



Allen Township Board of Supervisors

Meeting Minutes July 26, 2022 7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, July 26, 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: Gary Behler; Dale Hassler; Paul Link; Tim Paul; B. Lincoln Treadwell, Jr., Esq.; Ilene Eckhart, Manager; and Maurin Ritinski, Admin. Asst.

Absent: Jason Frack, Stan Wojciechowski, PE, CME, and Andrea Martin, EIT.

2. **Announcements and/or Actions to Add New Items to Current Agenda:**

Ms. Eckhart requested that the Board consider adding an item to the agenda to discuss and amendment to Resolution 2022-08, relating to the park facility reservation policy. She reported that this resolution is passed annually at the reorganization meeting. Ms. Eckhart explained that the park facility reservation policy outlines the policies and procedures of park facility reservations and applies to individuals, groups, and organizations. This also applies to rentals for sports programs and pavilion rentals. Ms. Eckhart would like the Board to review and consider additional language to be added to the resolution. Mr. Behler made a motion to add this item to the agenda relating to the draft amendment to Resolution 2022-08 to the agenda, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

3. **Public Hearings:** No public hearings.

4. **Public to be Heard:**

Andrew Hower, 35 Stagecoach Road, addressed the Board regarding a letter dated July 20th and sent to Blair Hower of 65 Covered Bridge Road. This letter was in regards to a tractor with tanks driving across the meadow planting located on the northern boundary of the Kreidersville Road Bridge Park property. This letter advised of the Township Park Rules and Regulations which prohibit the use of motorized vehicles within the Township park properties, with the exception of licensed motor vehicles on areas designated as driveways for parking during the time when recreational facilities are open to the public and for Allen Township maintenance vehicles.

Mr. Hower inquired if a permit could be issued or leniency would be given so that the Howers could access suitable water for the farm. He questioned if the perimeter of the meadow could be cut back so that they could utilize this area to access the creek for water. Mr. Hower stated that they received an email in 2020 directing them to only use the perimeter of the meadow. Ms. Eckhart explained the

purpose of the meadow and the cost associated with getting the meadow to the growth point that it is at. Mr. Hower stated that they are doing their best to not destroy what has been established. The property at 65 Covered Bridge Road is boarded by Kreidersville Road, Covered Bridge Road, and property belonging to Allen Township. Mr. Hower explained that rainfall amounts directly impacts their need to pump water for irrigation of vegetables on the farm. Mr. Hower stated that it is typically more than once a week that they pump water out of the creek. Mr. Hassler expressed his concern with wildflowers being run down by excessive use, the increase in mud, and the Township's money being spent on this meadow only for it to be run over. Mr. Hower stated that there is supposed to be a maintained mowed permitted. Ms. Eckhart reported that the meadow was established to the edge of this area of the property. Mr. Behler stated that the two issues at hand were that a vehicle is being driven across Township property and the location where the driving was happening. Mr. Hassler stated that the Howers never came before the Board to ask permission to drive across Township property. Mr. Hower explained that they have been pumping water from this location for 20 years.

The Board was not opposed to allowing the Howers pull water from the creek but discussed the best access point to obtain the water in order to avoid damage to Township property. Mr. Hassler suggested allowing the Howers to continue using the mowed down section of the meadow for the remainder of the season since the damage to the meadow has already been done this year. Mr. Behler and Mr. Link suggested allowing the Howers to access the creek from Covered Bridge Road while keeping the tractor on the pavement and running the hose to the creek to pump it out. Mr. Hower stated that it only takes about 10 minutes to pump creek water into the tank. Mr. Behler requested that the solicitor draft an agreement between the property owner and the Township that states the property owner may use Covered Bridge Road to fill water tanks in 10-15 minute intervals and only 2-3 days per week when the park is closed. Mr. Treadwell stated that Mr. Hower's contact information would need to be provided to Ms. Eckhart. He explained that Mr. Hower may utilize the road for water retrieval immediately. Mr. Behler reiterated that the Howers will need to be neighborly and explained if the park is in use that they should come back after the those using the park have left.

5. Unfinished Business

A. Request for Proposals for Facilities Study – D'Huy Engineering, Inc (DEI/USA/LVE Team): Arif Fazil, president of D'Huy Engineering, had prepared a short presentation to outline the proposal for the Board's consideration. He was joined by Kim LaBrake and Andrew Connor. Mr. Fazil stated that they have been in business for 46 years and specialize in public projects. He explained that they are a minority business enterprise and that they pursue grants. D'Huy Engineering's headquarters is located in Bethlehem, PA. Mr. Fazil provided an overview of the team. He explained he would oversee the team. Ms. LaBrake would be responsible for management and coordination of the project. Further overview of the team was provided in the proposal.

Mr. Fazil explained that existing site features for both properties (4714 Indian Trail Road and 3530 Howertown Road) are part of their analysis. Both sites will be evaluated further in order to develop a capital plan. Mr. Fazil explained that the Howertown Road site appears to have the most potential for an administrative office and has the most capacity for a public setting. Mr. Fazil shared that the information in the proposal is only a teaser with no input from the Township. He explained in order to move a forward, the Township would need to put together a core team that would provide input and

feedback. Mr. Fazil stated that both facilities have needs. He stated that this leaves the questions of what is going to be done, what is the master plan, what the cost is, and what the time line is.

Ms. LaBrake walked through the teasers that were provided with the proposal. They examined the two sites to evaluate each site's best use to fit the Township's needs. Ms. LaBrake stated that the fire company parking lot and existing fire station would not be disrupted or changed during the process. She explained how parking at the Snow Hill Road entrance could be redistributed for visitor and staff at the Howertown Road site. Ms. LaBrake explained the block plan of the Howertown Road site. She explained that by removing the existing kitchen in the former social hall that it would create space for the administrative offices. A staff entrance would be located at the existing main entrance to the former social hall. The proposed main public entrance would be located on the Snow Hill Road side of the building. She stated that a meeting space would be parceled off in the space. Ms. LaBrake provided two preliminary ideas for the design outside of the main entrance.

Mr. Fazil stated that this site has a lot of potential with ample amounts of opportunities to repurpose the facility to increase functionality. He mentioned that if the Board is not fond of the ideas presented that their team is prepared to start from scratch. Mr. Fazil stated that when working with municipalities they always say it must include a civic presence, be utilitarian, be functional, and be maintainable.

Mr. Fazil reviewed the proposed schedule which is the same schedule that was listed in the proposal. He explained the proposed start date would be July 29th. Following a questionnaire, surveys would be completed along with scope and cost estimates. They would then seek additional stakeholder engagement which would be followed by a creative phase. After a final review, the study phase of the plan would be presented to the Board around the end of October or beginning of November. Mr. Fazil explained the various formats and levels of costing which can provide as much or as little detail as the Board would wish to see. He explained that in order to provide the best value they need to understand what the Board is looking for. In addition to this, he also spoke of other important aspects are budget, schedule, and quality. Mr. Fazil discussed safety and minimal disruption and management of risk and liability. Mr. Fazil mentioned that a discussion will have to be had regarding the relocation of programs, such as public meetings, if work was to be done in this space. He briefly explained that this is a public bid project and discussed the implementation of the bid with clear and concise documents. Mr. Fazil stated that the team is equipped to work from the start of the project through the end of construction.

Once the Board provides direction on scope and budget, Mr. Fazil explained the following steps leading up to approvals. Mr. Fazil stated that the time line from schematic design through bidding and approvals is typically 9 months to 1 year. He explained that the Board would need to consider there will be about 1 year of design and about 1 year of construction. Mr. Fazil stated that they designed a timeline clearly for the purpose of costs and financing. Mr. Fazil noted that D'Huy Engineering will assist with applying for RACP grants funds.

Mr. Behler stressed the importance of having a large enough space to hold public meetings and elections for the entire Township. Mr. Paul questioned the use of the building side that faces Snow Hill Road. He stated that there is equipment on this wall where the proposed front entrance would be. Ms. LaBrake explained that this equipment would be removed when the kitchen is removed. She also explained that additional methods of heating and cooling would be explored. Mr. Fazil explained that

logistics would need to be figured out regarding how much space each area and office would be allotted. Mr. Fazil made mention of the credit that would be given for the work done in the facility study and design phase if they are the firm selected to provide services for the construction phase.

Mr. Fazil made recommendations to the Board that included of having a detailed site survey of the Howertown site completed unless this has already been completed. The team would work closely with the Township Engineer throughout the process. Mr. Fazil explained that if they are developing this site they would highly recommend a site survey with all utilities, elevations, and additional information marked. He also recommended that if additions are being added to the structure they would benefit from geotechnical information. They would also benefit from this information for stormwater management decisions. Mr. Fazil proposed that the Board consider drafting an agreement that covers the both the schematic phase and rolls into the construction phase.

Mr. Link stated that he would be abstaining from any motions or voting relating to D'Huy Engineering in order to avoid any conflict of interest as he occasionally does business with them. Mr. Paul made a motion to accept D'Huy Engineering's proposal dated June 24, 2022 for the facilities study, seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Link who abstained due to a conflict of interest.

B. LSA Grant Application Round – Monroe and Lehigh/Northampton County – Applications Due 9/30: Ms. Eckhart noted that the application deadline is approaching. Ms. Eckhart inquired if any Supervisors had any ideas for projects so that the grant applicant can be submitted. Ms. Eckhart confirmed that equipment infrastructure and replacement is acceptable for this grant. Mr. Behler questioned if any equipment is due to be replaced. Ms. Eckhart will stated that capital pieces from Public Work's last report will be reviewed for replacements. Ms. Eckhart will continue to accept suggestions from the Board for further discussion at the next meeting.

C. Covered Bridge and Howertown Park – Site Plans: Ms. Eckhart provided an update on the property boundary survey of the Covered Bridge Park. She reports that the first draft of the survey was received and she provided comments back to Barry Isett & Associates, Inc. for further refinement. Ms. Eckhart suggested that the property boundary survey could be a starting point for an official site plan of the Covered Bridge Park. She reports a site plan with the current features has never been done.

In regards to Howertown Park, Ms. Eckhart reported that a plan was developed in the early 2000s for some improvements. She noted that this plan was not as refined as it should have been. Ms. Eckhart stated that the park has been greatly impacted since the Route 329 improvement work, especially by stormwater. Ms. Eckhart suggested completing a general site plan of the park to evaluate the space available, current maintenance issues, and security measures including surveillance and access control. This would be a benefit to complete prior to any continued programing goals.

Ms. Eckhart suggested the Board consider a Request for Proposals for the parks in order to obtain costs from engineering firms for site plans for both Covered Bridge Park and Howertown Park. Mr. Hassler was in favor of having site plans completed for both parks. Mr. Behler made a motion to direct the Township Manager to create a request for proposal for site plans for Covered Bridge Park and Howertown Park and send out the request for proposal for bidding, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

D. Township – Lehigh River Properties: Ms. Eckhart reported that she provided history of the property to newer Board members regarding the major impacts to the use of this property. She described the property as open space with no structures present with the exception of the historical remnants of the canal. Ms. Eckhart explained the hurdle of finalizing the details Norfolk Southern Rail Private Crossing Agreement. She reported that the preliminary engineering agreement has moved forward. Ms. Eckhart stated that she is continuing to follow up and encourage the process to move forward.

Ms. Eckhart explained that these properties have only been referred to as “Lehigh River Properties” and they have not been formally named. Ms. Eckhart proposed several names that the Board may choose to consider for the property such as “Slate Dam”; “Mansfield Merriman”, “Riverview Park”, “Lehigh Meadow Park”, and “Allen Meadow Park”. Mr. Hassler stressed the importance of having “Allen” in the name. He suggested “Allen Riverview Park” as the name. Mr. Behler agreed that including “Allen” in the name was important. He suggested formulating a list of three names that included “Allen” in them and getting feedback on the names from the public. Mr. Link stated that it should be named with “Allen Township” in the name. Ms. Eckhart inquired if it should be called a park due to the passive use and open space. She suggested that calling the property a “preserve” may be more suitable. She also stated that including “river” in the name may give the misconception that this is a river rafting site. Mr. Behler requested that names containing “Lehigh” be excluded due to the close proximity of Lehigh Township. Mr. Behler requested that a survey be sent out to gather input from residents regarding the park name.

Mr. Link questioned if there are any pavilions or picnic tables at the site. Ms. Eckhart reported that there are no pavilions or picnic tables. She stated that the crossing needs to be finalized with Norfolk Southern Rail which needs to be done to their standards. The crossing needs to be in place before increased activity at the site is encouraged. Mr. Treadwell explained that the Township should not be encouraging people to cross the tracks until the crossing installation has been completed. He explained that the site is to be used as a passive use. If the site was designed to be more active it would have required a more involved and expensive crossing with a more extensive agreement process. Once the crossing has been completed, Ms. Eckhart suggests that the Board consider adding this property to the Wildlands Conservancy’s extensive Lehigh River water trail map that includes points of interest.

6. New Business

A. Asphalt Escalator Resolution #2022-014: Ms. Eckhart explained that this resolution would provide cost escalator protection for both the Township and the contractor. This will provide protections for bid letting due to the volatility of fuel costs. She suggests this resolution take effect before the bid letting so that the resolution can be included with the bid. Ms. Eckhart explained that the work may be able to be completed this year but the cut off may be missed. In this case, the work would be done early in 2023 when the conditions open. Ms. Eckhart reported that the index prices were too high earlier this year and this is the reason she did not proceed with the bid letting. The work would include the first phase of the development roads that were discussed during the road inspection. Mr. Behler made a motion to adopt Resolution 2022-014, as it relates to the price adjustment of bituminous materials for

small quantities, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

B. Assistant Zoning Officer – Third Party Service Option: Ms. Eckhart stated that she has been Interim Zoning Officer since mid-2019. She reports being very inundated with zoning permit applications for smaller projects such as decks, fences, pools, etc. Ms. Eckhart is requesting the Board consider hiring someone to help out with the review of permits and granting of permits. Upon reviewing solutions and obtaining recommendations from other townships, Ms. Eckhart recommends utilizing the services of a third party engineering firm as it is very difficult to locate an individual with the required credentials. Ms. Eckhart stated that she interviewed Ryan Christman from Keystone Consulting Engineers. She stated that he would be willing to work four hour increments two days a week in the office as a third party and review and issue zoning permits. In doing so, this would provide Ms. Eckhart substantial relief of her time. Ms. Eckhart explained that the zoning permits are paid for by the applicant through fees. She expects the cost of zoning permit fees to cover the cost of hiring an Assistant Zoning Officer. Ms. Eckhart stated that the cost of zoning permit application fees can be evaluated and adjusted at the reorganization meeting for 2023 if needed. She explained that she would manage any permit applications that would require technical and specific interpretation as well as any issuances of notice of violations. Mr. Behler believes it is a good idea to have a flexible hours for a third party to handle zoning with oversight from the Township Manager. He stated that most municipalities have a different individual handling zoning rather than the Township Manager. He stated that Allen Township's Township Manager has multiple job duties and titles. Mr. Link questioned if Mr. Christman would be able to work additional hours if needed. Ms. Eckhart believes he would be available to work additional hours as needed. Mr. Behler made a motion to appoint Ryan Christman from Keystone Consulting Engineers as Assistant Zoning Officer to work 2-4 hour days and up to 20 hours per week at the rate of \$112.50 per hour under the oversight and guidance from the Township Manager, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

C. Draft Amendment of Resolution 2022-08 – Park Facility Reservation Policy (*Item Added to Agenda*): Ms. Eckhart stated that she reviewed other municipality's policies for renting municipality owned park facilities to organizations and individuals. Ms. Eckhart reported that historically Allen Township Youth Association had utilized the park facility. Currently, the organized type sports clubs in Allen Township consist of Bath Allen Youth Club and TriBoro Soccer Club. Ms. Eckhart reported that these clubs are not subject to the fee schedule due to the service they provide to residents and youth in Allen Township. Ms. Eckhart also stated that the Township does give a small contribution to some of these organizations. Additionally, the Howertown Park pavilions are rented by members of the public for personal use. These pavilions are rented in accordance with the fee schedule and are subject to rules for the park, cleanup, deposits, and include strict alcohol rules. Those reserving a park facility are made to sign an indemnity and hold harmless agreement. Ms. Eckhart stated that a few years ago an amendment was made in regards to organized sports being limited to reservations and usage of the Savage Road Ballfield and Soccer Field only. Ms. Eckhart would like the Board to consider additional language that includes a park and recreation philosophy and includes a code of conduct. This would be required to be signed at each reservation request for individuals and signed annually by organizations such as Bath Allen Youth Club and TriBoro Soccer Club. The group representative would be responsible to convey the rules and code of conduct to coaches, players, parents, and all associated with the organization. Mr. Link made a comment stating that the Bath Allen Youth Club's Bylaws does not include a Code of Conduct that he saw. Mr. Behler agreed with amending the resolution in order to

hold the organization responsible for the conduct of members and those associated with the organization while on Township property. Mr. Link made a motion to approve the amendment of Resolution 2022-08, seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Behler wished to explain the reasoning for the amendment to the resolution. He stated that the Township had received complaints from members of the Bath Allen Youth Club regarding other club members. Mr. Behler stated that the Township was invited to a special meeting for elections being held by the Bath Allen Youth Club on Thursday July 28th. The meeting will take place at the Fire Company Building but is not a Township meeting and therefore is not open to the public from a Township perspective. Mr. Behler stated that anyone who wishes to obtain additional information about the meeting for elections or to attend the meeting would need to contact the Bath Allen Youth Club. Mr. Behler stated that he will be attending the meeting along with Mr. Link and requested the Boards approval to represent the Board at the meeting. Mr. Behler would like the amended resolution to be presented to the club at the meeting and inform the Bath Allen Youth Club that the Township expects the rules to be followed going forward. If the club does not follow the rules it could result in the club not being allowed to use Township facilities and Township funding to the club may be terminated. Mr. Hassler expressed his support for Mr. Behler and Mr. Link as liaisons for the Board at this meeting. Mr. Paul also agreed.

7. Public to be Heard: No public comment.

8. Announcements: Mr. Hassler announced that tomorrow evening, July 27th at 6PM, a special meeting would be taking place at the Fire Company Building that will be conducted by PennDOT in regards to the Indian Trail Road Bridge Replacement Project. This is a public meeting that will include a presentation from PennDOT and include a question and answer period. Mr. Treadwell confirmed that Supervisors may attend as long as it is informational in nature and there is no discussion or decisions being made between the Supervisors.

9. Adjournment: There being no further comments or business the meeting adjourned at 8:13 PM.

Respectfully submitted,

Ilene M. Eckhart