NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP MUNICIPAL BUILDING
MAY 7, 2008

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, Engineer Stephen Gitch 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. April 9th Workshop Minutes, 2. April 16th Board of Supervisors Minutes, 3. April 18th Emergency Meeting, 4. April 30th Bid Opening Minutes. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. The Board held an Executive Session on April 23,2008, for the purpose of discussing matters of real estate.

ANNOUNCEMENTS
1. The Board reinstated Ordinance 1999-2, Burning Ban, at the 'High/Extreme' Level, effective as of April 18th, until further notice. No open burning is allowed at this level.
2. The Supervisors, Secretary/Treasurer, and Roadmaster will be attending the PSATS convention, in Hershey, on May 11-14.
3. Bids for paving materials, aggregates, and in-place jobs have been advertised and will be publicly opened on May 16th at approximately 8:15 AM.
4. The invitation for the joint municipality sodium chloride (road salt) bid has been advertised and will be publicly opened on May 28th at approximately 8:15 AM.
5. The Township Offices will be closed Monday, May 26th for the Memorial Day Holiday.
6. As required by Act 14, Barry Isett & Assoc. has notified the Township that they have applied to DEP for an NPDES Permit for stormwater discharge associated with construction activities for the Stone Ridge Manor Subdivision.
7. Supervisor Stahley thanked everyone for helping to get the word out that tonight's meeting time had been changed.
8. Supervisor Stahley announced that the traffic change-over, for the NW1/Rt 309 Project, will occur May 16 when Orchard Road will become the detour for the closure of Old Packhouse Road.

COMMENTS FROM THE AUDIENCE:
Atty. Jeffrey Dimmich, 5851 Lindbergh Street, Orefield, informed that the Board that WLVC had entered into an agreement with Wal-mart as early as 2005 and he inquired if any of the Township's consultants had reviewed the series of reports presented by the resident's consultants.

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: Supervisor Ronald Heintzelman thanked the Township employees and the volunteers from KidsPeace, Lehigh County Juvenile Probation Office, Township Fire Police, and Berger Sanitation for their efforts in making the Clean up a success. 732 vehicles were checked in over a 2-day period.

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NEW BUSINESS:

APPLE BLOSSOM CIRCLE WAIVER REQUESTS

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board tabled the request from Bob Hoppes and William Sell, representing the Apple Blossom Circle Subdivision, for the following waiver requests:

1) SALDO 10.07 - Relief from using plain cement concrete curb and replacing it with jumbo Belgium block granite stones;

2) SALDO Appendix C - Typical Street Cross-Section Sheet C-2 - Relief from:

a. Cartway width from 36' to 32';
b. Installation of sidewalks;
c. South side guard rail to be replaced with large stones 5 feet apart; and
d. South side 3:1 slope reduced to 2:1 with use of Rip Rap.

The Board asked the Developer to research other options for the curbing and guard rail issues. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - no; Ronald J. Heintzelman - yes. There were no public comments on this item.

WAL-MART SUBDIVISION PLAN PRELIMINARY

Atty. Erich Schock and Bud Newton presented the Preliminary Plan of Wal-Mart Subdivision to the Board. Attys. Jeff Dimmich and David Najarian and Traffic Engineer Edward Koehler, representing North Whitehall for Sustainable Development, presented their research findings to the Board. Some items noted included but were not limited to: Inconsistencies in the 1999 and 2005 Subdivision Plans of WLVC, lack of a traffic study for current Subdivision Plan, mislabeling of 2005 Plan as a minor instead of a major, missing Lot Line Adjustment and questions about the relocation of Old Packhouse Road, and the vacation of Grist Mil Road. Based on their findings, Atty. Dimmich requested the Plan be denied.

Steve Gitch noted that letters were received from LCA stating they will provide water and sewer services, however approval from DEP has not been received.

Comments:

- Wade Haubert, 3730 Apple Road, Orefield, implored the Board to deny the Plan and that tabling it is not an option in light of the information provided.
- Ron Roth, 5353 Route 309, Schnecksville, stated he felt that Wal-mart would not create additional traffic and that the Board should set the hours of operation.
- Molly Riley-Cygan, 4235 Route 309, Schnecksville, read a prepared statement stating her concerns for her children's health regarding the soil contamination and traffic safety issues.
- Bud Newton, Wal-mart Engineer addressed the arsenic issue.
- Barb DelPrete, DelPrete's Pharmacy, Route 309, Orefield, related a personal health experience to emphasize that the Developer must be held accountable for the contamination remediation.
- Charles Knauss, 3525 Apple Road, Orefield, stated he has a petition of 800+ signatures and that the idea that there is only 40 people opposed to this development is incorrect.
- Ron Roth, 5353 Route 309, Schnecksville, suggested a chemical analysis be required for the site.
- Laura Warmkessel, 2077 Juniper Drive, Coplay, stated that it is the Township's responsibility to inform residents of the hazards in their neighborhoods.

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Comments continued:

- Joan Casari, 4209 Iroquois Street, Schnecksville, related a personal health experience to emphasize the seriousness of the contamination issue.
- Barb Deane, 4638 Cortland Drive, Orefield, noted that Atty. Bob Johnson should be held accountable for some of the current problems.
- Jerome Joseph, 3521 Rome Court, Orefield, implored the Board to get DEP involved to test the soil.
- Harold Smith, 5526 Park Valley Road, Schnecksville, noted the current Board of Supervisors should be given credit for their work to improve the Township and that much of what is happening today was inherited problems from the past.
- Sandy Bradney, 5643 Manor Drive, Neffs, expressed her concerns about health issues.

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Plan was tabled subject to further research by the Township regarding information supplied by the NWSD attorneys. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

Regarding the issue of reviewing the reports submitted by NWSD, Supervisor Stahley entered a motion to authorize the Solicitor to submit a written request to the Applicant's Solicitor asking the Developer to consider reimbursement to the Township for review by Township consultants. Motion seconded by Terry P. Stoudt. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

BLUE HORIZON ESTATES & LOT CONSOLIDATION EXTENSION OF TIME
Upon motion by Terry P. Stoudt, seconded by Ronald E. Stahley, the Board accepted the extension of time until October 1, 2008, in order to review the Plan of Blue Horizon Estates and the Plan of Blue Horizon Lot Consolidation. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

APPROVE COOPERATIVE PURCHASING INFIELD MIX CONTRACT PARTICIPATION
Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized the Township's participation in the Lehigh Valley Cooperative Purchasing Group's contract with Martin Stone Quarries for infield mix at the contracted rates of $14/ton for standard mix and $17.50/ton for premium mix. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

CONTRACT EXTENSION FOR CRACK SEALING
Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the Board authorized continuation of a 3rd year of a 3-year contract for crack sealing. Escalator clause will apply. If the price, after the escalator price is determined, is unsatisfactory, the Township may elect to bid new contracts for the 2008 year. The contractor shall submit a current State Certification for the above-mentioned project, a new Performance Bond and a current Certificate of Insurance. 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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AWARD OF BID PROPANE FUEL
Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the contract for propane fuel was awarded to Spectrum Propane at their low bid price of .43 cents over the Mont Belview, Texas daily listing. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

REFUND OF TAXES
Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board approved the request from the Lehigh County Assessment Office and authorized the Treasurer to refund Township taxes based on a revised assessment, on the following properties:

Bertha Schwartz	2007	$ 21.09 total
Randy Gouse	2005-2007	$ 21.33 total

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

REQUEST FOR EXONERATION FROM COLLECTION OF DELINQUENT R. E. TAXES
Upon motion by Ronald J. Heintzelman, seconded by Terry P. Stoudt, the Board granted the request of the Lehigh County Tax Claim Bureau and exonerated them from the collection of the delinquent real estate taxes for the following properties:

3466 Lil Wolf Drive	2006-2007	$ 23.44 total
1027 Cedar Street	2007	$ 4.29

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

STREET LIGHT REQUEST - TO CHANGE OWNERSHIP FROM RESIDENTS TO TOWNSHIP
In a letter to the Board of Supervisors, dated April 28, 2008, Richard Schlosser requested that the streetlight located on his property be included in one of the Township's street lighting districts. The cost of the light would then be assessed through his taxes.
Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman tabled the request in order to obtain additional information. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

- Brian and Samantha Neas, 4410 Route 309 Schnecksville and Steve Keppel, 4414 Route 309, Schnecksville, inquired as to how to have the street light in front of their homes removed or shielded. The Township office will contact them with the information.

AUTHORIZTION FOR ADVERTISEMENT
Upon motion by Terry P. Stoudt, seconded by Ronald E. Stahley, the Board authorized the Secretary to advertise the Chevy sign truck and the 1994 Case Wheel Loader for sale. 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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Supervisor Stahley announced that Lehigh County would hold a Citizen's Police Academy. Information will be posted on the Township's website.

Supervisor Stahley also announced that Lehigh County has Crime Watch Grants available for Townships. He indicated that the Township should apply for grant money to replace old Crime Watch signs. Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman to apply for a Crime Watch Grant. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

Supervisor Heintzelman wished everyone a Happy Mother's Day.

COMMUNICATIONS
Audit of Magisterial District Court 31-2-02
PLGIT 2008 Information Statement
PLGIT 2007 Annual Report
PSATS New Bulletin

ADJOURNMENT Meeting adjourned at 10:30 PM.

Supervisor Stahley reconvened the meeting to address the **Burn Ban**.

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board lowered the Burn Ban to the Moderate Level. The Moderate Level allow for limited container burning and no burning of trash, vegetation or agricultural burning. This level of burning is still subject to the conditions of the current Burning Ordinance 2007-14. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

- Jerome Joseph, 3521 Rome Court, Orefield, suggested the Burn Ban information be placed on the website.

ADJOURNMENT Meeting adjourned at 10:35 PM.

Respectfully submitted,

Brenda Norder, Secretary

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