

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
MUNICIPAL BUILDING
NOVEMBER 15, 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 Jerry Joseph, seconded by Ronald J. Heintzelman, the minutes of the following meetings were approved as presented: 1. November 1, 2011, Board of Supervisors Meeting. Roll call: Jerry Joseph – yes; Ronald E. Stahley - abstained; Ronald J. Heintzelman - yes.

ANNOUNCEMENTS

1. Township offices will be closed Thursday and Friday November 24 & 25 for the Thanksgiving holiday.
2. Leaf collection will continue through November & December. This is a leaf pick-up only, no yard waste will be picked-up.
3. As required by Act 14, 67, 68 & 127 Boucher & James, Inc. has notified the Township that they have applied to DEP for a re-permit of an existing sewage treatment plant at Li'l Wolf Mobile Park.
4. The Board held Executive sessions on November 2, November 8, November 9 and November 14 to discuss matters of personnel.

COMMENTS FROM THE AUDIENCE:

- Fred Nonnemacher, Orefield, asked the status of his previous complaint regarding dilapidated structures in the area of the Route 309 and Kernsville Road intersection.
- Nick Felegy, Orefield, updated the Board with photos of alleged violations by East Penn Trucking.
- Don Steffy, Coplay, thanked the Board for allowing the residents the option to vote on the recent referendum and gave a report on the voting outcome.
- Ronald Roth, Schnecksville, asked about the findings regarding the Neffs Pool issue.

TREASURER'S REPORT

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the Treasurer was authorized to disburse checks #5525-5583. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

OLD BUSINESS:

YORGEY SUPPLY RECREATION FEE

WAIVER REQUEST

In a letter dated October 13, 2011, Richard Burke, representing Yorgey Supply requested the following waiver to his conditioned approval of October 4, 2011:

The Developer shall contribute \$ 10,966.00 to the Recreation Fund.

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the waiver was tabled pending further review. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

There were no public comments on this item.

- Ronald Roth, Schnecksville, Richard Getz, Coplay and Mark Hills, Laurys Station, all offered comments regarding waiving all or a portion of the fee.
- Len Nuss, Coplay, inquired about the amount of square footage of the old building versus the new building.

NEW BUSINESS:

PUBLIC HEARINGS:

ORDINANCE 2011-6 AMENDED 2002 ZONING ORDINANCE RE: GRADING PLANS

Chairman Stahley recessed the regular meeting in order to continue a Public Hearing on the proposed adoption of Ordinance 2011-6.

Attorney Lisa Young gave a brief update of Ordinance 2011-6, an ordinance amending the Zoning Ordinance of 2002 by amending Article XI, containing additional requirements for individual lot grading plans. Atty. Young noted that the Ordinance was duly advertised.

Supervisor Stahley then opened the floor to comments from the audience.

A stenographer recorded the proceedings and a copy of the transcript of the hearing shall be placed in the Minute Book.

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board adopted Ordinance 2011-6. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item. The Ordinance will become effective within 5 days of adoption.

ORDINANCE 2011-7 COLLECTION PROCEDURES FOR DELINQUENT ACCOUNTS

Attorney Lisa Young gave a brief update of Ordinance 2011-7, an ordinance approving collection procedures and adopting penalty, interest and attorney fees to amounts collected on municipal claims for delinquent accounts. Atty. Young noted that the Ordinance was duly advertised.

Supervisor Stahley then opened the floor to comments from the audience.

A stenographer recorded the proceedings and a copy of the transcript of the hearing shall be placed in the Minute Book.

Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the Board adopted Ordinance 2011-7. Roll call: Jerry Joseph – abstained; Ronald E. Stahley - yes; Ronald J. Heintzelman – yes. The Ordinance will become effective within 5 days of adoption.

- Mark Hills, Laurys Station, asked would the Ordinance have to be redone if the firm no longer wanted to do the collections and a new firm needed to be appointed.
- Susan Travis, Slatington, inquired how Portnoff was chosen and would it have been in the best interest of the township to bid for the service.

Chairman Stahley resumed the public meeting.

AGREEMENT FOR COLLECTION OF DELINQUENT CLAIMS

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the Board authorized the Chairman to sign the agreement for collections of delinquent claims between Portnoff Law Associates and the Township in accordance to the terms outlined in the Ordinance.

Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes. There were no public comments on this item.

EXTENSION OF EXISTING LABOR AGREEMENT

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the Board approved a mutual agreed upon extension of the existing union agreement from November 18th, 2011 till December 31st, 2011, between the township and the union. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman - yes.

- Mark Hills, Laurys Station, inquired about the contract being negotiated.

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COMMUNITY FIRE COMPANY #1

WAIVER REQUEST

HEARING FEES

In a letter dated November 9, 2011, Ricky Harring, representing the Community Fire Co. No. 1, requested the following waiver regarding the pending club & catering license transfer hearing:

Waiver of the \$2,000 non-refundable fee.

The letter cited the numerous events that the township has held, over the past years, on the fire company property at no charge to the township. The fire company will pay the escrow fee.

Supervisors Stahley and Heintzelman made statements noting that they would abstain from voting due to a potential conflict, as both are members/officers of the fire company. After stating the potential conflict and their wish to abstain from voting, a quorum would not have been met to act on the motion, therefore;

Upon motion by Jerry Joseph, seconded by Ronald E. Stahley, the waiver was granted. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman – abstained.

- Ricky Harring, Schnecksville, commented on his concern regarding the non-refundable fee.
- Charles Braymer, Orefield, asked about the nature of a memo mentioned by the Solicitor.

RESOLUTION 11-15-11 AMEND EMPLOYEE HANDBOOK

Upon motion by Ronald J. Heintzelman, seconded by Ronald E. Stahley, the Board authorized a change to the Employee Handbook regarding a clarification of the current description of the maximum working hours allowed for part-time employees. A permanent part-time employee is regularly scheduled to work less then 30 hours per week and shall work less then 1,000 hours in a 12-month period identified as a plan year of the Township. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman – yes.

- Joe Novicki, Schnecksville, questioned the reason for the resolution at this time.
- Ronald Roth, Schnecksville, stated the employer should just tell the employee to stop working if they are in danger of going over the hours and asked if someone could continue to volunteer after reaching the maximum hours.
- Richard Getz, Coplay, inquired if they were covered by insurance.
- Mark Hills, Laurys Station, asked for clarification of the current description.
- Kathy Bryan, Orefield, asked who is responsible for watching the hours.

REQUEST FOR EXONERATION FROM COLLECTION OF DELINQUENT R. E. TAXES

Upon motion by Jerry Joseph, 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 property:

4419 Wolfs Crossing Road \$ 40.39

Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman – yes. There were no public comments on this item.

AUTHORIZE ADVERTISEMENT OF CLOSE OUT MEETING DATE & 2012 MEETING DATES

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the Secretary was authorized to advertise the dates and times of the Organization Meeting, Auditors Meeting and all department meetings for 2012. Close out meeting for 2011 shall be on December 29, 2011 at 7:30 PM. All vendors are asked to have year-end bills into the business office by December 23, 2011 in order to be paid in 2011. Invoices received after December 24th will be processed in the New Year. 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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PRESENTATION OF THE 2012 BUDGET

TENTATIVE ADOPTION

Treasurer Brenda Norder presented a brief synopsis of the proposed 2012 budget. Jerry Joseph moved, seconded by Ronald E. Stahley, to tentatively adopt:

The 2012 proposed budget

and authorized the advertisement of same as being available for public inspection. Adoption of the budget is scheduled for December 29, 2011. Roll call: Jerry Joseph – yes; Ronald E. Stahley - yes; Ronald J. Heintzelman – yes.

- Susan Travis, Slatington, asked about the raise for the labor salaries and which banks does the township use.
- Nancy Braymer, Orefield, inquired from which institution will the township borrow money.
- Nick Felegy, Orefield, asked if our loan had a variable or fixed rate.
- Ronald Roth, Schnecksville, asked when Wal-Mart was expected to build and give their contribution.
- Jeanene Bauer, Orefield, asked how the budget would be impacted if the Wal-Mart recreation fee did not materialize next year.

COMMUNICATIONS

Securian Newsletter
PSATS Legal Updates

ADJOURNMENT Meeting adjourned at 9:42 PM.

Respectfully submitted,

Brenda Norder, Secretary/Treasurer