

**EAST ALLEN TOWNSHIP
Board of Supervisors
Workshop Meeting
August 11, 2010**

CALL TO ORDER

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, D. Heiney, Township Solicitor, J. Leeson; Township Engineer, J. Birdsall; EMA Coordinator, J. McDevitt and Secretary/Treasurer, R. Wedde. Absent were M. Schwartz, D. Seiple and G. Mathesz.

PUBLIC COMMENT

Linda Eddinger of East Allen Gardens stated she knows there is a drafted contract for Bethlehem water with the Municipal Authority and is requesting to look at it or get a copy of it.

D. Heiney stated there is a letter in front of the Board of Supervisors tonight; it is the draft version of the agreement to negotiate. The agreement outlines the terms of the negotiations and time frames. It has already been approved by the Municipal Authority and is in front of the Supervisors tonight for their approval.

L. Eddinger questioned if the drafted contract is in the Municipal Authority minutes since she has some concerns about the wording

D. Heiney stated he did not know if the agreement was read into the minutes

J. Birdsall explained that this agreement is so they can negotiate, it is not the actual negotiations

D. Heiney stated the goal is to move the whole Municipal Authority system/assets not private systems

L. Eddinger questioned if public water came in and goes by an area that is not in a Municipal Authority system is it mandatory that they have to hook up

R. Unangst stated they do not have to but the Township can require it. In past history it has been required.

ENGINEER/MUNICIPAL AUTHORITY REPORT

City/Township/Authority – PUC District Expansion

A copy of Hanover Engineering Letter dated August 2, 2010 outlining the last meeting with the City of Bethlehem was distributed to the Board along with a list of documents the City of Bethlehem is requesting. J. Birdsall is working with J. Leeson and the Municipal Authority to get this information together.

Comparison of Alternative Water Supplies

A copy of the report was distributed to the Supervisors. The Municipal Authority will be reviewing and discussing the report at their next meeting. J. Birdsall will be distributing an update on Northampton Borough Authority figures as the rates were computed incorrectly in this report.

First Agreement w/City of Bethlehem Re: Negotiation for Second Agreement

A copy of the draft agreement for negotiations was distributed to the Board. The Municipal Authority had reviewed the agreement and they are in favor of signing it. R. Unangst would like to review the comparison information before agreeing to sign the negotiation agreement. Discussion ensued on the agreement and negotiations with other municipalities. J. Leeson explained that the agreement does not bind the City of Bethlehem to the Township or the Township to the City of Bethlehem. The agreement is to work on negotiations for a second agreement and it does have a deadline.

MOTION made by J. Ladonis the proposed agreement between the City of Bethlehem, the Bethlehem Authority, East Allen Township and the East Allen Township Municipal Authority presented to the Board of Supervisors and recommended by the East Allen Township Municipal Authority is approved. Seconded by D. Heiney. VOTE: D. Heiney, yes; R. Unangst, no; J. Ladonis, yes and C. Colitas, yes. THREE IN FAVOR. ONE OPPOSED. MOTION CARRIED.

Valley View Estates – Meeting Re: Amendment to Improvements Agreement

J. Leeson stated a copy of Hanover Engineering Letter dated August 4, 2010 which included a punch list was forwarded to Rouse/Chamberlain and a copy was distributed to the Board of Supervisors. J. Leeson has placed a call to Rouse/Chamberlain to set up a meeting to go over the list and is waiting for a call back. The deadline is September 30, 2010. J. Birdsall stated they are actively marketing the property.

Phillips and Phillips

J. Birdsall stated at the last meeting there was a request for the Board to consider including the improvements to the frontage of Phillip's property in the bid cycle for Silver Crest Road. Attorney James Zulick and Engineer August Antol were present to represent Mr. Phillips. Attorney Zulick explained that Mr. Phillips had spoken with D. Seiple and J. Birdsall regarding the Township's desire to do the Silver Crest Road improvements. Mr. Phillips had no plans on doing the improvements at this time but after discussions with D. Seiple and J. Birdsall he decided he would do them but would like some relief relative to his subdivision and land development plan. Attorney Zulick gave a brief history of the plans. Lot #1 contains the building where the business was located and then he obtained additional land and made the 2 lot subdivision request. Attorney Zulick then addressed each of the items in the Draft Motion that was prepared by Hanover Engineering and also mentioned about the law that was passed in PA that allows for automatic extensions of approvals until July 2013. There was discussion on the items with a few minor changes made to the draft motion. J. Birdsall stated that the Township will be receiving bids on August 24, 2010 and looking to award the bids on August 26, 2010. The bids do include the frontage of the Phillips property as an option. When the bids are opened the prices will be shared with Mr. Phillips. J. Birdsall did explain the option to the bidders at the pre bid meeting. If the Township does not award quickly they will miss the paving season and the timing of the project with Upper Nazareth Township. There was discussion about the water and septic availability to the property and cost of connecting.

MOTION made by J. Ladonis the Board of Supervisors of East Allen Township hereby grants an extension to the conditional Approval of the Phillips Feed and Supply Subdivision and Land Development Plans that were conditionally approved on or about April 23, 2009 and approved by the Applicant on May 28, 2009, which extension of the approval is subject to the conditions listed below:

1. The deadline for completion for conditions of approval is amended to December 31, 2011, subject however to applicable law.
2. The Township will allow the approved plans to be amended to delete the requirement for Lot 1 (the existing building at 6969 Silver Crest Road) to connect to the sanitary sewer shown on the conditionally approved plans. This revision, however, will not delete the plan or requirement to install the 400-foot future public sewer line and Manhole 320, behind Lot 2 and will not delete the requirement for the future building on Lot 2 to connect to and utilize the public sanitary sewer system.
3. The Township will allow Phillips permission to divide their plan approval into a subdivision of land into two (2) lots and a separate Land Development Plan for Lot 2. The revision and resubmission of these plans would be subject to technical review by the Township Engineer for their conformity to the plans that were conditionally approved in 2009.
4. Phillips will enter into an Agreement with East Allen Township that assures the Township that Phillips will reimburse the Township for the cost of improving Silver Crest Road in accordance with the plans submitted by Phillips as part of the above referenced conditional approval, and further that Phillips will post security in the form of a Letter of Credit or cash representing 110% of the cost of these Silver Crest Road improvements as bid by the Township.
5. Phillips will reimburse the Township for engineering expenses associated with amending the bid plans and specifications to provide for receipt of bids for the Phillips portion of storm sewer and road and for the inspection associated with those improvements, specifically required by the Phillips Development Plans.
6. The Township will allow the recording of the subdivision Plan creating a separate Lot 1 and Lot 2 on satisfaction of Phillips' requirements as outlined within the above listed conditions.
7. All other original plan requirements and conditions of approval would remain unchanged.

The Board of Supervisors further authorizes the Township Solicitor to notify the Applicant of the Board's decision. Seconded by D. Heiney. VOTE: D. Heiney, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. FOUR IN FAVOR. MOTION CARRIED.

Status of Route 512 Improvements

There was no one present from Arcadia at the meeting. J. Birdsall stated there has been some correspondence going back and forth between the parties. A copy of a letter dated August 11, 2010 from Attorney Lisa Pereira requesting an extension to complete the 512 improvements was distributed to the Board. J. Birdsall did not have a recommendation for the Board on this. J. Leeson stated a copy of a letter he sent to Arcadia dated August 9, 2010 giving them until August 19, 2010 to complete the improvements was distributed to the Board. J. Leeson suggested not granting the

extension they are requesting but grant an extension until the Supervisors first meeting in September and inform them they need to have a representative attend that meeting with an update.

MOTION made by R. Unangst to grant an extension to Arcadia until September 23, 2010. Seconded by J. Ladonis.

VOTE: D. Heiney, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. FOUR IN FAVOR. MOTION CARRIED.

The Township Solicitor and Township Engineer will be checking into the status with PennDOT and Verizon as to where Arcadia is with the project.

SOLICITOR REPORT

Status of Reimbursement Agreement w/Upper Nazareth Township for Township Line & Silver Crest Road Project

A copy of the Reimbursement Agreement was sent to Upper Nazareth Township. Their meeting was held earlier this week and their Solicitor has requested a few minor changes. J. Leeson didn't see any problems with the changes; he will make them and send the agreement back for their signature. J. Birdsall stated that he was contacted by the Engineer for Upper Nazareth and informed that Upper Nazareth Public Works would be out next week to start putting in the storm sewer near the intersection.

Tree Line Homes Extension/Bond

J. Leeson stated he has been contacted by the Attorney for Tree Line Homes and they have made application for the bond per J. Birdsall's letter with the updated numbers. They will inform Attorney when their application has been approved or denied.

MANAGER REPORT

Resolution #2010-09 Opposition of Forced Local Government Mergers & Consolidations

The House and Senate are looking to pass a bill that would change the local government borders and establish counties as the basic level of government in Pennsylvania. The Pennsylvania State Association of Township Supervisors (PSATS) is opposing this and is reaching out to all the municipalities in the state to adopt a resolution opposing the mergers and consolidations of local government. A draft copy was distributed to the Board for their review. There was some discussion and the Board was in favor of the resolution.

MOTION made by D. Heiney to adopt Resolution #2010-09 Opposition of Forced Local Government Mergers and Consolidations. Seconded by J. Ladonis. VOTE: D. Heiney, yes; R. Unangst, yes; J. Ladonis, yes and C. Colitas, yes. FOUR IN FAVOR. MOTION CARRIED.

A copy of the resolution will be sent to PSATS.

Act 46 of 2010 (SB 1042)

This Act was passed with the State Budget at the twenty-third hour to automatically extend most state and municipal development permits, authorizations and agreements until July 2, 2013. This extension period also applies to any permit, authorization, approval or agreement that was approved prior to December 31, 2008 and would have expired during the extension period. A copy was distributed for the Board to review and this will be on the next agenda for discussion.

Recreation/Open Space Plan Update Survey

A copy of the preliminary results was distributed to the Board. Any comments should be forwarded to the Municipal Office so that they can be given to the Parks and Recreation Board for review at their meeting on September 7, 2010 along with the survey results.

Parks & Recreation Board

Greg Kuhn is interested in serving on the Parks and Recreation Board and has attended at least one of their meetings. He was present this evening to introduce himself to the Board and gave a brief background. His profession is in security which would be an asset to the Township. A copy of his volunteer form will be given to the Board at the next meeting to be acted upon.

ZONING

Hearing 2010-03 – Richard & Rhonda Bartolacci

The hearing is scheduled for August 17, 2010.

PUBLIC COMMENT

There was no public comment

ADJOURNMENT

MOTION made by R. Unangst to adjourn the meeting at 8:50 PM. Seconded by D. Heiney. ALL IN FAVOR. MOTION CARRIED.

Respectfully Submitted,
Rose Wedde
Recording Secretary