

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
December 22, 2011  
REGULAR MEETING – 7:00 PM**

The Public Meeting of the Salisbury Township Board of Commissioners was held on the above date in the Township Municipal Building located at 2900 South Pike Avenue, Allentown, Lehigh County, Pennsylvania.

**Members attending:**

James Brown, President  
Robert Martucci, Jr., Vice President  
Norma Cusick, President Pro-Tempore  
James Seagreaves  
Joanne Ackerman

**Staff attending:**

Randy Soriano, Township Manager  
Cathy Bonaskiewich, Assistant Township Manager/Finance Director  
John Andreas, Director of Public Works  
Allen Stiles, Chief of Police-EXCUSED  
Cynthia Sopka, Director of Planning & Zoning  
John Ashley, Esquire, Township Solicitor  
David Tettermer, representative of Township Engineer, Keystone Consulting Engineers

**CALL TO ORDER**

Commissioner Brown called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**NOTIFICATION**

Mr. Soriano informed the attendees that all sessions of the Salisbury Township Board of Commissioners regular meetings are electronically recorded for the purpose of taking the Minutes. All public comments on agenda items would be taken prior to the vote. All public comments related to non-agenda items will be taken after the agenda has been satisfied.

Mr. Soriano announced that the Township records the meetings and archives its tapes and are available pursuant the Right-to-Know Law, if requested.

Mr. Soriano reminded everyone of the three minute rule and asked that everyone who wishes to speak to come to the podium, sign up, announce themselves, and speak clearly in the microphone.

Mr. Soriano added that the speaker has a choice not to list his/her address; however, it is preferred that the speaker announce if he or she is a Township resident. He noted that if a resident does not divulge his or her address, it will impair the Township with administrative follow ups on a particular issue.

### **APPROVAL OF FINANCIAL REPORT AND BILLS PAYABLE**

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to approve the unaudited Financial Report for the period ending November 30, 2011 and the list of Bills Payables in the amount of \$117,866.45 for the period 12/03/2011 through 12/16/2011, broken down as follows: General Fund - \$49,389.55; Fire Fund - \$1,596.67; Library Fund - \$40,779.50; Water Fund - \$2,742.09; Sewer Fund - \$1,507.80; Highway Fund - \$20,850.84; Subdivision Escrow Fund - \$1,000.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-YES

**The Motion passed by 5-0**

### **MINUTES**

#### **December 8, 2011**

Commissioner Brown noted that he called the meeting to order on December 8, 2011, not Commissioner Martucci. Commissioner Brown declared the December 8, 2011 Board of Commissioners Regular Meeting Minutes approved with the above-mentioned correction.

### **NEW BUSINESS**

#### **MOTIONS**

**Motion to consider a request by the Lehigh Valley Road Runners to conduct a Superbowl 10K 2012 race (through portions of Greenwood Road, Robin Hood Drive, Overhill Drive, Yorkshire Road, Bishop Road, Barnsdale Road, Nottingham Road and Lehigh Parkway North).**

Mr. Soriano noted that a similar request was made last year and approved by the Board, subject to hold harmless agreements and insurance requirements. Unfortunately, the event had to be cancelled due to a snow storm event. Mr. Soriano stated that this year, the Club is requesting the same; however, they would like some assistance if there is another snow event.

Mr. Soriano commented that the event is directed by the Lehigh Valley Road Runners who direct at least six road races every year, including the St. Luke's Half Marathon, which boasts a

combined 4,000 entries. He noted that the February 5, 2012 event will be limited to 550 participants. The Road Runners have liability insurance and the Township will be named as additional insured. Mr. Soriano commented that the Club will staff the event with volunteers at every turn to direct runners and ensure the safety of both the runners and the traveling public.

Mr. Christopher Garges, representing the Club, was present to address the Board. Mr. Garges noted that the running event will pass through Salisbury Township on February 5, 2012, beginning in the Lehigh Parkway at the Lehigh Valley Road Runners clubhouse. He stated that the event will enter the municipality at approximately the two mile mark (10:15am) on Lehigh Parkway North, and the runners will travel Greenwood Road, Robin Hood Drive, Overhill Drive, Yorkshire Road, Bishop Road, Barnsdale Road and Nottingham Road. He commented that the runners will then follow the same route back to Lehigh Parkway North and exit the municipality approximately 2.5 miles later (11:00 – 11:15am).

Mr. Garges stated if inclement weather occurs that is simply dangerous, the race will be postponed or cancelled, but should some form of precipitation event occur within a day or so of the event, the Road Runners would be interested in working with the Public Works crew to ensure the safety of the runners.

Commissioner Martucci noted that he did not have a concern with the request, but only if Mr. Andreas could accommodate the needs of the Club during inclement weather and the Township would not be held liable should something occur as a result of the roads not being cleared. Mr. Soriano commented that this would be accomplished by having the Club sign an Indemnification and Hold Harmless Agreement.

Mr. Andreas stated that he cannot guarantee any kind of condition of a street, and the road will be made in the best condition possible and will be assessed at that time.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to approve request by the Lehigh Valley Road Runners to conduct a Superbowl 10K 2012 race (through portions of Greenwood Road, Robin Hood Drive, Overhill Drive, Yorkshire Road, Bishop Road, Barnsdale Road, Nottingham Road and Lehigh Parkway North) contingent on the Club signing a Hold Harmless Agreement and providing a Certificate of Insurance, naming the Township as an additional insured.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-YES

**The Motion passed by 5-0**

**Motion to authorize entering into an agreement with the Lehigh County Humane Society for animal control services for 2012.**

Mr. Soriano stated that the Lehigh County Humane Society is again requesting renewal of their contract with an additional cost of \$500, thus bringing the cost of this service to \$11,000. Mr. Soriano noted his feedback to them was that the Township would be amenable, provided that the LCHS will add additional language to the Municipal Service Agreement which would require them to indemnify and hold harmless the Township for any acts of negligence caused by them. He commented that prior Agreements with the LCHS did not include this language, but as a Contractor, he believes they will need to provide this coverage.

Mr. Soriano noted that the level of service (the number of animals brought to the LCHS shelter) has not increased, according to Charles Durner, Animal Control Officer. He commented that in 2010, the number of dogs brought to the LCHS amounted to 28 and the number of cats amounted to 57. In 2011, to date, the number of dogs was 25 and number of cats was 33.

Mr. Soriano stated that Mr. Fritch was invited to be present at the meeting.

Commissioner Cusick inquired as to how the LCHS determines their cost. Mr. Soriano stated that it is a number they believe to be fair based on the number of animals taken in from the Township.

**Motion by Commissioner Cusick, seconded by Commissioner Seagreaves, authorize entering into an agreement with the Lehigh County Humane Society for animal control services for 2012 conditional on the LCHS providing a Indemnification and Hold Harmless Agreement and a certificate of Insurance listing the Township as an additional insured.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-YES

**The Motion passed by 5-0**

**Motion to adopt the 2012 Budget.**

Mr. Soriano stated that the Board will need to finalize this budget. He commented that if there are any changes, they will need to be made at this meeting since the Board will not meet again until January 3, 2012.

Mr. Soriano noted that most residents will only focus on the Fire Tax increase and the Board must send a clear message as to why this was necessary. Mr. Soriano stated that the Fire Budget must be finalized with respect to operational request.

Mr. Soriano briefly reviewed the Proposed 2012 Budget. The synopsis is incorporated as part of the record.

**Review of 2012 Proposed Budget.**

The 2012 Proposed Budget is hereby advertised in accordance with the First Class Township Code Article XVII. The Proposed Budget holds the line on taxes, while cutting expenses in order to achieve the mandate of the Board of Commissioners. Overall Revenues have decreased 8% and Expenditures by 9%. What follows is a review of the proposed budget for the General Fund.

**REVIEW OF PROJECTED OPERATING REVENUES- 2011**

- Budgeted- \$6,963,900- Projected \$7,527,868-Diff-\$563,968
- 2011 Projected Deficit of \$93,815 vs 2011 Budget of \$643,200

**Reasons**

Twp received \$563,968 more Revenue than Budgeted-Key areas:

Real Estate Tax.....	12,084
Real Estate Transfer .....	50,000
Earned Income Tax.....	150,000
Local Service Tax.....	12,697
Total	<b>\$224,781</b>

- Cable Franchise Fees- \$70,000 more due Ordinance Revisions that increased Franchise Fee from 3% to 5% and remittance on a Quarterly basis which included 2010 anticipated receipts(\$120,000)-Total \$270,000
  - 355.050-Foreign Casualty Ins. Tax(Pension State Aid)..... \$177,000-One Time aberration\*
  - 355-070-Foreign Fire Insurance Tax.....\$83,000-One Time Aberration\*
- \*REASONS- Pennsylvania Department of Revenue's enhanced efforts in collecting the Gross Premium Tax that makes up the Act 205 Fund in accordance with Act 7 of 1997. Because of this change, a spike in collections of revenues that comprise the fund has occurred, significantly increasing the amount of individual unit values for distribution. We anticipate that this is a one-time event that will not re-occur in the future.*
- When we factor in other Non Operating Revenues(Projected -\$954,277 vs. Budgeted-\$321,800), the net result is \$1,196,445 more in revenue than anticipated.*

**REVIEW OF PROJECTED EXPENSITURES- 2011**

- Budgeted \$7,607,100: Projected \$7,621,683- Overruns of \$14,583 from Budget.
- Comparison of projected versus budgeted:
- GENERAL GOVERNMENT- Over \$43,011
- PUBLIC SAFETY-Over \$147,573
- SANITATION- Under(62,175)
- PUBLIC WORKS -Under(24,229)
- RECREATION-Under (15,274)
- COMMUNITY DEVELOPMENT-Over 3,296
- CONTRIBUTIONS & MISCELLANEOUS-Under(19,008)
- INSURANCE & BENEFITS-Under-(59,887)
- INTERFUND TRANSFERS-Over 1,276

- **Projected Expenses exceeded Revenue by \$93,815**
- **Net Change Revenue Over (Under) Expenses \$737,272**
- **Total Projected Cash Balance at the end of 2011-\$3,689,833(48% of Expenditures)**

**2012 PROPOSED BUDGET**

***Beginning Cash Balance-3,689,833 Anticipated Ending Cash Balance--\$3,277,035***

**Proposed 2012 Revenues**

- ***OPERATING REVENUES- \$5,602,800-Decrease of approx 26%(\$1,925,068) due to tracking Sanitation Fund separately(\$1,683,523). Net decrease-\$241,545.***
- ***RE Taxes- Assessment-\$447,849,100- lower by 2,000,000 due to appeals. No changes.***
- ***RE Transfers remains at \$320,000***
- ***EIT-\$1,800,000- Reduced \$50,000 from projected.***
- ***Total Taxes \$3,919,000-\$51,781 less in taxes.***
- ***NON-OPERATING REVENUES--\$512,798, which is approximately \$441,479 less than Projected.***

***Total Operating and Non-Operating Revenue-\$6,115,598, approximately \$2,366,547 less than projected. Total decreases from Projected 2011 Operating and Non-Operating Revenue-\$683,024.***

**ADJUSTMENTS/CUTS INTRODUCED AT THE NOVEMBER 10, 2011 MEETING**

**REVENUES**

- A. ***RE TRANSFERS- Decreased to \$320,000***
- B. ***SAFE STREET GRANT-Decreased by \$23,900-Reason-County Grant terminated by end of 2011***
- C. ***REFUND OF UNUSED PREMIUMS- Increased to \$155,300***
- A. ***EIT- Increased to \$1,800,000-Reason-To match current end of the year projections(\$1,850,000)- Increased by \$100,000.***
- B. ***PILOT-Increase to \$127,000-Transfer amount to a designated Capital Reserve Fund earmarked for future equipment/vehicles purchases***
- C. ***INTERFUND TRANSFERS- Increased to \$590,600. Reason- Allocate cost expenses proportionally to other funds. Refuse, Water, Sewer. Net increase \$375,600.***

**Total Increases-\$375,600**

**EXPENDITURES**

**I. GENERAL GOVERNMENT**

**Legislative Conference**

- ***Dues- Increased to \$2,750***
  - ***Training- Reduced to \$500***
- Total Reduction- \$500**

**Manager**

- ***Newsletter- Reduced to \$1,500***
  - ***Minor Equipment-Reduced to \$500***
  - ***Consulting Services-Reduced to \$11,000***
  - ***General Services- Reduced to \$4,000***
  - ***Training-Reduced to \$750***
  - ***Conferences-Reduced to \$1***
- Total Reduction- \$7,500**

### Finance

- *Minor Equipment-Reduced to \$500*
  - *Conferences-Reduced to \$1.*
- Total Reduction-\$2,000**

### Tax Collection

- *Minor Equipment-Reduced to \$1*
  - *Earned Income Tax-Increased to \$32,700*
- Total Reduction-\$1,301**

### Law

- *Special Legal Services-Reduced to \$5,000*
- Total Reduction-\$2,000**

### PERSONNEL ADMINISTRATION

- *Retirement Incentive-Increased to \$24,100*
  - *Legal & Consulting Fees-Reduced to \$10,000*
- Total Increase-\$15,100**

### DATA PROCESSING

- *Computer Equipment-Reduced to \$15,000(Lease purchase arrangement)*
- Total Reduction-\$36,700**

### ENGINEERING

- *No Cuts*

### BUILDING & PLANT

- *Minor Equipment-Reduced to \$200*
- Total Reduction-\$300**

### **TOTAL GENERAL GOV REDUCTION- \$32,647.**

### PUBLIC SAFETY

- *Police Officer Wages-Reduced by \$64,800(Will not fill lateral position left vacant due to promotion to Detective)*
  - *Police Longevity-Reduced by \$2,100.*
  - *Bike Patrol- reduced by \$700*
  - *Firearms Supplies-Reduced by \$2,400*
  - *Police Vehicles-Reduced by \$22,500(Contemplates Lease/Purchase instead of outright purchase)*
  - *Police Training-Reduced by \$2,000(Kept at 2011 funding level)*
  - *Police Chief Conferences-Reduced by \$1,800*
- Total Police Cuts-\$96,299**

### FIRE

- *No Cuts*

**CODE ENFORCEMENT**

- *Conferences- Reduced by\$1,500*

**PLANNING & ZONING**

- *Conferences- Reduced by\$1,500*

**EMERGENCY MGT**

- *Emergency Deputy Stipend-Reduced by \$160*

**TOTAL PUBLIC SAFETY CUTS-\$99,457**

**SANITATION**

- *Tracked as a separate Fund-Reduced by \$1,509,325-Transferred to its own separate Fund*

**PUBLIC WORKS**

- *Wages-Reduced by \$155,500(Due to attrition and possible retirement-To be finalized)*
- *Minor Equipment-Reduced by \$4,000*
- *General Services-Reduced by \$900*
- *Conferences-Reduced by \$1,500*
- *Composting Costs-Reduced by \$2,000(level funding)*
- *Repairs and Maintenance-Reduced by \$2,500*
- *Road Materials-Reduced by \$75,000(keep as same level as 2011 Budget)*

**TOTAL PWD CUTS-\$241,399**

**RECREATION**

- *Facilities Maintenance-Reduced by \$7,500*

**TOTAL RECREATION CUTS-\$7,500**

**EMPLOYEE BENEFITS**

- *Health Insurance-Reduced by \$62,800(Reflects savings from fringe benefits from not replacing Police and PWD positions lost to attrition/promotions. Also, reflects increases for Non-Union employees of 2.7% increases in co-pays(\$1,000/year)-5% total of premium.*
- *Police Pension Plan-Rollback of EC to 1.54%-Increase of \$28,600.*
- *Social Security Tax-Reduced by \$12,600(reflects savings from not filling vacant Police-PWD positions)*

**TOTAL EMPLOYEE BENEFITS CUTS \$46,800**

**TOTAL OPERATING EXPENSES- 5,753,097-TOTAL CUTS-\$427,803**

**CAPITAL CONSTRUCTION EXPENSES**

- *Administration-Reduced by \$25,000*



**Total Capital Construction Cuts-\$25,000**

**CAPITAL EQUIPMENT**

- **Police Car Video Software-Reduced by \$30,899**
  - **PWD 4x4 Dump Truck-Reduced by \$20,000(CUT FROM GF-Fund entirely out of Highway Fund)**
  - **PWD 4x4 Pickup Truck-Reduced by \$22,500(Lease/Purchase)**
- Total Capital Equipment Cuts- \$73,399**

**TOTAL CAPITAL EXPENDITURES CUTS-\$98,399**

- **TOTAL OPERATING AND NON OPERATING EXPENDITURES-\$6,115,598-CUTS-\$526,202**
- **TOTAL RESERVES TO BALANCE 2012 BUDGET-\$412,798 vs \$1,314,600(prior to cuts)**
- **CASH RESERVES AFTER CUTS-\$3,277,035(53% of EXPD)**
- **No anticipated increases in the water, sewer and refuse/recycling fees**
- **Millage to remain at 3.09 for General Purpose; Library-.18; Fire-.30-Total-3.57 Mills**
- **TOTAL TRUE EXPENDITURES(OPERATING and NON-OPERATING)- DECREASE-Approx 9%-(~~\$796,186~~)- Adjusted to reflect Sanitation Fund separation from GF.**

**Summary-GF**

- General Government-..... \$929,853 (\$26,158 less than 2011 Projected)
- Public Safety..... \$1,937,743(\$182,430 less than 2011 Projected)
- Sanitation..... \$ 0(\$1,509,325-Shifted out of GF to its own Fund)
- Public Works..... \$1,119,001(\$158,070 less than 2011 Projected)
- Recreation..... \$57,300(\$8,274 more than 2011 Projected)
- Community Development..... \$2,000(\$3,296 less than 2011 Projected)
- Contributions..... \$120,600(\$9,208 more than 2011 Projected)
- Insurance & Benefits ..... \$1,547,700(\$5,513 less than 2011 Projected)
- Interfund Transfers..... \$38,900(\$0)

**TOTAL OPERATING GF.....\$5,753,097(\$1,868,586 less than 2011 Projected- Due to shifting of Sanitation Fund- True Operating Expenses decrease \$359,261 from 2011 Projected-5%)**

**Capital Outlays**

- Equipment..... \$162,501(\$99,836 more than 2011 Projected)\*\*
  - Construction Projects.....\$28,600(\$533,424 less than 2011 Projected)\*\*\*
- TOTAL CAPITAL GF.....\$191,101(\$433,588 less than 2011 Projected-Due to close out of Police Station Project and other projects not funded-69% less than prior year)**

\*\*-Includes \$150,000 towards ESFD new Fire Truck and \$12,500 for new 4x4 PWD Dump Truck )

\*\*\*-Includes- Security upgrades for Municipal Building

**OTHER FUNDS**

*Mr. Soriano noted that the Township is not proposing to increase any other fees, such as water, sewer and refuse/recycling.*

A discussion ensued about the Library Fund. It was the consensus of the Board to look into future funding of the Allentown Library.

Commissioner Brown stated that he did not have any changes to the Proposed Budgets and asked for a Motion.

Mr. Soriano noted that the Board should finalize the amount to be allocated for supplies for the two volunteer fire companies under the Fire Budget. Mr. Soriano stated that at the last meeting, the Eastern Salisbury Volunteer Fire Department had some reservations on the proposed allocation of \$20,000. Mr. Soriano noted that their initial request was \$25,000, but \$5,000 was cut from the 2012 Proposed Budget when the Township allocated \$5,000 in 2011 for additional emergency gear that would have otherwise been budgeted in 2012.

Mr. Dave Tomcics, President of Eastern Salisbury Fire Department, and Mr. Clint Ballek, Chief of Eastern Salisbury Fire Department, inquired about the Board's decision for their 2012 Budget.

Mr. Joshua Wells, Chief of Western Salisbury Fire Department, stated that he did not have issue with taking \$2,000 out of their budget and putting it towards ESFD's budget. Mr. Ballek commented that his intention was not to take money away from WSFD. Commissioner Martucci explained that every department had to make cuts, so WSFD should have to make some cuts as well.

After a brief discussion, the Board made the following changes to the Proposed 2012 Fire Budget:

Line item 03.411.541-ESFD- Increased to \$22,000

Line item 03.411.WSFD-Decreased to \$36,000

Commissioner Seagreaves pointed out that the proposed Fire Tax increase of .25 mills was not to supplement the operational budget but was a dedicated tax for use for future capital replacement apparatus.

**Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to adopt the 2012 Proposed Budget.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-NO  
COMMISSIONER BROWN-YES

**The Motion passed by 4-1**

**ORDINANCES**

Mr. Soriano introduced for the Board to consider whether to amend the Tax Ordinance and increase the Fire Tax to be designated for capital uses for fire apparatus.

**ORDINANCE NO. 12-2011-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, SETTING AND REAFFIRMING THE RATES OF TAXATION, FIXING THE TAX RATE FOR THE YEAR 2012 AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT DURING THE CURRENT FISCAL YEAR.**

**WHEREAS**, Article XVII, Section 1701 et seq. of the First Class Township Code, P.L. 1955, No. 569, as amended, requires that the Board of Commissioners shall, inter alia, prepare and adopt a budget which shall reflect, as nearly as possible, the estimated revenues and expenditures of the Township for the year for which the budget is prepared; and

**WHEREAS**, the tax levied by the Board of Commissioners shall be fixed at such figure within the limit allowed by law, as with all other sources of revenue that will meet and cover said appropriations; and

**NOW, THEREFORE, BE IT ORDAINED** and enacted, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania.

**SECTION 1:** That for the expenses of the Township for the fiscal year 2012 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form on file in the Township Secretary's Office.

2012 Adopted Budgets

**GENERAL FUND**

Revenue .....	\$5,702,800
Expenditures:	
Operating Expenditures:	
General Government .....	\$ 940,193
Police .....	1,508,601
Fire .....	356,800
Protective Inspections .....	113,001
Planning & Zoning .....	139,901
Highways & Public Works .....	1,119,001
Recreation .....	57,300
Debt Service & Lease Payments .....	231,300
Benefits, Insurance, & Misc. ....	1,608,400
Total Operating Expenditures .....	\$ 6,074,497
Total Capital Expenditures.....	\$ 41,101

**FIRE PROTECTION FUND**

Revenue .....	\$ 589,500
Operating Expenditures .....	\$ 181,700
Capital Expenditures.....	\$ 400,000

**LIBRARY FUND**

Revenue .....	\$ 78,200
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Operating Expenditures..... \$ 81,900

**WATER FUND**

Revenue ..... \$1,387,500  
 Operating Expenditures..... \$1,554,100  
 Capital Expenditures..... \$ 25,000

**SEWER FUND**

Revenue ..... \$1,369,200  
 Operating Expenditures ..... \$2,212,500  
 Capital Expenditures..... \$ 33,400

**REFUSE & RECYCLING FUND**

Revenue ..... \$1,689,000  
 Operating Expenditures..... \$1,791,200

**HIGHWAY AID FUND**

Revenue ..... \$ 321,100  
 Operating Expenditures ..... \$ 239,700  
 Capital Expenditures..... \$ 304,500

Further, in instances where expenditures exceed current year revenues, such expenditures shall be funded from the Fund Balance to cover such expenditures.

An estimate of the specific items making up the amount appropriated to the respective Departments shall be on file in the Office of the Township Manager, 2900 South Pike Avenue, Allentown, Pennsylvania.

SECTION 2: That a tax shall be and the same is hereby levied on all real property within the said Township subject to taxation for Township purposes for the fiscal year 2012, as follows:

The rate for general Township purposes, the sum of three and nine one hundredths (3.09) mills on each dollar of assessed valuation, or the sum of thirty and nine tenths cents on each one hundred dollars of assessed valuation.

For fire protection purposes, the sum of fifty-five one hundredths (0.55) mills on each dollar of assessed valuation, or the sum of five and five tenths cents on each one hundred dollars of assessed valuation.

For library services purposes, the sum of eighteen one hundredths (0.18) mills on each dollar of assessed valuation, or the sum of one and eight tenths cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form, as follows:

	<i>Mills on Each Dollar of Assessed Valuation</i>	<i>Cents on Each \$100 of Assessed Valuation</i>
Tax Rate for General Township Purposes	3.09 Mills	30.9 cents
Tax Rate for Fire Protection Purposes	0.55 Mills	5.5 cents
Tax Rate for Library Services Purposes	<u>0.18 Mills</u>	<u>1.8 cents</u>
	3.82 Mills	38.2 cents

*A discount of two percent (2%) of the amount of any tax levied on real property under this Ordinance shall be allowed at the time of payment if said tax is paid in full on or before May 31, 2012 and a penalty equal to ten percent (10%) of the amount of any such tax levied on real property under this Ordinance shall be added to the amount of said tax and shall be payable if said tax is not paid in full on or before July 31, 2012.*

*SECTION 3: That the tax levy of one percent (1%) presently imposed upon salaries, wages, commissions and other compensation earned by residents of the Township of Salisbury and earned in the Township by non-residents thereof, and the one percent (1%) tax presently levied upon the privilege of transferring or conveying, by deed or other document, any interest in any lands, tenements, or hereditaments in or partly in the Township of Salisbury, be, and they are, hereby enacted and levied, without change, for the year 2012.*

*SECTION 4: Any Ordinance or part of an Ordinance inconsistent or conflicting with this Ordinance or any part thereof is hereby repealed to the extent of such inconsistency or conflict.*

*ENACTED into an Ordinance this 22<sup>nd</sup> day of December, 2011.*

**TOWNSHIP OF SALISBURY**  
*(Lehigh County, Pennsylvania)*

By: \_\_\_\_\_  
*President, Board of Commissioners*

*Attest:*

\_\_\_\_\_  
*Secretary*

**Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to approve the Tax Ordinance for appropriations for the 2012 Proposed Budgets.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-NO  
COMMISSIONER BROWN-YES

**The Motion passed by 4-1**

**Motion to adopt a Cable Franchise Agreement with Service Electric.**

**ORDINANCE NO. 12-2011-\_\_\_\_\_**

**BY THE BOARD OF COMMISSIONERS OF SALISBURY TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 13, PART 2, ENTITLED "CABLE FRANCHISE GRANTING A CABLE FRANCHISE SERVICE TO SERVICE ELECTRIC CABLE TV"**

***Cable Television Franchise***

**WHEREAS**, on or about May 8, 1980, the Salisbury Township Board of Commissioners granted a cable franchises to Service Electric Cable TV, Inc. by Ordinance No. 221; and

**WHEREAS**, said cable franchise was subsequently renewed thereafter; and

**WHEREAS**, with the number of cable television service company mergers, purchases, name changes and related franchises, the Board of Commissioners hereby recognizes the need to enact an ordinance regarding the operation of a cable communication system, to provide for the payment of certain fees, to provide the regulation and use of said system, to provide for and grant franchises, and to provide for the penalties for the violations in the conduct or operation thereof; and

**WHEREAS**, the Township of Salisbury deems it advisable and in the best interest of its citizens to enact an Ordinance, pursuant to the authority of the First Class Township Code of the Commonwealth of Pennsylvania and the Communications Act of 1934, as amended, that prescribes the requirements of granting a franchise, the obligations of the cable service company granted the franchise, and to regulate the cable service company's operations of its cable communications business within the Township of Salisbury.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2011, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania that Chapter 13, Part 2 entitled "Cable Television Franchise" of the Salisbury Township Code of Ordinances shall be amended in its entirety as follows, to wit:

Attorney Jim Holzinger for Service Electric was in attendance to address the Board. He stated that they would approve the Ordinance as drafted, but they are requesting to have the bonding requirement waived. Attorney Holzinger explained that the exception would be if Service Electric does a major build-out in a given area, and at that point, the staff could determine reasonable bonding if they were going to open up streets.

Mr. Soriano stated that if the Board would waive the bonding requirement for Service Electric, they should do the same for RCN.

Attorney Ashley commented that it would be better for the Township to leave the bonding provision in the Ordinance in the event that Service Electric engages in a major project.

Attorney Holzinger was in agreement with how the language is interpreted and offered the Board their signed agreement.

**Motion by Commissioner Cusick, seconded by Commissioner Seagreaves, to adopt Ordinance Cable Franchise Agreement with Service Electric.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-YES

**The Motion passed by 5-0**

**Motion to adopt a revised Cable Franchise Ordinance for RCN.**

ORDINANCE NO. 12-2011-\_\_\_\_\_

**BY THE BOARD OF COMMISSIONERS OF SALISBURY TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 13, PART 2, ENTITLED “CABLE TELEVISION FRANCHISE” AND GRANTING A CABLE FRANCHISE SERVICE TO RCN TELECOM SERVICES, LLC.**

**Cable Television Franchise**

**WHEREAS**, on or about May 8, 1980, the Salisbury Township Board of Commissioners granted a cable franchise to Twin County Trans Video, Inc. (now RCN Telecom Services, LLC) by Ordinance No. 222; and

**WHEREAS**, said cable franchise was subsequently renewed thereafter; and

**WHEREAS**, with the number of cable television service company mergers, purchases, name changes and related franchises, the Board of Commissioners hereby recognizes the need to enact an ordinance regarding the operation of a cable communication system, to provide for the payment of certain fees, to provide the regulation and use of said system, to provide for and grant franchises, and to provide for the penalties for the violations in the conduct or operation thereof; and

**WHEREAS**, the Township of Salisbury deems it advisable and in the best interest of its citizens to enact an Ordinance, pursuant to the authority of the First Class Township Code of the Commonwealth of Pennsylvania and the Communications Act of 1934, as amended, that prescribes the requirements of granting a franchise, the obligations of the cable service company granted the franchise, and to regulate the cable service company’s operations of its cable communications business within the Township of Salisbury.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2011, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania that Chapter 13, Part 2 entitled “Cable Television Franchise” of the Salisbury Township Code of Ordinances shall be amended in its entirety as follows to wit:

Attorney Ashley and Mr. Soriano noted that there are some sections in the Ordinance that will require further clarification with RCN and advised the Board to table the Ordinance.

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to table Ordinance for RCN pending revisions.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-YES

**The Motion passed by 5-0**

**RESOLUTIONS**

**Setting the Police Pension Employee Contribution Rates.**

Mr. Soriano noted that the Board has determined and the 2012 Budget reflects that the Police Employee contribution will remain at 1.54%. He commented that next year, the Board will broach the bigger subject in negotiations concerning Act 600 as it relates to Police employee contributions, which require a mandatory rate of 5%. Mr. Soriano explained that Act 30 allows the Township to reduce the rate without an actuarial study; however, the Township’s recent exposure may indicate that it would want to at least receive comments each year from the actuarial consultant to measure the impact of any action by the Board approving these yearly Resolutions.

**RESOLUTION NO. 12-2011-**

**BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, PROVIDING FOR A REDUCTION IN THE YEAR 2012 OF THE AMOUNT WHICH MEMBERS OF THE SALISBURY TOWNSHIP POLICE DEPARTMENT ARE REQUIRED TO CONTRIBUTE TO THE SALISBURY TOWNSHIP POLICE PENSION FUND**

**WHEREAS**, the applicable law of the Commonwealth of Pennsylvania permits reductions in the amount which members of police departments in First Class Townships contribute to their police pension funds to amount to less than five percent (5%) of a member’s compensation when such contributions are not needed to have the police pension fund remain actuarially sound; and

**WHEREAS**, the Police Pension Consultant employed by the Township of Salisbury prepared the January 1, 2011 Actuarial Report Valuation and the Township has certified its annual Minimum Municipal Obligation for 2012, which includes a total financial requirement to the Police Pension Plan in the amount of \$277,044; and

**WHEREAS**, the Township has determined that the amount of State Aid will be insufficient to pay for the total financial requirement, therefore necessitating the Police to contribute to the Plan an amount equal to one and fifty-four one hundredths (1.54%) percent of their annual compensation during the year 2012; and

**WHEREAS**, the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania is desirous of setting the contribution rate for and during the year 2012 to one and fifty-four one hundredths percent (1.54%) of a member’s compensation.

**NOW, THEREFORE, BE IT RESOLVED** that contributions to the Salisbury Township Police Pension Fund by members of the Salisbury Township Police Department shall be at the rate of one and fifty-four one hundredths percent (1.54%) of compensation for and during the year 2012.

**APPROVED AND ADOPTED** this 22<sup>nd</sup> day of December, 2011 by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania at a regular public meeting.

Attest:

TOWNSHIP OF SALISBURY  
(Lehigh County, Pennsylvania)

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President, Board of Commissioners

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to adopt Resolution Setting the Police Pension Employee Contribution Rates for 2012.**

**Roll Call:**

COMMISSIONER ACKERMAN-YES



COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-YES

**The Motion passed by 5-0**

**OLD BUSINESS**

Commissioner Martucci inquired on the leaf pickup efforts. Mr. Andreas stated that it is an on-going effort.

Commissioner Cusick read a prepared statement thanking the residents of the Township during her six years of service:

*I want to thank the residents of Salisbury Township for allowing me to be their representative on this Board of Commissioners.*

*During my tenure I have worked diligently to maintain services while not raising taxes. I have also worked for transparency in performing my duties for the residents of the Township.*

*I am very proud of our Police Department, especially Chief Stiles, and our volunteer fire fighters for the extraordinary work being done to keep our residents safe.*

*Our Public Works Department has been doing an excellent job as usual maintaining our streets and keeping up with the disposal of leaves even as I am speaking. Thank you, John Andreas.*

*I want to thank the staff for their prompt and courteous service to our residents.*

*I also want to thank the township management, staff, including Randy Soriano, Cynthia Sopka, Dave Tetterer, John Ashley and Cathy Bonaskiewich for their continuing good work.*

*I believe I am leaving this Board in good hands with our new Commissioner Debbie Brinton who will work hard to maintain the integrity of this Board.*

*At this festive season of the year, I wish everyone a very Merry Christmas and a healthy and prosperous New Year.*

*Thank you all, so very much.*

Commissioner Brown presented outgoing Commissioner Cusick with a plaque of appreciation for her years of faithful service to the residents of Salisbury Township.

**COURTESY OF THE FLOOR**

Commissioner Cusick made a Motion to adjourn the Meeting. Seconded by Commissioner Martucci. The time was 8:55 p.m.