



# Allen Township Supervisors

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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, December 9, 2010**

A General Meeting of the Allen Township Supervisors was held on Thursday, December 9, 2010, 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 – Present; Bruce Frack - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Ilene M. Eckhart – Present; Brien Kocher, P.E. (Hanover Engineering) - Present.

Public to be Heard: Mr. Robert Wenger, of the North Hills Subdivision questioned the statements made at meeting regarding the Tepes Conditional Use Application (below) related to the High Density Zoning of the area in the Township and the Municipalities Planning Code.

Public Hearings: Conditional Use Application – Louis Tepes, Jr. & Bernice S. Tepes for the proposed construction of Townhouses in the High Density Zoning District – continuance from September 28<sup>th</sup>, 2010. See full stenographic transcript. Mr. Holmes made a motion to close the hearing; seconded by Mr. Frack. All yes. Mr. Treadwell further explained the next action would be to authorize him to prepare the draft conditional use opinion. Mr. Holmes made a motion to approve Mr. Treadwell’s recommendation; seconded by Mr. Pierce. All yes.

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

### Reports

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

**B. Solicitor:** On file.

- i. Willow Green litigation response, request for executive session: Mr. Treadwell requested the Board hold an executive session at the end of the meeting to discuss this matter of litigation.
- C. Engineer:** On file.
- i. Towpath Estates, waiver requests: Messrs. Tim Livengood, Brian Gasda and Attorney David Shulman were present to discuss this item on behalf of the project. Mr. Kocher reviewed his letter of December 6<sup>th</sup>, 2010 recommending approval of the waivers requested contingent upon: 1.) the maintenance of the wall shall be clearly reflected to be the responsibility of the property owners; 2.) the Township Engineer is to review the extent, location, and type of the guiderail along 37<sup>th</sup> Street to meet PennDOT standards; 3.) the plans and/or agreements shall note the right of passage and maintenance responsibility of the area between the curb and the wall; and 4.) low maintenance grass is to be planted in the section between the curb and the all.
  - ii. W. 27<sup>th</sup> Street Road Improvements related to Towpath Estates/Hampton Ridge: Messrs. Tim Livengood, Brian Gasda and Attorney David Shulman were present to discuss this item on behalf of the project. Mr. Kocher reviewed his recommendation letter of December 8, 2010 regarding this issue which discussed the developer and Township responsibilities. Mr. Pierce was very concerned with the drop dead date for the completion of the improvements due to the economic factors involved. Mr. Livengood felt that road should not be installed because the construction traffic will have a negative impact on the new section and that it was better to wait until 80 percent of the units were constructed internally. Mr. Treadwell indicated that the MPC allows five years. Mr. Kocher indicated that it was not a good practice to have the road in base for an extended period of time. On this point Messrs. Livengood and Kocher agreed. Mr. Pierce questioned how long it would take to perform all of the work. Mr. Livengood felt it would take approximately three months to physically complete the work. Mr. Pierce made a motion to approve the waivers pursuant to if 60% of the homes are finished within 6 months the road needs to be finished, if 60 % of the homes are not completed the work must be completed within 9 months of the five year time frame; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes. Mr. Frack was more in favor of tearing out the entire road base and starting over. Mr. Livengood felt that the road base was sound at this time given the amount of traffic and that it received. Mr. Shulman asked for clarification regarding the two letters. Mr. Kocher indicated that the both the December 6<sup>th</sup> letter and the December 8<sup>th</sup> letter generated by his office would now be integrated into the final plans and agreements to be recorded.
- D. Zoning Officer:** On file.
- E. Code Enforcement:** On file.
- F. Road Superintendent/Public Work Director:** On file.

**G. Fire Company:** On file.

**H. Parks:** On file.

### **Unfinished Business**

- A. Earned Income Tax Delegation Reappointment #2010-12: Mr. Holmes made a motion to approve; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.
- B. Weaversville Alley Vacation Ordinance Draft, discussion regarding authorization to advertise for adoption: Mr. Holmes questioned where we are in this process. Mr. Treadwell explained the next step in the process would be to authorize advertisement of the draft for enactment. If the Board no longer wished to proceed with vacation of the alleys then no authorization should be given to consider advertisement for enactment. Messrs. Holmes and Frack were in favor of keep the alleys within the Township's road system but maintain them with only minimal maintenance. Mr. Holmes made a motion to NOT proceed with advertisement for enactment; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.
- C. Kreidersville Park – Sell of property: Mr. Balliet expressed concern that he would rather not sell the Kreidersville Park. Following some discussion, the Board tabled the matter and authorized Mr. Treadwell to request a continuance regarding the matter presently before the Court.
- D. Sewer Tapping Fee Computations Report, for discussion to establish revised tapping fee effective 2011: The Board agreed to authorize Messrs. Treadwell, Pierce and Ms. Eckhart to meet with the Borough to further discuss the pending agreement.
- E. Atlas Road, comments received regarding limitations on truck traffic Weaversville Road to Savage Road: Ms. Eckhart indicated that a resident of Atlas Road has requested the Board's consideration. Mr. Kocher indicated that it would be very subjective study but could be established because it is a residential neighborhood. Mr. Kocher further reported regarding the enforcement on Willowbrook and that the District Magistrate rulings have been rather limited in favor of the Township. The effective of this has been the State Police have curtailed enforcement because the penalties have not been levied. Mr. Pierce asked that the Engineer should write a letter to Mr. Oberly regarding the issues involved. The Engineer is to request Mr. Oberly's input regarding this matter.

### **New Business**

- A. Urban Forestry Presentation – Julianne Schieffer Urban Forester Penn State School of Forest Resources: Mr. Adam Swift a resident of the community (Brookdale) requested that Ms. Schieffer make a presentation concerning this issue.

- B. Authorization to advertise reorganization meeting Monday, January 3<sup>rd</sup> 2011 at 5:30 PM: Mr. Pierce made a motion to authorize advertisement of the reorganization meeting at 5:30 PM on Monday, January 3<sup>rd</sup>, 2011 at 5:30 PM.

**Public to be Heard:** Mr. Beiler questioned the status of Seemsville Park. The Board confirmed Seemsville Park was sold several years ago. Melissa Kulp questioned how the new intersection at Atlas and Savage are working out.

Mr. Holmes questioned the change to the Municipal Waste and Recycling Bill for 2011. Following some discussion, Mr. Holmes made a motion to reduce the senior discount to \$10 as well for 2011; seconded by Mr. Pierce. On the motion, by roll call vote, all supervisors present voted yes with the exception of Mrs. Drzewiecki who voted no.

There being no further business the meeting adjourned.

Respectfully submitted,

Ilene M. Eckhart