



Allen Township Board of Supervisors

Meeting Minutes

March 23, 2021

7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, March 23, 2021 at 7:00 P.M. by teleconference due to the Disaster Emergency (Resolution 2020-10, 2020-11 and 2020-12) created by the COVID-19 Coronavirus Pandemic. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

1. **Roll Call:** Present: Bruce Frack; Gary Behler; Carl Edwards; Dale Hassler; Gerald Montanari; B. Lincoln Treadwell, Jr., Esq., Stan Wojciechowski, PE, CME, Ilene Eckhart, Manager.

2. **Announcements:**

3. **Public to be Heard:** No public comments.

4. **Public Hearings:**

a. **Marth Agricultural Security Area Addition, Public Hearing:** Mr. Behler made a motion to open the hearing; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Treadwell explained the process and Ms. Eckhart if the 34-acre parcel located with the Rural Zoning District. She further noted that recommendations have been received from the Allen Township Planning Commission and the Lehigh Valley Planning Commission. Mr. Montanari questioned if properties are usually purchased that have the number of existing buildings. Mr. Treadwell indicated usual the easements are to be purchase the land – not the area with buildings. Mr. Behler questioned if there were any parties on the call representing the applicant. There were no further comments noted.

Mr. Behler made a motion to close the hearing; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to approve the Marth addition pursuant to the request (for the 34 acres) to the existing Allen Township Agricultural Security Area; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

5. **Unfinished Business**

A. **PennDOT Presentation of Project Plans – Howertown Road Bridge Replacement:** Mr. Imtiaz Nathaniel, PennDOT and Joe Rudy (McMahon Associates – Consultant for PennDOT) presented the replacement of the S.R. 3017, Section 01B (Howertown Road) bridge over Dry Run in Allen Township, Northampton County, which will also include minor widening of the bridge and

roadway approaches to address line of sight issues. The existing one span structure is posted for load of 11 tons (single) and 17 tons (combination). The structure is in overall poor condition. There are existing line of sight concerns at the bridge location caused by the existing horizontal radius across the bridge with no shoulders being provided.

Currently, the roadway width varies from 19'-0" to 22'-0" with no shoulders provided and will be widened include 12'-0" travel lanes and 8'-0" shoulders.

Mr. Rudy explained additional construction activities include the removal of the privately owned bridge immediately downstream of the project structure. This bridge is in poor overall condition and will be impacted by the widening of the roadway as currently designed. The driveway that utilizes this bridge will be relocated in order to avoid crossing Dry Run. This relocation will require right-of-way acquisition from an adjacent property owner. In all it is anticipated that 4 properties will be impacted by this project. He indicated that there would be some small strip takes and right of way negotiations for the relocation of some areas of right of way.

Mr. Rudy indicated construction would begin in late 2022 and be take about six months (finished Spring 2023).

Mr. Nathaniel added that the schedule may be moved up if there is funding availability, due to the condition of the bridge.

Mr. Behler questioned if the private property owners have been contacted and if they agreed to have the driveways moved. Mr. Rudy was not sure if the right of way department has contacted the property owners to date. Mr. Behler asked what would happen if the property owners were not cooperative – would the project still be feasible. Mr. Nathaniel property would be need for roadway properties. This would be negotiated with the property owner and the right of way unit. He was positive the Department would be successful. Mr. Behler was unsure of the disposition of the property owner but felt the Department should have a contingency plan. Mr. Behler questioned why the Department would consider commencing the project over the winter months when the paving could not occur within this time frame. Mr. Nathaniel explained the letting process and the notice to proceed timeline. He felt that the paving portion would not occur until the summer months. Mr. Behler appreciated the extra shoulder and attempting to straighten the configuration of the curve through the area (to improve sight distance. Mr. Nathaniel responded when the project is completed there will be no weight limits in place.

Ms. AnnMarie Vigilante, PE, Langan, questioned why the shoulder was not extended on the east side of the roadway, just the structure. She felt that the road was an arterial or major arterial – therefore wider shoulders would be required. Mr. Nathaniel indicated there was not funding for anything beyond the bridge.

Mr. Rudy explained the new structure would be a precast box culvert. Stage one would include placing traffic on one side, with a barrier and build the new section and then stage two similarly – shifting one direction each time. Mr. Rudy explained the intent would be to detour the northbound traffic and allow southbound traffic. He indicated a signal was reviewed but a signal would need to be provided to the driveways closest to the project for safety concerns.

Mr. Hassler voiced concerns getting volunteers to the Fire Station during the emergency detour. He stated this added four or more minutes to the response time. He indicated that the State Police would not allow responders (blue lights) across the bridge during the detour. Mr. Hassler asked PennDOT to consider a signal as the safety impacts the entire Township by allowing the volunteers to get to the station. He noted that there are mutual aid dispatches however, Howertown Road is a main artery and all efforts should be made to place a temporary signal in this location. Mr. Nathaniel responded there would be a separate meeting with the traffic engineering/signal unit and the Supervisors and others to discuss other options including that of the signal option.

Mr. Montanari asked why PennDOT was not considering a complete closure and detour to Seemsville so that the project can be completed quickly. Mr. Montanari did not feel a detour would work because people will cheat and go through anyway. He indicated he was almost hit head-on. He understood where it could be a cost of life, but it also could be if people who had to travel through the area risk head on collisions go through the area. He felt the option of Seemsville Road (with a temporary signal) should be considered and close the segment during construction. Mr. Montanari indicated he would like to be invited to the meeting.

Mr. Hassler was concerned with the option of a complete closure and detour due to unforeseen circumstances. Mr. Wojciechowski was unsure of the Seemsville Road realignment and signalization. Mr. Montanari hoped that PennDOT work with the Jaindl project (concerning Seemsville Road realignment and signalization) to coordinate and get the best construction possible.

Mr. Hassler voiced concern regarding the coordination of the bridge replacement scheduled for the Indian Trail Road (near Millrace/Kohls Road). Mr. Nathaniel was unsure of the let date for this project. Mr. Hassler was concerned for the overlap of the two projects.

Mr. Shawn Leonard, Howertown Road, voiced concern regarding the emergency detour (summer 2020) and cheaters going through the detour. He questioned if there was a way for the Fire Company to turn the light. He was concerned about traffic accidents. Mr. Rudy indicated if a temporary traffic signal would be considered – preemption would be configured for the emergency response vehicles.

Mr. Behler questioned if Northampton Borough was aware of the detour. Mr. Nathaniel indicated the information has been sent to the Borough of Northampton and the Northampton Area School District.

Mr. Nathaniel indicated the follow-up meeting would be task specific to traffic controls. Mr. Hassler indicated that he and Mr. Montanari will attend along with the Township Engineer and the Township Manager.

B. Lehigh River Property Demo, Release of Payment 1 of 1, \$13,956.00: Ms. Eckhart indicated the project was complete and recommended the release of the payment pursuant to the request in the amount of \$13,956.00; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

C. 1024 Valley Road (Vertek) Subdivision Stormwater Drainage Easement/Paul and Angela Link: Mr. Wojciechowski indicated this included the installation of one large pipe. Mr. Frack made a

motion to authorize the signing of the Stormwater Drainage Easement; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

D. Draft Offer of Employment – Equipment Operator/Utility – Recommendation Candidate

ATH: Ms. Eckhart reported that the position was advertised in December 2020 pursuant to the responsibilities providing for the hiring of employees as provided in the Township Manager Ordinance. She explained seventeen applications were received, one application was withdrawn, three candidates were interviewed. She presented the draft offer of employment and recommendation to hire the full time equipment operator/utility offer to move forward. This would be to fill the vacant (sixth position) for the crew.

Mr. Montanari stated he would like to meet the candidates to determine what they know (in his opinion) whether it matters or was just part of the good old boy system. Mr. Frack was in favor of proceeding with Ms. Eckhart’s recommendation. Mr. Montanari did not feel this should be up to the Township Manager for this type of work, that will get along with the other crew members and should be the type of person the Board is seeking to employ. He did not feel it was Ms. Eckharts problem to select someone for the position. Mr. Behler commented that Ms. Eckhart provided the three candidate top picks and he indicated he accepted Mr. Eckharts recommendation. He did not personally feel the need to re-interview candidates after they were already interviewed. Mr. Montanari would like to talk to the individual to meet the recommended candidate or the three interviewed.

Mr. Behler made a motion to send the offer of employment for the full time equipment operator/utility position to candidate ATH; seconded by Mr. Frack. On the motion, by roll call vote, Mr. Frack – yes; Mr. Montanari – no; Mr. Edwards – no; Mr. Behler – yes; Mr. Hassler – yes. Messrs. Hassler and Montanari were annoyed with each other and stated so.

E. Towpath Estates Security Release Request: This matter was not ready for the recommendation to be drafted by the Township Engineer. Mr. Behler requested that the applicant be reminded of the completion of the paving of W. 27th Street, which is due August 2021. Ms. Eckhart and Mr. Wojciechowski will follow-up with this.

6. New Business

A. Zoning Hearing Appeal Variance 2021-01, Jay Ambey (Sunrise Express) – Hearing Date April 6, 2021 – Board Position on Appeal (if any): Ms. Eckhart reviewed the request for relief per the appeal, which is scheduled to be heard by the Zoning Hearing Board on April 6, 2021. The Board did not have a position regarding the appeal application.

B. Return to In-Person Meetings, Commencing April 2021 – Authorization to Advertise: Ms. Eckhart explained the modifications, which are now in place at the Fire Company Building located at 3530 Howertown Road, Northampton in consideration to return to in-person meetings with a livestream element available for the public. Mr. Behler raised the issue of requiring face coverings for the audience members. Mr. Behler felt the public will question this. Mr. Hassler felt the CDC would still require masks or face coverings. Mr. Hassler explained the plexiglass for the Board and included a 180 degree barrier around each Supervisor which would allow for Supervisors to remove their masks during the meeting to speak. Ms. Eckhart indicated she had an additional barrier for the public speaker area. Mr.

Behler suggested that masks are made available for members of the public. Mr. Behler questioned the ventilation of the building. Mr. Hassler responded that ventilation is provided into the void above the drop ceiling. He indicated this was not a filterized system. Mr. Behler questioned the livestream. Ms. Eckhart indicated the one-way livefeed of video and audio is in place and questions/comments would need to be provided in advance of the meeting. Ms. Eckhart indicated the same notification process would be provided several days before the meetings for the submission of a comment/question and where to find the embedded code to obtain the livestream channel. Mr. Edward was not in favor of the masks and the unconstitutional manner in which certain appointed government officials are dictating at the federal level. Mr. Behler was in favor of proceeding with the in-person meetings with masks and social distancing. Mr. Behler made a motion to authorize Ms. Eckhart to advertise the return to in-person meetings beginning with the April 13, 2021 Board of Supervisors meeting, conditioned upon the requirement of a mask or face covering for the public in attendance; seconded by Mr. Frack. On the motion, Mr. Edwards offered an amendment to Mr. Behler’s motion “no face mask mandate for the public”; seconding for the amendment – Mr. Montanari. On the amendment of Mr. Edwards, by roll call vote, Mr. Frack – no; Mr. Montanari – yes; Mr. Edwards – yes; Mr. Behler – no; Mr. Hassler – no.

On the motion the original motion of Mr. Behler to authorize Ms. Eckhart to advertise the return to in-person meetings beginning with the April 13, 2021 Board of Supervisors meeting, conditioned upon the requirement of a mask or face covering for the public in attendance; seconded by Mr. Frack. On the motion, by roll call vote, Mr. Frack – yes; Mr. Montanari – abstained; Mr. Edwards – yes; Mr. Behler – yes; and Mr. Hassler – yes. Mr. Treadwell responded to Mr. Wojciechowski regarding picking up with hearings which are on-deck. Mr. Hassler felt these hearings should be put off until May or June. Ms. Eckhart indicated she would return with the list of hearing items, which were on-hold since the onset of the pandemic.

7. Public to be Heard: Mr. Mike Tift, Indian Trail Road, questioned who will enforce the meeting capacity limit and what if people refuse to wear masks even though it is a rule? Mr. Hassler trusts that people will respect others. He felt the bottom line was the Board may return to virtual if necessary. Mr. Hassler felt the current level of attendance for the building was about 25% or about 100 people. He did not foresee any topics that would cause that many people to be interested in attending. Mr. Hassler felt that public attendees would be asked to wear masks or be asked to leave, pursuant to the vote of the Board. Mr. Treadwell added that in other municipalities he represents that people honor the rule – and if people don’t follow the rule the Board has the option to return to virtual.

Mr. Behler asked if masks could be made available. Ms. Eckhart confirmed that masks, disinfectant, and hand sanitizer would be made plentifully available at the meeting location. Mr. Behler also voiced that cloth masks are not meant to protect you they are meant to protect others and to not take this measure out of the care for fellow humans was pathetic in his opinion.

8. Adjournment: There being no further comments or business the meeting adjourned at 8:12 PM.

Respectfully submitted,

Ilene M. Eckhart