



## **Allen Township Board of Supervisors Meeting Minutes April 8<sup>th</sup>, 2025 6:00 P.M.**

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, April 8th, 2025, at 6:00 P.M. at the Allen Township Municipal Building, located at 4714 Indian Trail Road, Northampton, PA. Mr. Behler led the audience in the Pledge of Allegiance to the Flag.

### **1. Roll Call:**

Present: Gary Behler; Dale Hassler; Tim Paul; B. Lincoln Treadwell, Jr., Esq.; Ilene Eckhart, Manager; Tom Gogle, Public Works Crew Leader; Michael Schwartz, PE Engineer; and Layla Denissen, Barry Issett Engineer.

Absent: Paul Link; Jason Frack

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

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

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

### **5. Approval of Minutes:** Mr. Hassler made a motion to approve the minutes of March 11<sup>th</sup> and 25<sup>th</sup>, 2025; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.

### **6. Reports – All Reports on File with the exception of the Treasurer’s Report and Paying of the Bills:**

- A. Treasurer:** Mr. Paul made a motion to approve the paying of the bills and the treasurer’s report; seconded by Mr. Hassler. On the motion, by roll call vote, all present Supervisors voted yes.
- B. Solicitor:** On file.
- C. Engineer:** On file.
- D. Planning/Zoning/Code Enforcement:** On file. Ms. Eckhart mentioned that there were a few incidents involving burning activities in late March and observed a violation related to the use of the same property.
- E. Road Superintendent/Public Works Leader:** On file.
- F. Fire Company:** On file.

**G. Emergency Management Coordinator:** On file. Phone: (610) 262-7012

**H. Nazareth Council of Government:** On file.

**I. Parks:** On file.

- i. **Recommendation to reduce the number of Park and Recreation Board Members from Nine to Five appointed positions:** Ms. Eckhart mentioned the March 9<sup>th</sup>, 2025, Park and Recreation Board meeting, noting the discussion held regarding the ordinance allowing 9 members to sit on the Board, indicating that it would be easier to have a quorum with just 5 members. She added that some resignations were accepted. Ms. Eckhart explained that this item is for the ordinance to be reviewed and for a formal change to be made. Mr. Hassler questioned if it is for recommendation or discussion now; Ms. Eckhart responded that a draft is required.

Mr. Hassler suggested not having any Supervisors on the Board, indicating that although it is legal, it is not right. Mr. Behler indicated that he and Mr. Link have considered removing themselves so that there is a total of 5 members on the Board. Mr. Hassler restated his belief, explaining that with two Supervisors on the Board, any other Supervisor is restricted from attending the Recreation Board or Planning Commission meetings, adding that the third Supervisor would equate to a quorum of Supervisors. Mr. Paul questioned whether it would be considered a quorum and breaking the law. Mr. Treadwell confirmed that if there are three Supervisors in the room and they are discussing agency business, it is considered a quorum. Mr. Paul shared an example, stating that if he wanted to attend a meeting, he would not be able to make any comment or complaint.

Mr. Treadwell indicated that the ordinance can be changed from 9 to 5 members, with the addition that no elected officials can serve on other Boards. He confirmed that a motion must be made to amend the ordinance. Mr. Hassler made a motion to lower the Park and Recreation Board to 5 members, and no elected officials to be on it; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.

- ii. **Discussion recommendation for the creation of Part-Time Park and Recreation Coordinator Position:** Ms. Eckhart clarified that this item is to decide if the Board wants to have events or the coordination of groups, using Township parks. The idea was to recommend to the Board the creation of a part-time Park and Recreation Coordinator Position, coming up with a job description and assigning a wage.

Mr. Hassler questioned how many hours the position should hold. Mr. Behler and Ms. Eckhart indicated that the hours can be flexible, part-time. Mr. Behler added that it can be a seasonal position. Ms. Eckhart offered to give some information, if the Board is not ready to commit to what neighboring Townships have in place, as well as some wage scales, a draft description, and then bring it back to the Board. Mr. Hassler stated that it would be great and would like to clarify the cost. Mr. Treadwell confirmed no motion is necessary until more information is received.

**J. Planning:** On file. Ms. Eckhart stated that there are no submissions for April, so it would be appropriate to cancel the April meeting. Mr. Behler confirmed the next meeting will be in the new Township building.

**K. First Regional Compost Authority:** On file.

**L. Stormwater:** On file.

## **7. Unfinished Business**

**A. JW Northampton Business Center Lot 3 Building 6 (Howertown Rd) Subdivision & Land Development Final (90 day 5/25/2025):** John McRoberts, of the Pidcock Company, appearing on behalf of JW Development Partners, began by requesting final plan approval for the Lot 3 development within the Northampton Business Center. He indicated that the final plan is nearly identical to the plan presented during the Conditional Use Hearings held in February and March 2024, and also closely resembles the Preliminary Plan reviewed in the summer of 2024. Mr. McRoberts reported that in addition to receiving agency approvals, they also have: a PennDOT Highway Occupancy Permit submitted for access to Howertown Road, an access agreement to Liberty Drive for the trucks, a valid NPDES Permit, and a favorable review letter from the Township Engineer.

Mr. McRoberts noted one item for discussion. He explained that during approval of the original three-lot subdivision for six buildings, one parcel retained its original County-issued Parcel Identification Number (PIN). He added that it has identical sewage flows as the original development, but because it is being consolidated with the additional lot, he and Andrea agreed that the best course of action is to resubmit the planning to the Pennsylvania Department of Environmental Protection (DEP) for a planning module exemption. He explained that they will put that narrative in a one-page application form for DEP, and a response will be expected with determinations being either a “no action necessary” or an exemption approval.

Mr. Behler questioned whether the additional DEP planning module or exemption condition would have to be included, to which Mr. Treadwell confirmed. Mr. McRoberts indicated that it is already noted in the Barry Issett letter, but would not object to having it as a separate item. Mr. Treadwell indicated that the letter states that comments will be provided under separate cover, and for that reason, the condition should be included. Mr. Hassler indicated that there was a conversation regarding the trucks entering from Howertown Road and questioned whether there would be a barrier to restrict the trucks. Mr. McRoberts confirmed that the barrier that was presented at the Conditional Use Hearing will be installed, adding that a rendering of the proposed barrier is available for review.

Mr. Behler requested additional discussion from Ms. Layla Denissen, and she confirmed that all she had was the Sewer Planning that was discussed.

Mr. Paul made a motion to approve, as stated by Mr. Treadwell, subject to the March 13<sup>th</sup> Barry Issett review letter and the DEP approval of the planning module or waiver; seconded by Mr. Hassler. On the motion, by roll call vote, all present Supervisors voted yes.

**B. Applications and Certification of Payments/Change Order/Allowances:**

### **Allen Township Building Renovation Project Phase 1**

**i. ASL Refrigeration (Mechanical Contract Sum \$828,000.00 – Remaining after release**

**including retainage \$155,922.50) – Request #9 for \$51,585.00:** Mr. Behler made a motion to pay Request #9 for \$51,585.00; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.

- ii. **Mohawk Contracting and Development LLC (General Contracting Contract Sum \$1,919,000.00 – Remaining after release including retainage \$622,489.88) – Request #9 for \$194,491.13:** Mr. Hassler made a motion to pay Request #9 for \$194,491.13; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.
- iii. **The Warko Group (Plumbing Contract Sum \$183,804.00 – Remaining after release including retainage \$70,202.98) – Request #7 for \$10,115.78:** Mr. Paul questioned which approval was in charge of the door; Ms. Eckhart confirmed that the roof and the ballistic glass are being done by Mohawk Contracting. Mr. Paul made a motion to approve payment for the plumbing contractor, Warko; seconded by Mr. Behler. On the motion, by roll call vote, all present Supervisors voted yes.
- iv. **Mohawk Contracting and Development LLC – Change Order Request (for Allowance Adjustment) – Garage Door Seals and Stairwell Painting) - \$8,684.50:** Mr. Paul shared his thoughts on there not being any further approvals until everything was finalized. Ms. Eckhart indicated that there is an update that could be discussed in the Executive Session. Mr. Treadwell confirmed that approval can be done and added that the question brought up two meetings ago was for them to come and give an update before approving anything else. He added that this payment is for work that has been done and verified by the architect. Ms. Eckhart indicated that the hot items are the roof and the ballistic glass.

Mr. Hassler made a motion to pay the garage door seals and stairwell painting for \$8,684.50; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.
- v. **Albarell Electric Inc. Change Order Request (for Allowance Adjustment) – Additional fixtures/switch mezzanine lighting, power to mechanical control panel, installation of dialer and antenna - \$5,100.30:** Mr. Hassler made a motion to pay the \$5,100.30 to Albarell; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.

**Allen Township Building Renovation Project Phase 2 (Update):** Ms. Eckhart indicated that for Phase 2, there was a projection of the timeline at the preconstruction meeting. She added that with the original projection, the project was to begin at the end of April, but they stated they will start on the 13<sup>th</sup> of April. It is thought that the project will be finished ahead of schedule by mid-July 2025.

- C. **2025 Allen Township Road Program Bids – Recommendation Bids Received and Tentative Award (Village Drive, Jennings Run, Walking Purchase Circle, Yeats Run, and Marshall Run):** Mr. Schwartz indicated that bids were received April 7<sup>th</sup>, 2025, for the base bid, which was micro-surfacing. He stated that there was one bid received from Asphalt Maintenance Solutions totaling \$231,844.00. He added that there were three alternate bids, which were to mill an overlay of the same roads. The apparent low was the first bid from New Enterprise Stone and Lime for \$305,449.67, the second bid was from H & K Group for \$320,080.50, and the third bid was from Bracalente Construction for \$326,415.82.

Mr. Schwartz indicated that he will be reviewing the bids for completeness and accuracy, adding that he expects to have a recommendation letter at the next meeting. Ms. Eckhart noted that the road crew has several inlets to repair, materials have been ordered, and work is pending more favorable weather conditions. She further explained that sufficient funding was allocated in the budget to support a full overlay if that option is preferred. Funds could be drawn from the liquid fuels account. Ms. Eckhart emphasized that the roads included in this project are notably wide and that this would be the first full overlay since their initial construction. Until now, only surface maintenance applications have been made.

Mr. Behler questioned the difference between the options being presented, as far as the length of service quality. Mr. Schwartz explained that the building overlay is more substantial and will have a longer life. He stated that the micro-surfacing product is the ultra-thick bonded wearing course, a little more substantial than the typical micro-surfacing, with better crack sealing/filling the inconsistencies. He added that with any pavement project, mill and overlay offers longer life but also reflects a higher price. Mr. Behler questioned whether the additional \$70,000 for the overlay could be justified by increased durability and visual improvement. Ms. Eckhart indicated that the overlay project would be subject to prevailing wage requirements; the other application is considered to be maintenance. She added that additional work would be required for milling at driveway entrances and maintaining curb lines, which would result in greater disruption. She noted that luckily, with Allen Village, there are two access roads.

Ms. Eckhart indicated that she does not believe additional work will be required within 25 years if the mill and overlay is complete, since it is for the structure of the road. Mr. Hassler stated that micro-surfacing was done about 20 years ago. Ms. Eckhart clarified that the treatment done at that time was a cape seal. Mr. Hassler questioned what was done in Kensington Circle, and Ms. Eckhart explained that there was a mill and overlay done. Mr. Schwartz confirmed that he will review and return with recommendations at the next meeting.

- D. Kohls Road and Indian Trail Road Intersection Guiderail Extension Recommendation:** Ms. Eckhart stated that she had requested Mr. Schwartz review the intersection following the bridge replacement. She noted that the drop-off on the creek side has become significantly more pronounced due to changes in the stormwater piping. She also pointed out that near the corner of the farmhouse, there had previously been an informal effort to install a sidewalk or walkway.

Ms. Eckhart further indicated that she had spoken with Mr. Tom Gogle, and delineators were placed within the Township's right-of-way over the winter to aid snow plow operators in identifying the edge of the road. Mr. Schwartz reported that one of his traffic engineers had inspected the area and confirmed that the guiderail currently in place meets acceptable engineering standards. However, he recommended that the guiderail be extended along the southwest corner to provide additional protection. Additionally, the culvert on the opposite side of the road was evaluated with a recommendation to install a guiderail at that location as well, due to the risk posed by the drop into the structure.

Mr. Schwartz also noted that other sections of Kohl's Road lack sufficient shoulder space and suggested a future review to assess potential improvements. Mr. Hassler agreed on the need for guiderails along the creek side but raised concerns about the culvert side. He explained that firetrucks have difficulty navigating the turn, as their front ends tend to extend beyond the pavement

edge. The installation of a guiderail in that area would further restrict their maneuverability. He proposed that burying the pipe and undertaking additional work to cover the area might be a more effective solution, allowing better access without further narrowing the intersection. Ms. Eckhart agreed, adding that even passenger cars sometimes face difficulty navigating the intersection.

Mr. Schwartz acknowledged that the addition of delineators was beneficial and asked Mr. Hassler whether firetrucks had experienced any issues with them. Mr. Hassler responded that there have been no issues thus far, as drivers remain cautious. However, he emphasized that additional base material would be required if a guiderail is to be installed. Ms. Eckhart stated that the guiderail installation was kept within the Township's right-of-way during the original design phase to avoid encroaching on the adjacent residential property.

Mr. Behler inquired whether the previous guiderail had been installed under an easement and asked for an estimated cost to extend the guiderail along the creek side, as well as whether such an expense could be covered under the current budget. Mr. Paul questioned whether the Township could seek assistance from the state, given that PennDOT was responsible for designing the bridge and guiderails. Mr. Schwartz reiterated that the existing guiderail appears to have been installed according to applicable standards. Ms. Eckhart asked whether a formal request could be made to the state to reassess the guiderail and determine if any further modifications or repairs are warranted.

Mr. Behler acknowledged the concerns raised by Mr. Hassler and noted that the matter could be addressed by reconfiguring the area, specifically, by rounding it off and shifting the roadway closer to the creek, to increase the available turning radius. Ms. Eckhart reported that she and Mr. Gogle have contacted PennDOT maintenance on multiple occasions and indicated that they would follow up to obtain PennDOT's assessment regarding potential repairs. She further recommended scheduling a meeting with the district maintenance representative to convey the need for corrective action. Mr. Schwartz stated that the installation of an enclosed structure at the site would likely be cost-prohibitive, as it would require a large, custom-built solution. Mr. Behler additionally suggested the possibility of installing protective racks across the culvert area, which could provide a safety measure to help prevent vehicles from entering the culvert in the event of an incident. Mr. Schwartz stated that, with respect to PennDOT's maintenance practices, he believes the work was completed in accordance with established guidelines. However, he suggested that it may be possible to install two or three additional sections along the curve to improve the radius. He expressed hope that repairs could also address the angle at which the structure approaches the roadway.

Mr. Behler addressed a concern previously raised by Mr. Jay Hower, of 5017 Indian Trail Road, noting that it pertains to the current configuration of the intersection, which has further complicated access for truck traffic. He stated that trucks should not be utilizing Kohl's Road, as doing so requires them to travel on another restricted roadway. Mr. Behler further indicated his understanding that Kohl's Road is included in the Township's ordinance prohibiting truck traffic.

Mr. Treadwell responded that if Kohl's Road is indeed covered under the no-trucks ordinance, appropriate signage—specifically “No Trucks” signs—should be installed. Ms. Eckhart added that signage had been placed during the time the bridge was closed, though some trucks continued to travel through the area regardless. She agreed that revisiting the signage placement would be worthwhile. Ms. Eckhart also clarified that certain vehicles, such as garbage trucks, firetrucks, and those making local deliveries, are typically exempt from such restrictions. She noted that the guiderail presents a physical barrier at the intersection, making maneuvering difficult even for

standard pickup trucks with trailers.

Mr. Behler reiterated that, if Kohl's Road is included in the ordinance, "No Trucks" signage should be installed, particularly at the Cherryville Road entrance. He requested that the matter be reviewed and verified before the next meeting.

- E. Resolution #2025-16 – Dedication of "Old Seemsville Road":** Mr. Treadwell explained that this item pertains to the first phase of the JW Development project, specifically involving Old Seemsville Road, where several residents currently reside. He noted that there were two small sections of right-of-way previously owned by private property owners, which have now been acquired by the developer and are being formally dedicated to the Township. He clarified that the matter before the Board is simply the acceptance of the deed of dedication and the accompanying resolution.

Mr. Treadwell also reported that Cesanek Road is expected to be ready for dedication in the near future, potentially by the next meeting or the first meeting in May. He stated that Ms. Denissen's office had inspected the road and found no remaining punch list items.

Mr. Hassler made a motion to adopt Resolution # 2025-16, as it relates to the Dedication of Old Seemsville Road; seconded by Mr. Paul. On the motion, by roll call vote, all present Supervisors voted yes.

## **8. New Business**

- A. Executive Session (tentative):** Mr. Treadwell requested a brief executive session to discuss potential litigation related to the renovation of the fire company and the associated construction project. Mr. Behler confirmed the request.

- 9. Public to be Heard:** Mr. Larry Hiestand, a resident of 4051 Kreidersville Road, commented on the presentation given by the representative of JW Development regarding efforts to prevent truck entry to or from Howertown Road in connection with the new warehouse development. He expressed hope that the proposed physical barrier will be effective, noting that it should be an improvement over the current situation across from Cesanek Road, where no physical barrier exists. Mr. Hiestand stated that vehicles frequently fail to stop or avoid making left-hand turns when exiting the facility and that it appears to be the least utilized loop in the warehouse complex. He observed that trucks often exit via Howertown Road to access the highway directly.

Mr. Hiestand suggested that if the proposed barrier proves effective, a similar solution might be considered for Cesanek Road. Mr. Behler responded, stating that he had previously made the same suggestion, however, the proposal was rejected due to liability concerns as Cesanek Road is a public road. Mr. Treadwell clarified that the distinction lies in the ownership of the roads: the drive on the opposite side is a private driveway, whereas Cesanek Road is a public roadway. Installing a physical barrier on a public road, he explained, would present significant legal and liability issues, comparable to placing a barrier on Indian Trail Road.

Mr. Hassler added to the discussion by referencing Mr. Paul's earlier suggestion about installing additional signage. He speculates that GPS directions may be influencing the routing. The Board generally discussed the alternate truck routes that have been observed, though it was noted that the reasons for trucks avoiding Cesanek Road remain unclear.

**10. Next Meetings:** Mr. Behler announced the upcoming meetings. All meetings and events will be held at the Allen Township Municipal Building. These meetings and events are as follows:

- Planning Commission, Monday, April 21<sup>st</sup>, 2025, 6:00 PM
- Board of Supervisors, Tuesday, April 22<sup>nd</sup>, 2025, 6:00 PM

**11. Adjournment:** There being no further business, the meeting adjourned at 6:46 PM.

Respectfully Submitted,

Kimberly Rodriguez-Colón