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# **MINUTES**

**November 13, 2017**

**Regular Public Meeting**

**Board of Commissioners**

**Township of Whitehall**

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**A. CALL TO ORDER**

- 1) The regular Public Meeting of the Whitehall Township Board of Commissioners was called to order at 7:00 p.m. on Monday, November 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  
Chuck Fonzone, Township Solicitor  
Michael Marks, Police Chief  
Frank Clark, Township Engineer  
Lee Rackus, PZ&D  
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag, a moment of silence for our veterans.

President ARMSTRONG read the statement on fair housing as required.

**2) APPROVAL OF MINUTES**

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

Regular Public Meeting – October 9, 2017

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

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

Special Public Meeting – October 23, 2017

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

**B. PRESENTATION – a video in honor of Veteran’s Day was presented by Lee RACKUS**

**C. COURTESY OF THE FLOOR - no one signed in**

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

1. BILL NO. 29-2017 (Second Reading)

TITLE: AN ORDINANCE AMENDING CHAPTER XVII OF THE WHITEHALL TOWNSHIP CODIFIED ORDINANCES, ZONING, SPECIFICALLY ARTICLE 12, OFF STREET PARKING AND LOADING, ARTICLE XII, OFF STREET PARKING AND LOADING, SUBSECTION 27-145, DESIGN AND CONSTRUCTION, BY REVISING SECTIONS 27-145 E (3), WITH RESPECT TO SINGLE FAMILY RESIDENTIAL DRIVEWAY CONSTRUCTION; AND SECTION 27-145 T, WITH RESPECT TO END OF ROW SPACES. (LEGAL & LEGISLATIVE)

President ARMSTRONG read Bill No. 29-2017 to the Board.

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

Seven Commissioners were present and voted “yes”. Bill No. 29-2017 was approved.

2. BILL NO. 35-2017

TITLE: AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA (THE TOWNSHIP), AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION NOTE, SERIES OF 2017, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,037,000 (THE “2017 NOTE” OR “NOTE”) PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT OF THE COMMONWEALTH OF PENNSYLVANIA, AS CODIFIED BY THE ACT OF DECEMBER 19, 1968 P.L. 1158, NO. 177, AS AMENDED AND SUPPLEMENTED; PROVIDING THE PROCEEDS OF THE SALE OF THE NOTE SHALL BE APPLIED TO CARRY OUT THE CURRENT REFUNDING OF THE TOWNSHIP'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2011 (“2011 BONDS”) AND TO FUND CERTAIN CAPITAL PROJECTS (“PROJECTS”) AND MAKING REPRESENTATIONS REGARDING THE AMORTIZATION OF THE NOTE; DETERMINING THAT SUCH SALE SHALL BE A PRIVATE SALE BY INVITED BID UNDER THE ACT, AND DETERMINING THAT THE NOTE SHALL BE NONELECTORAL DEBT OF THE TOWNSHIP; FIXING THE INTEREST PAYMENT DATES, DENOMINATIONS AND REGISTRATION, TRANSFER AND EXCHANGE PRIVILEGES OF THE NOTE; SETTING FORTH THE MATURITY DATES, PRINCIPAL MATURITIES AND CURRENT INTEREST RATES OF THE NOTE AND ESTABLISHING A REQUIRED SCHEDULE OF PAYMENTS WITH RESPECT TO THE SINKING FUND, AS HEREINAFTER ESTABLISHED, IN ORDER TO AMORTIZE THE NOTE; ESTABLISHING THE REDEMPTION PROVISIONS OF THE NOTE; ACCEPTING A BID FOR PURCHASE OF THE NOTE AND AUTHORIZING EXECUTION OF SUCH ACCEPTANCE BY AN APPROPRIATE OFFICER OF THE TOWNSHIP; DESIGNATING A PAYING AGENT AND REGISTRAR; DESIGNATING A PLACE AND METHOD OF PAYMENT OF THE NOTE AND INTEREST THEREON AND MAKING CERTAIN COVENANTS WITH RESPECT TO THE TAX FREE STATUS THEREOF; ESTABLISHING THE SUBSTANTIAL FORM OF THE NOTE AUTHORIZING EXECUTION AND

AUTHENTICATION OF THE NOTE; PROVIDING FOR THE REGISTRATION OF THE NOTE, THE MAINTENANCE OF RECORDS OF REGISTERED OWNERS AND TRANSFER OF THE NOTE; COVENANTING TO PAY THE PRINCIPAL OF AND INTEREST ON THE NOTE AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP TO SUCH PURPOSE; ESTABLISHING A SINKING FUND FOR THE NOTE AND AUTHORIZING AND DIRECTING PAYMENT THEREFROM; SETTING FORTH CERTAIN PROVISIONS WITH RESPECT TO THE INVESTMENT OF MONIES THEREIN; DESIGNATING A SINKING FUND DEPOSITORY; SETTING FORTH CERTAIN RIGHTS OF THE PAYING AGENT AND BONDHOLDERS IN THE EVENT OF DEFAULT AND OTHER RIGHTS OF THE PARTIES WITH RESPECT TO THE NOTE; PROVIDING FOR THE CIRCUMSTANCES UNDER WHICH THE ORDINANCE MAY BE AMENDED OR MODIFIED; PROVIDING FOR THE TERMS, CONDITIONS AND COVENANTS WITH RESPECT TO THE BOND INSURER, IF ANY, FOR THE NOTE; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE TOWNSHIP TO DO AND PERFORM CERTAIN SPECIFIED, REQUIRED OR APPROPRIATE ACTS; AUTHORIZING THE EXECUTION OF DOCUMENTS FOR CLOSING AND THE PAYMENT OF ISSUANCE EXPENSES; DECLARING THAT THE DEBT TO BE INCURRED IS WITHIN THE LIMITATION IMPOSED BY THE ACT UPON INCURRING OF SUCH DEBT BY THE TOWNSHIP; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE TOWNSHIP TO DELIVER THE NOTE UPON EXECUTION AND AUTHENTICATION THEREOF, UPON RECEIPT OF PROPER PAYMENT OF THE BALANCE DUE THEREFOR, AND ONLY AFTER SPECIFIED APPROVAL, AS REQUIRED, OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH CERTAIN COVENANTS RELATING TO THE FEDERAL TAX STATUS OF THE NOTE; COVENANTING TO PAY OVER AT SETTLEMENT SUFFICIENT MONIES TO PROVIDE FOR THE PAYMENT OF THE 2011 BONDS TO BE REFUNDED IN ACCORDANCE WITH THE REFUNDING PROGRAM AND AUTHORIZING AND DIRECTING CERTAIN OTHER ACTIONS AND APPROVING DOCUMENTATION WITH REGARD TO THE REFUNDING, AND ESTABLISHING A SINKING FUND FOR THE NOTE BEING REFUNDED; PROVIDING FOR THE ISSUANCE OF IRREVOCABLE INSTRUCTIONS TO THE PAYING AGENT FOR THE 2011 BONDS TO CALL SAID BONDS FOR REDEMPTION AND ESTABLISHING THE FORM OF SUCH IRREVOCABLE INSTRUCTIONS AND THE NOTICE OF REDEMPTION; PROVIDING FOR COMPLIANCE WITH THE SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; PROVIDING FOR SEVERABILITY OF PROVISIONS OF THE ORDINANCE; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES SO FAR AS THE SAME SHALL BE INCONSISTENT; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE. (ADMIN/BOC)

President ARMSTRONG read Bill No. 35-2017 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner DUTT.

Seven Commissioners were present and voted “yes”. Bill No. 35-2017 was approved

***D.     RESOLUTION***

1.     RESOLUTION NO. 2987

TITLE: A RESOLUTION FOR SEWAGE FACILITIES PLAN REVISION FOR PROPOSED FULLERTON MILLS ADAPTIVE RE-USE DEVELOPMENT WHITEHALL TOWNSHIP, LOCATED AT 215 QUARRY STREET, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

President ARMSTRONG read Resolution No. 2987 to the Board.

Commissioner GINDER moved to approve, seconded by Commissioner HOWER.

Seven Commissioners were present and voted “yes”. Resolution No. 2987 was approved.

2.     RESOLUTION NO. 2988

TITLE: A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO SUBMIT THE MACARTHUR ROAD (SR 0145) AND MECHANICSVILLE ROAD (SR 1012) APPLICATION FOR TRAFFIC SIGNAL IMPROVEMENTS APPROVAL TO PENNDOT AND TO SIGN THE APPLICATION ON BEHALF OF WHITEHALL TOWNSHIP (ADMIN/BOC)

President ARMSTRONG read Resolution No. 2988 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”. Resolution No. 2988 was approved.

***E.     OTHER***

1.     Commissioner MARX moved, seconded by Commissioner GINDER to approve the reappointment of Elizabeth FOX to serve on the Recreation Commission representing the Disabled Community, term expiring September 30, 2020.

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

2.     Commissioner DUTT moved, seconded by Commissioner SLONAKER to approve the appointment of Cheryl HUCKABEE to complete an unexpired term on the Industrial and Commercial Development Authority, term expiring December 31, 2018.

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

***F.     REPORTS OF PUBLIC OFFICIALS***

1.     Commissioner GINDER wished everyone a Happy Thanksgiving and thanked Lee RACKUS for the presentation.

2. Commissioner SLONAKER congratulated President ARMSTRONG on being Whitehall Township's first elected County Executive.
3. Commissioner MARX stated 50-60 people attended the dedication of the donor stone at the memorial and thanked Commissioners GINDER and DUTT, the Mayor and everyone for their dedication to the cause. He congratulated President ARMSTRONG and asked that he not forget Whitehall.
4. Commissioner DUTT noted a holiday party is scheduled for December 19<sup>th</sup> at 6:00 pm at the Senior Center at the West Catty Park. In October had over 520 participants for lunches, exercises and bingo. The next town hall meeting for the preservation district for the Thomas Iron Works community is January 18<sup>th</sup> at 6:30 pm at the Local Union 773 hall on Lehigh Street and has volunteers to hand out flyers to the residents.
5. Commissioner HOWER wished a Happy Thanksgiving to everyone, thanked our veterans and Lee RACKUS for the presentation.
6. President ARMSTRONG congratulated the Board members who will continue on for four more years, feels Whitehall will be very well served. Thanked Lee RACKUS for the presentation, is honored that he will be representing the entire County and thanked all of the voters of Whitehall for having faith in him.
7. Mayor HOZZA stated for the first time, the Whitehall High School Marching Zephyr Band became the champions of the Cavalcade of Bands Association, a goal of every High School Marching Band. He noted the tree lighting for the Whitehall/Lehigh Valley Chamber will be on Thursday at the Lehigh Valley Mall and the Township tree lighting will be the first Wednesday in December. Mayor HOZZA stated he captured a beautiful picture of the memorial as the sun was setting which is posted on Facebook. He thanked Commissioners MARX and GINDER and all the volunteers who made the memorial a reality. He noted with the Board's approval this evening of the loan agreement, will begin the process of converting the Township owned street lights to LED's, will take 4 to 6 months by the contractor to do the entire Township. The savings the Township will get from PPL, along with the rebates that are available, will be used to pay back the loan.

Mayor HOZZA stated the Jordan Greenway Bridge has been installed over the Jordan Creek, the bridge was engineered and approved by Penn DOT and is hopeful a majority of the trail will be finished by the first week of January. The trail will run from Jordan Meadows in the City of Allentown, thru Whitehall Township, thru the Lehigh County Parks system, into South and North Whitehall Townships who will be responsible for their sections of construction and will eventually end at the Lehigh Valley Zoo. It will be our third major trail network in the Township and is also designed as a commuter route for anyone who wishes to ride their bicycle to work into downtown Allentown, avoiding MacArthur Road/Seventh Street. He wished everyone a very Happy Thanksgiving, have a lot to be thankful for in Whitehall and that God will continue to bless us in the future.

Lee RACKUS stated the Penn DOT archeologists will be giving a presentation on the Fort Deshler dig on Wednesday, December 6<sup>th</sup> at the Whitehall Library at 6:30 pm.

Howard LIEBERMAN invited the Commissioners to the close-out event for MacArthur 75 on Thursday, December 7<sup>th</sup> at the West Catasauqua Playground from 5 pm to 8 pm, will be a recap of everything that was done for the year.

Mario SPAGNOLETTI asked when the barn will be available. Mayor HOZZA stated the AMISH were scheduled to start this morning, when they are done, volunteers can re-enter the barn.

President ARMSTRONG stated the Board would be going into an executive session on personnel matters but no other business or action will be taken.

**G. ADJOURNMENT**

1. MOTION – Commissioner HOWER moved, seconded by Commissioner DUTT to adjourn the meeting at 7:40 p.m.