



Allen Township Board of Supervisors

Meeting Minutes September 27, 2022 7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, September 27, 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; Jason Frack; B. Lincoln Treadwell, Jr., Esq.; Andrea Martin, EIT; and Maurin Ritinski, Admin. Asst.

Absent: Ilene Eckhart, Manager; and Stan Wojciechowski, PE, CME

2. **Announcements and/or Actions to Add New Items to Current Agenda:** No announcements and/or actions.

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

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

5. Unfinished Business

A. **Century Commerce Prologis – Financial Security Release Request #1:** Ms. Martin explained that they have processed the financial security release request in the amount of \$1,122,299.86. The current balance being held is \$4,059,672.92. Ms. Martin stated that she is confident that the remaining balance of \$2,937,373.06 would cover the necessary remaining work. Mr. Behler made a motion to authorize the financial security release in the amount of \$1,122,299.86, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

B. **Setter Hill PennDOT HOP for Stormwater System – M-950AA Authorization:** Ms. Martin explained that the purpose of the form before the Board that needs authorization is for the applicant to be able to finalize their PennDOT Highway Occupancy Permit application (specifically concerning the stormwater improvements in the State road right of way). This permit application involves the installation and upgrade of a stormwater conveyance across Old Carriage Road to Twinbrook Road. Mr. Behler made a motion to authorize the Township to sign the form, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. **2023 Draft Budget Preliminary Approval (Draft #2) and Authorization to Advertise for Public Inspection:** Mr. Hassler explained that the draft budget must be advertised for public inspection. He explained that the Board must provide the Township Manager authorization to advertise.

Mr. Hassler stated that the Township is remaining at 5 mils with no change in taxation. Mr. Link made a motion to preliminary approve the 2023 Draft Budget (Draft #2) and authorize the Township Manager to advertise the budget for public inspection, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

D. Park and Recreation Board Ordinance Draft – Additional Discussion and Authorization to Advertise for Public Hearing: Mr. Hassler explained that the Board was provided a copy of the draft ordinance for a Park and Recreation Board. The draft ordinance outlines the appointment of the first Board, consisting of nine members, as follows: two members – one year; two members – two years; two members – three years; two members – four years; and one member – five years. Vacancies on the Board due to the expiration of a member’s term shall be appointed for five years. Mr. Treadwell explained that the ad hoc committee had met to discuss the duties and roles of members and that their comments were put into ordinance form. The Park and Recreation Board will not be able to spend money without authorization from the Board of Supervisors. Mr. Treadwell stated that the ordinance draft must be advertised for adoption. Mr. Behler commented that the ad hoc committee had originally wanted three year terms. Mr. Behler stated that they learned that according to the Second Class Township Code that the terms must be five years. Mr. Treadwell explained that the Ordinance draft will be placed on either the next Board of Supervisors agenda for October 11th or the agenda for October 25th depending on when the ordinance is advertised. Mr. Frack made a motion to advertise the Park and Recreation Board Ordinance Draft, seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

E. Candidate Submission – Park and Recreation Board: Mr. Hassler stated that a submission from Louise Bugbee of Kreidersville Road, was received. Ms. Bugbee expressed interest in serving on the Park and Recreation Board and she did attend the ad hoc committee meeting on September 20th. Mr. Treadwell explained that the Board may appoint Ms. Bugbee to the ad hoc committee. He stated that members would need to be appointed to the Park and Recreation Board pending the passing of the ordinance. Mr. Behler made a motion to appoint Louise Bugbee to the Park and Recreation ad hoc committee, seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

F. Rt. 329 Elementary School (East Allen Township) Conveyance Connection Discussion: Ms. Martin stated that at the last meeting the developer’s engineer was present and a discussion was started regarding the sewer planning for the Northampton Area School District’s property in East Allen Township. Ms. Martin stated that at this time they are not recommending approval on the planning module as an intermunicipal agreement needs to be drafted. In order to draft the intermunicipal agreement, the Board must determine the point where Allen Township will be responsible for on the sewer line. Ms. Martin provided the Board with a printed overview with overlay of the proposed sanitary sewer for the school. Ms. Martin explained that there is a sewer line that runs down Cesanek Road between the two warehouses (150 Cesanek Road and 175 Cesanek Road). This line was installed for the purpose of the possible future school in East Allen Township. At this time there are no connections on this line and it is 2,040-feet of dead sewer from the last sanitary sewer connection (where the two warehouses tie in) to the last manhole in Allen Township. Ms. Martin further explained that the last manhole in the Township is manhole #39. This manhole is 100-feet from the municipal boundary that runs down Seemsville Road. There is a proposed manhole, 45-feet from the centerline of Seemsville Road, which will be located on the School District’s property in East Allen Township. Ms.

Martin stated that the School District is proposing that Allen Township would take ownership of the gravity line connection across Seemsville Road and 45-feet into East Allen Township to the proposed gravity manhole on the School District property. The gravity line from manhole #39 to the proposed manhole in East Allen Township is approximately 159-feet. This proposed manhole will be connected to a force main that will be owned by the School District. The force main is swepted paralleling their driveway. The force main is proposed to run along the School District's driveway. The School District will also have their own pump station.

Mr. Behler questioned the reason for the length of 45-feet into East Allen Township. Ms. Martin explained that the pipe segments are 13-feet in length and that the School District was likely trying to keep the manhole out of the pavement of their driveway flare and keep the manhole in the grass for easier access. Ms. Martin indicated that the sweeping of the force main is less than ideal and she will be commenting on this. Mr. Behler believes this design will be prone to clogs. Ms. Martin indicated that there will be a grinder pump on the system. Ms. Martin explained that if Allen Township accepts ownership of the gravity line from the gravity manhole in East Allen Township across Seemsville to Allen Township manhole #39, the Township may wish to add a surcharge rate to the School District's bill to cover any maintenance concerns. The surcharge rate could be based on a percentage of flow but that this would be a minimal amount due to the amount of sewage produced by the School District. A set fee based on expected maintenance costs could also be considered.

Mr. Hassler believes that Allen Township should only own up to manhole #39 and he does not want to see a lot of sewer piping that is of no use to Allen Township. Mr. Gogle questioned who is going to be responsible for the School District's sewer. Mr. Gogle is apprehensive that the School District will be capable of maintaining their line. He fears that Allen Township will be called to fix problems on their portion of the line. Mr. Frack stated that if there were a problem that it would only impact the School District. Ms. Martin explained that the School District is the only entity that will be connecting in the near future and that they are the only entity that was planned for with the Act 537 Plan. Ms. Martin clarified that there is potential for residences along Mud Lane or in East Allen Gardens to connect to sewer but this would be a need driven connection and the connection would likely occur at the top of the warehouse development (near 700 Cesanek Road).

Ms. Martin explained that for the application for the PennDOT permit must be in the name of a utility to install the sewer line under Seemsville Road (PennDOT Road). The School District does not have the authorization to apply for the permit. Therefore either Allen Township or East Allen Township would have to be ultimately responsible for the 159-feet of sewer line under Seemsville Road.

Mr. Behler requests a meeting be held with the School District to determine how they plan to handle any issues that arise. Mr. Behler does not want Allen Township consistently being called out to fix problems. Mr. Treadwell suggested that if Allen Township is called out to assist the School District with maintaining their line instead of a private contractor then Allen Township should be charging for time and materials.

The Board agreed that Allen Township would only be responsible for up to manhole #39. East Allen Township would be responsible for the 159-feet of line under Seemsville Road and the School District would be responsible for the maintenance of this line including the proposed manhole on their property. Some Supervisors also expressed interest in discussing the establishment of a fee for any time

and materials that Allen Township would contribute on a call-out basis for assisting East Allen Township and the School District with any maintenance issues on their line. Mr. Behler did not feel that Allen Township should not be acting as a contractor.

6. New Business

A. Resolution 2022-018 – Implementation of Act 57 of 2022 Property Tax Penalty Waiver Provisions: Mr. Treadwell explained that the State adopted a new law that gives property owners some relief in penalties if notifications do not occur. The law does not apply to this year but will take effect in the 2023 tax year. Act 57 allows taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs from the tax collector. Mr. Behler made a motion to adopt Resolution 2022-018 as it relates to the Implementation of Act 57 of 2022 Property Tax Penalty Waiver Provisions, seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

7. Public to be Heard: No public comment.

8. Announcements: Mr. Hassler announced the meeting dates and upcoming events for October. All meetings and events below will be held at the Allen Township Fire Company. These meetings and events are as follows:

- Board of Supervisors – Tuesday, October 11, 2022 at 7:00 PM
- Planning Commission – Monday, October 17, 2022 at 7:00 PM
- Board of Supervisors – Tuesday, October 25, 2022 at 7:00 PM

9. Adjournment: There being no further comments or business the meeting adjourned at 7:37 PM.

Respectfully submitted,

Ilene M. Eckhart