
MINUTES

June 13, 2016

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 June 13, 2016, 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
Charles Fonzone, Attorney
Diane Hunsicker, Treasurer
Lee Rackus, PZ&D
Michael Marks, Acting Police Chief
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence for the victims of the Orlando massacre and for former employee Bobby Miller who passed away. Mayor HOZZA noted the Bobby Miller who passed is not the one who is president of the Historical Society.

2) APPROVAL OF MINUTES

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

Regular Public Meeting – May 9, 2016

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

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

Special Public Meeting – May 24, 2016

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

B. PRESENTATION

Clarence KISTLER, 890 W. Highland Street, Whitehall, Chairman of the Ethics Board, gave their report on a complaint they were asked to investigate, introduced the other members of the Board, Lana SNYDER, Ellen BENNETT, Rev. Dr. Becky BECKWITH and noted George HNAT, a

member who helped with the investigation, resigned recently. Mr. KISTLER thanked Attorney Jack GROSS for his support in re-establishing the Board and guiding them through the investigation. He noted a brief synopsis of the Ethics Board function and process for submitting an ethics complaint will be in the next Township newsletter, noted any complaint needs to be written and signed, sent to the Ethics Board at the Township, marked personal and confidential, the Board will discuss it to see if it is an ethics matter, if not, it will be referred to the appropriate department and the submitter will be notified if it has no merit at all.

On the complaint filed by Leah VAN NOTE on June 30, 2015 against Gerard PALAGONIA alleging that Mr. PALAGONIA, as a member of the Board of Commissioners and therefore subject to the code, disclosed confidential personnel information without legal authorization in violation of the Whitehall Township Code of Ethics. The Board conducted an investigation which included reviewing 13 documents and interviewing Ms. VAN NOTE. The Board invited Mr. PALAGONIA to its March 17, 2016 meeting to provide a statement and answer questions of the Board, at the request of Mr. PALAGONIA's lawyer, offered him a second opportunity to present evidence to the Board at its April 28th, 2016 meeting but he did not attend either meeting. At the April 28th meeting, based on the evidence available, the Board unanimously agreed there was probable cause to support the violation that Mr. PALAGONIA used his position as Commissioner to obtain a portion of Ms. VAN NOTE's personnel file and released that information to third parties without legal authorization. The Board decided to convene a hearing regarding the complaint, on May 3rd Ms. VAN NOTE and Mr. PALAGONIA were advised of the determination of probable cause and of the date and time of the hearing. On May 25th the Board held a hearing in Executive Session with four of the five members present as was Ms. VAN NOTE, Mr. PALAGONIA did not attend. At the conclusion of the hearing, the Board members unanimously agreed that Mr. PALAGONIA violated the Whitehall Township Code of Ethics and if he had not resigned from the Board of Commissioners, it would have been their recommendation he do so but as he has resigned, it is their recommendation that Mr. PALAGONIA not take any future position in Whitehall Township, paid or unpaid.

Commissioner GINDER made a motion, seconded by Commissioner DUTT to accept the report of the Whitehall Township Board of Ethics in the matter of a complaint against Gerard PALAGONIA.

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

C. COURTESY OF THE FLOOR

Jim CARR, 429 6th Street, Whitehall, stated he is asking for accessibility to the Commissioners or someone from the Township to address complaints, trying to get ~6 complaints addressed for the last 3-4 months, is getting no response and asked what zoning regulations there are about chickens, has many other issues but have no one to call to get a meeting. Mayor HOZZA stated in this form of government the procedure is to call the Mayor's office, and believes a chicken code violation went out last week, is not sure it was for his neighborhood because there are several. Mr. CARR stated he addressed his situation and thanked everyone's concern. Commissioner HOWER stated they also have a workshop meeting on the first Monday of the month where he can come to voice his concerns. Commissioner GINDER asked how many chickens are running around the neighborhood. Mr. CARR stated they built a chicken coop on 6th Street with 3 hens and 2 roosters with one that crows continuously from 5:00 am until the sun goes down.

Mario SPAGNOLETTI, 351 Sumner Avenue Whitehall, welcomed Commissioner MARX on behalf of the EAC, noted the Recycling Event was a huge success, thanked the Mayor, Commissioners GINDER and ARMSTRONG, all of the volunteers and Al RECKER for the press

coverage. Commissioner ARMSTRONG thanked him for his help and noted some people asked why we don't do it twice a year but don't have a lot of younger volunteers.

D. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 17-2016 (Second Reading)

TITLE: AN ORDINANCE AMENDING THE WHITEHALL TOWNSHIP CODIFIED ORDINANCES, CHAPTER 27, ZONING, BY AMENDING THE GENERAL REGULATIONS TO PERMIT 'ADAPTIVE RE-USE' FOR AFFORDABLE HOUSING AS A PERMITTED USE IN ALL RESIDENTIAL (R-1, R-2, R-3, R-3A, R-4, R-5, R-5A, AND R-6) ZONING DISTRICTS. (Legal & Legislative)

President ARMSTRONG read Bill No. 17-2016 to the Board

Commissioner GINDER moved to approve, seconded by Commissioner MARX.

Attorney John VAN LUVANEE, representing PVC Third Street LP, owner of 855 Third Street and Quarry Street Whitehall Development, LP, owner of 212 Quarry Street in the R-5 Residential District. He asked why this use was not proposed to being permitted in the C-1, C-2A and office park districts in which apartments are already a permitted use. Attorney FONZONE responded the ordinance is of a nature that the Commissioners have the right to use their judgement and if they wish to change any of the specific districts can do so. Mr. VAN LUVANEE stated he filed a right-to-know request, received a thick packet from Attorney FONZONE's office, it included 16 photographs where certain buildings/properties were circled, also a second series of poorer photographs with about 30 properties circled along with an identification of the zoning districts in which these properties were located. He asked if these properties constituted a formal or informal inventory of properties that would qualify for this use. Attorney FONZONE stated the photos were utilized by the Legal and Legislative Committee who are familiar with all the properties, the marks relate to zoning categories developed thru the course of review and discussion and the other set was reviewed at the LERTA hearing which was to affect these same properties to see if someone would be interested in developing the properties and was the same with the CRIZ which was to try to get into a program the state was running to get money to try to redevelop some of the properties much like the Allentown NIZ. Mr. VAN LUVANEE asked if the poorer copies with the circles would qualify for this adaptive-re-use and used as the inventory. Attorney FONZONE stated the photos were used at L&L and the LERTA hearing with every property owner involved was here and the owners of those properties did not have any objection of them being included in the LERTA. Mr. VAN LUVANEE asked if these properties would meet the qualifications under this ordinance. Attorney FONZONE stated that would be inspected by whomever is going to hear that particular property's application, cannot speak for L&L but believes these properties were candidates for that program. Mr. VAN LUVANEE asked if L&L made a conscious decision not to include the C-1, C-2A and office park districts for properties in those districts that might meet the criteria. Attorney FONZONE stated he believes they realized it was a decision the Board of Commissioners could alter when they got to this stage. Mr. VAN LUVANEE asked if the ordinance was proposed to resolve the HUD complaint filed against the Township. Attorney FONZONE stated there were six hearings involving some form of the Adaptive Re-Use Ordinance of 2013 which was substantially before the interest HUD has, and with respect to LERTA and CRIZ, they both preceded any activity by HUD, it was the interest of the L&L Committee to have the community

move forward by developing these properties that have sat for a long time and those three mechanisms were all used. Mr. VAN LUVANEE noted for residential uses regardless of the zoning districts, with the exception of elderly housing, the ordinance requires two spaces per residential unit, this ordinance requires only one, asked if any studies were performed or data collected to indicate that parking ratio was adequate to meet the needs of this type of use because an objection of his client is in regard to parking, raised concerns at the December hearing of the Zoning Hearing Board when PathStone appeared before them and since the ZHB turned them down, has some data been collected suggestion they were not correct. Attorney FONZONE stated the Township prepared an ordinance that specifically addressed this neighborhood, at the time of the presentation did not have the data needed to finalize that, did have an expert look at it who had a favorable opinion, you have appealed that ordinance and are waiting to see what happens. Mr. VAN LUVANEE asked if the favorable opinion suggested one parking space for affordable housing unit is adequate or if it specifically addresses the attempt to assign/allow parking to be allocated to specific uses along this street to create a parking district. Attorney FONZONE stated the ordinance that permits parking won't advance anything that is happening in any of these buildings, feels secure that study would sustain scrutiny and believes it would be up to the ZHB or Commissioners to determine the facts in respect to that specific property. Mr. VAN LUVANEE stated the specific property isn't at issue in this case, the ordinance as proposed sets the standard for parking at one per unit regardless of the location of the property, it provides the ability to build additional structures, raze old structures, build new ones, is no indication than rather to build a structure you couldn't take an old structure down, provide enough parking for 2 spaces and still redevelop the old buildings, seems to be a disconnect when you are very consistent across the board in all residential districts in regards to parking requirements, are adopting an ordinance that potentially affects established neighborhoods, are changing the parking requirement for a property that sits in the middle of an existing residential district, telling those residents you are allowing this use at higher densities not called out in the ordinance but are dependent on the capacity of the building to be divided up into dwelling units requiring one parking space, will have an impact unless there is a study stating people who qualify for affordable housing don't have or require as many cars, has never seen one and feels they are re-imposing on established neighborhoods by reducing the parking requirement that applies to every other residential use. Attorney VAN LUVANEE stated he looked at the advertisement and description for the ordinance, considers it to be inadequate, the planning code states to summarize all provisions of the ordinance in reasonable detail, feels the summary was a very broad description of this use, feels the way this ordinance is being adopted is to make sure the people from those neighborhoods don't come out because that don't know that this ordinance may adversely impact them and does not feel a good job was done to inform the general public in Whitehall Township of the potential impact of this ordinance on their neighborhoods.

Ryan BROBST, 202 Quarry Street, Whitehall, stated the neighborhood is growing, is constantly improving, getting better and no matter what they put there, they cannot have another 50, 100 or 200 people living in their neighborhood, cannot have another 50 cars driving up and down Quarry Street blowing thru the stop signs, is just not enough room and hopes they take all this into consideration when they vote, knows it is an ordinance that is town wide but is really affecting their neighborhood the most.

John PRESSLEY, 722 Second Street, Whitehall, lived there 27 years, mother owns the property, is here to voice her opinion that real estate location means a lot but does not in the fact that this is not the best location of this project, is not an issue of discrimination, the Fullerton area community has neighbors of many walks of life. Mr. PRESSLEY asked if anyone has walked the area, with an affirmative response. He noted the firefighters do fire

training in that building's parking lot, asked where they will park and with all of the construction, cars are going thru stop signs, have a lot of foot traffic. He noted the Fullerton Gallery property, when approved for townhouses, were required to have off-street parking, those with parking lots would have to police them for unauthorized vehicles and is just looking to have something safe for everyone in the future.

Kate DURSO, Fitzpatrick, Lentz and Bubba, on behalf of PathStone Housing a non-profit affiliation of PathStone Corporation whose mission is to meet the housing needs of economically and socially disadvantaged people in PA, a private, not for profit, regional community development human service organization, primarily provides services to low income families within economically depressed communities throughout a service area of seven different states and Puerto Rico. She stated PathStone views Whitehall Township as an attractive location for affordable housing because of the access to public transportation, proximity to good jobs, the Township's interest in adaptive re-use of old factories or mill buildings and the difficulty many residents have experienced in locating quality affordable housing. In Whitehall Township many manufacturing locations sprung up in the 19th century, housing developed around it for the employees but as the factories went out of business these buildings sit vacant in predominantly residential areas and this ordinance would provide a way to revitalize these buildings and the area around them and with quality affordable rental housing for families, seniors and those with disabilities. In 2013, PathStone became aware of the Township's desire to reuse these buildings thru Howard Lieberman of the WTICDA, learned of the Township efforts with LERTA and CRIZ that were not achieved, the adaptive re-use ordinance was proposed, has taken on various forms thru the years and the current one is before the Board for a vote. The Lehigh Valley Planning Commission has reviewed the proposed ordinance, have performed a job housing study throughout the Lehigh Valley, determined one of the issues confronting the Lehigh Valley is how to create affordable housing opportunities for households with moderate and low incomes because of the need, most of these households have hard working people who can't afford the market rate housing especially the housing going up in the City of Allentown and determined this proposed zoning ordinance amendment was consistent with the County Comprehensive Plan. The ordinance was reviewed by the Township Planning Commission who unanimously recommended approval. The ordinance definition for affordable housing is those earning no more than 60% of the area medium income, currently the Lehigh County maximum income at 60% is \$29,940 for a single person and \$42,720 for a family of four. Also, there are rent and income limits that have to be established thru a regulatory agreement and submitted to the Township with an application, needs to have a minimum 15 year duration, has to lock in the proposed use to adhere to the regulatory agreement, will be recorded, are parameters set forth in the ordinance amendment to make sure what is proposed and what is constructed meets the parameters of the ordinance. Also required that renderings need to be reviewed by the Township for compatibility with surrounding area, occupancy limits thru the local building code and leases contain maximum occupancy limits for the units. PathStone has expressed an interest in the 215 Quarry Street building, the project known as the Lofts at Fullerton Mills, would be privately owned, professionally managed and would serve households earning 60% of the AMI for a minimum of 30 years. The proposal is called Work Force Housing, requires residents to demonstrate dependable income to cover rent and other expenses. PathStone's experience is to create a viable plan for re-use of the property which has buildings dating back to 1913 with additions in the 40's and 70's. PathStone conducted a Phase 1 and 2 structure analysis and market study as part of their feasibility review for potential reuse of the property. The challenges include, identifying and removal of environmental hazards, repurposing of the building, strategic demolition to create on-site parking and demolition to remove structurally unsound building components. The cost of

demolishing the property would be over \$750,000, also additional cost to environmental remediation and building acquisition. Single homes in the area sell between \$150K and \$200K making these uses of the property cost prohibitive, reuse as twins would not be viable given the cost of demolition and replacement. The proposed development cost is a \$10M investment with an increase in taxes to the Township, School and County at ~\$12,000. PathStone is aware of residents concern about parking, have obtained car ownership data from HDC Mid-Atlantic, a private non-profit affordable housing developer and manager who did an analysis of their own properties similar to Whitehall Township, to advise as to what the car to unit ratio would be, the highest being one to one and the lowest one to three ratio. Mid-Atlantic developed the Southside Lofts in Bethlehem, with 25 one bedroom, 9 two bedroom and 12 three bedroom units and 57 parking spaces, 85 residents and only 49 cars are registered and with the income limits most cannot afford multiple cars and to be located near the LANTA bus stop provides a means of public transportation to get them to and from work. Affordable housing does not generate car ownership as a regular apartment building would and is not restricted to under 55 or 62 so senior housing as affordable housing has less demand for a car. Most communities fear affordable housing because they fear rising crime and declining property values but studies show this is not true when it is properly designed and well managed. There is a need for affordable housing in Whitehall Township and the surrounding area, if the adaptive re-use can improve the market value of a couple of these vacant buildings, it would only benefit the areas around them, allows a mechanism to remove blighted buildings from the tax rolls and to encourage development of these types of buildings, PathStone would recommend to enact the proposed ordinance amendment.

Mayor HOZZA asked where PathStone is getting the funding. Ms. DURSO stated the PA Housing Finance Agency, some state funding as well as some lender financing as well as other non-profits.

Commissioner DUTT questioned as to the building being privately owned. Ms. DURSO stated PathStone purchases the property, has a management company with someone on staff who resides there and with financing the ownership is required for 30 years. Commissioner DUTT asked if the property can be sold within that time period. Mayor HOZZA asked what if they merged with HDC. Ms. DURSO stated the regulatory agreement runs with the land regardless who the owner of the property is.

Wendy CARTER, Director PA PathStone Housing Corporation, stated it would be very difficult for there to be a sale, the regulatory agreements contain a variety of requirements that would last 30 years. The only chance for a sale would have to be a non-profit agency that met similar qualifications, there are very few entities like that. Commissioner DUTT asked if PathStone is no longer around and the property must be sold and goes to someone who doesn't have the same vision and we run into problems. Ms. DURSO stated normally anyone can get approval for a development and then sell it but here you have the unusual requirement of the regulatory agreement that is recorded, runs with the land, and is an enforcement mechanism.

Stuart MITCHELL, President and CEO of PathStone, stated they are close to 50 years in business, strength is good for continuing this business, are part of a network of strong affordable housing organizations, have not over the last 40 years in developing properties sold one. Commissioner DUTT stated his concern is because his mother was in a remodeled apartment building, was nice in the beginning, was later sold and deteriorated quickly and if approved, wants to make sure this building is viable for the neighborhood. It was noted the vote tonight would approve the use, not the building. Mr. STUART stated

they have bought 6-7 properties described and redeveloped them and the State of Pennsylvania is also very concerned about their longevity and is why the 30 years is a state requirement for the funding.

Commissioner HOWER asked about this being workplace housing where residents will need to have viable employment. Ms. DURSO stated it is viable income, either employed or receiving some type of income to meet income levels, you could have a senior citizen with social security and pension. Commissioner HOWER asked what happens if someone loses a job. Mr. STUART stated they need to pay the rent, if they can't, they are evicted. President ARMSTRONG asked if that rent is subsidized for anyone. Ms. CARTER stated the rents are established by the regulatory agencies and set at those levels thru the financing, is not a specific subsidy for a particular unit, is an overall design. Commissioner MARX asked if there is a deed restriction on their lease limiting them to one vehicle per unit to keep the number at status quo. Ms. CARTER stated with this property it is the desire of the Township to have that, would work with the management company to put it in the leases, and would not be a deed restriction. Ms. DURSO stated at L&L there was a request the ordinance include a provision that the lease specify for one parking space and a limitation on the vehicle. Commissioner MARX asked how they would police that. Ms. CARTER stated the spaces would be assigned. Commissioner MARX stated than any additional cars would go onto the street. Ms. DURSO stated based on the numbers, it is not even anticipated to be a one to one. Commissioner MARX stated that is speculation, cannot say it won't apply to this building, do have a good public transportation system but are a very mobile society today. Ms. DURSO stated with the income limitations probably cannot afford multiple vehicles. Commissioner HOWER asked what happens if someone goes over the income level. Ms. DURSO stated they would have to leave at the end of the lease which are 12 months or a month to month on the process of eviction. Commissioner SLONAKER asked about the verification of the income level. Mr. STUART stated each tenant is audited by the state regulatory agency on an annual basis showing they are eligible for the program, goes by what you report on your income tax forms.

Mike MCCRICKERD, 216 Quarry Street, Whitehall, lives across from the building for 27 years, is beautiful now, people are putting money into their homes, put \$42,000 into his, has worked in HUD housing for the last 5 years. He stated they will turn our Township into Newark, works there and is pretty disgusting, can call it HUD, assisted living or whatever, you are bringing trash, those buildings were nice, now are boarded up, will turn the Township into HUD housing and is that what they want. Mr. MCCRICKERD asked where his visitors will park when they visit and what happens when he comes home and someone is parked in his permit parking and is the parking permit free. Attorney FONZONE stated this was advertised at least 5 times, it was a summary of the ordinance, there was a direction of where you could get the ordinance to review it, was advertised in the Whitehall-Coplay Press as the law requires. Attorney FONZONE stated no one is hiding anything, as a responsible citizen needs to know what is going on, advised him to buy a paper or read the internet. Attorney FONZONE stated no one spoke about permit parking this evening which has been appealed by Mr. VAN LUVANEE and is in the courts.

Michele FABIK, 735 Second Street, Whitehall, stated she is here on behalf of her mother and asked if adaptive re-use is the same as new use or a variation of existing use as it applies to grandfathering. Attorney FONZONE stated trying to grandfather something would not be a change of use, adaptive re-use would be new to that location. Ms. FABIK stated the new bill states it complies with all other provisions of Chapter 27 in regards to residential, if its apartments, then it has to go by Article 11 a conditional use provision, then Article 12, Sections 144 thru 147, regarding off-street parking and loading and Section

144 states for new and existing uses, adequate off street parking spaces and loading areas shall be provided for all new construction, this new use is going to be residential, the old use was a garment factory and is the gray area she is questioning and in Article 12, number 18 it states residential dwelling is 2 spaces per dwelling unit, does not sound like that is going to happen. She stated Bill 17-2016 states adaptive re-use for affordable housing as a permitted use in all residential districts but nowhere does it specify only one parking spot per unit. President ARMSTRONG noted the parking issue is in the courts right now.

Kate DURSO, Fitzpatrick, Lentz and Bubba, stated there is a section of the ordinance that states parking requirements shall be one off street space per unit and each unit shall be assigned a designated parking space. Ms. FABICK stated that is not on the website. Attorney FONZONE stated the bill would not be on the website unless it was passed and what she has is an advertisement. Ms. FABICK stated that is was very misleading and very confusing. Executive Secretary SWEENEY stated all legislation is advertised and at the end of the ad it states that copies of the full text of the proposed legislation items may be examined by any citizen in the Administration office of the Township of Whitehall, PA, on any business day between 8:00 am and 4:00 p.m. Commissioner SNYDER stated they are all advertised in that manner. Ms. FABICK stated at last week's meeting mentioned the firefighters who race up Second Street, was referring not only to those of the 600 and 700 block but all from lower Fullerton who cross the bridge, turn down Wood Street, up Second Street unencumbered by traffic but a traffic study would not have accurate data now because of the Rte. 22 construction. She noted without the fire whistle, residents do not know if a vehicle bearing down on them is a firefighter or a speed demon, a high density apartment building does not belong across the street from an active fire station and Quarry Street between Front and Second Streets is a steep grade and is not fair to have residents or those of a high density apartment to park and walk up that section of Quarry Street especially in the snow. She stated the other blocks in the area are already full especially when there are baseball games, an event at the Fire Social Hall or St. John's Lutheran Church, who rely on the streets for overflow parking and not every house in the neighborhood has a garage or driveway. She stated Third Street in Cementon is only 2 blocks long, has five homes For Sale and if her mother wants to visit her sister has too between the hours of 9 am and 3 pm while people are at work, so who will want to buy those homes with no parking. She stated on-street permit parking is not a solution, parking is dependent on courtesy, tickets and towing will not deter abusers, bad behavior is not demographic and not having two off street parking spaces only invites bad behavior and if this parcel of land can only fit 49 off street parking spaces, then it needs to be limited to 24 units not 49, that is what would be fair housing as everyone needs an opportunity to park adjacent to their home to be fair to all residents. She knows PathStone is a large organization in 7 states and Puerto Rico, according to their website have a total of 48 vacant opportunities where they have a presence, seem to have sufficient off-street parking, are an equal housing lender, would like to know why this property needs to be supersized to 49 units to be viable when their other available apartments do not appear to be supersized and perhaps they might want to look at the large mansion for sale across from the Winding Brook and if they or any other developer cannot make 24 units viable, then questions if their intentions are truly about fair housing for their perspective tenants at this location. She understands the Board wants to turn this blighted property on Quarry Street into a developed tax generating revenue property but not to do so by selling the souls of the existing residents nor of the potential residents by not giving all of them the safety of off-street parking adjacent to their homes. Just wants to see fair housing and equal opportunity housing for all of us and to borrow a line from the book Animal Farm, "it will otherwise than seem some potential property owners are more equal than the other surrounding pre-existing property owners".

Commissioner HOWER stated he appreciates the crowd, feels all meetings should be this well attended, takes offense to some comments this information was not made available, do follow the law every time we put something in the paper, make sure all the relative information is there and do put copies of the ordinances out at our meetings. Also, every Legal & Legislative meeting on the second Wednesday of each month where these ordinances are discussed, are open to the public. He noted this has been talked about for four years, has been part of the L&L Committee for those four years and to say that we haven't fully thought through everything is not fair or right to the other committee members past and present, have a great staff in the Township, Lee does a great job and appreciates all of the work that has gone into this. We have done a lot of homework and only when you come to a meeting like this and start to hear some other information, you realize you may need to do a little more homework. He would like to make a motion to rescind this ordinance tonight and go back to L&L, invite the residents to come, continue a bit of a discussion to come to what we think is fair and equitable for all. Commissioner HOWER stated there was a comment made at the workshop to just buy these buildings and knock them down, asked the Mayor to put something together as to what that would cost the Township, of the four big properties we have been trying to redevelop so we don't injure our own citizens and don't have these decaying buildings with issues, to purchase and demolish would be \$12.6M for an increase of 5.8 mills on taxes, because if you want the Township to purchase them, the Township is every resident sitting here, have a lot of things to talk about, are things they can do but leaving these buildings vacant is not an option, need to do something. Commissioner HOWER stated he grew up in lower Fullerton on Catasauqua Road, knows all about the parking issues, had his car hit by drunk drivers, numerous side mirrors ripped off his car, knows of their issues in that area, is not insensitive and to comments made last week that we don't care is unfair to all the people who spent a lot of time trying to do what is right for the Township.

President ARMSTRONG stated the idea of having this discussion tonight is that we do listen to you, it is not that our minds are closed, knows a lot of people in government right now do not listen to the other side which has discouraged people to get involved in government but an idea of a discussion as created by the Greeks was to get out and have your opinion heard, listen to the other side. Nobody is ever going to be happy in a compromise, the idea of a compromise is just that, if both sides leave a little bit dissatisfied that's natural, it is a fact that we do care about the neighborhood but we also have to care about the Township and if you think this meeting is crowded wait until we would tell residents we are raising taxes 5.8 mills, it can't be done just to buy the properties, do have blighted properties, have tried LERTA, CRIZ, tried a lot through our Industrial Development Committee to get something into these properties, is a situation where if you could go back decades when areas were developed, they had to be developed around a source of income, was called the Central Business District (CBD), you brought a business in, the people walked to work so the houses were the closet to the plant. Over the years the first area of redevelopment is the one that has been there the longest. Allentown is going thru that now, have almost destroyed their CBD and are rebuilding it but we do have a problem where we have to come up with affordable housing, have a lot of people in this area who have a need for housing. One of the things mention at the workshop was a person who said they moved to that area to have a better life. As Commissioners we don't want to prevent other people to move to our Township to have a better life, that is a goal we have to consider too, has no problem going back to L&L to get things straightened out but something has to be done and for four years now have been working hard in trying to solve this problem, would lie to say they are all going to be happy at the outcome, it is going to have to be a compromise.

Mary Ellen HANDLON, 202 Chestnut Street, Whitehall, stated Mayor HOZZA wanted to buy the corner at 3rd and Grape because of the congestion, would be a great to get it widened, the 50 cars that would be moving into Quarry Street will add to the congestion especially with the mess with Rte. 22. Mayor HOZZA stated Third Street should have been done back in the 60's and 70's when Grape Street was developed, is long overdue, was put into the traffic improvement plan for the State because Third Street is a State road, so we need for it to come up on the list. Ms. HANDLON stated the weeds there are over 15" and asked if Public Works could come and address that issue as it is Township property. Mayor HOZZA stated we will be asking the employees of the bakery and the Indian Market to park on that lot to free up parking on N. 4th Street. Ms. HANDLON stated there are 20 residents on that street now, will be adding 49 toilets and affecting the CWSA, does the infrastructure support that and then you have the cars and the recycling containers. Commissioner GINDER noted regarding the Grape Street intersection, many years ago when we looked at our traffic impact, the main reason for expansion was because a bus cannot make the turn onto Third Street from Grape without stopping other traffic and getting into the turning lane and was the goal to buy that corner just like we did down at Main Street for the tanker trucks.

Commissioners GINDER and MARX rescinded their motions.

Commissioner HOWER made a motion to send the Bill back to Legal and Legislative, it was seconded by Commissioner SNYDER.

Seven Commissioners were present and voted "yes". Bill 17-2016 will go back to L&L.

2. BILL NO. 21-2016

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE OF TWO 2017 FORD F-250 PICK UP TRUCKS 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. 21-2016 to the Board.

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

Seven Commissioners were present and voted "yes". Bill No. 21-2016 was approved.

E. PULBIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2939

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

President ARMSTRONG read Resolution No. 2939 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. 2939 was approved.

2. RESOLUTION NO. 2940

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

President ARMSTRONG read Resolution No. 2940 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2940 was approved.

3. RESOLUTION NO. 2941

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

President ARMSTRONG read Resolution No. 2941 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2941 was approved.

F. OTHER

1. Commissioner HOWER moved, seconded by Commissioner DUTT to approve a waiver of the zoning fee for the St. John’s UCC Church.

Seven Commissioners were present and voted “yes”.

2. Commissioner HOWER moved, seconded by Commissioner GINDER to approve the payment of bills passed onto the Board by the Whitehall Township ICDA in the amount of \$6,333.33.

Seven Commissioners were present and voted “yes”.

3. Commissioner GINDER moved, seconded by Commissioner DUTT for the Whitehall Township Board of Commissioners to hereby officially request the CWSA to study the feasibility of serving the existing non-served homes on Summit Street and Prospect Street

with public sanitary sewer as part of the pending revised Act 537 Plan of Whitehall Township.

Seven Commissioners were present and voted “yes”.

G. REPORTS OF PUBLIC OFFICIALS

1. Commissioner SNYDER thanked Mr. MARX and the Veteran’s Memorial Committee for the work done so far on the memorial out front.
2. Commissioner GINDER stated the IRT is now fully opened from Coplay thru Whitehall up to the North Whitehall Municipal Building and to feel free to use it. Mayor HOZZA noted the final leg of paving of the trail will be done this week.
3. Commissioner SLONAKER asked if there have been any patrols down in the Quarry Street area which addresses the going thru stop signs and various other traffic code violations. Mayor HOZZA stated it was noted at the workshop meeting that people are blowing thru the stop sign at 2nd and Chestnut Streets and asked that the speed board be put on the list to go to 2nd Street. Acting Chief MARKS stated the stop signs on Chestnut Street are on the long laundry list of areas for police enforcement, are stretched thin right now, trying to get to all the areas as situations dictate. One of the bigger needs was Presidential and getting some of the speeding curtailed, also have numerous complaints from Water Street residents, sending limited patrols as we can, trying to manage with what we have, is on their radar and will get people there as soon as they can.

Jason SCHELLER, 206 Quarry Street, Whitehall, stated he has children at the different bus stops on Second Street, requested the school to move it to Second and Grape because in the event of a fire, the volunteers blow past the school buses. Recommends having an officer speak to the representatives at the fire house, is not an issue right now because they need to take a different route because of the construction. Mayor HOZZA asked the next time he sees that to get a description of the vehicle and call him.

4. Commissioner HOWER asked where we are at with putting the meetings on the internet so everyone can see what goes on, so there are no perceived secrets when there are none. Mayor HOZZA stated we are where we were several months ago, the company we are looking at is Technic-Com, also doing the upgrade to the website and are dealing with a large amount of people coming to the building that really need assistance which is taking away from the time available to get other projects done. Commissioner HOWER stated in light of the comments made, to try to move this forward. Mayor HOZZA stated another issue is we are down from 114 employees to 102 and trying to get people into positions and right now is our priority.
5. Commissioner DUTT stated he has received about 7-8 complaints regarding people going thru the stop signs at Lehigh and 7th Streets in Hokey which is right by the Police Station, almost got hit today by someone blowing thru the sign at Lehigh Street and asked that it be put on the long list. Acting Chief MARKS stated if they don’t hear about it, they don’t know about it and don’t get to see it unless they are out in that neighborhood.

Commissioner DUTT welcomed Mr. MARX and noted this Thursday is the Senior Center meeting here, getting to the point where they need assistance in pushing forward, have received 52 surveys, need to start to get more detailed on what we want to do, has been

him and one resident so far and if anyone would like to volunteer and help to do this to be here on Thursday at 7:00 pm and would appreciate the help.

6. Commissioner MARX thanked the citizens, staff and the board for welcoming him to the board. He noted there will be a ceremony on Flag Day at the new flag pole at 6:00 p.m., with the VFW's and Legions, will have a chaplain and a prayer, are moving forward with this project, still need some money, the goal is for next Memorial Day to have it completed, will be the show piece of the Township we can be very proud of. The Veteran's organizations are very grateful because they plan to consolidate some of the ceremonies, will not forget about the small satellite memorials but is much easier for these gentlemen who are getting up in age to go to one site and have a major ceremony and thanked the businesses and donors in the Township, no one has turned them down and if they don't have the means, they volunteer. This is his first experience of something of this scale and is really impressed that people are remembering the fallen and the future heroes of this country.
7. Commissioner ARMSTRONG stated he and the Mayor serve on the Communities That Care Committee, gave their annual report today and he kept thinking it takes a village to raise a child. The idea is to get the whole community together to meet the needs of the children of Whitehall, knows the Mayor feels very strongly about this as he has given a speech on it at Whitehall High School, and feels as Commissioners need to get the word out to parents of our students that "Parents Who Host, Have the Most to Lose". Surveys coming back are showing parents in our community don't seem to be getting that message, have put up signs, feels as a governmental agency should emphasize to all our residents the responsibility they have about making sure alcohol is not served to anyone under 21. The Mayor has been helping with resources of the Township, the School District and all the community organizations are working together and are one of the few communities in the State that is doing this program and makes him proud of being a resident of Whitehall Township.

President ARMSTRONG asked about road construction and the water run-off on Apple Street as he has received calls. Lee RACKUS deferred to Public Works but believes it hasn't started yet.

President ARMSTRONG stated brochures on the Great Northern Senior Fair are on the table, he, together with the Mayors of Whitehall, Northampton and North Catasauqua are hosting it at the Northampton Banquet and Events Center, will have 50-60 vendors with all types of information for seniors.

8. Mayor HOZZA stated the Township is running very lean and mean right now, interviews were held over the last few weeks for Police Officers, currently have 5 selected, have a number of employees in Public Works that are retiring. Also, are currently reviewing the list of Fire Chief Candidates from all over the United States and will have a tough job to fill Bobby's boots.

Mayor HOZZA stated the Hokey/Parkview Pool is getting there. All of the blue tile work is completed, waiting for the plasterers, turned out to be more of a project than anticipated as all of the exterior piping and piping under the pool was completely replaced, a new pump was installed, next phase is plaster and then the concrete around the pool and are being told it should be completed within 2 weeks weather permitting.

Mayor HOZZA stated the Township had retained Cindy OATIS of Palmer Township to write a grant for DEP for reimbursement of the recycling carts and received notice from her last week that we are the recipients of \$250,000 grant which he believes is the largest grant ever awarded to the Township. He noted Lower Macungie received \$250,000, South Whitehall received \$168,000 and Washington Township \$34,000 and this grant is separate from the other rebate money we receive from DEP for our recycling tonnage and noted grants are also given for chippers, etc.

President ARMSTRONG stated that the Board will be going into an Executive Session but no action will be taken.

H. ADJOURNMENT

1. MOTION – Commissioner MARX moved, seconded by Commissioner GINDER to adjourn the meeting at 9:50 p.m.