
MINUTES

April 14, 2014

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, April 14, 2014, in the Public Meeting Room of the Whitehall Township Municipal Building, 3219 MacArthur Road, Whitehall, PA, with the following in attendance:

COMMISSIONERS

Linda K. Snyder, President
Philip J. Ginder, Vice President
Dennis C. Hower, Secretary
Phillips M. Armstrong
Clair Hunsberger
Gerard F. Palagonia
Thomas Slonaker

TOWNSHIP PERSONNEL

Edward D. Hozza, Jr., Mayor
John D. Meyers, Deputy Mayor
Charles Fonzone, Attorney
Frank Clark, Keystone Engineering
Linda Kulp, Police Chief
Carl Lagler, Township Surveyor
Diane M. Hunsicker, Tax Collector
Robert Benner, Fire Chief
Patricia Sweeney, Executive Secretary

The meeting was formally opened with the Pledge of Allegiance to the Flag and a moment of silence for our troops and for retired Police Officer Alfred FRITZINER who recently passed away.

1) **APPROVAL OF MINUTES**

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

Regular Public Meeting – March 10, 2014

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

B. PRESENTATION

Steve GUNTER, Mackin Engineering, presented plans for the Routes 145 & 329 junction project, is a safety project since the intersection has been identified as a crash cluster. He introduced PennDOT District 5 staff, Mark SARDESAI, Project Manager, Imtiaz NATHANIEL, design unit, Timothy KRAMER, right-of-way unit and Ron YOUNG, press representative. Main improvements include extending the northbound left turn lane from 150 feet to 525 feet, extending the southbound left turn lane from 110 feet to 205 feet and adding a 12 foot right turn lane both northbound and southbound with six foot shoulders. The primary improvement on Rt. 329 will be some mill and pave on the approaches and sidewalk improvements along the radius of the intersection. Funding for the project is thru federal funds, the Highway Safety Improvement Program. The current traffic signals currently supported by span wire will be replaced with mast

arms; will include overhead street names and overhead lane control on the approaches. There will be some signing improvement on the approaches to MacArthur Road. The new signals and equipment will have LED lenses to improve visibility, working with the Township to include pre-emption for emergency services, also proposing improvements for pedestrian crossing safety because of businesses at the Eagle Point Plaza and curb ramps will be included for ADA accessibility. The traffic signal will be retimed to make traffic flow nicer and are looking to have utility companies relocate or adjust the heights of their power and communication lines in conflict with the visibility of the signal lenses. He noted there is a lot of new technology both PennDOT and the Federal Highway Administration are looking to use for safety, a radar zone detection system allowing for a vehicle approaching the intersection to be picked up by the radar and allows the signal to adjust in seconds for the vehicle to get thru the intersection since this is a high speed corridor of 55 mph. There is one temporary construction easement for the project and one required right-of-way, any property affected will be notified by the department, anticipate notices to go out in the October timeframe. There are primarily no environmental concerns, no historic properties or wetlands. During construction traffic will be maintained in stages, there may be some barriers along the edges when constructing the new turn lanes but traffic would be maintained thru the signal, would not be any major delays for lane closures since it is a major corridor and may have some night time work. Anticipated construction is scheduled to start in September, 2015, with more physical construction in spring, 2016 and be completed in August, 2016. Ron YOUNG stated any timeframes given now are strictly estimates and probably will change until the construction contract is awarded. Mr. GUNTER stated there are a lot of changes going on with the transportation funding of the department and one thing they are working on is where they will fit in with these construction projects to get things out for the public and have roughly a year of final design work ahead of them.

Commissioner SLONAKER stated they are focusing more on MacArthur Road but feels the problem most of the time are the people backed up on 329, they get out into the intersection, don't know if a vehicle is coming the other way and people are forever dodging it and what in this plan takes away some of that. Mr. GUNTER stated the primary things he sees improving Main Street is the signal timing; the medians are being reduced so vehicles will be able to make turning movements either southbound or northbound and the improvement of the turning radius for larger trucks. Commissioner SLONAKER noted it stays 2 lanes but what happens when you are heading east or west, the vehicle goes out, can't make the left hand turn to go south and traffic stacks up behind it and you have the people on the other side who might be going straight or trying to turn and all the while the people who have come up can't really see around them, try to go as quick as they can and feels that is the real problem there, understands what the other part is for but it is mainly the turning going southbound or northbound from east or west and does not see anything mentioned that fixes it. Mr. GUNTER stated he doesn't know if the accidents are primarily on MacArthur Road and there is not an indication of accident history for the need to provide an exclusive left turn lane or an arrow specifically just for movements off of Main Street. Commissioner SLONAKER stated he really didn't address the biggest issue there. Commissioner ARMSTRONG noted there is nothing in the plans then right now for a left hand turn signal coming east or west. Mr. GUNTER stated the plans do not include a turn signal for Main Street either direction. Commissioner PALAGONIA noted from observing traffic for many years in that area, vehicles going west on Main Street who turn left are mostly trucks or out-of-towners because the short cut is Fornaciari Drive and asked if there are going to look at the intersection of Rt. 145 and Fornaciari to make it any better to come out and enter the southbound lanes because it is a problem at times when the traffic is heavy and most people who live in the area know that short cut and take it. Mr. GUNTER stated it is not in the project limit. This project was identified thru the MPO, Lehigh Valley Planning Commission and PennDOT's staff that this intersection itself is a safety issue, the number of accidents that did occur are primarily on the main line of MacArthur Road, are trying to mitigate those accidents and also requested

from the Township the number of non-reportable incidents that don't make it into the State. He stated you currently lose the visibility of the signal in the horizon northbound and southbound and when you are east or west bound on Main Street and they will be putting the black plate borders around to help with the sun glare issue. Commissioner PALAGONIA noted most of the traffic that does not go east or west on Main will go south on 145, not too much goes north, maybe 10 or 20% and is sure anything they can do is going to be an improvement and is looking forward to seeing it. Commissioner GINDER asked if there is any talk of signalization for the Spring Mill Road intersection since we will have six lanes of traffic across there, two going north, a turning lane on Spring Mill and three coming south and that intersection becomes more of a dart to come thru with no traffic signal and the site clearance is horrible there. Mr. GUNTER stated the site distance is an issue. Commissioner GINDER stated the site distance isn't even an issue, there is none; it's right on top of you traveling at 55 mph up over the peak. Mr. GUNTER stated they were asked to evaluate that intersection, the crash history they had available did not show a pattern that would warrant a traffic signal. Commissioner GINDER stated it will get worse trying to go across six lanes of traffic instead of four and as these intersections get wider, it's harder to get across especially between the timing on the lights, a lot of it is with people sitting in the middle of these intersections trying to turn not knowing which way to go and here come the trucks barreling down on them at 55 mph. These intersections are so wide and when they are not signalized people get lost in these intersections and is what he sees driving around all day. Mr. GUNTER stated the thru movement southbound would not change, adding a right turn lane for the morning peak rush is why the right turn lane southbound was added, will get traffic out of the thru lane, they will be slowing down and that's not a conflict if you are making a left on Spring Mill. Commissioner GINDER stated you have them coming with zero site distance north on 145, then you have no site distance heading south on 145 trying to look down the hill and especially across six lanes of traffic coming at you, two on one side and four on the west side. He noted the site distance just isn't there and now you are sitting in the middle of a huge divider and have three lanes of traffic coming south on you with no site distance. Is an unusual intersection but if we are going to spend money, maybe can get some sight distance because we have quite a bit of development proposed in that area, another 70 houses coming out that intersection and there is no other way out for them. Mr. GUNTER stated he agrees and was given those preliminary plans for that development. Commissioner GINDER asked to consider some of this before it gets worse after spending millions of dollars and not throw money away and still end up with huge problems. It is one thing to say we spent money on an intersection but is another thing to say we wasted money but we got new concrete. He agrees with Commissioner SLONAKER on the turning lanes on 329, uses this intersection 3-4 times a day, lives close to it, most of the what he sees happening comes off of 329 when people can't see coming or going, come out in the middle, don't know where to go and the light changes. Commissioner ARMSTRONG stated with the development coming asked they consider that and is like any social problem, after something happens then everybody wants to do something but if you are there and see it would be a problem coming across and then with even more traffic coming out to do something to prevent it prior. Mr. NATHANIEL stated he takes the point on Spring Mill Road and they will definitely look into it. Commissioner HUNSBERGER asked if the stacking lanes for north and south will be made longer because when a truck and a car goes in its filled and then the guy heading north is in the other lane to pass the car that wants to make the left. Mr. GUNTER stated one of the primary improvements is the extension of the northbound left turn lane which will allow for the thru movements not to be backed up. Commissioner HOWER stated he agrees with his fellow Commissioners, the real issue is the left hand turns coming out of 329, looking at the plan does feel bad because he doesn't know where they could put a left hand turn especially going west on 329 but going east on 329 where most of the traffic does stack up it appears there may be some room, is that something they would consider, doesn't want to put them on the spot but should look at both because we have the same issue with Lafarge down by Second Street with no room for it. Mr. GUNTER stated he has been out to this intersection, watched the heavy trucks

crawling up an 8% grade, and knows the concern because if you get behind one of those vehicles it's a slow crawl but the volume of traffic doesn't necessarily indicate a need for that. Commissioner HOWER stated it's tough when you are sitting there coming westbound and going to make a left to go north on 145, sometimes take your life into hands because you have people coming towards you and the sun is in your eyes, they don't see you, half the time don't use a turn signal, is a very difficult intersection and if the majority of the accidents are going the other way he doesn't see it. Mr. GUNTER stated they are halfway thru the design process; the comments from the Board will be addressed as they move into final design, will take it back and look at things. Mayor HOZZA stated the people in the north refer to Route 329 as the Route 22 Beltway especially in the morning and evening rushes and can always tell when there is an accident on Route 22 because 329 is backed up considerably whether it is into Northampton or into North Whitehall Township. His concern is a continuation of Commissioner GINDER's about Spring Mill Road that if we should have someone on the other side of the highway trying to crossover to Spring Mill Road will be crossing over 6 lanes of highway and asked if there is going to be a prohibition on right turn on red or is the signalization going to include green arrows at the right turns and red lights to hold the traffic because someone coming north or south when there is a red light and are in the right turn lane to go into Cementon or Egypt, they will fly thru without stopping and the major traffic is going to be going east/west and is something the Township needs to discuss with the planners because we have determined that is lacking right now at MacArthur Road and Mechanicsville Road with the Safety Improvement Project. He noted in the morning we do not have a green arrow for the school traffic and people are getting more familiar with the turn and are not paying attention to oncoming traffic from the Wawa side. He noted we have updated our traffic signal standards and are now asking for combination traffic lights on our mast arms similar to Lehigh Street and Municipal Drive, also generator hook up since many of our traffic signals in the Township have battery backup in case of a power outage to keep the traffic signal running for a period of time and when the backup ceases we bring in Honda generators that are hooked up to the traffic signal to keep it running and to recharge the internal battery and needs to be added as well and will discuss with the department in moving to a camera system in the Township and having it wired ready to go when we install the cameras throughout the Township for security. Mayor HOZZA stated since this is a highly traveled corridor perhaps in the future it may be considered for the overhead traffic cams so we can watch it on WFMZ.

Frank CLARK stated is happy to see the lengthening of the stacking lanes for the left hand turns and about the signalization on 329 since there are not too many changes you can do since you are hemmed in by right-of-way and the cost is prohibitive but at the Scheetz intersection we used an extra phase, splitting it to east and west bound only and feels that would be a better approach since it is like a game of chicken right now when you come out onto 329 and if you could get a green time arrow and a straight so all the people heading westbound have the right-of-way, the people coming east have to wait and then you flip it and then what Mayor HOZZA said with the right turn signals, if you could alter those phases so you don't turn right-on-red in front of the traffic would save on right-of-way by not going any further on width on 329 and will be making the intersection more efficient north and south with the longer stacking lanes and the right turn movements to get off of MacArthur Road but would like to see some type of study done to see if it's possible to split that third phase. Mr. CLARK stated as to what Commissioner GINDER said on coming out of Spring Mill Road, if you are trying to turn southbound you take your life in your hands and asked if there is room to widen the median in order to have a rest area once you get thru the northbound lanes to stop and take a look, say a quick prayer, then make the left and hopefully you don't get smacked, is not much you can do to change the vertical there, cannot improve the site distance unless you do something heroic but at least give the motorist a fighting chance to line their vehicle in that median, have a chance to take another look to pull out and asked if they can slide the northbound lanes a little further east to accommodate a little wider median to provide a place to rest and if they can incorporate a couple of those things in the design

study it would be appreciated. Mr. GUNTER stated they will look at it in the final design, did look at the split phase time, doesn't work but there are some things they haven't touched on that he can discuss with the traffic unit on some other options. President SNYDER stated our engineer, Mayor and Board asked very important questions but how will they know what their decisions will be, will there be another meeting since they need those questions answered and how will he approach that. Mr. GUNTER stated since this becomes an operation and maintenance responsibility of the Township will have meetings on the final design. President SNYDER stated she understands he will meet with the Mayor but feels the Board asked many important questions and they need answers too. Mr. GUNTER stated the plan will need to be reviewed and approved by the Township and they will continue to meet with the engineer. President SNYDER stated they need to approve it, feels it would be nice to know what direction they are going so if they are not happy at that point would have sufficient time to make changes or is it a done deal by the time you get here as to what you will be doing. Mr. GUNTER stated they will work with the Mayor and if need be will sit down with the Commissioners again. President SNYDER stated the Mayor knows the questions they asked and if he believes he is not getting the proper answers, then to notify the Board and they will have a special meeting. Mr. GUNTER stated one is in the works for emergency services and pre-emption. President SNYDER stated she understands but will have another meeting to have those questions answered, are here to ask questions, give our opinions, live here, knows what that intersection is all about, she grew up here, and one way or another will know in sufficient time and if not happy with what you are telling us, will need to go further, it's important to us. Mr. GUNTER stated they will work with them. Mr. NATHANIEL stated he lives in Northampton and knows the pain being talked about, the Mayor grilled us badly for the 145 Project, and so they will work with the Mayor. President SNYDER stated she didn't say they wouldn't work with the Mayor but if they are not happy with what the Mayor tells them, will want another meeting and the Mayor will tell us if he doesn't get the proper answers.

Donald DRABICK, 5141 Lincoln Avenue, Whitehall, asked if the Township has anything to say on both sides of 145. Mayor HOZZA stated those properties are in control of PennDOT, the private property owner and PennDOT has their right-of-way. Mr. DRABICK asked if the Commissioners have any say about left turn lanes on 329. Mayor HOZZA stated we will wait for the discussions with PennDOT before they give us a final design to present to the Commissioners, if there are any issues with bring it before the Commissioners prior. Mr. DRABICK asked if there is any hope to get left turn lanes on 329. Mr. NATHANIEL stated at this time he doesn't think so, promised they will look into it, it is not an intersection improvement project, it is a safety project, have a history of crashes on 145 but do not have these conditions on 329. He noted the funding source is highway safety and is why they are doing with this project. Mayor HOZZA asked the estimated cost of the project. Mr. NATHANIEL stated construction cost is ~\$1.5M. Commissioner HOWER asked if the accidents on 145 are physically on 145, if they looked to see if they are turning from 329 onto 145 or if they are rear end or turning accidents going east and west on 329. Mr. GUNTER stated they are primarily on the main line, the accidents are red light running, rear end, a few angled accidents for the left turns because the storage lane wasn't long enough and some accidents from 329 but not enough to warrant the turning lanes. Mr. DRABICK stated he is interested in eliminating what he calls the tangle turn junction, got stuck there this morning because two tractor trailers heading southbound till they got thru the light, he lost the green and was sitting there like a dead duck.

C. COURTESY OF THE FLOOR

Hassa SALLOUN, 344 Sixth Street, Whitehall, stated he is a landlord with a house on 820 4th Street. The houses from 4th and 5th Streets put their garbage in the alley, garbage day is Thursday but finds garbage there on Monday, Tuesday and Wednesday in the

alley, don't put the cans behind the fence and when it's windy, blows all over and produced a picture. He complained three years ago and a letter was sent by the Township to the people at 813 5th St., 815 5th St., 823 5th St., 802 and 804 on 4th Street. Mayor HOZZA asked if they are owner occupied or rental properties. Mr. SALLOUN stated they are rentals except for 823. Mayor HOZZA stated the landlord is responsible for his tenants and if the tenants aren't following the garbage regulations then the landlord needs to know and inform them and asked if the landlord lives here, with an affirmative response.

Grace GARDELLA, 1933 Georgia Drive, Whitehall, gave pictures to the Commissioners showing a fence, understands fences need to be 12 inches from your property line. Commissioner PALAGONIA stated to his knowledge a fence should be 12 inches in from the person's property line. Frank CLARK stated is generally the rule however there is a provision in our code allowing it to be on the property line but need to get it surveyed, the adjoining neighbor has to recognize that line and both need to sign a document allowing it to be placed on the property line. Ms. GARDELLA stated the 8 ft. 7 inch partial fence was put up on September 7, 2012 at 1931 Georgia Drive. Mr. CLARK stated he would check to see if a permit was issued and what it allowed them to do. Commissioner PALAGONIA asked if the deck was built then or if it was there before. Ms. GARDELLA stated it was there prior to when she moved there in 2001 and new people moved in October, 2009. Commissioner PALAGONIA stated then the fence was installed for privacy. Ms. GARDELLA pointed out the sidewalk on the picture she considers very dangerous and understands the borough doesn't own the whole sidewalk. Mayor HOZZA stated sidewalks in the Township of Whitehall are the responsibility of the property owner to maintain and if there is an issue with heaving to repair it. Ms. GARDELLA stated she only owns 13 inches of the sidewalk and if she repairs the 13 inches, the problem will still be there because the other people won't fix it. Mayor HOZZA asked if she discussed this with PZ&D Director Lee Rackus, with an affirmative response. Mayor HOZZA stated he will discuss it with Lee. President SNYDER stated they will be getting back to her. Mayor HOZZA noted it will be up to Lee and Melissa.

D. PULBIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 9-2014 (Second Hearing)

TITLE: AN ORDINANCE AMENDING THE BENEFITS UNDER THE PENSION PLAN PROVIDED TO THE TOWNSHIP'S MUNICIPAL EMPLOYEES THRU THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW CREATING A DEFINED CONTRIBUTION PLAN FOR ALL NEW ELIGIBLE NON-UNIFORMED EMPLOYEES. (ADMIN)

President SNYDER read Bill No. 9-2014 to the Board.

Commissioner SLONAKER moved, seconded by Commissioner HUNSBERGER. There were no questions or comments.

Seven Commissioners were present with six voting "yes" and Commissioner HOWER abstained. Bill No. 9-2014 was approved.

2. BILL NO. 12-2014 (Second Hearing)

TITLE: AN ORDINANCE AUTHORIZING THE TOWNSHIP MAYOR TO EXECUTE DEEDS OF EASEMENT FOR PROPOSED TWO (2) GENERALLY TWENTY FOOT (20') WIDE SANITARY SEWER EASEMENTS ALONG WITH VARIABLE WIDE TEMPORARY CONSTRUCTION EASEMENTS, IN FAVOR OF COPLAY-WHITEHALL SEWER AUTHORITY UPON, ACROSS, OVER, UNDER AND ALONG PROPERTY OWNED BY THE TOWNSHIP OF WHITEHALL ALONG ROUTE 22, SITUATED IN THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA (DEVELOP)

President SNYDER read Bill No. 12-2014 to the Board.

Commissioner PALAGONIA moved, seconded by Commissioner ARMSTRONG. There were no questions or comments.

Seven Commissioners were present and voted “yes”. Bill No. 12-2014 was approved.

3. BILL NO. 13-2014

TITLE: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR PERFORMANCE OF STREET RESURFACING FOR THE PUBLIC WORKS BUREAU OF THE TOWNSHIP OF WHITEHALL IN ACCORDANCE WITH SECTION 3.20 OF THE HOME RULE CHARTER WHICH REQUIRES AUTHORIZATION OF ACQUISITIONS IN EXCESS OF \$25,000 BY ORDINANCE (PUBLIC WORKS)

President SNYDER read Bill No. 13-2014 to the Board.

Commissioner HUNSBERGER moved, seconded by Commissioner PALAGONIA.

Seven Commissioners were present and voted “yes”. Bill No. 13-2014 was approved.

Commissioner PALAGONIA asked if they are going to include the repair of the lower end of Spruce Street. Mayor HOZZA stated we are fortunate we can do the whole 2014 street reconstruction considering the winter we experienced but if the Board chooses to add Spruce Street, it would be a budget transfer approved by the Board, then direction given to the Deputy Mayor and Finance Director and to do Spruce which would be full depth reclamation which won't be as expensive as Columbia at \$325,000 but would be substantial and would estimate it at ~\$100,000. Commissioner PALAGONIA stated it would be from Sanibel Court down to Spring Street. Commissioner PALAGONIA stated they talked about Willow Street and was out there and it didn't seem to be that bad. Mayor HOZZA stated its Wilson that is on the schedule, Mrs. Fabian's street, and will sit down with Mr. RACKUS to discuss his thoughts on potentially switching but is not the same corrective measures on Wilson.

4. BILL NO. 14-2014

TITLE: AN ORDINANCE AMENDING CHAPTER 15, SECTION 37 OF THE 2006 CODIFIED ORDINANCES OF WHITEHALL TOWNSHIP, ESTABLISHING NO PARKING ZONES ALONG BOTH SIDES OF 1) QUARRY STREET (ALLEY) BETWEEN 140 FEET NORTH OF NORTH STREET & 390 FEET SOUTH TO ITS TERMINUS AND 2) NORTH STREET BETWEEN N.

FRONT STREET & QUARRY STREET (ALLEY) IN THE TOWNSHIP OF
WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA. (DEVELOP)

President SNYDER read Bill No. 14-2014 to the Board.

Commissioner PALAGONIA moved, seconded by Commissioner HUNSBERGER.

Carl LAGLER, Township Surveyor, stated based on the concerns expressed at the workshop meeting, had a meeting last Wednesday in the field to view the situation and concerns expressed by the residents on South Front Street for driveway access, were limited to winter time conditions when we had heavy snow falls and the roadway was narrow. He stated Fire Chief BENNER provided input for emergency response and we feel the best compromise solution during the winter would be a seasonal no parking regulation. The areas were marked out with white paint, there are about 16 available parking spaces now along Rivervu Condo's and the seasonal restricted parking from December 1st to April 1st would eliminate about 8 spaces. Commissioner PALAGONIA stated there would also be no parking on the west side of Quarry Street and on both sides of North Street. Mr. LAGLER stated he believes there is no objection to that. Commissioner ARMSTRONG stated they heard concerns about the aerial truck not being able to go around the corner. Fire Chief BENNER stated the Quint was there but not the aerial because they were shy a driver but with the parking restrictions are able to get thru from North Street and shouldn't be a problem the way Carl has it marked off now if everybody agrees with it.

Commissioner GINDER asked if they will line and stripe their parking lot so it can be used to get the most cars in as possible and believes once it is striped, it could be used. Mayor HOZZA stated the Condo Association president has verbally agreed the parking lot would be restriped with a designated handicapped parking space.

Commissioner SLONAKER asked if one handicapped spot is enough with so many houses. Mayor HOZZA stated the code looks at the entire building as to how many spaces, believes there are 15 units and noted when approved the facility was not mandated to install an elevator to the second floor. President SNYDER asked if he means handicapped parking not on the street but in the parking lot. Mayor HOZZA stated correct, so if a resident who resides on the first level is in need of a space it is available to them and as Lee stated last week this is going out to every apartment complex and condo in Whitehall Township about coming in for on street handicapped parking, the owners must meet the handicapped requirements on their own lot first, every case will be reviewed and in this case the individual who is on Quarry Street is grandfathered with the space they have.

Commissioner HOWER stated it was mentioned at the workshop meeting our Insurance Underwriters are going thru this process and there was an assessment done. Mayor HOZZA stated there is an assessment with our insurance carrier Brosky, Optimus is the risk agent they are using from Pittsburgh, the ISO is the ranking of the Township by this organization, if your community has a favorable ISO, then your property insurance is reflected by this ISO classification. Chief BENNER stated they get an ISO review every 15 years normally but have one coming now in 10 years. ISO is the Insurance Services Organization that sets the rates for every individual here in Whitehall Township with the exception of the Malls, whose rates are set by Factory Mutual. Commissioner HOWER asked if they will get a copy of the assessment when it is done, with an affirmative response. Mayor HOZZA stated it is quite extensive based on the number of commercial

and rental units we have in the Township. Commissioner PALAGONIA asked if the amount of fire equipment we have available to fight fires is a factor in the ISO rating. Chief BENNER stated it is based on a number of things, the amount of equipment, the age of the equipment, the water flow, the number of hydrants, the condition of the equipment, the hoses and the number of response times. Commissioner PALAGONIA stated so the ISO is mainly based on fire equipment or accessibility to fight a fire. Chief BENNER stated it is a combination of all the things he mentioned, at the moment are rated at a four which is good and the only way we could do better is to have full time people at the stations. Commissioner PALAGONIA stated it's a possibility if we get a new aerial truck our rating would be better. Chief BENNER stated only ISO can answer that.

Commissioner SLONAKER asked Chief Kulp if she was out on this drill to check out the spaces and see if it looks reasonable, knows Carl did a good job. Chief KULP stated she was, it looks reasonable, what Carl proposed is a good solution, did the same thing down on Jefferson Street with the basketball courts, has worked out well and doesn't see a problem with it.

President SNYDER stated this is a good thing and if it is throughout the Township is even better but called the different agencies we have our insurance with and they didn't know what she was talking about because she wanted a copy of everything they asked the administration to do, so where did these orders come from. Mayor HOZZA stated it is like an audit at the Township when Reinsel Kuntz and Leshner have questions for the Deputy Mayor but also have a separate meeting with me and asks by law what are my concerns, if I suspect fraud, are questions that are required, can call the Mayor and not necessarily staff or anyone else and ask these questions. President SNYDER stated it would have been nice to have been made aware this needed to take place, not necessarily a bad thing but to just get this on the agenda and don't have much information to understand this is taking place. Mayor HOZZA stated it was the perfect storm, was going on at the same time we were having an horrific winter, when you look at Quarry Street now with no snow compared to 20-24 inches of snow, it's a totally different environment and the neighbors know that, applauds the compromise, will see if it works and if not we will revisit it. President SNYDER stated if he is going throughout the Township and finds another area would appreciate if he would handled it a little bit differently with the Board, including the residents and speaking for herself, doesn't like when something is on the agenda and they do not have enough information on it and if someone gets in touch with him and tells him he needs to do a, b, c, fine that's his job, just inform them. Mayor HOZZA agreed but stated as they are all aware he is definitely a hands-on person and may need to delegate a little more.

Jerry MAHONEY, 3326 N. Front Street, Whitehall, stated back in February called the Mayor about the conditions, after two weeks the Mayor had signs put up which really helped them and when we left the last meeting is almost positive the Mayor said twice he would take the signs down but the more important thing is when we brought this to the Board a number of years ago, when McNeill was the Mayor, felt they got short changed. He was impressed with how fast the fire test was done, met with Jerry, Lori and Trish prior, walked where the lines were, told us where the fire truck would be in the back of the alley at the dead end, that left Mr. KRAMLICH's area, left 2 extra spots and asked if it could be put back one-half or one full vehicle so it wouldn't affect his or Carol's driveway. Mr. MAHONEY asked if 22 feet would fit 2 vehicles, with a negative response. It was noted it would fit one vehicle. Commissioner PALAGONIA stated it was decided no parking at the dead end. Mr. MAHONEY stated with a little extra room

for the truck which would help his wife to back up, would almost be in line with Mr. KRAMLICH's property. Carl LAGLER stated it was laid out to try and provide even parking spaces, recommended to try what they have and if there is an issue later on it can be addressed at that time, are trying to accommodate both parties. Mr. MAHONEY stated Shirley has one space all year round with the stipulation when she sells her place then there would be no handicapped parking on the street and the other stipulation would be from November 30th to April 1st, would give us 5 months and cover the winter situation because when the Mayor had the signs up, it worked out perfect and closed the door on the liability for the Township getting sued. He stated the problem is going to be if it takes a few weeks or so to get the lines down, silly games will be played with people parking were they want to park and asked if in the meantime can get temporary signs put up like the Mayor had.

Jerry MAHONEY, Jr., 3326 N. Front Street, Whitehall, stated when the fire test was done, the aerial truck was not used so how can the test be valid. Commissioner PALAGONIA stated the Quint was used which has a smaller aerial boom on it. Mr. MAHONEY noted the aerial truck is much larger and as the Mayor said need to be proactive and prepared instead of reactive to protect all the neighbors on the block and the condominiums if a fire was totally engulfed and if we do not do this simple thing, innocent lives are at risk and the liability factor is enormous. He stated if a fully engulfed fire erupted, it would a 3 alarm for 15 units, the amount of emergency trucks, including the massive size aerial truck would never fit on Quarry Street and asked Chief Benner if he agrees. Fire Chief Benner stated he feels the amount of trucks needed even for a 3 alarm fire would easily fit on Quarry Street. Mr. MAHONEY asked if he felt the emergency response trucks will all fit there with the eight cars, with an affirmative response noting it is much wider than some other streets in Whitehall where they had to fight a fire and would make it work. Mr. MAHONEY stated it is not about making it work, it's about making it safe. Chief BENNER stated it is safe. Mr. MAHONEY stated he hopes so because every second could cost someone their life, noted the Helfrich Springs and Perkins fires and believes we learned our lessons from them to be proactive instead of reactive and basically the solution is putting a band aid over the problem. Commissioner PALAGONIA disagreed stating the solution here works, was there and watched the exercise, the Fire Chief says the aerial truck will work because he has been to smaller locations with the aerial truck, Quarry Street isn't that small is about 22 feet wide, if there is no parking on the west side and only a few parking spaces utilized on the east side it will work because the intersection is clear at North Street, they can make the turn or can go straight into the building from North Street. Mr. MAHONEY stated that is if they are willing to abide by the rules but as in the past the residents of the condominiums bend the rules every chance they possibly can. Commissioner PALAGONIA stated if we have those no parking zones and people park there, to call the police and they will ticket them. Mr. MAHONEY stated they have, had 2 officers who were clueless and didn't know anything about those painted signs. Mr. MAHONEY stated for the residents of the condominiums is basically a matter of convenience, they have a parking lot to accommodate 30 vehicles, 2 for each unit and the concern of the neighbors is one of safety which is the most important reason they are here. Chief Benner stated he is concerned about safety but is willing to bet his reputation they can get any piece of equipment in there with any parking situation set up at this point in time and still take care of any fire that would happen there. Mr. MAHONEY asked with a guarantee that nobody's life will be at risk, with an affirmative response. Chief BENNER stated if there is a fire in the homes in the front, will fight it from the front of the house, not the back, the only fire they will fight from the back will be the condominiums. Commissioner ARMSTRONG stated he drove there last night to try and

figure out a solution to balance both sides, feels what they have now with the Fire Chief's approval to give it a shot, if people aren't obeying it, then we can come back and do something further but if we can get a compromise between the residents, would make their lives a lot easier and seems the Fire Chief and Police Chief both agree this would be a reasonable solution. He continued he is very much concerned about safety, doesn't think anybody can absolutely guarantee anything, asked to give them the consideration and noted the parking lot is in terrible condition. Mr. MAHONEY asked why don't they use their parking lot and need those 8 spaces to begin with. President SNYDER asked why they shouldn't have those 8 spaces. Mr. MAHONEY stated because all the neighbors have an extremely hard time pulling out of their driveways. President SNYDER stated she was there and Mr. LAGLER did a fine job, does feel for anyone whose has a home there and needs to back out and wants them to get out of their homes without a problem. Mr. MAHONEY stated that is not happening now. Commissioner PALAGONIA stated not until they approve what Mr. LAGLER presented, walked and measured the spaces with him, is satisfied everybody can exit or enter their driveway, were going to have one space open at the end but it was pointed out his car was parked there, so they eliminated it. Mr. MAHONEY stated huge SUV's have already parked there and he could barely get out. President SNYDER stated once this is approved that won't happen. Commissioner PALAGONIA noted the no parking will be only for 4 months during the winter when the snow is piled up. Mr. MAHONEY asked if there is a timetable. President SNYDER they will discuss it. Mr. MAHONEY asked if the Police Department could be alerted because right now they are playing harassment games by parking in those lines purposely and 3-4 neighbors had to call the Police who had no clue as to what is going on. President SNYDER stated when everyone is done the Chief will speak, are trying to make it fair for everyone, not trying to hurt anyone, trying to make the proper decision and help everyone, is a tuff situation. Commissioner PALAGONIA stated of the 8 spaces, 3 of them on the north end right before the driveway into their parking lot are used by Mr. VRABLE because he doesn't have any parking anywhere else so there are only 5 spaces used by the people of the condominiums. Mr. MAHONEY noted they are not exclusive to the condominiums, with an affirmative response. Chief KULP stated when the signs are posted and if cars are parked where they shouldn't be, to call the Police Department and they will ticket the cars and to say Hokendauqua because they received a call previously about a parking complaint on Quarry Street and the officer went to Fullerton or they could go up to Egypt and was why they did not respond 3 weeks ago.

Gloria REINHARD, 3300 Quarry Street, Whitehall, stated she is appalled taxpayer money was spent on the April 10th Fire Department drill since it was never a Fire Department issue, was a neighbor dispute that stems back to April, 2007, now has turned into a 3 ring circus, asked what is the proper procedure for establishing no parking on public streets because when she spoke to Mayor HOZZA on March 3rd after the signs were posted, he stated he had the signs posted after surveying the street and has the authority to make that decision, wants to know the chain of command, why haven't parking signs continued north of the entrance from their parking lot from the dead end to Hokendauqua Street, it appears to her the street, which is not an alley, is narrower from their parking entrance going north to Hokendauqua Street then in the areas where everyone is having this problem, has yet to hear that explanation since the Fire Department didn't do their drill on that part of the street and if her tax dollars are going to be spent needlessly, then the Fire Department should have done the whole street from point a, dead end, to point b, Hokendauqua Street, not stopping coming right down North Street. She stated the residents on Front Street were advised at the April, 2007 meeting they should have their vehicles under control when entering and exiting their driveways

to the rear of their property, now in 2014 here we are with the same issue again only because it stemmed from the severe weather this winter, is her understanding anyone can park where they want on public streets whether or not there are parking lots, garages, etc on or around a dwelling from where one lives, stays or visits and if she chooses to park on a public street that's her choice and whose is somebody else to say she can't because when you call the Police Department their going to say it's a public street. Ms. REINHARD stated MAHONEY's son is in violation because he parks on our side of the road 90% of the time, now he is parking in the lot, has parked there as much as we have and asked if anyone has a copy of the Township's Insurance Company's audit and recommendations concerning this situation, would like to have all of the inconsistencies cleared up so the Board has the facts to end this neighborhood dispute forever.

Mayor HOZZA thanked her for her input, reminded everyone we live in a Township of the First Class governed by Home Rule, is not a Borough where the Mayor is responsible for the Police Department only, he or she can break a veto or vote but in this form of government, the elected Mayor is responsible for Public Safety and when he or she views a situation that deems to have an issue, then he or she must act immediately and unfortunately that street is not a Snow Emergency Route and if it had been this past winter, residents would have had to move their vehicles. He stated because of the tightness of the street with the snow and the issues of residents on Front Street trying to leave and trying to get the snowplows in, made the decision to post the street. Mayor HOZZA stated it is a Township of the First Class, he makes daily decisions, is here 24/7 and the Bureau Chiefs can tell you that, receives over a 100 emails a day and as Harry Truman said "The buck stops here". Ms. REINHARD asked who made him God. Mayor HOZZA stated in 1974 the people of Whitehall Township formed a home rule committee. Ms. REINHARD stated she didn't know what a home rule committee is. Mayor HOZZA explained it is our constitution and is very similar to a city format in terms of government as Allentown, Bethlehem and Easton in being a home rule run community. Ms. REINHARD asked where that comes in with the streets and is using the fire as his crutch. Mayor HOZZA stated he must look at every area of the Township and what concerned him was Helfrich Springs. Ms. REINHARD asked what does that have to do with them. Mayor HOZZA stated she lives in a high occupancy dwelling. Ms. REINHARD asked why it wasn't brought up in 1984. Mayor HOZZA asked if we do the same things in America we did prior to 911, with a negative response. He noted we have changed; the insurance industry has changed because people are litigious, they will sue and is why he must protect the assets of Whitehall Township. Ms. REINHARD stated nothing is a coincidence, this happened because of a neighbor dispute, he needs to figure out how to tell them and it was said when we left here last Monday, we could park the way we were parking and now the Chief said until the signs are up we can park where we were. Mayor HOZZA asked if the signs were removed on Tuesday morning, with an affirmative response. Ms. REINHARD stated on Saturday at 8:45 someone was taking pictures and at 9:45, 805 came strolling down the street and she asked what the problem was and was told there was a parking complaint and how coincidental was that. She stated it wasn't the MAHONEY's or KRAMLICH but probably one of their cronies that called the police. Mayor HOZZA stated he believes they have a compromise that benefits the neighborhood. Ms. REINHARD stated he is not getting what is going on.

Anita LUKOW, 3332 N. Front Street, Whitehall, stated there was a fire issue as Mr. LAGLER can attest, there was a sign going down on North Street with no parking after it and there was no way a fire engine would have ever got around because Gloria parked right at that sign, is where it is a fire and ambulance issue, it had to stop and with this winter, everyone was parking at that sign and her daughter is a nurse who worked late,

came home at night and was afraid to come around the turn because it was so icy and she knew she would hit that car so right there is your safety issue and a fire truck would have never ever gotten around there and thank God there was never a fire and in regards to the comment about us having control of our vehicles, yes when it is weather like today but when it's icy and your coming out of your garage and don't know it's icy, you will slid right down into somebody's parked there and has nothing to do with irritating the neighbors. Agrees to compromise but to do it from November 1st when its starts getting icy until April 1st and how many times has it started to snow in October and is November when you get the icy mix making driveways a sheet of ice and doesn't like to hear her say we don't have control of our vehicles because all those neighbors in the Condo's think they have the right to use our driveways, they come down the alley and turn around to park the right way and when they don't use our driveways, come down like maniac's and there is one kid she saw this morning who flew down the alley backwards to park and if that isn't a safety issue doesn't know what is and if they want to park their fine but don't access our driveways, we pay taxes for our driveways, they don't. Commissioner PALAGONIA stated to see if they approve this. President SNYDER stated to wait until all the discussions, at the end will compromise and the entire Board will make the decision.

Shirley REUBEN, 3300 Quarry Street, Whitehall, stated when Anita called the police on the night her daughter could not get into her driveway because of a pick-up truck, it did not belong to our Association, was parked in front of Gloria's vehicle in a no parking area, feels the homeowners jumped on the bandwagon, stirred up a lot of problems for the people of Rivervu, lived there for 9 years, never once other than 2007 which was due to having 3 handicapped parking areas, did she observe a problem of them getting in and out of their driveways except this past winter when snow was piled 5-6 feet high in some places. She stated there contractor made sure the road was well plowed and that none of their driveways were plowed shut. We were all trying to deal with the weather and they at Rivervu have a right to improve our condo's and rules in the past should not have any bearing on today those people don't live here anymore, the road is wide enough to accommodate everyone who lives there, feels a lot of nitpicking has been going on, it seems they don't want to work things out, they want it all their way. She stated when one person has a legitimate reason to call the police, as in Anita's case, all the others try to follow suit. One homeowner originally gave permission to turnaround in his driveway and in turn those 2 people, who are not here, would shovel his driveway open as a courtesy, now he wants to retract and be a part of the problem not part of the solution and one person in particular has made many numerous comments not just about handicapped area but about one person playing the handicap card which would be her. Feels there is substantial room to back out of their driveways even when cars are parked across the street, cannot speak for other people in the second block but there is already a sign posted for no parking from the corner of North and Quarry to well past the big pine tree and they at Rivervu cannot be responsible for someone's grounds being torn up, it is not us doing it and hopes this can be resolved to allow everyone to get on with their lives and never be brought up again. She stated she had 2 videos to show how they can back out of their driveways correctly with no problem with cars parked all along the street and there will only be 4 parking spaces on the upper end of Quarry Street out of the 8 spaces. Carl LAGLER stated in front of the building itself, there would be 4 spaces and the other spaces are down towards the driveway for a total of 8 spaces. Ms. REUBEN stated on the night of the fire drill a gentleman said they would be pushing her handicap parking space down but feels he assumed she is blocking the driveway across the street but is not and Mr. KRAMLICH originally gave permission to those 2 people to turn around in his

driveway, now he wants to retract it back and when they talk about nitpicking, it is not them causing the problems.

Dick KRAMLICH stated he is at the end with the turnaround, years ago it used to be a pool and the fire department had 12,000 gallons of water prior to the fire trucks ever getting there but now has a 3 car parking lot which is a terrific turnaround. Mr. KRAMLICH stated he only gave permission to Jerry, not 2 or 3 others. Ms. REUBEN stated he did to Jack and Lori who told her he gave them permission to turnaround in his driveway and this past winter they went over there and shoveled out his driveway twice as a thank you.

President SNYDER stated she believes they could go back and forth all night but now it is time for them to make a decision, gave everyone sufficient time. She stated they cannot vote this evening and asked Carl LAGLER to give the reasons why and then they will get into the details of what he presented. Carl LAGLER stated the proposed ordinance is for no parking on both sides of Quarry and North Streets and we have reconsidered that, the proposal now is to have seasonal no parking on the east side of Quarry Street and on the west side no parking to prevent a problem on that side from the dead end of Quarry Street north about 375 feet and also a no parking zone on North Street from Front Street to Quarry Street, recommends, if we are in agreement with the seasonal no parking, to change the ordinance for the Board's meeting next month for their consideration. President SNYDER asked if the temporary no parking can be enforced as long as the Board approved it. Chief KULP stated as long as it is posted as they do for the street sweeping, temporary no parking signs are enforceable. Carl LAGLER stated this will be held next month because advertising of the ordinance needs to be done in accordance with the requirements. President SNYDER stated it's a very big change and needs to be advertised again, will finish the discussion up tonight but will not vote until next month.

Commissioner ARMSTRONG stated he is very appreciative of the Mayor being in charge of public safety, that when we did write the home rule was the responsibility we gave to that person and is glad he takes it upon himself to look at areas and try's to be proactive. He noted this was an extraordinary winter and as he saw it would have been impossible if cars had been parked there since he drives a tour bus and there is no way he can have made that turn with the bus if there was snow and cars, there are a lot of things that have been status quo that we try to change after something happens and feels we can get a compromise here, is a great idea to give it a try and is happy that Chief Benner came tonight and gave us his okay in regard to this and is very much in favor.

Commissioner SLONAKER stated his deciding point tonight was on whether or not the Chief said there would be a problem or not, obviously there was a problem during the snow, this compromise is not perfect but is just to work it out for the people there, is a tough situation but all he cares about is their safety and if you have to walk further, is sorry.

Commissioner HOWER stated he is fine with the proposed changes to the ordinance.

Commissioner GINDER stated he feels our Police Chief, Fire Chief, Mayor, Carl LAGLER have looked at this very sincerely, trusts everything they have said, have seen them in action for many years, have not steered him wrong yet as a Commissioner with information they have given him, his utmost wish out of this whole thing is to see all of them be neighbors once again because that is what this world is about and finding a few

parking spaces believes they can handle that, made a few changes but the important thing is to say hi to each other and hopes that day comes soon and this ends this nonsense.

Commissioner HUNSBERGER stated he is all right with the changes and Chief Benner knows where those fire engines can go and what they can do.

Commissioner PALAGONIA stated it was a pleasure to meet all the neighbors and try to solve this problem, believes if we all work together thinks this parking will work. Mr. LAGLER and I talked about it, the Fire Chief, Police Chief and the Mayor are on board, just need to obey the no parking, park where it is allowed, is sure everything will work its way out and they will be smiling at each other. Appreciates everybody coming in, are just trying to solve their problem, it's important to us because it's important to them.

President SNYDER stated she is happy and hopes they have a compromise because nothing is ever perfect, life isn't perfect, is also too short as Mr. GINDER is trying to get across, don't know how long we will be here and if turns out to be something bad down there and becomes an issue, then come back. President SNYDER stated in her mind he did the appropriate thing and knows he said he will be going about the Township and does not have a problem with that, knows home rule very well, is not saying the Mayor doesn't have power, maybe sometimes too much but that's not either here or there for any Mayor but suggested if this happens in another area to maybe handle it a little bit different and instead of putting no parking signs there immediately, doesn't care if they need a special meeting, just call her and she will call the Commissioners and have a special meeting and feels it might help to ease matters. She knows he felt it was an emergency but doesn't think the signs were put there when the snow was there. Mayor HOZZA stated there were placed there because of the snow. President SNYDER stated it won't be approved until next month and then it takes 30 days. Commissioner GINDER suggested having a special meeting to put an end to it and put the neighborhood back to normal and suggested having a special meeting before the workshop. President SNYDER noted all meetings are open except for executive sessions for litigation and personnel matters.

After discussion, the Commissioners agreed to have a special meeting prior to their workshop meeting on May 5th at 6:30 pm.

Dick KRAMLICH, 3322 N. Front Street, Whitehall, stated during the summer he has a lawn caretaker who parks in front of his parking lot on Quarry Street, thinks the condo's has a service also and should be allowed. Commissioner ARMSTRONG stated that is just a temporary and doesn't feel anyone would call the police. Mayor HOZZA stated it is no different than the UPS or FedEx but to make sure they take the grass with them.

Both Commissioners withdrew their motions and Bill 14-2014 was tabled.

President SNYDER stated she would stake her life on anything our Fire Chief Bob Benner has to say, respects him, feels he is the best Fire Chief you could ask for; he is so dedicated and has given his life to Whitehall Township. She is not running for anything or looking for brownie points but he is a wonderful human being and keeps our volunteer fire company running like a well oiled clock and God forbid it will be hard to fill his shoes when he retires, will never be able to and if wasn't for our volunteer fire company many of us maybe would not be able to afford to live in our homes because that is how much our fire services would cost and he is the man to thank.

Carl LAGLER recommended a compromise to the date, November 15th to April 1st with everyone in agreement.

5. BILL NO. 15-2014

TITLE: AN ORDINANCE AMENDING THE TOWNSHIP OF WHITEHALL'S REAL ESTATE TRANSFER TAX ORDINANCE (BOC)

President SNYDER read Bill No. 15-2014 to the Board.

Commissioner SLONAKER moved, seconded by Commissioner ARMSTRONG. There were no questions or comments.

Seven Commissioners were present and voted "yes". Bill No. 15-2014 was approved.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2841

TITLE: A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A GRANT APPLICATION TO LEHIGH COUNTY FOR SECURING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE 2014 APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (DEVELOP)

President SNYDER read Resolution No. 2841 to the Board.

Commissioner HUNSBERGER moved to approve, seconded by Commissioner HOWER.

President SNYDER asked if they would have to match any funds or come up any money. Carl LAGLER stated there is a 10% match we need to provide, they provide 90%, those are the requirements. Commissioner HOWER asked how much we are asking for. Mr. LAGLER stated we are applying for about \$200,000, not saying we will get it and our match would be \$20,000.

Seven Commissioners were present and voted "yes". Resolution No. 2841 was approved.

2. RESOLUTION NO. 2842

TITLE: A RESOLUTION AUTHORIZING THE TOWNSHIP MAYOR TO ENTER INTO A LICENSE AGREEMENT WITH TRI BORO YOUTH SOCCER CLUB FOR 19.3101 ACRES OF LAND OFF OF RANGE ROAD IN THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA AS DESCRIBED IN THE ATTACHED EXHIBIT "A" WHICH IS MADE A PART HEREOF AND INCORPORATED HEREIN BY REFERENCE (ADMIN)

President SNYDER read Resolution No. 2842 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner PALAGONIA.

President SNYDER asked if there is an expiration date. Mayor HOZZA stated as with all license agreements December 31 of this year. President SNYDER stated it needs to go in as a condition.

Tino BABAYAN, Tri-Boro Youth Club President, thanked them for considering all the kids as they are growing and running out of fields, came to Mayor HOZZA who has been helping them for years and is doing a real good job but need all their help and support to keep this going for the youth. President SNYDER asked who will have the keys for the establishment. Mr. BABAYAN stated him and his Vice President and will be getting one person who will in charge of opening and closing. President SNYDER stated they need that, do not want any nonsense going on there, not saying it will but is just life. Mr. BABAYAN stated he is just as tough in his organization as she is here. Mayor HOZZA stated we are also looking into a camera system. President SNYDER asked if there would be anything happening down that could be deemed inappropriate is there sufficient language in there to shut it down immediately, with an affirmative response. Mr. BABAYAN stated they will not have a problem. Mayor HOZZA stated there is a long history of Tri-Boro at Schadt Avenue, West Catty and at Steckel School at the School District. President SNYDER stated we just need to cover our bases. Al RECKER, Whitehall-Coplay Press, asked if there is a dollar amount with the lease. Mayor HOZZA responded in the negative, stating the lease is in return for maintenance of the property. It was noted the addition of the expiration date of December 31, 2014 will be added.

Seven Commissioners were present and voted “yes”. Resolution No. 2842 was approved.

E. OTHER

1. Commissioner GINDER moved, seconded by Commissioner HUNSBERGER to approve the reappointment of John DELSERRO to serve on the Environmental Advisory Council, term expiring December 31, 2017.

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

2. Commissioner PALAGONIA moved, seconded by Commissioner HUNSBERGER to approve the reappointment of John DELSERRO to serve on the Shade Tree Committee, term expiring December 31, 2014.

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

Commissioner PALAGONIA asked how many people we are short on the Environmental Board.

Mario SPAGNOLETTI, 351 Sumner Avenue, Whitehall, stated they need people and asked Commissioner ARMSTRONG to see if he can get some from the schools. Commissioner PALAGONIA commented he will do some head hunting.

3. Commissioner ARMSTRONG moved, seconded by Commissioner PALAGONIA to approve a motion by which the Whitehall Township Board of Commissioners expresses their interests in designating a Local Economic Revitalization Tax Assistance Area in the Township of Whitehall and authorizes the Administration and the Whitehall Township Industrial and Commercial Development Authority to further investigate the need for the same.

Howard Lieberman, 2314 N. 1st Avenue, Whitehall, Executive Director the WTICDA, stated he was in contact with the School District, they are proceeding with an informational meeting also, if their vote is positive will need to get a group together who will decide on which properties, assumes the Commissioners will want someone on it and asked if they could appoint 1 or 2 people if the vote goes positive because of the short timeframe to pull this off by January. Mayor HOZZA stated the total CRIZ was 130 acres of the three municipalities and obviously the amount of properties will be scaled back on the LERTA but the first thing we want is the entire 23 acres of the Dairy. Mr. LIEBERMAN stated his recommendation would be not to put in the Thomas Iron Works because the prognosis of it being done in the next 2-3 years is not very likely and there are properties we talked about in the Adaptive Re-Use resolution that are not in the CRIZ we may want to add and the last piece is a decision on whether or not you want to include residential since you have the opportunity to have residential and commercial whereas CRIZ was strictly commercial. President SNYDER commented on the need to speak to Lee and want the Dairy for sure. Mayor HOZZA stated we do not want to limit ourselves with the Dairy and just commercial, the Board has entertained and we see these mixed use projects happening where you basically build in your customer base by retailer and office combined with residential dwelling units as in Philadelphia and downtown and need Lee to weigh in on it. Mr. LIEBERMAN stated the original plan talked about the Administration, Lee, the Mayor, the Commissioners and someone from the School Board, needs to get them actively involved and the reason he is asking for the appointment now is so he can go to the School District and say these are the people on the Township side. President SNYDER asked the Board to appoint Commissioners HOWER and SLONAKER, feels it would be appropriate. Solicitor FONZONE stated she can do the appointments. Mr. LIEBERMAN stated when they get the final determination and resolution it will define the properties so the entire Board will vote on that piece. President SNYDER asked if the school doesn't agree, then this is not feasible. Mr. LIEBERMAN stated we must have the School District, the County is not scheduled until July/August but if the County doesn't go along, legally we can still do it, can do it with just the Township but there would be very little incentive attached to it because our piece of the tax is minimal compared to what the School District charges.

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

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner GINDER stated on Thursday at 7:30 pm is the status of the Sewer Authority annual meeting, everybody is welcomed to attend to see what kind of position our Sewer Authority is in, generally they do very well.
2. Commissioner HUNSBERGER noted he gets comments on the bumps made by the trucks at the stop lights and stop signs, is like a wash board. He stated on Mickley Road, knows it is private land, but is there any way to make them fill in the sinkholes on the driveway because a young kid could fall in even walking with their mother. Mayor HOZZA stated the 1242 property is now in control of the bank, Lee and her department and Chuck's law firm are working with the agent of the bank to have the property secured with fencing as we did with 303 Florida Avenue which has been boarded up and secured by fencing and City Line Construction is going to attempt to remediate that property and the 45 foot void under it. He noted 1242 is not as bad as 303 Florida but Lee and her department has been working earnestly in trying to get the bank to take the remediation steps to fix it. He noted we were in litigation with 303 Florida Avenue with Fannie Mae the agent for the property for a long time in order for them to remediate it. Mayor

HOZZA stated we have an issue in front of MacArthur Towne Center also where UGI's subcontractor did directional drilling and pierced the NBMA water line. NBMA repaired the line and then the depression began and really opened up this morning. Mayor HOZZA stated he contacted the subcontractor for UGI and the owner of the shopping center who has ordered Lehigh Valley Site to make the repairs. There is a detour in place and we hope they are completed by Friday. In addition, a sinkhole opened up today at the dividing line between Wal-Mart and the Vornado shopping center and one also at Lowe's around their storm inlet where the snow was piled this winter. He reiterated to everyone to get sinkhole insurance if they don't have it both for the land and the property.

3. Commissioner PALAGONIA asked about the status of the Prydun Farm grant. Attorney FONZONE stated the updated deed was recorded and sent to DCNR. Mayor HOZZA stated he will contact Mr. SQUIBB again and have received the final payment forms. Commissioner PALAGONIA stated the residents of lower Cementon and the Laurel Fire Company Ladies Auxiliary raised about \$7,000 to do some memorial work at Riverwalk Park, a tree planted, a bench with a plaque, a fence around the tot lot area and basketball court and a flagpole. Mayor HOZZA stated he didn't think a fence would be possible with just \$7,000. President SNYDER stated the Township also gave them a grant towards it. Mayor HOZZA stated he will check on it and asked who wrote the check from the Auxiliary. President SNYDER stated it was Brenda Kohler but thinks the check was given to Riverwalk, they put into their account and wrote the check, Paul Geissinger helped to write the grant and everything was approved. Mayor HOZZA asked if it was a Rec Commission grant, with an affirmative response. President SNYDER noted the \$7,000 was turned over to even be considered for the grant and was asked by a neighbor what happened to the money because nothing is being done. Mayor HOZZA stated he spoke to the Eagle Scout that will be doing the Hannah BANKOS memorial with a fence and pavers who may be asking for assistance because not all Eagle Scout projects are solo, has seen some of these projects and are works of art. President SNYDER stated she is glad for that project but the other items had nothing to do with that project, this is for many years and has been told many versions. Mayor HOZZA asked if this was the one-third share from Riverwalk, Rec Commission and from Cementon. Commissioner PALAGONIA asked if there was any monies allocated from Recreation because we use it for all parks and playgrounds and even used it for the Prydun Farm. Mayor HOZZA stated when you come to the Rec Commission you bring the grant for that particular project. President SNYDER stated they did.

Ann FREYMAN, 5010 Foxdale Drive, Whitehall, stated she is an active/social member of the Laurel Fire Company, is not aware of any active Ladies' Auxiliary, it dissolved. President SNYDER stated it was from the Ladies' Auxiliary who went down the tubes, was roughly \$2,000 and all they wanted in return was a bench with a plaque on it "From the Ladies' Auxiliary" and a tree. Mayor HOZZA noted they did receive some trees from the Tree Vitalized Grant. Commissioner PALAGONIA asked if this will be worked on this spring/summer, with an affirmative response. President SNYDER stated she can't wait to see it.

4. Commissioner PALAGONIA stated on March 3rd at 6:30 pm we met with Township Attorney Kevin Fogerty who recommended we should not take the City of Allentown to court over the erection of an LED sign proposed at 145 and Jordan Park property owned by the City. He advised to keep this issue quiet until Mayor HOZZA talked to Allentown Mayor Ed PAWLOWSKI to negotiate what can be done but on March 27th was in the Whitehall-Coplay Press about the LED sign before talking to Mayor PAWLOWSKI which he thought was not a good thing to do if you are trying to negotiate about

something you are not in favor of and also just wants to say he personally is not in favor of taking the City of Allentown to court over a sign and knowing that Kevin Fogerty, one of our attorney's, advised us not too, that we couldn't win and he brought this out in the open. Commissioner SLONAKER asked to tell him how this wasn't part of the executive session. Commissioner PALAGONIA and President SNYDER both noted that he put it in the newspaper. Commissioner SLONAKER stated he saw what is in that paper but Commissioner PALAGONIA is talking about what was talked about with the attorney and it's not in the newspaper. President SNYDER stated when they went into the executive session we said for possible litigation so why was it in the newspaper. Commissioner SLONAKER stated he did not see anything where they talked to Kevin FOGERTY which was in executive session and just because you have a disagreement with him, doesn't take away this idea let's first talk to somebody because it's his opinion and was probably asked by the Press and that doesn't in any way say what the attorney told us to do or not to do, you are just coming out with whatever you want. President SNYDER asked why you would put those comments in the newspaper in the first place it was supposed to be confidential. Commissioner SLONAKER stated so he can bring up what the attorney told us not to do. Commissioner PALAGONIA stated it's out in the open. Commissioner SLONAKER stated no, don't give him that, it isn't what the attorney told us to do and that was not in that paper. Commissioner PALAGONIA stated or whatever. Commissioner SLONAKER responded so this makes you look better because you didn't want to sign the agreement that all six of us agreed too. President SNYDER stated now he is talking about something else done in executive session. Commissioner PALAGONIA stated he wants it on record he is not in favor of going to court. Commissioner SLONAKER responded it appears that executive session doesn't mean anything to persons on the Board. President SNYDER stated maybe he is right because almost every time we have one, the next day whatever was discussed its out because she gets calls on it, agrees 100%. Commissioner SLONAKER stated it's unbelievable. Commissioner PALAGONIA stated he wants to say something further. Commissioner SLONAKER asked what part of the executive session does he want to bring out now to help out Mr. PAWLOWSKI. Commissioner PALAGONIA stated he thinks we should become good neighbors just like the people who were here tonight and we should be good neighbors to the City of Allentown, thinks we can negotiate with Mayor PAWLOWSKI and try and get it resolved, not going behind closed doors and saying this, that and the other thing and talking about suing the City when we are not going to win, that shouldn't be the answer, it's not the way it should happen, we should have good relations with our bordering Townships and City, is how he feels and there are other ways to go about things, talk to him and get something resolved. Commissioner GINDER stated but when they do not want to be straight with us, then you have to do some other things and doesn't feel Allentown was being open and above board and straight in this matter and is why we asked for the Attorney's opinion in the executive session. President SNYDER noted they did. Commissioner PALAGONIA stated he spoke to Mayor PAWLOWSKI, saw him a couple of times, he is willing to make the sign smaller, wants to put it there, even said there is an adult bookstore across the street from where he is going to put the sign, doesn't see what our problem is with putting up a sign there, what is the negative issue. He stated LED signs are something that will be happening all over and if it is his land and he wants to put an LED sign on there, let's try and negotiate to get it as small as possible and be able to use it and he was even discussing the possibility of profit sharing with the Township, he talked to him about it.

5. Commissioner HOWER stated he got a call from some residents down at 4th and Grape Streets, apparently years ago there were some yellow lines there and in the next alley over, have problems with parking because of the bakery and the store next to it, cars are

getting hit when they are backing out and now people are parking right up against Grape Street, is very difficult to pull out, was told by a resident he called here and was told we don't have enough money for paint and finds that hard to believe but just brought it up to make them aware of it.

6. Commissioner SLONAKER apologized for forgetting to bring the Pension Report for last month and will try to bring it for the next workshop.
7. Commissioner ARMSTRONG noted again the Student Government Day that he explained last week.
8. Mayor HOZZA reminded everyone there will be a cleanup day on Saturday, April 26th and to show up here at the Main Lobby and locations will be given out. In addition to properties owned by the State or the Township for clean-up, the majority of our parks are already completed by volunteers, our Public Works and Parks and Recreation staff. Commercial properties have been notified of issues such as garbage on Range Road, notified commercial properties on MacArthur Road they are responsible for sweeping their sidewalks before the PennDOT sweepers hopefully arrive. Mayor HOZZA stated the big event coming up is May 17th our Electronics, Document Shredding and VIN Etching Event, to be held rain or shine, there will be a modest charge for televisions based on the tonnage and requirement by State law. Mayor HOZZA thanked everyone for their patience this past winter and hopes everyone enjoys the spring weather and has a Blessed and Holy Easter and Passover.
9. Treasurer HUNSICKER stated her office is in the start of their second year of collecting delinquent garbage previously done by G. H. Harris. On January 1, 2013 had a delinquent amount of \$254,100 for 2012, in 15 months have collected 80% with a balance of \$51,000 and also collected \$3,700 in fees. They have just started collecting the 2013 delinquent garbage and in two months have already collected 29%. Started at \$255,000 which seems to be amount that is delinquent each year and at of the end of March have collected \$75,000 and feels her staff is doing extremely well. She noted they also collected almost \$10,000 in fees and are seeing a bit of a flurry in the collection of the liens we have set against homeowners for the garbage. Treasurer HUNSICKER noted previously when she did tax certifications, it only required to report on the current year but since we are doing the delinquent garbage, she is now including it on the tax cert and also any liens against the house which has really helped in getting some extra money in.

G. ADJOURNMENT

1. MOTION – Commissioner HUNSBERGER moved, seconded by Commissioner HOWER to adjourn the meeting at 10:10 p.m.