

**PLAINFIELD TOWNSHIP
BOARD OF SUPERVISORS MEETING
SEPTEMBER 8, 2021**

The regular monthly meeting of the Plainfield Township Board of Supervisors was held on Wednesday, September 8, 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 7:00 P.M. The Pledge of Allegiance was performed.

ROLL CALL:

The following Supervisors answered roll call: Vice Chairman Glenn Borger, Supervisor Jane Mellert, Supervisor Stephen Hurni and Supervisor Joyce Lambert. Chairman Randy Heard arrived at approximately 7:05 P.M. Also present were Township Manager Thomas Petrucci, Township Engineer Jeff Ott, P.E., and Solicitor David Backenstoe.

I. TOWNSHIP SECRETARY– THOMAS PETRUCCI:

1. Approval of the August 11, 2021 Regular Meeting Minutes (DRAFT):

ACTION: Motion was made by Jane Mellert and seconded by Joyce Lambert to approve the August 11, 2021 regular meeting minutes as presented.

Prior to the vote, Vice-Chairman, Glenn Borger, asked if there were any comments from the governing body or the public.

Motion approved. Vote 4-0.

2. Approval of the August 26, 2021 2nd Regular Meeting Minutes (DRAFT):

ACTION: Motion was made by Randy Heard and seconded by Glenn Borger to approve the August 26, 2021 2nd regular meeting minutes as presented.

Prior to the vote, Vice-Chairman, Glenn Borger, asked if there were any comments from the governing body or the public.

Motion approved. Vote 4-0.

3. Approval of Waiver of Land Development Application Process- Lehigh Valley Meats (6092 Sullivan Trail)- Applicant Bub Herfurth:

During the August 16, 2021 regular meeting of the Plainfield Township Planning Commission, the Planning Commission members took unanimous official action to recommend that the Board of Supervisors waive the Land Development requirements for the Lehigh Valley Meats Special Exception Use/Site Plan Application.

The Planning Commission members expressed the sentiment that the Special Exception Use/Site Plan planning process was sufficient in order to guide the redevelopment of the above-referenced subject property, which is a lawfully existing non-conforming use. In other words, the Township will not gain any more information from the Land Development process than what will be provided during the Special Exception Use/Site Plan approval process. It is important to note that the applicant is redeveloping the property on the same existing footprint as the current use.

The Planning Commission members were in agreement that the waiver of the Land Development process was appropriate due to the unique characteristics of this property and after thoroughly reviewing the submitted Site Plan application during two (2) separate Planning Commission meetings.

The applicant's attorney, who is Tom Harper, provided an overview of the request of Mr. Herfurth to waive the land development process, which is summarized as follows:

- This project is a redevelopment of an existing site (with the same use) on the same footprint. The new building will be better for the employees, customers and adjoining neighbors.
- The new building design and configuration was endorsed by the Zoning Officer.
- Time is of the essence for this project, and the extended land development process will jeopardize this project from a financial standpoint.
- The Site Plan is extremely detailed, and the Planning Commission reviewed the Site Plan over two (2) meetings.

Solicitor David Backenstoe clarified that the waiver of the land development process for this application would not set a precedent due to the fact that it is an existing use. The thorough review of the Planning Commission will ensure that the project is developed in accordance with the local ordinance requirements of the Township.

ACTION: Motion was made by Jane Mellert and seconded by Stephen Hurni to approve a waiver of any applicable Land Development/Subdivision and Land

Development Ordinance (SALDO) requirements for the proposed and pending Lehigh Valley Meats Special Exception Use/Site Plan Application.

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

Motion approved. Vote 5-0.

4. Air Quality Title V Operating Permit Renewal Notification Received – Grand Central Sanitary Landfill:

Tom Petrucci reported that the Air Quality Operating Permit Renewal is a perfunctory renewal of the current permit, and that no further action is required from the Board of Supervisors, unless there are questions or concerns. The Board of Supervisors did not submit any questions or concerns, and no official action was taken on this matter.

5. Notification of Terms Expiring- Citizen Advisory Board Appointment Policy 60 Day Notification Required to Board of Supervisors as per Adopted Resolution No. 2019-24:

The list of incumbent appointees and vacancies was provided to the Board of Supervisors. No further action was required from the Board members at this time.

6. Review/Comment – 2021 Pennsylvania Association of Township Supervisors (PSATS Proposed Bylaws Changes, Nominations and Petitions:

This matter was tabled until the Thursday, September 23, 2021 Board of Supervisors meeting.

II. PAUL AZZARETTO, MORGAN STANLEY:

Morgan Stanley Financial Advisor Paul Azzaretto, who manages the Plainfield Township Municipal Trust Fund, provided the following update to the governing body and members of the public in attendance:

- Interest rates on bonds are higher than when the year started, but they are still low. It is a difficult environment in which to earn money for fixed income funds.
- The outlook is that interest rates will go higher (it is unknown when this will occur). Morgan Stanley has taken the position that interest rates will go higher due to real inflation taking place (not just because of the pandemic).
- The strategy in the current environment is to ensure that the Township is not locking in to lower interest rates for long-term.

- Prompted by a question from Chuck Piazza, Paul Azzaretto reported that the fund is currently down a 1/3 of a percent for the year. The current balance is just over \$14,000,000.00.

Jane Mellert stated that the Municipal Trust Fund is in a restricted fund that can only be used after the closure of the landfill. Tom Petrucci stated that there are special provisions included in the Trust Fund that guide the use of the funds (ex. the revenue received by the Township for the operation of the landfill must fall below certain thresholds).

III. TREASURER – KATELYN KOPACH:

1. Approval of the August, 2021 General Fund Disbursements (\$533,249.79) (Note-higher disbursements due to below listed American Rescue Plans Act (ARPA) transfer):

ACTION: Motion was made by Joyce Lambert and seconded by Randy Heard to approve the August, 2021 General Fund Disbursements in the amount of \$533,249.79.

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

Motion approved. Vote 5-0.

2. Approval of the August, 2021 Treasurer’s Report:

ACTION: Motion was made by Randy Heard and seconded by Joyce Lambert to approve the August, 2021 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 2022 Non-Uniformed Defined Contribution Plan Minimum Municipal Obligation (\$17,172.00):

ACTION: Motion was made by Randy Heard and seconded by Jane Mellert to approve the 2022 Non-Uniformed Defined Contribution Plan Minimum Municipal Obligation in the amount of \$17,172.00.

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

Motion approved. Vote 5-0.

4. Approval of the 2022 Non-Uniformed Defined Benefit Plan Minimum Municipal Obligation (\$35,002.00):

ACTION: Motion was made by Randy Heard and seconded by Jane Mellert to approve the 2022 Non-Uniformed Defined Contribution Plan Minimum Municipal Obligation in the amount of \$35,002.00.

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

Motion approved. Vote 5-0.

5. Approval of Checking Account Approval/Funds Transfer: American Rescue Plans Act (ARPA) Funds- Distribution 1 of 2 in the amount of \$326,149.26 (Total ARPA Amount of \$652,298.52):

ACTION: Motion was made by Randy Heard and seconded by Stephen Hurni to approve opening a separate checking account and funds transfer for the American Rescue Plans Act (ARPA) funds that were received by the Township in the amount of \$326,149.26 (Total ARPA Amount of \$652,298.52):

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. Approval of 3rd Quarter Payments:

- Approval of 3rd Quarter Fire Company Donation - \$25,000.00
- Emergency Management Coordinator - \$600.00
- Non-Uniformed Defined Benefit MMO - \$8,694.75

ACTION: Motion was made by Joyce Lambert and seconded by Randy Heard to approve the above-listed third quarter payments.

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.

IV. TOWNSHIP ENGINEER – JEFF OTT, P.E.:

1. Status Update: Long Road Improvements Project:

Township Engineer Jeff Ott reported that he and Township Manager Petrucci had attended a meeting of the Northampton County Conservation District (NCCD)

Quality Assurance Board on September 7th, and he was pleased to report that the QAB members are inclined to recommend a time extension of two (2) years to the NCCD Board of Directors to complete the Long Road project.

The required Phase II Bog Turtle Study must be conducted during the 2022 bog turtle season (between April 15 and June 15). As per state and federal requirements, at least two (2) of the four (4) required field surveys must be completed in May and the surveys must be conducted at least three (3) days apart under suitable weather conditions. Under this scenario, the Township will not receive final clearances for the bog turtle habitat from US Fish & Wildlife until September, 2022. Only then can the required General Permits, which have a six (6) month review timeframe, be submitted to the PA DEP.

ACTION: Motion was made by Randy Heard and seconded by Stephen Hurni to approve the Phase II Bog Turtle Study to be performed by Kevin Keat in the amount of \$14,875.00, subject to the condition of the Township receiving a two (2) year time extension from NCCD.

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. Authorization- Engler Road Stormwater Concept Plan/Budget Estimate:

ACTION: Motion was made by Randy Heard and seconded by Joyce Lambert to approve a stormwater concept plan and cost estimate for Engler Road in an amount not to exceed \$6,000.00.

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

Jane Mellert asked Jeff Ott for a rough cost estimate for the total project. Jeff Ott indicated that it was difficult to identify a figure at this time due to the fact that he does not have pipe sizes, etc. identified.

Resident, E.J. Kleintop, noted that the previous Township Engineer, who was Mike Kukles, had previously explored corrective measures at this location for the last decade and a half, and he recommend that Jeff Ott consult previous files.

Motion approved. Vote 5-0.

V. TOWNSHIP MANAGER – THOMAS PETRUCCI:

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

- Tom Petrucci announced that the next meeting of the Slate Belt Multi-Municipal Comprehensive Plan is scheduled for Wednesday, October 6, 2021 at 6:00 PM. The review of the “How Do You Wish to Grow” Map will be reviewed during this meeting.

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

- The sub-committee of the Act 537 Official Plan has yet to meet, but will attempt to do so in the near future.

3. Plainfield Township MS4/Stormwater Management Program – Monthly Briefing:

- No report was provided.

4. Acceptance of Probationary Road Department Employee Resignation:

ACTION: Motion was made by Glenn Borger and seconded by Randy Heard to accept the voluntary resignation of probationary Road Department employee Tyler Keifer with an effective date of September 3, 2021.

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. Review of Amendment to Open Space Plan Ordinance (DRAFT/Authorization to Advertise Public Hearing/Remit Proposed Amendment to Planning Commission) “Additional Ways to Preserve Open Space” (IF REQUIRED):

ACTION: Motion was made by Stephen Hurni and seconded by Jane Mellert to remit the proposed amendment to the Open Space Plan entitled “Additional Ways to Preserve Open Space” to the Plainfield Township Planning Commission, as required, for their review and comment. The deadline to receive comments will be the Monday, October 18, 2021 Planning Commission meeting.

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.

ACTION: Motion was made by Stephen Hurni and seconded by Jane Mellert to schedule a public hearing at the level of the Board of Supervisors to consider the adoption of the proposed amendment to the Open Space Plan

following the receipt of comments from the Plainfield Township Planning Commission.

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. Health Insurance Open Enrollment Period Approval – October 4, 2021 to November 5, 2021:

ACTION: Motion was made by Stephen Hurni and seconded by Randy Heard to approve the Health Insurance Open Enrollment Period for 2021 (October 4, 2021 to November 5, 2021) and to send a memorandum to eligible employees confirming the same.

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. Pen Argyl Weona Park Swimming Pool Feasibility Study – Regional Opportunity:

Upon review of the *Borough of Pen Argyl Weona Park Swimming Pool Feasibility Study*, Tom Petrucci reported that there is not enough information to make an informed decision from the standpoint of Plainfield Township as to whether the Township would seek to partner on a potential regional facility. The recommendation is to obtain further information and report back to the Board of Supervisors, as applicable.

ACTION: Motion was made by Stephen Hurni and seconded by Randy Heard to authorize the Township Manager to participate on behalf of the Board of Supervisors in future committee meetings (or another similar forum) in order to gain more insight into the proposed Borough of Pen Argyl Weona Park Swimming Pool project from a regional perspective.

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

It was noted that Bangor Borough considers their pool as a regional pool facility.

Motion approved. Vote 5-0.

8. State Liquid Fuels Expenditure Approval: Grand Central Road Resurfacing Project – Hanson Aggregates Pennsylvania, LLC (Total of \$233,014.70- Final Invoice) – Conditioned Upon State Liquid Fuels MS-329 Approval and Receipt of Prevailing Wages Documentation:

ACTION: Motion was made by Jane Mellert and seconded by Stephen Hurni to authorize final payment to Hanson Aggregates in the amount of \$233,014.70 for the Grand Central Road paving project utilizing the Highway Aid Fund (State Liquid Fuels), conditioned upon the receipt of the required MS-329 approval and the required Prevailing Wages documentation.

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. Capital Reserve Fund Expenditure Approval: Grand Central Road Milling – Donegal Construction Corporation (Total of \$31,805.43- Invoice #1):

ACTION: Motion was made by Randy Heard and seconded by Glenn Borger to authorize payment to Donegal Construction Corporation in the amount of \$31,805.43 for the work associated with the full-depth milling of Grand Central Road utilizing the Capital Reserve Fund.

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

It was noted that this is the first invoice for this project, as the full-depth milling of Getz Road and Rasleytown Road has not been completed to date.

Motion approved. Vote 5-0.

10. Approval to Advertise: 2021-2022 Bid for Regular-Grade No-Lead Gasoline, Ultra-Low Sulfur 15 PPM On-Road Diesel Fuel (No Dye), and Ultra-Low Sulfur 15 PPM Heating Fuel Oil (PennBid):

ACTION: Motion was made by Joyce Lambert and seconded by Randy Heard to approve the advertisement of the 2021-2022 Bid for Regular-Grade No-Lead Gasoline, Ultra-Low Sulfur 15 PPM On-Road Diesel Fuel (No Dye), and Ultra-Low Sulfur 15 PPM Heating Fuel Oil public notice and to utilize the PennBid program for this bid solicitation.

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

Motion approved. Vote 5-0.

11. Slate Belt Regional Police Station Lease Agreement Expiring 12/31/2021:
Review/Discussion/Potential Official Action:

Tom Petrucci reported that he had once again met with the municipal managers of Pen Argyl Borough and Wind Gap Borough, and that there was nothing new to report concerning the Slate Belt Regional Police Station Lease Agreement as an outcome of this meeting. The request for the terms of the next Lease Agreement remain unchanged from what was discussed during the Thursday, August 26, 2021 Board of Supervisors meeting. Tom Petrucci stated that action is required from the governing body to submit a formal response to the Slate Belt Regional Police Commission meeting.

Jane Mellert submitted the following general terms of a proposal for the consideration of the Board of Supervisors:

- A lease term of five (5) years and a rent amount per square foot of \$10.00 with no automatic rent percentage increases for the entire term of the Lease Agreement. Aside from the term and the rent amount, all other aspects of the 2018 to 2021 Lease Agreement dated January 18, 2018, including but not limited to the established rental area square footage figure of 3,766, would remain the same.
- A credit period for the new Lease Agreement whereby the SBRPC member municipalities would not have to pay rent to Plainfield Township for the use of the Slate Belt Regional Police Department (SBRPD) Police Station for one year. This credit would cover the entire 2022 fiscal year (January 1, 2022 to December 31, 2022). The eighteen (18) month rebate period is not warranted, as the Township is considering upgrading the phone system and purchasing the two bay secure garage for the use of the Slate Belt Regional Police Department.
- Plainfield Township proposes to add a clause to the Lease Agreement which denotes that all maintenance costs will be calculated on an annual basis and any overage (the amount of the rent received minus the maintenance costs) will be refunded to the SBRPC member municipalities. Alternatively, it is proposed to add a provision whereby the SBRPC could vote on a refund of any payment overage or for the funds to remain in the police budget to reduce the cost to the municipalities for the following fiscal year's budget. If the SBRPC is amenable to the overall concept of this provision- that any

applicable future rent overages should be returned in a mutually agreed upon method, it is necessary for the Lease Agreement to define what constitutes maintenance costs versus capital expenditures.

- It would be prudent for the SBRPC (working in tandem with the governing bodies of the three member municipalities) to develop a long-range strategic plan which addresses a future vision for the organization over the next five to ten years and beyond. There is not currently a consistent message for the future of the Department (factoring in comments from members of the community and officers). The Department has been in operation since 2015.
- The SBRPC Charter Agreement and SBRPD Pension Plan documents should be revised and updated.

ACTION:

- A motion was made by Jane Mellert and seconded by Stephen Hurni to submit a proposal to the Slate Belt Regional Police Commission for a credit period for the new Lease Agreement whereby the SBRPC member municipalities would not have to pay rent to Plainfield Township for the use of the Slate Belt Regional Police Department (SBRPD) Police Station for one year. This credit would cover the entire 2022 fiscal year (January 1, 2022 to December 31, 2022). The eighteen (18) month rebate period is not warranted, as the Township is considering upgrading the phone system and purchasing the two bay secure garage for the use of the Slate Belt Regional Police Department.

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

Motion approved. Vote 4-1, with Glenn Borger voting “no”.

- A motion was made by Jane Mellert and seconded by Randy Heard to submit a proposal to the Slate Belt Regional Police Commission for a lease term of five (5) years and a rent amount per square foot of \$10.00 with no automatic rent percentage increases for the entire term of the Lease Agreement. Aside from the term and the rent amount, all other aspects of the 2018 to 2021 Lease Agreement dated January 18, 2018, including but not limited to the established rental area square footage figure of 3,766, would remain the same.

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

Glenn Borger stated that if the Township is going to sign a five (5) year lease, we need to make sure that the parties actually read the terms of the lease as written.

Motion approved. Vote 4-1, with Glenn Borger voting “no”.

- A motion was made by Randy Heard and seconded by Jane Mellert to submit a proposal to the Slate Belt Regional Police Commission to add a clause to the Lease Agreement which denotes that all maintenance costs will be calculated on an annual basis and any overage (the amount of the rent received minus the maintenance costs) will be refunded to the SBRPC member municipalities. Alternatively, it is proposed to add a provision whereby the SBRPC could vote on a refund of any payment overage or for the funds to remain in the police budget to reduce the cost to the municipalities for the following fiscal year’s budget. If the SBRPC is amenable to the overall concept of this provision- that any applicable future rent overages should be returned in a mutually agreed upon method, it is necessary for the Lease Agreement to define what constitutes maintenance costs versus capital expenditures.

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

Resident Nolan Kemmerer questioned how the Township is defining maintenance costs. Tom Petrucci responded that routine/normal maintenance costs should be factored in- not capital replacements.

Motion approved. Vote 4-1, with Glenn Borger voting “no”.

12. Slate Belt Regional Police Department Secure Bay Garage – Revised COSTARS Price Quotation:

Tom Petrucci reported that he is submitting a grant to the Northampton County Grow NORCO Grant Program for the secure bay garage. He noted that the costs of the garage structure have dramatically increased due to rising commodity costs and the ongoing delayed supply chain issues.

BOARD AND FIRE COMPANY AND AMBULANCE REPORTS:

1. Planning and Zoning Report- August, 2021
2. Road Department Report- August, 2021
3. Fire Company and Ambulance Report- August, 2021
4. Recreation Board Report- August, 2021

ACTION: Motion was made by Randy Heard and seconded by Joyce Lambert to approve the August, 2021 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 REPORT:

1. Slate Belt Regional Police Department Monthly Report- August, 2021:

ACTION: Motion was made by Randy Heard and seconded by Joyce Lambert to approve the August, 2021 Slate Belt Regional Police Department Monthly Report as listed and presented.

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

Motion approved. Vote 5-0.

CITIZEN'S AGENDA/NON-AGENDA:

Adrienne Fors, Waste Management- In response to the Governor's Emergency Proclamation associated with Hurricane Ida, Waste Management has received approval for a temporary extension of waste receiving hours and a maximum daily volume increase from 3,000 tons to 3,500 tons per day. The additional hours and increased daily limit will help ensure that public health is not impacted by the increased amount of debris as a result of Hurricane Ida. Grand Central Sanitary Landfill itself was not severely impacted by Hurricane Ida.

Additionally, Adrienne Fors inquired if the Board of Supervisors receive the Host Municipal Inspector reports on a monthly basis, and Tom Petrucci reported that he typically only forwards these out when there have been operating issues. There have not been any notable operating issues to report of late.

Finally, Adrienne Fors reported that Plainfield Township residents will be able to participate in the electronic waste collection event that is scheduled to be held on November 6, 2021 from 9:00 AM to 12:00 PM at the Grand Central Sanitary Landfill parking lot.

BOARD OF SUPERVISORS REPORTS:

1. *Glenn Borger, Vice Chairman-* Asked if the electricity at Community Park was repaired, and Tom Petrucci reported that the work is underway.

2. *Joyce Lambert*- No report.
3. *Jane Mellert*- Asked if the Township would consider placing the consideration of a donation to the Community Action Committee of the Lehigh Valley on the next meeting agenda.
4. *Stephen Hurni*- No report.
5. *Randy Heard, Chairman*- No report.

SOLICITOR’S REPORT- DAVID BACKENSTOE, ESQUIRE:

Solicitor Backenstoe stated that he did not have any additional items to address outside of what was already discussed during the meeting.

ADJOURNMENT:

Having no further business to come before the Board of Supervisors, a motion was made by Glenn Borger and seconded by Joyce Lambert to adjourn the meeting. The motion was approved unanimously.

The meeting adjourned at 8:09 P.M.

Respectfully submitted,

Thomas Petrucci
Township Manager/Secretary
Plainfield Township
Board of Supervisors