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# MINUTES

## December 15, 2014

### Special Public Meeting

Board of Commissioners

Whitehall Township

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**A. CALL TO ORDER**

1. A Special Public Meeting of the Whitehall Township Board of Commissioners was called to order at 6:00 p.m. on Monday, December 15, 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 Palagonia  
Thomas Slonaker

**TOWNSHIP PERSONNEL**

Edward D. Hozza, Jr., Mayor  
John D. Meyers, Deputy Mayor  
Charles J. Fonzone, Solicitor  
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.

**B. PUBLIC HEARING AND VOTING ON ORDINANCES**

1. BILL NO. 48-2014 (Second Reading)

TITLE: AN ORDINANCE AUTHORIZING THE BOARD OF COMMISSIONERS OF WHITEHALL TOWNSHIP TO ORGANIZE A WHITEHALL AREA DEVELOPMENT AUTHORITY UNDER THE PROVISION OF THE "MUNICIPALITY AUTHORITY ACT OF 1945" AS AMENDED.

President SNYDER read Bill No. 48-2014 to the Board.

Commissioner HOWER moved to approve, seconded by Commissioner SLONAKER.

Seven Commissioners were present and voted "yes". Bill No. 48-2014 was approved.

President SNYDER stated she hopes the powers to be start doing something for Whitehall Township other than the surrounding communities. Commissioner PALAGONIA noted they have a lot of faith in Mr. LIEBERMAN to get the empty buildings filled up and old buildings redone especially the Dairy.

Howard Lieberman stated there are some costs in order to record the creation of the Authority in Harrisburg and for a timely filing there is an expediting fee. The recording fee is \$125, a \$100 same day expedite fee, mileage and parking, needs to be advertised in 3 locations, twice in a local newspaper, the Whitehall-Coplay Press and once in the Lehigh County Law Journal with a total cost of \$555.00. He will advance it but is asking they approve the expenditure and will take it out to Harrisburg personally.

Attorney FONZONE stated in the ordinance the Board just passed, the second last paragraph states “Now therefore the Board of Commissioners approves the formation of the Whitehall Area Development Authority and authorizes the Administration to take such steps as necessary to accomplish the same”. These are administrative steps and if they believe it is part of what they just passed to accomplish the incorporation, believes they can vote on it. Commissioner GINDER asked if it can be done by motion. Attorney FONZONE stated it depends on how liberally they want to interpret that last phrase, may not need anything else. After discussion, the Board agreed to have a motion. Mr. LIEBERMAN noted the amount would be a 2014 budget expenditure.

Commissioner HOWER made a motion to cover the \$555 cost of recording fees for creating the Authority, seconded by Commissioner PALAGONIA.

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

Mr. LIEBERMAN stated the Zator Law Office has been working on the CRIZ, the 2014 budget approved funds to help in the creation of the CRIZ, has submitted an invoice for half of the legal bill of ~\$17,000 for ~\$8,600 which was an item in the budget for that purpose. The other two Boroughs covered the cost of meetings, etc. but this is strictly half of the legal bill. President SNYDER asked if it is separate from what they are doing now, with an affirmative response. Commissioner SLONAKER noted this is from the ICDA. Mr. LIEBERMAN stated the one has led to the other. Attorney FONZONE asked if his question is that the funds were coming from the Economic Development. Commissioner SLONAKER responded in the negative stating he just wanted to make sure they weren’t having the new Whitehall Area Development Authority paying for that bill. Attorney FONZONE asked who he feels is paying for it. Commissioner SLONAKER stated we are since we are approving it.

Commissioner HOWER stated he remembers they made a couple of line items in the budget, one was for \$10,000 and a couple of other smaller ones. Mr. LIEBERMAN stated there were 3 line items, one was \$10,000 for the creation of the Authority, \$2,500 to support the Waterway Symposium and \$10,000 undefined to the ICDA subject to the Commissioners approval of the expenditures. Commissioner HOWER stated that the ~\$8,600 comes out of the first \$10,000 but what other expenditures have we had out of that line item of the budget. Mr. LIEBERMAN stated ~\$860. Commissioner HOWER asked if it was out of the initial CRIZ where we were trying to find out how much Catty and Coplay were paying. Mr. LIEBERMAN stated it is mixed in but is not sure of the amount. Commissioner HOWER stated he would like to see an accounting of all that first, wants to pay a bill that is due, has no problem using the funds but wants to make sure they are not going over that amount. Mr. LIEBERMAN asked if the accounting is for the legal bill or the total CRIZ expenditures. Commissioner HOWER responded the total CRIZ expenditures. Commissioner GINDER asked to see a breakdown of the ~\$17,000 legal bill and noted the Township should have a run out of what was spent from that account. After discussion, the Board agreed to hold the matter until the January meeting.

President SNYDER announced the Board would be going into an Executive Session regarding potential litigation but would not be taking any action afterwards.

## **C. ADJOURNMENT**

Commissioner HUNSBERGER moved, seconded by Commissioner PALAGONIA, to adjourn the meeting at 6:12 p.m.