

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
Dale N. Hassler
Alfred Pierce
Larry Oberly

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

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

Tuesday, January 28, 2014

A General Meeting of the Allen Township Supervisors was held on Tuesday, January 28, 2014, 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; Dale N. Hassler – Present; Alfred Pierce – Present; Larry Oberly - Present; Bruce Frack - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Brien Kocher, P.E. (Hanover Engineer). – Present; and Ilene Eckhart – Present.

Mr. Balliet announced that the Supervisors did attend the January 20th Planning Commission Meeting. In closing he noted that the Board of Supervisors has not reviewed the plans and will not offer feedback until the plans are under the Planning Commission's review.

Public Hearings: No public hearings.

Public to be Heard: John Mattaboni, 15 Country Club Road, voiced concerns regarding the plans recently submitted by Fed Ex for development of the land north of the Airport. He appealed to the Board that when the plan comes before them for consideration to please consider the pastoral setting of the Township. He voiced concerns regarding tractor trailer traffic and the impact on property values in the area.

Mike Givey, 197 E. Bullshead Road, voiced concerns that the Fed Ex is larger than our Township given the effect on the entire Lehigh Valley. He did not feel the tax benefits or jobs created would outweigh traffic concerns. He felt the Board has a big decision but it was not the best thing for the Lehigh Valley.

Robert Nappa, 382 E. Bullshead Road, mentioned a website that was recently created called stopfedexhub.org. He further indicated that he had individual collecting donations for legal fees at the door. He felt there were numerous residents opposed to the project. He felt there was extensive misinformation regarding the number of jobs. He noted the extensive traffic impact. He felt many in

the community felt this will be a disaster. He felt the distance from Route 22 did not make sense and that the facility should be located off of Rt. 78. He felt FedEx must be aware of a tremendous tax or economic benefit to locate the project so far from the highway. He felt there was some sort of financial reason and the residents were investigating why. Mr. Nappa indicates he is learning the facts and is following the money to come up with the answers. He concluded that when the residents, including himself, determine why the residents would fight the project and he asked the Board and Planning Commission to say “no” to the facility. He stated that if the Board and Planning Commission members do not say “no” to the facility then the residents would work tirelessly to replace those that vote “yes” for the facility at the next municipal election, whenever the election occurs. He further indicated that those members who vote “yes” are to know that this will be their last term and they will be replaced by members who care about the community so that something like this does not occur in the Township again.

Pete Deshler, 235 McNair Circle, added that he was opposed to the FedEx hub. He indicated that he had to obtain a fence permit and deck permit in recent years. He felt he had to follow certain rules when constructing his fence and deck – so that his neighbors would not be negatively impacted. He hoped the Board would have same concerns regarding negative impacts when this project is considered.

Mickey Phillpot, Saw Grass Drive, questioned the November 18th, 2014 meeting comments and questioned the height of the building stated by representative members of FedEx. Mr. Treadwell indicated that this would have been a Planning Commission meeting. Messrs. Treadwell and Kocher explained the amendment regarding height that occurred as well as other revisions in that overall draft. Mr. Mattaboni further questioned the intention of this ordinance amendment.

Kim Nappa, 382 E. Bullshead Road, questioned the impervious coverage maximum in the Industrial Zoning District. Mr. Treadwell indicated that a petition to change the zoning ordinance regarding impervious coverage was submitted to the Township but that was returned. Mr. Treadwell further explained the provisions of the Municipalities Planning Code and protection of applicants rights upon filing of an application. Mrs. Nappa further questioned the plans to move the five-year old radar tower that is on the site. She questioned why this would be moved if there is no potential impact and she felt there should be concern over this. Mr. Kocher indicated that this has been requested to be clarified.

Rich Goch, 16 Country Road, thanked the Board for allowing the public to comment regarding the FedEx issue. He stated the residents would like to put their faith in the Board regarding the community. He offered that the residents were investigating the matter and the residents were available to help. He advised the Board that FedEx was a multi-billion dollar world-wide corporation. He further stated the Rockefeller Development, the big time New York developer owned by the Chinese is only interested in increasing shareholder wealth. He further advised that if he were FedEx he would have fired Rockefeller by now because Rockefeller is not giving FedEx the straight story given the site distance from the highway. He asked the Board to investigate every aspect regarding the project. He felt the plan was a cookie cutter plan that was not specifically designed for the property in Allen Township. He felt with resistance of the Board they would take the project somewhere more appropriate.

Unfinished Business

A. Northampton County Farmland Preservation – request for Board’s consideration regarding Act 4 – Tax Incentive for lands preserved in Act 319 Farmland Protection Program:

Mr. Treadwell reviewed information received from the Farmland Preservation Department of Northampton County and explained options to the Board. He further indicated that this is within the same legislation which created the Open Space Referendum Earned Income Tax alternative. Mr. Treadwell indicated that part of this Act if passed by an ordinance of the Board, essentially freezes the Township tax millage for properties within the Agricultural Preservation Easement Program. Mr. Oberly questioned the number of properties impacted. Following some further discussion, Mr. Oberly made a motion to table the matter until further information can be presented to the Board; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

B. Snow Removal Ordinance – discussion regarding revisions: Mr. Treadwell reviewed the components of Chapter 15 and he felt the ordinance could be amended to provide better notice requirements (section 9). Mr. Treadwell explained the current snow emergency provision, within the ordinance, that was currently difficult to communicate to the residents. Mr. Oberly felt that within the Township, at times, there may be different snow rates. He felt the Board should consider that a timeframe after the snow begins, perhaps one hour, all cars should be removed from the streets. Mr. Treadwell suggested that signage may also be way to communicate this to the residents.

C. City of Bethlehem Water – Notice of Proposed Rate Changes & discussion regarding impact on sewer user rates: Ms. Eckhart reiterated the City of Bethlehem petitioned the PUC for a rate increase in their service area. Ms. Eckhart indicated that this will impact the sewer user rate. Since the initial notice, the PUC has corresponded that they are investigating the matter further pending any decision and the rate increase is currently suspended until the final quarter of 2014. She noted therefore the Board had ample time to make an adjustment to the sewer rate. Ms. Eckhart further indicated that some communities impacted by a potential increase in the southern-most area of the Bethlehem service area are seeking alternative dispute resolution with PUC. She indicated she would return to the Board with further information as it becomes available.

New Business

A. Krapf Notice of Violation: Ms. Eckhart reviewed the apparent notice of violation letter regarding the quarry in-fill operation and the recent submission of a grading plan. Ms. Eckhart indicated that she provided a time to respond, especially with regard to the apparent notice of violation of January 24, 2014. Since there has not been a response on the zoning issue, Ms. Eckhart asked for the Board’s direction. Mr. Oberly made a motion to proceed with the Notice of Violation regarding the zoning matter contained in the apparent notice of violation letter; seconded by Mr. Hassler. On the motion, all supervisors present voted yes with the exception of Mr. Pierce who abstained.

B. Garage Wall Cracks: Ms. Eckhart indicated that the Public Works Director has provided a line drawing of further cracking of the masonry garage wall. She indicated that Jeff Lazar, Hanover Engineering Associates, Inc. will be providing a letter of review and recommendation. She noted that one of the suggestions will most likely be the removal of backfill from the rear of the wall area.

C. Snow Removal Budget Impact: Ms. Eckhart reviewed the status of the snow removal portion of the General Fund. She noted that currently the materials line item is \$8441 beyond the budgeted amount upon fulfillment of outstanding salt on order. She noted overtime hours

approximately \$9,000 remained. She noted she would further like to discuss the use of part timer labor in the future and possible schedule shifting.

D. Non Uniformed Pension: Ms. Eckhart indicated there have been some personnel changes at Morgan Stanley and she would be meeting with the principal for an update on the fund.

E. Betty Snyder Memorial Funds: Ms. Eckhart indicated that the Township received donations in memory of Betty Snyder for the Allen Township Playground Association. She indicated since the Playground Association no longer exists she forwarded the donations on to the Allen Township Youth Association as the comparable organization currently in existence.

F. Northampton County Open Space Grants Seminar: Ms. Eckhart indicated she would be attending a seminar regarding the status of the Northampton County Open Space Bond Grants tomorrow morning. She updated that the Township is in line to receive another \$71,691.27 under the provisions of Phase II of the program for recreation and open space development. She indicated there is a caveat that the Phase I project must be completed prior to applying for Phase II funds. The Phase I project is the proposed Savage Road Trail and Dog Park on a portion of Northampton County lands acquired for use by the Township under Property Management Agreement with the County. She stated she would include the Phase I project on an upcoming agenda for further discussion regarding the wishes of the Board going forward.

Public to be Heard: Mr. John Mattaboni, 15 Country Road, Northampton, further requested a copy of minutes from the matter previously discussed regarding an ordinance change. He further questioned the change in the height and the filing of an application by FedEx. Mr. Mattaboni further questioned the impetus of the change. Mr. Treadwell indicated there were conversations regarding the project and that he would provide him with a copy of the ordinance following the meeting.

Mr. Mickey Philpot, questioned if a nonbinding referendum regarding the FedEx project could be considered by the Board. Mr. Treadwell answered no. Mr. Robert Nappa further commented regarding this matter.

Mr. John Mattaboni further also questioned whether a nonbinding referendum could be imposed. Mr. Treadwell provided background regarding referendums in Pennsylvania.

The Board adjourned to a brief executive session regarding a personnel matter.

Respectfully submitted,

Ilene M. Eckhart
Manager