



Allen Township Board of Supervisors

Meeting Minutes

July 10, 2018
7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors, was held on Tuesday, July 10, 2018 at 7:00 P.M. at the Allen Township Fire Company Building, 3530 Howertown Road, Northampton, PA 18067. The Pledge of Allegiance to the Flag was led by Chairman Larry Oberly.

1. Roll Call: Present: Gary Behler; Bruce Frack; Gerald Montanari; Dale Hassler; Larry Oberly; B. Lincoln Treadwell, Jr., Esq, Robert Cox, PLS, PE, Ilene Eckhart, Manager

2. Public to be Heard: No comments from the audience.

3. Public Hearings:

A. Allen Township MS4 Pollution Reduction Plan for Stormwater Discharges Draft – Presentation and Comments (Pursuant to the Public Notice – Northampton Press – March 29th, June 28th and July 5th, 2018): Ms. Christine Mildner, Barry Isett and Associates, presented the draft MS4 Pollution Reduction Plan for Stormwater Discharges. The document will be made available for public review and comment through August 10, 2018.

Regarding the material presented, Mr. Behler questioned access to perform the stormwater improvements on private property. Ms. Mildner indicated agreements would need to be negotiated with the property owner to gain access.

Mr. Hassler questioned why the municipality is responsible to pay for the projects? He questioned the landowner responsibilities.

Mr. Montanari questioned if the stormwater basins were installed in mowed grass or would conversion only be involved naturalized plantings? Also, he questioned is there more maintenance in a naturalized basin? Ms. Mildner indicated that it takes time to establish seed to naturalized but over the long haul there would be less maintenance. The establishment period would take time and attention and the maintenance involved (long term) would be a different type of maintenance.

4. Approval of Minutes: Mr. Hassler made a motion to approve the minutes of May 8th, May 22nd, June 12th and June 26th, 2018; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

5. Reports

A. Treasurer: Mr. Behler made a motion to approve the Treasurer's Report; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

B. Solicitor: On file.

C. Engineer: On file. In addition, Mr. Cox noted the inspection walkthrough for the FedEx Hub will be scheduled for the week of July 23rd. Mr. Cox further reported the Salt Shed specifications documents are available at this time. He indicated that several plan reviews had impacted the schedule for preparation of the final documents.

D. Planning/Zoning/Code Enforcement:

- i. JW Development Items for Board of Supervisors Direction Including: Proposed Seemsville Road Relocation, Signalization and Transfer of Road Segment to Non-Commonwealth Ownership; Internal Road – Form of Future Ownership; City of Bethlehem Mud Lane Water Extension; Proposed Form of Dedication of Open Space and any other issues pertaining to the revised plan submission of May 25, 2018.

Present on behalf of the developers: Eric Schoch, Esq.; Bruce Anderson, PE; AnnMarie Vigilante, PE to discuss the following items with the Board of Supervisors:

* Interior Roadway Howertown Road to Seemsville Road: Mr. Behler explained his thoughts regarding private vs. public disposition regarding the interior road. Following some discussion, Mr. Behler made a motion to make the interior roadway public; seconded by Mr. Montanari. Mr. Behler clarified that the intention was to make the interior roadway public but not the driveways to the individual buildings. Mr. Hassler indicated that he was not opposed to making the interior roadway public but the making of the roadway public should go hand in hand with the other improvement items such as the Mud Lane water main installation. Mr. Schoch confirmed the developer's commitment to the waterline installation. Mr. Oberly felt that the interior roadway should be made public. Mr. Frack indicated he was also agreeable to the interior roadway becoming public. On the motion, by roll call vote, all Supervisors present voted yes.

* Mud Lane Waterline Extension: Mr. Schoch explained the Township had indicated that the improvement of Mud Lane (widening, etc.) was not the right thing to do and in turn the applicant had offered the installation of the water line as a necessary public service. Mr. Schoch indicated the water line extension would consist of approximately 5,000 linear foot extension, which would serve the East Allen Gardens community. Mr. Treadwell also indicated additionally certain stormwater management improvements (which were needed due to existing issues) would be agreed to be installed by the applicant as well as well as the milling/overlay of the existing Mud Lane cartway. Ms. Vigilante confirmed Mr. Treadwell's description of the offer of improvements in the Mud Lane area was accurate. Mr. Behler noted he felt this was a much better proposal than performing widening on Mud Lane. Following some further discussion, Mr. Behler made a motion to accept the water line extension to provide service to the existing community in the alternative of the Mud Lane widening improvements; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

* Open Space: Mr. Schoch explained the applicant has offered 40.33 acres instead of the five acres required by the Township's ordinance and that this acreage would be left as open space in perpetuity. Mr. Behler was in favor but questioned what type of easement? Mr. Treadwell indicated the allowable uses would need to be determined. This was discussed per the Open Space Conservation Easement plan map. These details need to be worked out between the applicant and Township including the issue of public access. Mr. Jaendl felt he would be granting the easement as a gesture of good will as the obligation per the ordinance would be approximately five acres. He would prefer no hunting. Mr. Behler made a motion to accept the 40.33 acres in the form of a conservation easement with the details to be determined between

the Township Board of Supervisors and the applicant; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

* Seemsville Road Relocation: Ms. Vigilante explained the proposed relocation of Seemsville Road, approximately 650' to the east of the current location. The layout as shown within the current plan submission (May 25th, 2018) has been blessed by PennDOT. This situation is currently a safety issue. Ms. Vigilante explained Seemsville Road as it exists today will no longer exist under the current proposal. There will be four existing residential lots located in Allen Township which need access to "old" Seemsville Road via a newly proposed connector street to the "new" relocated section of Seemsville Road (as a PennDOT Road. She added the application proposes the connector road be assumed as a Township road. The area of Seemsville Road that would adjoin Rt. 329 would be converted to grass beyond the built cul-de-sac.

Mr. Schoch indicated that if Seemsville Road would not be relocated there would be a signalized intersection which would straddle the East Allen/Allen Township municipal boundaries. He further explained the logic in moving the intersection (and associated proposed signal) to the east is that Allen Township would be the permittee and the owner of the future signal. Also concerning the proposed detention basin, the developer would request the Township to be the permit holder and that upon finalization of the construction and the closeout of the permitting the basin would eventually be turned over to School District ownership and maintenance.

Ms. Vigilante indicated that this is not a situation that PennDOT has not seen before. She further noted that the arrangement is provided for within the term sheet with the School District and that a third party agreement would be required. Mr. Treadwell questioned who would be the responsible party/municipality? The School District, East Allen Township or Allen Township, as each component of the intersection presents a distinct ownership and maintenance issue. Ms. Vigilante explained the during the permitting and construction phases, the municipal permit holder would be responsible. Mr. Cox felt that the stormwater aspects would seem to be the School District responsibility. Mr. Jaindl requested for simplicity he wished the Township should take it (as the applicant/owner) but that JW would be responsible for the maintenance. Mr. Hassler was concerned with placing a signal outside of the Township's municipal boundaries. He felt ethically this was a problem. Mr. Behler felt a face to face meeting with East Allen Township was in order because the signal is proposed to be physically located within East Allen Township. Mr. Behler further noted that to date there have been no communications between the Townships and he felt the Townships needed to get together to discuss the issue. Mr. Hassler felt if a meeting was to occur that he favored a public meeting with East Allen.

Mr. Frack indicated he was not in favor of the Seemsville Road option. He was in favor of sending the traffic generated by the proposed development down Howertown Road to Rt. 329. Mr. Jaindl responded that he did try to obtain access to Howertown but was unable to work out the details. He indicated that this left Seemsville as the only viable option. Mr. Frack reiterated that he did not prefer the Seemsville Road option. Mr. Oberly questioned if Mr. Jaindl was aware of any of the Seemsville Road residents who would be impacted by the relocation of the existing Seemsville object to the change. Mr. Hassler asked that Mr. Jaindl consider the new road to be changed to go straight instead of to the proposed connector pierce. Mr. Jaindl indicated he would have the design team look at this.

On the question from Mr. Behler, Mr. Treadwell indicated that an intermunicipal cooperation agreement (by ordinance) would be required to provide for any arrangement reached between Allen/East Allen concerning a signal outside of the municipal boundary. Following some

further discussion, Mr. Behler made a motion for Allen Township to retain ownership of the “old” Seemsville Road to provide service to the last home in Allen Township and to authorize the Township Manager to request a meeting with East Allen Township to address the proposal for traffic related items outside of the Allen Township municipal boundary; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors voted yes with the exception of Mr. Frack who voted no. Mr. Hassler further clarified he voted yes but he wants to see the replacement section of road, to serve existing homes to be as short as possible.

* Sidewalks: Mr. Anderson indicated that sidewalks are proposed on the southside of the internal road and on the northside to the proposed LANTA bus stop. He indicated a deferral of the installation of sidewalks on the north side is requested. Mr. Oberly made a motion to accept the installation of sidewalks on the south side of the internal roadway and on the north side to the LANTA bus stop and to defer all other sidewalk (not waived) which would have otherwise been required on the north side locations; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Behler who voted no.

Mr. Oberly provided background regarding the Board’s decision at the beginning of the year to require thirty days and two meetings prior to taking action on a plan. Mr. Oberly commented regarding the MPC timeline for the Supervisors action on the plan, in light of the current September 18, 2018 window. He questioned if the Board would be agreeable with a minimum of two meetings but to forgo the strict 30-day review requirement by the Board, which given the meeting schedule would exceed the September 18th date to the September 24th meeting agenda? Mr. Anderson indicated the applicant intended to submit a revised preliminary plan was expected for August 2nd for the August 20th Planning Commission meeting. He indicated the resubmission would include those items necessary to address current engineering or Planning Commission comments. Mr. Jaindl felt if an extension of time is required to afford the Board of Supervisors to have two meetings before action is taken on the plan he would provide the Board the extension.

- E. Road Superintendent/Public Works Leader: On File.
- F. Fire Company: On file. Mr. Hassler provided a verbal and written report.
- G. Emergency Management Coordinator: On file.
- H. Parks: Mr. Oberly noted the Township received a complaint concerning the Dog Park concerning the mixing of large dogs in the designated small dog area.
- J. Nazareth Council of Government
- K. First Regional Compost Authority
- L. Stormwater (noted above under Public Hearings)
- 6. Unfinished Business
 - A. Draft Ordinance Amendment - Sanitary Sewer – Code Update, Authorization to Advertise: Ms. Eckhart presented the draft which was previously submitted to the Board in segments. The full draft includes the provisions for the sanitary sewer specifications and standard details. Mr. Behler made a motion to authorize the draft ordinance for advertisement; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

7. New Business

A. Authorization to Proceed with Solicitation of Bids for Allen Township Municipal Waste and Recycling Services: Ms. Eckhart indicated that the Municipal Waste and Recycling services contract is in the final year and she requested authorization to commence with the preparation of bid documents so that the solicitation responses may be received prior to the 2019 budget preparation cycle. Mr. Behler made a motion to authorize the package for solicitation for bids for Allen Township Municipal Waste and Recycling Services; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

B. Resolution 2018-11 Purging of Files in Accordance with 428 of 1968: Mr. Hassler made a motion to adopt Resolution 2018-011 regarding the purging of files; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

C. Ratification of Acceptance of Resignation – A. Radford: Mr. Behler made a motion to accept the resignation of A. Radford; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

8. Public to be Heard: Mr. Edward Diechmeister, Sipos Drive, commented regarding the replacement of the Northampton County Willowbrook Road Bridge over the Catasauqua Creek. He felt it was imperative that the bridge be widened due to current backups.

Mr. Michael Tift, Indian Trail Road, voiced concerns regarding the sound system. He indicated he could not hear the meeting this evening.

Mr. Montanari questioned the status of the cameras for the Township property.

There being no further comments, Mr. Oberly announced the Board would hold a brief executive session regarding personnel.

There being no further business the meeting adjourned.

Respectfully submitted,

Ilene M. Eckhart