



## Allen Township Board of Supervisors

### Meeting Minutes November 23, 2021 7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, November 23, 2021 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: Bruce Frack; Gary Behler; Dale Hassler; Carl Edwards; Gerald Montanari. B. Lincoln Treadwell, Jr., Esq., Ilene Eckhart, Manager; Stan Wojciechowski, PE, CME Absent: Carl Edwards

**2. Announcements and/or Actions to Add New Items to Current Agenda:** No additional announcement or actions to add new items to current agenda.

**3. Public to be Heard:** Albert A. DeGennaro, Deputy General Counsel, Solid Waste Services, Inc. d/b/a J.P. Mascaro & Sons was present to comment regarding the recent bid opening for the municipality. He discussed the level of service and pricing which was submitted with the two bids received. He felt with the prices going up that it might be beneficial to go with the extra service. He further discussed the plan to collect, process and transport both the municipal waste and recyclables.

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

**5. Unfinished Business**

**A. Towpath Estates Revised Final Plan:** Present on behalf of the application: Mr. Brian Gasda, PE (Lehigh Engineering), Tim Livengood, and David Shulman Esquire, Esq. Mr. Gasda presented on behalf of the developer Towpath Estates to explain the revised final plan, with the original plan from 2007 (revised in 2010). Regarding the revised plan before the Board this evening, Mr. Gasda presented two stormwater changes in Towpath Estates Analysis of the Existing Cross Pipes (dated March 26, 2021):

“The re-analysis of the capacity of the existing 36" CMP under West 27th Street during the 25-year storm and the 24" CMP underneath the railroad track due to the construction of the PPL substation that reduces the amount of flow tributary to these pipes. The capacity of the existing 36" CMP was calculated to be 52.00 cfs using the HY8 program. The revised flow tributary to the existing pipe due to the construction of PPL substation is equal to 51.60 cfs during the 25-year storm. Based on this information, the existing 36" CMP along West 27th Street has the capacity to convey the 25-year storm and therefore there is no need to add another 36" CMP to handle the flow from the original design. The existing 24" CMP has the capacity calculated using the HY8 program and found out to be 45.00 cfs. Please refer to Appendix VI for the complete calculations. The original design was to replace the

existing 24" CMP with a 42" CMP to handle the total flow tributary to the depression because when routed, only the 2-year storm was contained with the depression and the rest of the storm events (10, 25 and 100 year storm) went over the spillway (which is the railroad tracks). Because of the construction of the PPL substation in the area, the total flow tributary to the depression was reduced and the existing 24" CMP was re-analyzed because of this change. Furthermore, Storm Run 1 will no longer cross the railroad tracks and the canal to discharge the storm water runoff. The Design Engineer will replace DMH120 with a head wall (DW120) to discharge Storm Run 1 runoff to the existing 24" CMP within the depression. By doing this, the existing depression was re-graded in such a way that the entire flow tributary to the new depression will be handle properly without overtopping the railroad track which acts like a spillway. The approach is to utilize the existing pipe as an outlet structure and route the new depression like a detention basin. Based on the results presented in Appendix IV, the 100-year water surface elevation of 324.06 feet is below the first-floor elevation of the closest house and therefore the existing 24" CMP is no longer needed to be replaced but rather used as an outlet structure, and no proposed house will be affected by the ponding of storm water runoff."

Mr. Wojciechowski indicated that from an engineering perspective the analysis provided was acceptable. Based on this analysis the developer is seeking relief of the installation of original system and to allow the existing pipework to manage the stormwater conveyance.

Mr. Gasda explained regarding the W. 27 Street improvements associated with Towpath Estates, there were plans stamped for construction in 2007, which spelled out the improvements. In 2010, the resolution was modified to include the developer addressing the northeast side of W. 27<sup>th</sup> Street with some additional improvements and at that time a cost share was proposed. Mr. Gasda further explained there was a site meeting with some Board of Supervisors members during the summer of 2021 to review the feasibility of those improvements. Mr. Gasda indicated that there has been a bit of ongoing discussion regarding several areas of W. 27<sup>th</sup> Street and questions remain as to what the Township wants in this area. He further explained there were areas of W. 27<sup>th</sup> Street that could feasibly be widened out to 20' but several other areas will not have room to widen due to the lack of right of way width and fiber optic utilities. Specifically, between River Run and Spring Hill Road there were areas that were limited to 18'. Also, there were areas that would be limited to 19' in width.

Mr. Wojciechowski commented that stormwater calculations do support the removal of the under the railroad and canal. He noted that the existing corrugated pipe has been lined with a steel casing pipe, which crosses under W. 27<sup>th</sup> Street. Curb and sidewalk have also been installed along W. 27<sup>th</sup> Street consistent with the approved plan. Mr. Wojciechowski reported that currently half of the cartway along the project area has been paved to date (southbound). Mr. Wojciechowski indicated the approved plan showed an overlay over the entire roadway frontage of W. 27<sup>th</sup> Street. Mr. Wojciechowski believes the entire road should be paved. He explained there was a financial aspect in 2010. Additionally, it was agreed at the site meeting in the summer of 2021 that a concrete curb should not be installed as it would destroy the root system of the existing trees. In lieu of the concrete curb, a rolled asphalt curb has been installed. West 27<sup>th</sup> Street is currently unpaved south of the development.

Mr. Treadwell indicated he had spoke to Attorney Shulman previously and suggested that if the revised plans were to be considered the improvements should be specifically defined. Mr. Treadwell explained

he suggested that if the revised plans were being considered, perhaps Mr. Livengood would be willing to foot the cost of the materials if the Township can come to an agreement as to what the improvement should be. Mr. Treadwell reiterated it was previously discussed, regarding an exchange for the installation of pavement to soften the dip in front of the Yastrop property, the rolled curb in lieu of concrete curb, and the widening up to 20' where feasible. Mr. Livengood was unsure if it was determined the extent of available right of way along the former Yastrop property (tax map parcel L3 4 2). He was unsure if the widening would be feasible along this frontage. Mr. Wojciechowski indicated the plan shows the existing width along the Yastrop frontage.

Mr. Shulman voiced concerns regarding locking into 20' as the right of way may not be available. Mr. Treadwell did not know if there was additional right of way in front of the Yastrop property but suggested perhaps the developer and Board could agree on a widening limit to get as close to 20 feet as possible. Mr. Shulman agreed that if an agreement could be reached accordingly the revised plan would need to be recorded along with the new subdivision agreement.

Mr. Montanari recalled the main items discussed were to soften the dip, install the rolled curb in lieu of concrete curb, sidewalk, and overlay the entirety of the roadway. Mr. Montanari indicated that there was a double driveway opening in the sidewalk and curb at the new lot along W. 27<sup>th</sup> Street – which appears to be for a future duplex home (tax map parcel L3 4 2C-93) and that was an issue. He felt this was agreed and was simple. Mr. Montanari felt the Township should pay their share per the previous agreement.

Mr. Livengood stated he was in agreement conceptual with the construction.

Mr. Behler questioned the amount of savings if the railroad and canal crossing were not required to be installed. Mr. Livengood did not know off the top of his head. Mr. Wojciechowski indicated that the current escrow estimate was about \$250,000. Mr. Behler felt it was a savings of at least \$100,000 to not install the pipes per the original plan of record. Mr. Montanari was not in favor and felt the Township should pay for a portion of the roadwork. Mr. Montanari felt there was still an issue with the availability of sewer connections (EDUs). Mr. Treadwell explained the developer has applied for two connections at this time. Mr. Livengood indicated that overall he needs forty two connections. Mr. Hassler stated he disagreed with Mr. Montanari and the 2010 “agreement” the prior Board made with the developer. He felt strongly that the road improvements were the responsibility of the developer. Especially in this case, as there was no other development on W. 27<sup>th</sup> Street which ended to the Townships boundary with farm fields and the PPL substation. Mr. Hassler felt in lieu of the installation of the pipe under the railroad and the canal that the roadwork should be completed by the developer. Mr. Behler and Hassler agreed with the varied width of the roadway and would not require additional widening where not feasible.

Mr. Livengood agreed that he would install the paving and pay for the material for W. 27th Street (with the understood limitations in existing right of ways and where fiber optic utilities were in conflict) in lieu of the removal of the planned stormwater pipes railroad and canal crossing pursuant to the in Towpath Estates Analysis of the Existing Cross Pipes (dated March 26, 2021). Mr. Hassler asked for clarification that this would mean the entire road. Mr. Livengood clarified that this would include the entire road, including milling and tying into the centerline from the paving that occurred in the Summer of 2021. Regarding the timeline to complete, Mr. Livengood further agreed that the paving would need

to be completed by August 31, 2022. Mr. Behler suggested that the revised final plan, estimate will be revised, agreement and Board signoff during the upcoming winter. A revised security estimate will also be prepared and reviewed by the Township Engineer. Mr. Treadwell indicated we have a revised plan in front of the Board, we will need the details of the agreement and conditions of the discussion which will be memorialized within the recorded plans and agreements. Mr. Behler made a motion to approve the Towpath Estates Revised Final Plan in light of the agreements/conditions discussed this evening (plan last revised May 24, 2021); seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**B. 2021 Municipal Waste and Recycling Bids Received pursuant to Bid Opening of November 16, 2021:**

Ms. Eckhart read the bids pursuant to the opening of November 16, 2021 as follows:

	<b>Solid Waste Services, Inc. d/b/a J.P. Mascaro &amp; Sons</b>	<b>Waste Management of Pennsylvania Inc.</b>
<b>OPTION 1</b>		
<b>THREE CONTAINERS WEEKLY</b>		
1. Annual Solid Waste Collection/Disposal	\$465,876.00	\$400,494.48
2. Annual Recyclables Collect/Processing	\$159,216.00	\$178,074.88
3. Annual White/Metal Goods Collection/Processing	\$4,572.00	included above
4. Annual Bulk Items Collection/Disposal	\$4,572.00	included above
<b>5. TOTAL ANNUAL COST FOR SERVICES</b>	<b>\$634,236.00</b>	<b>\$578,569.36</b>
6. Fuel Clause	\$31,700.00	\$29,928.47
<b>7. TOTAL COST OF 3-YEAR CONTRACT</b>	<b>\$1,902,708.00</b>	<b>\$1,735,708.08</b>
<b>Notes:</b>		
Mascaro Per Container Sticker: \$3.00    Waste Management Per Container Sticker: \$4.00		
	<b>Solid Waste Services, Inc. d/b/a J.P. Mascaro &amp; Sons</b>	<b>Waste Management of Pennsylvania Inc.</b>
<b>OPTION 2</b>		
<b>SIX CONTAINERS WEEKLY</b>		
8. Annual Solid Waste Collection/Disposal	\$465,876.00	\$531,801.59
9. Annual Recyclables Collect/Processing	\$159,216.00	\$205,105.90
10. Annual White/Metal Goods Collection/Processing	\$4,572.00	included above
11. Annual Bulk Items Collection/Disposal	\$4,572.00	included above
<b>12. TOTAL ANNUAL COST FOR SERVICES</b>	<b>\$634,236.00</b>	<b>\$736,907.49</b>
13. Fuel Clause	\$31,700.00	\$36,845.37
<b>14. TOTAL COST OF 3-YEAR CONTRACT</b>	<b>\$1,902,708.00</b>	<b>\$2,210,722.47</b>
<b>Notes:</b>		
Mascaro Per Container Sticker: \$3.00    Waste Management Per Container Sticker: \$4.00		

	<b>Solid Waste Services, Inc. d/b/a J.P. Mascaro &amp; Sons</b>	<b>Waste Management of Pennsylvania Inc.</b>
<b>OPTION 3</b>		
<b>UNLIMITED WEEKLY</b>		
15. Annual Solid Waste Collection/Disposal	\$465,876.00	\$663,760.14
16. Annual Recyclables Collect/Processing	\$159,216.00	\$241,012.93
17. Annual White/Metal Goods Collection/Processing	\$4,572.00	included above
18. Annual Bulk Items Collection/Disposal	\$4,572.00	included above
<b>19. TOTAL ANNUAL COST FOR SERVICES</b>	<b>\$634,236.00</b>	<b>\$904,773.07</b>
20. Fuel Clause	\$31,700.00	\$45,238.65
<b>21. TOTAL COST OF 3-YEAR CONTRACT</b>	<b>\$1,902,708.00</b>	<b>\$2,714,319.21</b>
<b>Notes:</b>		
Mascaro Per Container Sticker: \$3.00    Waste Management Per Container Sticker: \$4.00		

Pursuant to some discussion regarding the bid results, the Board tabled further consideration until their meeting of December 14, 2021.

**C. Valley Road Curve Issue:** Ms. Eckhart provided background regarding several instances of property damage at the 90 degree curve located on Valley Road. She indicated reflective curve signage was installed in 2020. Mr. Wojciechowski recommended other options including the enhanced reflective Chevron signage (two posts with reflective banding on posts), thermoplastic signage, and possibly pavement milling. Mr. Wojciechowski will coordinate the specifications to placement of the any new signage with the Public Works Department. Mr. Hassler raised the option of installing trees or guiderail. Mr. Wojciechowski did not feel guiderail was the correct application for this area. Mr. Behler made a motion to purchase and install the additional Chevron signage and thermoplastic pavement markings; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**D. Indian Trail Road Bridge Replacement – Request Regarding Walking Purchase Monument:** Mr. Behler made a motion to send a letter to agencies regarding the concerns to temporarily relocate the Walking Purchase monument off-site during replacement of the Indian Trail Road Bridge; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**E. North Hills Section B, Phase 2 – Request for Release of Financial Security:** Mr. Behler; made a motion to release the cash security in the amount of \$6,000 pursuant to the request; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**6. New Business**

**A. Acceptance of Resignation of Supervisor Carl Edwards:** Mr. Behler made a motion to accept the resignation of Supervisor Carl Edwards with regrets; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**B. Appointment to Vacancy of Supervisor Position:** Mr. Behler made a motion to appoint Paul Link to vacant Supervisor position until December 31, 2023; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

**C. Authorization to Advertise – 2022 Reorganizational Meetings:** Mr. Behler made a motion to authorize the advertisement of the 2022 Reorganization Meeting for Monday January 3rd at 6 PM; Behler; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

**D. Authorization to Advertise – 2022 Regular Meeting Dates:** Mr. Behler made a motion to authorize the advertisement of the Board of Supervisors 2022 meetings for the Second and Fourth Tuesday of each month; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

**E. Authorization to Advertise Intention to Appoint Certified Public Accountant to complete 2021 Audit:** Mr. Behler made a motion to authorize advertisement of the Townships intention to appoint a Certified Public Account to complete the 2021 audit; seconded by Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**F. Resolution #2021-018 – Purge of Records:** Mr. Behler made a motion to adopt Resolution #2021-018 regarding the purging of records; seconded by Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

**7. Public to be Heard:** No comments from the audience.

**8. Adjournment:** There being no further comments or business the meeting adjourned at 7:58 PM.

Respectfully submitted,

Ilene M. Eckhart