NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP MUNICIPAL BUILDING
SEPTEMBER 12, 2016

Chairman Ronald J. Heintzelman called the meeting to order at 7:30 PM followed by the Pledge of Allegiance and a moment of silence. In attendance were Supervisors Steve Pany, and Mark Hills, Attorney Lisa A. Young, and Manager Jeff Bartlett. Secretary/Treasurer Brenda Norder was absent.

APPROVAL OF PREVIOUS MINUTES

Upon motion by Steve Pany, seconded by Mark Hills, the minutes of the Board of Supervisors Meetings of August 1, 2016 were approved. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany - yes. There were no public comments on this item.

ANNOUNCEMENTS

1. The annual Senior Appreciation Day will be held September 15th at the Schnecksville Fire Co. Pavilion.
2. The annual Laurys Station Community Day will be held at the Laurys Station Fire House Park on September 17th, at 2 PM.
3. An Executive Session was held on August 17, 2016 to discuss litigation matters.

TREASURER'S REPORT

Upon motion by Steve Pany, seconded by Mark Hills, the August Treasurer's report and checks #11222-11309 were approved as presented. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany - yes. There were no public comments on this item.

OLD BUSINESS:

SCENIC VISTAS SUBDIVISION WAIVERS

Tony Ganguzza and Doug Frederick presented waivers, regarding Section 10.06.J.1, to maintain the cartway width along Clearview Road and Egypt Road, however the intersection of the roads will be different in light of the swale.

Upon motion by Steve Pany, seconded by Mark Hills, the Board approved maintaining current roadway width for Egypt Road with the following conditions:

1. Developer shall provide full roadway frontage 4 foot wide reconstruction with a 1 foot pavement overlap (wearing course).
2. Developer shall provide a swale along the roadway 6 inches deep and 4.5 feet wide.
3. Developer shall provide storm sewer inlets at the bottom of the swale placed at an elevation 6 inches below the street.
4. Developer shall provide an embankment grade, in and out of the right of way, with a 3:1 maximum slope.
5. Developer shall provide a snout in the inlet on Lot 16 to be maintained by the property owners for the subdivision stormwater system (snout is not maintained nor dedicated to township).
6. Developer shall eliminate the ditch on Lot 16 and pave the road at road level to the wall.
7. Developer shall provide typical roadway cross sections providing full right of way width proposed construction details on the record plans.

Comment: It was noted that the wall is 5 foot off the drainage easement, by conditions, at the rain garden.

SCENIC VISTAS SUBDIVISION WAIVERS continued. . .

Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany - yes. There were no public comments on this item.

Upon motion by Steve Pany, seconded by Mark Hills, the Board approved maintaining current roadway width for Clearview Road with the following conditions:

1. Developer shall clear the trees along the embankment in the right of way, and stabilize the embankment.
2. Developer shall saw cut, remove, and replace 2 feet of pavement where the water line abuts the roadway.
3. Developer shall provide a 1 foot pavement overlap of wearing course.
4. Developer shall repair the roadway damaged by construction activity.
5. Developer shall provide typical roadway cross section of proposed construction details on record plan.

Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany - yes. There were no public comments on this item.

SCENIC VISTAS SUBDIVISION REVISED PLAN CONDITIONAL APPROVAL REQUEST

Tony Ganguzza and Doug Frederick presented the Revise Final Plan of Scenic Vistas, to the Board, in order to comply with the new NPDES permit requirements. The Developer is requesting Conditional Approval until he can resolve outstanding issues with several outside agencies.
Upon motion by Steve Pany, seconded by Mark Hills, the Board granted conditional approval subject to the following conditions:

1. Developer shall indicate portions of the storm sewer offered for dedication to the township, in detail.
2. Developer shall repair the cracks in the wall and offset the right of way excluding the wall from the right of way with maintenance responsibility remaining with the lot owner.
3. Developer shall provide a plan note and O&M agreement to reflect that repairs to the NBMA water line itself, is the responsibility of NBMA and any remaining property drainage repair is the responsibility of the property owners, not the township.
4. Developer shall show (in addition to detail on page 16 of 17) the discharge pipe connected to the headwall and the end section details showing penetration through the wall and wall adequacy calculations.
5. Developer shall show the drainage channel along Lot 16 to be maintained by the current owner of Lot 16 (approximately 16.5 feet along that segment) and the existing legal ROW along the portion of frontage with the drainage channel shall remain.
6. Developer shall revise plan notes and related agreements to the satisfaction of the Township Solicitor and Engineer.
7. Developer shall satisfy the SEO and DEP issues outlined in the Township Engineer's review letter.
8. Developer shall provide proof of all outside agency approvals, including NBMA, LVPC for compliance with Act 167, LCCD for E&S control adequacy and an NPDES permit.
9. Developer shall execute Subdivision Improvements and Maintenance Agreements to the satisfaction of the Township Solicitor.
10. Developer shall provide a dedication of right of way acceptable to Township Solicitor and Engineer.
11. Developer shall satisfy the items provided in the Township Engineer's review memo of 9/6/16 and the review letter of 9/11/16.

SCENIC VISTAS SUBDIVISION continued. . .

12. Developer shall provide a coordinated plan set.
13. Developer shall provide all applicable Township fees including recreation and traffic.

Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany - yes. There were no public comments on this item.

MOTION - Upon motion by Steve Pany, seconded by Mark Hills, the Board granted for approval of the revised final plan subject to the above conditions and receipt and review of the plans and documents in accordance with the conditions above, and authorizing the Board Chairman to sign said plans when appropriate for recording.
Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany - yes. There were no public comments on this item.

NEW BUSINESS:

MARY ANN'S PLAZA TRAFFIC SIGNAL

Jim DePetrus, Atty. Erich Schock and Mary Ann Wagner presented information regarding the proposed traffic signal. Discussed the 2006 arrangement for funding the traffic signal at the intersection of 873 and Schneck Rd. Costs have increased greatly in 10 years and received quotes with the lowest being $217,000. As the cost doubled, developer is requesting $76,000 from Township. Supervisor Pany suggested an increase in the same percentage as the original agreement, ie. previous portion was 30% so new contribution would be approximately $65,100. Attorney Schock will provide the cost estimate and transcript of prior approval in a letter to the Township Solicitor. Supervisor Pany noted there may be a need for a traffic improvements district in the future.

AUTHORIZATION TO DISTRIBUTE BUDGETED ALLOCATIONS EMS & SR. CLUBS

Supervisor Heintzelman made a statement noting that he would abstain from voting due to a potential conflict as he is a member of one of the fire companies.
Upon motion by Steve Pany, seconded by Mark Hills, the Treasurer was authorized to distribute the 2016 budgeted allocations to the Emergency Service Organizations and the Senior Citizens Clubs as follows:

Each fire company	$32,000.00 = $128,000.00
NOVA	52,000.00
ESO	4,000.00
Schnecksville Senior Citizens	950.00
Laurys Station Keen-agers	700.00

Roll call: Mark Hills - yes; Ronald J. Heintzelman - abstain; Steve Pany – yes. There were no public comments on this item.

SUPERVIOR MARK HILLS REPORT
Supervisor Hills reported on the last ESO meeting and the request for a property maintenance code and revisions to the burning ordinance to include the size of fires, specific dimensions, height of fire, etc.
Supervisor Hills also commented on the volume of zoning enforcement problems. Mark proposed a part time zoning officer be added for approximately 20 hours per week to do enforcement work.

MOTION- Upon motion by Mark Hills, seconded by Ronald J. Heintzelman, the Board approved the addition to the 2017 budget for a Part-time Zoning Officer position of 20 hours/week. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany – yes.

- Leonard Nuss, Old Post Rd., Coplay, commented on the use of outside agencies or subcontractors in other townships.
- Ron Roth, Rt 309, Schnecksville commented on the use of a qualified officer.
- Jeff Bartlett commented on his frustrations with the requirements of enforcement and time involved in investigating and processing violations.

MANAGER'S REPORT
- Mr. Bartlett reported LVPC is circulating a model ordinance to address medical marijuana, which is not yet included in our ordinances. He will continue to pursue text appropriate for inclusion in our ordinances.
- Laurys Station Fire Co. has requested fireworks and will be using an approved provider and providing insurance coverage.
- Mr. Bartlett announced there will be a special budget meeting on October 17 at 7:30 PM for a presentation and discussion of the budget.

MOTION - Upon motion by Mark Hills, seconded by Steve Pany, the Board authorized advertisement of the special meeting, Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany – yes. There were no public comments on this item.

SOLICITOR'S REPORT

MUTUAL RELEASE AND SETTLEMENT AGREEMENT
Upon motion by Mark Hills, seconded by Steve Pany, the Board authorized the Chair to sign the Mutual Release and Settlement Agreement reached in the Brookhill Estates Lots 7 and 8 (Hoffman) matter. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany – yes. There were no public comments on this item.

COMMENTS FROM THE FLOOR (Non-agenda items):
- Tom Van Vreede, Church Drive, Coplay, inquired about zoning changes proposed by Heather Skorinko some time ago.
- Nick Felegy, Tri Clover Rd., Orefield, inquired about East Penn violations on 11/13/2013 and 4/8/2014.
- Dick Getz, Mauch Chunk Rd., Coplay, inquired about the noise ordinance, trucks using brake retarders and speed limits.

- Joanne Guth, Lock Ln., Slatington, requested authorization and payment for planning conference in Allentown.

MOTION- Upon motion by Steve Pany, seconded by Mark Hills, the Board authorized $338.00. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Steve Pany – yes. There were no public comments on this item.

- Charles Benedict, Mauch Chunk Rd., Coplay, requested a fence between his property and the IRT. Public works will discuss the issue. The extent of the fence is to be determined after the final grading.
- Ronald Roth, Rt 309, Schnecksville, inquired about zoning litigation and suggested that the part time zoning officer be given at least 30 hours until the case load diminishes.
- Tri Clover Rd., Orefield, inquired about the minutes of 2/23/16, 6/6/16, and 6/11/16. They cannot be opened on the website.

ADJOURNMENT Meeting adjourned at 10:00 PM.

Respectfully submitted,

Jeff Bartlett, Manager