

Allen Township Supervisors

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

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

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

Tuesday, February 28, 2012

A General Meeting of the Allen Township Supervisors was held on Tuesday, February 28, 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 Vice Chairman Bruce Frack.

Roll Call: Paul Balliet -Absent; William Holmes – Present; Alfred Pierce – Present; Michelle Drzewiecki - Present; Bruce Frack - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Ilene Eckhart – Present; and Brien Kocher, P.E. - Present.

Public Hearings: No scheduled public hearings.

Public to be Heard: No comments from the audience.

Unfinished Business

A. Horner Road Agreement – Austin Powder/Lafarge Corporation: Mr. Treadwell discussed some issues in the draft agreement which has been crafted by Lafarge Corporation. Mr. Treadwell indicated Austin Powder proposed some changes as follows:

1. Regarding the installation of the gate, from the gate to the Lafarge property line, the draft calls for Austin Powder to maintain the road as well as remove the snow and ice from the road. Austin Powder objects to the responsibility of removing the snow and ice. Ms. Eckhart indicated that Austin previously agreed to maintenance but not specifically to winter maintenance. She further indicated that we do not currently perform winter maintenance only minimum road maintenance. Mr. Smith (present on behalf of Lafarge) indicated that winter maintenance does not concern Lafarge. The Board agreed that the Township would have a key and since the road would technically still be owned by the Township – that if they wanted to perform the winter maintenance only the Township could do still so.

2. Regarding the location of the gate to be installed, Mr. Pierce stated the Board agreed in the previous discussion to locate the gate as close to the last property drive way as possible. Mr. Smith agreed with the location as described by Mr. Pierce.

3. Regarding the indemnification provisions in the draft agreement, Mr. Treadwell explained that the provision for the level of indemnification in the draft was questioned by Austin. The Board discussed and agreed with the provision as drafted.

Mr. Treadwell concluded that Exhibit A will be prepared in order to finalize the agreement in light of the Board's comments this evening and forwarded for signature by all parties.

B. 1228 Old Carriage Road – building code violations; Ms. Eckhart indicated that she received estimates for the demolition work at the property. She indicated three bids have been received. Mr. Pierce made a motion to direct the Solicitor to file the necessary petition to obtain an order to allow the Township to enter the property and to remove the fire damaged building as it constitutes a safety hazard and authorize the Solicitor to employ any and all technical experts witnesses including a structural engineer to support this case; seconded by Mr. Holmes. On the motion, by roll call vote, all yes. Mr. Pierce confirmed that the Township will have to most likely pay for the expert witness however Mr. Treadwell will review if some of these costs are reimbursable from the fire escrow proceeds. Mr. Pierce made a motion to direct the manager to advertise for bids for demolition for receipt by the Board at the first meeting in April 2012; seconded by Mrs. Drzewiecki. On the motion, by roll call vote, all supervisors present voted yes.

Mr. Todd Meltsch, the Building Code Official, questioned if the property owner submits any permits or drawings for review to reconstruct the property during the course of the litigation. Mr. Pierce felt everything should be transmitted to Mr. Treadwell

New Business

A. Savage Road Dog Park/Trail Extension: Mr. Holmes made a motion to authorize Hanover Engineering to prepare a meets and bounds description of the property; seconded by Mrs. Drzewiecki. On the motion, by roll call vote, all supervisors present voted yes.

B. Tax Collector request for use of Township Building to issue receipts: Following some discussion, the Board agreed that the policy was to remain unchanged. The Board suggested the Tax Collector contact the Fire Company to discuss if they would make their facility available for her use.

C. Intergovernmental Cooperation Agreement (North Borough & Northampton Borough and Allen Township) HOME Program: Mr. Holmes made a motion to accept the Agreement; seconded by Mr. Pierce. On the motion, by roll call vote, all supervisors present voted yes.

Public to be Heard: Mr. Treadwell requested a short executive session to discuss ongoing litigation with Northampton Borough. No comments from the public.

There being no further business the meeting adjourned.

Respectfully submitted,

Ilene M. Eckhart
Manager