



Allen Township Board of Supervisors

Meeting Minutes

**September 22, 2020
7:00 P.M.**

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, September 22, 2020 at 7:00 P.M. by teleconference due to the Disaster Emergency (Resolution 2020-10, 2020-11 and 2020-12) created by the COVID-19 Coronavirus Pandemic. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

1. **Roll Call:** Present: Bruce Frack; Gary Behler; Carl Edwards; Dale Hassler; Gerald Montanari; B. Lincoln Treadwell, Jr., Esq., Stan Wojciechowski, PE, CME, Ilene Eckhart, Manager.
2. **Announcements:** Ms. Eckhart announced the Board held an executive session on Thursday, September 17th, 2020 at 6:00 PM at the Township Building to discuss the Krapf and Northampton Borough Sewer litigation with the Special Solicitor (Michael Crotty).

Mr. Treadwell reminded that the litigation matters previously noted by Ms. Eckhart would not be discussed at the meeting this evening.

Ms. Eckhart

3. **Public to be Heard:** No public comments.
4. **Public Hearings:** No public hearings.
4. **Unfinished Business**
 - A. **High Meadow Estates, Time Extension Request:** No comments from the applicant regarding the extension request. Ms. Eckhart acknowledged that she reached out the applicant several times over the past few months to offer this matter be scheduled for the agenda.
 - B. **Homestead Estates Pedestrian Trail Spur – Residents Request/Comments:** Ms. Eckhart provided a background of the Boards actions made at the meeting of August 25th, 2020. Ms. Eckhart indicated since the direction from the meeting many comments have been received the community regarding the removal of the rail. She summarized that nine property owners within the Homestead Estates Subdivision have voiced opposition to the removal of the pedestrian trail. Many residents spoke in favor of the keeping the path including the following property owners Jennifer and James Grell, Maria Gougoustamos, Mary Ann Martinez, Jason Erchen, Michael and Nicole Givey, Rick Goch, John and Suzanne Mattboni.

Mr. Joseph Younes and Mr. Ken Fenstermacher expressed concerns of safety and were in favor of removing the trail.

In conclusion, Mr. Montanari stated that he understood the safety concerns but the matter should be tabled until we understand more clearly, what the neighborhood prefers. Mr. Edwards indicated that he was present, he had a mute difficulty. Mr. Behler stated that the initial intention of the Board what was best for the community. He admitted that at that time, unfortunately, the Board did not know the view of the entire community. He agreed with Mr. Montanari, that the community should come up with a consensus of what they want for the community. He felt the Board should do the best they can to implement what the community wants. He indicated he had not issues with some of the solutions, which were expressed. Messrs. Hassler and Frack agreed. Mr. Frack offered a future meeting to view the site and work with the community for a solution. Mr. Hassler confirmed Ms. Eckhart would send out a questionnaire to obtain input from the entire neighborhood. Mr. Edwards indicated he also wished to hear the responses of the community. Mr. Treadwell clarified, as everyone thinks of this going forward, it is currently a public easement, if it is not going to be public it will need to be private. Mr. Behler asked for further clarification, that the path could not be closed off for use for just the Homestead residents because it is a public easement. Mr. Treadwell confirmed the entire public created it as a public easement for use.

5. New Business

A. Request of Lappawinzo Fish and Game Protective Association Inc. and Northern Lights Pyrotechnic Club – Fireworks Consumer and Display: Ms. Eckhart provided a brief history regarding the event held in October 2018, which resulted in many complaints from Township and Borough residents. The 2018 event went on for about twelve hours. The nuisance and fire prevention code sections, which are in, place today are born out of the nuisance of the continuous timeframe of the 2018 event.

Messrs. Peter Day and Brett Hallden, of the Northern Lights Pryotechnic Club spoke regarding the application. They explained the event was proposed for five hours. Mr. Treadwell explained the provisions of the nuisance ordinance regarding fireworks displays and that anything over one hour in length requires the Boards specific permission. Mr. Behler expressed concerns regarding the noise level of the 2018 event as well as concerns due to the elevation of the Club property. He was not in support of allowing anything beyond what is allowed in the ordinance. Mr. Montanari questioned the discharging of fireworks in daylight ordinance. Mr. Montanari also felt the ordinance was in place for a reason. He noted that the effect on pets alone was unacceptable. He felt a ½ hour was enough. Mr. Edwards felt noise and smoke were two of the thorniest issues to be decided between property owners and the general public to be free from nuisances. He was unsure of the courts view, but it was difficult to not come down on the side of the property owner. He was in favor of granting the privilege one time a year for the proposed activities. Mr. Frack noted areas impacted by fireworks in the development areas. He was not in favor of the length of time.

Mr. Behler made a motion deny the request for the extended hours and allow the event to proceed in compliance with the Township ordinances; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Edwards who voted no and Mr. Hassler

abstained due to his membership with the Lappawinzo Fish and Game Protective Association, Inc. Mr. Day requested clarification of the one hour and the location.

B. Trick or Treat, October 31, 2020 6 to 8 PM: Mr. Behler made a motion to designate Saturday, October 31st, 2020 from 6 to 8 PM; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. Cancellation of October 27th, 2020 Board of Supervisors Meeting: Mr. Behler made a motion to cancel the Board of Supervisors meeting scheduled for October 27th, 2020; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

6. Public to be Heard:

7. Adjournment: There being no further comments or business the meeting adjourned at 8:15 PM.

Respectfully submitted,

Ilene M. Eckhart