



Allen Township Board of Supervisors

Meeting Minutes

March 12, 2019

7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors, was held on Tuesday, March 12, 2019, at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail 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; Dale Hassler; Larry Oberly; Gerald Montanari B. Lincoln Treadwell, Jr., Esq, Robert Cox, PE, PLS, Ilene Eckhart, Manager
- 2. Public to be Heard:** Don Knoll, 4040 Pinehurst Drive, voiced concern regarding the Rockefeller extension request. He felt the Board should consider some adjustment since the extension is being request. He recommended the Board consider requesting the mastarm bars, which cross the entrance points to limit trucks.

Mark Gans, 653 Buckingham Drive, questioned the status of the repairs to the sidewalk because of the trees installed by the Township sixteen years ago. Mr. Oberly responded that the Township did not install the trees. Mr. Frack clarified that he believed Mr. Gans referred to the trees, which were being removed, and he felt that Mr. Gans decided to leave his tree. Mr. Frack indicated that the tree was marked and therefore the tree was not removed. Mr. Gans indicated that he did not mark the tree. Mr. Gogle indicated that if the tree was marked with a ribbon it was not indicated for removal. Mr. Gans did not receive a certified letter but he received the first mailing and did not respond so he felt his tree would be removed. Mr. Gans indicated he was speaking to Mr. Frack and was told that the Township Solicitor was drafting something to the effect that the property owner would not be responsible for damages already done. Mr. Gans indicated he questioned the installation of the trees at the time he moved into his property and was informed by the developer the tree planting was a requirement of the Townships ordinance. He felt that the Township was responsible due to the incidental damage of the sidewalk caused by the installation of the tree (which was a Township requirement).

He felt that the Township took the trees down because the trees were causing damage. Mr. Behler felt that the Township did not agree to repair the sidewalk. Mr. Montanari agreed that the Board did not agree to repair or replace the sidewalk. Mr. Frack indicated that the builder put the trees in – not the Township. Mr. Oberly indicated that the sidewalk repair is always the responsibility of the property owner. Mr. Treadwell agreed the sidewalks are the property owners' responsibility as are the sidewalk. Mr. Gans was concerned with the damage, which was already done and was incidental damage because the Township required the installation of the trees. Mr. Treadwell clarified that the document, which was drafted, was for the property owners who wanted their trees to remain. Mr. Gans noted that he did not send his form back and therefore he assumed that the tree would be removed. Mr. Gans indicated that he did not get a registered letter. Mr. Gans confirmed he wanted the trees removed by the Township Public Works Department.

John Tropeano, 651 Buckingham Drive, also voiced concern and indicated that he did not have all information on whether the Township would pay for the sidewalk. He voiced concern about the fire hydrant and the tree wrapping around the sidewalk. Mr. Hassler suggested the trees be removed. Mr. Tropeano confirmed that the trees at his property frontage could be removed by the Public Works Department.

He also requested additional street lighting by the bus stop and questioned what could be done for the speeding.

3. Public Hearings: No public hearings.

4. Approval of Minutes: Mr. Frack made a motion to approve the minutes of February 14th and 26th, 2019; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Montanari who abstained from voting on the minutes of February 14th due to absence.

5. Reports

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

B. Solicitor: On file. Mr. Treadwell requested an executive session to discuss potential property acquisition.

C. Engineer: On file. Mr. Cox indicated that Salt Shed bids had been received and are under review.

D. Planning/Zoning/Code Enforcement: Nothing to report.

E. Road Superintendent/Public Works Leader: On file and presented by Mr. Gogle.

F. Fire Company: On file and report supplied by Chief Hassler.

G. Emergency Management Coordinator: Mr. Krill provided the report.

H. Parks: On file.

J. Nazareth Council of Government: Mr. Krill reported the COG did not meet in February.

K. First Regional Compost Authority: Mr. Oberly indicated that the next meeting would be held on March 19th, 2019.

L. Stormwater: Nothing to report.

6. Unfinished Business

- A. **Rockefeller Lot 4 and 5 – Extension of Time Work Hours Request:** Ms. Johanna Chervak, Rockefeller Development Group, requested an extension of the request made in August 2018 for the concrete pours associated with the construction of the Rockefeller Lot #5 warehouse project, due to excess rainy weather delays. Her new request, dated February 20th, 2019, explained the precipitation total of 18.2 inches based on the 2014-2017 average by an additional 24.64 inches (for the months of August 2018 through January 2019). The total precipitation for this timeframe was 42.84 inches.

The request for Lot #5 is the same as the request made and granted in August 2018.

Concerning Lot #4, Ms. Chervak requested an extension to accommodate the pouring of the pad, which will allow concrete trucks to make deliveries in the overnight hours. She indicated the Lot #4 building is planned for 290,000 square feet thereby substantially limiting the number of pours as compared to Lot #5. The request being made is structured similar to the previous request (for Lot #5). This request is made to include Sundays and run from March through June 2019. The request is for the pouring of the concrete pads and tilt up walls. In addition, Ms. Chervak requested Sunday hours for Lot #4 and #5 for site work (on-site) only (meaning no trucks and equipment coming or going from the site and no blasting), on an as needed basis. Mr. Montanari was concerned with complaints and what if the Township granted and then rescinded the request if complaints are incurred. Ms. Chervak indicated that if the request would be rescinded the extension essentially the concrete pour activity would occur during the regular daytime hours which would equate to 20 pours for Lot #5 (90-110 trucks per pour) and for Lot #4 (60-65 trucks per pour) at 13 pours. Both Lot #4 and #5 may happen simultaneously. She indicated that the intent for the overnight hours keep the pour schedule consistent and because it is an eight-hour duration operation both rush hours would be impacted.

Ms. Chervak noted that there would be other concrete related activities after the pads are poured including the installation of the tilt up walls.

Mr. Behler made some counter requests and he voiced concerns regarding the mud issue on Willowbrook Road. He indicated that the issue has to be resolved. Ms. Chervak indicated that the street sweeper is operational with the exception of freezing temperature timeframes. She further indicated water will be brought into service in April for Lot #5 for the tire wash and in conjunction with the sweeper; the cleanup should be properly cleaned. Mr. Behler questioned the tire washer mandate for the contractors. She confirmed that the general contractors would be held to rectify any complaints. She felt that the control was better on the Lot 4 and 5 sites due to the limited access. Mr. Cox indicated that Lot #5 has the ability to place the tire washer in a location just prior to the access point on Willowbrook Road. Ms. Chervak indicated that the tire washer would be installed as soon as water is in place.

Mr. Behler further noted that the Township recently granted preliminary approval for a project that will be required to install an overhead mastarm to prohibit the northward movement of trucks. Ms. Chervak indicated that she would discuss this option with FedEx as well as the engineer regarding the feasibility for placement of the mastarm on Radar Drive. Mr. Behler further questioned the design of Lot #5 – would an overhead mastarm be feasible for that site?

Mr. Behler questioned Lot #5 which included a right turn only for the southern access. Ms. Chervak indicated when the tenant is known there will be specific language included in the lease. Mr. Behler felt that Lot #5 may not be a candidate for the mastarm, but Radar Drive northbound would be a reasonable solution.

Mr. Oberly interjected concerns regarding truck coming out of the site, which he felt, were not the main problem. Mr. Oberly indicated that problem is the inbound trucks and the adaptable GPS systems (such as WAZE, Google Maps, etc.). Mr. Oberly voiced further concerns about the reporting of “overweight” trucks. Mr. Oberly indicated that many of the tractor-trailers crossing the bridge might not be overweight due to the shipping of bulk boxes, which do not necessarily equate to excessive weight.

Mr. Behler indicated that he was willing to work with Rockefeller on the request with the exception of Sunday for Lot #4. Mr. Behler made a motion to allow Rockefeller to perform their flatwork pours as outlined in their written request dated February 20th, 2019 from 7AM to 7PM with the exception of Sundays which would be allowed for Lot #5 from 8AM to 4PM but not to allow Sunday work at all for Lot #4 of the Rockefeller Industrial Subdivision; seconded by Mr. Montanari. On the motion by roll call, vote all Supervisors present voted yes.

- B. Meeting Room Security Improvements – Consideration of Bids Received:** Mr. Behler made a motion to approve the quote of Penn Builders for Part 1 (in the amount of \$8,500) for the interior room door and security related work) and Part 2 (in the amount of \$13,500) and for local forces to construct the exterior stairs and foundation work; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

7. New Business

- A. Planning Commission Pay:** Mr. Hassler made a motion to authorize the preparation of the ordinance amendment for Planning Commission members to be paid equal to the Board of Supervisors for meeting attendance; seconded by Mr. Frack. On the motion, by roll call, vote all Supervisors present voted yes with the exception of Mr. Behler who abstained.
- B. Road Inspection Date for 2019:** Following some discussion, the Board agreed to hold the annual road inspection on Saturday, March 30th, 2019 beginning at 8 AM.
- C. Approval of Special Hearing Officer:** Mr. Treadwell indicated that the Board of Supervisors. Mr. Behler made a motion to approve the special hearing officer concept for the Kraft matter; seconded by Mr. Hassler. All yes with the exception of Mr. Oberly who abstained.

D. Executive Session – Potential Property Acquisition:

- 8. Public to be Heard:** On the question from Mr. Gary Krill, Debbie Lane, Mr. Treadwell confirmed the hearing was open to the public.

There being no further comments or business the meeting adjourned at 8:40 PM.

Respectfully submitted,

Ilene M. Eckhart

