
MINUTES

January 14, 2013

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, January 14, 2013, 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
Paul F. Geissinger, Secretary
Dennis C. Hower
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
Lee Rackus, PZ&D
Linda Kulp, Police Chief
Diane Hunsicker, Treasurer
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.

2) APPROVAL OF MINUTES

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

Regular Public Meeting – December 10, 2012

Seven Commissioners were present with six voting “yes” and Commissioner GINDER abstained. Motion carried.

B. COURTESY OF THE FLOOR

Garth MOYER, 2423 Crest Street, Coplay, asked Commissioners to consider a proposal to build a “ten cell jail cell” at property on Lehigh Street in Hokendauqua, because he believes the Township has to pay for a prisoner when they are taken to Lehigh County Prison, would be for people who do not commit bad crimes and to cease all construction of the Garden Palace. Commissioner GEISSINGER asked what facilitated this. Mr. MOYER stated he was speaking from logic and if they build a Garden Palace restaurant by the overpass, traffic on Lehigh Street will increase, and how will the Police get in and out and the logistics of the land makes it ideal. Commissioner SNYDER stated they will take it into consideration but he needs to speak to Mr. SNYDER because the Township doesn’t own the land.

Mario SPAGNOLETTI, 351 Sumner Avenue, Whitehall, asked about the stakes and flags by the trail by the Chestnut Street Bridge. Frank CLARK stated it is for the Sewer Authority's Coplay Creek Interceptor Project. Mr. SPAGNOLETTI stated the Environmental Council is going down to nothing and asked if anybody knows of anyone to serve on the Council to let him or John DELSERRO know since there are people resigning.

C. PUBLIC HEARING AND VOTING ON ORDINANCES

1. BILL NO. 1-2013

TITLE: AN ORDINANCE ESTABLISHING THE SALARY OF THE TOWNSHIP TREASURER FOR THE YEARS 2014, 2015, 2016, AND 2017. (BOC)

President SNYDER read Bill No. 1-2013 to the Board.

Commissioner SLONAKER moved to approve, seconded by Commissioner GEISSINGER.

Commissioner SLONAKER stated he reviewed the Treasurer's note on her duties, wished she would have given a comparison to what other Townships of this size have in the way of income, does not think a no increase is a good thing and suggested raising it 2% one time. Commissioner HOWER stated the state publishes on their website PA Work Stats, the information for every County, in 2008 there were 60 positions in Lehigh County of Tax Collectors and Revenue Agents, in 2011 it was down to 30, in 2008 an experienced Tax Collector made \$51,000 which went to \$65,000 in 2011, the median is \$44,000 to \$53,000 and the average \$43,000 to \$52,000, so the average increase over the last 3 years was about 7% & 8% per year. Commissioners HOWER opined there are fewer employees to manage but the work is still there and feels something should be done. Jack MEYERS stated from 2009 the salary went from \$33,200 to \$35,215 which equates to ~ 6% over four years.

Commissioner GEISSINGER stated although the government gave a 2% reduction in social security the past two years, it just went up 2%, so 2% is nothing since it pays for the social security deduction but is also her responsibility to negotiate with the School District to help pay the wages. Commissioner GEISSINGER proposed 2%, 1%, 2% and 1% over four years, feels it is adequate and fair since all employees, except for 2 years, have gotten 2% over the last four years. Commissioner GINDER noted this is an elected position, not an employee and is not fair when families are struggling. Commissioner GEISSINGER stated it is fair and does not think an increase is out of the question.

Commissioner SLONAKER stated he wished she was here to discuss how much she would receive from the School District. Mayor HOZZA noted the Treasurer is ill. It was noted the percentage is based on what is paid for the position and not by individual. Commissioner HOWER stated it is an elected position and anyone can run for it but would think the people who run would have some type of background. Commissioner SNYDER noted they do not need too. Commissioner HOWER opined it should not be said that we are not going to give an increase over 4 years because there is the possibility that somebody may run that doesn't deserve the salary. Commissioner GEISSINGER opined it will not make a difference to what they set it at because if somebody wants the position, they will run for it no matter what it pays but need to attract capable people, it is

not outlandish, does not even keep up with the cost of inflation and sees no harm in giving something of a token gesture.

Commissioner GINDER stated they are far from out of our financial problems, the economy appears to be getting worse, did get a budget through without a tax increase, feels taxpayers have it pretty tough since school taxes went up, the School Board failed to fund the library and residents got hit with a library tax, the Township tax and the earned income tax went up last year and the federal government is screwing around with people's taxes. Commissioner GINDER opined it's a handful to keep a house together today; the job for a year between the School District and the Township pays ~\$57,000 plus tax cert money, will need to find this money in the budget, feels the position could hold another 4 years at the same pay rate and have no control on whether the person does it right or wrong because it is up to the voters. Commissioner GINDER stated they should consider what the Mayor got 2 years ago, 0, 0, 1% and 1% and feels it is very unfair to give the tax collector bigger raises than the Mayor, the right thing to do is to give the same thing the Mayor got, because it is up to the School Board to raise their end of it and whether they do or not have no control over it. Commissioner GEISSINGER stated 2% of what the Treasurer gets now is still a lot less than 1% of what the Mayor gets. Commissioner GINDER stated the Mayor is the top dog in the Township, when things go to hell, they look at the Mayor first, is the one who has to take the brunt and when everything is going fine, it's a wonderful thing but when tough times come in, the Mayor is responsible for it and does not understand giving another elected official in the Township a bigger raise than the Mayor and if it is not enough money to run for that seat, don't run because people are looking for jobs and believes someone will for \$57,000 a year plus tax cert's. Commissioner GEISSINGER stated he is not talking about the final salary but of the pay increase.

Commissioner HUNSBERGER stated in the Morning Call they had the salaries of the other Mayor's in the area and the County Executive and the Mayor in Whitehall Township was a little bit above the others and the County and Allentown are a lot bigger than Whitehall. Commissioner PALAGONIA stated he agrees we are always trying to cut corners and to give a 2, 1, 2, 1 is a lot and feels what the Mayor got would be an adequate increase in salary because we might not have this money but noted she does a great job and is getting paid well. Commissioner SLONAKER noted it's about the position not the person and feels 1% followed by another 1% in the first and third years would work.

Commissioner GEISSINGER stated he would like to make a motion to go 2%, 1%, 2%, 1% which was seconded by Commissioner HOWER. After discussion, the first motion was withdrawn by Commissioners SLONAKER and GEISSINGER.

Seven Commissioners were present with four voting "yes" and Commissioners PALAGONIA, GINDER and SLONAKER voted "no" for the motion to go with 2%, 1%, 2% and 1%. Bill No. 1-2013 was approved.

D. PUBLIC HEARING AND VOTING ON RESOLUTIONS

1. RESOLUTION NO. 2791

TITLE: A RESOLUTION GRANTING THE MAYOR THE AUTHORITY TO
EXECUTE REIMBURSEMENT AGREEMENTS NO. 0537731, 0537741,

0537751, 0537761, WITH PENNDOT FOR THE COMPREHENSIVE MAINTENANCE OF VARIOUS INTERCHANGES AND STATE ROUTES WITHIN THE TOWNSHIP OF WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA. (ADMIN)

President SNYDER read Resolution No. 2791 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2791 was approved.

2. RESOLUTION NO. 2792

TITLE: A RESOLUTION REAPPOINTING LEE CHRISTMAN TO THE WHITEHALL TOWNSHIP ZONING HEARING BOARD. (BOC)

President SNYDER read Resolution No. 2792 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2792 was approved.

3. RESOLUTION NO. 2793

TITLE: A RESOLUTION REAPPOINTING ROGER REICHARD TO THE WHITEHALL TOWNSHIP ZONING HEARING BOARD. (BOC)

President SNYDER read Resolution No. 2793 to the Board.

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

Seven Commissioners were present and voted “yes”. Resolution No. 2793 was approved.

E. OTHER

1. Commissioner GEISSINGER moved, seconded by Commissioner PALAGONIA to approve the reappointment of Robert COOMBE to serve on the Whitehall Township Authority, term expiring December 31, 2017.

There were no questions or comments. Motion carried.

2. Commissioner SLONAKER moved, seconded by Commissioner HUNSBERGER to approve the reappointment of Joseph WILFINGER to serve on the Shade Tree Committee, term expiring December 31, 2015.

There were no questions or comments. Motion carried.

2. Commissioner HOWER moved, seconded by Commissioner PALAGONIA to approve the reappointment of Phyllis STOUDT to serve on the Tax Appeals Board, term expiring December 31, 2015.

There were no questions or comments. Motion carried.

4. Commissioner PALAGONIA moved, seconded by Commissioner HUNSBERGER to approve the reappointment of Richard DROSNOK to serve on the Whitehall Township Planning Commission, term expiring December 31, 2016.

There were no questions or comments. Motion carried.

F. REPORTS OF PUBLIC OFFICIALS

1. Commissioner GINDER asked when the next meeting is between the School District, the Township and the Borough of Coplay. Mayor HOZZA stated he would check.

Commissioner GINDER asked about the letter from ARRO for a representative to serve on the SAC, feels it should be a member of the Sewer Authority and asked if they can do that. Attorney FONZONE stated the need to ask the person and suggested doing it by letter. Commissioner GINDER suggested Joe MARX since he is on the committee studying the proposed sale of the Allentown sewer and water and is very well versed in it. Commissioner GEISSINGER asked if anyone else has shown any interest. Commissioner GINDER responded in the negative and feels the need to have someone who has some knowledge already of what is going on. Attorney FONZONE stated it would need to be a majority decision by all. Mayor HOZZA stated the Chair of the Sewer Authority will be attending since they are the signatory and he and the Authority were invited to a meeting in the City but did not attend because the other signatories would not have been in the same room and did not want a separate meeting with each entity. Commissioner GEISSINGER stated he felt the Township should have its own representative.

After discussion, it was decided Mayor HOZZA would be the representative for the Township and he would ask Joe MARX to attend and represent him at the first meeting since he will be unable to attend.

2. Commissioner PALAGONIA stated he had major surgery and apologized for not being at the last meeting and thanked Commissioner SLONAKER for checking out the plastics place.
3. Commissioner GEISSINGER thanked the Mayor for the new lights in Village Green and asked if there will be any electrical savings. Mayor HOZZA stated the street lights are not metered, were told when PPL was deregulated; our only avenue was to shop around for our metered electric usage and we are now with Constellation on a state contract. He stated we can now shop around for our street lights and have signed with Hess Energy who will be negotiating with PPL for a new electric rate with a savings estimated to be between \$20,000 and \$30,000 a year. Mayor HOZZA stated in some municipalities throughout the country some utilities are more cooperative, especially in the California area where they have a rate structure for a municipality who has hundreds of LED street lights versus the traditional street light but PPL has not done that yet. He noted

PennDOT does not approve of LED so even if we wanted to start converting any state street, PennDOT would have an issue with it but thinks with lobbying that will change.

4. Commissioner SLONAKER commented on the monthly flash report from the Pension Fund, noted the expansion of the different types of investing which makes them more diversified, they are still not finished, are other avenues they want to approach but it is a start.
5. Commissioner HOWER congratulated all of the volunteers who were reappointed to their Boards and really appreciates the people who come out and volunteer. Commissioner HOWER stated he received a complaint about the lines at night in the construction area out front. Mayor HOZZA stated they would notify MUSCHLITZ.
6. Commissioner SNYDER stated as a ratepayer, taxpayer and Commissioner thanked the Coplay-Whitehall Sewer Authority in their attempt to oppose the sale or lease of the Allentown Waste Water Treatment plant to protect the ratepayers, was impressed to read that Coplay Council did not change the wording in our Resolution when it was presented to them, as encouraged by an Allentown representative but did not back down and spoke for themselves since the last she heard we still have freedom of speech in Whitehall and Coplay. Commissioner SNYDER noted the ratepayers should not be held hostage in order to help pay for the pension obligations in Allentown and need to be united in this effort and asked Commissioner GINDER to inform the CWSA that we offer our assistance in any manner they see fit. She noted Mr. MARX made the statement that it will be a rough ride, believes we need to get on board because united we stand and divided we fall. Commissioner SNYDER stated she appreciates everything the Sewer Authority and Coplay are doing and feels everybody is just trying their best to protect the ratepayers in Coplay and Whitehall.
7. Mayor HOZZA stated, as required by the Home Rule Charter, gave the Board of Commissioners the Mayor's State of the Township Report, noted it is his fifth report which highlights the 2012 year in review, addresses some of our short and long term goals by department and throughout the Township and is a report card which shows how the Administration and elected officials of the Legislative branch make Whitehall the place that it is. He noted Whitehall is fortunate to have a very robust community despite the economy, has a good residential building stock and makes a concerted effort to maintain it through our zoning and code enforcement. Mayor HOZZA noted we are fortunate to have good public safety with our Police Department and our over 150 volunteer firefighters that respond to calls day in and day out. Mayor HOZZA thanked everyone for helping to make his life as Mayor a lot easier.

Mayor HOZZA stated the letter from ARRO is not a meeting regarding the sale or lease of the City system but to grant Lehigh County Authority more capacity. Commissioner GINDER noted this all ties in to what is going on there. Mayor HOZZA stated it was in the newspaper that the valve was turned by the City of Allentown to provide water from the City to the Lehigh County Authority to boost their inability of providing enough water in Lower Macungie. Attorney FONZONE stated the letter talks about a Stakeholder Advisory Committee (SAC) that will provide advice to the LCA, the City of Allentown and the Project Team on local issues during the conduct of the project and are inviting Whitehall to participate and feels it is important for someone to attend because LCA has a certain history of taking over things. Commissioner GINDER stated he believes LCA is one of the companies bidding to take over the sewer and water.

Commissioner HOWER asked the importance for them to put something like this together while the bidding procedure is going on. Mayor HOZZA stated there are three issues going on: 1) the arbitration with the signatories that is long term 2) the sale or lease agreement 3) the project with the LCA and the City should be on the back burner. Attorney FONZONE stated they are putting this in the context of forming a joint Act 537 Plan, is connected to the other issues and it is important to know what is going on. Commissioner GINDER opined this will be a convoluted mess until it is all straightened out. Mayor HOZZA stated the need to understand the power struggle that currently exists in the County which is not to the north but to the west.

Attorney FONZONE stated the motion be that the Mayor or his designee shall participate in the Stakeholder Advisory Committee (SAC) that is to provide advice to LCA and the City of Allentown and the Project Team on local issues and the local issues they are addressing in the letter is the Act 537 Official Sewerage Facility Plan for LCA sanitary sewer service area and the City of Allentown.

Garth MOYER, 2423 Crest Street, Coplay, stated he had listened to a US House of Representative on C-Span who talked about formulas for waste treatment plants and how they are assisting in developing new technology, so there could be some federal money involved.

Commissioner GINDER moved, seconded by Commissioner GEISSINGER to approve the motion presented by Attorney FONZONE.

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

G. ADJOURNMENT

1. MOTION - Commissioner PALAGONIA moved, seconded by Commissioner HUNSBERGER to adjourn the meeting at 8:10 p.m.