



## Allen Township Board of Supervisors

### Meeting Minutes November 14, 2023 6:00 P.M.

A. General Meeting of the Allen Township Board of Supervisors was held on Tuesday, November 14, 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; Jason Frack; 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: Andrea Martin, EIT (Barry Isett & Associates, Inc.)

2. **Announcements and/or Actions to Add New Items to Current Agenda:** Ms. Eckhart announced that there would be an executive session to be held after tonight's meeting. She indicated that the executive session would be for a litigation that the Township is involved in.

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

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

5. **Approval of Minutes:** Mr. Behler made a motion to approve October 10<sup>th</sup>, 2023, and October 24<sup>th</sup>, 2023, minutes; seconded by Mr. Paul. 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. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. **Solicitor:** On file.

C. **Engineer:** On file.

D. **Planning/Zoning/Code Enforcement:** Ms. Eckhart indicated that she had one item to discuss during the executive session that would be held after tonight's meeting.

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:** On file.

**J. Planning:** On file.

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

**L. Stormwater:** On file.

**7. Unfinished Business:**

**A. High Meadow Estates Subdivision Preliminary/Final Phase II:** Mr. Joseph Weiner Esq. introduced himself and indicated that he represents OHI-HM Associates, the owner of the High Meadows property. He explained that the project was recently discussed at the previous Planning Commission meeting and that the Commissioners recommended that the sidewalk deferral gets called in. He explained that he was looking for approval for Phase II. He rationalized that Phase II tied in naturally with Phase I because the water and sewer are tied in at both ends of the main roadways. He concluded that Phase I and Phase II would be built together if Phase II is granted. Mr. Weiner explained that an issue that was brought up in the Planning Commission meeting was the recreation fee increasing in price. He explained that at the time, the recreation fee was approved for \$1,000.00 per lot. He indicated that the developer has agreed to go up by \$500.00 per lot.

Mr. Weiner indicated that there will be a pumping station that will be built to assist the force main that is going into the Borough of Northampton. He explained that the developer will build the pumping station, however, the Township will own the pumping station. He indicated that despite the Township owning and maintaining them, the Township will bill the maintenance to the HOA. Mr. Treadwell clarified that the way the Act 537 plan amendment was approved by DEP for this project had the Township as the owner of both the pump station and the sewer lines, but the costs to be borne by the HOA until somebody outside of that development connects to the line, if that ever happens. Mr. Weiner indicated that all maintenance would be billed back to the HOA.

Mr. Behler questioned if there would be road improvement funding. Mr. Treadwell indicated that there is a roadway improvement fee that was \$56,000.00. He explained that when Phase I was approved it was authorized that the improvement fee could be paid in five installments for five phases. Mr. Treadwell indicated that if Phase II is approved then they would owe 1/5<sup>th</sup> of the total amount for Phase I and II, prior to the plans being recorded.

Mr. Hassler made a statement that the developer had the opportunity to buy the EDUs back when the project was first brought up, but he did not. He indicated that the sewer problems were brought on by the former owners or whoever started the project. Mr. Hassler questioned when the Township would need to take care of the sewer. He felt that the Township should not take care of the

sewer until all five phases of the project are completed. Mr. Treadwell indicated that he did not recall anything in the Act 537 plan regarding when the sewer conveyance would occur. Mr. Weiner indicated that the developer agreed to hold and maintain the sewer and pump house. Mr. Hassler stated that they would be held until the project was completed. Mr. Treadwell explained that they would need to be held until the end of the improvement period.

Mr. Hassler indicated that he needs better plans for the fire hydrants and locations. Mr. Wojciechowski indicated that he had a comment on the Barry Isett Letter dated October 11, 2023, that read as followed:

*“3. The fire hydrant detailed on the Preliminary Plans should be compatible with Allen Township firefighting equipment.”*

Mr. Hassler indicated that the road names will be assigned by the Township as well as the house addresses. He explained that the Township has a system for the addresses therefore it will be the Township's responsibility to name them. Mr. Weiner questioned if the Township will deal with GIS and take over that portion. Mr. Hassler indicated yes and asked Ms. Eckhart about the water runoff. Ms. Eckhart indicated she went on Landex and found that there was a permanent stormwater management easement filed back in 2006.

Mr. Hassler questioned if the residents had been told that the project is happening now. Mr. Weiner indicated that if that is something the Township would like the developer to do then they can give notice to the residents. He indicated that they would make sure that the contractor gives notice to residents if work is being done on their property as well as make sure the contractor is bonded and has the necessary insurance in place.

Mr. Hassler questioned how the Board of Supervisors felt about the recreation fee. He indicated that he felt that it should be \$3,000.00 per lot as that is the current fee amount. Mr. Weiner indicated that the recreation fee was already approved for \$1,000.00 per lot. Mr. Hassler indicated that he was fine with keeping the recreation fee at \$1,000.00 for Phase I but raising it for Phase II and onwards. Mr. Link explained that from his interpretation that the preliminary approval was for all five phases and the price that was approved was \$1,000.00, therefore, they are bound to the \$1,000.00. Mr. Weiner indicated that the developer has preliminary approval on the whole project, and it was phased for the convenience of the developers. He explained that the preliminary approval did not require Phase I to be completed before Phase II could get approved. He discussed that there are a lot of open spaces in the development that is a benefit for the people living there. He explained that there will be preserved land areas as well as walking paths that the developer is not asking credit for. Mr. Behler indicated that he felt that the Township needs to follow the law and he felt that if the developer is willing to give extra on top of what they already agreed to then they should take it. Mr. Behler questioned if there were any waivers. Mr. Wojciechowski indicated that the waivers were granted at the preliminary. Mr. Hassler indicated that he is worried about the sewer. Mr. Wojciechowski agreed with Mr. Hassler and stated that there were some notes on the plan that would need to be adjusted to reflect what was discussed. Mr. Weiner indicated that was fine and they could put a note on the plan to reference the developer's agreement. Mr. Treadwell indicated that it will be on the agreement and the plans.

Mr. Behler made a motion to approve the High Meadows Estates Phase II Final Land Development as per tonight's discussion and as long as it meets the comments from Barry Isett's letters dated November 10<sup>th</sup>, 2023 and October 11<sup>th</sup>, 2023, with the condition that the applicant will maintain ownership of the pump station and the lines until dedication at the end of the project, the fire company will review the plans to meet the current standards, that the sidewalks will be constructed on both sides of the internal roads, the names and addresses of the roads will be determined by the Township, and that the recreation fee for all lots will be \$1,500.00; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Link made a motion to revoke the deferral in the Phase I final plan approval and to require the applicant to install sidewalks on both sides of the internal roadways in Phase I; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

**B. Lesko Indemnification Agreement Well Isolation Distance:** Ms. Eckhart explained there's a replacement of a septic system that is necessary on Indian Trail Road and this is just to ratify that agreement that the homeowners already signed. She explained that the septic system is within sixty feet of their well versus one hundred feet. Mr. Behler asked for verification that it was checked to make sure it was not within one hundred feet of neighboring wells. Ms. Eckhart indicated that was checked. Mr. Behler made a motion to approve the agreement; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

**C. 2024 Preliminary Draft Budget for Adoption:** Ms. Eckhart noted that this is the final adoption of the budget, and it has been advertised for public inspection, per the requirement. She indicated that the preliminary draft budget is ready to be adopted as the final rendition of the 2024 budget. She stated that the millage is the same as last year, five mills. Mr. Behler made a motion to adopt the 2024 final budget; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

**D. East Bullshead Rd/Willowbrook Rd Sketch for "Median Treatment":** Mr. Wojciechowski explained that they were trying to find a way to make it difficult for tractor trailers to turn from Willowbrook Road northbound or southbound onto E Willowbrook Road. He explained that previously they provided a sketch showing a widening slate widening of the roadway and then installing a center median to create a small boulevard at the end of East Bullshead Road. He indicated that they have identified that there is not a high cost to do that and it is estimated that the construction cost would be \$50,000.00 to \$60,000.00 and the engineering cost would be about \$11,000.00.

Ms. Eckhart indicated that the residents living in the impacted area did receive a letter and several of them are at tonight's meeting. She explained that there was one email response that the Township received and was included in the Board's packet. Ms. Eckhart explained that the email from Richard Goch suggested that state police presence and monetary citations may help deter the trucks. She also discussed a comment, from a resident in Willow Green, suggesting an overhead sign and voiced concerns about the site distance. Ms. Eckhart explained that maybe something the Township could do something with, however, she explained that there were some major utilities that would cause concern. She explained that there is a high-pressure gas line that sits shallowly in the shoulder.

Mr. Wojciechowski indicated that the \$11,000.00 he discussed earlier would include extending it, doing a survey, and reaching out to Northampton County to make sure they are okay with the Township cutting back the embankment on their property. Mr. Hassler indicated that sight distance of seeing the traffic coming over the hill would not be something that could be fixed.

Mr. Wojciechowski explained the proposed median plan and referenced plans showing the turning maneuvers from Willowbrook Road to East Bullshead Road. He explained that the plan shows that if a truck with a fifty-three-foot-long trailer tried to turn from Willowbrook Road southbound, the truck would go in direct conflict with the median. Mr. Wojciechowski indicated that they would also like to install an eight-inch-high curb as opposed to the standard six-inch-high curb as well as adding deflectors to give a vertical barrier as well.

Mr. Robert Nappa of 382 East Bullshead Road questioned if their campers would fit on East Bullshead Road and how wide the turning-in lane would be. Mr. Wojciechowski indicated that the right-side lane would be ten foot wide. Mr. Wojciechowski indicated that he could run a turning template to confirm that their campers could turn onto the road. Mr. Wojciechowski explained that one of the plans shows the Township's firetruck and its ability to turn onto East Bullshead Road from either direction. Mr. Frack indicated that the plans show the firetruck being almost forty-three feet. Mr. Wojciechowski indicated that unless someone's trailer is over forty-three feet, then they should not have a problem.

Mr. Angelo Cavuoto of 11 Country Road expressed concern regarding plowing the road. Mr. Wojciechowski explained that there will be flexible delineators on the median. He explained that the delineators will stick up about three feet allowing the plows to know exactly where the median is.

Mr. Robert Nappa questioned if additional signage could be utilized. Mr. Wojciechowski explained that there is already existing no truck signs, however, they could add a no truck sign on the median which the trucks would have to hit to drive onto the road. Mr. Wojciechowski indicated that truckers will have a lot of trouble if they are a fifty-three-foot-long trailer, and they would have to swing extremely wide to come onto East Bullshead Road. He noted that the truckers could make it onto East Bullshead Road if they decided to cut through Catasauqua High School.

Mr. Link questioned if they could add curbing along the side. Mr. Wojciechowski indicated they could do an eight-inch curbing with a guardrail behind it. Mr. Cavuoto asked what a resident would have to do if a farmer needed to do some kind of work that entails large pieces of equipment or if a resident is moving. Mr. Link indicated that the situation is tricky which is why they cannot put something like a bar across because the residents would not be able to get a delivery to their houses.

Ms. Jaime Cavuoto of 11 Country Road questioned if there was any data to see which direction the trucks were coming from and how many trucks were coming in the direction of East Bullshead Road. Mr. Hassler indicated that there is more trucks seen coming from west to east as the trucks are coming out of FedEx and then make a right and get stuck under the bridge. Mr. Hassler noted that there has been new management at FedEx and there has been less truck issues. Mr. Hassler indicated that the new manager came over to the last truck incident where the truck got stuck at the bridge and he indicated that he would make it his mission to correct that problem. Ms. Cavuoto questioned why FedEx cannot have the bar on their right turn lane to keep the trucks from turning right out of the

facility. Mr. Wojciechowski indicated that FedEx has put together a plan for their right turn lane to have a no truck symbol painted on the roadway, however, they have to wait to receive PennDOT's approval because it is not an accepted PennDOT pavement marking. Mr. Hassler indicated that they have discussed putting the bar barrier across, however it could become a liability if were to come down on someone. Ms. Cavuoto clarified that she meant on their road, Radar Drive. Mr. Hassler indicated that they could talk to FedEx, however FedEx is not the only problem as there are other facilities as well such as Geodis. Mr. Behler explained that there are other trucks that come from Northampton Borough. Mr. Behler explained that they cannot restrict the trucks too much, then the residents who live on the road will not be able to get deliveries and so forth. Mr. Wojciechowski indicated that residents could specify the road restriction to delivery drivers, and they should be able to get a smaller truck. Mr. Gogle questioned how wide the road is currently. Mr. Wojciechowski indicated that it is currently twenty-two feet wide. Mr. Gogle expressed concern regarding the plow and indicated that the Township plow trucks have twelve-foot, eleven feet, and nine and half foot plow blades. Mr. Wojciechowski explained that the lane would be ten foot wide, however there would be extra space around it. Mr. Hassler explained that the curb would not be tight to the road and there would be about two additional feet.

Mr. Behler made a motion to proceed with the proposal by the engineer to put the median on East Bullshead Road; seconded by Mr. Paul. On the motion, by roll call vote, all Supervisors present voted yes.

## **8. New Business**

**A. 2024 Meeting dates Authorization to Advertise (including Reorganization on Tuesday, January 2<sup>nd</sup>, 2024):** Mr. Behler indicated that the 6:00 PM meeting start time worked well this year and suggested that it remains the same for next year. He also suggested that the Board of Supervisor meetings stay on the second and fourth Tuesdays of the month, and the Planning Commission meetings remain on the third Monday of the month. Mr. Behler made a motion for the 2024 meetings to be at 6:00 PM, with the Board of Supervisors meetings be on the second and fourth Tuesdays and Planning Commission meetings on the third Monday of the month; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Hassler indicated that the Reorganization meeting will be held on January 2<sup>nd</sup>, 2024, at 6:00 PM. Mr. Hassler also indicated that starting January 2024, all meetings will be held at the Township Building.

**9. Public to be Heard:** Mr. Robert Nappa of 382 East Bullshead Road questioned how the Township could reduce the speed limit on East Bullshead Road. Mr. Wojciechowski indicated that there would need to be a traffic study. Mr. Wojciechowski indicated that the current speed limit is 35 mph. Mr. Behler indicated that they could reduce it to 25 mph. Mr. Behler explained that if the state police are present, it gives them more leeway to pull over a speeding car. Mr. Nappa also asked about the Northampton County bridge closure on Willowbrook Road that passes over the Catasauqua Creek regarding the bridge being widened. Mr. Behler explained that it will be widened but there will not be a lane added. Mr. Wojciechowski indicated that it will remain one lane, but they are reconstructing the bridge because it is in poor condition. Mr. Hassler added that once construction starts the bridge will be completely closed. Mr. Wojciechowski explained that PPL had to move their utilities poles out of



the way and now the gas company needs to move their gas main, and Bethlehem will need to move their water main as they are shallowly located under the bridge. Ms. Eckhart indicated that the last update the Township received from the County explained the Fish and Boat Commission indicated that the work could start in spring due to the creek being part of the trout stream. Mr. Nappa questioned what the detour would be. Ms. Eckhart stated that the Township has not received the official detour route yet. Mr. Behler indicated that when the bridge reopens there will not be a weight limit. Mr. Nappa expressed concern about the truck traffic when the remaining warehouses off Howertown Road are occupied. Mr. Behler indicated that many of the warehouses are live, and the traffic is not as bad as what was anticipated. Mr. Hassler suggested that the majority go to Route 329 to Airport Road, but a few ends up going north. He explained that the larger warehouses' trucks go out to Seemsville Road and out. Mr. Nappa expressed concern that the trucks will go through residential areas. Mr. Frack explained that there is more traffic currently because the Cementon Bridge is currently out but once it is reopen the truck traffic will be going that way to get to MacArthur Road. Mr. Behler indicated that unfortunately there will be trucks, but the most important thing is that they keep moving at a decent speed. He explained that he knows the Township has signs however, the truckers do not always read the signs and the Township does not have a police force to enforce the signs except for when the state police are patrolling the area. In reference to the speed limit on East Bullshead Road, Mr. Link suggested that the Township places the traffic trailers up on the road. Ms. Eckhart indicated that they would investigate properties where the traffic trailers can be placed on temporarily. Mr. Hassler explained that the traffic trailers collect data such as how fast the vehicle is going. Ms. Eckhart added that they also collect the time which could be given to the state police. Mr. Behler indicated that at the next meeting, they could discuss the possible study for the speed limit. Mr. Wojciechowski indicated that only one week is needed for the traffic study. He stated that the traffic trailers will need to be set up no earlier than Tuesday, November 28<sup>th</sup>, to avoid holiday traffic. Ms. Eckhart indicated that they would add the traffic study for December 12<sup>th</sup>, 2023, agenda.

#### **10. Announcements:**

Mr. Hassler announced the upcoming meetings. All meetings and events below will be held at the Allen Township Fire Company unless otherwise indicated. These meetings and events are as follows:

- Planning Commission – Monday, November 20<sup>th</sup>, 2023, at 6:00 PM
- Board of Supervisors - Tuesday, November 28<sup>th</sup>, 2023, at 6:00 PM
- Park and Recreation Board – Thursday, November 30<sup>th</sup>, 2023, at 6:00 PM at the Township's Municipal Building

#### **11. Adjournment:** There being no further comments or business the meeting adjourned at 7:04PM.

Respectfully submitted,

Ilene M. Eckhart