



Allen Township Board of Supervisors

Meeting Minutes

**August 25, 2020
7:00 P.M.**

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, August 25, 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 Monday, August 17th, 2020 at 5:30 PM at the Township Building to discuss the Krapf litigation with the Special Solicitor (Tom Dinkelacker). She noted she did not attend this executive session. Ms. Eckhart reported the executive session pertaining to the Krapf litigation originally announced during the August 11th, 2020 Board of Supervisors Meeting/Teleconference, to be tentatively held on Thursday, August 20th, 2020 at 6 PM at the Township Building was not held. Regarding the Krapf litigation, Ms. Eckhart announced an additional executive session would be held on Monday, August 31st, 2020 at 6 PM at the Township Municipal Building. She noted she would not be attending this executive session.

Additionally, Ms. Eckhart announced an executive session regarding Northampton Borough Sewer Litigation was held at 6PM on Monday August 24th, 2020 at 6M at the Township Building.

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

3. Public to be Heard: No public comments.

4. Public Hearings: No public hearings.

4. Unfinished Business

A. Towpath Estates Security Reduction Request: Mr. Frack made a motion to release security in the amount of \$131,294.22 for Towpath Estates pursuant to the recommendation of the Township Engineer; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

B. John & Lisa Mann (and Gordon & Armell Irrevocable Trust) Lot Line Adjustment Plan: Mr. Kenneth Hahn, P.E. was present on the teleconference on behalf of the applicant. Mr. Wojciechowski reviewed the minor engineering details, which would need to be provided to bring the plan into compliance with the letter of review. Mr. Behler made a motion to grant the requested waiver

from SALDO Section 502.3.B regarding the requirement to provide plan contour lines at two-foot intervals and approve the plan subject to the December 19, 2019 Township Engineers letter of review; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

C. MS4 Plan Stormwater Update: Mr. Wojciechowski provided an update 2019-2020 annual report and appendix, which is due on September 30, 2020. The MS4 Pollutant Reduction Plan requires certain stormwater management improvements prior to the expiration of permit (2024). Mr. Wojciechowski recommend the Board start to consider some additional improvements, which might meet the intent of the Pollutant Reduction Plan but that may not have been previously considered. Ms. Eckhart raised the potential benefits to the MS4 Pollutant Reduction Program of removing the pedestrian trail spur within the Homestead Estates Trail Spur (new business item), which rolls into the next item.

5. New Business

A. Homestead Estates Pedestrian Trail Spur – Resident Requests: Ms. Eckhart summarized the residents' written request to investigate the removal of the pedestrian trail spur, which bisects the Homestead Estates Subdivision. The request was submitted on behalf of property owners, which have the trail easement across their private properties. Ms. Eckhart explained the pedestrian trail spur within the easement currently connects Wayne Grube Memorial Park to the Nor-Bath Trail and the Township initially requested the installation of the spur connector trail be installed by the developer, in prospect of future connection to the County park facilities. This connector trail was constructed prior to the westernmost portion of Wayne Grube Park (on the west side of East Bullshead Road). Later the County, in developing Wayne Grube Park, created an interconnection between this portion of Wayne Grube Park and the Nor Bath Trail. She noted that the connector created as part of the Townships effort in requiring the Homestead bisecting trail is at this point redundant and it appears to be more or less a short cut, which people are taking in traveling through the area. In correlation to the MS4 Plan Update, a property owner has offered to remove the trail, return the area to grass in consideration to the Township continued maintenance of the stormwater swale on the southwestern boundary of the development. This swale also runs under East Bullhead Road. This stormwater area was identified in the MS4 Pollutant Reduction Plan as an area to be addressed within the three-year permit cycle. Ms. Eckhart noted she has reached out to the County to inform them of the need for coordination to remove access to the closed spur area. Mr. Treadwell advised the Board could move ahead with the extinguishment of the easement and removal trail independent of any adjustment Northampton County may need to make of their property.

Mr. Behler stated he supported removal of the trail spur, given that there is another connection leading to the County Trail and Park. Mr. Hassler agreed. Mr. Treadwell explained the process, which would involve the recording of a document to extinguish the easement across the private properties. Following some further discussion, Mr. Behler made a motion to remove the trail through the offer of the private individual and return the area to a grass condition and to authorize Mr. Treadwell to draw up the necessary paperwork to extinguish the trail easement and to pursue any stormwater bmp in this area for MS4 Plan compliance; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. Resolution #2020-014 – Willowbrook Road/Fed Ex Employee Driveway/Rockefeller Lot #5 (Geodis) – Traffic Signal Authorization – TE-160 PennDOT Permit: Ms. Eckhart explained the resolution authorized the signing of the PennDOT forms which would formally accommodate the permitting necessary to activate the signal leg. Mr. Behler made a motion to adopt resolution #2020-14; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. Mass Gathering Permit Request – Willowbrook Farms September 26, 2020: Ms. Eckhart presented the permit application for a public concert and food event to be held at the Willowbrook Farms property on September 26, 2020. She indicated that application projects attendance of 150 to 250 people attending the outdoor event. Mr. Hassler questioned if there was a liability exposure in the Township issuing the permit in consideration of the COVID-19 pandemic. Mr. Treadwell responded that the Township would not have liability for just allowing them to do what the ordinance allows them to do. He indicated additionally the property owner has noted COVID-19 social distancing compliance measures would be provided. Mr. Hassler noted he understood but was concerned with a higher authority involving the Township for allowing the event to proceed. Mr. Treadwell indicated he did not see this as an issue. Mr. Frack made a motion to authorize the issuance of the Mass Gathering permit pursuant to compliance with the code requirements to Willowbrook Farms for the September 26, 2020 outdoor event; seconded by Mr. Edwards. On the motion, by roll call vote, all Supervisors present voted yes.

D. Sewer Report: Mr. Frack questioned the Rockefeller Lot #5 sewer matter. Ms. Eckhart indicated that she would arrange for the Township Engineer to speak to him regarding this resolved issue, if necessary.

6. Public to be Heard: Richard Novak, Bally Drive, questioned the status of the Fuller Curative Amendment. Mr. Treadwell responded that the property owners' consultants continue to work on their plans for the property.

7. Adjournment: There being no further comments or business the meeting adjourned at 7:35 PM.

Respectfully submitted,

Ilene M. Eckhart