

PLAINFIELD TOWNSHIP EAC MEETING MINUTES

The Plainfield Township EAC was held on Thursday, June 4, 2015 in the meeting room at the Plainfield Township Municipal Building.

EAC Members in attendance were: EAC Chairman Terry Kleintop, Robert Cornman, Bruce Rabenold, Supervisor Jane Mellert, and Don Moore. Vice Chairperson Robin Dingle, and Robert Simpson were absent.

Also in attendance: Mike Kukles, Ott Consulting Inc., Township Manager Tom Petrucci, and Resident Joe Hull

EAC Chairman Terry Kleintop opened the meeting at 7:01pm

MINUTES

Terry Kleintop asked for a motion to approve the May 11, 2015 minutes.

Bob Cornman made a motion to approve the May 11, 2015 minutes with the noted amendment mentioned by Don Moore regarding the Board of Supervisors giving direction on whether to move forward with rental unit regulations. The motion was seconded by Bruce Rabenold. A discussion was held and additional changes were requested.

Don Moore noted that he asked Jane to add that the EAC wanted to ask the Board of Supervisors if they wanted to move forward with rental regulations. The statement should be reflected in the minutes.

Rasleytown Road Bridge - Terry Kleintop requested that the wording - Borton Lawson contends that – is added to the wording regarding the removal of a concrete building.

Robert Cornman withdrew his motion to approve the minutes. The requested revisions will be made and the minutes will be considered for approval at the July 2015 EAC meeting.

EAC MEETING ATTENDANCE

Terry Kleintop wants to start the practice of surveying the EAC members on Wednesday morning prior to the Thursday EAC meeting in order to confirm meeting attendance. The EAC members need to provide their input forty-eight (48) hours prior to the meeting.

OLD BUSINESS

Rasleytown Road Bridge Replacement County Bridge #213 at the Little Bushkill Creek General Permit Plan Review– Ott Consulting Engineers reviewed the application submitted to the PA Department of Environmental Protection

Mike Kukles handed out maps and a review letter dated June 4, 2015 for review by the EAC.

Tom Petrucci noted that the Township Solicitor has been sent information on the meets and bounds of the property for review. He also asked if the entire review letter from Ott Consulting should be copied to the Pennsylvania Department of Environmental Protection.

Terry Kleintop noted that when the on-site meeting occurred with Borton Lawson representatives that he stated the following: *“If any new development goes in along Route #512 the run off will feed into Grand Central Woods and will end up in the Little Bushkill Creek.”*

It was noted that a cover letter should be sent to the Pennsylvania Department of Environmental Protection and Northampton County. The letter should contain information and recommendations from the Ott Consulting Engineers review letter and suggest that the bridge be redesigned. The letter should note that there are serious deficiencies in the current plan for the bridge replacement. Terry Kleintop requested the statement that it is well worth noting that there is a great possibility of development along Route 512 and the rain fall has been increasing.

The EAC voiced their dissatisfaction regarding the bridge being designed to allow the stream to go over the roadway during severe storm events (as in the past). Tom Petrucci will place this matter on the June Board of Supervisors agenda. Tom will seek approval to send a cover letter incorporating the comments from Ott Consulting to Robert Javin from DEP Northeast and Northampton County.

Motion Bob Cornman that Tom Petrucci write a cover letter to the PA DEP, Borton Lawson, and Northampton County with an outline of the comments from Township Engineer Ott Consulting. Don Moore seconded the motion. The motion was passed by unanimous vote of the EAC members present.

Mike Kukles left the meeting at 7:52 pm.

Property Maintenance Code and Nuisance Ordinance – Tom Petrucci Review Draft Property Maintenance Code Ordinance

Part I- Review of the Uniform Construction Code

403.84 Unsafe building, structure or equipment – Jane Mellert noted that due to the regulations stating that the building needs to be vacated the regulations will not address some of the buildings of concern in the Township. The buildings do not have residents living within them.

It was determined that the draft Nuisance Ordinance compiled by Solicitor David Backenstoe is more applicable to the needs of the Township.

Bob Cornman noted that the definition of junk needs additional revision. It was noted that the EAC does not want regulations that will infringe on farmer’s right to farm. Farms usually have some junk vehicle or equipment on the premises. It was determined that the Right to Farm Act will cover the farmers.

ADD to the draft ordinance

1. David Backenstoe should be consulted whether the Right to Farm Act covers all areas. Should more specific references be added to the ordinance noting the Right to Farm Act?
2. **DEFINITION** - Further define what constitutes a structure.
3. **ADD SECTION 2 N** - Swimming pools with stagnant water. The pools are a hazard for possible drownings and a health hazard as a breeding ground for mosquitos. **ADD Section 303.1 of the IPMC**
4. **SECTION 2 (G)** - The section dealing with weeds needs revision. Weeds that are in violation need to be clarified. **Weeds should be addressed in a separate ordinance.**
5. **Roofs** – (SECTION 304 IPMC address roofs) As drafted the Nuisance Ordinance does not address missing shingles. Unsafe structures are covered. If the nuisance ordinance starts to incorporate too many items then it would make more sense to adopt the IPMC. The Township needs to make sure the ordinance will address buildings that are a detriment to the public due to being unsafe. The general consensus of the EAC members is that the draft ordinance covers structural deficiencies.
6. **RENTAL REGULATION ORDINANCE** - The Board of Supervisors needs to determine if a rental ordinance needs to be put into place.
7. **SECTION 2 (F) (1) Unsafe** – A reference should be made to a specific code. (clarify)
8. **SECTION 2 (B) – Motor Vehicles – This section needs to be reviewed and revised.** There is a concern over storing or accumulating abandoned vehicles. Some residents have vehicles that are being worked on for a long period of time.

The draft Ordinance will be revised with the noted changes. The changes will be made in tracking and the document will be sent out for review.

Senate Bill 1242 – Neighborhood Blight Reclamation and Revitalization Act

Tom Petrucci – emailed information to the EAC members regarding proposed Senate Bill 1242 which is a proposed amendment to the Neighborhood Blight Reclamation and Revitalization Act (Act 90 of 2010). At this point the bill would need to be voted on by the committee to introduce it back onto the floor for consideration. The draft bill was re-referred to the appropriations committee on June 25, 2014. The bill would give municipalities a stronger ability to enforce local nuisance laws provided that the applicable process and penalties are spelled out within the local ordinance.

Township Ordinances

#348 Noxious Weeds, #145 Junk Yard, #284 Unnecessary Noises and Bio Solids need to be reviewed.

Don Moore believes that the junkyard ordinance needs to be modified Ordinance #145 covers cars that people leave in their yards.

Little Bushkill Creek – Kimberly Kutzler and Matt Bennett, from the ELM Group, Tom Petrucci, Robin Dingle and Terry Kleintop will meet to review the sampling schedule and make definite decisions on what farm properties will be listed for restoration measures this year. The restoration measures will be made with the property owners consent. The plan is to move from 10 sampling locations to 13 and MS4 sampling locations. Wind Gap has a copy of the test sites. Wind Gap will contribute \$1,500 toward testing.

Robin Dingle, Pete Zakanyycz from the NRCS, Terry Kleintop and Tom Petrucci will review the five farms targeted under the 2014 PA DEP Growing Greener Plus grant. The meeting is scheduled for Monday, June 8th at 4:30 pm.

On June 8, 2015 from 3pm to 5 pm there is a meeting on the trail passage with Claire Sadler if Tom is going to the meeting then Terry will reschedule the meeting with Pete.

Farmland Preservation Program – Response letter from Maria regarding the State match amount. Terry Kleintop noted that he has a very strong opinion – The County/Municipal program is called a partnership. The partners are the townships that have an EIT. If you don't have an EIT then you can't be in the partnership. The County created this program because we put on a lot of pressure. At the end of the day if you don't have an EIT then you are not part of the program. You are taking your partners money and moving it forward to the State. Then the (Farmland Preservation Board) is using it for other municipalities that are not partners. Terry did not receive or review the letter from Maria prior to the meeting. Terry wants Maria to do a matrix showing how much money each municipality put forward each year, how much was received from the State of PA, and how much went to the municipalities over the past five years. Two farms on the current Farmland Preservation Ranking list are in Lower Nazareth. Lower Nazareth does not have an EIT.

The EAC members agreed that Maria should attend a Board of Supervisors meeting. A copy of the Minutes from the April 7th Farmland Preservation Board meeting should be obtained for review. Bob Cornman suggested that Maria should be asked what protocol that the Farmland Preservation Board will follow for this fall.

Terry noted that one Moore Township land preservation Board member now realizes that a full match was not received and that member has questions regarding the process.

Terry Kleintop made a motion to request a copy of the April 7th Farmland Preservation Board meeting minutes, a spread sheet explaining what transpired for the years 2011 – 2015, what townships were allowed to participate, what the match was for each of the years, and how much (percentage wise) went back to the municipalities for each of those years. The information should be received by no later than July 15th. After the information has been received then a meeting will be scheduled with Maria Bentzoni at the Plainfield Township Board of Supervisors meeting. Don Moore seconded the motion.

Bob Cornman discussed that he will be voting negatively on the motion. **Terry Kleintop rescinded his prior motion.**

Bob made a motion to have the Township request a meeting to discuss administrative aspects of the Farmland Preservation process with Maria Bentzoni. In preparation for the meeting please provide the April 7th Farmland Preservation Board minutes, a spread sheet explaining the match amounts and municipal allocations for the years 2011 – 2015, what townships participated, what the match was for each of the years, and how much (percentage wise) went back to the municipalities. The information must be provided a week prior to the meeting. Don Moore seconded the motion. The motion passed by a unanimous vote of all members present.

Updated Farmland Preservation Map - An updated map was provided by Joseph Lakey from Northampton County. The Slate Belt COG can provide copies of the map. The COG has plotter equipment to print the maps.

AECOM/Transcontinental Pipe Line –Act 14 Notification – General Permit 8 & 11 Application 2015 Pennsylvania Anomaly Project – Anomaly Digs #16,24, and 25 Transcontinental Gap Pipe Line Company LLC

Notification was received regarding anomaly digs which will come in from Church and Getz Roads. Heather Brewster is the Senior Project Manager. She was the contact for the prior Anomaly dig.

The Township should approach the two property owners that live adjacent to the trail to see if their properties can be accessed in order to avoid accessing the stream and if the resident would be compensated. What was done last year will be done again. The Board of Supervisors will need to address this issue. The EAC would like approval to address the issue. Terry noted that they should not go across the stream after October 1st due to it being the time that the trout start to spawn.

Jane Mellert noted that AECOM agreed to repair the split rail fencing in several areas last year. Only the fence along Getz Road was repaired.

A motion was made by Terry Kleintop to request the Board of Supervisors allow for the EAC and Township Manager to address the issue of the anomaly dig and fence repair with AECOM. The motion was seconded by Robert Cornman. The motion passed by unanimous vote of all members present.

PA Fish and Boat Commission – Terry Kleintop is working to try to get a trout survey

PPL/Met ED Vegetation Management – State Representative Marcia Hahn held a meeting at Plainfield Township in the past with municipal officials, and emergency personnel regarding emergency preparedness. The meeting was held to address emergency response efforts after hurricane Sandy and utility company vegetation management practices. Terry Kleintop requested a meeting with power company representatives, and the EAC regarding vegetation management on residential properties. The Board of Supervisors gave permission to contact the power companies. Jane suggested that a meeting be scheduled with Tom Petrucci and the power companies regarding the issues that residents have with the process.

Jane Mellert made a motion to request the Board of Supervisors have Tom Petrucci contact the utility companies (PPL and Med ED) to address concerns the Township residents have regarding vegetation management and get information on how many properties will be affected. Don Moore seconded the motion. The motion passed by unanimous vote of all members present.

Regional EAC Meeting – A regional EAC meeting was held on May 27th at the Lower Mount Bethel Welcome Center. The topics that were covered were:

- Appalachian Trail Act Update
- Invasive Species
- Northampton County Updates – Open Space, Trails, Recycling
- Sludge Application

PA DEP Growing Greener Plus Grant - The deadline is July 10, 2015

There are several issues that could be addressed in a grant application.

- Fish survey
- Outfalls
- Wind Gap – additional testing and possible restoration (Is Wind Gap willing to put in a contribution toward the match?) Infrastructure pipe replacement \$200,000 - \$300,000
\$40,000 testing

Terry Kleintop made a motion send a letter to the Board of Supervisors to request approval to apply for the 2015 PA DEP Growing Greener Plus Grant in coordination with the Borough of Wind Gap. The motion was seconded by Bob Cornman. The motion passed by unanimous vote of the members present.

NEW BUSINESS

None

PUBLIC COMMENT

MEETING ADJOURNMENT

Bob Cornman made a motion to adjourn the meeting at 10:26 pm. The motion was seconded by Bruce Rabenold and passed by unanimous vote.

Respectfully Submitted,

Jane Mellert, EAC Secretary