Allen Township Board of Supervisors



Meeting Minutes February 13, 2024 6:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, February 13, 2024, at 6:00 P.M. at the Allen Township Municipal Building, located at 4714 Indian Trail Road, Northampton, PA. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

1. Roll Call:

<u>Present:</u> Dale Hassler; Gary Behler; Paul Link; Jason Frack; Tim Paul; Ilene Eckhart, Manager; Amber Averbeck, Assistant Manager; Tom Gogle, Public Works Crew Leader; B. Lincoln Treadwell, Jr., Esq; and Stan Wojciechowski, PE, CME

Absent: Andrea Martin, EIT

- **2. Announcements and/or Actions to Add New Items to Current Agenda:** Ms. Eckhart clarified that the first item under Unfinished Business relating to the DG Market Application for Variances has been deferred to March 12th. Mr. Treadwell indicated that the Zoning Hearing Board will be rescheduled to sometime in March and will not take place on February 22nd.
- **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 January 23, 2024; 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 the Paying of the Bills; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.
- **B.** Solicitor: On file. Mr. Treadwell requested that a short executive session be held following tonight's meeting to discuss a personnel issue.
- **C. Engineer:** On file.
- **D.** Planning/Zoning/Code Enforcement: On file. Ms. Eckhart commented that the DG Market Application for Variances Zoning Hearing Board meeting is being rescheduled to March. Ms. Eckhart also commented that the February Planning Commission Meeting will take place on February 26th due to the holiday.
- E. Road Superintendent/Public Works Leader: On file.

F. Fire Company: On file.

G. Emergency Management Coordinator: On file.

H. Parks: On file.

J. Nazareth Council of Government: On file.

K. First Regional Compost Authority: On file.

L. Stormwater: On file.

7. Unfinished Business

A. DG Market - Application for Variances (Zoning Hearing Board) - Board Position/Discussion:

B. In-Place Road Bids for 2024 (32nd Street, Kensington Circle, White Circle): Ms. Eckhart indicated that a four (4) year plan for road work is being prepared for the Board. She reported that paving priorities are falling behind. Ms. Eckhart stated that she would like to get a bid specification prepared for the repaving of 32nd Street. She indicated that an estimate was prepared by a local contractor with two options. Ms. Eckhart explained that bids can be prepared for either a mill and fill 5-inch or 6-inch. She noted that there would be approximately a difference of \$11,000 between these options. Ms. Eckhart indicated that this would be eligible to be rebid using Liquid Fuels Funds. She explained that there is a process to use these funds including a project approval with the municipal services representative and then proceed with bidding. Ms. Eckhart reported that a core analysis was completed last August that confirmed that this repaving is overdue.

Mr. Hassler expressed concern for the work being done on the North Hills Development and how this may negatively impact a freshly paved road. He proposed delaying the paving or only putting the base down until the completion of this development. Ms. Eckhart stated that the bid could be written to have the work on the base coat begin in late summer and the final wearing coat in the summer of 2025. Mr. Behler commented that he has heard that Berks Homes plans on building 14 homes a year. He believes at this rate it would take four (4) to five (5) years for the construction of the development to be completed. He also stated that he lives on 32nd Street and that the road has significantly deteriorated this winter. Mr. Wojciechowski commented that if construction vehicles damage 32nd Street they would also likely be damaging other roads in the Township and not exclusively 32nd Street. He indicated that if damage occurred to 32nd Street after it was paved then the developer would have to repair the damages. Mr. Behler stated that he recalled an agreement with the former property owner regarding the access route that construction vehicles were supposed to use for this phase of the development. Mr. Wojciechowski indicated that this should be recorded on the plan and that he will review this. Mr. Behler inquired if the thicker paving option would prolong the life of the road. Mr. Wojciechowski indicated that the 6-inch fill would prolong the life of the pavement by approximately five (5) years.

Mr. Behler requested that crack sealing be done on Center Road and Kennedy Drive to prevent further deterioration of the pavement.

Ms. Eckhart stated that she would also like to focus on developing bid specifications for the repaving of Kensington Circle and White Circle. Ms. Eckhart reported that there have been sink hole issues with White Circle in the past and that these issues appear to be under control. Ms. Eckhart explained that Kensington Circle has had a slurry seal done in the past that is now at the end of its life. She noted that no additional crack sealers can be used on Kensington Circle.

Ms. Eckhart reported that the Public Works Department will also work on additional paving projects in house.

Mr. Behler made a motion to authorize the Township Manager to prepare the bid specifications and solicit bids for the milling and 6-inch fill in the amount of \$131,604.50, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

- C. Dog Park Addition of Gates: Ms. Eckhart stated that Donna Teklits is present at tonight's meeting. She indicated that Ms. Teklits is the Chairperson for the Park and Recreation Board. Ms. Eckhart reported that there have been incidents regarding aggressive dogs and dog bites in the past few years. Ms. Eckhart suggested adding additional gates to alleviate this problem. She explained that this would allow owners to remove their dog through an alternative gate and avoid the high traffic main entrance. She believes that the addition of these gates will provide entrance and exit points. Ms. Eckhart indicated that prices will need to be obtained as well as determining the best placement for these additional gates. She recommended that a hard surface also be considered if the Board is agreeable to the addition of the proposed gates. Ms. Eckhart explained that the hard surface provides people an area to stand and decreases damage to the turf. Mr. Paul made a motion to authorize the Township Manager to obtain quotes and determine a suitable location for the additional gates, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.
- D. **2024 Park Events:** Ms. Eckhart reported that information regarding four (4) proposed park events was included in the meeting packet. She indicated that additional information regarding pricing, vendors, and concessions was also included in the packet. Donna Teklits, Chairperson for the Park and Recreation Board, reported that the first year of the Movies In The Park events were successful. Ms. Teklits indicated that the Park and Recreation Board is proposing four (4) movie events this year that would take place in June, July, August, and October. She stated that two of the movie events would be intended for younger children and the other two events would be oriented to adults/general family audience. Ms. Teklits reported that the Park and Recreation Board discussed having an ice cream truck or a food truck at the events. She indicated that the Park and Recreation Board hopes to involve school clubs and groups with the events and possibly allow these groups to fundraise for their club or group by selling snacks. Ms. Teklits reported that if all four (4) movie events occur along with an ice cream truck at each event, that the estimated cost would be \$4,925 for the season. She indicated that the Park and Recreation Board is hoping to establish some sponsorships with township-based businesses to defray costs. Ms. Teklits reported that a subcommittee has been formed to contact businesses regarding sponsorships. It was explained that the movie events for 2023 took place at the Kreidersville Covered Bridge Park. Ms. Teklits stated that for 2024 the Park and Recreation Board will be holding two (2) of the movie events at the Howertown Park and two (2) of the movie events at the Kreidersville Covered Bridge Park. Mr. Behler commented that the movie events that will be held at Howertown Park will allow for the use of the snack stand and the on-site restrooms. He also indicated that parking will be easier to manage at Howertown Park.

Mr. Link commented that a First Responder Day/Touch a Truck Event could be held prior to one of the movie events at Howertown Park. Ms. Teklits stated that the movie events are currently planned for Friday evenings. Ms. Teklits suggested that the event be moved to a Saturday if it was agreed upon to hold a First Responder Day/Touch a Truck Event prior to a movie event. Mr. Hassler agreed that a Saturday would be best. He recommended that this combined event take place in June on a Saturday. Mr. Link requested that the State Police be invited to attend the First Responder Day/Touch a Truck Event. Mr. Behler liked the idea of holding a movie event following a First Responder Day/Touch a Truck Event. Ms. Teklits reported that the next Park and Recreation Board meeting is scheduled for February 29th and this will be discussed further. Ms. Averbeck indicated that NA Studios and the Bath Allen Youth Club are available for a Saturday movie event in June. Mr. Link suggested that the Park and Recreation Board members be contacted by email and see if they are agreeable with holding this event on a Saturday so that this date may be reserved with NA Studios and the Bath Allen Youth Club.

Ε. Park Equipment Replacements and Upgrades – Savage Road Dog Park, Howertown and Kreidersville Parks: Ms. Eckhart reported that in last year's budget for the Board of Supervisors it was budget for some seeding additions and shade additions at Howertown Park, Kreidersville Park, and the Savage Road Dog Park. Ms. Eckhart indicated that at Howertown Park there are some outdated tables that are in need to being replaced under the one pavilion. Ms. Eckhart stated that there has been an increase in costs and the park equipment replacements and upgrades were originally budgeted for around \$95,000 in the General Fund budget. Ms. Eckhart reported that the new estimate for these replacements and upgrades is around \$127,000. She indicated that the prices are assumed with contractors installing. The items listed are on the COSTARS bids offered by General Recreation. Ms. Eckhart is requesting direction from the Board so that equipment can be ordered prior to spring/summer. Mr. Behler questioned if this would be out of the Recreation Fund. Ms. Eckhart explained that \$95,000 is in the General Fund for this purchase. She stated that more can be taken out of the Recreation Fund if the Board desires. Mr. Link made a motion to purchase the park equipment in the amount of \$127,405, seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

8. New Business:

#2024-009: Ms. Eckhart explained that this is done annually, especially if there are new Board members or there is an election cycle. She indicated that this page has been updated. Ms. Eckhart explained that this page goes on top of the Emergency Operations Plan and is shared with Northampton County. Mr. Link made a motion to adopt Resolution #2024-010, seconded by Mr. Frack. Mr. Hassler questioned if this is Resolution #2024-009 or Resolution #2024-010 as there was conflicting documents before the Board. Ms. Eckhart confirmed that this is Resolution #2024-009. There was no vote taken on Mr. Link's motion to adopt Resolution #2024-010 and therefore this motion did not pass.

Mr. Link made a motion to adopt Resolution #2024-009 as it relates to the Emergency Operations Plan Update of Promulgation, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. Preliminary/Final Land Development for Stone Ridge Commercial: Scott Pasterski, Keystone Consulting Engineers, commented that they have received the most recent Barry Isett &

Associates Review Letter that is dated February 9, 2024. Mr. Pasterski indicated that the letter notes some drafting comments but is otherwise a clean review letter. Mr. Pasterski stated that he is willing to answer any questions that the Board of Supervisors may have regarding this plan and is hoping that the Board will grant a conditional preliminary/final plan approval. Mr. Behler questioned if Mr. Wojciechowski had any notable problems with this plan. Mr. Wojciechowski commented that there is nothing to note other than the few drafting comments that are listed in the review letter. Mr. Behler requested that Mr. Wojciechowski explain the traffic plan that was put together by the Township's traffic consultant. Mr. Wojciechowski explained that there are two (2) phases of PennDOT improvements. He indicated that the first phase is so that Wawa can be constructed while the second phase will be triggered for any other construction including Wendy's, retail store, and further development towards Horwith Drive. Mr. Wojciechowski stated that the widening of the Horwith Drive intersection would be completed during the second phase of PennDOT improvements. Mr. Wojciechowski reported that a revised plan was submitted but that he does not believe that the Township's traffic engineer, AnnMarie Vigilante, PE at Langan Engineering, has had a chance to review this. Ms. Eckhart indicated that Ms. Vigilante did review this revised plan and that her comments were circulated to the Board of Supervisors. Mr. Pasterski stated that the memorandum from Langan Engineering was received by his office. Mr. Pasterski explained that two submissions for traffic signal warrant analysis were submitted and that his office determined that a traffic signal was not warranted. Mr. Pasterski indicated that Langan Engineering had a few comments that will be addressed. He explained that the comments from the Township are submitted to PennDOT for review as part of the process. Mr. Pasterski stated that PennDOT will determine if a traffic signal is warranted. Ms. Eckhart noted that the school traffic will be taken into account.

Ms. Eckhart questioned if the left turning movement out of Horwith Drive will be reviewed independently. She expressed concerns for the safety of left turns from Horwith Drive if a traffic signal is not warranted. Mr. Pasterski explained that currently Horwith Drive has one lane to make either a left or a right turn. He noted that the plan is designed with an unsignalized left turn lane from Horwith Drive. Mr. Pasterski reported that the traffic impacts have been mitigated with the addition of the right turn lane. He deferred to PennDOT on the matter. Ms. Eckhart inquired if the ability to make a left turn from Horwith Drive could be eliminated. A brief discussion was had on alternative access if this left turn was eliminated. Mr. Hassler and Mr. Link were not in favor of removing the ability to make left turn from Horwith Drive as this would create additional traffic at other intersections. Mr. Pasterski noted that there are no sight distance concerns that would warrant restricting left turns from Horwith Drive.

Mr. Hassler questioned the placement of sidewalks. Mr. Wojciechowski commented that there are sidewalks along Route 329, Horwith Drive, and Stonegate Drive. Mr. Pasterski stated that sidewalks will be installed with any development that occurs west of Stonegate Drive as it is developed and that it is noted on the lot line adjustment plan that the Township may require the sidewalks to be installed ahead of the development. Mr. Behler commented that it would make sense to install the sidewalks all at once. Mr. Link questioned the entity responsible for maintaining these sidewalks including snow removal. Mr. Pasterski recalled that the commercial association will maintain the sidewalks. Mr. Frack commented that he agreed with Mr. Behler on having the sidewalks installed all at once. Mr. Hassler questioned if sidewalks are necessary west of Stonegate Drive. He stated that the sidewalks down Horwith Drive would not connect to the sidewalk in Northampton Borough at Hollow Lane. Mr. Hassler expressed concern that the Allen Township Public Works Department may have to take responsibility to maintain these sidewalks in the future. He also questioned the level of use the sidewalks along Horwith Drive and Route 329 would receive if there are safer internal sidewalks in the

development. Mr. Pasterski suggested that the Board consider waiting to have the sidewalks west of Stonegate Drive installed as there is no development currently proposed. He indicated that the plan is conceptual and that the Board can review this matter further once development is proposed. Mr. Treadwell stated that he had a conversation with Attorney Zator. He indicated that they discussed if the commercial association would consider maintaining the sidewalks down Savage Road and John Drive as a trade off if the sidewalks west of Stonegate Drive and down Horwith Drive were not installed. Mr. Link was in favor of this. Tim Livengood, 745 Almond Road, Walnutport, commented that Attorney Zator had briefed him on this matter. Mr. Livengood indicated that this would need to be discussed with Wawa and the HOA attorney that is preparing the documents. Mr. Livengood believes that they will be agreeable to this and feels that this is a better option than having sidewalks along Route 329 and Horwith Drive. Sidewalks would still be installed along Route 329 east of Stonegate Drive. Mr. Behler and Mr. Link were agreeable to this. Ms. Eckhart reported that there is a ravine along Horwith Drive that drops down to an old stormwater conveyance. The Board discussed safety of sidewalks along Horwith Drive. Mr. Wojciechowski questioned the addresses for the businesses. Ms. Eckhart indicated that these will be Stonegate Drive addresses. Mr. Behler commented that it appeared that the Board was in agreement to have the commercial association maintain the sidewalks along Savage Road and John Drive rather than have sidewalks installed west of Stonegate Drive and on Horwith Drive. He questioned Mr. Treadwell how to best proceed given that Mr. Pasterski is requesting conditional approval and the commercial association and Wawa have not had a chance to review this proposal. Mr. Treadwell stated that the Board can waive the installation of the portions of sidewalk west of Stonegate Drive and on Horwith Drive conditioned on the commercial association's and/or Wawa agreeing to maintain the sidewalk on Savage Road that wraps around to John Drive. He indicated that if the commercial association and/or Wawa are not agreeable to this then the sidewalks can either be further discussed or the sidewalks west of Stonegate Drive and on Horwith Drive can be installed. Mr. Wojciechowski stated that there is also sidewalk that needs to be extended along Pine Street and Graystone Circle around the basin and connect into the existing sidewalk. He inquired if this portion of sidewalk would also be part of the proposed agreement with the commercial association and Wawa. Mr. Treadwell noted that this would be part of the agreement since this sidewalk would be on the basin frontage. He indicated that the lot owner of the basin will be the commercial association.

Mr. Treadwell questioned if any of the Supervisors had any concerns with any of the requested waivers. Mr. Wojciechowski read through the requested waivers as indicated in the Barry Isett & Associates Review Letter dated February 9, 2024.

"WAIVERS REQUESTED

Waivers from the following sections of the SALDO and SMO are requested in the Waiver Request Letter:

- 1. SALDO §22-307 which require separate submission of preliminary and final plans.
- 2. SALDO §22.502.2.A which requires the plans to be prepared at a scale of 1"=50'. The Applicant has requested a waiver to allow the plans to be prepared at 1"=30' and 1"=80'. The Planning Commission recommended this waiver request.
- 3. SALDO §22-502.3.A which requires that existing man-made features within 200 feet of the boundaries of the proposed project area should be shown on the plans. The Planning Commission recommended this waiver request.
- 4. SMO §8-229.9.I which requires a calculation methodology for infiltration area loading rates. The Planning Commission did not rule on this request due to Geotechnical comments in our letter. A Preliminary Site Assessment meeting all Ordinance requirements was submitted. The Developer's Professional Geologist has issued an opinion that based on his findings, the site is suitable for the proposed infiltration. We take no exception to this finding. Any sinkhole activity should be repaired by the owner in accordance with the Sinkhole Remediation Details (Figure 17.1 through 17.4).

- 5. SMO §8-231.K which requires that a 2% slope toward the outlet structure should be provided for the proposed above ground basins. The Planning Commission recommended this waiver request.
- 6. SMO §8-232.7.M which requires a minimum storm sewer pipe slope of 0.5%. after reviewing the submitted documentation, we have no engineering objection to this request."

Mr. Wojciechowski clarified that any sinkhole activity would be repaired by the owner in accordance with the details on the plans. Mr. Wojciechowski indicated that an additional waiver request has been added to this review letter for the sidewalks west of Stonegate Drive and on Horwith Drive being waived conditioned upon the commercial association's/Wawa's agreement to maintain the sidewalks along Savage Road from the Wawa lot to John Drive and the sidewalks along John Drive/Pine Street/Graystone Circle that front the basin lot. Mr. Behler made a motion to approve the seven (7) waiver requests as stated by the Township Engineer for the Stone Ridge Commercial Land Development Plan, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to approve the Preliminary/Final Land Development Plan for Stone Ridge Commercial contingent upon satisfactorily meeting all comments in the Barry Issett & Associates Review Letter dated February 9, 2024. Mr. Treadwell questioned Ms. Eckhart if recreation fees are obtained from commercial development as he does not believe this was mentioned in the review letter. Ms. Eckhart confirmed that recreation fees are obtained pursuant to the current fee schedule. Mr. Behler amended the motion to include the current recreation fees pursuant to the current fee schedule. Mr. Link seconded the amended motion. On the motion, by roll call vote, all Supervisors present voted yes.

C. Preliminary/Final Major Subdivision Plan for Stone Ridge Phase 3: Mr. Pasterski stated that his office has received the Barry Isett & Associates Review Letter dated February 9, 2024 for this plan. He indicated that there were two (2) minor drafting comments on the letter. Mr. Pasterski inquired if the Board had any comments or questions regarding the plan and indicated that he was seeking preliminary/final approval of this plan. Mr. Treadwell stated that the additional waiver request regarding the sidewalks along Horwith Drive that was discussed in the previous agenda item should also be added on this plan as well. Mr. Wojciechowski had no additional comments regarding this plan. Mr. Treadwell questioned if sewer EDUs needed to be purchased for this plan. Mr. Treadwell stated that he recalled that the EDUs were accounted for in the Act 537 Plan but that they had not been purchased yet. Mr. Livengood acknowledged that the EDUs still needed to be purchased. He inquired if the EDUs may be purchased now. Mr. Treadwell and Ms. Eckhart confirmed that the EDUs may be purchased now. Mr. Wojciechowski read the waiver requests from the Barry Isett & Associates Review Letter dated February 9, 2024.

"WAIVERS REQUESTED

The following waivers are requested by the Waiver Request letter:

- 1. SALDO §22-306 and §22-307 which require separate Preliminary and Final Plan submission. The Planning Commission recommended this waiver request.
- 2. SALDO §22-408 which requires storm sewer easements to follow lot lines. The Planning Commission recommended this waiver request.
- 3. SALDO §22-410.1 which requires block lengths to not exceed 1,600 feet in length. The Planning Commission recommended this waiver request.
- 4. SALDO §22-411.4 which requires a 10-foot wide planting screen and associated easement. The Planning Commission recommended this waiver request.
- 5. SALDO §22-411.5 which requires lot lines to be set substantially perpendicular to right-of-way lines. The Planning Commission recommended this waiver request.

- 6. SALDO §22-411.7.D(1) which requires driveway centerlines not be located closer to a street intersection than 75 feet. The Planning Commission recommended this waiver request.
- 7. SALDO §22-502.2.C which requires a key map be provided where there are two or more sheets. The Planning Commission recommended this waiver request."

Mr. Wojciechowski indicated that the additional waiver request would be added to waive the sidewalks along Horwith Drive conditioned upon the commercial association's/Wawa's agreement to maintain the sidewalks along Savage Road from the Wawa lot to John Drive and the sidewalks along John Drive/Pine Street/Graystone Circle that front the basin lot. Mr. Behler requested to discuss Waiver Request Number 4 related to the 10-foot planting strip. Mr. Treadwell stated that the Planning Commission recommended that as a condition of the 10-foot planting strip waiver that the Applicant maintain or replant it subject to approval of the Allen Township Zoning Officer or her designee. Mr. Treadwell clarified that there are some existing plantings that can stay but others would need to be replanted. Mr. Behler made a motion to approve the eight (8) waiver requests as stated by the Township Engineer and Township Solicitor for the Stone Ridge Phase 3 Major Subdivision Plan, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to approve the Preliminary/Final Major Subdivision Plan for Stone Ridge Phase 3 contingent upon satisfactorily meeting all comments in the Barry Isett & Associates Review Letter dated February 9, 2024, seconded by Mr. Link. Mr. Wojciechowski questioned if the plan is subject to the \$3,000 per lot recreation fee from 2023. Mr. Treadwell and Ms. Eckhart indicated that the recreation fee in lieu of land dedication fee is still \$3,000 per residential lot. On the motion, by roll call vote, all Supervisors present voted yes.

- **D.** Authorization to Contract with Staffing Agency Part Time Clerical Staff Position: Ms. Eckhart indicated that this item was added to the revised agenda. She explained that she would like to have redundancy in the front office. Ms. Eckhart is requesting the Board to consider a part time temporary employee. She reported that the rate from Allied Personnel Services is between \$30 \$34 per hour. She indicated that the position would be as-needed. Mr. Behler made a motion to authorize the Township Manager to contract with the staffing agency for a part time clerical staff position, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.
- **E. Executive Session Personnel:** Mr. Treadwell stated that the Board will conduct the Public to be Heard segment of the meeting and close the meeting prior to the executive session taking place.
- **9. Public to be Heard:** No public comment.
- **10. Announcements:** Mr. Hassler stated that a short executive session will take place following tonight's meeting.

Mr. Hassler announced the upcoming meeting dates as follows:

- Planning Commission Monday, February 26, 2024 at 6:00 PM
- Board of Supervisors Tuesday, February 27, 2024 at 6:00 PM
- Park and Recreation Board Thursday, February 29, 2024 at 6:00 PM

There being no further comments or business the meeting adjourned at 7:01 PM.	
	Respectfully submitted,
	Ilene M. Eckhart