



# Allen Township Supervisors

4714 Indian Trail Road

Northampton, Pennsylvania 18067

Phone: (610) 262-7012

Fax: (610) 262-7364

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Paul Balliet, Chairman  
Bruce Frack, Vice Chairman  
William Holmes  
Alfred Pierce  
Michelle Drzewiecki

B. Lincoln Treadwell, Jr., Esq.  
Brien Kocher, P.E.  
Ilene M. Eckhart, Manager

## ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

**Thursday, August 9, 2012**

A General Meeting of the Allen Township Supervisors was held on Thursday, August 9, 2012, at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance to the Flag was led by Chairman Paul Balliet.

Roll Call: Paul Balliet - Present; William Holmes- Present; Alfred Pierce - Present; Michelle Drzewiecki – Absent; Bruce Frack - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Ilene M. Eckhart – Present; Brien Kocher PE (Hanover Engineering) - Present.

Public to be Heard: Mr. Larry Oberly, Atlas Road, returned to question the filling of the quarry for the third occasion. Mr. Oberly felt the filling of the quarry was a “reclamation use”. Mr. Treadwell responded no permit exists in the file as a “reclamation use” going on now. Based on the current zoning the use is defined as an “extractive operation”. This use requires backfilling following the quarry operation. Extractive operations permits and requires backfilling. Mr. Oberly did not agree and felt that quarries in Commonwealth are grandfathered because quarry was created prior to the current definition which was requiring back filling. Mr. Oberly indicated that if he had a permit the land owner can operate 24/7 which he doesn’t want. He further indicated that he will challenge the Township’s decision regarding this matter. Mr. Oberly felt the operation did not conform to the Zoning Ordinance. He felt the Township loses credibility when it adopts Zoning Ordinances that are not enforced. Mr. Oberly felt the process has been going on without legal process. Mr. Oberly indicated that he did not feel a permit was issued and if a permit would be issued he would challenge the permit.

Mr. Oberly indicated that at one point his alarm was set off from the vibration of the trucks unloading. Mr. Oberly indicated that last Friday they dumped at 8:05 PM.

Mr. Tony Bennett, expressed further concern regarding the use at the Krapf property. He further indicated that a weight limitation should be implemented on Atlas Road. He felt the Board was getting away from the point if it was legal or illegal.

Mr. Bill Bond, Short Lane, questioned provision in the Zoning Ordinance regarding excessive noise and vibration. Mr. Bond questioned the level to be tolerated in accordance to the Zoning Ordinance.

Mr. Holmes questioned the Solicitor if there was any course of action at all regarding this matter. Mr. Treadwell indicated that there are decibel limitations, vibration standards, dust limitations, etc. for those type of issues that create nuisances within the Zoning Ordinance. Mr. Treadwell indicated that the property owner will have an argument regarding any claims to that effect because the use has been ongoing for three years. He further indicated that those infractions must be proven. Mr. Frack felt the noise was all around us from various uses. Mr. Treadwell reiterated the sound definition in accordance to the Zoning Ordinance. Mr. Holmes would like to look into the noise and have sort of response by the next meeting.

Mr. John Pecush, Phyllese Drive, asked that the Board should come up with some creative way to provide police presence to monitor speeding in developments. He felt that a fee should be charged to the Willow Ridge Apartments to charge an inspection fee to cover the cost of limited police service. Mr. Pierce brought of the prior issue of a part time police officer.

Public Hearings: No public hearings.

Approval of Minutes: Mr. Frack made a motion to approve the minutes as presented; seconded by Mr. Holmes. On the motion, by roll call vote, all supervisors present voted yes.

## **Reports**

**A. Treasurer:** Mr. Frack made a motion to approve the Treasurer's Report; seconded by Mr. Pierce. On the motion, by roll call vote, all supervisors present voted yes.

**B. Solicitor:** On file.

**C. Engineer:** On file.

**D. Zoning Officer:** On file.

i. Holmes; seconded by Mr. Pierce. All yes

**E. Code Enforcement:** On file.

**F. Road Superintendent/Public Work Director:** On file.

**G. Fire Company:** On file. Ms. Eckhart presented the estimate proposed by the Fire Company for the paving of the front parking lot of the Fire Company property. Mr. Holmes made a motion, based on Mr. Frack's input, for the Fire Company to obtain three estimates for the project and that funding may be released as a portion of the 2012 general contribution for this purpose; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

**H. Parks:** On file.

## **New Business**

- A. Delli Santi Associates – request letter to reduce sewer tapping fee based on water usage:** Mr. Pierce made a motion to reject the request; seconded by Mr. Frack. On the motion, by roll call all supervisors present voted yes.
  
- B. PPL E-power program incentives (Act 129):** Ms. Eckhart provided a summary of the PPL E-power incentive program. She indicated she would be working with the Public Works Director to develop a list of items for replacement for consideration under the incentive program.

## **Unfinished Business**

**Public to be Heard:** Gary Bealer, 233 32<sup>nd</sup> Street, questioned the road status of the road to be repaving the road. He noted a depression forming at his driveway that he would like the Township to review. He was concerned as well about the police issue raised by the other resident this evening. He felt the complaints were legitimate and the Township should consider some form of future police protection.

Mr. Holmes requested that along with the letter to State Police regarding other speeding issues discussed this evening that the letter includes the concern of the speeding waste hauling trucks on Howertown Road.

There being no further comments the meeting adjourned.

Respectfully submitted,

Ilene M. Eckhart