



Allen Township Board of Supervisors

Meeting Minutes
October 24, 2023
6:00 P.M.

A **General Meeting** of the Allen Township Board of Supervisors was held on Tuesday, October 24, 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: Tim Paul; Jason Frack; Paul Link; Gary Behler; Paul Link; Dale Hassler; Ilene Eckhart, Manager; B. Lincoln Treadwell, Jr., Esq; and Stan Wojciechowski, PE, CME

Absent: Andrea Martin, EIT

2. **Announcements and/or Actions to Add to Items to Agenda:** Ms. Eckhart indicated that she had two (2) items that she would like to add to the agenda. The first item regards Lappawinzo Fish & Game's Halloween party. She explained that the party would include a bonfire and fireworks display on October 28th, 2023, and they would conform with Township ordinance of one (1) hour. She concluded that the party will start at 7:30 P.M.

For the second item, Ms. Eckhart indicated that the Township generally participates in the Tucker Toy Run, which is an annual fundraiser. She explained that the fire police will handle some of the traffic on Horwith Drive. She noted that the fundraiser date is November 4th, 2023. Ms. Eckhart indicated that she will need a motion from the Board that the fire police can participate in order for them to be covered by worker's compensation. Mr. Behler made a motion to add the Tucker Toy Run to the agenda; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors voted yes.

3. **Public Hearings:** Mr. Treadwell explained that tonight's public hearing regards Ordinance 2023-03, which is the general obligation note for the building renovation. Mr. Treadwell indicated that a motion is needed to open the hearing. Mr. Behler made a motion to open the hearing; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors voted yes.

Mr. Treadwell explained that the Ordinance 2023-03 has been advertised for adoption tonight and if it passes, it will be advertised again in accordance with the local government Unit Debt Act. He continued to explain that it will also be submitted to the Pennsylvania Department of Community and Economic Development for its approval. He explained that Ordinance will authorize the issuance of a general obligation note from the Township to First Northern Bank and Trust. He stated that the Township would be borrowing money from First Northern Bank and Trust in the amount of \$6,825,250.00 with an interest rate of 5.99% per year, and it is proposed for a five (5) year term. He explained that the Ordinance relates to the renovation of the Fire Company building to accommodate office and meeting space for the Township. He concluded that the cost of the entire project is \$8,825,250.00.

Mr. Behler voiced his concern regarding the accumulated interest amount of \$2,000,000. He indicated that the amount in interest would be paid to the bank and the Township would gain nothing in return. Mr. Link indicated that the Township is getting a building renovation and that the Township does not have another way to get the money other than taking a bank note. Mr. Behler questioned if the renovation is needed in the next year. Mr. Treadwell indicated that there is no repayment penalty, so the Township can pay the principal whenever they want. Mr. Paul asked if the Township could expect grants. Ms. Eckhart explained that the Township has applied for LSA's, which have been pretty fruitful for us in our applications. She indicated that the Township has also applied for the Lehigh Northampton Round, the Monroe and the statewide grants. She explained that the Lehigh, Northampton, and Monroe are awarded generally in March, so as long as they do not begin our contract before that award, those grants would be towards this project. She further explained that the statewide round that's a September award. She indicated that she has been talking with the architects about how they can structure that last piece of the renovation as a separate phase in order to not jeopardize the application and obtain the full grant monies. Mr. Behler indicated that it is hard in good faith to approve something that is about seven (7) million dollars, that the Township must pay back with an addition of an extra two (2) million dollars in interest to pay back. Mr. Frack explained that they needed to take into consideration that the cost of renovations are not going to go down anytime soon and if they want another year, the costs are going to be more expensive, and rates are not going to come down below this for a long time. Mr. Behler indicated that it is still a lot of money for Allen Township and indicated that the \$2,000,000.00 is the Township's yearly budget and suggested that at some point the interest rates could come back down. Mr. Hassler indicated that he agreed with Mr. Behler that two (2) million dollars is a lot of money, however, he felt that waiting for the renovation would push the Township back now and now is the time to renovate.

Mr. Behler made a motion to close the hearing; seconded by Mr. Paul. On the motion, by roll call, all Supervisors voted yes. Mr. Link made a motion to adopt Ordinance 2023-03; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors, except for Mr. Behler who voted no, voted yes.

4. **Public to be Heard:** There was no public to be heard.

5. **Unfinished Business Items:**

A. Building Renovation Design and Construction Plan Update: Kim LaBrake of D'Huy Engineering introduced herself and Arif Fazil. She indicated that they are here to give the Board an update on the construction document phase that they are currently in for the building project. She indicated that they have received 90% of the documents from the design team last Friday, October 20th, 2023. She noted that the documents are currently under review. She stated that D'Huy would be moving towards the scheduled date for bidding after Thanksgiving. She shared an update on the site work, were they are showing about one hundred (100) spaces being provided in the Township and that the information provided in the last meeting for updating the front of the building, is now showing it to include some new landscaping, new paving, and handicapped accessible parking plus the building addition, which is not an enclosed addition but rather a covered portico over the front doors. She indicated that not much has changed on the plans. She shared that from the last meeting it was discussed for them to have the layout for this room that the meetings are currently taking place in. She indicated that they updated the layout and have provided more space at the entry doors to allow people to come in and out. She continued to describe the layout of the meeting room. She indicated that the room where the meetings are currently taking place needs some abatement and regardless of what would be done to the building, the Township would have to get the last of the abatement out. She indicated that the plan shows where all of the tile exists and needs to be pulled up. She concluded that they were bidding that as a separate package in an early package to make sure it is cleaned out before the beginning of the year. She concluded that they were on schedule and start the bidding on November 14th, 2023, have a mandatory pre-bid on November

15th, 2023, and come back to the Board of Supervisors and award the bids in December for the asbestos abatement.

Ms. LaBrake indicated that they updated their project from the concept budget and that they are tracking about \$800,000.00 under the initial budget. She explained that the reason why they are coming below budget is because the original budget included a full sprinkler system in the building which they are not doing. She indicated that they are working with code officials and based on the size of the building, they are not forced to do it. She indicated that instead they have made some concessions about how to fireproof the corridors and keep everybody safe within the building. She explained that there were two (2) alternates that would be deduct alternates. She indicated that the first one would be to mill and overlay the remainder of the back parking area and also do the lighting in the same area. She stated that the two items are about \$200,000.00 and if they are not taken then that would be less money spent. She explained that they are still running the design and bidding contingency which they would need to use in the event of an overage on the actual bid day and they need to save about 10% in contingency during the construction period. She indicated that until bid day, they will not know the exact number for the budget.

Mr. Behler questioned what the first day of construction would be. Ms. LaBrake indicated that the first day of construction in their schedule currently is set for March 1st, 2024 and bid the project in mid-January by approval of the Board. She indicated that the timeline can be altered in order to meet the LSA grant requirements.

Mr. Behler made a motion to approve the bidding for abatement; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors voted yes.

B. Allen Development Partners – Wawa – Preliminary/Final Land Development Plan: Attorney Erich Schock of Fitzpatrick, Lentz & Bubba, introduced himself and Design Engineer Lindsey Breylinger of Bohler Engineering. Mr. Schock indicated that they were at tonight’s meeting with the recommendation of approval from the Planning Commission. He indicated that they needed to get approval of the waivers and that the canopy height needs to be approved by the Board, and they are seeking plan approval and confirmation that the canopy height of twenty-five (25) feet is acceptable. Mr. Paul questioned why the canopy had such a hard pitch. Mr. Schock indicated that that the slope is for optimal snow and rain shedding. He continued to explain that it is the lowest side height is arrived at for the purposes of making sure that the largest configuration of fire apparatus can always fit under the lower end of the canopy.

Mr. Behler made the motion to approve the request for up to twenty-five (25) foot height; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors voted yes.

Ms. Breylinger indicated that the first waiver is in reference to SALDO §22-307 and the waiver seeks to allow for preliminary and final land development plans to occur simultaneously; the second waiver is in reference to SALDO §22-502.2.A and it is a partial waiver to permit the planned scale for one (1) inch equal thirty (3) feet; the third waiver is in reference to SALDO §22-502.3.A and is a partial waiver from the requirement to provide existing man-made features within two hundred (200) feet of the boundaries of the proposed project area as Wawa is providing two hundred (200) feet almost everywhere except for the caddy corner at the intersection of Savage Road and Rt. 329 where they are not making any improvements; the fourth waiver is in reference to Stormwater §8-22.31.K and the waiver is for the requirement to provide a 2% slope towards the outlet structure, she explained that for the proposed basin facilities as these facilities are either an infiltration basin or C basin which both requires a flat bottom so the 2% slope would not be allowable from a DEP perspective; the fifth waiver is in reference to Stormwater §8-231.F.3 and is a waiver request from the requirement to allow for greater interior slope ratio from a four (4) to one (1) horizontal to vertical for the above

ground stormwater basins, so the slopes on the stormwater basins are at a three (3) to one (1) slope which, she explained, is typical for any stormwater basin and one of the MRC basins does have a retaining wall on one side, which is also very typical. Mr. Behler made a motion to approve the five (5) waivers as read; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors voted yes.

Mr. Behler questioned Mr. Wojciechowski if the most recent Barry Issett Letter was dated May 15, 2023 with a revised date of June 15, 2023. Mr. Wojciechowski indicated that was correct and the biggest concern that he had was the coordination between the Stone Ridge Commercial Plans and the Wawa Plans. He indicated that he met with Mr. Pasterski and Ms. Breylinger and they went over all the sewer and storm water issues. Mr. Hassler discussed traffic concerns. He referenced a Wawa that was built where Rt. 378 meets Rt. 309. He indicated that the Wawa traffic can enter and exit the Wawa from and onto Rt. 309. Mr. Hassler questioned why PennDOT will not allow the traffic to come out onto Rt. 329 for the Township's Wawa. Mr. Cogan explained that the original concepts had plans that had the direct access to Wawa from Rt. 329 however Ms. Melissa Maupin, the permit manager at the time in Northampton County, specifically and emphatically indicated that she would not permit any additional commercial access points on the Rt. 329 frontage. Mr. Hassler indicated that he felt that there were two sets of standards that run the state of Pennsylvania. Mr. Wojciechowski indicated that the difference between the two Wawas is that the Wawa off of Rt. 309 is downstream of the intersection while the Wawa being built off of Rt. 329 and Savage Road is upstream of the intersection causing issues for a right out onto Rt. 329.

Mr. Behler made a motion to approve the Wawa development preliminary and final, since we did the waiver, as long as it meets all the comments specified on the Barry Issett letter dated May 15, 2023 and revised June 15, 2023. Mr. Treadwell added the one other condition from the Planning Commission was that the Stone Ridge overall subdivision plans have to be approved and recorded to create this lot before these plans can get recorded. Mr. Behler indicated that he will amend his motion and add that remark as well; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors, except for Mr. Hassler who voted no, voted yes.

C. Northampton Business Center, Request for Security Reduction #2: Mr. Wojciechowski indicated that the Township has received a request for a reduction in security. He recommended an amount of \$679,358.85 to be reduced, which would leave us \$2,036,106.26 remaining, which represents 15% of the original bonding cost, which we would hold a that number for maintenance and security. Mr. Behler made a motion to the Township goes ahead and release to the Northampton Business Center in the amount of \$679,358.85; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors voted yes.

6. Added Items:

A. Tucker Toy Run: Mr. Behler questioned if the Fire Police have agreed to volunteer for the Tucker Toy Run. Mr. Hassler indicated yes. Mr. Behler made a motion to approve that the Fire Police go ahead and participate in the Tucker Toy Run; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors voted yes.

7. Public to be Heard: There was no public to be heard.

8. Announcements:

Mr. Hassler announced the upcoming meeting dates as follows:

- Board of Supervisors – Tuesday, November 14, 2023 at 6:00 PM
- Planning Commission – Monday, November 20, 2023 at 6:00 PM
- Board of Supervisors - Tuesday, November 28, 2023 at 6:00 PM

- Parks and Recreation – Thursday, October 26, 2023 at 6:00 PM

Mr. Hassler explained that the Parks and Recreation meeting will be held at the municipal building located at 4714 Indian Trail Road. Ms. Eckhart indicated that the Parks and Recreation meeting in November coincides with Thanksgiving weekend therefore it may be canceled.

There being no further comments or business the meeting adjourned at 6:43 PM.

Respectfully Submitted,

Ilene M. Eckhart