TOWNSHIP OF PLAINFIELD
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 439

AN ORDINANCE OF THE TOWNSHIP OF PLAINFIELD, NORTHAMPTON COUNTY, PENNSYLVANIA, ESTABLISHING A RESTRICTED ROAD INFRASTRUCTURE CAPITAL FUND FOR THE CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR, MAINTENANCE AND PRESERVATION OF TOWNSHIP ROAD INFRASTRUCTURE.

WHEREAS, Plainfield Township, Northampton County, Pennsylvania ("Township"), has an obligation to maintain its public road system and related infrastructure in a safe and serviceable condition; and

WHEREAS, the Board adopted the 2026 budget on December 22, 2025, with an earmark of One Million ($1,000,000) Dollars to establish a restricted Road Infrastructure Fund; and as

WHEREAS, the Board intends the Fund to be used only for Township roads, bridges, culverts, and any other road infrastructure;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Plainfield Township, Northampton County, Pennsylvania, as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known and may be cited as the **"Plainfield Township Road Infrastructure Fund Ordinance."**

SECTION 2. PURPOSE

The purpose of this Ordinance is to establish a dedicated and restricted municipal fund for the long-term and current financial needs associated with Township road infrastructure.

The Fund is intended to permit the Township to:

A. Accumulate resources for future major road and bridge projects;

C. Construct new Township road infrastructure when lawfully authorized;

D. Reconstruct and improve existing infrastructure;

E. Perform routine, preventive and emergency maintenance;

F. Purchase road materials and supplies; and

H. Pay other costs directly attributable to the lawful construction, operation, maintenance and preservation of the Township road system.

SECTION 3. DEFINITIONS

For purposes of this Ordinance:

"Board" shall mean the Board of Supervisors of Plainfield Township.

"Fund" shall mean the Plainfield Township Road Infrastructure Fund created by this Ordinance.

"Road Infrastructure" shall mean Township-owned, Township-maintained or lawfully authorized public road facilities including roads, streets, bridges, culverts, shoulders, road base, drainage facilities, ditches, stormwater facilities directly serving the road system, guiderail, traffic signs, pavement markings, traffic-control devices, curbs, ADA improvements, sidewalks constructed as part of a road improvement, rights-of-way and related improvements.

"Township" shall mean Plainfield Township, Northampton County, Pennsylvania.

SECTION 4. ESTABLISHMENT OF ROAD INFRASTRUCTURE CAPITAL FUND

The **"Plainfield Township Road Infrastructure Fund"** is hereby created and shall be maintained as a separate funded account.

SECTION 5. SOURCES OF FUNDING

Subject to the restrictions applicable to each source, monies may be deposited into the Fund from:

A. Annual or supplemental appropriations from the Township General Fund;

B. Grants;

C. Proceeds from the lawful sale or disposition of Road Equipment or other road-related Township property when designated by the Board for deposit into the Fund;

D. Lawful donations and grants designated for road purposes;

E. Proceeds of lawful borrowing for road or infrastructure purposes;

F. Special tax revenues lawfully levied for a road purpose, subject to every statutory restriction applicable to the particular levy;

G. Developer contributions that are voluntarily made or otherwise lawfully received and which are not transportation impact fees governed by Article V-A of the Pennsylvania Municipalities Planning Code;

H. Investment earnings attributable to Fund monies; and

I. Any other source legally available for the purposes established by this Ordinance.

Nothing in this Ordinance itself levies a tax, authorizes indebtedness or imposes a fee upon any property owner, developer or other person.

SECTION 7. PERMITTED ROAD INFRASTRUCTURE EXPENDITURES

Subject to source-specific legal restrictions, Fund monies may be expended for the construction, reconstruction, improvement, maintenance, repair and preservation of Township Road Infrastructure, including, but not limited to:

A. Construction of lawfully authorized new Township roads;

B. Reconstruction of existing roads;

C. Road widening and geometric improvements;

D. Milling;

E. Paving and resurfacing;

F. Full-depth reconstruction;

G. Base and subbase construction and repair;

H. Asphalt, stone, aggregate, concrete and similar construction materials;

I. Road patching materials and pothole repair;

J. Crack sealing;

K. Seal coating, surface treatment and other pavement preservation;

L. Shoulder construction and maintenance;

M. Grading;

N. Road drainage;

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O. Ditches, swales, pipes, inlets, catch basins and culverts serving the road system;

P. Bridge construction, reconstruction, inspection, repair and maintenance;

Q. Guiderail and roadside safety improvements;

R. Traffic signs and supports;

S. Pavement markings;

T. Traffic signals and other traffic-control devices to the extent within Township authority;

U. Curbs and ADA-accessibility improvements when associated with a Township road project;

V. Sidewalk or pedestrian improvements when lawfully undertaken as part of or directly related to a road improvement;

W. Roadside stabilization, erosion-control and slope work;

X. Tree, brush and vegetation management within the Township right-of-way where necessary for road safety, drainage or maintenance and otherwise permitted by law;

Y. Emergency road repairs;

Z. Restoration required following storms, flooding, washouts, vehicle crashes, utility work or other damage;

AA. Construction staging, traffic control and detours attributable to a road project;

BB. Acquisition of necessary rights-of-way, easements or property interests for a lawfully authorized road project;

CC. Permitting fees and regulatory compliance costs attributable to road projects;

DD. Contracted road construction, maintenance and repair services;

EE. Equipment rentals necessary to complete the road infrastructure project;

FF. Hauling and any other services charged in the acquisition of road infrastructure material; and

GG. Any other lawful expenditure directly and reasonably necessary to construct, reconstruct, repair, improve, maintain or preserve Township Road Infrastructure.

SECTION 10. NEW ROAD INFRASTRUCTURE

The availability of monies in the Fund shall not by itself authorize the laying out, opening, widening, acceptance, dedication or construction of a public road.

Any action to establish, accept, lay out, open, widen, relocate or otherwise alter a public road shall comply with the Second Class Township Code, the Pennsylvania Municipalities Planning Code, applicable Plainfield Township subdivision and land development ordinances, PennDOT requirements and all other applicable law.

The Fund may pay the lawful cost of such work once the underlying project has been properly authorized.

SECTION 12. PENNSYLVANIA MUNICIPALITIES PLANNING CODE; TRANSPORTATION IMPACT FEES

Nothing in this Ordinance shall constitute or be construed as a transportation impact fee ordinance under Article V-A of the Pennsylvania Municipalities Planning Code.

SECTION 14. RESTRICTION AGAINST DIVERSION

The Fund is established for the special purpose of financing Township Road Infrastructure and directly related road activities.

Except as expressly permitted by applicable law and this Ordinance, Fund monies shall not be transferred, loaned or advanced to another Township fund for an unrelated purpose.

Notwithstanding the foregoing, the Board of Supervisors may authorize, by resolution, a temporary interfund loan or advance from the Fund to the General Fund or the Host Retro Fund solely to address short-term cash flow needs, provided that any such loan or advance shall be repaid to the Fund, with interest at a rate not less than the Township's then-current rate of return on invested funds, no later than the close of the fiscal year in which it was made, and provided further that no such loan or advance shall impair the Fund's ability to meet its obligations for Township Road Infrastructure during that period.

No administrative action or ordinary internal accounting transfer shall expand the purposes authorized herein, except as expressly provided in this Section.

Any proposed permanent change that would allow the Fund as a whole to be used for purposes unrelated to roads or road infrastructure shall require enactment of an ordinance in accordance with applicable law.

Monies subject to independent statutory, tax, grant, bond or donor restrictions shall remain subject to those restrictions notwithstanding any future amendment or repeal of this Ordinance.

SECTION 15. BUDGETING AND APPROPRIATIONS

The Fund and its component accounts shall be included in the Township's annual budget in accordance with Section 3202 of the Second Class Township Code.

No monies shall be paid from the Fund except pursuant to a lawful appropriation and authorization.

The Board may adopt lawful supplemental appropriations or budget amendments when circumstances require.

Unspent monies shall remain in the Fund for future authorized road purposes and shall not lapse automatically into the General Fund solely because the monies were not spent during the fiscal year, subject to applicable law and source restrictions.

SECTION 16. PROCUREMENT AND CONTRACTING

All contracts and purchases funded by the Township through this Fund shall comply with Article XXXI of the Second Class Township Code and all other applicable procurement requirements.

The applicable statutory dollar thresholds in effect at the time of procurement shall govern.

Nothing in this Ordinance creates an exemption from any otherwise applicable bidding or contracting requirement.

SECTION 18. ACCOUNTING, RECORDS AND AUDIT

The Fund shall be included within all legally required Township audits, financial statements and reports.

Records shall be retained and made available in accordance with the Pennsylvania Right-to-Know Law, applicable records-retention requirements and lawful exemptions.

SECTION 19. RELATIONSHIP TO EXISTING CAPITAL RESERVE FUNDS

The Road Infrastructure Fund established by this Ordinance is intended to constitute a new and separately identifiable fund.

Except where expressly provided by subsequent ordinance, this Ordinance shall not amend, repeal, consolidate or terminate any existing Township capital reserve or restricted fund.

SECTION 20. NO TAX, DEBT, ASSESSMENT OR IMPACT FEE CREATED

This Ordinance establishes a restricted Fund and financial framework only.

Nothing herein shall:

A. Levy a tax;

B. Establish a millage rate;

C. Create indebtedness;

D. Levy an assessment;

E. Impose a transportation impact fee;

F. Accept or dedicate a road; or

G. Authorize a particular capital project.

Each such action shall be separately undertaken in the manner required by applicable law.

SECTION 21. ADMINISTRATION

The Township Manager, Secretary, Treasurer, Public Works Department and other appropriate officials are authorized to perform administrative and ministerial acts necessary to implement this Ordinance, subject to Board oversight and applicable law.

Administrative authority granted herein shall not include authority to take legislative or other official action reserved to the Board.

SECTION 22. SEVERABILITY

If any section, subsection, paragraph, sentence, clause or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 23. REPEALER

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

SECTION 24. EFFECTIVE DATE

This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED this _____ day of _____, **2026**.

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ATTEST:

_____
Paige Stefanelli, Township Manager

PLAINFIELD TOWNSHIP BOARD OF SUPERVISORS:

By:_____
Glenn Borger, Chairman

By_____
Kenneth Field, Vice Chairman

By:_____
Nolan Kemmerer

By:_____
Jane Mellert

By:_____
Paul Levits

CERTIFICATION

I certify, as Manager of Plainfield Township, that the attached Ordinance is a true and correct copy of the original previously passed by the Board of Supervisors as indicated.

_____
Paige Stefanelli, Township Manager

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