

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS  
MUNICIPAL BUILDING  
JUNE 3, 2009**

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. May 20<sup>th</sup> Board of Supervisors Meeting; 2. May 22<sup>nd</sup> Bid Opening. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item

**ANNOUNCEMENTS**

1. As of June 1<sup>st</sup> the recycling center behind the municipal building will be closed from dusk, approximately 8:30 PM till 7 AM, 7 days a week. the gates will be locked during the overnight hours and will reopen at 7 AM each morning.
2. Phone book recycling will take place starting June 15<sup>th</sup> until August 15<sup>th</sup>. Residents may place unwanted phone books in a dumpster that will be located in front of the municipal building.

**COMMENTS FROM THE AUDIENCE:**

- Charles Braymar, 3532 Apple Road, Orefield, questioned the need for confidentiality regarding the Legal Opinion on the issue of hours of operation for Wal-Mart. He also asked for clarification of the Opinion letter and gave the Board samples of how the issue was addressed by other entities.
- Jerome Joseph, 3521 Rome Court, Orefield, inquired as to how the letter reflected the community's safety.
- Charles Knauss, 3525 Apple Road, Orefield, asked if hours could be restricted through a developer's agreement or by negotiations.
- Nancy Braymar, 3532 Apple Road, Orefield, suggested that North Whitehall Township should be a leader in effecting these changes for future development and asked that signs be erected on Kernsville or Woodlea Roads noting that Grist Mill Road is closed.

**TREASURER'S REPORT**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the May Treasurer's report was approved as presented and the Treasurer was authorized to disburse checks # 2371-2400. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item

**OLD BUSINESS:**

**PUBLIC HEARING**

**ATV ORDINANCE**

**2009-2**

Chairman Stahley recessed the regular meeting in order to conduct a Public Hearing to hear comments on the proposed adoption of Ordinance 2009-2. Attorney Lisa Young gave a brief synopsis of Ordinance 2009-2. Atty. Young noted that the Ordinance was duly advertised. Supervisor Stahley then opened the floor to comments from the audience.



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*Trexler Environmental Center continued*

**FEES**

Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board waived the Traffic Impact contribution and the Recreation fees for this plan. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item

**REQUEST FOR REDUCTION IN RESIDENTIAL ESCROW SUBMISSION BRUCE LAUB**

Developer Bruce Laub appeared before the Board requesting a reduction in the amount of escrow he must submit to reestablish lot lines and the classification of the project as a subdivision. Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board approved the request for the escrow reduction to \$5,000.00 and maintained that it is a 3-lot subdivision. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item

**REQUEST TO ADD DRIVEWAY ONTO STUB STREET IN SPRING KNOLL**

Resident David Heist and Developer Ken Snyder appeared before the Board requesting permission to have Mr. Heist's driveway on stub street A in the Spring Knoll Subdivision. Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board approved the request subject to the Developer providing copies of deeds and signed releases and that snow removal and road maintenance shall be the responsibility of the Developer. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item

**AWARD OF IN-PLACE BIDS**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the contract for **CRACK SEAL and BITUMINOUS SEAL COAT** was awarded to Asphalt Maintenance Solutions at their low bid price of May 22, 2009. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item

**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 August 19, 2009, 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. Atty. Steve Boell representing Wal-Mart was present.

**LETTER OF ENDORSEMENT**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized the Secretary to send a letter of endorsement to the Lehigh Valley Log Cabin Trail Committee, in support of their preservation efforts. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**AUTHORIZATION TO DRAFT DRIVEWAY PROVISIONS**

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board authorized Atty. Young to prepare drafts of new driveway provisions for the SALDO and Zoning Ordinance for the review of the Planning Commission and the Board of Supervisors. 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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**AUTHORIZATION OF TRAILER PURCHASE**

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board authorized the purchase of a new trailer to haul the field groomer, at the cost of \$1,699.00. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**ADDITIONAL COMMENTS**

- Secretary Brenda Norder gave an update on the efforts to have future meetings taped and televised and part of a web-cast.
- Discussion between Board and audience regarding flower tents. Questions and comments included but were not limited to the issues of temporary vendors versus permanent vendors, amount of re-issued permits allowable, amount of fees allowable, are they subject to taxation or zoning requirements and the suggestion that the Township should do anything possible to protect local businesses. Participants included:
  - Charles Knauss, 3525 Apple Road, Orefield; Nancy Braymar, 3532 Apple Road, Orefield; Dolores Wehr, 3245 Route 309, Orefield; Brad Petrohoy, 4726 Shankweiler Road, Orefield; Samantha Neas, 4410 Rt. 309, Schnecksville; and Mark Hills, 4045 River Drive, Laurys Station.
- Christine Smith, 5526 Park Valley Road, Schnecksville, inquired as to how Ritter Court got its name.
- Supervisor Stahley announced that attempts to obtain various Smart Transportation Grants were unsuccessful. As a result, the issue of the pedestrian safety fence, along Old Packhouse Road, may have to be resolved by the Township having the fence installed without grant monies.

**AUTHORIZATION OF BID ADVERTISEMENT FOR SAFETY NET**

Upon motion by Ronald J. Heintzelman, seconded by Terry P. Stoudt, the Board authorized the Secretary to advertise to bid for installation of 1-inch mesh pedestrian safety fence. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**COMMUNICATIONS**

Waste News  
Pesticide Review

**ADJOURNMENT**      Meeting adjourned at 10:08 PM.

Respectfully submitted,

Brenda Norder, Secretary