



Allen Township Supervisors

4714 Indian Trail Road

Northampton, Pennsylvania 18067

Phone: (610) 262-7012

Fax: (610) 262-7364

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, January 12, 2011

A General Meeting of the Allen Township Supervisors was held on Thursday, January 12, 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: No public comments.

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. Holmes 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. Mr. Treadwell requested an executive session to discuss the Northampton Borough Sewer Litigation matter at the conclusion of the regular meeting items.

C. Engineer: On file.

i. John A Nagy Subdivision, planning module and plan approval: Mr. Pierce made a motion to grant final approval for the plan entitled, John A. Nagy Living Trust Subdivision Plan, last revised December 28, 2011 subject to satisfaction of the following conditions as outlined in the January 18th, 2011 letter of review authored by Brien Kocher, P.E. of Hanover Engineering Associates, Inc.: 1.) A PennDOT Highway Occupancy Permit for the driveway must be acquired by the applicant; 2.) A Deed of Easement for the additional

Seemsville Road Right-of-Way will be provided (legal description shall be revised to reflect that the easement area contains the land outside of the recognized PennDOT Right-of-way to a distance of 30 feet from the centerline); 3.) the applicant shall provide a Department of Environmental Protection approved Sewage Facilities Planning Module; 4.) the applicant shall pay the Roadway Improvement fee of 47,384.00; 5.) the following waivers of the Subdivision and Land Development Ordinance are hereby granted – Section 4.11.4 regarding driveway access to Seemsville Road; 6.) the following items are granted as deferments to the Township’s Subdivision and Land Development Ordinance – Section 406.8 – curbing and sidewalk along the Lot 4 frontage of Seemsville Road ; seconded by Mr. Holmes. On the motion, by roll call vote, all supervisors present voted yes. Mr. Chris Nagy, present as the applicant confirmed acceptance of the approval with the stated conditions.

D. Zoning Officer: On file. Ms. Eckhart reported on the inquiry of the establishment of a weekly Farmer’s Market at the Landmark Landscaping property on Mud Lane. She indicated she was in the process of reviewing the prior conditional use approval.

E. Code Enforcement: On file.

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

G. Fire Company: No report.

i. Approval of Fundraising Events: Mr. Holmes made a motion to approve the list of events presented by the Fire Company; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

H. Parks: On file.

Unfinished Business

A. Austin Powder and Lafarge Cement Corporation discussion regarding Horner Road: Attorney Eric Schock, was present on behalf of Lafarge Cement Corporation to restate the position to relocate Horner Road (pursuant to the concept presented on the Official Map) in favor of vacating Horner Road. In addition Steve Smith Mr. Frack felt the Board would not consider physical closure but would like to limit access to avoid dumping by gating/securing access to the road. Mr. Schock understood the point but felt that this would limit Lafarge as they are the public as well in this sense. Mr. Pierce indicated that the Township vacated the road many years ago to create the quarry. Mr. Pierce felt that what is fair for one is fair for another – as Austin will be negatively impacted in the operation of their business. Mr. Holmes felt the entire matter could be resolved in the form of a letter of understanding between Lafarge and Austin concerning the shared use/access of the road. Mr. Holmes indicated that all of the parties, including the Township would be provided with an access key.

Mr. Bill Beno, Austin Powder, clarified his previous points of the understanding of limiting access to the road that he may have made to Lafarge Corporation. He indicated that Austin would have no problem securing the shared access gate and maintaining the road. Mr. Pierce indicated that the consensus was that if the gate is set up with a workable alarm system would be beneficial to everyone to control the dumping that is occurring. Mr. Beno further explained the regulatory issue the location of Horner Road presents – in that because Horner Road is a public

road explosives must be stored a certain distance from the public. According to Mr. Beno the gate would satisfy the regulatory issue by limiting the public access. Mr. Balliet questioned if the alarm goes off – who would be required to respond to the call. Mr. Beno indicated that the alarm would be set with numerous call numbers to provide a response. Mr. Frack felt the alarm was not practical and may create a future nuisance. Mr. Steve Smith, Lafarge, was concerned with time passing and Lafarge losing their right if the letter is lost. He stressed Lafarge does not want to lose the right of access by agreeing to the limitation of access. Mr. Smith further reiterated he did not want Lafarage Mr. Pierce suggested the letter be in the form of a recorded document. Mr. Beno reiterated that Austin Powder would maintain the road to the west of the gate.

New Business

A. Resolution #2012-05: Mr. Pierce made a motion to approve the Resolution #2012-05 declaring the Township’s intention to follow the Municipal Records Manual approved on December 16, 2008; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

B. Resolution #2012-06: Mr. Pierce made a motion to approve the Resolution #2012-06 authorizing destruction of the 2001, 2002, 2003, and 2004 accounting records as allowed in the December 16, 2008 Commonwealth of Pennsylvania Municipal Records Manual; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

C. Resolution #2012-07 Dedication of Gray Drive in the Willow Ridge Residential Subdivision: Mr. Pierce made a motion to approve Resolution #2012-07 regarding the acceptance of dedication of Gray Drive in the Willow Ridge Residential Subdivision; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

D. Resolution #2012-08 Dedication of McNair Drive: Mr. Pierce made a motion to approve Resolution #2012-08 regarding the acceptance of dedication of McNair Drive in the Willow Ridge Residential Subdivision; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

E. Resolution #2012-09 Dedication of Walker Drive: Mr. Pierce made a motion to approve Resolution #2012-09 regarding the acceptance of dedication of Walker Drive in the Willow Ridge Residential Subdivision; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

Public to be Heard: No public comments. The Board held a brief executive session to discuss the ongoing Northampton Borough sewer litigation. There being no further comments the meeting adjourned at 9:00 PM

Respectfully submitted,

Ilene M. Eckhart