



Allen Township Board of Supervisors

Meeting Minutes March 14, 2023 6:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, March 14, 2023 at 6:00 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; Tim Paul; Paul Link; Jason Frack; B. Lincoln Treadwell, Jr., Esq; Ilene Eckhart, Manager; Stan Wojciechowski, PE, CME; Andrea Martin, EIT; and Tom Gogle, Public Works Crew Leader

Absent: Maurin Ritinski, Administrative Assistant

2. **Announcements and/or Actions to Add New Items to Current Agenda:** No announcements and/or actions to add new items to the current agenda.

3. Public Hearings:

A. **Weinhofer and Sabia – Agricultural Security Area Additions:** Mr. Behler made a motion to open the public hearing, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Treadwell provided details regarding the proposed properties to be added to the existing agricultural security area in Allen Township. He indicated that the properties are as follows: Weinhofer, parcel number L5-5-2 (3-acres) and parcel number L4-14-10 (30-acres) and Sabia, parcel number K3-11-6 (14.25-acres). The Allen Township Planning Commission and the Lehigh Valley Planning Commission have recommended approval of the additions to the agricultural security area. There were no comments from the public. Mr. Behler made a motion to close the hearing, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to approve the additions of the Lands of Weinhofer (L5-5-2, 3-acres and L4-14-10, 30-acres) and the Lands of Sabia (K3-11-6, 14.25-acres) to the agricultural security area, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

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

5. **Approval of Minutes:** Mr. Link made a motion to approve the minutes of February 14, 2023 and February 28, 2023; seconded by Mr. Frack. 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. Link made a motion to approve the Treasurers Report and the Paying of the Bills; seconded by Mr. Frack. 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.
- J. Nazareth Council of Government:** On file.
- K. First Regional Compost Authority:** On file. Ms. Eckhart reported that there was some smoldering issues over the weekend. She indicated that this has been addressed. Ms. Eckhart also reported that FRCA will be holding a Mulch Madness event on Friday, March 24th from 8AM – 4PM and Saturday, March 25th from 8AM to 1PM. She indicated that there will be a \$10.00 admission per day to access free loading of mulch with unlimited limits to the site. There is no residency requirement. Ms. Eckhart stated that this event is an effort to move material from the site. She expects a second event to be held before Memorial Day.
- L. Stormwater:** On file.
- 7. Unfinished Business**

A. On-Lot Sewer Management Plan Ordinance Draft: Ms. Martin introduced the draft ordinance and explained that it will cover areas that are not serviced by public sewer. Ms. Martin explained that this ordinance is required by the Department of Environmental Protection (DEP) in order to provide management at the township level. This requirement ensures that residents are properly maintaining their on-lot septic systems. Ms. Martin reported that she learned approximately 80% of homeowners had their septic systems pumped every three (3) to five (5) years during her survey of property owners for the Act 537 Plan Needs Assessment. She indicated that since the majority of residents are already aware of the importance of routine maintenance that it will be easier to implement. The township level management would involve a database that would be updated. Ms. Martin explained that the draft can be modified as the Board desires.

Mr. Hassler believes that the majority of homeowners already maintain their septic systems. He stated that the mandate will be unfunded and will be a burden on the Township staff who will be required to maintain these records. Mr. Hassler is in favor of requiring a septic tank pumping and inspection only when a property is transferred to a new owner.

Mr. Paul voiced his concerns regarding the overflow (pumping) process, which to his knowledge could damage an otherwise functioning system. Mr. Link was concerned that the draft

indicates that a permit would be required for homeowners to obtain quotes. Ms. Martin stated that this is not a requirement and is only a draft from DEP.

Ms. Martin explained that most municipalities pare down the draft sample ordinance published by DEP. She indicated that paperwork would be submitted to the Township every three (3) years for a permit to be issued and the Township would maintain records. She also explained that some municipalities have chosen to have approved haulers but that this is not required. Ms. Martin stated that some municipalities send reminders to let the homeowner know that their inspection is due the following year. Mr. Link expressed his concerns for the language of using the word “inspection”. He feels that this will cause panic in the homeowner and stated that it may be better to indicate that a “pump out is required”. Mr. Hassler stated that there are variables that could impact the need to have the system pumped, such as the family size and the tank size. Ms. Martin explained that she found an example that would allow the property owner to request a waiver due to factors such as family size, tank size, and seasonal use. She indicated that the Township’s Sewage Enforcement Officer (SEO) would be responsible for certifying and approving these waivers. Mr. Hassler was concerned with the cost of the SEO services.

Ms. Martin indicated that in the Act 537 Plan Allen Township indicated that there would be a component which addressed on-lot sewer management plan but the extent was not specified. Mr. Hassler was in favor of education only. Ms. Martin stated that she is not able to determine if this would suffice, from DEP perspective.

Mr. Treadwell believes the draft from DEP can be significantly scaled back to mainly serve as a reminder for homeowners that it is time to check their tank. Mr. Wojciechowski explained that inspections can be required for a Certificate of Occupancy for the resale of homes. Mr. Link stated that the inspector must be qualified to perform the inspection. Mr. Frack believes the homeowner should track their own inspections and be able to show proof of inspection upon request.

The Board of Supervisors will review the DEP draft ordinance again and provide feedback and suggestions. Ms. Martin will work to scale back the draft ordinance as directed.

B. Dash Camera Proposal – Update: Ms. Eckhart indicated that the total per month for the Township fleet would be \$311.40. She explained that these dash cameras work in conjunction with the Reveal GPS tracking devices which are already installed in the Public Works vehicles. Due to their integration of the cameras and GPS, these dash cameras will not work for the Fire Company’s vehicles which do not have the GPS tracking devices. Ms. Eckhart is reviewing alternative solutions for cloud based dash cameras for use in the Fire Company’s vehicles. Mr. Behler made a motion to proceed with the purchase of dash camera for the Public Works fleet at \$311.40 per month, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. Volunteer Firefighter Incentive Program – Tax Rebate: Ms. Eckhart reported that she provided the Board with information regarding this potential incentive program. She explained that there was a new piece of legislation passed that would allow for a tax credit. Ms. Eckhart recommended that if the Board chooses to move forward with the incentive program that they consider working with East Allen Township and Northampton Borough to have a consistent incentive program throughout these municipalities. Ms. Eckhart explained that if an individual lives in East Allen Township or Northampton Borough and volunteers for the Allen Township through this incentive program, the tax would not be able to be incentivized without coordination of these

municipalities. She reported that Lehigh County is moving forward with an incentive program with the County real estate tax by issuing a refund after the tax is paid.

Mr. Hassler explained that previously it was permitted for 20% of real estate tax but now this limit has been lifted. He reported that it can be the whole amount or a cash amount equal to or less than the total. Mr. Hassler indicated that school tax is also included under this legislation. Mr. Hassler explained that there would be standards to qualify for the incentive program, such as responding to a certain percentage of calls in a year. Mr. Behler would like a letter sent to the school district and county to request that they consider this incentive program as well. Mr. Hassler believes the incentive program should start with the Township prior to requesting involvement from the Northampton Area School District, Northampton County, and neighboring municipalities. Mr. Hassler questioned how the tax incentive program would benefit volunteer firefighters that may not be property owners, such those renting a property.

Ms. Eckhart proposed a fuel rebate program. She explained that volunteers expend their own resources to respond to the fire house to be able to go on a call. She indicated that a set millage reimbursement could be established for individuals responding from their home, to the fire station, and back to their home. Mr. Hassler reported that the furthest volunteer lives approximately 2.5-miles from the fire station. He also reported that of the current volunteers, there are four (4) firefighters who live outside of Allen Township. He indicated there are approximately twenty (20) volunteers and that all volunteers do not respond to every call.

Ms. Eckhart believes that the fuel reimbursement incentive would be beneficial to the volunteers. Mr. Behler believes that the Board should move forward with the fuel reimbursement incentive and continue to work on determining the criteria for the municipal tax rebate incentive while working to involve the other taxing authorities and neighboring municipalities. Mr. Treadwell indicated that a draft of the fuel reimbursement incentive will be brought back to the Board and criteria for the municipal tax rebate incentive program will be brought back for further discussion.

8. New Business

A. Langan Proposal for Traffic Engineering Services and Resolution #2023-011 Fee Schedule: Ms. Eckhart requested that Langan Engineers put together a scope and fee schedule to look at traffic impacts along the Savage Road/Atlas Road/Willowbrook Road corridor. She reported that Langan was the engineer for most of the Route 329 improvements and signals and therefore are familiar with the area and already possess a lot of the background data. Ms. Eckhart reported that a traffic after study pursuant to the Rockefeller Lot 5 plan approval is required to be completed by May 2023 of their driveways. The Township currently holds security for this. The previous owner (Rockefeller Development Group) has been contacted and is willing to contribute \$10,000.00 for this after study to be completed by Langan. Ms. Eckhart indicated that this will offset the cost of the study. Ms. Eckhart explained that to her knowledge, Langan is not currently working with any developers in the Township. Mr. Wojciechowski explained that there is potential for Jaindl Watson to submit for Lot 6. He believes that all the improvements have been made to account for Lot 6 unless there is a change. Mr. Behler is concerned that there would be a conflict of interest if Langan accepts work for a developer in the Township. Mr. Link made a motion to proceed with Langan Engineers for traffic engineering services, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. 559 Atlas Road Subdivision: Christopher Zajacek, Hanover Group Builders, introduced himself and presented a plan for a residential duplex located at 559 Atlas Road. Mr. Zajacek explained that there were several waiver requests regarding curb, sidewalk, and road widening. Mr. Zajacek presented photos of the overall area. Mr. Wojciechowski provided a summary of the Planning Commission meeting from March 6th. Mr. Zajacek noted that the proposed plan is for a single duplex home that would not require subdivision or land development and therefore not require those same improvements. Mr. Zajacek requested that the Board consider a deferral for the waiver requests relating to curb, sidewalk, and road widening. He indicated that should the Township implement a requirement for curb and sidewalk in the vicinity in the future, that there would be no protest from this particular property regarding those requirements if deemed necessary. Mr. Zajacek indicated that the lot will not be subdivided and will remain under his ownership. Mr. Zajacek explained that since he will remain owner there will not be confusion if a deferral was granted and the property had a new owner. Mr. Link, Mr. Behler, and Mr. Hassler stated that were not in favor of deferrals. Mr. Treadwell explained that if this plan was for a single family home then there would be no requirement for sidewalks, curbs, and road widening since SALDO would not apply. He further explained that since this is a duplex or twin home and is considered a land development then SALDO applies.

Mr. Behler made a motion to grant the approval of the waiver request relating to the horizontal scale for the plan layout (SALDO §22-502.1.A), as indicated on the Barry Isett Letter dated March 8, 2023, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Behler made a motion to grant the approval of the waiver request relating to a separate preliminary and final plan (SALDO §22-502.1 and §22-503.1), as indicated on the Barry Isett Letter dated March 8, 2023, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Behler made a motion to deny the waiver request which requires the cartway of Atlas Road to be expanded to provide an 8-foot paved shoulder gutter (SALDO §22-406.1.K(1)(c)), seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Behler made a motion to deny the waiver request which requires a concrete curb and concrete sidewalk provided along Atlas Road (SALDO §22-406.1.K(1)(e)), seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Paul who voted no.

Mr. Link made a motion to deny the waiver request which requires the cartway of Savage Road to be expanded to provide an 8-foot paved shoulder/gutter (SALDO § 22-406.1.J), seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Link made a motion to deny the waiver request which requires concrete curb and concrete sidewalk provided along Savage Road (§22-406.1.J), seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Paul who voted no.

Mr. Zajacek requested that this plan be tabled at this time and noted that he would be willing to grant any necessary extensions. Mr. Behler made a motion to table the 559 Atlas Road Subdivision Plan, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

C. Draft Offer of Employment – Equipment Operator/Utility – Candidate MS: Ms. Eckhart reported that this position was budgeted for. She indicated that she has interviewed two (2) candidates and is recommending candidate MS for the position. Mr. Behler made a motion to provide a conditional offer of employment to candidate MS for the position of Equipment Operator/Utility, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

D. Draft Offer of Employment – Records Clerk/Receptionist (1 Year Limited Term) – Candidate AA: Ms. Eckhart explained that she has structured this offer as a 1-year limited term position in an effort to avoid the staffing agency and have the same flexibility. She indicated that by forgoing the staffing agency the Township will be saving approximately \$10.00 per hour. Ms. Eckhart reported that this position was not in the budget. Ms. Eckhart feels that the creation of this position will be beneficial to assist with the digitizing of records as well as providing some redundancy of office staff. Ms. Eckhart indicated that the limited term position is structured so that this candidate can leave the position if the candidate desires or the Township can end the employment relationship at the end of the term. Ms. Eckhart believes that if the candidate works out well during the limited term that the position can be converted to a full time permanent position during the 2024 budget discussion if the Board desires. Mr. Behler made a motion to provide a conditional offer of employment for a 1-year limited term to candidate AA for the position of Records Clerk/Receptionist, 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:

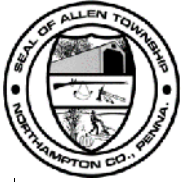
Mr. Hassler announced the upcoming meeting dates as follows:

- Board of Supervisors Capital Improvement Plan, Thursday, March 16, 2023 at 6:00 PM
- Park and Recreation Board – Thursday, March 23, 2023 at 5:30 PM – Site Visits of Howertown Park and Allen Township Dog Park
- Planning Commission – Monday, March 20, 2023 at 6:00 PM
- Board of Supervisors – Tuesday, March 28, 2023 at 6:00 PM

There being no further comments or business the meeting adjourned at 7:15 PM.

Respectfully submitted,

Ilene M. Eckhart



Allen Township Board of Supervisors

Meeting Agenda

Date: Tuesday, March 14, 2023 at 6:00 PM

Location: Allen Township Fire Company Building

3530 Howertown Road, Northampton, PA

The Allen Township Board of Supervisors Meetings will be held at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA.

A summary of the public comment policy and procedures is located on the last page of agenda as a reference for individuals wishing to address the Board during the “Public to be Heard” segments.

Note: Per Act 65 of 2021 requirements, this agenda was posted to the Township website and physical location of the proposed meeting, by Township staff on: March 10, 2023.

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

____ Tim Paul, Board Member

____ Stan Wojciechowski, PE, CME, Engineer

____ Jason Frack, Board Member

____ Andrea Martin, Engineer

____ Paul Link, Board Member

____ B. Lincoln Treadwell, Jr. Esq., Solicitor

____ Gary Behler, Vice Chairman

____ Ilene M. Eckhart, Manager

____ Dale N. Hassler, Chairman

4. Announcements and/or Actions to Add Items to Agenda

5. Public Hearings

A. Weinhoffer and Sabia – Agricultural Security Area Additions

6. Public to be Heard (Residents shall limit their comments to no more than three minutes)

7. Approval of Minutes (General Meetings: February 14th and 28th, 2023)

8. Reports - All reports on file with exception of Treasurer’s Report and Paying of the Bills.

A. Treasurer

B. Solicitor

C. Engineer

D. Planning/Zoning/Code Enforcement

- E. Road Superintendent/Public Works Leader**
- F. Fire Company**
- G. Emergency Management Coordinator**
- H. Nazareth Council of Government**
- I. Parks**
- J. First Regional Compost Authority**
- K. Stormwater**

9. Unfinished Business

- A. On-Lot Sewer Management Plan Ordinance Draft**
- B. Dash Camera Proposal - Update**
- C. Volunteer Firefighter Incentive Program – Tax Rebate**

10. New Business

- A. Langan Proposal for Traffic Engineering Services and Resolution #2023-011 Fee Schedule**
- B. 559 Atlas Road Subdivision**
- C. Draft Offer of Employment – Equipment Operator/Utility - Candidate MS**
- D. Draft Offer of Employment – Records Clerk/Receptionist (1 Year Limited Term) - Candidate AA**

11. Public to be Heard (Residents shall limit their comments to no more than three minutes)

12. Next Meetings

- * Board of Supervisors Capital Improvements Plan, Thursday, March 16, 2023 6:00 PM**
- * Park & Recreation Board – Thursday, March 23, 2023 5:30 PM
Site Visits Howertown Park/Savage Rd Dog Park**
- * Planning Commission - Monday, March 20, 2023 6 PM**
- * Board of Supervisors - Tuesday, February 28, 2023 6 PM**

13. Adjournment

-Public Comment Policy and Procedures-

- 1. A period for public comment will be held at the beginning of the meeting and at the conclusion of all agenda business items. Any public comments or questions shall be reserved until time on the agenda. Public comments and questions will not be permitted during the course of the Board's/Commission's business items.*
- 2. Individuals who speak must give their name, address and municipality prior to speaking.*
- 3. Time limit on length of public comment or presentation will be three (3) minutes per person, per meeting.*
- 4. A speaker will only be granted one three (3) minute extension, if given, for a maximum speaking time of six (6) minutes, at the discretion of the Chairman.*
- 5. Comments/questions shall be directed to the Board/Commission members only.*
- 6. Procedures will be in place to maintain proper decorum for the hearing. Public participation will be allowed but the Board will ensure respect for all citizens and maintain order. Personal attacks and outbursts will be ruled out of order. The Chairman of the Board or Commission may, within this discretion, rule out of order scandalous, impertinent, and redundant comment or any comment the discernible purpose of which is to disrupt or prevent the conduct of the business of the meeting.*
- 7. Individuals with lengthy written statements may submit them for the record and provide a verbal summary of three (3) minutes or less. Interested persons may email public comments via email, sent to manager@allentownship.org until 3:00pm local time the day of each meeting or by contacting the Township office. Public comment received via email will be read at the outset of the meeting. If you require an auxiliary aid, service or other accommodation, please contact the Allen Township offices in advance. In addition, an audio recording of the meeting will be posted to the Township website: www.allentownship.org within 48 hours of the meeting.*