

PLAINFIELD TOWNSHIP EAC MEETING MINUTES

The Plainfield Township Environmental Advisory Council meeting was held on Monday, August 17, 2015 at the Plainfield Township Municipal Building 6292 Sullivan Trail, Nazareth, Pennsylvania

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

Also in attendance: Township Manager Tom Petrucci, and Planning Commission Vice-Chairman Paul Levits.

EAC Chairman Terry Kleintop opened the meeting at 7:02 pm

MINUTES

Terry Kleintop asked for a motion to approve the July 14, 2015 minutes.

Bob Cornman made a motion to approve the July 14, 2015 minutes. The motion was seconded by Don Moore and passed by unanimous vote.

OLD BUSINESS

Little Bushkill Creek Sampling Plan – ELM Group, Inc. - The Board of Supervisors voted to suspend moving forward with The ELM Group 2015 Sampling Plan. An RFP to hire an Environmental Consultant will be considered.

2013 DEP Growing Greener plus Grant – Terry Kleintop handed all of the paperwork in to Township Manager Tom Petrucci. Tom reviewed the paperwork and submitted the required forms to the PA DEP.

2014 DEP Growing Greener Plus Grant – The ELM Group was contracted to begin sampling and restoration measures in 2015. The sampling plan was reviewed and it was determined that the work would be suspended during 2015.

Tom Petrucci contacted Ron Yablonsky at the PA DEP to discuss the PA DEP Growing Greener Grants and the on-going study. He will draft a letter to Ron Yablonsky regarding the 2014 grant and the plan for moving forward.

Rasleytown Road Bridge Replacement County Bridge #213 at the Little Bushkill Creek General Permit Plan Review– Tom Petrucci noted that the review recommendation letter from Mike Kukles at Ott Consulting Engineers was sent to the PA DEP, Northampton County, and Borton-Lawson. The letter was submitted during the 90 day comment period. Ott Consulting Engineers is in the process of reviewing the response letter from Borton-Lawson the engineering firm hired by Northampton County.

Tom Petrucci noted the response to the letter needs to be put in writing and submitted within ten (10) business days. The deadline is August 20th

Jane Mellert noted that Borton-Lawson did take into consideration several of the comments that were submitted and are altering the plan. In response #3 it is noted that the plan has been revised to include the bypass from the existing culvert on Books Hill Road and that an additional drainage area from the north along Benders Church Road is being included. Additional changes were also made due to the comments that were submitted by the Township Engineer.

The EAC members noted that comments regarding storm inlets, etc. were taken into consideration, but that the changes did not go far enough, such as, in Response #5 regarding the width of the bridge. The open bottom bridge will not stop the road from flooding.

Bob Simpson noted that township roads are not designed for 100 year floods. Interstates are designed for 100 year floods. Township roads are designed for 50 year floods. It is too costly to upgrade local bridges for 100 year floods where there is not a major impact to the surrounding area.

Robin Dingle noted that 50 year rainfall rates and storm events are changing. At what point should bridge designs be upgraded when being replaced? The roadway floods in that area.

The EAC members will wait for Mike Kukles comments. –Mike was not able to attend the meeting tonight. He will get the technical responses to Tom Petrucci by the comment deadline.

It needs to be made clearer to Mike as to when the Engineer is to attend the EAC meetings.

The next EAC meeting is scheduled to be held on September 3rd Robin Dingle and Bob Simpson are not able to attend on that date. The general consensus of the EAC members was to continue with the regular scheduled date. There will still be a quorum present.

Delaware River Ash Spill – The comment period is open until September 23rd. Bob Simpson noted that there was no impact to the Little Bushkill Creek and asked why the issue is being pursued. Robin Dingle noted that the Township could try and get money to improve the headwaters of the Little Bushkill Creek. Terry Kleintop noted it is a pot of money and we don't know how they intend to distribute the funds. Bob Simpson noted the money should be used for the area where the damage occurred. Terry Kleintop noted that this may be a pot of money that they are going to do something with and we don't know how wide open this is. Robin Dingle noted that the Township already has a pot of money that we need to manage and meet the grant requirements.

Robin Dingle made a motion that the EAC not pursue getting funding from the Delaware River Ash Spill due to the Township already having funds to pursue the study of the Little Bushkill Creek. Jane Mellert seconded the motion. The motion passed by unanimous vote.

Terry Kleintop reported that Bryan Cope (Northampton County Open Space) approached him about the possibility of expanding to have grants available in regard to stream restoration. Bryan said he would like to work with Plainfield Township. He knows that a portion of the Little Bushkill Creek is impaired. Bryan would like to work with Terry Kleintop on this issue. This

money could be our match money or part of our match money for future grants. Bryan would like to pursue and investigate grants for stream restoration. He is looking at it due to other municipalities having impaired streams. Jane Mellert noted that Bryan should write a letter to the Board of Supervisors and Township Manager Tom Petrucci regarding this matter. The Board needs to determine if this is the process to pursue.

PPL/Met Ed Vegetation Management Update – The utility companies seem to be following the same process that was used in prior years. The utility companies are not posting signs or notifying the property owners in advance.

Treesmith is the contractor for PPL. Plainfield Township resident Joe Hull called Barbara Stevens regarding the process. Residents are supposed to be notified ahead of time; however, the notification process has not been adequate. Due to bad press PPL may have temporarily backed off from spraying and removing vegetation. Claire Sadler will be coordinating a meeting with the utility companies and local officials.

Terry Kleintop noted that the poison being used is a form of Agent Orange.

The notification from Met Ed also has to be improved. (Met ED) The residents should have a personal phone call or contact prior to the spraying taking place. Some residents had a general letter sent out months ahead of time. The notification does not have enough information and the residents are not able to take measures to prepare prior to the vegetation being sprayed and/or trimmed.

Tom Petrucci noted that the utility companies were not going to be spraying within 35 ft. of a wetland area. They have a wires and boarders program. Better notification practices and the placing of signage near the areas to be sprayed needs to be put into place.

Terry Kleintop noted that some residents have asked for a copy of the Treesmith contract. Settlements have been made for trees cut down out of the utility area.

Draft Nuisance Ordinance – The EAC discussed continuing with the review of the Draft Nuisance Ordinance.

The draft ordinance was started in an effort to address vacant and/or neglected buildings in the Township. Since that time the draft was expanded to include junk cars, vegetation management, garbage, drainage, etc. This was not the original intent. A discussion was held on whether the EAC should continue to review and revise the draft. The following topics were discussed:

- Pictures of dilapidated buildings in the Township
- A list of the existing regulations and ordinances pertaining to the topics regulated in the draft ordinance
- Is this overregulating? How will it be enforced?
- The International Property Maintenance Code. – The general consensus of the EAC is that this is not the way to maintain the properties in the Township.
- Short Term - The Plainfield Township Code of Ordinances started in 2002 is being worked on for updating and adoption. The proposed draft and the recommendations for the Code of Ordinances need to be cross referenced. The process needs to be finalized.

- Long Term - The Township is in the process of embarking on a joint Zoning Ordinance. This can become input into the group when working on the regional zoning ordinance. The Township and Borough will need to update and restructure the ordinances.
- A log of the complaints made to the Township Administrative staff should be maintained in order to know how what areas may need to be addressed and updated in the ordinances. More specific information is needed in order to address the issues and complaints that are made to the Township office.
- Sometimes more regulation opens up for people to put in complaints even when there is not an unmanageable problem.
- The Township Solicitor and staff tried to compile an ordinance to encompass some of the complaints that have been made to the Township office.

Robin Dingle made a motion to table the EAC's review of the Nuisance Ordinance and recommend that the review of the draft be continued at the planning commission level with the recommendation to focus on the building portion of the draft ordinance. The motion was seconded by Bob Simpson and passed by unanimous vote.

A letter will be sent to the Board of Supervisors indicating that specific information on the problem areas that the Township needs to regulate needs to be compiled in order for the problem areas to be adequately reviewed and addressed. The letter will ask the Board of Supervisors if the Board wants the Planning Commission to continue with the draft ordinance utilizing the list that Don Moore compiled.

Paul Levits wants the publications noted in the draft nuisance ordinance to be reviewed. (UCC, Conservation, etc.) Tom Petrucci noted that some of the information will not be able to be provided because the documents have to be purchased and then interpreted by a building code official.

MS4 Comprehensive Map – The GIS mapping work of the MS4 locations was started by Keystone Consulting Engineers. Jane Mellert forwarded copies of the emails sent to Mike Kukles and Kevin Harwick in January and March of 2015. The emails will be forwarded to the EAC members.

Northampton County Farmland Preservation – Follow up to the letter received from Maria Bentzoni in has not been received. Some of the questions requested in Tom's letter were not answered in the response. Additional minutes from the Northampton County Farmland Preservation Board were provided. The December 2014, January and March 2015 minutes were provided by Maria on July 14th. This will be discussed at the September meeting.

Transcontinental Gas Pipe Line Company LLC – AECOM Progress Update – Act 14 – Notification General Permit 8 & 11 Application for the 2015 Pennsylvania Project Anomaly Project – Anomaly Digs #16, 24 and 25

The landowner near the stream access point has agreed to amend the easement agreement to allow access to the stream over his property.

Pennsylvania Fish and Boat Commission – Update

Terry Kleintop noted the Commission approved the request for a (fish survey) on part of the West Branch of the Little Bushkill Creek under the unassessed water initiative

Tree Harvesting Review – Tom Petrucci is aware of the concerns, regarding the timbering that occurred, and has done follow up with the Zoning Officer. Tom and Bruce Rabenold will work on a sample of buffer regulations along the recreation trail for consideration.

Bio-Solids – This will be addressed in the future. Jane Mellert noted that the Ordinance that Plainfield Township has in place will be addressed with the codification of the Township Ordinances.

NEW BUSINESS

None

PUBLIC COMMENT

MEETING ADJOURNMENT

Bob Cornman made a motion to adjourn the meeting at 10:03 pm. The motion was seconded by Don Moore and passed by unanimous vote.

Respectfully Submitted,

Jane Mellert, EAC Secretary