

**Plainfield Township  
Environmental Advisory Council Meeting  
December 20, 2016**

A Special meeting of the Plainfield Township Environmental Advisory Council was held on Tuesday, December 20, 2016, at 7:00 pm at the Plainfield Township Municipal Building, 6292 Sullivan Trail, Nazareth, PA 18064.

Those in attendance were:

Terry Kleintop, EAC Chairman	Robert Cornman – Vice Chairman - Absent
Robin Dingle – EAC Member	Don Moore – EAC Member
Bruce Rabenold – EAC Member	Robert Simpson – EAC Member - Absent
Jane Mellert, EAC Secretary and Member	Tom Petrucci – Plainfield Twp. Manager

Also in attendance – Matt Glennon

EAC Chairman Terry Kleintop called the meeting to order at 7:06 pm.

The pledge of allegiance was performed.

**MINUTES**

**Motion – 2016 Minutes** - A motion was made by Don Moore and seconded by Bruce Rabenold to approve the December 5, 2016 minutes. **Vote: 5 Yes**

**OLD BUSINESS**

**Act 319, Act 515 and Act 4 Discussion - Matt Glennon**

Matt Glennon explained that he took action to appeal his tax reassessment. He received the assessment in October of 2016. He explained that his wife Lydia sold easements on the property to Farmland Preservation in 2016 for a 12 acre parcel. The property is under Act #43 Agricultural Security District on the entire property and Act #319 Clean and Green on the entire property which includes the County excluded area where the building envelope is. The County excludes the building area from the Act #4 tax millage rate freeze and easement purchase.

Act#319 Section 137b.15. Inclusion of Farmstead Land states under (b) Farmstead land on agricultural use land shall be considered to be land that qualifies for preferential assessment under the act and this chapter.

In 1999 and 2000 there was a tax assessment decrease on land under Act #319 due to a court case. The assessment on the first acre under the building area was altered. The first acre was being assessed at \$40,000 with half value of \$20,000. After the Court case the land value was reduced to \$800.

It was noted that Act#4 freezes the millage rate for the land that is preserved. His appeal was a legal argument that Northampton County did not follow Act #319. He won the case and the assessment of the land area under the buildings was changed from \$20,000 to \$800 (half value the full value is

\$40,000 and \$1,600). The land under the buildings according to Act #319 is essential to the operation of the land and therefore gets preferential assessment. The Act #319 regulations trump the Act #4 regulations. (This only applies to the land value of the farmstead)

There is an appeal period every August. It is not known whether Northampton County will correct the other properties that are in Act #319. It was noted that the tax assessment reduction affects taxes collected by Northampton County, Plainfield Township and the Pen Argyl Area School District. A \$19,200 reduction in 2016 based on 70.19 mills will reduce taxes by \$1347.

Tom Petrucci reported that Jim Hunter is still in the process of reviewing the assessments of the farm owners that attended the Marcia Hahn meeting.

**Motion – Letter to the Board of Supervisors** – A motion was made by Robin Dingle and seconded by Don Moore to recommend to the Board of Supervisors that they work with the Township Manager, and Solicitor, to gather the correct information and take the proper action **if any** with Northampton County in order to correct the misinterpretation of Act #319 and how it is applied to land assessment under the farmstead building envelope and to notify residents of the potential error. **Vote: 5 Yes**

### **Plainfield Township Earned Income Tax Collection for Open Space Study**

#### **The following reports were submitted:**

- Don Moore revised the Plainfield Township Agricultural and Natural Features Easement map. The maps were handed out for review, but are difficult to read due to the map print being distorted and unreadable. The maps now includes the following:
  - The parcel numbers are listed on the map
  - Agricultural Easement approximate acres preserved
  - Prospective Agricultural Easement approximate acres
  - Agricultural Easement in Progress approximate acres
  - Prospective Natural Features Easement approximate acres

### **Northampton County Farmland Preservation Application Process**

Terry Kleintop noted that Lehigh County has an application period that is longer than the application process in Northampton County. The EAC believes that Northampton County should adopt an application period that starts in earlier in the year and gives property owners a longer time frame in which to apply. The earlier application period will allow the County to know the number of farms that applied and the amount of funds needed for the next budget year.

**Motion – Letter to the Board of Supervisors** - A motion was made by Terry Kleintop and seconded by Robin Dingle to recommend that the Board of Supervisors review the current Northampton County Farmland Preservation application period and take action to request that Northampton County establish a process to facilitate the applications and allow for review of the applicants in time for budget planning. This will allow for the County to make informed decisions for farmland preservation funding and conform to the fiscal budget calendar. **Vote: 5 Yes**

Prior to the vote a discussion was held regarding the way Lehigh County accepts farmland preservation applications. It would be good for Northampton County to change the dates for the applications to be accepted to mirror the Lehigh County application period which accepted applications until July 1<sup>st</sup>.

It was noted that MS4 maps, sewer area maps and public water areas should also be reviewed.

The more farms that are preserved the less MS4 requirements will be placed on the Township in the future due to the impervious coverage areas not being increased on the preserved acreage. Mike Kukles is currently working on the GIS update of the MS4 maps.

#### **Northampton County County/Municipal Partnership Program**

Maria Bentzoni sent a letter dated December 15, 2016 with a Plainfield Township Funding Review spreadsheet. The 2016 information was not included on the spreadsheet. The State Match funding for 2016 was \$1.40. Municipalities collecting Earned Income Taxes for Open Space were not requested to commit funds for State matching in 2016. The chart indicates that in 2015 the State match was 88.83% and Plainfield Township received 35.00%.

Terry Kleintop noted that the land preservation Board at Moore Township voted five yes and one no to recommend moving \$250,000 forward to Northampton County for the State matching program with the requirement that they would receive the full State match. Upper Mount Bethel Township will be voting next week.

Terry Kleintop noted that Northampton County has had success in preserving land in Township's that do not collect Earned Income Tax. The municipalities are Allen, Lehigh, Lower Nazareth, Washington, East Allen, Upper Nazareth and Forks. The 7 Townships have 37 farms with 3507.11 acres the comprise 24.22 % of the preserved farmland in Northampton County

At the December 14, 2016 Board meeting the Plainfield Township Supervisors approved a letter to Maria Bentzoni the Farmland Preservation Administrator at Northampton County. The letter explained that Plainfield Township would move forward with committing \$250,000 of Earned Income Tax funds forward for the 2017 PA State match program. The funding is contingent upon the County agreeing that the full match amount received is allocated to the Township. This is the second request to Northampton County for full funding.

#### **Green Knight Economic Development Corporation Development**

The January 9, 2017 EAC agenda will include the wetland areas in the development. Tom Petrucci and Jason Smith had the opportunity to meet with representatives from GKEDC and requested proper documentation regarding the development. Wetlands will be mediated and addressed as necessary. Bushkill Township may ask for a conservation easement on the portion of the land that falls within their Township forest areas shown on the Bushkill Township Official Map.

#### **PA DEP Growing Greener Plus Grant Update – Little Bushkill Creek**

Hanover Engineering needs to submit a written update and time schedule on the study. This item will be on the January 9<sup>th</sup> agenda.

Stuber – Is receptive to corrective measures on his property and is moving forward.

Achenbach – Has a conservation plan. Jason and Terry are talking to him regarding moving forward on improvements.

The stream testing results are high downstream from Heitzman Road. This is believed to be due to property with cattle in the stream. The property owner should be made aware that the State will get copies of the results of the water tests. It was determined that another attempt will be made to talk to (Taylor) the property owner about fencing the cattle off from stream access.

### **Draft 2016 Year End Report**

Jane Mellert submitted the draft 2016 EAC Year End Report. The EAC members will review the report and submit any additions, and or revisions. The report will be placed on the January EAC agenda for approval.

### **NEW BUSINESS**

### **PUBLIC COMMENT**

None

### **MEETING ADJOURNMENT**

**Motion - Meeting Adjournment** – A motion was made by Robin Dingle and seconded by Don Moore to adjourn the meeting at 9:35pm. **Vote 5 Yes**

Respectfully Submitted,

Jane Mellert, Secretary  
Plainfield Township EAC