NORTH WHITEHALL TOWNSHIP BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP MUNICIPAL BUILDING
AUGUST 2, 2021

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 Dennis Klusaritz, and Mark Hills, Manager Chris Garges, Attorney Lisa A. Young, Engineer Steve Gitch, Secretary/Treasurer Brenda Norder, and Administrative Assistant Jessica Koenig.

APPROVAL OF PREVIOUS MINUTES
Upon motion by Mark Hills, seconded by Ronald J. Heintzelman, the minutes of the Board of Supervisors Meeting of July 12, 2021 were approved. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.

ANNOUNCEMENTS
1. The Township Offices will be closed Monday, September 6th for the Labor Day Holiday. Due to the holiday, the Board of Supervisors Meeting will be held on Monday, September 13th.
2. Atty. Young announced an Executive Session was held before tonight's meeting to discuss personnel matters.

TREASURER'S REPORT
Upon motion by Dennis Klusaritz, seconded by Mark Hills, the July Treasurer's report was approved as presented and the disbursement of checks #16324-16384 was approved. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.

OLD BUSINESS: No Old Business.

NEW BUSINESS:

KORNFEIND REALTY APARTMENTS PRELIMINARY LAND DEVELOPMENT
Martin Smith, Jr., on behalf of Kornfeind Realty, presented the Plan to the Board. Upon motion by Dennis Klusaritz, seconded by Mark Hills, Kornfeind Realty Apartments Land Development Plan was approved as a Preliminary Plan subject to the following conditions:

1. The Developer shall comply with all the recommendations contained in the letter from the General Planning Engineer & Sewage Enforcement Officer dated May 20, 2021.
2. The Developer shall comply with all the recommendations contained in the letter from the Zoning Officer dated May 14, 2021.
3. The Developer shall comply with all the recommendations of the Planning Commission Meeting of May 25, 2021.
4. The Developer shall pay traffic and recreation fees, as determined by the Township Engineer.
5. The Developer shall comply with all the provisions contained in the Planning Secretary's checklist letter dated July 21, 2021.

- Supervisor Klusaritz noted that the township staff had researched a comment made at a prior meeting and found that there was no detention basin violation on record for this developer.

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

THE RIDINGS AT PARKLAND REDUCTION OF LETTER OF CREDIT

Upon motion by Mark Hills, seconded by Dennis Klusaritz, the Board accepted the written recommendation of the General Planning Engineer Stephen Gitch, dated July 29, 2021 and authorized the release of $ 153,239.53 from the Maintenance and Improvements Letter of Credit for The Ridings at Parkland, leaving a balance of $ 618,704.20 in the Letter of Credit. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes.

- Brian Horwith, Springfield Dr., Coplay, asked how much was left in the account.

MODIFICATION TO THE AGRICULTURAL SECURITY AREA

As noted in the Board of Supervisors' Minutes of February 1, 2021, the Secretary received a proposal for an addition to the North Whitehall's Agricultural Security Area. Section 908, Subsection (a) of The Agricultural Security Area Law, Act 43, has a provision that "The governing body shall act to adopt or reject the proposal, or any modification, no later than 180 days from the date the proposal was originally submitted. Failure by the governing body to act within this 180-day period shall be deemed adoption of the proposal without modification. Therefore, the following member shall be added to the Agricultural Security Area created by Ordinance 1990-1, 1993-2 and Ordinance 1996-2:

Edwin & Susan Gardner Jr. Lands along Bellview Rd. 17.124 acres

- Bruce Stettler, Steeplechase Dr, Schnecksville, asked if land in the Ag Security is also preserved.

TRANSFER OF ESCROW FUNDS FOR PLANNING FEES (TRAFFIC & RECREATION)

Upon motion by Dennis Klusaritz, seconded by Ronald J. Heintzelman, the Board conditionally granted the request of Lew Rauch, on behalf of Daniel Loch, et al, to allow funds from the Legal and Engineering Escrow to be used to pay the Recreation and Traffic Impact fees. The release is contingent upon approval by the Solicitor that all outstanding requirements and all expenses to the Township have been met. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.

PARKS & RECREATION BOARD MEMBER APPOINTMENTS

Upon motion by Dennis Klusaritz, seconded by Mark Hills, 2 new members were appointed to the Parks & Recreation Board. Melissa Uff was appointed to the unexpired term of Kristen Taylor until December 31, 2022. Daniel Devine was appointed to the unexpired term of Amy Long until December 31, 2023. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.

REQUEST FOR WAIVER OF AGENDA SUBMISSION TIME VIEWS AT FELLS CREEK

Lew Rauch, on behalf of the Views at Fells Creek Major Subdivision, submitted a written request that the Board grant a waiver from the submission date requirement in order that they may be placed on the agenda for the Planning Commission Meeting on August 24. Upon motion by Mark Hills, seconded by Ronald J. Heintzelman, the Board granted the request. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes.

- Brian Horwith, Planning Commission Chairman, noted that the Planning Commission had recommended the request for approval.

MANAGER'S REPORT

- **MOTION -** Deaf Child Sign Removal Request - Upon motion by Mark Hills, seconded by Dennis Klusaritz, the Board conditionally approved the sign removal, contingent upon the township staff receiving confirmation that the resident in need of that sign has relocated. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.
- **MOTION -** IRT Funding Request - Upon motion by Dennis Klusaritz, seconded by Ronald J. Heintzelman, the Board approved the funding needed to relocate a locomotive car to the Portland Street trailhead, in the event they do not receive the funding for which they have applied. The hauling cost is $15,000.00. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes.
  - Leonard Nuss, Old Post Rd., Coplay, inquired about the size of the engine.
- **MOTION -** Reduction in Sewer Charge Request - Upon motion by Dennis Klusaritz, seconded by Mark Hills, the Board approved an adjustment in the sewer bill for account 1013200 to reflect an NBMA adjustment to the same account. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.
- **MOTION -** Upon motion by Dennis Klusaritz, seconded by Mark Hills, the Board approved Gilmore & Associates to review and recommend an update to our zoning ordinance with regard to the newer developments in warehouse design, conditioned on the revised Zoning Ordinance cost be reduced to reflect this advanced revision. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz – yes.

- Mr. Garges made the following announcements:

  He and Zoning Officer, Jeff Mouer attended the ribbon cutting at Camp Horseshoe for their newly rebuilt cabins;
  He has been in communication with PennDOT regarding the removal of the "Except Right Turn" sign on Rising Sun Rd., and the future replacement/repairs of the Coffeetown Bridge;
  Mr. Garges noted that he and the staff are beginning to prepare the 2022 budget;
  Comprehensive Plan surveys are due by August 11;
  The Comprehensive Park, Recreation, Open Space Plan steering committee will begin talks on August 18 at 7:00 PM;
  He will meet with Fire and EMS Chiefs regarding the Rts 329/873/Neffs Laurys Rd intersection on August 18 at 2:30PM; and
  The Planning Commission Board will meet August 24 at 7:30PM, the Zoning Hearing Board will not meet in August.

  - Joan Strong, Red Maple Dr., Coplay, asked if the updated zoning ordinance would be in favor of warehouses.
  - Brian Horwith, Springfield Dr., Coplay, asked how many Comprehensive Plan surveys has Gilmore & Associates received.
  - Rich Semmel, Clearview Rd, Coplay, inquired if the Coffeetown Bridge could be considered for a pre-fab bridge.
  - Gene Wolfgang, Faye Dr, Orefield, asked if the Northern Lehigh Chamber of Commerce has met with the Township regarding the tree lighting event.

SOLICITOR'S REPORT

Atty. Young reported on an amendment to the Sunshine Law requiring all local government boards & commissions to post meeting agendas at least 24-hours prior to the advertised meeting. This new provision takes effect August 29, 2021.

COMMENTS FROM THE FLOOR (Non-agenda items):

- Brian Horwith, Planning Commission Chairman, reported on a recent discussion that was held at the last Planning Commission meeting regarding notifying residents of pending land developments or subdivisions. Currently there is no required provision to notify adjacent landowners. He recommended that the Board consider an amendment to the SALDO requiring developers to notify landowners adjacent to the developments and residents adjacent to those landowners and the posting of the impacted areas. It was also suggested that the developers shall provide proof of notification.

MOTION - Upon motion by Mark Hills, seconded by Ronald J. Heintzelman, the Board authorized an amendment to the SALDO be created and sent to the Planning Commission for review and recommendations. Roll call: Mark Hills - yes; Ronald J. Heintzelman - yes; Dennis Klusaritz - yes. There were no public comments on this item.

ADJOURNMENT Meeting adjourned at 8:23 PM.

Respectfully submitted,

Brenda Norder, Secretary/Treasurer