



## Allen Township Board of Supervisors

### Meeting Minutes December 12<sup>th</sup>, 2023 6:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, December 12<sup>th</sup>, 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: Gary Behler; Dale Hassler; Paul Link; Tim Paul; B. Lincoln Treadwell, Jr., Esq.; Stan Wojciechowski, PE, CME Engineer (Barry Isett & Associates, Inc.); Ilene Eckhart, Manager; and Tom Gogle, Public Works Crew Leader

Absent: Jason Frack; Andrea Martin, EIT (Barry Isett & Associates, Inc.)

2. **Announcements and/or Actions to Add Items to Agenda:** There were no announcements and/or actions to add items to the agenda.

3. **Public Hearings:** There were no public hearings.

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

5. **Approval of Minutes (November 14<sup>th</sup> and 28<sup>th</sup>, 2023):** Mr. Behler made a motion to approve the November 14<sup>th</sup>, 2023, and November 28<sup>th</sup>, 2023, minutes; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

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

A. **Treasurer:** Mr. Link made a motion to approve the Paying of the Bills; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

B. **Solicitor:** On file. Mr. Treadwell indicated that he had the Intermunicipal Sewer Service Agreement for Allen Township/Catasauqua Borough/Catasauqua Borough Authority, which is on the agenda for tonight’s meeting.

C. **Engineer:** On file.

D. **Planning/Zoning/Code Enforcement:** On file. Ms. Eckhart added that there will be a Planning Commission meeting on December 18<sup>th</sup>, 2023.

E. **Road Superintendent/Public Works Leader:** On file.

**F. Fire Company:** On file.

**G. Emergency Management Coordinator:** On file.

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

**I. Parks:** Ms. Eckhart indicated that she had a new business item to discuss in tonight's meeting regarding the Allen Township Dog Park.

**J. Planning:** On file.

**K. First Regional Compost Authority:** Ms. Eckhart indicated that the First Regional Compost Authority is still accepting material, however, their operation has slowed down due to the season.

**L. Stormwater:** Ms. Eckhart indicated that Mr. Tom Gogle has begun to clear out the swale off of East Bullshead Road in preparation for the survey work and then sediment removal.

## **7. Unfinished Business**

**A. Howertown Park Field House – Replacement of Soffit, Fascia, Gutter, Downspouts:** Ms. Eckhart explained that there is an old wooden type of soffit installed at the Howertown Park Field House. She explained that there is very narrow vending into the soffit and fascia. She indicated that it would be preferable to replace it with aluminum commercial grade material as well as replace the gutters. Ms. Eckhart indicated that she has received a quote from Whitaker Roofing and Siding for \$8,995.00. She explained that she put the quote amount in the budget, and she noted that the Township would like to get the replacements completed over the winter season. Mr. Behler made a motion to approve Whitaker Roofing and Siding to perform the service of replacement of soffit, fascia, gutter, and downspouts for the amount of \$8,995.00; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

**B. December 26<sup>th</sup>, 2023, Board of Supervisors Meeting:** Ms. Eckhart indicated that there was a previous discussion at the last Board of Supervisors meeting regarding the meeting of December 26<sup>th</sup>, 2023. She indicated that it was discussed if the Board should formally cancel the meeting. Mr. Link made a motion to cancel the December 26<sup>th</sup>, 2023, Board of Supervisor meeting; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

**C. Draft Conditional Offer of Employment – Assistant Manager Position (Executive Session):** Ms. Eckhart indicated that she wished to hold an executive session to discuss terms for a candidate for the assistant manager position. Mr. Hassler indicated that upon the conclusion of the meeting, the Board of Supervisors will hold an executive session. Mr. Treadwell indicated that after the executive session, the meeting will need to be reopened for approval.

## **8. New Business**

**A. Draft Intermunicipal Sewer Service Agreement Allen Township/Catasauqua Borough/Catasauqua Borough Authority:** Mr. Treadwell explained that the draft agreement relates to the EQUUS Willowbrook Project. He explained that the draft agreement has been discussed with the Borough of Catasauqua and the Catasauqua Borough Authority for sanitary sewer service for the Willowbrook Project. Mr. Treadwell explained that the sanitary sewer service would work by having one connection point into Catasauqua's system. He indicated that it will be metered and Catasauqua Borough Authority

will charge the Township a certain amount per gallon that flows through the meter. He stated that Allen Township will then charge the Willowbrook apartments, most likely in the same way the Township charges the Willow Ridge Apartments. Mr. Treadwell explained that the Township would need to have user charges for the singles, twins, and townhouses. Mr. Treadwell stated that the tapping fee would be paid by EQUUS and the tapping fee amount would be the amount that the Borough of Catasauqua's fee is at the time EQUUS applies to purchase the EDUs. Mr. Treadwell indicated that he was unsure about Allen Township's tapping fees would amount to as he is not sure if the project was included in the Township's overall tapping fee calculations. He suggested that Ms. Andrea Martin, EIT, look into the calculations as the Township's fees are based on sanitary sewer that flows to Northampton however for this project the sanitary sewer will flow to Catasauqua. Mr. Treadwell indicated that tonight he wishes for the Board to review the draft however he would not recommend that action be taken until a few details are worked out. Mr. Treadwell indicated that meters will be needed for the apartments and questioned Mr. Wojciechowski if the meters were on the plans. Mr. Wojciechowski indicated that there has been discussion about the meters being installed on the apartments. Mr. Treadwell questioned Ms. Eckhart if the Willow Ridge Apartments were charged based on owner. Ms. Eckhart indicated that was correct. Mr. Treadwell indicated that for the Willowbrook project, Allen Township will charge the apartment building owner for sewer and the single-family homes will most likely be charged the same way that any single-family homes get charged today. Mr. Treadwell indicated that the Township needs to make sure that what the Township will be charging is enough to cover costs paid to Catasauqua.

Mr. Behler questioned if the residential units will have public water through the Northampton Borough Municipal Authority (NBMA). Mr. Wojciechowski indicated that was correct. Mr. Link questioned if the Township would have multiple sewer prices or will the price be the same as rate for Northampton Borough. Mr. Treadwell indicated that if the prices are different then the Township will most likely need to create sewer districts. Mr. Treadwell explained that Ms. Eckhart circulated a resolution that had a rate for an individual unit with a sewer meter and it had a flat rate for the first "x" amount of gallons and then a different rate for any additional gallons. Mr. Treadwell explained that the Willowbrook Project is slightly different than previous residential projects because there will be one meter and one connection point from Allen Township to Catasauqua. Mr. Behler asked if the Township could require the buildings to have sewer meters since the buildings will be new. Mr. Treadwell indicated that he believed that it should be asked for the meters to be placed on the apartments. Mr. Behler indicated that he meant the single-family homes as well. Mr. Wojciechowski explained that he would check with Ms. Andrea Martin, however, it is normal to do that with water usage as opposed to sewer. He also explained that the sewer meters on single family homes are not reliable.

Mr. Behler questioned how Catasauqua created their sewer rate for their customers. He explained that ideally it would be valuable to know so the Township could show a resident why their rate is a certain number. Mr. Treadwell indicated that the resolution that Ms. Eckhart circulated out included the user fee resolution, however, he would like to see the backup calculations. Mr. Behler questioned if the Township created a resolution for an additional \$1,300.00 to be added to the EDU cost. He asked why the Township could not keep the costs the same for the Willowbrook Project as other residential homes on public sewer. Mr. Treadwell indicated that the cost was based on a study that includes the cost of the system and the system in the resolution goes into Northampton Borough. Mr. Link questioned if it would be simpler to keep the rates the same for single-family homes thus there would not be a need for sewer districts. Mr. Wojciechowski indicated that there could be an EDU charge. He explained that the EDU calculation is about 226 gallons per day, which would be on the heavier side of average use, the Board could utilize the 226 gallons per day as a base price that everybody pays in the townhomes. Mr. Treadwell repeated Mr. Behler's comment on the obtaining a user fee. Mr. Treadwell agreed that if the Township obtained a user fee charge, then the Township would have justification and backup to where to the tapping fee price is

based on. Mr. Behler questioned if the agreement will be for forty years and if the developer would have up to five or ten years to purchase the EDUs. Mr. Treadwell indicated that Catasauqua only wanted to guarantee the EDUs for five years. Mr. Behler questioned if five years would be enough time for the project build out. Mr. Treadwell indicated that he questioned EQUUS about the timeframe but he also noted that that it can be asked for an extension of the five-year time period as long as it is not an unreasonable time frame from a practical standpoint. Mr. Wojciechowski questioned if Mr. Treadwell has had discussion with the Fuller Trust. Mr. Treadwell indicated that he has been working with EQUUS. Mr. Behler indicated that whoever has been the main point of contact and who indicated that five years is enough time should have that stated in writing. Mr. Paul questioned if the single-family residents are going through the same sewer meter as he has noticed Catasauqua is 150% of NBMA water bill. Mr. Treadwell indicated that the price will be different because the fee will be based off of a water meter and the water used will come from NBMA. Mr. Treadwell explained that the Township is purchasing sewer treatment in bulk because the sewer is going through one pipe, however, the Township can utilize the water meter as a billing service. He indicated that the fees need to cover the costs of Catasauqua as well as administrative costs. Ms. Eckhart indicated that the Township will need to find a way to do the joint water sewer bill in house based on the readings received from NBMA or the Township will need to seek NBMA's cooperation to assist with the billing. Mr. Behler indicated that he would wish to seek NBMA's cooperation first and if there are any issues then the Board will have to further discuss it. Mr. Hassler indicated that the Board will table this discussion.

**B. Resolution 2023-18 – Fee Schedule for Enforcement Support and Investigation**

**Services:** Ms. Eckhart indicated that Resolution 2023-18 fee schedule is for a firm to perform enforcement support and investigation services if the Township is in need of such services. Mr. Behler asked for verification of the service costs being \$75.00 per hour or \$600.00 per day. Ms. Eckhart indicated that was correct. Mr. Behler made a motion to adopt Resolution 2023-18 as it relates to enforcement support and investigation services; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

**C. Allen Township Dog Park – Proposed Application Process and Controlled Access**

**System:** Ms. Eckhart explained that the Allen Township Dog Park is utilized by a lot of people and people can get sensitive about the park. Ms. Eckhart explained that during November's Park and Recreation Board Meeting, it was discussed that there have been events that have occurred at the dog park where attendees were not voluntarily following the rules and this cause conflicts between dogs and their owners. Ms. Eckhart explained that it was proposed that the Township creates a possible application process and control those who can access the dog park gates with some type of system were a key fob, card, or code could be issued to the users when the dog owners register. She indicated that the owners who have registered will be able to use the key fob, card, or code on a year-to-year basis. She explained that the Park and Recreation Board will revisit this topic at the late January 2024 meeting. She indicated that Park and Recreation Board as well as herself has invited the Facebook mediator of the Friends of the Dog Park page as well as the Northampton County Parks Director to the late January meeting. She explained that the Township has an agreement with Northampton County which may cause some limitations on what the Township could do based on the agreement. Ms. Eckhart indicated that it would be favorable to have more control over the dog park as there has been safety concerns.

Mr. Link indicated that if the Township utilizes key fobs, then the park will need power. He indicated that if there would be power then the Township should install cameras. Ms. Eckhart indicated that a gentleman who attended the Park and Recreation Board's November 2023 meeting, shared that he is involved with the City of Allentown's Public Works Department and that the City of Allentown utilizes solar power at its parks. Mr. Hassler questioned if the costs of installing solar power and gate access would

be covered by the application process where the resident's pay for. Mr. Hassler indicated that the dog park was originally discussed to be self-policing. He explained that the Township does not require key fobs at the other Township parks. Ms. Eckhart indicated that she called Northampton County because there might be limits on the fee arrangement because of the County acquired the dog park property through the Department of Interior and Down Through the Rails to Trails Program. She explained that it has not been discussed if the work on the dog park is something that can be done and or have costs recovered if implemented. Mr. Behler indicated that the initial setup costs will most likely be higher than the user fees would cover. Mr. Behler indicated that funds would be coming out the Recreation Funds and not out of the General Funds. Mr. Paul indicated that he felt that cameras that cover the entire area should be paid for as the cameras can capture liability if there is an issue. He concluded that he felt that the dog park only needed cameras. Mr. Link indicated that if he had to choose between the key fobs and cameras, he would choose cameras.

Mr. Link questioned Mr. Treadwell on what the Township's liability would be if someone gets bit. Mr. Treadwell indicated that would be on the dog owner, however, he expressed concern that if the Township charges people to use the park, then the liability could change. Mr. Hassler felt that the cameras would be the better option as people could just hold the gate open for others to enter. Ms. Eckhart indicated that if the Township did charge a fee, then people may feel more inclined to not clean up after themselves as the park users may feel that the Township should clean up more if they are paying a fee. Mr. Hassler indicated that if power is installed at the dog park, the Township could put a pole with a light over the parking area to add security at night. He explained that there have been times where the firetrucks drive by in the early morning hours and there are cars parked at the dog park's parking lot. Mr. Link indicated that the Township could put power on the pole with weatherproof service. Ms. Eckhart indicated that she would research ways to add power to the dog park.

**D. Request to promote "Resident Day Dump Your Junk Event":** Ms. Eckhart explained that there was a business owner that has a recycling center that acts as a mini transfer station. She indicated that the business owner sent her an e-mail indicating that he would be interested in offering a residence dump day where residents could get rid of materials that are sometimes difficult to get rid of. She further explained that the owner wishes to give residents a discount of 50% off the recycling fees. She indicated that he essentially was asking for the Township to promote the resident day on the Township's social media account. She noted that part of the request would be considered a right-to-know request for Township addresses. She explained that he wishes to be able to confirm if a resident is truly a resident of Allen Township. Mr. Behler indicated that he felt that it was a great idea to offer a resident day, however, he felt that as a government organization, the Township should not be advertising businesses on social media accounts and websites. He indicated that by advertising the event, the Township would essentially be promoting the business and advertising for it. He also noted that if the Township promoted this event for one business, then other businesses may ask as well. Mr. Behler expressed concern about the Township voluntarily giving the Township addresses. He explained that a business could easily send out mailers promoting its business. Mr. Link indicated that there are other social media pages and websites where the business could advertise resident day. Mr. Hassler indicated that he felt that the Allen Township website should only be used for Allen Township events. He indicated that that the only other time that the Township promotes businesses is when businesses have paid to advertise their businesses in the Township's newsletter. Mr. Hassler concluded that he agreed with Mr. Behler that the Township should not advertise businesses. Mr. Behler made a motion that Allen Township will not allow any advertising or any perceived form of advertising for businesses on the Allen Township website or social media account; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

**9. Announcements:** Mr. Hassler indicated that he has taken notice that there are pallets piled up outside of one the warehouses off of Liberty Drive along Howertown Road. Mr. Hassler indicated that the Township Ordinance states that the pallets should not be visible from a highway and that he felt the growing pile of pallets would be a hazard. Mr. Hassler indicated that he wishes the Township to notify the warehouse about the pallets concern.

Mr. Behler announced that the meetings taking place in 2024 will be located at the Township's Municipal Building located at 4714 Indian Trail Road, Northampton PA. Ms. Eckhart indicated that the last meeting to be held at the Allen Township Fire Company Building will be December 18<sup>th</sup>, 2023 for Planning Commission meeting.

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

**11. Next Meetings**

Planning Commission – Monday, December 18<sup>th</sup>, 2023 at 6:00 P.M.

Board of Supervisors – Tuesday, December 26<sup>th</sup>, 2023 at 6:00 P.M. – **CANCELLED**

Board of Supervisors Reorganization – Tuesday, January 2<sup>nd</sup>, 2024 at 6:00 P.M.

Parks and Recreation Board – Thursday, January 25<sup>th</sup>, 2024 at 6:00 P.M.

**12. Recess for Executive Session:** Mr. Link made a motion for the Board to take a recess for the executive session regarding the draft conditional offer of employment for the assistant manager.

**13. Draft Conditional Offer of Employment – Assistant Manager Position:** Ms. Eckhart indicated that the executive session concerned a conditional offer of employment for the assistant manager position for Allen Township. She indicated that she is seeking a motion from the Board to offer the assistant manager conditional offer of employment to A.A.. Mr. Link made a motion to offer the conditional employment offer to A.A.; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

**14. Adjournment:** There being no further comments or business the meeting adjourned at 7:00 P.M.

Respectfully Submitted,

Ilene M. Eckhart