

**PLAINFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
January 10th, 2018**

The regular monthly meeting of the Plainfield Township Board of Supervisors was held on Wednesday, January 10th, 2018 at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Vice Chairman, Glenn Borger called the meeting to order at 7:00 P.M.

The Pledge of Allegiance was performed.

ROLL CALL:

The following Supervisors answered roll call: Vice Chairman, Glenn Borger, Joyce Lambert, and Stephen Hurni. Chairman, Randy Heard and Jane Mellert were delayed in attendance to the meeting.

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

Chairman, Randy Heard, arrived at approximately 7:05 P.M.

I. SECRETARY–THOMAS PETRUCCI:

1. Appointment and Swearing in of Special Fire Police- Chairman, Board of Supervisors:

Mr. Dave Johnson was administered the Oath of Office by Chairman Randy Heard and was sworn in/appointed to take the role of a Special Fire Police member for Plainfield Township.

2. Approval of the December 13, 2017 Regular Board of Supervisors Meeting Minutes:

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the December 13, 2017 Regular Board of Supervisors Meeting Minutes. 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.

3. Approval of the January 2, 2018 Reorganization Meeting Minutes:

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the January 2, 2018 Board of Supervisors Reorganization Meeting Minutes. 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.

4. Acceptance of Resignation- Scott Eckert- Recreation Board (Term Ending 1/1/2019)

ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to accept the resignation of Scott Eckert from the Recreation Board with regret. *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.

5. Consideration of Appointment of Robert Cornman Jr. to Recreation Board

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the appointment of Robert Cornman Jr. to the Recreation Board for a full five (5) year term. *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.

II. TREASURER – KATELYN KOPACH:

1. Approval of the December, 2017 General Fund Disbursements (\$251,541.74):

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the December, 2017 General Fund Disbursements in the amount of \$251,541.74. *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.

2. Approval of the December, 2017 Treasurer's Report:

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the December, 2017 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 4-0.

III. TOWNSHIP ENGINEER – MICHAEL KUKLES:

1. Pollutant Reduction Plan (MS4)- Approval to Advertise (Subject to Township Engineer/Township Manager Final Review):

Both the Township and Township Engineer, Mike Kukles, are working diligently towards the renewal of the MS4 Permit and the development of the required Pollutant Reduction Plan (PRP). The primary object under the new permit is the reduction of sediment throughout many municipalities. Within the MS4 Permit, sediment removal is set at a 10% goal by the DEP. Mr. Kukles looked at various outfalls located within the Township in order to develop the loading ratio calculations. Infiltration is a major way to reduce sediment in the Township.

Mr. Kukles reviewed multiple options to reduce the overall sedimentation load within the Township, as required by DEP. There should be a 10% reduction in sediment over the life of the permit. Additionally, the streambank restoration projects currently proposed within the Pollutant Reduction Plan goes compliment the goals of the Little Bushkill Creek Watershed Management Plan. Working in tandem with the Wildlands Conservancy organization, the Township has received grant funding through DCNR in order to complete streambank restoration projects along the Little Bushkill Creek. Additionally, pollutant loading is based on 1,274 acres within the Township which came to around 718,000 pounds of sedimentation load that need to be reduced over the life of the permit. There are different BMP's that the Township can utilize, although, streambank restoration was identified as the most cost-effective solution.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to authorize Township Manager, Tom Petrucci, to advertise the Pollutant Reduction Plan for a public comment period of 30 days required by the DEP. *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.

Following the motion, Mr. Kukles noted that there is 30 day comment period that is required by the DEP while adding that there is mandatory 15 day period required prior to the submission on April 3, 2018. Public comments on the Pollutant Reduction Plan will be accepted until the March 14, 2018 regular meeting.

Chairman, Randy Heard, questioned the entity who measures the data. Mr. Kukles stated that he and Ott Consulting perform the measurements which are then reported. Mr. Heard also asked what type of comments the public may have about this matter. Mr. Kukles noted that there are a few items that residents could be opposed to- for example, the type of BMP's that were selected by the Township.

2. Letter of Credit Reduction Request #5- Wind Gap Logistics Center:

Township Engineer, Mike Kukles, noted that the Wind Gap Logistics Center Land Development is very close to the completion of the project. There are a few items that will not be completed until the spring given the current weather conditions. Mr. Kukles recommended that the reduction of the Letter of Credit be released contingent upon receiving acceptable As-Built Plans. Plans were given to the office at Ott Consulting on Friday, January 5, 2018 but Mr. Kukles was unable to view the plans before the Board meeting.

Mr. Kukles also noted that all issues were resolved with Wind Gap Municipal Authority in regards to the project. The release of funds were in the amount of \$562,876.90 from the amended current amount held, which is \$1,301,797.19. Of the remaining funds, \$738,920.29 will be held upon completion of the remaining items for the project.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to conditionally approve the Letter of Reduction Request #5 to Letter of Credit #10970 (original issue date May 4, 2017), for the account of Wind Gap Logistics Center Owner, LLC, in the amount of \$562,876.90 from the amended current amount held, which is \$1,301,797.19. The remaining balance after this reduction, provided all conditions are met, will be \$738,920.29. The reduction in the Letter of Credit amount is conditioned upon Plainfield Township receiving acceptable as-built plans for the site, in accordance with the December 7, 2017 and January 5, 2018 review letters of Mr. Michael J. Kukles, P.E., Township Engineer. 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.

IV. TOWNSHIP MANAGER – THOMAS PETRUCCI:

1. Resolution No. 2018-06: Sewage Facilities Planning Module- 616 Youngs Hill Road- Dog Kennel/Training Facility

This Resolution is for the sewage planning module approval of the Dog Kennel Training Facility proposal located at 616 Youngs Hill Road. As per Keystone Consulting Engineers and Ott Consulting, this lot was previously part of minor subdivision plan of the late Earl Saylor. Regulations of the DEP have changed since the subdivision took place. The Sewage Enforcement Officer (SEO) for Plainfield Township has reviewed the sewage planning module and issued an approval of the module in order for the module to be reviewed and approved by the DEP.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to have Township Manager, Tom Petrucci, to execute the Sewage Planning Module for the property of 616 Youngs Hill Road (Resolution No. 2018-06). 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.

2. Consideration of Adoption: Ordinance No. 384 Regulating the Cultivation of Bamboo- AN ORDINANCE OF THE TOWNSHIP OF PLAINFIELD, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF PLAINFIELD AT CHAPTER 10 (HEALTH AND SAFETY), PART 1 (WEEDS AND OTHER NUISANCE VEGETATION), BY PROVIDING FOR REGULATIONS GOVERNING THE CULTIVATION OF BAMBOO; SEVERABILITY; REPEALER; EFFECTIVE DATE:

Ordinance No. 384 will regulate the species of running bamboo only. The running bamboo is notoriously known to go through properties of residents and cause major damage to the property. The barrier that is required as per the ordinance provisions would

contain the root system. The owner of the property which contains the running bamboo would need to be in compliance with all provisions as set forth within the ordinance.

Resident, Kevin Phillips, does not agree with this ordinance as it just adds more government regulation within Plainfield Township. Mr. Phillips questioned how the fines will be enforced and expressed his opposition of the adoption of the ordinance.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to adopt Ordinance No. 384 Regulating the Cultivation of Running Bamboo. 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.

3. Consideration of Adoption: Ordinance No. 385 Regulating Unregistered and Uninspected Vehicles on Township Public Streets- AN ORDINANCE OF THE TOWNSHIP OF PLAINFIELD, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF PLAINFIELD AT CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), PART 3 (PARKING), TO AMEND AND RESTATE SECTION 308 IN ITS ENTIRETY (FORMERLY PENALTY FOR VIOLATION) TO ADD NEW PROVISIONS REGULATING THE PARKING OF UNREGISTERED AND UNINSPECTED VEHICLES ON PUBLIC STREETS LOCATED IN PLAINFIELD TOWNSHIP; TO ADD A NEW SECTION 309 WHICH SHALL PROVIDE FOR THE PENALTY FOR VIOLATION OF CHAPTER 15, PART 3 (PARKING); SEVERABILITY; REPEALER; EFFECTIVE DATE:

Plainfield Township is considering the adoption of Ordinance No. 385 which regulates unregistered and uninspected vehicles on Township Public Streets. Registration stickers are no longer required to be on a vehicle. However, Township Manager, Tom Petrucci, stated that the determination of whether or not a vehicle is registered can still be done with the help of the Slate Belt Regional Police Department.

Solicitor, David Backenstoe, noted that this ordinance stops individuals from parking on Township roads for long periods of time and making a nuisance. Essentially, this will alleviate the current situation with essentially abandoned vehicles parking on Township roads.

Township Resident, Millie Bean, questioned the Board on how regulation will take place based on an uncertainty on the length of time that a car has been parked. Mr. Petrucci stated that action would not take place unless a complaint has been filed with the Township. Attorney Backenstoe added that an individual will usually only complain when the vehicle has been there for a while. Ordinance No. 385 will provide for towing as well and the individual is responsible for the cost of the towing.

ACTION: Motion was made by Stephen Hurni and seconded by Glenn Borger to adopt Ordinance No. 385 Regulating Unregistered and Uninspected Vehicles on Township Public Streets. 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.

4. Approval to Advertise Proposed Amendment to Chapter 22 (Subdivision and Land Development) Part 3 (Sketch Plans) Review Procedures- Eliminating Requirement of Sketch Plans for Major Subdivisions and Clarifying Informality of Review Process; Discussion on SALDO Adjoining Landowner Notification Process:

This amendment will change Part 3 of Chapter 22 by eliminating the requirement of sketch plan submissions for all major subdivisions. The Board of Supervisors wishes to have an informal sketch plan submitted only at the discretion of the applicant.

Township Manager, Tom Petrucci, also presented an issue with Plainfield Township's SALDO which currently provides notification to adjoining property owners within 200 feet of the *subject property line* for a Zoning Hearing. However, in the Subdivision and Land Development, adjoining property owners within 200 feet of the *proposed improvements* are to be notified. This regulation overlooks multiple adjoining property owners that are not within 200 feet of the proposed area of improvements but do in fact adjoin the parcel slated for the proposed improvements. Mr. Petrucci also added that a recent SALDO application for a land development project had an issue where there were a few property owners that were not notified because they were not within 200 feet of the proposed improvements but were directly adjoining the property line. The variation between the Zoning Hearing notifications and the SALDO notifications is creating a major issue that needs to be rectified, in the opinion of the Township Manager.

ACTION: Motion was made by Chairman, Randy Heard and seconded by Stephen Hurni to advertise the proposed amendment which shall include language to be worked out with Township Solicitor, David Backenstoe, and Township Manager, Tom Petrucci for notifying land owners that are adjoining the entire boundary of the property. 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.

5. Response of Waste Management to Plainfield Township Letter Concerning the Municipal Waste Landfill Operating Permit for Grand Central Sanitary Landfill:

This matter was discussed at a previous Board of Supervisors meeting. Waste Management representative, John Hambrose, questioned the Board if there were any questions. Chairman, Randy Heard, told representatives from Waste Management that he smelled methane a few nights ago when it was very frigid. John Hambrose from Waste Management noted that this smell was because of the change in the weather system.

When the pressure in the air changes from high to low, the dynamics of the collection field change. Representative, Adrienne Fors, added that they have to adjust the vacuum according to current weather conditions. The pipe is adjusted everyday depending on the weather, type of waste that is being brought in, and the location of the work that day.

Mr. Hambrose and Ms. Fors requested that they be notified of any smells such as methane in order to alleviate and take control of the situation and the system at that time. It was also noted that freezing temperatures affects the gas collection system as well.

6. Appointment and Swearing in of Special Fire Police- Chairman, Board of Supervisors:

Mr. Matthew Waldmiller was administered the Oath of Office by Chairman Randy Heard and was sworn in/appointed to take the role of a Special Fire Police member for Plainfield Township.

7. Street Openings Ordinance Amendment (Chapter 21, Part 1)- DRAFT:

The street openings ordinance amendment for Plainfield Township will provide for more reliable roads with a longer lifespan for usage. This will be especially be helpful for when outside companies come in and work on Township roads. The ordinance also covers the bond for restoration.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to draft the Street Openings Ordinance Amendment (Chapter 21, Part 1) contingent upon minor changes made by Township Solicitor, David Backenstoe. 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.

8. Slate Belt Regional Police Department- Lease Agreement Approval (Effective Dates of Term- 2/1/2018 through 12/31/2020):

The Slate Belt Regional Police Commission has accepted the below summarized conditions as part of the Lease Agreement with the Commission:

- Three-year term commencing on February 1, 2018 through December 31, 2020.
- Either party may terminate the lease 90 days prior to the termination of any term. Meaning, Term 2 could be terminated by the Commission or the Township if notice is provided to either party by October 3, 2018. Term 3 could be terminated by the Commission or the Township if notice is provided by either party by October 3, 2019.
- \$15.00 starting rate per square foot, with 2% increases each subsequent year (\$15.30 in year 2 and \$15.60 in year 3). In addition, the Lease has options to renew at the same terms for one-year periods indefinitely, with an increase of 2% each year that the Lease options are picked up.

- HVAC- Plainfield Township is responsible for the repairs and maintenance of the HVAC system.
- Generator- SBRC will pay for 70% of the fuel costs of the generator.
- Septic System- SBRPC will pay for 70% of the costs to pump out the septic system.

Resident, Kevin Phillips, expressed his disapproval with the Lease Agreement based on the cheaper rate that the Police will be receiving for rent while also having less responsibility for the equipment being used within the building. Board of Supervisors member, Stephen Hurni, also noted that he did extensive research on adjoining police stations and their monthly rent. Mr. Hurni noted that the current monthly rate per square footage is quite fair. Chairman, Randy Heard, stated that the Township is not losing any funds with the new lease agreement.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to draft the Street Openings Ordinance Amendment (Chapter 21, Part 1) contingent upon minor changes made by Township Solicitor, David Backenstoe. 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.

9. Approval to Hire Jack Huff as Seasonal Road Department Employee (2017-2018 Winter Season)- CDL Rate:

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to conditionally hire Mr. Jack Huff as Seasonal Road Department Employee (2017-2018 Winter Season) in the amount of \$20.00 per hour, provided Mr. Huff successfully completes the required CDL drug test and passes a background check. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion approved. 4-0

10. Northampton County Request- Latex Paint Collection Event:

To have this event at the Township Municipal Building, Township Manager, Tom Petrucci, stated that he does not believe this area would be enough room based on the required criteria to hold a latex paint collection event. Mr. Petrucci also expressed concern for where the three staging areas would be located for the event. The possibility of holding the event at the Township Community Park, Wind Gap Middle School, and Waste Management were also discussed.

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to authorize the Township Manager, Tom Petrucci, to work with Northampton County and to coordinate with regional police for traffic in order to hold the event at Plainfield Township Community Park, provided that the logistics

of the site are appropriate to hold the event. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.*
Motion approved. 4-0.

11. Municibid Online Auction- Bids Received for 1). 2000 GMC 8500 C7H042 CHASSIS W/ THIELE DUMP BODY- DUMP TRUCK W/ PLOW & SPREADER; 2) 2008 FORD CROWN VICTORIA POLICE INTERCEPTOR; 2003 FORD CROWN VICTORIA POLICE INTERCEPTOR; 1974 ASPLUNDH WHISPER CHIPPER- MODEL JEY SERIES:

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to allow Municibid to offer the 2003 and 2008 Crown Victoria cars to the highest bidders, as the reserve prices were not met for those two vehicles. Additionally, the motion included the approval of the successful auction amounts for the following: 2000 GMC 8500 C7H042- \$15,000.00 and the 1974 Asplundh Whisper Chipper- \$3,360.00. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* **Motion approved. 4-0.**

12. Approval of Electronic Recycling Event Contract with Northampton County- October 6, 2018- Waste Management GCSL Location:

Ms. Adrienne Fors noted that she is moving forward to allow the event to occur at the Waste Management GCSL Location. All costs will be paid for by the County.

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve the Electronic Recycling Event Contract with Northampton County to be held on October 6, 2018 at the Waste Management GCSL Location. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* **Motion approved. 4-0.**

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

1. Planning and Zoning Report- December, 2017
2. Road Department Report- December, 2017
3. Fire Company and Ambulance Report- December, 2017
4. Recreation Board (none due to lack of a quorum)

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the December, 2017 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 4-0.**

SLATE BELT REGIONAL POLICE DEPARTMENT:

1. Calls for Service Report and Minutes- November, 2017

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the December, 2017 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 4-0.

CITIZEN'S AGENDA/NON-AGENDA:

1. *Adrienne Fors*- Addressed comments earlier in the meeting.
2. *John Hambrose*- Addressed comments earlier in the meeting.
3. *Wanda Gruber*- No longer wanted to speak.
4. *Kevin Phillips*- Mr. Phillips questioned whether the Lease Agreement with the Slate Belt Regional Police Department was for one year or three years. Chairman, Randy Heard, stated that the agreement was for three years, however, a unanimous approval agreeing to end the lease after one year is also possible. They may terminate the Lease Agreement at that time conditioned upon a 90 day notice prior to the end date.

BOARD OF SUPERVISORS REPORTS:

1. *Glenn Borger, Vice Chairman*- No Report
2. *Joyce Lambert*- No Report
3. *Jane Mellert*- No Report
4. *Stephen Hurni*- No Report
5. *Randy Heard, Chairman*- No Report

SOLICITOR'S REPORT- DAVID BACKENSTOE, ESQUIRE:

The Solicitor's items were addressed earlier in the meeting.

ADJOURNMENT:

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

The meeting adjourned at 8:05 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 Gerstenberg, under the direction of the Township Manager/Secretary.