

**PLAINFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
SEPTEMBER 11, 2019**

The regular monthly meeting of the Plainfield Township Board of Supervisors was held on Wednesday, September 11, 2019 at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Chairman, Randy Heard, called the meeting to order at 7:00 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 August 14, 2019 Regular Meeting Minutes:

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the August 14, 2019 regular Meeting Minutes as presented. 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.

2. Special Meeting Notification: Thursday, September 19, 2019 (7:00 PM to 10:00 PM) at the Plainfield Township Volunteer Fire Company Banquet Facility located at 6480 Sullivan Trail, Wind Gap, PA 18091:

The notification of the special meeting was provided for informational purposes only. A vote for this matter is not required.

Chairman, Randy Heard, arrived at the meeting at approximately 7:04 P.M.

3. Request from New Jersey Tractor Pullers Association:

ACTION: Motion was made by Stephen Hurni and seconded by Glenn Borger to approve the request by the New Jersey Tractor Pullers Association to store equipment at the Plainfield Township Farmers Grove. 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. Rolling Meadows Estates Major Subdivision: Letter of Credit Expires/Improvements due September 30, 2019: Extension of Time Requested through June 30, 2020:

ACTION: Motion was made by Joyce Lambert and seconded by Chairman, Randy Heard, to approve the Extension of Time through June 30, 2020 for the Rolling Meadows Estates Major Subdivision Letter of Credit/Improvements. 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.

In reference to the reduction of letter of credit, Township Engineer, Mike Kukles, noted that he performed an inspection on site with Mr. Wilmot present. Based on the work that has been completed to date, Mr. Kukles recommends the Board approve the release of \$89,162.87 from \$150,000.00 currently held to \$60,837.13. The revised amount includes the 10% Act 247 coverage for contingencies as well as holding security for the remaining items to be completed. In addition, Mr. Kukles recommended the Board end the maintenance period (retroactive to September 1, 2019) for all improvements within Rolling Meadows Estates, except the pond fencing, gates and buffer plantings.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the release of \$89,162.87 from \$150,000.00 currently held to \$60,837.13 and to end the maintenance period (retroactive to September 1, 2019) for all improvements within Rolling Meadows Estates, except the pond fencing, gates and buffer plantings. 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. Wind Gap Investors, LLC - Wind Gap Taco Bell Preliminary/Final Major Land Development Plan - 6695 Sullivan Trail (Tax Map Parcel ID# F7-13-4 and ID# F7-13-3A) Conditional Approval – November 14, 2018 (Expires November 14, 2019): Extension of Time Requested through November 14, 2020:

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the Extension of Time through November 14, 2020 for the Wind Gap Taco Bell Preliminary/Final Major Land Development 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.

6. Proposed Zoning Office Furniture Upgrade (Review by Paige Stefanelli):

Administrative Assistant, Paige Stefanelli, stated that options were previously provided to the Board for review for the office furniture/filing system for the Zoning Office. Based on the options provided, Ms. Stefanelli recommended the Board of Supervisors to approve the Offix Systems quote #29145-57111 in the amount of \$8,306.33 for a 7 unit Bi-Sliding Filing System along with a desk and hutch.

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve the purchase of Offix Systems quote #29145-57111 in the amount of \$8,306.33 for a 7 unit Bi-Sliding Filing System along with a desk and hutch. 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.

7. Notification of Terms Expiring – Appointed Officials on Boards and Commissions 60 Day Notification Required to Board of Supervisors as per Adopted Resolution No. 2018-21 Administrative Policy on Appointments to Boards and Commissions:

Mr. Petrucci stated that a 60 day notification of the **appointed** officials on Boards and Commissions whose terms are expiring for the next calendar year is required to be sent to the Board of Supervisors as per **Resolution No. 2018-21**, which is the adopted *Administrative Policy on Appointments to Boards and Commissions*. As such, Mr. Petrucci provided a list of members whose terms are expiring below:

1. **Vacancy Board:** Vacant
2. **Environmental Advisory Council:** Terry Kleintop; Bruce Rabenold
3. **Zoning Hearing Board:** Wanda Gruber (Regular Member); John Hatton (Alternate Member)
4. **Planning Commission:** Robert Simpson; Robin Dingle
5. **Recreation Board:** Roy Bellis

Township Manager, Tom Petrucci, read the Reappointment Procedure (from Resolution No. 2018-21). It is also provided below for reference:

Reappointment:

- a. *No later than 60 days prior to the expiration of the first term of an appointed member of a Board or Commission, the Township Manager/Secretary will ensure that the Board of Supervisors is informed of the upcoming term expiration.*

- b. If any member of the Board of Supervisors has reason to believe that a member of a Board or Commission should not be reappointed to a second term, that Supervisor will so notify the Township Manager/Secretary, who thereafter shall alert the Board of Supervisors of the concern for consideration of reappointment of an incumbent in a closed door session of the Board of Supervisors.*
- c. If the Board determines it would be in the Township's best interest to consider reappointing an incumbent, the Township Manager/Secretary or designated staff liaison will contact the incumbent to ascertain his or her desire to serve another term.*
- d. If the incumbent wishes to be reappointed then that action will be added to the next appropriate Board of Supervisors regular meeting agenda for the Board's consideration and potential action. However, if the incumbent does not wish to be reappointed, then the procedures outlined in Paragraph 4 below shall control.*
- e. If the Board chooses not to reappoint an eligible and interested incumbent, the Township Manager/Secretary shall so advise the incumbent and the procedures outlined in Paragraph 4 below shall control. However, if this eligible incumbent requests an interview, the request shall be granted.*

ACTION: Motion was made by Vice Chairman, Glenn Borger, and seconded by Stephen Hurni to authorize Township Manager, Tom Petrucci, to reach out to the members whose terms are expiring and to explore whether they desire to be reappointed. 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.

Mr. Petrucci noted by contacting the individuals regarding their interest, this would be assuming that the Township will move forward with reappointing them to their positions. He added that if the Board did not feel they wanted to appoint a position to an existing member, or the individual does not wish to be reappointed, this scenario defeats the purpose.

Resident, Don Moore, does not believe that this policy makes sense. Solicitor Backenstoe stated that the Board could amend the policy if they wish to do so by making a motion considering the policy was enacted through a resolution. Solicitor Backenstoe added that the Board has the option of making a motion to change the policy to state that when 60 days are up, the Township Manager should then approach the individuals to submit a letter to the Board of Supervisors if the individual is still interested. At that time, the Board of Supervisors may then review their intentions and may look at other options for the positions. Solicitor Backenstoe added that a

second option would be to have Township Manager, Tom Petrucci not amend the policy, follow it as currently written, and direct Mr. Petrucci speak to the individuals about their intent to be reappointed to the Boards/Commissions and if any members of the Board of Supervisors has a concern, to speak with Mr. Petrucci and hold an Executive Session. Members of the Board expressed issues with the procedure of the policy.

Vice Chairman, Glenn Borger and Stephen Hurni both withdrew their motions.

Township Manager, Tom Petrucci, indicated that he will revise the policy and will place this item on the agenda for next month for review of the proposed changes. No action was taken at this time.

8. Resolution No. 2019-20: Emergency Operations Plan Update:

Ms. Jane Mellert stated that the Emergency Operations Plan is quite extensive. Ms. Mellert referenced page #3 and questioned if there were to be an emergency situation, how positions would be filled in at the time of the emergency. Mr. Petrucci noted that having positions assigned prior to an emergency is difficult as not all individuals will be available to arrive on scene. Additionally, if there is an emergency, there will be no requirement to advertise in order to have a meeting. If members of the Board of Supervisors were not available to attend the meeting, then the Board expressed their approval of designating Township Manager, Tom Petrucci to attend/make an executive decision in their place.

Solicitor Backenstoe stated that in a real emergency, the Board has the authority to convene and act immediately. Signatures can be obtained at a later date. Mr. Petrucci may convene with all members if an emergency shall be declared.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve Resolution No. 2019-20 in reference to the Emergency Operations 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.

9. Grand Central Sanitary Landfill (Waste Management) Monthly Update:

Ms. Adrienne Fors from Waste Management gave a brief monthly update to the Board of Supervisors. She noted that a rain tarp has been added to cell #17. Photos of the finished project will be uploaded on their Facebook page. Additionally, the gas collection project will be completed within the next few days. Approximately 10-12 wells are currently being drilled. The final cap is set to begin in late September 2019 through early October 2019. Ms. Fors added that there were a few days this month that garbage intake met the maximum allotted amount which is a good sign for the

economy. In reference to the illegal dumping, cameras are getting the footage of the individuals committing the crime. She added that the chili cook-off will be October 5, 2019 at 11:30 am.

II. TREASURER – KATELYN KOPACH:

1. Approval of the August, 2019 General Fund Disbursements (\$256,209.70):

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the August, 2019 General Fund Disbursements in the amount of \$256,209.70. *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 August, 2019 Treasurer’s Report:

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the August, 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. Approval of 3rd Quarter EMC Payment: \$600.00:

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the 3rd Quarter EMC Payment in the amount of \$600.00. *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. Approval of 3rd Quarter Fire Company Payment: \$18,750.00:

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the 3rd Quarter Fire Company Payment in the amount of \$18,750.00. *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. Approval of 3rd Quarter Non-Uniformed Defined Benefit MMO Payment: \$9,773.75:

ACTION: Motion was made by Jane Mellert and seconded by Chairman, Randy Heard to approve the 3rd Quarter Non-Uniformed Defined Benefit MMO Payment in the amount of \$9,773.75. *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.

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

1. 616 Youngs Hill Road Kennel and Dog Training Facility Land Development: Letter of Credit Reduction Request Number #4:

Township Engineer, Mike Kukles, received a fourth Letter of Credit Reduction Request by Ms. Renee Hall for 616 Youngs Hill Road on August 30, 2019. Mr. Kukles evaluated and corrected the items from what was requested to what has been completed on site. There are some items still remaining to be completed prior to a full release of funds which include street trees and buffer trees.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve Escrow Release #4 for 616 Youngs Hill Road Kennel and Dog Training Facility Land Development and reduce the Letter of Credit amount by \$10,077.85 from \$26,492.80 currently held to \$16,414.95. 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. Grand Central Sanitary Landfill/Waste Management- pH Building Update:

Township Manager, Tom Petrucci, noted that the Board previously conditionally approved the proposed pH Building Land Development on May 24, 2019. The Township is in receipt of a letter that was received on September 3, 2019 requesting waivers. One of the waivers is to eliminate the requirement to show all existing monuments on the plan for the 300 plus acres. The plan currently shows a number of existing monuments, although, not all are shown on the plan that exist today. Mr. Ron Myer, on behalf of Waste Management, noted that they can add the additional existing monument locations onto the plan since he has located a plan showing such monument locations. Mr. Myer noted that they are still requesting a second waiver which is for new monument locations that would be placed around the property.

Chairman, Randy Heard, questioned whether there is the possibility for property line disputes at a later date/with new owners of adjoining properties. Mr. Myer stated that the majority of land surrounding the landfill is owned by Waste Management. There are currently two properties that adjoin Waste Management that are not owned by Waste Management which include the Cemetery and the Wildlife Habitat Center. Mr. Heard questioned the cost of getting the entire land surveyed. Mr. Myer stated it will cost the company approximately \$15,000.00 to \$20,000.00 to conduct the survey. Resident, Terry Kleintop, believes that Waste Management should have an updated survey for Township files. Mr. Hurni questioned what would happen if one of the property lines were to be surveyed in the middle of the road. Mr. Kukles noted this has happened in the past and there are many options to address this issue if it were to arise.

Chairman, Randy Heard, questioned why these waivers were not requested at the level of the Planning Commission at the time of plan review. Mr. Myer noted that he did not catch the issue at the time. Additionally, there are about 70-100 monument points that are not currently placed/addressed on the plan.

Solicitor Backenstoe stated that the Board could approve an Indemnification Agreement which would allow the applicant to begin the work while simultaneously addressing the monument issue properly. With the Indemnification Agreement, the applicant will need to post an escrow and have Township Engineer, Mike Kukles, inspect the work being done.

ACTION: Motion was made by Stephen Hurni and seconded by Glenn Borger to allow for the applicant to enter into an Indemnification Agreement with Plainfield Township in order to begin construction while also addressing the monument placements on the tract of land owned by Waste Management. *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.

III. TOWNSHIP MANAGER – THOMAS PETRUCCI:

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

Township Manager, Tom Petrucci, stated that the Steering Committee has identified 10 main focus points which are as follows:

- a) Balancing land preservation, development, redevelopment, industry and jobs
- b) Preserving the quality of life: safety, heritage, rural character, open space
- c) Improving governmental efficiency and reducing tax burdens
- d) Ensuring public schools prepare students for the future job market
- e) Sustaining farming as a business and way of life
- f) Improving municipal financial sustainability
- g) Reducing barriers to housing and business development
- h) Enhancing access to current and future technology infrastructure
- i) Managing social, economic, cultural and demographic changes in the community
- j) Enhancing transportation infrastructure

A draft report will be provided shortly which is a summary analysis to date with information such as building permits and trends in reference to development and the amount of land remaining for development. Steering Committee meetings take place on the first Wednesday of each month. The website is www.planslatebelt.org. The next meeting will be held on October 22, 2019 at 7:00 P.M. at the Weona Park Community Center in Pen Argyl.

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

Mr. Petrucci noted that this plan has not been updated in over 25 years. The plan is recommended to be updated every 10 years. The Township has hired Entech Engineering in order to update the Official Plan. They are beginning the process of sending out property owner surveys and mailers. Door to door surveys may be done as well depending on the outcome of the survey. Mr. Petrucci will also add the Act 537 update page on the township website. He added that the Township is focused on maintaining a rural community. In terms of septic systems, the Township will only be focusing on areas that have had system malfunctions. Mr. Petrucci mentioned that the DEP (Department of Environmental Protection) generally recommends that municipalities should implement mandatory septic tank pumping regulations.

Resident, Terry Kleintop, stated that Upper Mount Bethel Township has begun the process for a sewage plan and is currently being reviewed by the LVPC (Lehigh Valley Planning Commission) and there has been a large amount of unhappy residents attending the meetings. Mr. Petrucci stated that he will keep communication flowing as best as possible for residents to stay informed.

3. Public Hearing: Ordinance No. 393 (Protection of Appalachian National Scenic Trail Corridor):

AN ORDINANCE OF THE TOWNSHIP OF PLAINFIELD AMENDING THE PLAINFIELD TOWNSHIP ZONING ORDINANCE, CHAPTER 27, AS AMENDED, INCLUDING NEW OR REVISED PROVISIONS REGARDING: DEFINITIONS, LIGHT AND GLARE CONTROL, BILLBOARDS, SIGN ILLUMINATION, NOISE CONTROL, SOLAR ENERGY SYSTEMS, WIND TURBINES, MINERAL EXTRACTION, MOBILE HOME INSTALLATION, PLANNED RESIDENTIAL DEVELOPMENTS, CONSERVATION DEVELOPMENT, CONDITIONAL AND SPECIAL EXCEPTION USE STANDARDS, OUTDOOR COMMERCIAL RECREATION, WIRELESS COMMUNICATIONS FACILITIES, TRANSFER OF DEVELOPMENT RIGHTS, SETBACKS FROM PIPELINES AND NATURAL GAS COMPRESSOR STATIONS, WATER EXTRACTION, AND COMPLIANCE WITH STATE ACT 24 OF 2008, ADDRESSING PROTECTION OF THE APPALACHIAN NATIONAL SCENIC TRAIL CORRIDOR.

Township Manager, Tom Petrucci, stated that the Township has been awarded a \$16,000.00 grant in order to create and adopt Ordinance No. 393 which includes zoning provisions to protect the Appalachian Trail Corridor. The ordinance also adds provisions including light and glare control, noise control, solar energy systems, mineral extraction, wind turbines, and also corrects language for clarity purposes. There are more restrictive requirements within the 500 foot buffer. Mr. Petrucci, further explained additional provisions provided within the ordinance. The goal of the

township is to maintain and preserve the areas along the Appalachian Trail and Kittatinny Ridge as they are today.

Additionally, the primary overlay is much more restrictive. The secondary overlay uses that are currently permissible within the current ordinance will still be permitted and the adoption of this ordinance will not alter that. This ordinance prohibits clearcutting except where timber harvesting provisions currently allowed. Storage of hazardous materials and parking are also restricted.

Two residents in the audience questioned about hunting and walking dogs within the primary and secondary overlay areas and whether such activities are allowing. Mr. Petrucci noted that hunting is regulated by the Game Commission. The residents expressed concern about walking dogs and they noted that walking dogs further north of that area is prohibited after dusk. Mr. Petrucci stated that the Wildlands Conservancy currently implements that regulation. That issue is separate from this ordinance as this ordinance does not regulate such matters. The Township intends to only regulate structures with respect to this ordinance.

Mr. Stephen Hurni questioned whether Wind Gap Borough has discussed the possibility of adopting an ordinance such as this. Mr. Petrucci does not believe they have discussed this.

4. Adoption: Ordinance No. 393 (Protection of Appalachian National Scenic Trail Corridor):

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to adopt Ordinance No. 393 (Protection of Appalachian National Scenic Trail Corridor). *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. Approval of the 2020 Non-Uniform Pension Plan Minimum Municipal Obligation (MMO) (Defined Benefit- Sapone, Werner, Ackerman- \$39,130.00); (Defined Contribution- Petrucci, Kopach, Hester, Stefanelli \$12,642)- Total= \$51,772.00- Approval Required before September 30, 2019:

Township Treasurer, Katelyn Kopach, has calculated the referenced MMO's.

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the 2020 Non-Uniform Pension Plan Minimum Municipal Obligation (MMO) (Defined Benefit- Sapone, Werner, Ackerman in the amount of \$39,130.00); (Defined Contribution- Petrucci, Kopach, Hester, Stefanelli in the amount of \$12,642) with a total of \$51,772.00. *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.

6. Consideration of Bids Received: 2019 Plainfield Township Road Bid Proposal – Bid for Letting of September 9, 2019 – 2018 Community Development Block Grant (CBDG) (Bids to be Opened on September 9, 2019 at 3:05 PM via PennBid program):

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to award the 2019 Plainfield Township Road Bid New Enterprise Stone and Lime Co. in the amount of \$229,413.00 for. *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.

7. Notification of Grant Application Approval: 2019 Community Development Block Grant (CDBG) – Plainfield Township/Wind Gap Borough Road Resurfacing Materials- \$70,000.00:

Mr. Petrucci noted that the Township and Wind Gap Borough have been awarded the 2019 Community Development Block Grant (CDBG) for Road Resurfacing Materials in the amount of \$70,000.00. No vote was required at this time.

8. Lehigh Valley Planning Commission (LVPC) Long Range Transportation Plan – Review of Northampton County/Plainfield Township Funded/Unfunded Projects – Comment Period Open Until September 23, 2019:

The draft FutureLV Regional Plan was publically released on Friday, August 9, 2019 and will be available for public comment through September 23rd. The plan includes both the updated Regional Comprehensive Plan, as well as the Long-Range Transportation Plan, which guides the transportation priorities for the region through 2045.

Of the two projects the Township submitted in consideration of being placed on the LRTP, which were the Two Rivers Trail Gap 9A and the Church Road Bridge (State Route 1016) replacement projects, the Two Rivers Trail Gap 9A project was funded under the Short-Range category. Township Manager Petrucci gave a brief presentation to the Long Range Transportation Study on Monday, August 26, 2019 concerning the Church Road Bridge replacement project.

The Filetown Road Bridge was also included as part of the “Call for Projects” Long-Range category. Municipalities along the S.R. 33 corridor will not receive funding towards a planned S.R. 33 betterment project. Plainfield Township and Palmer Township received funds towards the preservation of S.R. 33.

Mr. Petrucci indicated that if Board members would like to submit additional information for the consideration of the LVPC, the deadline to do so is September 23, 2019.

9. Local Share Account Gaming Grant Application (Monroe) – Consideration of Projects – Applications Due September 30, 2019:

Mr. Petrucci noted that in reference to the application, the Township took a different approach this year. He suggested for the Board to consider conducting a survey for the current conditions of roadways, bridge culverts, guiderails, and stormwater, implementation in order to determine which deficiencies the Township currently has. The grant would be for approximately \$30,000.00 and there would be no Township funds allocated for this project.

ACTION: Motion was made by Jane Mellert and seconded by Glenn Borger to apply for the Local Share Account Gaming Grant in order to conduct a Township wide survey for current deficiencies to be corrected within the Township. *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.

Resolution No. 2019-21: Approval of 2019 Local Share Account Gaming Grant (Monroe County):

ACTION: Motion was made by Jane Mellert and seconded by Glenn Borger to approve Resolution #2019-21 in reference to the 2019 Local Share Account Gaming 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.

10. Health Insurance Open Enrollment Period Approval – September 30, 2019 to November 1st, 2019:

ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to approve the Health Insurance Open Enrollment Period from September 30, 2019 to November 1st, 2019. *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.

11. Approval to Advertise 2019-2020 Gasoline, Diesel Fuel, and Heating Fuel Bid:

ACTION: Motion was made by Glenn Borger and seconded by Stephen Hurni to approve the Advertisement for the 2019-2020 Gasoline, Diesel Fuel, and Heating Fuel Bid. *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.

12. Notification: Pen Argyl Area School District Elimination of Per Capita Tax:

Mr. Petrucci questioned the Board on whether they have an interest in eliminating the Per Capita Tax considering Pen Argyl School District has eliminated the Per Capita School Tax. A resolution would need to be passed by the end of the year and sent to the Department of Community and Economic Development (DCED). The Board expressed interest in eliminating the tax as this will not create any budget issues.

ACTION: Motion was made by Stephen Hurni and seconded by Glenn Borger to authorize Township Manager, Tom Petrucci, to move forward with eliminating the Plainfield Township 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.

13. Feral Cats No Nonsense Neutering Program (Pen Argyl Borough and Wind Gap Borough):

Mr. Petrucci stated that Pen Argyl Borough and Wind Gap Borough are working with No Nonsense Neutering for cat colony issues in their areas. Mr. Petrucci received additional information, as requested. The Board may choose to not move forward with the program, work with No Nonsense Neutering or with a similar organization and pay the entire fee for the neuter or a portion of the fee. Members of the Board requested additional details on the process of the program. Mr. Petrucci will have a representative from No Nonsense Neutering attend the next meeting in order to discuss the program more thoroughly.

14. 2019 Northampton County Liveable Landscapes Program: Applications Due September 26, 2019 (Plainfield Township Municipal Park Pavilion) Resolution No. 2019-22: Approval of 2019 Northampton County Liveable Landscapes Program Grant Application Submission to Northampton County:

Township Manager, Tom Petrucci, noted that this grant opportunity came on short notice. Mr. Petrucci discussed possible projects for the Township to apply for. He noted that the Township could benefit from a small pavilion in the back of the Township building. The approximate cost for a project such as this would be around \$69,595.00. For this proposed project, the Township match would be allocated from the Recreation Fund. The Road Department would conduct the work. The funds would cover the installation of a path and crossing, the pavilion, and a concrete pad. There would be one parking spot that would need to be removed on the police side, however, there were no objections with this after Mr. Petrucci discussed it with the Slate Belt Regional Police.

At this time, the Township is not considering projects for the Community Park located off of Kesslersville Road due to the fact that the Township will need to obtain

an NPDES permit. The proposed pavilion would have a dual purpose of providing shelter and an area for residents to utilize. Ms. Mellert questioned the projected life of the building. Mr. Petrucci stated it could last anywhere from 30 years to indefinitely. The quote that Mr. Petrucci received is for budgetary purposes and the Township can inquire about other companies in order to receive more favorable pricing.

Police Chief, David Mettin recommended installing signs for all assigned parking spaces and do not place any additional signage in front of the other remaining parking spots.

ACTION: Motion was made by Joyce Lambert and seconded by Jane Mellert to approve Resolution #2019-22 to submit a Grant Application to Northampton County for the 2019 Northampton County Liveable Landscapes Program. 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.

15. Field Usage Weather-Related Closure and Notification Policy – Recreation Board Recommendation:

Township Manager, Tom Petrucci, stated that there have been a few instances where severe weather including rain and winds have caused damage to the recreational fields. Mr. Petrucci stated that members of the Recreation Board recommended closing the fields for usage ahead of a storm or long period of rain in order to minimize the damage caused to the fields.

Vice Chairman, Glenn Borger stated that they had an issue last year where it rained for a long period of time and the fields were quite damaged because they were used by players once the rain ended and a lot of clean up took place to restore the fields. Much of the responsibility for cleanup is placed on the Township and the Wind Gap Athletic Association.

ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to approve the Field Usage Weather-Related Closure and Notification Policy. 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.

16. Capital Reserve Equipment Expenditure Approval: Trailer for Roller:

ACTION: Motion was made by Glenn Borger and seconded by Stephen Hurni to approve a Capital Reserve Equipment Expenditure for a trailer with a GVWR that is suitable to haul both the Bomag Roller and the Caterpillar Skid Steer and to authorize the Township Manager to effectuate said purchase in an amount not to exceed the 2019 budgeted amount, which was \$14,500.00, 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.

17. Plainfield Township Fire Company – Transmittal of By-Laws, Articles of Incorporation and Nonprofit Corporation Approval Documents; Consideration of Amendment to By-Laws (Review of August 16, 2019 Memorandum Remitted to Board of Supervisors by Township Manager):

Previously, the Board of Supervisors have discussed whether the Township would be interested in conducting road repair work on the driveway entrance for the Plainfield Township Fire Company. Performing the work would need to be a donation from Plainfield Township. If the Township were to donate the work for the driveway, it was previously questioned how the Township would recoup its expenses in the event that the Plainfield Township Fire Company would dissolve.

Township Manager, Tom Petrucci, stated that if the Plainfield Township Fire Company were to dissolve, the plan would need to be approved by the Orphans Court at the Northampton County Courthouse. It is recommended that the Board of Supervisors do not take on the assets of the Fire Company at this time. If the Board were to provide donations and want to ensure such donations are protected, the Township could enter into a separate agreement for each time that a donation is provided to the Plainfield Township Fire Company. The Township would be considered a creditor.

18. 1647 Alpine Drive: Americans with Disabilities Act (ADA) Curb Ramp Request - Report of Township Manager:

Township Manager, Tom Petrucci, stated that the property owner of 1647 Alpine Drive requested that the Township install an Americans with Disabilities Act (ADA)-compliant curb ramp at the intersection of Alpine Drive and Aspen Drive. Based on the research of Mr. Petrucci, the Board has the following options:

- a. Do not alter the Pre-ADA subdivision in any way, and remain compliant (currently).
- b. Install the ADA-compliant curb ramp in the area of 1647 Alpine Drive in accordance with the request from the property owner. This option would be permissible, so long as the Township makes the area that is altered/touched ADA-compliant.
- c. Install ADA-compliant curb ramps at all sidewalk ramp locations/curb crossings, of which I believe there are ten (10) across the entire subdivision. However, I must point out that several of these crossings do not technically lead anywhere.

- d. Wait to replace the sidewalk ramp locations/curb crossings with ADA-compliant curb ramps at the same time when the roadway is paved. Please note that it appears that the installation of ADA-compliant curb ramps will be required at all ten (10) sidewalk ramp locations/curb crossings whenever the roadway is paved (“altered”) in the future.

Mr. Petrucci has configured approximate pricing for such improvements and if the Board were to move forward with the ramp(s), the cost would be approximately \$5,000.00 to \$7,000.00 per each curb ramp. Members of the Board questioned how the owner would be utilizing the ramp. Mr. Petrucci stated that the owner would be using it for walking purposes as there is an issue with the driveway access for walking. The Board members noted that the owner would likely need to use the driveway to access to their home even with the ramp being installed.

ACTION: Motion was made by Glenn Borger and seconded by Stephen Hurni to not alter the Pre-ADA subdivision in any way, and remain compliant as it is currently installed. 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.

Members of the Board expressed interest in having the property owner come to the next meeting to further discuss the situation.

19. Guiderail Improvements Project Bid Approval – Mud Run Road (4,314 Linear Feet) and Gall Road (1,171 Linear Feet):

It is the assessment of the Road Department and Township Manager, Tom Petrucci, that guide rail replacement/improvements are required at the following identified locations:

1. Mud Run Road (T-660) – 4,314 Linear Feet
2. Gall Road (T-619) – 1,171 Linear Feet
- 3. Total Linear Feet= 5,485 Linear Feet**

In attempting to develop a cost estimate to completely replace the guiderail at these locations (and not utilizing the existing guiderail), it was necessary to ascertain the costs of the materials, and I was able to determine the following information:

1. Each panel is 12’ 6” in length. The cost of a panel is \$86.80 +/-
2. End posts are \$44.80 per post. 2 posts are required per each panel. Cost per panel= \$89.60 +/-

3. Blocks are \$5.25 per block. 2 blocks are required per panel. Cost per panel= \$10.50 +/-
4. Post bulbs are \$1.20 per post bulb. 4 post bulbs are required per panel. Cost per panel= \$4.80 +/-
5. Splice bulbs are \$0.60 per post. 5 splice bulbs are required per panel. Cost per panel= \$3.00 +/-
6. **Total Estimated Cost per Panel= \$194.50 +/-**
7. # of Panels Required for Gall Road= 94
8. # of Panels Required for Mud Run Road= 346
9. Materials Cost for Gall Road= \$18,283.00 +/-
10. Materials Cost for Mud Run Road= \$67,297.00 +/-

Mr. Petrucci stated that the estimated Gall Road/Mud Run Road Guiderail Improvement Project Cost (*including contingencies, labor, removal of existing guiderail, installation of new guiderail, mobilization and demobilization*) come to \$171,160.00 +/- (~\$31.21 per linear foot of guiderail installed).

Mr. Petrucci questioned whether the Board will authorize a competitive bid this year for the above-recommended guiderail improvements. Alternatively, the Board may want to break up this project in segments or by road. The Board also has the option of postponing the project for the year 2020.

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to move forward with the Guiderail Improvements Project Bid for Mud Run Road and Gall Road. 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.

20. Approval of License Agreement for Community Park: Girls on the Run Pocono:

Mr. Petrucci stated that Girls on the Run Poconos is teaching women how to run a 5k race. They intend to utilize the new walking path at the Community Park for training purposes. They will be conducting their training on Mondays and Thursdays from 10:00 A.M. to 11:15 A.M.

ACTION: Motion was made by Glenn Borger and seconded by Joyce Lambert to approve the License Agreement for Community Park with Girls on the Run

Pocono. 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.

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

This matter was tabled for the next upcoming Board of Supervisors meeting.

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

This matter was tabled for the next upcoming Board of Supervisors meeting.

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

This matter was tabled for the next upcoming Board of Supervisors meeting.

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

1. Planning and Zoning Report- August, 2019:
2. Road Department Report- August, 2019:
3. Fire Company and Ambulance Report- August, 2019:
4. Recreation Board Report- August, 2019:

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the August, 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- August, 2019:

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the August, 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:

Paul Azzaretto- Mr. Azzaretto noted that his firm is the financial advisor that manages the Township Trust Fund. He added that it has been an interesting year in the bond market. The State Township Code deems that the Township must be fully invested in

bonds. The bonds are currently up 4% at this point in time. They will soon be altering the strategy in the Township's portfolio by purchasing bonds that have a longer term.

Don Moore- Mr. Moore commended the Board and Planning Commission for discussing the possibility of a chicken ordinance.

Mr. Moore stated that he heard the DEP is looking for more applications such as Synagro's. In reference to the last Planning Commission meeting for the Synagro application, Mr. Petrucci questioned if he would be invited to the DEP meeting. He added that Mr. Petrucci was invited to the 11:00 A.M. meeting, however, he was not requested to attend the 10:00 A.M. meeting. Mr. Moore has major issues with this occurrence. Mr. Moore submitted a Right to Know request with the DEP for all materials pertaining to that meeting, both at 10:00 A.M. and 11:00 A.M. Mr. Moore mistakenly received the agenda for the two meetings, which it was confirmed that he should not have received the 10:00 A.M. meeting agenda. Solicitor Backenstoe stated that he finds it quite fascinating that a state agency would hold that type of meeting without any official minutes being written on the matter with respect to the meeting that was held from 10am to 11am.

Mr. Moore added that with all the deficiencies in question pertaining to the current application, Pen Argyl was also not in attendance. He believes the Township was stripped of their right to participate in the meeting. Based on his findings, he encourages the Board of Supervisors to act vigilant and to continue protecting the health, safety, and welfare of residents. He speculates that Waste Management wants to continue with this pending project at all costs.

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 stated that he is the current president of the PA COG. In the upcoming annual COG conference booklet, he requested support from the Board by running an ad in the COG booklet.

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve the purchase of an ad in the annual COG Conference Booklet in the amount of \$150.00. *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.

Mr. Hurni questioned about the possibility of community shredding. He mentioned possibly having a smaller recycling bin in the Township lobby. Mr. Petrucci will conduct further research in the matter for the upcoming Board meeting in October.

5. **Randy Heard, Chairman-** Mr. Heard requested that landscaping be done around the Township Building. He added that there are many weeds and would like to see some mulching. Mr. Heard does not believe the Road Department should be responsible for maintaining the entirety of the landscaping for the building. Mr. Petrucci will conduct further research in the matter and return with options for the Board in terms of landscaping for the building.

SOLICITOR’S REPORT- DAVID BACKENSTOE, ESQUIRE:

All of the Solicitors comments were addressed earlier in the meeting.

ADJOURNMENT:

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

The meeting adjourned at 10:03 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.