



Allen Township Board of Supervisors

Meeting Minutes September 13 2022 7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, September 13, 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: Dale Hassler; Gary Behler; Paul Link; Tim Paul; Jason Frack; B. Lincoln Treadwell, Jr., Esq; Ilene Eckhart, Manager; Maurin Ritinski, Admin. Asst.; and Andrea Martin, EIT.

Absent: Stan Wojciechowski, PE, CME.

2. **Announcements and/or Actions to Add New Items to Current Agenda:** Mr. Treadwell announced that the Board held an executive session following the meeting on August 23, 2022 to discuss potential litigation with the Lappawinzo Fish and Game Protective Association.

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 August 9 and 23, 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 the Paying of the Bills; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

B. **Solicitor:** On file.

C. **Engineer:** On file.

D. **Planning/Zoning/Code Enforcement:** On file.

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 Request for Proposals for the Master Site Plans have been published. Ms. Eckhart stated that proposal responses are due on October 11th, 2022.

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

K. First Regional Compost Authority: On file.

L. Stormwater: On file.

7. Unfinished Business

A. Resolution #2022-017 Sewer Tapping Fee Update: Mr. Treadwell explained that this resolution regarding the sewer tapping fee update was discussed several meetings ago. The Board was provided with a copy of the proposed Resolution #2022-017 along with a summation from Ms. Martin detailing the reasoning for the change. The Township's portion will be increased to \$1,300.00. Ms. Martin commented that the maximum fee that the Board could set is \$1,320.00 but that the Board chose to set it at \$1,300.00. Mr. Behler made a motion to adopt Resolution #2022-017 as it relates to the Sewer Tapping Fee Update; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

B. Route 329 Proposed Elementary School – Planning Module Response – Line Capacity: Ms. Eckhart explained that this is in response to the planning module that was received from the school district. Ms. Eckhart stated that there would be a minor adjustment in the gallons per day but will remain around 13 EDUs. Earlier today Ms. Eckhart attended the initial meeting to discuss a proposed intermunicipal agreement between Allen Township, East Allen Township, and Northampton Borough. Ms. Eckhart requested approval from the Board to draft and send a letter to the school district to acknowledge that there is satisfactory capacity in Allen Township lines for the conveyance of 13 EDUs.

Ms. Eckhart confirmed for Mr. Behler that this letter would not guarantee acceptance of 13 EDUs by Northampton Borough only that Allen Township has the capacity in the lines to convey the 13 EDUs to Northampton Borough. Ms. Eckhart stated that according to the planning module, the school district will have a private pump station on-site. From the pump station it will come to a short section of force main before reaching the first manhole in Allen Township near New Seemsville Road. From the manhole, the flow will continue towards Cesanek Road into the Railroad Interceptor, and then into Northampton Borough.

Mr. Behler questioned who will be responsible for the section of pipe from the school district's private pump station to the Allen Township line. Ms. Eckhart stated that from the meeting today it was discussed that the manhole will be where the transition will occur and there will be an easement around the manhole.

Samantha Fenstermaker, Civil Designer at Terraform Engineering, LLC, commented that Ms. Eckhart was incorrect regarding the manhole location. Ms. Fenstermaker stated that the conversation at the meeting had proposed the manhole to be located on the East Allen side of Seemsville Road with the school district owning the force main up to the manhole. Ms. Fenstermaker claims that the manhole cannot be located on Seemsville Road due to the access issue it will cause for maintenance. She explained that the roadway would need to be shut down for anyone to access the manhole if it were located on Seemsville Road. The proposed manhole would be located on school district property and there would be an easement for maintenance of the manhole. Mr. Behler and Mr. Hassler stated that they would have a problem with maintaining a manhole that is not located in Allen Township. Ms. Fenstermaker explained that Seemsville Road is a PennDOT roadway.

Mr. Hassler questioned who will maintain the manhole if it is located in East Allen. He believes that if the manhole is located in East Allen then Allen Township should only be responsible for maintaining the section of free-flow once it is in Allen Township. Mr. Hassler stated that Allen Township is not the one who needs the service and therefore should not have to maintain a manhole in another municipality.

Ms. Martin explained that Allen Township's system dead-ends at Cesanek Road. She stated that the school district is proposing a gravity connection across Seemsville Road to tie into the manhole at Cesanek Road. There would be a gravity manhole on the East Allen side of Seemsville Road at the right-of-way line. Ms. Martin stated that she imagines the easement will be approximately 10-feet for access purposes. She explained that the

only part of the system that would be on the East Allen side would be from the center line of the road to approximately 5 feet off of the right-of-way line. Ms. Martin recommends that the Board accept the ownership. She feels confident that Allen Township Public Works is well equipped to handle any issues or maintenance that may arise at this manhole. She also mentioned that she is unsure of East Allen’s capabilities to do the same. Ms. Martin clarified that Allen Township would not be responsible for the force main. From the proposed manhole to the next manhole the free flow would only be in East Allen for one pipe section which equates to approximately 20-feet.

Mr. Behler questioned how similar situations are handled between Allen Township and Northampton Borough. Ms. Martin explained that this is a gray area. For instances where Northampton Borough has extended piping to service Allen Township, the Township owns from the front wall of that manhole. Any problems that arise in the manhole is Northampton Borough’s responsibility. Ms. Martin stated that in the case of the manhole on 8th Street which connects to the Dry Run Interceptor, Allen Township maintains the gravity line into Northampton Borough up to the front wall of the manhole. Ms. Martin stated that this manhole is in the middle of a cul-de-sac.

Mr. Behler questioned if East Allen would be maintaining any part of the line from the pump station to the proposed manhole. Ms. Fenstermaker explained that at this stage of planning the school district will be responsible for the pump station as well as the force main to the manhole. Ms. Fenstermaker stated that it has not been determined yet who will be responsible for the proposed manhole. The school district may take ownership and responsibility of the proposed manhole while granting Allen Township access to the manhole for maintenance purposes.

Mr. Hassler stated that he still has mixed feelings about Allen Township working in East Allen to access and maintain the line. Mr. Link questioned the linear feet from the middle of the roadway to the proposed manhole. Ms. Fenstermaker stated that she did not have the exact number but believes it to be approximately 30-feet from the right-of-way of Old Seemsville Road. Mr. Paul questioned if the manhole could be placed where the old Seemsville Road used to be that was closed off. Mr. Link questioned how traffic, especially truck traffic which would likely detour down Weaversville Road, would be impacted by a full road closure if the manhole was placed on Seemsville Road. Mr. Treadwell suggested that this topic be revisited after a map with municipal lines, proposed manholes, and sewer lines is viewed. He explained that the details will be discussed further for the intermunicipal agreement and that tonight Ms. Eckhart is seeking approval to send a letter to confirm that there is capacity in the Allen Township lines for the EDUs.

Mr. Behler made a motion to authorize Ms. Eckhart to draft and send a letter to the school district acknowledging that Allen Township has the capacity in the lines for the 13 EDUs, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

C. Lehigh River Property – Establishment of Name: Ms. Eckhart explained that the Board had wanted feedback from residents regarding the name of the Township-owned Lehigh River Property. Ms. Eckhart presented the Board with the vote tallies along with the additional recommendations that were received on social media and by email. The votes were as follows:

Name	# of Votes
"Allen Township - Riverview Preserve"	5
"Allen Township - Lehigh River Nature Area"	4
"Allen Township - Riverside Meadow Preserve"	1
"Allen Township - Preservation Haven"	1
"Allen Township - Riverside Nature Preserve"	1
"Allen Township - Riverside Preserve"	1

Mr. Link proposed to select the name with the most votes. Mr. Link made a motion to establish name of the Township-owned Lehigh River Property as “Allen Township – Riverview Preserve”, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

D. Candidate Submission – Park and Recreation Board: Ms. Eckhart stated that the ad hoc parks and recreation committee will have a meeting on Tuesday, September 20th at 6PM. Ms. Eckhart reported that she received another candidate submission for the Park and Recreation Board. Mr. Behler made a motion to table this additional candidate submission until the next Board of Supervisors meeting, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

8. New Business

A. Curbside Leaf/Brush Collection – PA DEP – Mandate due to new census count and Act 101, Section 902 Grant Application: Ms. Eckhart explained that due to the 2020 census that Allen Township has now reached a population and density to be mandated to offer curbside collection of organics such as leaves and brush. Ms. Eckhart reports that The Allen Township Feasibility of Curbside Yard Waste Collection Project Study was completed in 2019 to examine a pilot program for curbside collection of organics. Ms. Eckhart stated that the entire Township will not receive curbside collection during the pilot program. She also explained that funding for leaf collection equipment will need to be secured. The Department of Environmental Protection (DEP) provides newly mandated communities with a one-time guarantee for the first 902 Grant Funding round. This one-time funding will be up to \$350,000 with a 10% match requirement from Allen Township and 90% funding from DEP. Ms. Eckhart has completed the pre-application to DEP for a self-contained leaf collection truck, two additional open top 20-yard roll off containers, along with new 32-gallon curbside recycling containers with domed lids for residential commingled recycling. Ms. Eckhart stated that the current roll off containers are in need of replacement. The containers will be used with the existing J-Hook Truck, which was partially funded by a 902 Grant. She also reported that one of the biggest complaints from residents is regarding the small size (20-gallon) flat lid recycling containers currently in use. She expects to gradually phase out the 20-gallon containers with the 32-gallon recycling containers.

Ms. Eckhart explained that due to the mandate that the Township’s current ordinances relating to burning and solid waste will have to be examined for compliance with Act 101. The burning ordinance will need to be updated to specify to prohibit the burning of recyclables. This ordinance update will need to be enforced. Ms. Eckhart stated that the solid waste collection ordinance will also need to be in compliance with DEP’s standards.

Ms. Eckhart is seeking the Board’s approval to submit the application for funding under the Section 902 DEP grant program. Ms. Eckhart explained the steps and deadlines for the application in order to receive funding. Mr. Behler made a motion to authorize the Township Manager to submit the Section 902 Grant Application for a self-contained leaf collection truck, two additional open top 20-yard roll off containers, and 32-gallon curbside recycling containers with domed lids, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

B. Type II Slurry Seal – Bids Received: Ms. Eckhart explained that the funding for this project will be from the state allotment fund (Liquid Fuels Fund). This project will be for the application of type II slurry seal on Phyllese Drive, Buckingham Drive, Windsor Drive, Atlas Lane, Kingston Drive, Barbara Drive, and Country Road. Ms. Eckhart explained that from the road inspections it was determined that work would be done in phases, these roads being Phase 1 of 3. Phases will begin with the older roads and work to the newer sections. Ms. Eckhart reported that one bid was received for this phase from Asphalt Maintenance Solutions. Their bid amount is \$120,228.80. Mr. Link made a motion to accept the Asphalt Maintenance Solutions bid for the type II slurry seal, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. 2023 Non-Uniformed Defined Benefit Pension – Minimum Municipal Obligation: Ms. Eckhart explained that she is required annually to certify the Minimum Municipal Obligation (MMO) into the

plan. She reports that the MMO to be budgeted for 2023 is \$46,332.17. Ms. Eckhart stated that the Township expects to receive \$46,624 in state aid which will fully fund the MMO obligation without an additional general fund contribution. Mr. Behler made a motion to accept the Minimum Municipal Obligation certification, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

D. 2023 Budget – Draft for September 21st Budget Workshop: Ms. Eckhart stated that Supervisors were provided the first draft of the 2023 Budget. She requests any comments or questions in regards to the draft be submitted to her. The Budget Workshop will be held on Wednesday, September 21st at 5:30PM at the Allen Township Fire Company.

E. Stormwater (MS4) Update Ordinance Amendment – Authorization to Advertise: In order to maintain the MS4 permit that is held by the Township, Ms. Eckhart reported that the MS4 Ordinance is required to be updated. Ms. Eckhart is seeking authorization to advertise in September the hearing for the update of the Ordinance Amendment. She stated that the hearing will be scheduled in October. Mr. Link made a motion to authorize the Township Manager to advertise the hearing for the MS4 Ordinance Update, seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

F. Establish Date for Township-Wide Trick or Treat 2022 – Monday, October 31st 6 PM – 8 PM, Raindate: Tuesday, November 1st: Ms. Eckhart stated that historically Allen Township holds the Township-Wide Trick or Treat night the same as Northampton Borough. Northampton Borough has established their 2022 Trick or Treat night to be Monday, October 31st from 6PM to 8PM. Ms. Eckhart proposes a raindate be set for the following night, Tuesday, November 1st from 6PM to 8PM. Mr. Behler made a motion to establish the date for Allen Township's Township-Wide Trick or Treat 2022 for Monday, October 31st from 6PM to 8PM with a rain date of Tuesday, November 1st from 6PM to 8PM, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

G. Road Damages – Discussion: Ms. Eckhart informed the Board that a contractor recently damaged the surface of Snow Hill Road which caused some gouge marks in the road. She reported that the contractor will be making repairs to the damages. Mr. Hassler indicated that he noticed the road damages and reported it to Ms. Eckhart. He stated that the road can be repaired but that it will always be damaged unless the entire road is resurfaced. Mr. Hassler would like information to be added to the website to remind homeowners to inform contractors to be careful on and near Township roads. Mr. Behler stated that the person who does the damage is responsible for repairing it but that homeowners should inform the Township if a contractor damages the road. Mr. Link commented that he has witnessed contractors shutting down roadways in order to seal driveways. He noted that Kreidersville Road was shut down to one lane on a Saturday with no flaggers.

H. Request for Intermunicipal Transfer of Liquor License – Authorization to Advertise Hearing – Setter Hill Beverage, LLC: Mr. Treadwell explained that a request from Setter Hill Beverage, LLC was received. This request is in regards to Setter Hill Beverage, LLC purchasing a liquor license from an establishment in Easton. Mr. Treadwell stated that a public hearing needs to be held before an approval is given and the liquor license is transferred. The liquor license will be used on the previous Mann Farm, located at 635 Old Carriage Road, for a proposed special event center. Mr. Treadwell stated that it is a restaurant use license and more information will be available at the public hearing. The public hearing would be either scheduled for the next meeting or the first meeting in October. Mr. Behler made a motion to advertise a public hearing for the intermunicipal transfer of a liquor license to Setter Hill Beverage, LLC, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

9. Public to be Heard: No public comment.

10. Announcements: Mr. Hassler announced the upcoming meeting dates as follows:

Planning Commission – Monday, September 19, 2022 at 7:00PM

Ad Hoc Parks Committee – Tuesday, September 20, 2022 at 6:00PM
Budget Workshop – Wednesday, September 21, 2022 at 5:30PM
Board of Supervisors – Tuesday, September 27, 2022 at 7:00PM

There being no further comments or business the meeting adjourned at 7:39 PM.

Respectfully submitted,

Ilene M. Eckhart