

**PLAINFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
JUNE 24, 2021**

The second regular monthly meeting of the Plainfield Township Board of Supervisors was held on Thursday, June 24, 2021 at the Plainfield Township Municipal Building, which is located at 6292 Sullivan Trail, Nazareth, PA 18064.

Vice-Chairman, Glenn Borger, called the meeting to order at 7:02 P.M.

The Pledge of Allegiance was performed.

ROLL CALL:

The following Supervisors answered roll call: Vice-Chairman Glenn Borger, Jane Mellert, and Joyce Lambert. Chairman Randy Heard arrived at approximately 7:07 PM. Stephen Hurni was excused from attending the meeting.

Also present was Township Manager, Thomas Petrucci.

PUBLIC ATTENDANCE:

Residents Wanda Gruber and Terry Kleintop were in attendance.

Rachael Gouger and Jeff Weiss were in attendance from Zelonfoske Axelrod, LLC, which is the Township's appointed Certified Public Accountant (CPA) firm.

I. TOWNSHIP MANAGER – THOMAS PETRUCCI:

1. 2020 Audited Financial Statements Presentation – Zelenkofske Axelrod, LLC

Jeff Weiss indicated that the 2020 Audit, which was the first audit conducted by his firm for Plainfield Township, went smoothly. Mr. Weiss provided the following information to the Board of Supervisors;

- The Management Discussion Analysis is a new feature of the audit and is a requirement of the Government Accounting Standards Board (GASB). This Analysis was previously omitted from past audited financial statements.
- Reporting of Municipal Trust Fund: Mr. Weiss stated that this fund was reported in the past as a fiduciary fund. Since GASB 84 is now in effect, the Township is required to report the Municipal Trust Fund as a Special Revenue

Fund, mainly due to the fact that the Township is both the Trustee and the Beneficiary of the Fund.

- The Township received an unmodified opinion, which means that the financial statements are fairly presented in all material respects (in other words, there are no identified issues or discrepancies).
- The Township has no long-term liabilities. The Pension Fund is currently fully funded, and is classified as an asset.

Jane Mellert noted that the audited financial statements were very thorough.

Terry Kleintop asked what percentage of transactions are tested as part of the audit. Mr. Weiss responded that the testing is not based on a percentage, but rather is conducted based on risk assessment. Certain transactions are pulled for testing based on the level of risks associated with the transactions instead of a set percentage across the board.

2. Consideration of Adoption: Ordinance No. 406 – Amending the “Refuse Fee Ordinance”

ACTION: Motion was made by Randy Heard and seconded by Joyce Lambert to adopt Ordinance No. 406, which is an ordinance to amend the “Refuse Fee Ordinance” to allow refuse fees to be set via resolution instead of by ordinance.

Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.

It was stated that the annual billing amount was reconciled to be \$357.12.

Jane Mellert inquired as to the number of billing units versus the number of residential dwelling units that are in the Census Block Survey for 2014-2018 on the 2020 Audited Financial Statements- noting a discrepancy between the two figures. The Census Block Survey figure was pulled from the LVPC’s Plan Slate Belt Needs Assessment. Township Manager Petrucci did not have an answer as to why there was a discrepancy between these figures.

Motion approved. Vote 4-0.

3. Resolution #2021-17: 2021 Plainfield Township Schedule of Fees 1st Amendment – 2021 Refuse Fees Effective July 1, 2021

ACTION: Motion was made by Randy Heard and seconded by Joyce Lambert to adopt Resolution 2021-17, which is an amendment to the 2021 Schedule of Fees.

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. Ruth L. Kneebone vs. Zoning Hearing Board of the Township of Plainfield and Patrick Lutz and Pamela Lutz: Approval of Petition for Allowance of Appeal- Commonwealth of Pennsylvania Supreme Court – Discussion on PSATS Legal Defense Partnership Representation Option

The Commonwealth of Pennsylvania Supreme Court has agreed to hear the following case:

Ruth L. Kneebone vs. Zoning Hearing Board of the Township of Plainfield and Patrick Lutz and Pamela Lutz

The PSATS Legal Defense Partnership participates in cases that could have statewide significance and have reached the appellate-level courts. If the PSATS Legal Defense Partnership decides to participate in a case that meets those criteria, it will file an amicus curiae (friend of the court) brief on behalf of the Township and work in conjunction with the Township’s Solicitor throughout the adjudication of the case.

Scott Coburn, who is the general legal counsel for PSATS, contacted Tom Petrucci and asked if the Township would like to have PSATS work with the Township on this case. There would be no costs associated with PSATS intervening on behalf of the Township.

ACTION: Motion was made by Randy Heard and seconded by Glenn Borger to decline the request of PSATS Legal Defense Partnership to file an amicus curiae brief on behalf of the Township with respect to the *Ruth L. Kneebone vs. Zoning Hearing Board of the Township of Plainfield and Patrick Lutz and Pamela Lutz* case that is now pending before the Supreme Court of the Commonwealth of Pennsylvania.

Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.

Terry Kleintop asked whether the Superior Court would hear this case, and the response was that the Superior Court would not hear this type of case.

It is noted that this case could have the potential to change the criteria for the granting of a dimensional variance.

Motion approved. Vote 4-0.

5. Approval of Conclusion of Zoning Officer/Code Enforcement Officer Probationary Period: Effective July 4, 2021

The Board of Supervisors convened for an executive session to discuss personnel matters at approximately 7:27 PM. The Board came out of executive session at approximately 7:51 PM.

ACTION: Motion was made by Randy Heard and seconded by Glenn Borger to approve the end of the probationary period of the Zoning Officer/Code Enforcement Officer, who is Sharon Pletchan.

Prior to the vote, Chairman, Randy Heard, asked if there were any comments from the governing body or the public.

Vote 4-0.

CITIZEN'S AGENDA/NON-AGENDA:

Terry Kleintop: Resident Terry Kleintop expressed his support of the Township Board of Supervisors taking action to approve the advertisement of Ordinance No. 405. Following his participation in the June 21, 2021 Planning Commission meeting as a member, Mr. Kleintop inquired as to what the next steps for this ordinance will be. Mr. Kleintop suggested that the required lot size should be based on a ratio of square footage to acreage. Mr. Kleintop also suggested that the Township should consider implementing provisions for regulating warehousing and e-commerce uses. He also noted that the ordinance may have an impact on the Plan Slate Belt- Slate Belt Regional Comprehensive Plan project. Mr. Kleintop stated that he sees nothing wrong with requiring conditional approval from the Board of Supervisors for these types of uses that exceed a certain threshold (ex. over 300,000 square feet). Mr. Kleintop also noted that the Lehigh Valley Planning Commission has not yet put together a model ordinance for warehouse/e-commerce uses. Mr. Kleintop is supporting reasonable provisions concerning the lot size and building size ratio. Mr. Kleintop inquired as to the timeframe of the development of the proposed committee/task force to devise new provisions and regulations.

Tom Petrucci stated that the proposed committee/task force will consist of members of the Board of Supervisors, Planning Commission members, developers, residents, and local municipalities. The intent is to revise the proposed ordinance in the near future by way of working with the committee/task force. He also noted that during the June 21, 2021, the Planning Commission

members took no official action on the proposed ordinance, and that the draft ordinance should be revised (as well as re-advertised) prior to consideration of adoption by the Board of Supervisors.

Wanda Gruber: Wanda Gruber had nothing specific to report.

BOARD OF SUPERVISORS REPORTS:

1. *Randy Heard, Chairman-* Nothing to report.
2. *Glenn Borger, Vice Chairman-* Nothing to report.
3. *Joyce Lambert-* Nothing to report.
4. *Jane Mellert-* Stated that the Township should revise the Zoning Ordinance to make a distinction between gazebos and other accessory structures that are placed in front yards.
5. *Stephen Hurni-* Not in attendance.

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 4-0. The meeting adjourned at 8:45 P.M.

Respectfully submitted,

Thomas Petrucci
Township Manager/Secretary
Plainfield Township
Board of Supervisors