

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS  
MUNICIPAL BUILDING  
OCTOBER 21, 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. October 7<sup>th</sup> Board of Supervisors Meeting. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

**ANNOUNCEMENTS**

1. Leaf collection began on October 19 and will continued until the first week of December. Collections are as follows: Monday-Orefield area, Tuesday-Schnecksville area, Wednesday-Neffs area, Thursday-Laurys Station/Slatington area, and Friday-Coplay/Allentown area.
2. Township trick or treat night will be held on Friday, October 30<sup>th</sup> from 6-8 PM, with a rain date of Saturday, October 31<sup>st</sup> from 6:00 to 8:00 PM.
3. Supervisor Stahley announced that Pollution Report #2 has been posted on EPA's website.

**COMMENTS FROM THE AUDIENCE:** No Comments

**TREASURER'S REPORT**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Treasurer was authorized to disburse General Fund checks # 2860-2929. 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 (#4)**

**NUISANCE ORDINANCE 2009-2**

Chairman Stahley recessed the regular meeting in order to continue a Public Hearing to hear comments on the proposed adoption of Ordinance 2009-2.

Attorney Lisa Young gave a brief update on the issue. Atty. Young noted that the Ordinance was duly advertised. Supervisor Stahley then opened the floor to comments from the audience.

Discussion ensued and was recorded by a stenographer. A copy of the transcript of the hearing shall be placed in the Minute Book.

Upon motion by Terry P. Stoudt, seconded by Ronald E. Stahley, the Board repealed Ordinance 2008-4 and withdrew all enforcement actions based on that Ordinance. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

- Roger Rearick, 4636 Anthony Drive, Coplay inquired if the noise ordinance in the Zoning Ordinance would still apply. Atty. Young noted that the State Law of 99 decibels, for ATVs, would preempt the noise ordinance level of 87 decibels as noted in the Zoning Ordinance.

The regular meeting resumed.

**AUTHORIZATION TO ADVERTISE PUBLIC HEARING ACT 537**

Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board authorized the Solicitor to advertise for a joint public hearing for the Northern Lehigh Act 537 Plan. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

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*Old Business continued:*

**AUTHORIZATION TO ADVERTISE PUBLIC HEARING  
JOINT COMPREHENSIVE PARKS, RECREATION AND OPEN SPACE PLAN**

Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board authorized the Solicitor to advertise for a public hearing for the Joint Comprehensive Parks, Recreation and Open Space Plan. Attempts to hold a joint hearing with South Whitehall Township have been unsuccessful due to scheduling conflicts. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

**ROUTE 329 PAVING**

Supervisor Stahley announced that activities regarding the Route 329 paving project would begin October 28<sup>th</sup>. The project impacts Route 329 from Bellview Road to the Township Line.

**NEW BUSINESS:**

**TIMM & NANCY STOUTD                      EXTENSION OF TIME**

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board accepted an extension of time, until January 4, 2010, in order for the Board to review the Minor Subdivision Plan of Timm & Nancy Stoudt and so that the Developer can resolve outstanding issues with Lehigh County Authority. Roll call: Terry P. Stoudt - abstained; 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:

Lehigh County Organics Recycling Center	\$ 7,640.00
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Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board authorized the Treasurer to return the escrow balance and instructed the Planning Administrator to place a letter in the property file stating the an escrow shall be reestablished if and when this project is restarted. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**REFUND OF HOLDING TANK ESCROW    BLAZOFSKY**

Resident Steve Blazofsky submitted a written request for release of his holding tank escrow. The holding tank was abandoned because public sewer was extended to the property. Pursuant to a written recommendation of the Sewage Enforcement Officer Scott Beiber, dated October 16, 2009, it is his opinion that no release shall take place until the old holding tank is properly sealed. Upon motion by Ronald E. Stahley, seconded by Terry P. Stoudt, the Board accepted the written recommendation of the Sewage Enforcement Officer and tabled the release. 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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**AUTHORIZE SOLICITOR TO EXECUTE ON JUDGEMENT**

Zoning Officer Ken Nicholson is requesting the Board authorize the Solicitor to file proceedings to collect on a judgment levied by Magistrate Hammond against John Holtzhafer for \$8,124.50. Upon motion by Terry P. Stoudt, seconded by Ronald E. Stahley, the Board accepted the recommendation of the Zoning Officer and authorized the Solicitor to proceed in securing the judgment fee. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

**AUTHORIZED LOAN PAYMENT**

Upon motion by Terry P. Stoudt, seconded by Ronald J. Heintzelman, the Board authorized the Treasurer to forward payment to the Neffs National Bank to be applied to the existing Capital Project Loan principal, in the amount of \$200,000.00. Roll call: Terry P. Stoudt - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

- Jerome Joseph, 3521 Rome Court, Orefield, asked if this was being done to payoff loan earlier than expected.

**PENSION REQUIREMENT ESTIMATE FOR 2010**

Treasurer Brenda Norder presented an estimate of the municipal obligation for the North Whitehall Township Retirement Plan for the year 2010 to be \$ 55,324.00. Income from State Pension Aid is projected to be \$ 63,811.00. A total estimate of \$ 119,135.00 is projected in pension expenses for budgetary figures.

- Jerome Joseph, 3521 Rome Court, Charles Knauss, 3525 Apple Road, both of Orefield and Laura Warmkessel, 2077 Juniper Drive, Coplay asked questions about placement of election signs.
- Carol Rearick, 4636 Anthony Drive, Coplay, asked what were the odds of getting another ATV Ordinance.

**BUDGET DISCUSSION**

Preliminary budget discussions were held.

**COMMUNICATIONS**

Waste News  
PA Bulletin

**ADJOURNMENT** Meeting adjourned at 8:36 PM.

Respectfully submitted,

Brenda Norder, Secretary