

**PLAINFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
OCTOBER 9, 2019**

The regular monthly meeting of the Plainfield Township Board of Supervisors was held on Wednesday, October 9, 2019 at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Chairman, Randy Heard, called the meeting to order at 7:03 P.M.

The Pledge of Allegiance was performed.

**ROLL CALL:**

The following Supervisors answered roll call: Chairman, Randy Heard, Vice Chairman, Glenn Borger, Jane Mellert, Joyce Lambert and Stephen Hurni.

Also present were Treasurer, Katelyn Kopach, Administrative Assistant, Paige Stefanelli, Township Manager, Thomas Petrucci, Township Engineer, Michael Kukles and Solicitor, David Backenstoe.

**I. SECRETARY–THOMAS PETRUCCI:**

1. Approval of the September 11, 2019 Regular Meeting Minutes:

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the September 11, 2019 Regular Meeting Minutes as presented. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

2. Approval of the September 19, 2019 Special Meeting Minutes:

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Joyce Lambert to approve the September 19, 2019 Special Meeting Minutes as presented. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 4-0-1 with Stephen Hurni abstaining.**

3. Review of Feral Cats No Nonsense Neutering Program (Martha Kahan Presentation):

Ms. Kahan was present on behalf of the No Nonsense Neutering Program. She provided a brief overview of the program process. Ms. Kahan noted that community cats are a national issue. No Nonsense Neutering is a 501(c)3 organization and opened their first facility in 2008. Ms. Kahan added that cats with a tipped left ear is

an indication that the cats are both neutered and vaccinated. She also noted that feral cats are not adoptable and considered a wild animal and need to remain outside.

The process begins by trapping the cats (and their kittens if they have had a litter). The cats are trained not to be scared of the traps by keeping the traps open and allowing them to eat their meals in the traps for a few consecutive days. Once they have become accustomed to the trap, the trap will then be set for their next feeding. Trapping should take place one day before their scheduled vet visit at No Nonsense Neutering. The cat would then be taken to its appointment and once they have been vaccinated and neutered, the cat will then be taken back to its original location and will stay in the crate for 24-48 hours in order to recover. The cat will then be released. Transportation of the trap and cat will depend on the situation and whether the homeowner is capable of taking the cat to No Nonsense Neutering. Ms. Kahan noted that in some instances, there are elderly individuals or individuals who cannot drive. In those instances, an alternate form of transportation will be discussed such as one of the volunteers picking up the cat and taking it to the facility. Ms. Kahan stressed that free roaming community cats are the responsibility of the community. She also noted that it is very important to vaccinate these cats to protect them from diseases while also protecting pets and humans as well.

Chairman, Randy Heard, questioned whether there is a way to keep free roaming cats off of individual's property. Ms. Kahan stated that mulch can be placed on the owner's property who is feeding the cats in order to minimize urination and defecation in neighboring properties. She noted that there are many other options for deterrents. Ms. Mellert stated that cats have many advantages including catching mice, etc. Ms. Kahan stated that these types of wild cats are referred to as working cats. Ms. Mellert was concerned about completely eliminating all cats in the Township if the Township were to participate in this program. Ms. Kahan noted that their intent is to only minimize the amount of fertile cats because they reproduce at a rapid rate.

Ms. Kahan noted that many local municipalities have already adopted the program. She mentioned many options that the program has to offer in terms of the Township paying for the entire fee or to pay a portion of the fee. She noted that in terms of vouchers, it is important to identify the Township specifically in order to ensure correct billing for services. Ms. Kahan stated that the Township would ideally have vouchers that would be handed out to residents upon request, and then the resident would bring in that voucher at the time that they take the cat in for services. Once services have been completed, an invoice will be sent to the Township which will state the date of service and the services that were provided on such date. Chairman, Randy Heard, questioned how many vouchers Ms. Kahan thought would be appropriate to start off with. Ms. Kahan believes 50 vouchers is a reasonable number

to start out with. The Board will discuss this matter at a later date; funding for 50 vouchers will be listed in the 2020 Proposed Budget.

4. Green Knight Industrial Park II Preliminary/Final Major Subdivision – Consideration of Extension of Conditional Approval – Expires October 31, 2019:

Township Manager, Tom Petrucci, stated that the Green Knight Industrial Park II Preliminary/Final Major Subdivision is almost ready to be recorded.

The Township has requested to review draft agreements to be provided by the Wind Gap Municipal Authority and PA American Water in order to confirm that water and sewer utilities will be provided by these entities. A subdivision bond was provided to the Township in lieu of a Letter of Credit. Solicitor Backenstoe stated that the subdivision bonds were all dated for May of 2020 and would need to be utilized within the next few months. Based on the time constraint, the Township has requested new bonds. The developer is currently in the process of providing those new bonds to the Township. An Improvements Agreement has also been provided to the Township. The developer is seeking an extension through to December 31, 2019.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Joyce Lambert to approve the Extension of Time request through December 31, 2019 for the Green Knight Industrial Park II Preliminary/Final Major Subdivision. *Prior to the vote, Vice Chairman, Glenn Borger, asked if there were any comments from the governing body or the public.* Motion approved. Vote 4-0-1 with Stephen Hurni abstaining.**

**II. TREASURER – KATELYN KOPACH:**

1. Approval of the September, 2019 General Fund Disbursements (\$369,770.20):

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Joyce Lambert to approve the September, 2019 General Fund Disbursements in the amount of \$369,770.20. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

2. Approval of the September, 2019 Treasurer’s Report:

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Joyce Lambert to approve the September, 2019 Treasurer’s Report. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

3. Confirmation of Transfer of Non-Uniform Pension State Aid in the Amount of \$30,722.99 to Nationwide (Custodian Bank):

Mr. Petrucci confirmed that the Township has received the 2019 Non-Uniform Pension State Aid in the amount of \$30,722.99 which must be transferred over to the pension plan custodian bank. The Township has already satisfied the 2019 MMO, but the additional payment will be in compliance with the process and help from an investment standpoint.

**ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to confirm the Transfer of the Non-Uniform Pension State Aid in the Amount of \$30,722.99 to Nationwide (Custodian Bank). Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

4. Confirmation of Transfer of Volunteer Relief Association Funds in the Amount of \$42,034.21 to Plainfield Township Volunteer Relief Association:

Township Manger, Tom Petrucci, stated that this payment will go into a separate relief association fund for the purpose of fire insurance proceeds in accordance with Commonwealth of Pennsylvania statutes.

**ACTION: Motion was made by Jane Mellert and seconded by Stephen Hurni to confirm the Transfer of Volunteer Relief Association Funds in the Amount of \$42,034.21 to the Plainfield Township Volunteer Relief Association. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

5. Authorization to Open A New Checking Account at Merchants Bank for the Multi-Modal Grand Central Road Bridge Grant:

**ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the opening of a new Checking Account at Merchants Bank for the Multi-Modal Grand Central Road Bridge Grant. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

#### **I. TOWNSHIP ENGINEER – MICHAEL KUKLES, P.E.:**

1. Consideration of Conditional Approval: ASGCO Manufacturing Building (730 Bangor Road)- Plans Entitled “Preliminary/Final Development Plans for JVI, LLC – ASGCO Manufacturing Building”:

Project Manager, Mr. Jim Vozar, stated that the proposed facility will be approximately 180,000 square feet. Additionally, there will be modifications made to update the stormwater system. The spray system will be located on the southern portion of the property. The lot is approximately 18 acres. An NPDES Permit will be obtained for the property. The applicant is proposing to improve 10,000 square feet of surface area. The applicant will also be utilizing the existing well and septic systems on the property. Mr. Vozar added that they have also received approval from the Lehigh Valley Planning Commission. The Conservation District has confirmed that the NPDES permit is administratively complete and ready to undergo a technical review.

Mr. Vozar stated that they are seeking five (5) waivers and (1) one deferral. He added that they have received a letter from the Emergency Management Coordinator and are willing to install Knox boxes and will comply with all other comments within the letter. Additionally, the pond will be the main water supply for the sprinkler system for the facility in the event of a fire. The fire hydrants on site will also utilize the pond. Mr. Vozar stated that the pond holds approximately 600,000 gallons. Township Engineer, Mike Kukles, incorporated the comments from the Plainfield Township Fire Chief within his review letter. Required Zoning Variances and a Special Exception were previously obtained by the applicant; these approvals shall be noted on the record land development plans. Mr. Vozar does not expect lighting to be an issue as there is minimal spill over and LED fixtures will also be utilized.

**ACTION: Motion was made by Jane Mellert and seconded by Chairman, Randy Heard, to approve a waiver from §22-503.2.B to allow the vertical scale since it is proportionate with the horizontal scale. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve a waiver from §22-503.6.B(1) to forego the requirement to show slope range delineations on the plan. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

**ACTION: Motion was made by Jane Mellert and seconded by Chairman, Randy Heard, to approve a waiver from §22-602.2.A to allow the Plans to be processed as Preliminary and Final Plans. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

**ACTION: Motion was made by Joyce Lambert and seconded by Chairman, Randy Heard, to approve a waiver from §22-1009.7.E to maintain a minimum**

grade of 2% across the bottom of stormwater basins. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.

**ACTION:** Motion was made by Chairman, Randy Heard, and seconded by Jane Mellert to approve a waiver from §22-1009.10.A to allow for a minimum storm sewer pipe size requirement of 15 inch pipes. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.

**ACTION:** Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to defer §22-503.7.E & §22-603.2.D & §22-1016.1 which pertains to the installation of street lighting until such time as the Board of Supervisors determines street lighting is needed, in their sole discretion. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.

**ACTION:** Motion was made by Joyce Lambert and seconded by Jane Mellert to approve the ASGCO Manufacturing Building (730 Bangor Road)- Plans Entitled “Preliminary/Final Development Plans for JVI, LLC – ASGCO Manufacturing Building” conditional upon Sewage Planning Module Approval and/or Exemption by the Pennsylvania Department of Environmental Protection (PA DEP), Notification of Lehigh Valley Planning Commission (LVPC) Approval, Notification of Northampton County Conservation District Approval, Confirmation of the Approval of Individual NPDES Permit by the Commonwealth of Pennsylvania PA DEP and Receipt of NPDES Permit, Comply with all conditions as set forth in Ott Consulting Inc.’s review letter dated September 14, 2019, which is incorporated herein as though more fully set forth at length, Comply with all conditions as set forth within the Plainfield Township Sewage Enforcement Office (SEO) review letter dated August 21, 2019, which is incorporated herein as though more fully set forth at length, Owner Signature, Notarization, Improvements Agreement with adequate security, Plan should address all comments as set forth by the Plainfield Township Emergency Management Coordinator and the Plainfield Township Fire Chief and PennDOT Highway Occupancy Permit (HOP) Approval. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.

2. 616 Youngs Hill Road Kennel and Dog Training Facility Land Development: Letter of Credit Reduction Request Number 5:

Township Engineer, Mike Kukles, stated that the Township has received Letter of Credit Reduction Request #5 for 616 Youngs Hill Road. Mr. Kukles noted that the

only thing remaining at this time is the installation of 13 buffer trees. Mr. Kukles recommended to release \$6,883.20 from \$16,414.95 currently held to \$9,531.75.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve Escrow Release #5 for 616 Youngs Hill Road Kennel and Dog Training Facility Land Development and reduce the Letter of Credit amount by \$6,883.20 from \$16,414.95 currently held to \$9,531.75. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to begin the 18 month maintenance period retroactive to September 11, 2019. The maintenance is to run from September 11, 2019 to March 11, 2021. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

3. Grand Central Road Bridge Replacement Project – Approval of Change Order 1, Change Order 2, and Change Order 3; Approval of Pay Application 1:

Township Engineer, Mike Kukles, stated that the bridge replacement has been under construction for a little over a month. The work has been going smoothly. He added that there has been much effort made by the contractor to complete the project while also staying with the budget.

Mr. Kukles noted that one issue that the project came across was having crane access along the roadway to install the bridge. Mr. Kukles stated that they contacted Med-Ed to move the pole temporarily. Met Ed was unable to have the pole moved in time so an alternate action was taken to install the bridge structure into the ground.

Mr. Kukles noted in reference to change order 1, the contractor had to remove 3 additional trees to provide access on the opposite side of the roadway. Change order 2 was an extra \$2,500 to pour the footers in place instead of pre-casted footers. The change in cost accounts for the additional labor. The final change order was to account for the installation of steel channels. The total project came to \$359,852.80. It was approximately \$15,000.00 additional due to changes in the proposed project. However, Mr. Kukles noted that the total will come down based on other items that did not need to be completed. As the project is still ongoing, there may be additional changes. The total cost will be calculated at the time of the conclusion of the project

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve Change Order 1, Change Order 2, and Change Order 3 and approval of Pay Application 1 which includes 10% retainage. Prior to the**

*vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.*

Township Manager, Tom Petrucci, noted that there will be a ribbon cutting scheduled for the official bridge opening.

### **III. TOWNSHIP MANAGER – THOMAS PETRUCCI:**

#### **1. Slate Belt Multi-Municipal Comprehensive Plan – Monthly Update:**

Township Manager, Tom Petrucci, noted that a report was issued by the Lehigh Valley Planning Commission (LVPC) which lays out each municipality and their current offerings. Such offerings in the Slate Belt include land use, education, transportation, housing, demographics, etc. Mr. Petrucci will submit comments for Plainfield Township.

Mr. Petrucci added that state funding has been cut for the Long Range Transportation Plan. The end result was that each community in the Lehigh Valley has been allocated less funds in the Long Range Transportation Plan. Mr. Petrucci noted that the Slate Belt and Northampton County need to submit better capital transportation projects and this project should help. Mr. Hurni noted that legislature did not know the consequence of what they were doing when they submitted the budget and a letter will likely be sent by the Plan Slate Belt steering committee and/or Slate Belt COG to state representatives notating the disapproval for the budget.

#### **2. Plainfield Township Act 537 Official Plan Update – Monthly Briefing:**

Mr. Petrucci stated that surveys have been sent to all residents within Plainfield Township. The survey is requesting information on existing on-lot septic systems and well water systems. The purpose of these surveys is to collect data that will be compiled to formulate the recommendations set forth in the Act 537 Official Plan Update. The plan consultant will then identify problem areas in the Township for septic systems that may need to be addressed within the future. The survey is completely confidential. The Sewage Enforcement Officer (SEO) will perform 62 on-site inspections this upcoming week. The Township is close to meeting the participation goal. Mr. Petrucci also added an informational section for Act 537 on the Township website. The Township is not attempting to install public water and sewer throughout the entire Township and are only trying to address problem areas for public health issues. This project will cost approximately \$100,000.00 and the Township has received a \$25,000.00 grant from Northampton County that helps to offset the costs of the project.



3. Plainfield Township MS4/Stormwater Management Program – Monthly Briefing:

Starting with this month's meeting, Manager Petrucci reported that he will provide a monthly update on the status of the Township's five-year MS4 permit. The purpose of the monthly update is to report on the status of the projects/best management practices that the Township is required to do in order to comply with its MS4 permit. The Conservation District has commenced a roundtable program with Northampton County municipalities in order to assist with meeting the goals of the MS4 Permit. The Watershed Conference is to be held on October 16<sup>th</sup>, 2019 which half of the agenda is dedicated to the MS4 Permit. There will be two ordinances that Plainfield Township will need to pass which is for the animal waste ordinance and storm water management ordinance. The deadline to pass these ordinances is September of 2022.

4. Resolution No. 2019-23: Budget Amendment Resolution:

Mr. Petrucci noted that this resolution is to shift line items for the budget in accordance with the requirements of the Second Class Township Code. This budget includes an additional \$100,000.00 to the General Fund.

**ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve Resolution No. 2019-23 for the Budget Amendment. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.**

Supervisor Mellert requested that the Proposed 2020 Budget should include funding for the resurfacing of the municipal building parking lot, painting the front and back doors of the municipal building, and replacing the carpets.

**Motion approved. Vote 5-0.**

5. Resolution No. 2019-24: Citizen Advisory Board Appointment Policy:

Mr. Petrucci has revised the reappointment procedures which are notated below:

- 1. The Township Manager/Secretary shall contact all appointed individual members of citizen advisory bodies whose terms are expiring at the end of the calendar year at least ninety (90) days prior to their term expiration order to ascertain if the members desire reappointment to additional terms.**
- 2. No later than sixty (60) days prior to the end of the calendar year, the Township Manager/Secretary shall provide a report to the Board of Supervisors that lists the expiring terms of all individual members of citizen advisory bodies whose terms are expiring. Said report shall also**

include a statement as to whether or not the individual members of the citizen advisory bodies desire reappointment to additional terms.

3. **Following the Board of Supervisors review of the list identified in Step 2/Section 2 (b) above, the Township Manager/Secretary shall advertise the availability of all vacant positions for all applicable citizen advisory bodies. Said advertisement will establish a deadline for submitting applications for consideration to appointments to the vacant positions on citizen advisory bodies. Applicants must submit application forms approved for use by the Plainfield Township Municipal Office in order to be formally considered for appointment to the vacant positions. In order to widely disseminate the availability of the vacant positions, the Township Manager/Secretary shall utilize local newspapers, social media (when available), and the Plainfield Township website. Failure to submit an application by the specified deadline or to utilize forms approved for use by the Township shall constitute a defective submission.**
4. **Following the receipt of applications identified in Step 3/Section 2 (c) above, the Township Manager/Secretary shall review the submitted applications and render a recommendation to the Board of Supervisors of no more than the top ranked three (3) candidates per each individual vacant positions for all applicable citizen advisory bodies.**
5. **Interviews shall be scheduled with the top ranked candidates. The candidates shall interview with the Board of Supervisors or a designated committee of the Board of Supervisors at a public meeting of the Board of Supervisors.**

Solicitor Backenstoe recommended that the language for “top 3 candidates” be removed and provide the Board of Supervisors with the necessary discretion to interview any candidate they wish.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve Resolution No. 2019-24 for the Citizen Advisory Board Appointment Policy with the change as discussed. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved 5-0.**

6. 2020 Preliminary/Proposed Budget Adoption Schedule: Scheduling of Budget Special Meeting(s); Special Meeting Needed to Approve Slate Belt Regional Police Department Budget by October 31, 2019 in accordance with the Charter Agreement)- The schedule to adopt the 2020 Plainfield Township Budget is proposed as follows:

- October 18, 2019 – Preliminary/Draft Budget remitted to Board of Supervisors
- October 24, 2019 – Budget Special Meeting
- November 13, 2019 – Final Proposed 2020 Budget presented to Board of Supervisors and citizens of Plainfield Township; authorization to advertise Proposed 2020 Budget
- November 18, 2019 – Advertise for twenty (20) day public inspection period
- December 11, 2019 – Tentative meeting to approve 2020 Budget
- December 31, 2019 – Final possible day for 2020 Budget to be approved

Mr. Petrucci noted that this schedule is contingent upon getting the police budget. The police budget is normally provided to the Board of Supervisors in the month of September. Ms. Mellert noted the Police Commission is currently reviewing contracts and reviewing health care options. There are upcoming meetings for the Commission that are necessary in order to finalize the budget. Mr. Petrucci questioned when the Board can expect a proposed budget from the Police Commission. Ms. Mellert noted that the budget should be finalized sometime in November 2019. Mr. Petrucci noted that he will input figures for the police within the 2020 Proposed Plainfield Township Budget for the time being in order to allow the Board of Supervisors to properly review the 202 Budget. Mr. Hurni noted that there are specific reasons for why the police budget is taking longer than normal; however, he is unable to discuss these matters in an open session.

7. Ordinance No. 394 (DRAFT): Approval to Advertise for 2020 Slate Belt Regional Police Department Cost Allocation Formula/Charter Amendment:

Mr. Petrucci stated that the proposed 2020 Slate Belt Regional Police Department Cost Allocation Formula/Charter Amendment is unchanged from 2019. However, the way the ordinance was written, it is required to review and approve the formula revision each year. Mr. Petrucci requested confirmation that the 2019 formula will again be utilized. Mr. Hurni noted that he has confirmed the formula with the Chairman of the Police Commission, and that the formula revision may be advertised.

**ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to advertise for the 2020 Slate Belt Regional Police Department Cost Allocation Formula/Charter Amendment. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.***

8. Ordinance No. 395 (DRAFT): Approval to Advertise for Elimination of Per Capita Tax:

Township Manager, Tom Petrucci, stated that the Township is receiving approximately \$13,000.00 a year for the per capita tax. If the Township were to discontinue the tax, Mr. Petrucci noted that the funds will need to be allocated from another budgetary item.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to advertise Ordinance No. 395 for the Elimination of the Per Capita Tax. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

Ms. Gruber questioned where the Township will take funds in order to compensate. Mr. Petrucci stated that the revenue amount of the Per Capita Tax would likely be covered by increased assessments (i.e. new construction that triggers a Certificate of Occupancy).

9. Slate Belt Regional Police Department Municipal Building Requests:

The police department requested that a small fence area be installed within the sally port, which is the area where criminals are transported.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to install a fenced area in the sally port for the Slate Belt Regional Police Department. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

10. Local Share Account (Northampton and Lehigh) Grant Application- Due November 15, 2019:

Township Manager, Tom Petrucci, noted that the Local Share Account (Northampton and Lehigh) Grant is now with the Commonwealth Financing Authority and the submission is due November 15, 2019. At this time, the Board did not have any projects to submit; however, possible options for the police will be researched. Mr. Petrucci will come back to the Board with additional options for the consideration of the Board members during the next Board meeting to be held on November 13, 2019.

11. 1647 Alpine Drive: Americans with Disabilities Act (ADA) Curb Ramp Request:

Mr. Petrucci has submitted a memorandum to the Board of Supervisors for their review. Mr. Petrucci noted that based on the information provided, there are many issues at play. Possible grant funding was also discussed for the placement of the

ramp. If installed, the ramp would be around the corner from the driveway location. Supervisor Mellert stated that it would make more sense if the owner had some type of chair to take the individual down the steps.

The installation of a curb ramp would cost approximately \$6,000.00-\$9,000.00. Mr. Petrucci recommend that the property owner contact Representative Marcia Hahn's office for grant/funding possibilities to install ADA improvements at the home itself. Additionally, Mr. Petrucci added that the ADA ramps will need to be installed once paving begins in the development. Such paving will need to be done within the next 5-10 years.

12. Review of DRAFT Ordinance: Conservation Development Draft Ordinance Dated June 20, 2019; Recommendations of Zoning Officer:

Township Manager, Tom Petrucci, stated that the Board of Supervisors previously directed the Township to review this ordinance at the Environmental Advisory Council and Planning Commission level with intent to clean up the language in the Farm and Forest Zoning District. Mr. Petrucci added that both entities including the Solicitor, Township Engineer, and himself have finalized all remaining issues to be addressed. The draft now meets the original intent of the ordinance. The ordinance was originally adopted in 2007 and sets aside the Farm and Forest district for acreage. This district can have smaller lots but would need to maintain open space.

Mr. Petrucci identified multiple issues. The first issue was for exclusion areas which was remediated last month. The second issue was with regard to language and intent and Mr. Petrucci also identified short term issues. This review has taken approximately 8 months for a finalized version which is the draft the Board is reviewing currently. Solicitor Backenstoe added that the original ordinance was impractical and untidy and this new ordinance will clean up a lot of the known issues/language.

Supervisor Mellert expressed concern with the current acreage provisions and not being able to have affordable housing within this district. She added that with the current acreage, most homes will be above the \$300,000.00 bracket. The taxes and mortgage would be too high, in her opinion. Supervisor Mellert prefers to sit down and discuss the situation with the individual that spoke to her about the acreage issue with respect to subdividing. She proposed the possibility of allowing less acreage for each lot within the Farm and Forest Zoning District. Solicitor Backenstoe noted that this change would require the Farm and Forest District to be fully re-written. Chairman, Randy Heard, stated that the whole intent of this district was to keep the area farmland and to avoid developments. The Board discussed the possibility 1 acre and 1.5 acre lots.

Mr. Rinaldi, a new resident building a home at 885 Engler Road, stated that it is good to come into a place where you can get away from the busy city life. He questioned whether the Board really wants to bring in a greater amount of housing for one area in the Township. Mr. Rinaldi's property is approximately 20 acres.

Ms. Mellert noted that there is a decline in the number of children being registered for the Pen Argyl School District.

Mr. Borger noted that larger properties in the Township are not large considering the facilities that need to be installed on the lot including septic systems and wells. He added that the smaller lots including 1-2 acres are quite complicated. Solicitor Backenstoe noted that regardless of whether the Township would like to increase or decrease the acreage for subdivisions, he recommends the Board moving forward with the discussed amendment in order to correct the current issues. The Board would have many options including maintaining the 5 acres for the Farm and Forest while also eliminating conservation by design, or allow for the creation of smaller lots.

**Ms. Mellert made a motion to have a meeting with larger land owners (i.e. farmers) to discuss the ordinance and receive their input on the ordinance as it currently stands.**

Solicitor Backenstoe stressed that the need for adopting the changes as noted and discussing the possibility of changing the acreage later. The changes of the current ordinance does not allow for any ambiguity.

**Ms. Mellert rescinded her motion.**

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to adopt the Conservation Development Draft Ordinance Dated June 20, 2019. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.**

Chairman, Randy Heard, noted that a meeting can be held with all individuals of the Township in regards to this ordinance in order to obtain the input of each individual at a later date if the Board would like to move forward with changing the acreage.

**Motion approved. Vote 5-0.**

13. Review of DRAFT Zoning Ordinance Amendment: Raising and Keeping of Non-Commercial Domesticated Residential Poultry:

Mr. Petrucci noted that this revised ordinance changed the wording from chickens to poultry. The main focus is on the number of chickens, number of coops and setbacks. A written waste storage and removal plan will also need to be submitted by the

property owner at the time of a permit application for chickens/poultry. Burning of manure is not permitted. Supervisor Mellert stated that because of the way the chickens are regulated, there will not be an extensive amount of manure issues in the Township.

**ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve the Raising and Keeping of Non-Commercial Domesticated Residential Poultry Ordinance. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved 5-0.**

14. Review of DRAFT Ordinance: Plainfield Township Quality of Life Ordinance:

**ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve Plainfield Township Quality of Life Ordinance conditional upon the Solicitor's review and approval. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved 5-0.**

**ROAD REPORT, PLANNING AND ZONING REPORT, RECREATION BOARD AND FIRE COMPANY AND AMBULANCE REPORTS:**

1. Planning and Zoning Report- September, 2019:
2. Road Department Report- September, 2019:
3. Fire Company and Ambulance Report- September, 2019:
4. Recreation Board Report- None

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve the September, 2019 reports as listed and presented. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

**SLATE BELT REGIONAL POLICE DEPARTMENT:**

1. Slate Belt Regional Police Department Monthly Report- September, 2019:

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve the September, 2019 Slate Belt Regional Police Department Monthly Report as listed and presented. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.**

### **CITIZEN'S AGENDA/NON-AGENDA:**

Wanda Gruber- Ms. Gruber questioned if the Sewage Enforcement Officer (SEO) needs to enter onto resident's properties. Mr. Petrucci noted that the SEO does not have to do an inspection if the resident chooses not to. The SEO must have permission to enter onto private property; however, the SEO may utilize the curtilage of a property to knock on the door of a resident.

### **BOARD OF SUPERVISORS REPORTS:**

1. ***Glenn Borger, Vice Chairman-*** No Report
2. ***Joyce Lambert-*** No Report
3. ***Jane Mellert-*** No Report
4. ***Stephen Hurni-*** Mr. Hurni noted that there will be a PA COG meeting this upcoming weekend. The new Executive Director will also be attending. Mr. Hurni hopes to bring back valuable information. Animal Control issues will be a topic of conversation at the meeting as well. This is notably a large issue state wide.
5. ***Randy Heard, Chairman-*** No Report

### **SOLICITOR'S REPORT- DAVID BACKENSTOE, ESQUIRE:**

Solicitor Backenstoe stated that in reference to 885 Engler Road, there is a dispute between adjoining property owners. Township Manager, Tom Petrucci, was subpoenaed to testify in court regarding the matter. Mr. Rinaldi is going to construct a rock filter to help with filtration of water emanating from the Rinaldi property to the Kleintop property. The rock filter will be placed within the Township Right-of-Way; therefore, a license agreement is needed in order to allow Rinaldi to construct the rock filter within the Township Right-Of-Way. This is subject to the review of the Township Engineer, Mike Kukles and to be approved by Mr. Kukles, and have both parties agree to the remedial measure to be implemented.

**ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve the License Agreement in order to have the Rinaldi property (885 Engler Road) install a rock filter within the Township Right-Of-Way. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.**

### **ADJOURNMENT:**

Having no further business to come before the Board of Supervisors, motion was made by Glenn Borger and seconded by Joyce Lambert to adjourn the meeting. Motion approved. Vote 5-0.

The meeting adjourned at 10:21 P.M.



Respectfully submitted,

Thomas Petrucci, Township Manager/Secretary  
Plainfield Township  
Board of Supervisors

*These minutes were prepared with the assistance of the Administrative Assistant of the Township, Paige Stefanelli, under the direction of the Township Manager/Secretary.*