No. 2966 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner HOWER.

President ARMSTRONG stated the word gerrymandering is the drawing up of political districts to make sure a certain person from a certain party will always win that election. Pennsylvania has the honor of being the worst state in the US for having these kinds of districts and in PA voters are no longer voting for elected officials, elected officials are deciding who is going to vote for them. Gerrymandering has been going on since the 1800’s, is worse now because of computer programs, know how many times someone has voted, what party was voted for, so when a district is set up can make sure to design that district on how a person voted, is unfair this is happening and to go to the website FairDistrictsPA.com to register and become active, is not a movement that will change at the state level, it’s the state level that brought this about, need to change it from this level. A copy of this resolution will be going out to all state government people, all municipalities, to let them know Whitehall Township is taking a stand against unfair

districts, are in favor of democracy to have people once again have a say when they go to vote as the result should not be a done deal before the election happens.

Carol WIKERD, 807 St. Paul Street, Whitehall, stated she is very interested in this, would like a copy of the resolution, is proud to be a member of Whitehall and is glad they are going forward with this.

Seven Commissioners were present and voted “yes”. Resolution No. 2966 was approved.

President ARMSTRONG stated he hopes this sends a message to the state, feels we in Whitehall have started the movement against gerrymandering.

8. RESOLUTION NO. 2967

TITLE: A RESOLUTION CONDITIONALLY AUTHORIZING THE IMPROVEMENT OF A PORTION OF EAST PENN LANE IN THE FULLERTON SECTION OF WHITEHALL TOWNSHIP, TO PROVIDE ACCESS TO THE PROPERTY OF THOMAS L. BARTHOLOMEW AT 925 FRONT STREET, WHITEHALL, (INDEX NO. 1895-17). (BOC)

President ARMSTRONG read Resolution No. 2967 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2967 was approved.

G. OTHER

1. Commissioner SLONAKER moved, seconded by Commissioner HOWER to approve the appointment of Scott LIPSON to serve as Solicitor for the Tax Appeals Board at a rate of \$125.00 per hour.

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

2. Commissioner MARX moved, seconded by Commissioner DUTT to approve the release of escrow for completed and withdrawn projects, per Deputy Mayor MEYERS memo dated January 20, 2017.

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

3. Commissioner DUTT moved, seconded by Commissioner MARX to approve the ratification of the new collective bargaining agreement between the Township and the Whitehall Police Bargaining Unit Association for the term beginning January 1, 2017 and expiring December 31, 2019.

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

H. REPORTS OF PUBLIC OFFICIALS

1. Commissioner SNYDER welcomed Boy Scout Conner ZAPE of Troop 59 who was in attendance.
2. Commissioner MARX thanked the Mayor and Mrs. SWEENEY for getting the info on the Veteran's Memorial dedication in the next newsletter which will be on Memorial Day, May 29th at 1:00 p.m.
3. Commissioner DUTT stated on recent trip to CA was given a tour by the firefighters of the Fire Station from the 70's show Emergency, asked our Fire Chief to send a Whitehall Fire Department patch to Culver City where it is now on display within that Fire Station. He is very proud of the Whitehall Senior Center Committee, the dedication and grand opening is Tuesday, April 4, 2017 at 10:00 am at the West Catty Playground Recreation Building. The Chamber is running it, there will be refreshments and sign-ups for the different activities to start on May 2nd and if anyone needs transportation, to contact the Area Agency on Aging to sign up for Easton Coach.
4. President ARMSTRONG reminded residents Saturday, April 22nd is the MacArthur 75th Gala at the Whitehall Mall, tickets are available, hoping everyone comes out to celebrate the 75th Anniversary of the first six lane road in a town in the State of Pennsylvania, another Whitehall pride.
5. Mayor HOZZA thanked the Public Works Department and everyone involved during our first snow storm of the year, everyone performed admirably which was key because we have a lot of new people who had to be trained. He stated the launch of the refuse carts is completed, went very well, thanked everyone for their patience and understanding, noted requests for second carts is only open from January until the first week of February because of billing, those requesting it pay a \$100 deposit and their garbage fee stays at the prior rate of \$330 while the fee for 2017 is \$300.00 for everyone else. Mayor HOZZA stating the Coplay Aggregates situation is fluid and hoping to have answers from the New Jersey DEP on where the material is coming from.

President ARMSTRONG stated they probably read in the papers about how Public Officials are yelling and screaming and not getting anything done, hopes they are proud of the Whitehall Board, we work together and whether we agree or disagree, handle things well and do get things done.

6. Treasurer HUNSICKER stated greetings well be going out to everyone on March 1st in the form of Township tax and garbage fee bills.

I. ADJOURNMENT

1. MOTION – Commissioner MARX moved, seconded by Commissioner DUTT to adjourn the meeting at 9:20 p.m.