

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
MUNICIPAL BUILDING
SEPTEMBER 6, 2011**

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 Jerry Joseph, Ronald J. Heintzelman, Attorney Lisa Young, and Secretary/Treasurer Brenda Norder.

APPROVAL OF PREVIOUS MINUTES

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the minutes of the following meetings were approved as presented: 1. August 16, 2011, Board of Supervisors Meeting. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes.

The Board held an Executive Session on August 30, 2011 to discuss personnel matters.

ANNOUNCEMENTS

1. The annual Senior Activity Day will be held September 15th at the Schnecksville Fire Company Pavilion.
2. Community Preparedness Day will be held at the PA Expo Building in South Whitehall Township on September 17th, 11 AM to 4 PM.
3. The 1st annual Laurys Station Community Day will be held at the Laurys Station Fire House Park on September 17th, at 2 PM.
4. Supervisor Stahley encouraged everyone to observe the 10th anniversary of 9/11, and thanked the township staff and emergency services for their work during Hurricane Irene.
5. Supervisor Heintzelman noted that the township extended the hours of operation for the yard waste center to accommodate the extra debris as a result of Hurricane Irene.

COMMENTS FROM THE AUDIENCE: There were no comments.

TREASURER'S REPORT

Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the August Treasurer's report was approved as presented and the Treasurer was authorized to disburse checks # 5281-5326. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes. There were no public comments on this item.

OLD BUSINESS:

- Supervisor Heintzelman stated the township hired a new person to check IDs at the yard waste center.

NEW BUSINESS:

WEIS GAS N' GO LAND DEVELOPMENT FINAL

Timothy Snyder, John Lerch, John Luciani, Jack O'Hara, Atty. Jim Preston, and Joseph Gurney presented the Final plan of the proposed Weis Land Development to the Board. Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Plan was approved as a Final subject to the following conditions:

1. The Developer shall comply with all of the recommendations contained in the letter from the General Planning Engineer dated July18, 2011.
2. Developer shall comply with all of the recommendations contained in the letter from the Sewage Enforcement Officer dated July 20, 2011.

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WEIS GAS N' GO continued

3. The Developer shall comply with all of the recommendations contained in the letter from the Zoning Officer dated July 14, 2011 regarding the conditions placed on the Zoning Hearing Board Special Exception approval.
4. The Developer shall comply with all of the limitations on the length of the fuel delivery trucks used to service the site to those set forth in item 1 of the Spotts, Stevens and McCoy letter dated August 17, 2011.
5. The Developer shall contribute the cost of pre-emption equipment for the Rt. 873 intersection, not to exceed \$10,000.00 to the Traffic Impact Fund in lieu of a Major Traffic Study.
6. The Developer shall contribute \$ 783.25 to the North Whitehall Township Recreation Fund.
7. There shall not be any fuel deliveries between the peak hours of 11 AM and 6 PM, 7 days a week.

The Applicant agreed to all conditions as stated.

Roll call: Jerry Joseph – citing SALDO Sect. 10.03(E) no; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

- Ronald Roth, Schnecksville, questioned what size truck was listed on the Plan, and stated a WB40 truck is no longer in use, he also commented on his observation of the truck demonstration. General discussion of the demonstration ensued.
- Mark Hills, Laurys Station, expressed his concern about the safety issue.
- Leonard Nuss, Coplay, commented on the pin having been moved on the 5th wheel.
- Ricky Harring, Schnecksville, noted that on many of the demonstration maneuvers the truck had to drive in the opposing lane.
- Bruce Stettler, Schnecksville, commented on the compact parking spaces.
- Jeanene Bauer, Orefield, expressed her doubts about Spotts, Steven & McCoy traffic review and suggested using an outside engineering firm to review the plan.
- Leonard Nuss, Coplay, asked if any designs were considered to use the lower parking lot entrance.
- Ricky Harring, Schnecksville, and Ronald Roth, Schnecksville, both offered comments on how changing the 5th wheel pin would effect the turning radius of the truck.
- Charles Hoover, Orefield, stated he was concerned that the Weis representatives were trying to force the issue.

Weis representatives asked for a short recess. Discussion resumed.

- Ronald Roth, Schnecksville, claimed that Weis stated at the demonstration that deliveries would be made from midnight to 6 AM.
- Donald Steffy, Coplay, asked that the conditions be repeated.
- Mark Hills, Laurys Station, asked who is going to enforce the conditions and what are the consequences if they are violated.
- Jeanene Bauer, Orefield, asked for clarification on Weis' use of a third party delivery.
- Ronald Roth, Schnecksville, commented on snow plowing and removal.

TIMM & NANCY STOUTT EXTENSION OF TIME

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the Board accepted a 90-day extension of time, until December 6th, 2011, in order for the Board to review the Minor Subdivision Plan of Timm & Nancy Stoutt. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman –yes. There were no public comments on this item.

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AUTHORIZATION TO SIGN PENSION PLAN AMENDMENT DOCUMENT

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the Board authorized the Secretary to sign the Required Notices Management Agreement, an amendment to our pension plan that allows participants to elect to receive notices electronically from Securian Retirement. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes. There were no public comments on this item.

RESOLUTION 09-06-11 RETIREMENT PLAN AMENDMENT

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, Resolution 09-06-11 was adopted. Resolution 09-06-11 adopts an amendment to the North Whitehall Township Retirement Plan in order to bring the plan up to date regarding ERISA 404(c) compliance. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman –yes.

- Mike Basta, Schnecksville, asked what percentage of the pension plan is funded.

REQUEST FOR EXONERATION FROM COLLECTION OF DELINQUENT STREET LIGHT TAXES

GH Harris, designated collector of delinquent street light taxes, has requested exoneration from the collection of the following delinquent taxes:

Jennifer Devore 2714 Levans Road 2009 \$35.00

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the Board granted the request of the GH Harris and exonerated them from the collection of the delinquent street light tax. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman –yes.

- Ron Roth, Schnecksville, inquired to whom is the rent being paid.
- Bruce Stettler, Schnecksville, asked if the property taxes were being paid.

RATIFICATION OF THE PURCHASE OF A USED PAVER

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the Board ratified the budgeted purchase of a used paver from Upper Macungie Township for \$4,000.00. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman –yes. There were no public comments on this item.

AUTHORIZATION TO FILL IN THE NEFFS VALLEY POOL

Supervisor Ronald Stahley recommended the Board authorize the filling in of the Neffs Valley pool with inert materials. The pool has been abandoned and constitutes a threat to public health and safety. Due to budgetary and fiscal restraints it is not feasible for the Township to rehabilitate and operate the pool.

- Harold Smith, Neffs, asked what would it be filled with and would the fence be removed.
- Leonard Nuss, Coplay, asked if it would be dismantled. Discussion ensued.
- Mike Kondravy, Allentown, inquired about the estimated cost.
- Steve Pany, Schnecksville, stated his expertise with pool construction and made the following suggestions: don't demolish the pool and lose the grandfathered permitting rights; don't fill it in without a cost estimate; and consider contacting a pool management service to operate it.
- Ronald Roth, Schnecksville, suggested taking a core sample to determine the composition of the pool.
- Steve Pany, Schnecksville, offered a free evaluation and recommendation to the township.
- Donald Steffy, Coplay, express his opinion of the value of the overall property and suggested selling it and finding more suitable land.
- Jeanene Bauer, Orefield, offered additional comments on why the Weis plan should not have been approved and questioned the motives of Spotts, Stevens & McCoy.

Supervisor Stahley withdrew his recommendation and no action was taken.

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AUTHORIZATION TO ATTEND SEMINAR

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board authorized payment of registration fees and mileage for Planning Commission member Joanne Guth to attend a planning seminar in September. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman – yes. There were no public comments on this item.

FINANCIAL PRESENTATION

Treasurer Brenda Norder presented an overview of the financial trends experienced by the township from 2008 to the present.

- Don Travis, Slatington, inquired about revenue versus expenditure graph and also asked if the developer of Manchester Place was given a deadline to finish the road. Supervisor Stahley questioned him about the illegal dumping, swale damage and concrete truck traffic in that development.

REQUEST FROM UNION TO USE TOWNSHIP FOR MEETING

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the Board approved the use of the public works team room to be used by union members for bargaining meetings, after work hours. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman –yes. There were no public comments on this item.

RATIFICATION OF EMERGENCY DECLARATION

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the Board ratified the emergency declaration issued on August 28, 2011. Roll call: Jerry Joseph – yes; Ronald E. Stahley – yes; Ronald J. Heintzelman –yes. There were no public comments on this item.

Supervisor Stahley noted that the Planning Commission Chairman, Rich Celmer, requested guidance from the Board regarding the Request from Atty. Steve Strack for an amendment of the Zoning Ordinance. Ricky Harring, Schnecksville offered comments about the basis of this request, discussion ensued. It was suggested that Mr. Harring seek support from other emergency services organizations for the Board's review.

- Mike Basta, Schnecksville, inquired about the following: who sets the salary for a non-working supervisor, what is the status of the 5-person board issue and what is being done about the water problem at Rt. 873 and Crestwood Drive.

COMMUNICATIONS

Benecon Health Newsletter
Securian Compliance Notice

ADJOURNMENT Meeting adjourned at 10:46 PM.

Respectfully submitted,

Brenda Norder, Secretary/Treasurer