

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS  
MUNICIPAL BUILDING  
FEBRUARY 20, 2008**

**draft**

Chairman Ronald E. Stahley called the meeting to order at 7:30 PM followed by the Pledge of Allegiance to the flag and roll call. In attendance were Supervisors Ronald E. Stahley, Terry P. Stoudt, Ronald J. Heintzelman, Attorney Lisa Young and Secretary/Treasurer Brenda Norder.

**APPROVAL OF PREVIOUS MINUTES**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the minutes of the following meeting were approved as presented: 1. February 6<sup>th</sup> Board of Supervisors Meeting. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

**ANNOUNCEMENTS**

1. Tires will not be accepted for recycling until April 1<sup>st</sup>, 2008.
2. The Parkland Community Library will hold a community program on February 26 at 1:30 PM in the municipal meeting room. The program is open to the public and will feature local columnist/comedian Syman Hirsch.
3. An invitation to bid for Leasing of Agricultural Land has been advertised and bids will be publicly opened on Monday, March 3, 2008 at approximately 8:15 AM.
4. An aide from Senator Browne's office will meet with residents in the public meeting room, on Monday, March 10<sup>th</sup>, from 10 AM to 2 PM to answer questions about and provide assistance in completing the 2007 Property Tax/Rent Rebate applications.

**COMMENTS FROM THE AUDIENCE:**

Atty. Jeffrey Dimmich, 5851 Lindbergh Street, Orefield, questioned the Board about the Township's response to the records request for copies of the Wal-mart Subdivision and Land Development Plans. He was concerned because the residents' group, North Whitehall for Sustainable Development, has been refused copies of the copyrighted plans. Atty. Dimmich represents the residents' group. He is of the opinion that they are entitled to copy the copyrighted plans under state law. Atty. Young's position is that the Township is protecting itself from litigation of copyright law infringement. She will contact counsel at PSATS for advice. Supervisor Stahley stated the Township is actively seeking a resolution to this issue.

Carol Rearick, 4636 Anthony Drive, Coplay, reported that her neighbor (Ed Hildebrand) is still allowing ATVs to be operated on his property and stated the Township has videotape and sound meter readings that substantiate that this activity violates the Township's noise ordinance. She asked the Township to enforce the ordinance section pertaining to noise. She also stated that this activity violates DEP's ordinance regarding noise.

Ed Hildebrand, 4628 Anthony Drive, Coplay stated he and his family are being harassed and videotaped constantly. He will continue to ride his motorized bikes on his property.

Michael Butryn, 4639 Anthony Drive, Coplay, submitted pictures of the Rearick family using bows and arrows in their backyard and contended that this was a far more dangerous activity than the ATVs. Carol Rearick stated that at no time were the arrows aimed in the direction of any adult or child.

Tim Bauer, 4615 Anthony Drive, Coplay, complained that the ATVs run for hours and the noise is deafening and his wife can't hang her wash outside because of the dust.

Atty. Young stated that the Township is only allowed to address violations of the Township's ordinances. Other issues may need to be resolved through the State Police or the Magistrate's Office. She will check with the Zoning Officer regarding the legal aspects within the Township's purview.

**draft**

**TREASURER'S REPORT**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Treasurer's report was approved as presented. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

**OLD BUSINESS:**

**CLEANUP QUOTES**

After a review of the quotations received for the Spring Cleanup, to be held on April 25 and 26, Supervisor Heintzelman recommended awarding the bid to Berger Sanitation, at their low quote of \$250.00 per unit/ton total. Upon motion by Terry P. Stoudt, seconded by Ronald E. Stahley, The Board awarded the bid to Berger Sanitation. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**NEW BUSINESS:**

**DALLA'S MACHINE ADDITION**

**WAIVER REQUESTS**

Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board granted the request from Stan Theodoreis and Joe Rentko representing the Preliminary Plan of Dalla's Machine Building Addition, for the following:

- 1) Relief from the maximum grading requirement of 3:1 to allow 4:1 maximum slope.

Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board granted the request that

- 2) The plan be viewed as a Final as well as a Preliminary

Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**DALLA'S MACHINE ADDITION**

**PRELIMINARY/FINAL**

Stan Theodoreis and Joe Rentko presented the Preliminary Plan of Dalla's Machine Building Addition to the Board. Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Plan was approved as a Preliminary/Final subject to the following conditions:

1. Developer shall comply with all of the recommendations contained in the letter from the General Planning Engineer dated February 18, 2008.
2. Developer shall comply with all of the recommendations contained in the letter from the Zoning Officer dated February 11, 2008.
3. The Developer shall comply with all of the recommendations contained in the letter from the Traffic Engineer dated February 8, 2008.
4. Developer shall comply with all of the recommendations of the Planning Commission Meeting of January 22, 2008.
5. The Developer shall comply with all of the provisions contained in the Planning Administrator's checklist letter dated February 6, 2008.
6. The Developer shall add a note on the Plan reflecting an easement granted to the Township for emergency access to bio-retention ponds.
7. The Developer shall add the compost mix used to fill the bio-retention areas detail to the Plan.
8. The Developer shall contribute \$ 1,200.00 to the Traffic Impact Fund based on the calculation of 6 additional trips/day per the Traffic Engineer's letter dated February 8, 2008 multiplied by the unit rate (\$200.00/trip).

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*Dalla's Machine continued*

9. The Developer shall contribute \$2,738.00 to the Recreation Fund.  
Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**AUTHORIZATION TO SIGN AGREEMENT                      HUMANE SOCIETY**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized the Chairman to sign the agreement between the Township and the Humane Society for animal control services for the year 2008. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**RELEASE OF ESCROW FOR LEGAL & ENGINEERING**

After consultation with the Solicitor and the General Planning Engineer, Secretary/Treasurer Brenda Norder recommended the following escrow for legal and engineering be returned:

Rabenold/Frantz                      \$ 1,359.50

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board authorized the Treasurer to return the escrow balance. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**AUTHORIZATION TO DISTRIBUTE SCHNECK HOUSE ALLOCATION**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Treasurer is authorized to distribute the 2008-budgeted allocation of \$2,000.00 to the Upper Lehigh Historical Society's Schneck House. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**AUTHORIZED SOLICITOR TO REPRESENT TOWNSHIP AT ZONING HEARING BOARD**

Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the Board authorized Atty. Young to represent the Township before the Zoning Hearing Board, regarding the Pissani Appeal Hearing on March 11, 2008. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**ADVERTISE FOR BIDS                      ROAD MATERIALS, IN-PLACE JOBS AND EQUIPMENT RENTAL**

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Secretary is authorized to advertise for Road Materials, In-Place Jobs and Equipment Rental bids for the year 2008. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**AUTHORIZE ADVERTISEMENT FOR PROPANE**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized the Secretary to advertise for propane fuel. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

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**LETTER OF APPROVAL                      ALLIED SERVICES**

Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board authorized a letter of approval be sent to DEP, regarding the Schnecksville North Sewage Treatment Plant, to re-rate the plant to reflect the actual capacity of the plant and acknowledge the site improvements. The Township's letter would also include a provision requesting an emergency on-site generator with an automatic transfer switch be required. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**COMMUNICATIONS**

1. PA Bulletin
2. LVPC Newsletter
3. Land Use Assumptions Report from Lehigh Township
4. Letter from Catholic Charities requesting residents in need to contact them. They have received a grant to provide services to families or individuals in need.

**ADJOURNMENT**      Meeting adjourned at 8:31 PM.

Respectfully submitted,

Brenda Norder, Secretary