

# Allen Township Supervisors

4714 Indian Trail Road

Northampton, Pennsylvania 18067

Phone: (610) 262-7012

Fax: (610) 262-7364



Paul Balliet, Chairman  
Bruce Frack, Vice Chairman  
Dale N. Hassler  
Alfred Pierce  
Larry Oberly

Brien Kocher, P.E.  
B. Lincoln Treadwell, Jr., Esq.  
Ilene M. Eckhart, Manager

## ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

**Tuesday, August 26, 2014**

A General Meeting of the Allen Township Supervisors was held on Tuesday, August 26, 2014, at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance to the Flag was led by Chairman Paul Balliet.

Roll Call: Paul Balliet -Present; Dale N. Hassler – Present; Alfred Pierce – Present; Larry Oberly - Present; Bruce Frack - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Jim Milot (Hanover Engineering Associates). – Present; and Ilene Eckhart – Present.

### Public Hearings:

**A. Ordinance #2041-04 Vacation of Unnamed Alley (in the vicinity of Pine Street):** Hearing continued in order to send public notice to adjoining property owners.

### Public to be Heard:

### **Unfinished Business**

**A. Third Party Building Code Inspection and Discussion regarding current agreement, Robert Fitch (Bureau Veritas):** Mr. Robert Fitch was present to address the Board. Mr. Treadwell summarized that he and the Township Manager had a conversation with Mr. Fitch regarding the status of the current Bureau Veritas agreement with the Township and concerning the Boards contemplation to change to a system of multiple inspectors. Ms. Eckhart reviewed some of the complaints received with regard to turn around time of permits and permit fees. Mr. Fitch provided some background regarding the exclusive contract, including the consistency in the mode of operation. He indicated the basis is job value and that not all contracts address a total fee structure to include all inspections. A non-exclusive contract would charge for each communication with Township residents/contractors. He further indicated that Bureau Veritas charges based on the value

of the project, with the exception of the small projects as defined by the fee schedule attached to the Agreement. For example, for a \$5,000 project the fee would be \$100 and for projects from \$5,001 to \$10,000 the fee is capped at \$195. This type of project may still require a great deal of work for the Building Code Official and Building Inspectors even though it is a smaller project. The objective is to work with the resident until there is a “code compliant installation”. At times this requires redrawing (for the homeowner) to get them through the process, with no additional cost to the permit fee. Mr. Fitch indicated that by law Building Code Inspectors are allowed 15 working days to review the plans. He estimated 40% of the applications are not compliant when they are received for review. For non-residential fees there is no reduced pricing. He further reviewed some of the ramifications upon the Building Code Official when multiple inspectors are involved in a municipality. With regard to the Building Code Official, Mr. Fitch indicated that this is not just a title and that the Building Code Official is responsible to the Commonwealth of Pennsylvania. Mr. Fitch further discussed the audit requirements of Pennsylvania Labor and Industry imposed upon the Building Code Official.

On the question from Mr. Oberly, Mr. Fitch reviewed the staff and processing of plan reviews. In addition, Mr. Hassler voiced concerns that were brought to him regarding the turnaround time on permits. Mr. Fitch reiterated that they have fifteen days to determine a code compliant installation. He further indicated that plans are not released until the information is received. Following some further discussion, Mr. Pierce questioned the number of contracts. Based on Allen Township, how many under \$25,000 projects have been completed in Allen Township in a year. Mr. Fitch indicated this is in the Township files – he did not have the information readily available. Mr. Pierce questioned the upper limit and the correlation between dollars and job. Mr. Fitch indicated that the size of the project was measured by the dollar value. Mr. Pierce was concerned with the cap and that no job could encompass an infinite amount of work. Mr. Pierce was concerned how the fees were able to be defended. Mr. Fitch indicated it was not in the Code regarding the limit in the charging of fees. Mr. Fitch further explained that there was a great amount of deviation across the Commonwealth regarding the charging of inspection fees.

Mr. Treadwell concluded that the Building Code Official issue would need to be further discussed by the Board, if the Board transitions the process to multiple inspection agencies.

Mr. Edward Diechmeister, voiced concerns regarding the building value approach. Mr. Fritch responded that if there is a disagreement with regard to the building value approach, Bureau Veritas will request the contractor to provide proof of the actual costs. The contractors submission will be reviewed to double check the estimated building costs are in line with the ICC valuation table for the particular use group. Mr. Diechmeister requested the Board to consider alternatives to allow builders to select a local code company.

**B. Krapf Quarry In-fill – Status:** Mr. Treadwell presented the draft agreement for the Board’s review pending the site meeting which was originally planned for August 26, 2014 but needed to be rescheduled at the request of the Northampton County Conservation District. The document will be returned at a future meeting for the Board’s consideration. Mr. Treadwell indicated a grading plan has been reviewed by Hanover Engineering. He further indicated that a Notice of Violation has been issued by the Township regarding the use. The draft agreement presented by Mr. Treadwell relates to plan for future grades of the site as well as the Notice of Violation (pursuant to the Zoning Ordinance).

**C. Quarry Hill Estates, Request for Waiver – Paving Specifications:** Mr. Edward Diechmeister, developer of Quarry Hill Estates requested a waiver pursuant to the Hanover Engineering letter of review dated August 25, 2014. Mr. Jim Milot outlined the previous grant of modification in previous developments. Mr. Diechmeister felt that based on the performance of the past projects in which the modified cross section was installed that the eighteen months maintenance period was adequate since the specification has been in effect for quite some time. Mr. Milot further suggested reviewing the current specifications to comply with the more modern PennDOT specification (which is more like the modified version which is being requested by Mr. Diechmeister). Mr. Pierce questioned the source of the existing specifications. Mr. Milot was unsure of the origin, but indicated that actually the waiver request is more in line with modern PennDOT specifications. Mr. Hassler questioned what was the standard applied in the Willow Ridge subdivision area. Ms. Eckhart indicated that Willow Ridge is not completed but she did not recall that there was a request from the developer of the Willow Ridge. Mr. Diechmeister indicated that his roads were unique because it crossed the municipal boundary therefore it was necessary to comply with two standards. Mr. Treadwell clarified that if the waiver was granted would it be the same as the Northampton Borough section. Mr. Milot indicated that actually the waived proposal would contain more stone material. Mr. Pierce further inquired concerning the probability of sinkholes regarding this design. Mr. Milot indicated that the design helps facilitate additional drainage. Additionally, Mr. Milot indicated that the Township may want to consider certain specification to address geology concerns. Mr. Pierce felt this should be included in the overall ordinance review the Planning Commission is currently reviewing. Mr. Hassler agreed instead of granting continuous waivers the ordinance specifications should be addressed. Following some further discussion, Mr. Hassler made a motion to grant the waiver to permit a cross section for the roadways requested within the Quarry Hill Estates subdivision (Sipos and Walker Drive) to be 18-inch vertical concrete curbing (with eight-inch 8" width at bottom, seven-inch 7" width at top) six and one half inches 6-1/2" of 2A stone base, four (4") of bituminous base course and one and one half (1-1/2") of wearing course with six inches (6") of curb reveal. pursuant to the request with a standard 18-month maintenance security period; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

**D. Towpath Estates Subdivision:** Mr. Treadwell reported that the financial institution only extended the letter of credit for six months. Mr. Treadwell indicated that typically letters of credit are issued on an annual renewal basis. Mr. Treadwell further reported that he has advised the developer's attorney regarding the consequences of the Township not receiving an extension. Mr. Treadwell advised the Board that if the extension is not received to the satisfaction of the Township – that the letter of credit would be drawn to satisfy the installation of the outstanding improvements.

Mr. Pierce further raised the issue of the retaining wall in the remaining lots of the Hampton Ridge Subdivision. Mr. Milot indicated he would follow-up regarding this matter regarding the approved grading plan for the lots questioned by Mr. Pierce.

**E. Savage Road Dog Park – status, signage and draft rules:** Ms. Eckhart presented a draft sign and rules drafted by Mr. Oberly for the Board's consideration to announce the coming Savage Road Dog Park. She further indicated that the bid deadline has been extended until August 29<sup>th</sup>, 2014 to allow for a response to the one addendum issued by the Township. Following some discussion, Mr. Pierce made a motion to authorize Ms. Eckhart, Messrs. Oberly and Frack to work on an acceptable sign for approximately \$1,000 and draft rules for the Savage Road Dog Park; seconded by Mr. Hassler. On the motion, by roll call vote, all supervisors present voted yes. Mr. James Ike asked

how the Board intended to enforce the rules for the facility and further voiced concern regarding the tampering of the potable water source.

**F. CDBG Release of balance of FY 2010 – Allen Township portion due to lack of qualified projects/New low/moderate eligibility criteria announcement by HUD effective 7/1/2014:** Ms. Eckhart explained issues regarding the most recent cooperative grant and the unexpended balance of FY 2010. Ms. Eckhart referenced the balance of \$132,000 and since we haven't been able to find qualified candidates it maybe prudent to release the amount to the Borough of Northampton and North Catasauqua for use in their wait list of applicants. Ms. Eckhart further explained the new HUD low/moderate eligibility levels indicate that the Township will be very challenged going forward due to the percentage of low/moderate mapping. Following some further discussion, Mr. Hassler made a motion to release the balance to the partners in the grant (Northampton and North Catasauqua Borough); seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

**G. Bethlehem/NBMA Water Rate Increase:** Mr. Oberly indicated that several months ago the Township was reiterated of a rate increase proposed by Bethlehem several months ago. He reported that the increase has been approved by the PUC at a rate of 5%. He noted that the Board should now analyze if a rate adjustment should be considered on the sewer percentage. He further noted that NBMA also increased their rate by about \$1 per month. Ms. Eckhart further noted the provision in the agreement with Northampton Borough – that if they adjust their sewer rates, notice must be provided to the Township.

**H. Cracked Walls to Garage Foundation:** Mr. Hassler raised that back in January it was brought to the Board's attention that sections of the Municipal Garage wall was cracked. As follow-up the Township Engineer provided a recommendation to excavate the fill from the rear of the wall section. This work was to be completed by the Public Works Department as soon as favorable weather conditions allowed. Mr. Hassler questioned the status especially in consideration of favorable conditions only remaining for the next month or so. The Board agreed that this needs to be completed by the end of the year. Mr. Oberly voiced concern that the priority needs to be the wall excavation and not the dog park at this point.

## **New Business**

**A. Discussion/review of regulations regarding firearms in Township Parks:** Ms. Eckhart indicated that a compliant from an individual regarding the Township's regulations concerning firearms in the parks was illegal according to the open carry rights. Following some discussion, Mr. Oberly made a motion to change the sign to indicate "no discharge of weapons in the park"; seconded by Mr. Pierce. On the motion, by roll call vote, all supervisors present voted yes.

**B. Ordinance Revisions – Planning Commission review:** Ms. Eckhart reported that several sections of the Zoning Ordinance, Subdivision/Land Development Ordinance and Stormwater Management Ordinance need to be updated to conform to new standards and any language conflicts. Some of these issues came to light over the course of plans reviewed over the past year. Ms. Eckhart indicated that the Zoning Ordinance last rewrite was performed in 2000. Ms. Eckhart outlined the time and cost involved and asked the Board to review this item further during the 2015 budget review as part of a comprehensive ordinance review.

**C. Covered Bridge – Installation of log faces stone deflector at foundation of bridge (PA DEP General Permit Submission):** Ms. Eckhart reported on the progress of the submission of General Permit to install the log faced stone deflectors which are intended to protect the foundation of the bridge.

**D. Northampton Area School District joint informational meetings with Municipalities:** Mr. Oberly reported the recent Community Council meeting organized by the Northampton Area School District. He noted the November meeting will entail emergency services response issues and the Fire Company and Emergency Management Coordinator of all municipalities in the District will be invited.

**E. Call In Seasonal Winter Drivers:** Mr. Hassler suggested the Board authorize an advertisement for the upcoming call in seasonal winter drivers. The Board agreed and authorized Ms. Eckhart to run the necessary advertisement.

**F. Horwith – Howertown Road Soil Erosion Issue:** Ms. Eckhart reported she has arranged a follow-up meeting with the Conservation District, USDA and the property owner with regard to the erosion/drainage issue along Howertown Road on September 8, 2014.

**G. Catasauqua High School – Parking Problem:** Ms. Eckhart indicated she was recently contact by the High School principal regarding parking problems along West Bullshead Road. Mr. David Ascani (Principal) has requested a meeting with the Township to discuss concerns related to parking in the vicinity of the Catasauqua High School. Mr. Pierce questioned who within the Catasauqua School system would be the correct person to discuss this matter and obtain a professional opinion on how to manage the problem. Mr. Milot responded either the Director of Transportation or the Principal. Mr. Pierce suggested the Board authorize Mr. Milot to meet with whoever is logical within the Catasauqua School organization. Messrs. Frack and Hassler agreed to attend the meeting along with the School and Mr. Milot.

**Public to be Heard:** Mr. James Ike, questioned the posting of ordinances on the Township website.

Mr. Donald Noll, 4040 Pinehurst Drive, noted that some of the current parking issues associated with the Catasauqua School will be changed upon the future widening of West Bullshead Road, associated with the Fed Ex project.

Edward Diechmeister, 700 Sipos Drive, reiterated his concerns to allow local companies to perform building code inspection services.

Respectfully submitted,

Ilene M. Eckhart  
Manager