

**PLAINFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
JULY 23, 2020**

The regular monthly meeting of the Plainfield Township Board of Supervisors was held on Thursday, July 23, 2020 via Telephone Conference Zoom Meeting Call-In Number: (888) 788-0099 (US Toll Free)

Conference ID: 391 592 5613 (Press # when prompted)

In accordance with Governor Wolf's ongoing COVID-19 pandemic emergency declaration by the Commonwealth of Pennsylvania, Plainfield Township officials are holding this regular meeting utilizing the Zoom authorized telecommunication device platform only. Remote meetings are permitted under the provisions of Act 15 of 2020 (Health Care Cost Containment Act). The Board of Supervisors will not be physically present at this meeting. This public meeting will be recorded. We kindly ask that all interested parties participating via the dedicated conference call line to only speak during the sections of the meeting that are specifically reserved for public comment or when prompted by the Chairman and to also state your name each time you are speaking. Members of the public and all interested parties will have the opportunity to comment via the telephone conference call prior to any official action taking place and during the Citizen's Agenda/Non-Agenda portion of the meeting. Anyone intentionally disrupting the meeting will be promptly muted and/or ejected from the call.

Chairman, Randy Heard, called the meeting to order at 7:02 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, Stephen Hurni and Joyce Lambert.

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

- *Now that the roll call of the Board of Supervisors is completed, we will proceed with a roll call of all members of the public who are participating on this call. Please state your name(s) one at a time so the Township can make sure that your participation is recognized.*

PUBLIC ATTENDANCE:

The following residents were present on the call:

Adrienne Fors
Terry Kleintop
Don Moore
Richard Woolf

I. SECRETARY–THOMAS PETRUCCI:

1. Approval of the June 25, 2020 Regular Meeting Minutes (DRAFT):

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the June 25, 2020 Regular Meeting Minutes as presented. *Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.* Motion approved. Vote 5-0.

2. Approval of the July 8, 2020 Regular Meeting Minutes (DRAFT):

ACTION: Motion was made by Jane Mellert and seconded by Randy Heard to table the July 8, 2020 Regular 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 5-0.

II. TREASURER – KATELYN KOPACH:

1. Approval of the June, 2020 General Fund Disbursements (\$276,840.51):

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the June, 2020 General Fund Disbursements in the amount of \$276,840.51. *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 June, 2020 Treasurer’s Report:

ACTION: Motion was made by Joyce Lambert and seconded by Stephen Hurni to approve the June, 2020 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 Real Estate Tax Refunds: 751 West Pennsylvania Ave - \$26.39 (paid penalty amount during base period); 593 Male Road Rear – \$263.42 (reassessed due to a demolition):

ACTION: Motion was made by Chairman, Randy Heard and seconded by Stephen Hurni to approve the Real Estate Tax Refund for 751 West Pennsylvania Ave in the amount of \$26.39 (paid penalty amount during base period) and the Real Estate Tax Refund for 593 Male Road Rear in the amount of \$263.42 (reassessed due to a demolition). *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, P.E.:

1. Getz Road Culvert Replacement- Project Update:

Township Engineer, Mike Kukles, stated that everything is underway with the Getz Road Culvert Replacement Project. Mr. Kukles hopes to come back to the Board of Supervisors with the results of the bids and is hoping for good numbers.

IV. TOWNSHIP MANAGER – THOMAS PETRUCCI:

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

Township Manager, Tom Petrucci, did not have a report at this time. A meeting is set to be held in September 2020.

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

- a) Private Well Test Water Quality Sampling Results Disseminated July 8, 2020

Township Manager, Tom Petrucci, stated that the results for the private well water testing were sent out to the prospective property owners on July 8, 2020. Some phone calls were received regarding their results. Those property owners will do follow up testing and remediation measures where feasible.

Ms. Jane Mellert questioned what was testing for. Mr. Petrucci listed the following testing points as Nitrates, E.coli, Fecal Coliform, and Total Coliform. Mr. Petrucci recommended for any property owner that had high number results in any of the testing fields to have the water retested. If the new results are similar to the first results, we then recommended for the property owner to consult with water quality experts to see if additional measures are needed.

3. Plainfield Township MS4/Stormwater Management Program – Monthly Briefing:
 - a) Consideration of Advertisement for Adoption: Ordinance for Controlling Animal Wastes (Adoption Required by September 30, 2020 – Pollutant Control Measures of Current MS4 Permit)

Township Manager, Tom Petrucci, stated that within Pollutant Control Measures of Current MS4 Permit, there is a measure where the Township is required to do adopt an ordinance for animal waste. The DEP does not provide a draft template. Mr. Petrucci provided a draft ordinance to the Board where he created the template himself. Ms. Jane Mellert questioned about Page 3 under Section 2 regarding “Enforcement and Penalties”. Ms. Mellert added that there is a \$1,000.00 fine for the first offense. Ms. Mellert would like to incorporate a different approach for the first offense in the form of a “warning”. Mr. Petrucci stated that he will incorporate more of a “parking ticket” fine process rather than proceeding directly to the Magistrate level.

Solicitor Backenstoe added that what was added to the draft ordinance for the first disciplinary action is the typical summary offense. The Magistrate will impose fees based on the situation and whether the individual is a repeat offender. Solicitor Backenstoe noted that he has never seen a situation where the offender has been sent to jail.

4. Public Hearing for Official Map Special Encroachment Permit Application – 744 Rasleystown Road:

Township Manager, Tom Petrucci, stated that the Township adopted an Official Map in January of 2020. Within the map, there were certain areas identified as having public importance in terms of protection of stream corridors, the trail corridor, as well as potential parking areas. If a permit is submitted with a property within the areas of the Official Map, this will trigger a review period with the Board of Supervisors for a Special Encroachment Permit. Mr. Petrucci questioned if the Board had any questions regarding the process.

Resident, Terry Kleintop, mentioned that the property owner at the time of the adoption of the Official Map was notified of the property being located on the Official Map. Additionally, the owner new that the Township was interested in purchasing this property. He added that the previous owner had an obligation to notify the new owner that the property was identified on the Official Map.

Solicitor Backenstoe stated that Township Manger, Tom Petrucci, outlined the procedures generally. If residents have a quick question about the process of this review, they may ask at this time. Any other comments will need to hold until the

appropriate time. No questions were asked at this time. Solicitor Backenstoe stated that the Board will now move into the testimony phase.

Solicitor Backenstoe swore in Mr. Kenneth G. Simonds located at 482 Belfast Road, Nazareth, PA, 18064 whom is seeking the Special Encroachment Permit for 744 Rasleytown Road. Solicitor Backenstoe stated that this property is covered with potential Green Space as identified on the Official Map. The Township has a built in process that the reservation expires either in 6 months or in one year. The 6 month time frame is for a property owner who is requesting relief that does not require a land development and it expires in one year if they are required to pursue a land development. Solicitor Backenstoe stated that this land owner is not looking to pursue a land development. He added that once the Township is put on notice, the reservation on the map expires in 6 months. A property owner, like Mr. Simmonds, can request a Special Encroachment Permit where he says to the Township that he has a reason for his request and would like to explain his reasoning for his request. The Board can then discuss it and act on the request. Solicitor Backenstoe requested Mr. Simonds to explain the situation of what happened and what exactly he is requesting.

Mr. Simonds stated that he and his wife were looking to purchase property. They found the lot located at 744 Rasleytown Road. Mr. Simonds then contacted the Township and spoke with the Zoning Officer, John Lezoche. Mr. Lezoche indicated that there are no issues with the property. Ms. Simonds made an offer on the lot and purchased the property. During the interim, Mr. Simonds had to re-mortgage his home located on Belfast Road. Building Permit applications as well as the Grading Plans were completed. Mr. Collura was the engineer for the project. Mr. Simonds added that the title insurance company never found any issue with the property. He mentioned that Mr. Lezoche never notified him about the property being on the Official Map. Mr. Simonds stressed that if he cannot obtain the permit needed to build his home, he will be financially ruined. He is requesting the Special Encroachment Permit in order to move forward with building a new home on the lot of 744 Rasleytown Road.

Solicitor Backenstoe questioned whether any Board members had any questions. Ms. Jane Mellert asked whether Mr. Simonds purchased one lot or two lots in that area. Mr. Simonds indicated that they purchased two lots just under 3 acres of land. Ms. Mellert questioned who owned the front lot and who owned the back lot that was sold to Mr. Simonds. Mr. Simonds stated that Mr. Ron Decesare owned 744 Rasleytown Road and Mr. Nolan Perin owned the lot behind 744 Rasleytown Road. Mr. Simonds stated that Mr. Decesare indicated that the Township was interested in purchasing the property, however, the Township took over 6 months and didn't have the money because he would have sold it to the Township. Ms. Mellert stated that it was not a 6 month time frame and stated that the Township is obligated to go by the laws when

you purchase a property and you have to have an appraisal done by a PA Certified Appraiser. Ms. Mellert added that the process is complicated and takes more time. Members of the public were requested to speak at this time from Solicitor Backenstoe regarding any questions they had of Mr. Simonds.

Mr. Terry Kleintop is located at 839 Engler Road in Plainfield Township. Mr. Kleintop questioned Mr. Simonds if the previous owner ever mentioned or disclosed to him that the property was located on the Official Map. Mr. Simonds stated that he did not disclose this information and believes that if he knew, he would have disclosed that about the property. Mr. Simonds does not believe that Mr. Decesare was aware it was on the Official Map. Mr. Kleintop stressed that it is quite problematic that the title search company as well as the mortgage company never discovered an encumbrance on property.

Mr. Don Moore is located at 5610 Berhel Road in Plainfield Township. Mr. Moore questioned that when Mr. Simonds learned that the Township expressed interest in the property he purchased, whether he ever researched as to why the Township was interested. Mr. Simonds indicated that he did not look into why the Township was interested in the property and that Mr. Lezoche never indicated any issues with the property. Mr. Simonds believes he did his due diligence. Mr. Moore stated that the Township has been looking at the property for years. Mr. Moore questioned Mr. Simonds on whether the grading plan and building plans are done for the property. Mr. Simonds indicated that they are complete. Mr. Moore questioned whether there is any development planned for the second lot that was purchased from Mr. Perin. Mr. Simonds stated that it is his intent to keep the lot as woodlands and to merge both properties into one lot. Mr. Moore questioned whether Mr. Simonds is constrained to building on the main lot. Mr. Simonds indicated that he is constrained to the one lot.

Mr. Rich Woolf is located at 1130 Evergreen Court in Plainfield Township. He stated that everyone seems to be concerned about why Mr. Simonds did not look into why the Township was interested in the lot and that the companies involved with the purchase did not located the issue. He questioned what the big issue is with this.

Chairman, Randy Heard, stated that the Township did in fact have the money for the lot and that funds were not an issue.

Mr. Simonds noted that he is not sure what else could have been done to avoid the issue they are currently discussing as Mr. Lezoche did not indicate to him that the property was on the Official Map.

Ms. Joyce Lambert, Supervisor, questioned about when the letters were sent out to the property owner for the Official Map. Mr. Petrucci indicated that letters were sent to all property owners located within the Official Map during the previous year.

Mr. Kleintop questioned whether the prior owner should be part of this hearing. He feels that the property owner has a real responsibility to be here to explain himself. He questioned why the previous owner did not mention about the major encumbrance on the property. He added that it is really difficult to understand how the mortgage company and title search company did not have this issue come to their attention. Mr. Kleintop stressed that aside from the Zoning Officer, John Lezoche, not disclosing that the property is on the Official Map, the realtor, mortgage company, and title search company did not do their job.

PUBLIC TESTIMONY:

Don Moore- Mr. Don Moore stated that Plainfield Township has had an interest in obtaining 744 Rasleytown Road to support the Recreation Trail for several years. He added that landowners of properties affected by the first draft of the Official Map were sent letters on March 29, 2019. A meeting was held a month or two later at which affected landowners voiced concerns and gave feedback. The owner of 744 Rasleytown Road, a Realtor, did not attend, and Mr. Moore did not have any knowledge that he gave the township feedback in written form. Mr. Moore stated that in late 2019, one of more members of the administration of Plainfield Township were in verbal negotiations with the owner of 744 Rasleytown Road to purchase the property. Following adoption of the Official Map at the January 8, 2020 BOS meeting, a motion to consider purchase of 744 Rasleytown Road was made. Mr. Moore spoke to the fact that in his opinion, this lot is easily one of the highest two priority properties in the Township that is on the Official Map, and much time and effort was invested in the creation of the map. The BOS voted against the motion that evening.

Mr. Moore stated that the property owner needs to do a thorough review and this is a real issue. Mr. Moore stressed that Plainfield Township should not grant this Special Encroachment Permit, but rather engage with the landowner as provided for in the Official Map Ordinance for a period of time not to exceed six months, in order to see if an agreement can be reached that provides the township at a minimum with at least a few parking places to access the trail. Mr. Moore noted that the landowner purchased an additional adjacent lot which also fronts the Recreation Trail, which should be brought into the negotiation. Mr. Moore why we went through the process of the Official Map. He added that Plainfield Township has all the elements to be successful including the funding, the commitment by taxpayers to preserve and support Open Space, and now the process. In the event the Board finds it is not willing to engage in discussion with the landowner over the six months prescribed by the Ordinance, I would suggest that the Board submit the landowner's request to the Planning Commission as provided for in Ordinance 398, Sec 1-908(2.B)(1), for review and advice to the BOS, for a vote at a later time. Mr. Moore objects to the

Township approving the Special Encroachment Permit. He stressed that if the Township were to grant this Encroachment Permit, the Township would no longer have the ability to discuss any other options.

Rich Woolf- Mr. Woolf stated that when Mr. Simonds approached the Township for any outstanding issues, the Zoning Officer should have known that this property was located within the Official Map. Mr. Simonds would have never purchased the property knowing the information he knows now.

Kenneth Simonds- Mr. Simonds stated that not only did he talk to the Zoning Officer, but the Surveyor and Title Search Company did not locate any discrepancies. Ms. Mellert questioned who Mr. Simonds hired as his engineer. Mr. Simmonds engineer was Mr. George Collura.

Terry Kleintop- Mr. Kleintop questioned why George Collura would not have been aware of the Official Map. Township Manager, Tom Petrucci, stated that the Official Map would not be something directly identified by a surveyor unless that individual called the Township Office and questioned about the property. Mr. Petrucci added that Township Ordinances are recoded at Recorder of Deeds. The Official Map itself cannot be viewed at the Recorder of Deeds as it is only the text that is recorded. However, all individuals should contact the Township regarding a property. Mr. Kenneth Simonds contacted Township directly and did his due diligence on the property.

Mr. Kleintop questioned how this issue can be amended. Mr. Petrucci stated that every time an inquiry is submitted to the Township, a GIS Exhibit is printed with the permit application in order to discover whether the property is located in any problem areas including the Official Map.

Don Moore- Mr. Moore elaborated on one of his previous suggestions to the Board. Mr. Moore also added that the property owner of 744 Rasleytown Road also purchased a property directly behind their main lot. The Board may negotiate some type of parking spaces on that lot for the Township Trail.

Solicitor Backenstoe questioned Mr. Simonds on what the time frame is for the mortgage. Mr. Simonds stated that he was under the impression that he would be installing the foundation for the home sometime in June. Mr. Simonds stressed that this is really creating a problem.

Mr. Stephen Hurni stated that he has heard some very troubling things during tonight's public hearing. Mr. Hurni would not feel comfortable making a decision without an executive session. Solicitor Backenstoe stated that this is a public hearing and does not believe an executive session would be allowed under the Sunshine Act.

He stated that this is a matter that needs to be discussed face to face. Ms. Mellert stated that the Board members are aware that she is the member that wanted to obtain the property. She added that she understands where Mr. Hurni is coming from on the issue, but looking at the fact that the Township received an appraisal and this matter was taken to vote on more than one occasion, the Township delayed it too long. In the interim, a buyer came in and purchased two properties. She added that as much as this is a disappointment, Mr. Simonds has already gone through a lot in order to attempt to obtain the Encroachment Permit. She added that it does not feel right to hold up the process as it is not Mr. Simonds fault. Ms. Mellert believes that the Board should allow Mr. Simonds to have the approval in order to building a new home on his property. Mr. Glenn Borger stated that if he were in the buyer's shoes, he would be very unhappy, and if he were in the Board's shoes, he would be in the same position. He stressed that the gentleman is losing money and it is time the Board walks away and let this man build his house. Chairman, Randy Heard, stated that the Board had a vote previously and voted no. After that vote, the Board then voted to put in an offer on the property. Those actions are now null and void and the Board has missed out on the opportunity. He stressed that this resident has done nothing wrong and the Township should not penalize him based on the issues with the relator and the Zoning Officer. Ms. Joyce Lambert agrees with the Board on the matter and does not believe Mr. Simonds should be punished for the things that happened in the background. It's time to move forward.

5. Consideration of Approval of Official Map Special Encroachment Permit Application – 744 Rasleytown Road:

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Jane Mellert to grant the Special Encroachment Permit Application to Mr. Kenneth Simonds located at 744 Rasleytown Road in order to build a new home on the lot. 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. Hurni stated that there are a lot of matters that need to be discussed with the Board at a later date regarding this issue.

Ms. Mellert thanked Mr. Moore and Mr. Kleintop for their testimony. She understood where they were coming from and both of which know how hard the Township tried. However, the Township needs to move forward and see what other opportunities there are. She wishes that Mr. Simonds will have a wonderful life in Plainfield Township.

Mr. Kleintop stressed that his testimony tonight was not to put a road block on Mr. Simonds situation, rather, these kinds of things simply cannot happen and need to be fixed now. Mr. Moore understands that Zoning Officer did not inform Mr. Simonds

that the property located on the Official Map. He added that Zoning Officer's decisions are very critical and made a poorly informed decision. There are several other instances recently regarding poor decisions. Mr. Moore is really concerned with the Zoning Officer and his decisions lately.

6. Resolution 2020-11: Approval of Memorandum of Understanding on Intergovernmental Cooperation between Plainfield Township Board of Supervisors and the Slate Belt Council of Governments – 2019 Local Share Account (Monroe County) Gaming Grant:

Township Manager, Tom Petrucci, stated a Memorandum of Understanding on Intergovernmental Cooperation between Plainfield Township Board of Supervisors and the Slate Belt Council of Governments (COG) was provided to the Board in order to authorize the Township and the COG to work together on a grant that was awarded to Plainfield Township received in the amount of \$208,452.00 through the Commonwealth Financing Department to purchase a street sweeper for the use of the COG. The street sweeper will be titled in name of the COG. The street sweeper will be available for use to all members of the COG. Mr. Petrucci noted that the MOU would need to be approved in order to allow the purchase to go through. There will be no matching funds for project. Mr. Hurni stated that Attorney Gary Asteak reviewed the MOU on behalf of the COG and found no issues other than what Mr. Petrucci has previously identified. Mr. Hurni stated that Mr. Petrucci did a good job on this project.

Ms. Mellert questioned where the street sweeper will be stored while it is not being utilized. Mr. Hurni is not sure of the location. Ms. Mellert questioned how maintenance costs will be covered. Mr. Petrucci suggested that the costs be shared equally between municipalities. Mr. Hurni stated that the leaf vac is handled in the same manner. Insurance will be through the COG. There are currently 8 municipalities in the COG. Mr. Petrucci recommended that each municipality have their own insurance policy as well. Workman's Compensation would be through whichever municipality is using the equipment.

ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard, to approve the Memorandum of Understanding on Intergovernmental Cooperation between Plainfield Township Board of Supervisors and the Slate Belt Council of Governments for the purchase of a street sweeper. *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. Resolution 2020-12: COVID-19 County Relief Block Program – Due August 7, 2020:

Mr. Petrucci stated that Northampton County forwarded out a COVID- 19 Relief Block Program. This is due August 7, 2020. This program pays for COVID-19 related costs associated with small businesses, nonprofits, and governmental agencies. They are trying to get back to work to get back to some level of normalcy due to COVID-19. Mr. Petrucci conducted some research on a ventilation system for the Township Building which would be covered under this grant. There is a proprietary hardware available through a local company in Lehigh Valley. Mr. Petrucci is currently exploring options with them as to installing this type of technology in the Township Building. Mr. Petrucci does not have any specifics yet due to the timing and an inspection of the HVAC system would also need to be done in order to determine whether it would be compatible. Mr. Petrucci prepared generic resolution which would enable Mr. Petrucci to submit a grant to Northampton County for this system in the amount that would be necessary. There is no grant limit as to what can be requested. Additionally, no local Township funds would be utilized for this project. Ms. Mellert questioned whether Mr. Petrucci has an approximate cost. Mr. Petrucci is expecting an approximate cost in the next week or two.

ACTION: Motion was made by Stephen Hurni and seconded by Glenn Borger to approve Resolution 2020-12 for the COVID-19 County Relief Block 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.

8. Approval of 2020 Chip Seal Invoice (Asphalt Maintenance Solutions) - \$250,912.81 (Capital Reserve Fund Line Item 438.00 – Maintenance and Repairs of Roads and Bridges):

ACTION: Motion was made by Jane Mellert and seconded by Stephen Hurni to approve the 2020 Chip Seal Invoice to Asphalt Maintenance Solutions in the amount of \$250,912.81. 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. Approval of Copier/Printer/Scanner COSTARS Lease – Current Lease Expires July 27, 2020:

Mr. Petrucci stated that the Township has been using Xerox for the last several years. With the entire office utilizing the equipment, the equipment has been lagging and does not function the way it needs to on a daily basis.

ACTION: Motion was made by Stephen Hurni and seconded by Joyce Lambert to approve the Copier/Printer/Scanner COSTARS Lease. 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. Farmer's Grove Facility Use Request (August 29th) – Plainfield Township Farmer's Association:

Ms. Susan Hahn has indicated to the Township that she no longer is requesting to utilize the Farmer's Grove Facility on August 29th as the event has been cancelled due to COVID-19.

Ms. Mellert noted that she was disappointed as she was looking forward to attending the event.

11. Faith Christian School 40th Anniversary Homecoming Community Park Facility Request – October 16th:

Township Manager, Tom Petrucci, stated that Faith Christian School is holding their 40th Anniversary Homecoming. They have requested to use the Community Park Facility for their event. There will be approximately 100 to 150 people outside. There will be bouncy equipment and other heavily touched facilities/areas at the event.

Ms. Mellert stated that if the restrictions due to COVID-19 hinder the use of the bouncy house, the event holders could remove the bouncy house all together or add additional restrictions for usage. Chairman, Randy Heard, questioned whether the Township has any liability in these situations. Solicitor Backenstoe does not believe the Township holds any liability and questioned Mr. Heard on where his concern rises. Chairman Heard stated that he is concerned if individuals get infected with COVID-19 at the event which is held on Township property. Solicitor Backenstoe suggested that participants can be required to sign a waiver. Mr. Petrucci will also follow up with the insurance carrier regarding this issue as well on whether there is additional liability and if the Township does, whether the Township is covered. Ms. Mellert requested that the request be approved contingent upon Tom Petrucci's findings.

ACTION: Motion was made by Glenn Borger and seconded by Chairman, Randy Heard to approve the Community Park Facility Request on October 16th, 2020 for the Faith Christian School 40th Anniversary Homecoming Event contingent upon Township Manager's findings regarding liability with the Township Insurance Carrier. *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. Stephen Hurni stated that most insurance carriers do not cover illnesses such as COVID-19.

12. Full-Time Plainfield Township Zoning Officer Position- Advertisement Discussion:

Township Manager, Tom Petrucci, would like to advertise for a Full Time Zoning Officer position if the Board is inclined to do so. Ms. Mellert questioned whether the Township would need a full time position for a Zoning Officer. Ms. Mellert requested that the ad state a minimum of 30 hours per week. Mr. Petrucci would like to explore what other options there are on having a greater availability for a Zoning Officer. Mr. Terry Kleintop stated that the Township will need to use a lot of creativity on how to look for a new Zoning Officer. Ms. Mellert stated that the Board members need to discuss with Mr. Petrucci on what is needed for the Township.

ACTION: Motion was made by Stephen Hurni and seconded by Chairman, Randy Heard to have Township Manager, Tom Petrucci, review the options for a Zoning Officer Position for Plainfield Township with a minimum of 30 hours per week and come back to the Board with his findings. *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.

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

1. Planning and Zoning Report- June, 2020:
2. Road Department Report- June, 2020:
3. Fire Company and Ambulance Report- June, 2020:
4. Recreation Board Report- June, 2020

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve the June, 2020 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- June, 2020:

ACTION: Motion was made by Chairman, Randy Heard, and seconded by Glenn Borger to approve the Slate Belt Regional Police Department Monthly Report for June, 2020. *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:

Terry Kleintop- Mr. Kleintop would like to see the Township enter into an intergovernmental agreement between Plainfield Township, the Borough of Wind Gap, and the Wind Gap Municipal Authority in reference to their waste water treatment plant that is located within Plainfield Township in regard to the infrastructure exists, the condition of the infrastructure at the current time and some type of a performance bond that if and when there is an issue with the infrastructure, the plant that exists within Plainfield Township that it be appropriately prepared within a timely fashion. Solicitor Backenstoe will discuss the matter with Mr. Petrucci and will report back on some thoughts.

With the Official Map discussion, he does not want to be a party to it again. He stated that the people involved with the research also need to be held accountable. Ms. Mellert questioned whether Mr. Kleintop believes that Mr. Nolan Perin was aware of the Official Map. Mr. Kleintop stated that he does not know, however, letters were sent to both Mr. Perin and Mr. Decesare regarding the Official Map. Mr. Petrucci stated that he has no way of confirming whether the property owners received notices or not because they were not certified. Mr. Kleintop added that the process is broken and this needs to be corrected. Ms. Mellert stated that the reasoning she questioned about Mr. Perin is because she thought he had commented on the Official Map prior to adoption. Solicitor Backenstoe stated that given the circumstances and testimony offered tonight, this information could certainly be a way to a lawsuit with the previous property owners and Mr. Simonds. Mr. Petrucci clarified that when the Official Map was recorded, Northampton County does not let you record a document in the form of a map in a way that can be legible at the Recorder of Deeds Office. This was no fault of the Township, specifically. The property owner would need to call the Township and it is the Township's responsibility to report any issues with the property.

Don Moore- Mr. Moore stated about his stance at the last meeting regarding the rezoning request for Waste Management. Mr. Moore elaborated on his comment about rising taxes. He stated that having a landfill, it is the understanding that there will likely be a rise in taxes once the landfill closes. Mr. Moore appreciates that the Board has researched the possible increase in taxes. When the landfill closes, there could be a 30% rise in taxes or more. One of the concerning points he wanted to make was the height of the landfill. He noted in the early stages, you could barely see the landfill. However, currently the landfill is very visible. Mr. Moore does not believe this landfill fits into the aesthetics of Plainfield Township. He applauded the Board for turning down the rezoning request.

With respect to the encroachment permit, he understands and respects the decision of the Board. He added that a Township Official, the Zoning Officer, made a wrong call and the Board has taken the fall for that mistake. He appreciates that. There is over a million dollars set aside for open space and he feels the Board needs to have a heart to heart discussion on using those funds for more than just farmland preservation.

Mr. Moore added that ASGCO Manufacturing is a good company to have in the Township. This will be a good conforming use on that property. The past use was not originally permitted, but a past zoning officer allowed a gas plant to be placed there anyway. Mr. Moore is very satisfied that they fought on the property because now there is going to be a good company there with good paying jobs.

Adrienne Fors- Ms. Fors is concerned about Mr. Moore's statement. Ms. Fors has recently seen a picture depicting the aerial view of the Grand Central Sanitary Landfill and stated that this property looks beautiful. She added that this facility does a lot for this community and fits quite well in the Township.

**In addition to direct public participation during the meeting, written comments concerning any listed agenda items may be submitted to the Township Manager by way of an email to manager@plainfieldtownship.org or via U.S. Mail C/O Township Manager, Plainfield Township, 6292 Sullivan Trail, Nazareth, PA 18064.*

BOARD OF SUPERVISORS REPORTS:

1. ***Glenn Borger, Vice Chairman-*** No Report
2. ***Joyce Lambert-*** No Report
3. ***Jane Mellert-*** Ms. Mellert stated that the Slate Belt Regional Police Commission is working on the Charter Agreement. The agreement will be soon sent to the Board of Supervisors for review.
4. ***Stephen Hurni-*** Mr. Hurni stated that the interim chief has asked the Slate Belt Regional Police Commission to do a ride along with a few officers. Mr. Hurni requested approval from the Board in order for him to go on the ride along. The ride along will likely be held after Arbitration. Ms. Mellert stated that the Board needs to review the waiver agreement and take a better look at the agreement. At this time, Ms. Mellert stated that it is premature for her to make the determination on whether she would like to participate in the ride along. Mr. Hurni would like to go on the ride along. Ms. Mellert questioned about insurances, deductibles, etc. and has quite a few questions still remaining. Mr. Petrucci stated that they will not be covered under Workman's Compensation and would likely need to utilize their own health insurance.
5. ***Randy Heard, Chairman-*** No Report

SOLICITOR'S REPORT- DAVID BACKENSTOE, ESQUIRE:

Solicitor Backenstoe stated that there was a total of 4.5 hours of deliberation today for the injunction that was filed on behalf of the Township regarding the Cortazzo property. The

injunction was entered to an agreement today. Mr. Cortazzo has 3 weeks to get all equipment off the property. Additionally, they can only operate until 6pm Monday through Friday. The hearing was very successful and the injunction is temporary. Solicitor Backenstoe added that there are a number of issues that still need to be discussed with the Board. Residents were pleased with the outcome. An executive session will need to be held in the near future to discuss the outstanding issues at hand. Ms. Pat Flannigan was the Attorney for Mr. Ryan Cortazzo and Judge Murray presided for the hearing.

ADJOURNMENT:

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

The meeting adjourned at 9:10 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.