

**NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
MUNICIPAL BUILDING
JULY 19, 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. July 5, 2011, Board of Supervisors Meeting. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes.

ANNOUNCEMENTS

1. Phone book recycling will continue until August 19th. Residents may place unwanted phone books in a dumpster located in front of the municipal building.
2. Atty. Young stated the comment period on documentation for the Heleva Landfill has been extended until August.

COMMENTS FROM THE AUDIENCE:

- Don Steffy, Coplay, asked about the status of the ordinance regarding the township manager position.
- Harold Smith, Neffs, voiced his displeasure with the appearance of the Neffs Park property.
- Ronald Roth, Schnecksville, Christine Smith, Neffs, also offered comments and suggestions for the Neffs Park property. Discussion regarding the pool and property ensued.
- Ronald Roth, Schnecksville and Charles Horwith, Schnecksville, inquired about the status of changing to a 5-person Board of Supervisors and what would happen if more than 1 or 2 wanted to be working supervisors.
- Jeff Barber, Slatington, asked for an update on the Manchester Place issue and the status of Wal-Mart.
- Ronald Roth, Schnecksville, suggested that the residents who are complaining about the proposed sewer plan at KidsPeace should visit the open lagoons in Curtis Schneck's development to see that there is no smell and very little noise.
- Gene Wolfgang, Orefield, inquired if Wal-Mart's township approval was good indefinitely or does it have a cap on it.
- Ronald Roth, Schnecksville, inquired about the status of the Weis Gas 'n Go dry run with the fuel truck demonstration.

TREASURER'S REPORT

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the Treasurer was authorized to disburse checks #5097-5169. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes.

OLD BUSINESS: There was no old business.

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NEW BUSINESS:

PUBLIC HEARING

ORDINANCE 2011-4 AMENDED THE EARNED INCOME TAX ORDINANCE

Chairman Stahley recessed the regular meeting in order to conduct a Public Hearing on the proposed adoption of Ordinance 2011-4, an ordinance re-enacting, restating and amending the earned income tax ordinance to establish conformity with the Local Tax Enabling Act as amended by Act 32 of July 2, 2008. Attorney Lisa Young gave a brief update. 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 Jerry Joseph, seconded by Ronald J. Heintzelman, the Board adopted Ordinance 2011-4, and authorized the Chairman and Secretary to sign the document. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes.

The Ordinance will become effective within 5 days of adoption.

- Jeff Barber, Slatington, asked about Berkheimer's collection fee.
- Brian Horwith, Coplay, asked for clarification regarding end of year filing.

Chairman Stahley adjourned the Public Hearing.

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:

Kornfeind/Mulberry Street \$1,155.19

Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board authorized the Treasurer to return the escrow balance. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes. There were no public comments on this item.

KORNFEIND/MULBERRY STREET RELEASE OF IMPROVEMENTS LETTER OF CREDIT

Upon motion by Jerry Joseph, seconded by Ronald E. Stahley, the Board accepted the written recommendation of the General Planning Engineer Stephen Gitch, dated July 12, 2011, and authorized the release of the Letter of Credit for the Mulberry Street Subdivision. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes. There were no public comments on this item.

APPLE BLOSSOM CIRCLE SUBDIVISION EXTENSION OF TIME

Upon motion by Jerry Joseph, seconded by Ronald J. Heintzelman, the Board accepted an extension of time, until January 18, 2012, in order for the Board to review the Subdivision Plan of Apple Blossom Circle and so that the Developer can resolve outstanding issues with several outside agencies. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes.

- Susan Travis, Slatington, asked for clarification on the date and inquired whether it mattered if action was taken on the issue after the designated date.

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REQUEST TO USE FIRE POLICE

NIGHT IN THE COUNTRY

Upon motion by Ronald J. Heintzelman, seconded by Jerry Joseph, the request for the use of the North Whitehall Township Fire Police by the New Tripoli Fire Company, as mutual aid for traffic control at their Night in the Country event, August 20, 2011 was granted. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes. There were no public comments on this item.

RELEASE OF MAINTENANCE OBLIGATIONS

OLD MILE HILL ROAD

JAINDL

The Board received a written request from Jaindl Land Co. to be release from all maintenance responsibilities on Old Mile Road now that the punch list items have been completed and the 18-month maintenance period has expired. The Board took no action on this item at this time.

- Susan Travis, Slatington, offered her opinion on the time sequence involved in obtaining inspections and the developer's obligation in requesting a release.
- Ronald Roth, Schnecksville, commented that it is the homeowner's responsibility to make good on damage incurred after the 18-month period and the township should not be involved. Discussion ensued.

REQUEST TO DIRECT PLANNING COMMISSION

Planning Commission Vice Chairman Brian Horwith present the Board with a written request asking that the Board direct the Planning Commission to review the Township's Comprehensive Plan, Zoning Ordinance and the SALDO and provide comments, recommend changes, updates or amendments. Upon motion by Ronald E. Stahley, seconded by Ronald J. Heintzelman, the Board so directed the Planning Commission's review of the above-mentioned documents. Roll call: Jerry Joseph - yes; Ronald E. Stahley - yes; Ronald J. Heintzelman -yes. There were no public comments on this item.

ADDITIONAL COMMENTS

- Ronald Roth, Schnecksville, inquired if the Board meetings would be going back to a Wednesday night.
- Eric Neubauer, Coplay, asked how did the Township come to own a swimming pool.
- Susan Travis, Slatington, asked for clarification on what is involved in creating a resolution requesting a referendum for a 5-person board.
- Harold Smith, Neffs, noted that the Stahley Farm property would be auctioned on July 29 and asked if the Board considered bidding on it for additional recreational property. Ricky Haring and Ronald Roth, both of Schnecksville also offered comments on this topic.

COMMUNICATIONS

Pesticide Registry

Keystone Municipal Insurance Trust Newsletter

ADJOURNMENT Meeting adjourned at 8:51 PM.

Respectfully submitted,

Brenda Norder, Secretary/Treasurer