

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP MUNICIPAL BUILDING
NOVEMBER 5, 2008**

Chairman Ronald E. Stahley called the meeting to order at 7:00 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. October 15th Board of Supervisors Minutes
Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

ANNOUNCEMENTS

1. The Tax Office will be closed November 5th through November 12th.
2. Township offices will be closed Thursday and Friday November 27 & 28 for the Thanksgiving Holiday.
3. Proposed Ordinances 2008-3, 2008-4, and 2008-5 are available for inspection in the Administration Office.
4. Supervisor Stahley congratulated the candidates, poll worker and voters for a successful voting day and reminded everyone to reflect on the upcoming Veteran's Day holiday and encouraged residents to visit the Veteran's Memorial on the LCCC campus.

COMMENTS FROM THE AUDIENCE:

Barbara Burke, 4617 Debbie Lane, Orefield, inquired about the tree trimming along Kernsville Road.

Sterling Geiger, 4446 Grey Wolf Lane, Orefield, commented on the dangers of the curve at Apple Road and Levans Road and suggested the following being sent to PADOT: Paint SLOW on the roadway, install reflective centerline markers, install Slippery When wet signs, and install rumble strips on the shoulders.

- Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized Supervisor Stoudt to write a letter to PADOT including Mr. Geiger's suggestions. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

Ron Roth, 5353 Route 309, Schnecksville, had follow up comments on his comments from the October 15 meeting, regarding the Sand Spring Road and Route 309 intersection. In addition he commented on the traffic congestion caused by parents parking along Sand Spring Road while picking up their children at the elementary school and suggested fencing in the old farmhouse, used for fire training, to prevent vandalism.

Lynne Serfass, 5522 Roberts Road, Schnecksville, commented that she thinks the Sand Spring Road/Route 309 intersection issue will be worse with the addition of Wal-Mart.

Clint Bradney, 4129 Route 309, Schnecksville, complained about the high curbing in front of his business and that something must be done to correct it.

Ron Roth, 5353 Route 309, Schnecksville, commented on comments made by other speakers.

TREASURER'S REPORT

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the October Treasurer's report was approved as presented and the Treasurer was authorized to disburse General Fund checks # 1557-1610. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

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OLD BUSINESS:

Supervisor Stoudt announce a change in the leaf pickup schedule – Orefield area will be picked up on Mondays and Schnecksville area will be picked up on Tuesdays.

Supervisor Stahley gave an update on the EPA soil testing.

NEW BUSINESS:

DISCUSSION OF PLAN ERROR FOR 1.5-ACRE PORTION OF WAL-MART PROPERTY

Atty. Joseph Bubba explained the plan error as described in his September 10, 2008 letter to North Whitehall Township. This error was brought to light after the Conditional Use Hearings concluded and the Board of Supervisors rendered the decision. The Applicant acknowledges the error and would be willing to stipulate to the correction of the AR zoning for 1.5 acres of the project's parcel as no commercial use is proposed for that 1.5 acres. Solicitor Young explained the procedural difficulty with a stipulation in that the Board of Supervisors' decision was issued and under appeal with the court. Atty. Najarian for the opposition was present and stated that his clients would not participate in a stipulation and he felt the Board no authority to do so. Solicitor Young explained that it is likely the Court will either make additional findings in that regard or remand the matter to the Board for same.

WAL-MART LAND DEVELOPMENT EXTENSION OF TIME

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board accepted an extension of time, until December 17, 2008, in order for the Board to review the Land Development Plan of Wal-Mart Stores East. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

BROOK HILL ESTATES REDUCTION OF IMPROVEMENTS ESCROW

Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the Board accepted the written recommendation of the General Planning Engineer Stephen Gitch, dated October 15, 2008 and authorized the release of \$ 18,900.00 from the Maintenance and Improvements Letter of Credit for Brook Hill Estates, leaving a balance of \$ 243,900.00. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

PARKLAND ESTATES FINAL RELEASE OF ESCROW BALANCE

Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the Board accepted the written recommendation of the General Planning Engineer Stephen Gitch, dated October 17, 2008 and authorized the release of the remaining escrow balance in the 18-month Maintenance Escrow Letter of Credit for Parkland Estates, contingent on payment of any outstanding legal & engineering invoices. 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 Terry P. Stoudt, seconded by Ronald J. Heintzelman, 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:

1046 Dogwood St	2007	\$ 6.22
4443 Murray St	2007	\$ 8.03

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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PARKLAND POINTE REDUCTION OF IMPROVEMENTS ESCROW

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board accepted the written recommendation of the General Planning Engineer Stephen Gitch, dated October 27, 2008 and authorized the release of \$ 82,000.00 from the Maintenance and Improvements Letter of Credit for Parkland Pointe, leaving a balance of \$ 330,804.00. The Letter of Credit for the Developer shall be reduced by \$54,701.63 and the remaining \$27,298.37 shall be made payable to the Township for outstanding invoices. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

RESOLUTION 11-05-08 GENERAL FUND BUDGET REVISION

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, Resolution 11-05-08 was adopted. Resolution 11-05-08 approves a revision to the 2008 budget to reallocate \$8,500.00 of funds from the following General Fund accounts to the computer eqpt. account 400.7400:

- \$ 4,000.00 from 452.3100 camp instructors
- 2,500.00 from 400.7600 financial services
- 2,000.00 from 403.2500 tax audit

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

ORMROD SEWER LIENS

Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board authorized Atty. Young, per the Ordinance, to place liens on the Ormrod properties that have not complied with the mandatory hookups, with the exception of Sporting Clays, who has responded with their plan to comply. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

LVCP CELL PHONE PLAN

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized pursuing the cell phone plan offered through the Lehigh Valley Cooperation Purchasing Council. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

ADDITIONAL COMMENTS

Steve Huber, 5447 Fells Creek Road, Schnecksville, commented on the results of the recent micro surfacing done on Fells Creek Road. The road surface is uneven and bumpy.

Lynne Serfass, 5522 Roberts Road, Schnecksville, inquired about the new Burning Ordinance and thanked Supervisor Stahley for his service to the community and as a veteran.

Barbara Burke, 4617 Debbie Lane, Orefield, thanked the Board for expanding the burning ordinance and inquired about weekend violations.

Betty Lees, 4418 Route 309, Schnecksville, also inquired about weekend violations.

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Trish Burkhardt, 3227 Shankweiler Road, Allentown, commented on the appropriate reasons to involve the fire company regarding burning of solid waste.

COMMUNICATIONS

Benecon Newsletter
Waste News
PA Bulletins

ADJOURNMENT Meeting adjourned at 8:02 PM.

Respectfully submitted,

Brenda Norder, Secretary