



## Allen Township Board of Supervisors

### Meeting Minutes April 12, 2022 7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, April 12, 2022 at 7:00 P.M. at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

**1. Roll Call:** Present: Gary Behler; Tim Paul; Paul Link; Dale Hassler; Jason Frack; B. Lincoln Treadwell, Jr., Esq; Ilene Eckhart, Manager; Andrea Martin, EIT and Stan Wojciechowski, PE, CME.

**2. Announcements and/or Actions to Add New Items to Current Agenda:** Ms. Eckhart requested that Resolution 2022-10 relating to the Traffic Signal Maintenance Agreement with PennDOT be added to the agenda. Mr. Behler made a motion to add Resolution 2022-10 to the agenda; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

Ms. Eckhart also requested that Resolution 2022-11 relating to the Intermunicipal Agreement Amendment for Sewer Services between Allen Township and Northampton Borough. Mr. Behler made a motion to add Resolution 2022-11 to the agenda; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

Ms. Eckhart requested an executive session at the conclusion of the meeting to discuss potential land acquisition.

**3. Public Hearings:** No public hearings.

**4. Public to be Heard:** No public comment.

**5. Approval of Minutes:** Mr. Behler made a motion to approve the minutes of March 8 and 22, 2022; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

**6. Reports – All Reports with exception of the Treasurers Report noted as “on file”.**

**A. Treasurer:** Mr. Behler made a motion to approve the Treasurers Report and Pay of the Bills; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

**B. Solicitor:** On file.

**C. Engineer:** On file. Mr. Wojciechowski provided an update regarding the Indian Trail Road Bridge. PennDOT is expected to close the bridge over the Hokendauqua Creek this summer. PennDOT will let the contract out in the beginning of May 2022 with an expected closure in July 2022. Mr. Wojciechowski reported Pidcock Company is working on designing a bridge replacement over Indian Creek on Indian Trail Road in Lehigh Township. This replacement will be of the first bridge on Indian Trail road from SR248. Mr. Wojciechowski expects both of these bridges on Indian Trail Road to be closed this summer.

Ms. Martin provided an update on the status of Act 537 Plan. All Planning Commissions have the plan. Allen Township Planning Commission reviewed the plan at the last meeting. Northampton and Catasauqua Borough Planning Commissions are set to review the plan at their meetings next week. Ms. Martin does not

expect any comments from these Planning Commissions. LVPC will be having a presentation to their environmental committee on April 26<sup>th</sup>. The LVPC board meeting was April 8<sup>th</sup>. The Northampton Borough's engineer had been in contact with the LVPC for two clarification questions. One of which was related to the On-Lot Sewage Management Program and if Allen Township was implementing this program. Ms. Martin provided draft ordinances for the program that DEP provides which can be edited before adoption. She requests that the Board reviews the drafts in preparation for further discussion at the next meeting. Mr. Behler commented that he would like to see 2 acres rather than 1 acre for our purposes on the information provided by Ms. Martin.

Ms. Martin reports that she spoke with the engineer for the Northampton Area School District in reference to the property on the other side of Seemsville Road in East Allen Township. Ms. Martin explained that this property was included in the Act 537 Plan for 40 EDUs which was also in the 2001 Act 537 Plan at the same amount. The engineer is expecting 13 EDUs for the proposed elementary school of 700 students, 90 staff members, and 50 staff members in an administration building. Ms. Martin is expecting 3,000 gallon a day range for this size school. Mr. Behler commented that 13 EDUs seemed low. Ms. Martin explained that it would work out to be 3 gallons per day per student and 3 gallons per day per employee. Ms. Martin further explained that she was provided information for 700 students but would like to discuss with the engineer how this number may change in the future.

Ms. Martin reported that Ms. Eckhart, Mr. Livengood, and herself were scheduled to meet tomorrow to discuss Stone Ridge EDU history and plans.

Ms. Martin reports that she was contacted by the consultants for Willowbrook Farms for the purpose of requesting a meeting with Ms. Eckhart, Ms. Martin, and the Catasauqua Borough and their engineer to discuss sewer capacity. Ms. Martin reported that this will require a separate Intermunicipal Agreement with Catasauqua Borough that has been written into the Act 537 Plan. Ms. Martin states she informed them of the escrow requirements. Once the escrow check has been received, Ms. Martin states the meeting will be set up. Mr. Behler would like to see the pipes run straight from Allen Township boundary to Catasauqua Borough boundary to avoid having another intermunicipal agreement with another municipality.

Ms. Martin reports that the meters are working well and that she is happy with the readings. Ms. Martin states that there are six flow meters in the system along with two radar meters and four area velocity meters. She states the levels in the manholes are very low. Ms. Martin is concerned with the equipment's ability to read the low flows. She has reached out the manufacture representative to obtain quotes to add an ultrasonic level sensor in order to improve accurate and provide better flow readings.

Ms. Martin reports a visual inspection of the flow meter at the dry run interceptor, which connects to the Northampton system at 8<sup>th</sup> Street, was recently completed. She reports that the manhole just upstream from where the meter is there was some backflow and noticeable grease. She would like to investigate more around Summer Glen/Walker Drive area in order to locate the source of the grease. Ms. Martin also reported that in the area of McNair Circle where Catasauqua High School connects, she had observed that there was no flow while the school was in session. She believes this may be the result of the pump station not being in operation at the time. Ms. Martin reports that no action needs to be taken at this time. She will continue to monitor and investigate and she would like to inspect every manhole in the area in an attempt to locate the source of the grease. Ms. Martin states that the dry run interceptor was last televised in 2018.

**D. Planning/Zoning/Code Enforcement:** On file. Ms. Eckhart stated that there have been no submissions for the Planning Commission meeting schedule for April 18<sup>th</sup> therefore the meeting will be cancelled.

Ms. Eckhart provided an update on the complaint regarding the Lappawinzo Fish and Game. She states that the president of the Lappawinzo Fish and Game Association informed the Township that they have

obtained counsel. Ms. Eckhart expects to have correspondence with the Lappawinzo's counsel within the next couple of days. Ms. Eckhart reported that there are some non-conforming issues she is working through with Mr. Treadwell. Mr. Behler questioned Mr. Treadwell about the process for any future situations where a court decision has already been made and a complaint is received that goes against the court's ruling. Mr. Treadwell stated that the court order was the result of a zoning violation notice. The court order changed the zoning ordinance for that property. Since this property has its own zoning ordinance, Mr. Treadwell stated that this would be treated as a notice of violation of zoning ordinance. Mr. Treadwell said that the notice of violation would be sent out and can appeal to the Zoning Hearing Board provided that it is a zoning violation. Mr. Treadwell explained that with the Lappawinzo it might be more complicated if there are other factors.

Ms. Eckhart reported that there was recently an article in the Morning Call regarding the trucks at the Northampton Co-Gen. Ms. Eckhart states that there was an incident with a spill occurring on Kreidersville Road last Wednesday. Ms. Eckhart was able to confirm that the driver of this truck was working as a third party for the Northampton Co-Gen facility. She states that the cost that was incurred by the Township to clean up the spill will be recovered. Ms. Eckhart states she will be having a meeting with a Northampton Co-Gen representative within the next couple of days to discuss ongoing concerns regarding the volume of trucks on the two state roads. Ms. Eckhart states there is not much the Township can do about this but states we can ask.

**E. Road Superintendent/Public Works Leader:** On file.

**F. Fire Company:** On file.

**G. Emergency Management Coordinator:** On file.

**H. Parks:** On file. Ms. Eckhart reported that the Bath Allen Youth Club prepared a presentation with a club update and Howertown Park requests. Ms. Eckhart noted that the agreed reprofiling of the fields has begun. The Bath Allen Youth Club is requesting new batting cages. The current cages are old fairly old. The Youth Club would like the Township to consider replacing the batting cages. The quote estimates the Youth Club received is \$6,856.10 for a single cage and \$10,349.00 for a double cage. Ms. Eckhart suggests other vendors could provide quotes through the COSTARS Program. Mr. Behler was hoping a representative of the Bath Allen Youth Club would be present at the meeting to have a discussion about the requests. Mr. Behler raised concerns of safety with the different types of batting cages – netted versus metal. Mr. Behler also commented that this is a community park that is open to everyone and not a sport complex. If the Township agrees to new cages, Mr. Behler would like to ensure that the cages are never locked so they are accessible to everyone, aside from when the Youth Club has a scheduled event then the Youth Club would have priority.

The Youth Club is also requesting fencing around the main baseball field. The Youth Club reports that the drainage swale prevents a hazard when a fly ball is hit near the outfield. They report that a player has already been injured by falling here and breaking their clavicle during a game. Mr. Behler stated that he could see someone falling in the swale and getting injured, but that he has also heard of injuries caused by people running into a fence. Mr. Behler states it is a safety issue no matter how it is looked at. Mr. Behler was concerned about the open space being limited by a fence. He also voiced concerns of the additional time it would take Public Works to maintain the area if there was a fence. It would take longer to mow the area and it would also involve weed wacking along the fence line. Mr. Frack questioned how the player hurt themselves on a gradual swale. He questioned if the swale could use some basic maintenance to make it safer. Mr. Hassler mentioned that the amount of water in the swale has not been significantly impacted in recent years. Ms. Eckhart mentioned that there could have been wet or damp conditions at the time of the players' injury that contributed to the fall.

The Youth Club would also like the Township to consider possible signage opportunities to recognize sponsors and partners as well as recognize the Youth Club with a sign. Ms. Eckhart believes the proceeds of

the sponsorship signs that the Youth Club would purchase the “Home of Bath Allen Youth Club” sign and the proceeds may extend to some signage on the proposed fence line. Mr. Behler stated that he is not a fan of billboards on public property and that it is a greyish conflict of interest. After comparing the neighboring municipalities, Mr. Behler states they do not have advertising and that the requested signage would align more with that of a sport complex. Mr. Behler also felt that the signage might encourage tournament type uses which were problematic in the past.

Mr. Behler summarized that he is in favor of new batting cages but is not in favor of adding a fence or signage to the park. Mr. Link felt that representatives of the Bath Allen Youth Club should attend a meeting to further discuss the proposals with the Board. Ms. Eckhart will reach out to the Bath Allen Youth Club to request a representative attend the next meeting for further discussion on their requests before a decision is made by the Board.

**J. Nazareth Council of Government:** On file.

**K. First Regional Compost Authority:** On file. Ms. Eckhart noted that there is a meeting next week. She also mentioned that one major change has been made in reference to the grass acceptance at the center. FRCA’s rate for residents has changed to \$1.00 per 32 gallon container for grass this year. Ms. Eckhart mentioned that the credit card receiver should be in use within the next couple of weeks. Ms. Eckhart reported that a remote bookkeeper has been acquired to handle all of the bookkeeping duties. This person will not handle any of the funds. Mr. Behler questioned the Saturday hours at the center. Ms. Eckhart confirmed the Saturday hours at the center are every other Saturday for residents. Ms. Eckhart also noted that the Allen Township Yard Waste Drop Off Site Saturday hours go into effect this weekend, April 16<sup>th</sup>, from 8AM to 1PM. Grass is not accepted at the Township site. Ms. Eckhart mentioned that this is to promote the idea of Grasscycling but using a mulching mower. She stated that too much grass at the center does cause a problem.

**L. Stormwater:** On file.

## **7. Unfinished Business**

**A. Bath Allen Youth Club Presentation – Club Update and Howertown Park Requests:** Representatives were not in attendance at tonight’s meeting for the presentation.

**B. Northampton County Bridge #124 Field Meeting Report/Update:** Mr. Wojciechowski provided an updated from the field meeting of April 7<sup>th</sup>. He indicated that the bridge design has already been set for a 2-lane bridge. He attended a Utilities Coordination Meeting with the County and Project Engineer (GPI) along with Ms. Eckhart and Mr. Gogle. Based on a review of the Conceptual Design Submission plans provided the existing traffic signal located a West Bullshead and Willowbrook Road does not appear to be affected. The plans propose to reconstruct approximately 60 feet of the Township’s 24” storm pipe on the north, west side of the bridge with a new headwall tied into the proposed bridge abutment. The plans propose to remove approximately 25 feet of the existing 24” pipe on the south, east side of the bridge and provide a headwall. Currently this pipe does not have a headwall nor a flared end section. The plans propose no impact to the 36” storm pipe on the south, west side of the bridge. Additionally, Mr. Wojciechowski explained there are some significant issues/concern regarding the City of Bethlehem’s water main and UGI’s gas main under the bridge. Detour plans were not included in the Conceptual Design Submission. Mr. Wojciechowski requested that GPI begin the detour route approval from the Township and neighboring municipalities. A bypass lane for northbound Willowbrook Road may be constructed at the intersection. Such widened paving would not require PennDOT review. A dedicated left turn lane would not be acceptable to PennDOT, due to geometric concerns.

Ms. Eckhart mentioned that when the culvert was replaced a few years ago on the Hanover Township section of Willowbrook Road that is caused a major delay and required a bypass road during construction. Ms. Eckhart

explained that this project would also require a bypass road. Ms. Eckhart mentioned utility conflicts in the project area.

In this general area, Ms. Eckhart mentioned that NBMA reached out in regards to an open utility crossing on 4<sup>th</sup> Street just at the Township boundary. This will service the Fuller project with water from NBMA. The overnight closure will be effective April 13<sup>th</sup> at 8 PM through April 14<sup>th</sup> at 6 AM. West Bullshead Road will be closed at Willowbrook. Willow Green will still be accessible. Allen Township has posted notice of the closure on social media.

**B. Allen Township Northampton Borough Intermunicipal Sewer Service Agreement:** Mr. Treadwell provided background on the agreement. He noted that it will amend the 2012 sewer service agreement between Allen Township and Northampton Borough. Mr. Treadwell summarized the agreement in that it will resolve the litigation with a payment to Northampton Borough and changes the rate from the 95% of the water bills that Northampton Borough had previously attempted to implement to 85%. Mr. Treadwell also noted there are 323 extra EDUs that are available. He also explained that this is a 10 year agreement. Ms. Martin informed everyone that the language is written in a way that the 323 EDUs is a minimum so more EDUs can be obtained. Mr. Behler felt that the time limit on this was setting both municipalities up for failure in the future but at the present time, the benefits outweigh the risks. Mr. Behler made a motion to approve the Intermunicipal Sewer Service Agreement with Northampton Borough; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to approve Resolution 2022-011 as it relates to authorizing the execution of the agreement; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

## 8. New Business

**A. Boundary Survey – Kreidersville Covered Bridge Properties:** Mr. Wojciechowski provided background on the reasoning for the survey of the property. There is confusion on which trees are on Township property and which belong to neighboring residents of the Township property. Mr. Wojciechowski states they will be finding pins and setting pins to mark the boundaries. He states the surveyor was comfortable with a \$12,200.00 fee to complete the survey plus \$150.00 for each pin that needs to be set. Mr. Wojciechowski states that the surveyor is expecting to find most pins that are already in place. Ms. Eckhart would like to see noninvasive signs to mark where the Township property line begins to avoid problems going forward as neighboring properties change hands. Ms. Eckhart would also like to see the boundary line be maintained going forward. Mr. Behler made a motion to proceed with the survey of the Kreidersville Covered Bridge properties with the fee not to exceed \$12,200.00 plus \$150.00 per pin; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

**B. Resolution 2022-010 – Commonwealth and Municipal Traffic Signals Maintenance Agreement & Signing of TE-160 for Radar Drive & Willowbrook Road Signal:** Mr. Wojciechowski explained that once this is submitted to PennDOT, the Township will no longer need a new resolution for each new signal or changes to the signals. Mr. Behler made a motion to approve Resolution 2022-010 as previously described; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

**9. Public to be Heard:** No public comment.

Mr. Hassler announced that there will be a short executive session following tonight's meeting to discuss possible land acquisition.

There being no further comments or business the meeting adjourned at 7:47 PM.

Respectfully submitted,

Ilene M. Eckhart