

**PLAINFIELD TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
May 9, 2018**

The regular monthly meeting of the Plainfield Township Board of Supervisors was held on Wednesday, May 9, 2018 at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Chairman, Randy Heard, called the meeting to order at 6:58 P.M.

The Pledge of Allegiance was performed.

**ROLL CALL:**

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

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

**I. SECRETARY–THOMAS PETRUCCI:**

1. Approval of the April 11, 2018 Regular Board of Supervisors Meeting Minutes:

**ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to approve the April 11, 2018 Regular Board of Supervisors 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 April 26, 2018 Special Board of Supervisors Meeting Minutes:

**ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to approve the April 26, 2018 Special Board of Supervisors 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 Glenn Borger abstaining.**

3. Special Meeting Scheduling- May 24, 2018 at 7:00 P.M.:

Township Manager, Tom Petrucci, noted that there will be a Special Board of Supervisors meeting to be held on May 24, 2018 at 7:00 P.M.

4. Appointment of additional Alternate Sewage Enforcement Officer: Zachary A. Karasek (SEO # 03997), Ott Consulting, Inc.:

Mr. Petrucci stated that with the current office changes that were made at Ott Consulting, Inc., it is necessary to appoint Mr. Zachary A. Karasek as the additional Alternate Sewage Enforcement Officer for Plainfield Township.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to appoint Mr. Zachary A. Karasek as the additional Alternate Sewage Enforcement Officer. 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. Sullivan Trail Subdivision (Nolan Perin) – Conditional Approval Expires 5/22/2018-Extension Requested through May 31, 2019:

The Sullivan Trail Subdivision has been discussed at multiple Board of Supervisor meetings. Mr. Petrucci stated that the Board can either grant or deny the extension. The Board compared the work being done with this subdivision versus the Estates at Sullivan Trail. Mr. Petrucci stated that these two subdivisions are not comparable as many things have been completed with the Estates at Sullivan Trail. Solicitor, David Backenstoe, added that the Sullivan Trail Subdivision Conditional Approval does not pose any significant environmental, health, or safety issues with the current conditional approval that was granted. Given the fact that denying this extension would hurt the developer extensively in regards to finances, it was Attorney Backenstoe's recommendation not to hold up this extension based on those inclinations.

Mr. Petrucci added that a good alternative to this issue would be to grant the extension until the end of 2018 along with sending a letter to Mr. Perin which conveys such information. At the time of expiration, there will be specific line items to be completed in order for the conditional approval to be extended for a longer period of time. This matter will be revisited at the end of this year.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Jane Mellert to approve the Extension of Time until December 31, 2018 along with a letter to be sent to Mr. Perin conveying the conditions that need to be completed prior to the upcoming expiration date. 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. Estates at Sullivan Trail Preliminary Major Subdivision – Expires June 30, 2018 Extension Requested through December 31, 2018:

Mr. Petrucci stated that the developer has made significant progress with the subdivision and has been consistently moving forward with the process.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Joyce Lambert to approve the Extension of Time until December 31, 2018. 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. Green Knights Industrial Park II Preliminary/Final Major Subdivision – Conditional Approval Expires 6/21/2018- Extension Requested through December 21, 2018:

Mr. Petrucci stated that with this subdivision, there has been a lot of progress made. This subdivision has the possibility to be recorded by the end of the year as long as some minor issues are corrected. Mr. Petrucci added that he will forward all correspondence between lawyers concerning the upkeep of Male Road.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve the Extension of Time until December 21, 2018 for the Green Knights Industrial Park II Preliminary/Final Major Subdivision. 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.**

## II. TREASURER – KATELYN KOPACH:

1. Approval of the April, 2018 General Fund Disbursements (\$229,101.37):

**ACTION: Motion was made by Joyce Lambert and seconded by Chairman, Randy Heard, to approve the April, 2018 General Fund Disbursements in the amount of \$229,101.37. 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 April, 2018 Treasurer's Report:

**ACTION: Motion was made by Joyce Lambert and seconded by Chairman, Randy Heard, to approve the April, 2018 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 the First Quarter 2018 Univest Non-Uniform Pension Plan Report:

**ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the 2018 First Quarter 2018 Univest Non-Uniform Pension Plan 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.**

After the vote, Supervisor, Jane Mellert, requested a meeting within the near future to review the pension plan.

4. Real Estate Tax Refund- Kessler:

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Joyce Lambert to approve the Real Estate Tax Refund in the amount of \$10.00. *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.**

**III. TOWNSHIP ENGINEER – MICHAEL KUKLES:**

1. Getz Road Culvert Replacement:

Township Manager, Tom Petrucci, stated that it was determined by a Bog Turtle study that there may be Bog Turtles in the area of the Getz Road Culvert Replacement. This result was forwarded to the Fish and Boat Commission. The Commission had to determine whether a Phase II study would need to be conducted. The Commission's response indicated that a Phase II will need to be done prior to any construction. The cost of the Phase II study for the Township will be approximately \$16,000.00. Mr. Petrucci added that this replacement will need to be done within the next few years regardless. The expenditure can be taken from the Capital Reserve account.

Chairman, Randy Heard, noted that this is a waste of money for the Township to spend considering there were no turtles to ever been seen in this location. This requirement cannot be overridden considering it is a Federal entity, as noted by Mr. Petrucci.

**ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to approve the expenditure which is to be taken from Capital Reserve. *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 Road Bridge Replacement- Update:

Mr. Petrucci stated that there were some issues with the road bridge replacement on Grand Central Road. Production time for the bridge was approximately 12-14 weeks. Mr. Petrucci spoke to the Fish and Boat Commission and discussed the possibility of a waiver with the construction time restrictions based on the setback. Typically, waivers will be granted in the spring because fish usually reproduce in the fall months. One other issue was the grant that the Township received from Northampton County for this project. Mr. Petrucci spoke to Mark Hartney (Northampton County DCED Deputy Director) and he stated that as long as the Township goes out to bid and is in a contract, he will work with the Township so the grant is not lost. There is one other grant that was received by the Township but that grant will not expire until 2020 and will not be an issue for this project.

Township Engineer, Mike Kukles, stated that there is still other work to be completed including the fiber optic lines. Having this set back, this will enable the contractor to work freely and do what he needs to do once the actual construction begins. Mr. Kukles will keep things moving forward and the contract should be completed by September 2018 or October of 2018.

#### IV. TOWNSHIP MANAGER – THOMAS PETRUCCI:

1. Consideration of Bids Received: 2018 Bulk Deicing Salt Bid:

Out of the bids received by the Township, Mr. Petrucci stated that the Eastern Salt Company was the lowest bidder coming in at a total of \$69.95 per ton delivered. The Township has previously used Cargill as a supplier. It was questioned of Mr. Petrucci whether he knew of anything negative pertaining to the Eastern Salt Company. To his knowledge, he has not heard of anything negative about the company.

**ACTION: Motion was made by Glenn Borger and seconded by Jane Mellert to award the bid to Eastern Salt Company in the amount of \$69.95 per ton delivered. 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. Merchants Bank Act 72 Compliance- Federal Loan Home Bank Letter of Credit:

Mr. Petrucci stated that the Federal Loan Home Bank Letter of Credit will allow Merchants Bank to alternate methods different from what the bank is currently doing. Essentially, Merchants Bank is pledging account securities with accounts that have higher balances. With a Letter of Credit in the amount of 5 million dollars. That Letter of Credit will be held with the Federal Home Bank of Pittsburg. In the event that the bank defaults, the Township would be able to claim that money immediately. Act 72 notes this is acceptable and is within compliance. Mr. Petrucci stated that Merchants Bank is attempting to free up some liquidity for commercial accounts. The investment security is all of Merchants Bank's assets.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the Letter of Credit for the Federal Loan Home 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.**

3. Renewal/Termination of Municipal Solid Waste Collection and Recycling Contract Notification Due to Solid Waste Services, Inc. (D/B/A J.P. Mascaro) on or before October 31, 2018- Request to Send Certified Letter to Solid Waste Services, Inc./J.P. Mascaro Conforming Contract will end on July 1, 2019 (i.e. no Option Year Renewals):

In regards to the contract with J.P. Mascaro, there are two one-year options that the Board can choose from. Mr. Petrucci stated that there is time to discuss the contract and the

possibility of bidding out a new contract or keeping with the current contract. The Board expressed concern with the current provider as there have been many complaints submitted to the Township. A letter to J.P. Mascaro will be sent on behalf of the Township which illustrates that the contract will be ending on July 1, 2019 and that the Board will be rebidding the contract and will not be extending the current contract.

**ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve sending a letter to J.P. Mascaro to confirm the conclusion of the current contract on July 1, 2019. Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public. Motion was NOT approved. Vote 2-3 with Glenn Borger, Randy Heard, and Jane Mellert voting no.**

Following the vote, Supervisor, Jane Mellert, stated that with the time that is remaining on the contract, she wishes to wait and discuss the matter further. Board members Glenn Borger, Jane Mellert, and Randy Heard agreed that such letter should not be sent at this time.

4. Resident Notification System Update (Regional Option- SBRPD/Plainfield/Wind Gap/Pen Argyl) – Savvy Citizen Recommendation:

It is the intent of the Township to get a system to notify residents about news and major events with adjoining municipalities. Mr. Petrucci stated that the expense for the Township would be approximately \$2,000.00 a year. He also requested approval from the Board of Supervisors to have a meeting with representatives of adjoining municipalities involved in order to determine which company would be the best fit. Mr. Petrucci added that he will no longer be using Novus Agenda and the money previously budgeted for Novus Agenda would be used for the notification system. All Supervisors expressed approval of Mr. Petrucci meeting with the municipal representatives included in this project.

5. Northampton County Department of Community and Economic Development Uncommitted Grant Award for Human Services, Infrastructure Improvements, Facilities, Emergency Services, Health and/or Public Safety – \$31,440.00 (Recommendation for Slate Belt Regional Police Department Replacement Patrol Vehicle Purchase- Lease Agreement Required):

Mr. Petrucci stated that the Northampton County Gaming Revenue and Economic Redevelopment Authority will be shutting down. The entity decided to distribute the remaining funds to all municipalities within Northampton County. Plainfield Township will be receiving a total of \$31,440.00 which can be used for Human Services, Infrastructure Improvements, Facilities, Emergency Services, Health and/or Public Safety. Township Manager, Tom Petrucci, suggested that the Township either purchase a vehicle for the Slate Belt Regional Police Department or a piece of equipment for the Road Department. Either expenditure would work with the amount being received.

The Board of Supervisors discussed additional options to use the funds for. There were many other uses that were discussed. The Board requested to wait and see what other municipalities will be doing with the funds that they received and will make a decision at a later date on this matter.

6. 2018 Community Investment Partnership Program (CIPP) Grant – Notice of Intent Due June 8th; Application Due July 13th – up to \$50,000.00 (Recommendation for Generators at Fire Department and Road Department Building- Budget Dependent):

Township Manager, Tom Petrucci, explored multiple options in regards to purchasing generators for the Township and the Plainfield Township Fire Department. The Board was very much in favor of this request.

Mr. Petrucci will send a notice of intent and will have a resolution ready for review at the June Regular Board of Supervisors meeting to move forward with the grant for the generators.

7. 2019 Northampton County Hotel Tax Grant Opportunity – Due June 15, 2018:

Township Manager, Tom Petrucci stated that the 2019 Northampton County Hotel Tax Grant is now open. Typically, this grant requires a program that is geared towards tourism. Mr. Petrucci stated that he is unsure of what to apply for. Supervisor, Jane Mellert, mentioned promoting the farmers of the Township including the Produce Crib and some other related items to attract local business to the area. Mr. Petrucci will look into whether or not there are any options for awareness campaigning/agritourism for local businesses.

8. Authorization for Township Manager to Execute PPL Encroachment Agreement for Community Park Walking Path Extension:

Mr. Petrucci stated that a portion of the walking path encroaches on PPL right-of-way. Therefore, in order to complete the project, the Board will need to execute a contract. Mr. Petrucci added that this would be a standard agreement which would ultimately dissolve any liability PPL may have and the Township will be liable. Township Engineer, Mike Kukles, added that this procedure is standard across the board.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to authorize the Township Manager to execute the PPL Encroachment Agreement. 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. Conservation by Design Ordinance Recommendation- Zoning and SALDO Review:

Township Manager, Tom Petrucci, noted that the Board has previously authorized the Environmental Advisory Council (EAC) to investigate the Township's current

Conservation by Design Ordinance. Mr. Petrucci took a look at the model ordinance that was developed by the Natural Lands Trust. He found that there are major differences between the model ordinance and the current ordinance that the Township has in place. The EAC recommended to the Board of Supervisors to first correct the major issues and then review the ordinance further to correct the other items that need to be addressed. The option being proposed will also be more cost effective for the Township. The Board stated that because the EAC has already been reviewing the ordinance, they can continue to do so in order to find any issues that need to be addressed.

**ACTION: Motion was made by Joyce Lambert and seconded by Glenn Borger to authorize the EAC in conjunction with the Township Manager to correct the Development by Design Ordinance. *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. Approval of BCM Engineers (Michael Brunamonti, P.E.) Review of Grand Central Sanitary Landfill, Inc. PA DEP Permits for Slate Belt Heat Recovery Center, LLC Estimated Cost of \$8,000.00:

The Board has previously requested the amount it would cost for Mr. Michael Brunamonti, P.E. from BCM Engineers to review the PA DEP permits that were submitted by Grand Central Sanitary Landfill, Inc. and Slate Belt Heat Recovery Center, LLC. in order to determine the conformity of their submission. Township Manager, Tom Petrucci, added that Mr. Brunamonte's review would not be paid from the escrow account. The estimated cost for Mr. Brunamonte to review the permits would be anywhere from \$5,000.00 to \$8,000.00.

**ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard, to authorize the expenditure for Mr. Michael Brunamonti, P.E. from BCM Engineers to review the PA DEP permits that were submitted by Grand Central Sanitary Landfill, Inc., Slate Belt Heat Recovery Center, LLC. *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.**

11. DEP Public Hearing Announcement:

Township Manager, Tom Petrucci, recommended to send a letter to both PA DEP Northeast Regional Office Director, Mr. Michael Bedrin, and to Mr. Christopher Salloway, Chief of Permits Section at PA DEP, requesting that DEP officials to hold a public hearing in regards to the following PA DEP permit applications submitted by Grand Central Sanitary Landfill, Inc. and Slate Belt Heat Recovery Center, LLC:

- i. Individual NPDES Permit Application – Stormwater Runoff from Industrial Activities
- ii. Municipal Waste General Permit Application

- iii. Air Quality Application for Plan Approval
- iv. Minor Permit Modification- Grand Central Sanitary Landfill, Inc. (Facility No. 100265)

The reasoning for this hearing is to have residents comment on the permit applications directly to DEP officials on the concerns that they have. Representatives of the DEP would not answer questions right away because it is a hearing, but would supply information at a later date.

**ACTION: Motion was made by Jane Mellert and seconded by Glenn Borger to a letter to Mr. Michael Bedrin (PA DEP Northeast Regional Office Director) and Mr. Christopher Salloway (Chief of Permits Section at PA DEP) requesting the DEP to hold a public hearing pertaining to submitted applications in regards to Synagro Technologies, Inc. *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.**

12. Traffic Study Request- Wanda Gruber:

Resident, Wanda Gruber, presented a written letter which requested a traffic study to be conducted at the intersection of Bangor Road (SR 191) and Sullivan Trail (SR 115). Township Manager, Tom Petrucci, added that there have been over 20 accident reports (does not include unreported accidents) since 2002. Supervisor, Stephen Hurni, questioned whether the Township has previously requested this study in the past. Mr. Petrucci stated that it was previously requested by the Township. Supervisor, Joyce Lambert, noted that this area is very dangerous.

Township Manager, Tom Petrucci, will investigate the matter further and provide additional information to the Board of Supervisors. Mr. Petrucci added that Mill Road and Pen Argyl Road may be another traffic study option as well.

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

1. Planning and Zoning Report- April, 2018
2. Road Department Report- April, 2018
3. Fire Company and Ambulance Report- NONE
4. Recreation Board Report- April, 2018

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the April, 2018 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. Calls for Service Report and Minutes- April, 2018

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to approve the April, 2018 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.**

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

1. ***Don Moore-*** Mr. Moore noted that the Board previously wrote a letter to the Zoning Hearing Board. He indicated that he was offering a response to the status of their work since the letter was given. Mr. Moore stated that the Zoning Board did not take vote on a few matters that are required to take a vote on to cover the entirety of the hearing requirements. He added that none of the variance criteria was discussed. Testimony from residents were completely ignored. Mr. Moore noted that he has major issues with Solicitor Zulick as he did not allow himself or another resident to speak at the continuance hearing. Mr. Moore attested that Mr. John Santo ensured him that he and the resident would be able to speak, but was not. He added that the Zoning Hearing Board had an executive session after the April meeting and never noted it at the May hearing which the Zoning Board is not allowed to do. Mr. Moore noted that this was a very depressing report to give to the Board of Supervisors. Additionally, he requested the Board to send a letter to Green Knight requesting the Bylaws.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to authorize Township Manager, Tom Petrucci, to write a letter to Green Knight requesting a copy of the Bylaws on behalf of the Plainfield Township residents. *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 Mr. Stephen Hurni abstaining.**

2. ***Kevin Phillips-*** Mr. Phillips questioned about the bog turtle phase II study requirement on a project in the Township. He noted that having this requirement is not fair for the Township to pay considering there have never been any sightings of bog turtles in that area.
3. ***Adrienne Fors-*** Mrs. Fors noted that May 2018 is looking promising for Waste Management. July 2018 is projected to be about the same outcome, possibly less than May 2018. Mrs. Fors handed out an event spreadsheet for the Board of Supervisors. She also noted that Earth day was a good turn out and a positive event.

## **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 questioned Supervisor, Jane Mellert, about what happened at the last police meeting since he was not in attendance. Additionally, Mr. Hurni requested a letter to be sent advising U.S. Senators and other Township representatives about the cost that the Phase II bog turtle study is for Plainfield Township and the delay that this study is causing for the project. Essentially, he would like an outline of what the Township is going through in order to meet the requirements of this project.

**ACTION: Motion was made by Chairman, Randy Heard, and seconded by Stephen Hurni to send a letter advising U.S. Senators and other Township representatives about the cost that the Phase II bog turtle study is for Plainfield Township and the delay that this study is causing for the project. 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. *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 Glenn Borger and seconded by Chairman, Randy Heard, to adjourn the meeting. Motion approved. Vote 5-0.

The meeting adjourned at 8:54 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.*