

**EAST ALLEN TOWNSHIP  
Board of Supervisors  
Regular Meeting  
April 22, 2010**

**CALL TO ORDER – 7:30 PM**

The recorded meeting was called to order at 7:30 PM by Chairperson, C. Colitas who led the pledge of allegiance.

**ROLL CALL**

Present were: Chairperson, C. Colitas; Vice Chairperson, J. Ladonis; Supervisor, R. Unangst; Supervisor, M. Schwartz; Supervisor, D. Heiney, Township Solicitor, J. Leeson; Township Engineer, J. Birdsall; Township Manager, D. Seiple; Public Works Coordinator, G. Mathesz; and Secretary/Treasurer, R. Wedde.

**PUBLIC COMMENT**

There was no public comment.

**APPROVAL OF MINUTES**

The April 14, 2010 minutes were tabled until the May 12, 2010 Board of Supervisors Workshop meeting.

**ENGINEER REPORT**

A copy of the April Engineer Report was distributed.

**LVIA Lot Consolidation Plan**

J. Birdsall explained there are two things going on with this item. D. Seiple explained that J. Birdsall said at the Workshop Meeting that he was going to put something together. J. Birdsall would like this placed on the May 12, 2010 Board of Supervisors Workshop Agenda.

**Snyder's Church Road Drainage**

J. Birdsall recalled from the April 14, 2010 Workshop meeting that this was a private property matter and that he would draft a letter for the Board's approval to send. J. Birdsall also advised the Public Works Department could clean out the debris so it drains correctly.

**Public Water Connection from City System to East Allen Gardens-along Mud Lane-H2O-PA Grant**

J. Birdsall explained the Municipal Authority applied for an H2O Grant for sixty-six (66) percent of the funding package of their 2.6 million dollar project. This was not approved in the first cycle, but J. Birdsall explained there is an opportunity between now and June 1, 2010 to amend the application. J. Birdsall distributed a handout dated April 22, 2010 regarding the grant. J. Birdsall believes one possibility is to hook up East Allen Gardens to the City of Bethlehem line over near Howertown Road. The letter explains what the pros and cons of this would be. The estimated costs to bring water over which includes fire hydrant service two both sides of Seemsville Road and to some hydrants on Mud Lane. J. Birdsall explained that the entire project would cost \$1.6 million. J. Birdsall asked that the Board of Supervisors consider this. The Application for the grant is easy to fill out, but the letters of support will need to be sought after.

**City of Bethlehem**

J. Birdsall did write a letter asking the city to prepare a reimbursement agreement. J. Birdsall had not gotten anything back from the letter yet. They are still working on this.

R. Unangst questioned under the April 20, 2010 Engineer report, Arcadia East Associates Off-site Storm Sewer Improvement and Maintenance letters of credit expire, The deadline is May 2,

2010 does anything need to be done. J. Birdsall would like the Board to allow the Township Solicitor to pull the Letter of Credit if the Township does not receive of an extension. MOTION by R. Unangst to authorize the Township Solicitor to pull the Letter of Credit if the Township does not receive an extension. Seconded by M. Schwartz. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

### **SOLICITOR REPORT**

#### **Hanover Township/East Allen Township Boundary Line/PennDOT**

J. Leeson explained a copy of the draft of a proposed court petition to be filed jointly by Hanover Township and East Allen Township. PennDOT is refusing to recognize the agreement between the two Townships. J. Leeson reviewed the paper work and asked to be authorized to participate in the case. MOTION made by R. Unangst to authorize the Township Solicitor to legally represent East Allen Township in this matter. Seconded by M. Schwartz. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

#### **Tree Line Homes Request for Extension – Update**

J. Leeson explained the developer had requested an extension on the development agreement that had expired. The developer was trying to force an issue of a Bond. J. Leeson has not received response from them. J. Leeson placed this in writing in a letter dated April 19, 2010. The township will not proceed until they hear from the developer and receive a bond.

#### **Lombardo Property Issue – Contact with Attorney Asteak**

A signed proposed agreement has been received from Mr. Lombardo. If the agreement is approved, the boundary line would be settled in accordance with a plan drawn up by Hanover Engineering. A clear site triangle would be established on the property so there would be no visible distraction. The Township would have the right to maintain the fence. The Township has the right to go upon Lombardo's real estate in order to do any maintenance on the fence. Mr. Lombardo is proposing to clear up the septic sewer easement location. North of the fence would be taken care of by Mr. Lombardo. Mr. Lombardo is required to pay the Township twenty-five thousand dollars (\$25,000). All zoning approvals are covenants, and would run with the land. This would make it binding on future buyers as well. The Fire Department would have to be included in the settlement as well. J. Leeson explained the next step is to list for a vote. The vote will need to favor or oppose. If assumed the Board of Supervisors approves this, Mr. Lombardo would need to go to zoning hearing board to get the necessary relief needed to do this. If zoning is approved, the agreement will be signed. MOTION made by M. Schwartz to have the chairperson sign agreement and move to the next step. Seconded by J. Ladonis. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

#### **Re-Zoning of Atiyeh Property on Rte. 512 – Memo #10-14**

J. Leeson received a letter from Attorney Martino who represents the neighboring property owners. J. Leeson mentioned Richard and Rhonda Bartolacci have submitted paperwork today to challenge the second rezoning of Abraham Atiyeh's property on Route 512. J. Leeson said he will keep the Board of Supervisors advised as this proceeds.

#### **Plan of Dissolution for East Allen Township Municipal Authority**

J. Leeson put together a Memo, a resolution for the Authority, the actual plan/certificate and suggested motions for the Authority that they would pass this. No action required by Board of Supervisors. The next step would be D. Heiney and M. Schwartz will take the resolution to the East Allen Township Municipal Authority meeting May 11, 2010 and present as an agenda item for the authority to vote on. If it passes at the Municipal Authority meeting then it would come back to the Board of Supervisors for a vote. J. Leeson is requesting that whoever requests that

this be listed on the Municipal Authority Agenda that that communication go forth from the Township to be listed as an agenda item.

## **MANAGER REPORT**

### **Northampton Area School District Withdrawal Letter dated April 12, 2010**

D. Seiple explained a letter dated April 12, 2010 was received from the School District asking that the Zoning Office rescind denial of the permit.

### **Received Tree Vitalize Grant Reimbursement Check - \$3,250.00**

D. Seiple explained everything has been complete for the Tree Vitalization Grant. The signs are up in the park on the back of two of the bleachers. The trees are doing well. D. Seiple explained there will be more grant funds available so the Township may apply for more grants in the future.

### **PSATS State Conference**

D. Seiple attended Sunday for a seminar, had a luncheon Monday with the State Committee, and Tuesday D. Seiple was there for voting for the County and also to give a presentation for the State Committee she is on. R. Wedde attended for two days, along with G. Mathesz, S. Gergar, and Supervisor D. Heiney.

### **Fiber Optic Line – Preconstruction Meeting 4/15/10**

D. Seiple explained there was a preconstruction meeting about this on April 15, 2010. She could not attend this meeting. G. Mathesz attended the meeting, a copy of his notes were distributed to Board of Supervisors. D. Seiple mentioned they are starting this and it will be going through several municipalities.

### **Jacksonville Park Master Plan Update – URDC Letter 4/15/10**

A letter from April 15, 2010 was distributed to the Board of Supervisors. The letter discusses the changes Urban Research and Development have made to the Plan and now will be submitted to the Department of Conservation and Natural Resources for further comments. If the plan is accepted at that time, they will be able to apply for the rest of the funding for the grant and close it out.

## **TREASURER**

### **Monthly Financial Report**

The monthly financial report was distributed in the Board of Supervisors packets.

### **Payment of Bills**

R. Wedde submitted the total receipts of \$196,540.54. The bill list for the month is \$130,879.64.

R. Wedde asked for Authorization to pay the bills. The listing does not include the invoices for the North Halbea Street sinkhole.

MOTION made by M. Schwartz to pay the bills and accept the monthly report. Seconded by D. Heiney. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

### **Invoices for N. Halbea St. Sinkhole**

MOTION made by R. Unangst to pay the Grace Industries Invoice in the amount of \$5,000 out of the general fund line item 438-200. Seconded by D. Heiney. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

MOTION made by R. Unangst to pay the Hanover Engineering Invoice in the amount of \$674.39 out of the general fund line item 430-313. Seconded by D. Heiney. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

## **PARKS & RECREATION**

### **Monthly Report**

The Parks and Recreation monthly report was distributed. C. Frantz explained as a side note to what D. Seiple mentioned about the Tree Vitalization, T. Dittmar of Northampton County offered a class to the Public Works Department on how to trim trees. This will be offered to surrounding municipalities. This will be happening in the next month. As soon as a date is set, the Township will send out invitations to the municipalities.

The interviews for the Summer Park Program Counselors have been completed.

On April 13, 2010, J. Ladonis, J. Odenwelder, B. Norejko and C. Frantz met at the Park to walk around and make suggestions the five and ten year open space plan. Others from the Parks and Recreation Board were not present so C. Frantz will be meeting again with them.

### **Parks & Recreation Minutes March 2, 2010**

The Parks and Recreation Minutes for March 2, 2010 were distributed.

### **Summerfest Minutes March 13, 2010**

The meeting for SummerFest was held April 17, 2010 at Bicentennial Park. C. Frantz explained this gave everyone a more visual was of looking at where everything would be placed. The idea for this year is to keep everything closer this year instead of being so spread out. Majority of SummerFest will be on the West side of the park.

## **PUBLIC WORKS**

### **Monthly Report**

G. Mathesz explained the water line break at Bicentennial Park. A Verizon line was hit where the break was. The bucket truck was returned today. The tree trimming was done, and banners were put up. There were sinkholes that occurred on Circle Drive and one on Stone Post Road. Shoulder mowing has started along with getting some potholes patched. Road repairs are being planned. G. Mathesz gave an update on the truck body. It was finished today and will be delivered to E.M. Kutz, and should be ready within a week or two.

### **2010 Road Projects List/Estimates – Discussion & Request to Advertise for Bids Joint Project with Upper Nazareth Twp. – Township Line Rd**

D. Seiple has not heard from Upper Nazareth. The biggest concern is the longer the Township waits, everybody has bidding, or everyone else has work already and the price may not be good. D. Seiple deferred to J. Birdsall on what he thinks should be done on the timing of this project. J. Birdsall recommends going out for bid as soon as possible.

MOTION made by R. Unangst to advertise with dates set up by staff and the Township professionals. Seconded by M. Schwartz. VOTE: D. Heiney, yes; M. Schwartz, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. ALL IN FAVOR. MOTION CARRIED.

### **Specs for Purchase of 2011 Mack Single Axle Truck**

G. Mathesz distributed specs for purchase of 2011 Mack Single Axle Truck.

### **Specs for Purchase of Ford 550 Small Dump**

G. Mathesz distributed specs for purchase of Ford 550 Small Dump.

The two replacements would be the 2000 Ford F-450 small dump and the 1997 Freightliner FL60 five ton dump. D. Seiple will look at the lease schedule and report back to the Board of Supervisors at the May 12, 2010 Workshop Meeting.

C. Colitas questioned the letter from Attorney David Backenstoe representing Berger Sanitation regarding truck traffic on Township Line Road. D. Seiple explained Attorney Backenstoe had a discussion with her requesting to be in the meeting with Upper Nazareth. The meeting has been scheduled for May 5, 2010 at 1:30PM in the Municipal Building. Upper Nazareth and their attorney will be present along with the head of their Police Department. Representation from

East Allen, and also from Mr. Berger who has hired Attorney David Backenstoe will be present. They are suggesting or offering to the Township placing a bond to help with the damage of Township Line Road. This can be done. The meeting will be held, and D. Seiple will bring information back to the Board of Supervisors at their next meeting.

#### **EATVFD/EATVAC/EMA**

A copy of the Fire Department Report and call report was distributed to the Board of Supervisors.

#### **PLANNING COMMISSION**

No meeting was held in April.

#### **MUNICIPAL AUTHORITY**

The minutes from March 9, 2010 were In the Board of Supervisors packets.

#### **ZONING**

The Zoning Hearing #2010-02 David & Rebecca Miller was denied.

#### **FRCA**

##### **Report**

J. Birdsall mentioned he was at the meeting and the operator said people from Northampton County were there looking at the buildings and putting together a bid package. The operator was informed that Northampton County needs to contact East Allen Township before the bid packets go out. D. Seiple will contact Holly Eddinger in regards to this, and the bid specs so the Township can see them before they are put out to bid.

#### **NAZCOG**

There was no report.

#### **PUBLIC COMMENT**

There was no public comment.

#### **ADJOURNMENT**

MOTION made by R. Unangst to adjourn the meeting at 8:40PM. Seconded by J. Ladonis. ALL IN FAVOR. MOTION CARRIED.

Respectfully Submitted,  
Rose Wedde  
Recording Secretary