

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
DECEMBER 27, 2012
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.

PLEDGE OF ALLEGIANCE

Commissioner Brown asked everyone to rise and recite the Pledge of Allegiance, followed by a short period of silence and reflection.

CALL TO ORDER

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

Commissioner Brown turned over the proceedings to the Township Manager, Randy Soriano.

ROLL CALL

Board Members Present:

James Brown, President
Robert Martucci, Jr., Vice President
James Seagreaves, President Pro-Tempore
Joanne Ackerman
Debra Brinton

Staff Present:

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

NOTIFICATION

Mr. Soriano announced that the Board held an Executive Session prior to the meeting to discuss a legal matter.

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 records are available pursuant to the Right-to-Know Law, if requested.

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

Commissioner Ackerman questioned the riot shields and safety vests listed on the Bills Payable. Chief Stiles stated that the Police Department ordered four riot shields. Mr. Andreas stated that the Public Works Department ordered yellow safety vests.

Commissioner Brinton inquired if the Township has received the budgeted \$48,000 Recycling Grant. Ms. Bonaskiewich explained that the State is delayed in dispersing the Grant, and the Township can expect it in January. She noted that the amount will only be for \$37,000, not the anticipated \$48,000. Mr. Soriano further explained that the Township does not receive the same amount of money each year as the Grant depends on how much recycling is actually achieved.

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to approve the Unaudited Financial Report for the period ending November 30, 2012 and the list of Bills Payable for the period 12/08/2012-12/21/2012, broken down as follows:

\$87,340.11 = GENERAL
\$6,664.84 = FIRE
\$7,627.89 = WATER
\$21,863.60 = SEWER
\$870.00 = REFUSE & RECYLCING
\$273,566.88= HIGHWAY AID
\$397,933.32 = GRAND TOTAL ALL FUNDS (revised)

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES -YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN – YES

The Motion passed by 5-0.

MINUTES

December 13, 2012

Commissioner Brown declared the December 13, 2012 Regular Meeting Minutes of the Board of Commissioners approved as presented.

NEW BUSINESS

MOTIONS

Consideration of a Motion to adopt the 2013 Budgets.

Mr. Soriano noted that the revised budget contains the addition of one full-time Public Works Department employee in the General Fund and one full-time Public Works Department employee to be split equally between the Water and Sewer Fund. He commented that additional staff is being contemplated for the Police Department with the anticipated hiring of a full-time police officer.

Mr. Soriano stated that the hiring of a new officer will require the Township to increase revenue by increasing the tax millage, but not to exceed 10% because of the County reassessment. He explained that the reason for the increase is because in order for the Township to retain and sustain the position, it has to be sustained by real revenue, which means the Township cannot hire somebody and expect to pay for the position based on the economic fluctuation of other taxing sources. Mr. Soriano noted that on average, the property owners will see a \$30 increase.

Mr. Soriano stated that the revised budget anticipates a total spending plan for all funds to be \$11,878,708, with revenues to be \$11,243,150. He noted that the Township expects to utilize \$635,558 from its fund balance reserves for all funds to balance the respective budgets.

Under the respective Funds, the General Fund being the largest, the Township expects the following:

GENERAL FUND

<i>Revenue</i>		\$5,952,700
<i>Expenditures:</i>		
<i>Operating Expenditures:</i>		
<i>General Government</i>	\$ 959,603	
<i>Police</i>	1,683,601	
<i>Fire</i>	161,400	
<i>Protective Inspections</i>	115,701	
<i>Planning & Zoning</i>	144,201	
<i>Highways & Public Works</i>	1,155,401	
<i>Recreation</i>	76,201	
<i>Lease Payments</i>	79,800	
<i>Insurances & Benefits</i>	1,638,000	
<i>Contributions & Miscellaneous</i>	61,700	
<i>Transfer to Capital Reserves</i>	89,800	
<i>Total Operating Expenditures</i>	\$6,165,408	

<i>Non-Operating Expenditures</i>		
<i>Debt Service</i>	<i>164,300</i>	
<i>Capital</i>	<i>600,601</i>	
<i>Total Non-Operating Expenditures</i>		<i>\$764,901</i>

Mr. Soriano reviewed the Budget cuts that were imposed at prior meetings and noted that the Commissioners cut the General Fund capital expenses by \$96,000, the Fire Fund by \$14,999 and Highway Fund by \$50,000. He stated that the total capital expenses are now at \$1,179,992.

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to adopt the 2013 proposed revised Budget for all funds for 2013 Fiscal year.

Roll Call:

COMMISSIONER ACKERMAN - YES
 COMMISSIONER SEAGREAVES - YES
 COMMISSIONER MARTUCCI - YES
 COMMISSIONER BRINTON - YES
 COMMISSIONER BROWN – YES

The Motion passed by 5-0.

Consideration of a Motion to Accept a Bid for Security Upgrades to the Municipal Building.

Mr. Soriano stated that this project has been in the planning stages and discussed with the Board over the past two years. Finally this year, with the assistance of Salvatore Verrastro, R.A. from Spillman Farmer, the Township was able to prepare plans and bid specifications for the security upgrades. He explained that the project entails changing the layout of the front lobby by limiting access to the back offices as well as securing the two service windows for administration and finance offices. Mr. Soriano commented that in addition, there are additional ADA retrofits that will be made to the front door and counters.

Mr. Soriano stated that Mr. Verrastro recommends the Board award the work to Weiss Construction in the amount of \$73,933, which includes the transaction drawer to be installed for the front service lobby window. He noted that funds will come out of the Capital Reserve and \$50,000 was allocated for the project in 2012.

The bid results were as follows:

- **Valley Builders, LLC, Emmaus, PA 18049 Base Bid with Alternate (Transaction Drawer) \$87,700**
- **Weiss Construction, Easton, PA 18045 Base Bid with Alternate (Transaction Drawer) \$73,933**

Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to award the bid to Weiss Construction, Easton, PA 18045 in the amount of \$73,933.00, which includes the Transaction Drawer.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES -YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN – YES

The Motion passed by 5-0.

Consideration of a motion to accept a Bid for the Closed Circuit TV Inspection and Pressure Testing and Grouting Sanitary Sewer Joints Project.

Mr. Soriano explained that this project was budgeted in 2012 and is a continuing effort to address the mandate of the US EPA Order of Compliance issued in 2009 to participate in a mandatory program aimed at eliminating Inflow and Infiltration (I & I) and ultimately reducing sanitary sewer overflows into the City of Allentown Treatment plant by December 31, 2014. He commented that the CCTV work will focus mainly in Basin 10, which was found to be the most problematic during the measuring phase.

Mr. Soriano stated that the apparent low bidder is Sewer Specialty Services Company, Inc. with a bid of \$105,590.00. The Sewer Fund has allocated \$200,000 for this project.

Mr. Andreas commented that the project may identify additional work that needs to be done as it moves forward.

Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves to award the bid to Sewer Specialty Service Company, Inc., Leicester, NY 14481 in the amount of \$105,590.00.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES -YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN – YES

The Motion passed by 5-0.

Application for Payment-Application No. 1 for the Lincoln/Flexer Avenue Roadway Improvements to Livengood Excavators, Inc. in the amount of \$273,566.88.

Mr. Tettermer stated that one more bill remains after this payment and he anticipates that to happen in the early spring with seeding. Mr. Soriano stated that \$14,398.29 is retained for this application, and the total payment due is \$273,566.88.

Mr. Soriano provided a breakdown from where the funds will be paid:

- PennDOT Liquid Fuels Fund- \$ **232,033.97**
- Township General Fund - **\$41,581.12** (breakdown below)
 - \$1,885.12 – 0206-0001 Backfill Behind Curb
 - \$11,694.12 – 0630-0001 Plain Cement Concrete Curb (to be reimbursed by property Owners)
 - \$6,182.70 – 0630-0010 Plain Cement Concrete Curb w/ removal of existing curb
 - \$16,134.80 – 0803-0001 Topsoiling behind curb
 - \$5,564.00 – 0804-0011 Seeding and Soil Supplements
 - \$120.38 – 0805-0022 Mulching
- Township Sanitary Sewer Fund - **\$14,350.08**

Grand Total: \$287,965.17

Mr. Soriano reminded the Board that the property owners consented for the Township to complete the curbing work on their behalf. He noted that the Township will proceed to bill them as per the notices. Mr. Soriano stated that the total expected receivable will be \$11,694.12, and he hopes the residents pay in full; otherwise the receivables may be carried on the books until the remaining payments are made.

Mr. Soriano commented that overall, the project was completed without any major controversy, and the contractor was very accommodating in meeting the needs of the Township and abutting property owners.

Mr. Tettermer stated that the project went very smoothly despite the work being done in a hurricane and the traffic in the work zone. He noted that there will be some small touchups needed, but overall, he is very pleased with the work.

Commissioner Ackerman commended the company in their efforts of traffic control and keeping the work area orderly.

Motion by Commissioner Ackerman, seconded by Commissioner Martucci to approve Payment #1 for the Lincoln/Flexer Avenue Roadway Improvements to Livengood Excavators, Inc. in the amount of \$273,566.88.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES -YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN -YES

The Motion passed by 5-0.

ORDINANCES

2013 Budget and Tax Rate Ordinance

Mr. Soriano stated that since the Budget is officially adopted, the Board must now move to adopt the 2013 Budget Tax Ordinance that establishes the reflected tax rates as approved in the 2013 Budget. He explained that by passing the Ordinance, it will allow the Township to set forth the millage and advise the County and Tax Collector to send the appropriate bills.

Mr. Soriano read the Ordinance into the record:

ORDINANCE NO. 12-2012-580

AN ORDINANCE OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, SETTING AND REAFFIRMING THE RATES OF TAXATION, FIXING THE TAX RATE FOR THE YEAR 2013 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 2013 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.

2013 Adopted Budgets

GENERAL FUND

Revenue		\$5,952,700
Expenditures:		
Operating Expenditures:		
General Government	\$ 959,603	
Police	1,683,601	
Fire	161,400	
Protective Inspections	115,701	
Planning & Zoning	144,201	
Highways & Public Works	1,155,401	
Recreation	76,201	
Lease Payments	79,800	
Insurances & Benefits	1,638,000	
Contributions & Miscellaneous	61,700	
Transfer to Capital Reserves	89,800	
Total Operating Expenditures		\$6,165,408

<i>Non-Operating Expenditures</i>		
<i>Debt Service</i>	164,300	
<i>Capital</i>	600,601	
<i>Total Non-Operating Expenditures</i>		\$ 764,901

FIRE PROTECTION FUND

<i>Revenue</i>		\$ 342,250
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Expenditures:

<i>Operating Expenditures:</i>		
<i>Public Safety</i>	\$173,600	
<i>Transfer to Capital Reserves</i>	147,600	
<i>Total Operating Expenditures</i>		\$ 321,200

<i>Non-Operating Expenditures</i>		
<i>Debt Service</i>	46,400	
<i>Capital</i>	362,201	
<i>Total Non-Operating Expenditures</i>		\$ 408,601

LIBRARY FUND

<i>Revenue</i>		\$ 78,200
<i>Operating Expenditures</i>		\$ 81,900

WATER FUND

<i>Revenue</i>		\$1,404,000
<i>Operating Expenditures</i>		\$1,547,400
<i>Non-Operating Expenditures</i>		\$ 118,900

SEWER FUND

<i>Revenue</i>		\$1,352,500
<i>Operating Expenditures</i>		\$1,655,900
<i>Non-Operating Expenditures</i>		\$ 238,100

REFUSE & RECYCLING FUND

<i>Revenue</i>		\$1,643,600
<i>Operating Expenditures</i>		\$1,695,200

HIGHWAY AID FUND

<i>Revenue</i>		\$ 305,600
<i>Operating Expenditures</i>		\$ 247,400
<i>Non-Operating Expenditures</i>		\$ 15,700

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 2013, as follows:*

The rate for general Township purposes, the sum of one and fifteen thousand one hundred fifty-five hundred-thousandths (1.15155) mills on each dollar of assessed valuation, or the sum of eleven and five thousand fifty-five ten-thousandths cents on each one hundred dollars of assessed valuation.

For fire protection purposes, the sum of twenty thousand eight hundred sixty-one hundred-thousandths (0.20861) mills on each dollar of assessed valuation, or the sum of two and eight hundred sixty-one ten-thousandths cents on each one hundred dollars of assessed valuation.

For library services purposes, the sum of six thousand eighty-seven hundred-thousandths (0.06087) mills on each dollar of assessed valuation, or the sum of six thousand eighty-seven ten-thousandths cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form, as follows:

	<u>Mills on Each Dollar of Assessed Valuation</u>	<u>Cents on Each \$100 of Assessed Valuation</u>
Tax Rate for General Township Purposes	1.15155 Mills	11.5155 cents
Tax Rate for Fire Protection Purposes	0.20861 Mills	2.0861 cents
Tax Rate for Library Services Purposes	<u>0.06087 Mills</u>	<u>0.6087 cents</u>
	1.42103 Mills	14.2103 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, 2013 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, 2013.

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 2013.

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 27th day of December, 2012.

TOWNSHIP OF SALISBURY
(Lehigh County, Pennsylvania)

By: _____
President, Board of Commissioners

Attest:

Secretary

Motion by Commissioner Martucci, seconded by Commissioner Brinton to adopt Ordinance No. 12-2012-580 setting and reaffirming the rates of taxation, fixing the tax rate for the year 2013 and appropriating specific sums estimated to be required for the specific purposes of the township government during the current fiscal year.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES - YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN - YES

The Motion passed by 5-0.

RESOLUTIONS

Resolution setting the Police Pension Employee Contribution Rate for 2013

Mr. Soriano stated that with the passage of the 2013 Budget, which contains the financial pension obligation for the Police Pension in the amount of \$281,070, the Board must set, by Resolution, the contribution rate for police officers. The rate for 2013 stays at 2012 levels, 1.54%.

RESOLUTION NO. 12-2012-1428

BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, PROVIDING FOR A REDUCTION IN THE YEAR 2013 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 2013, which includes a total financial requirement to the Police Pension Plan in the amount of \$281,070; 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 2013; 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 2013 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 2013.

APPROVED AND ADOPTED this 27th day of December, 2012 by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania at a regular public meeting.

TOWNSHIP OF SALISBURY
(Lehigh County, Pennsylvania)

Attest:

By:

Secretary

President, Board of Commissioners

Motion by Commissioner Seagreaves, seconded by Commissioner Martucci to adopt Resolution No. 12-2012-1428 setting forth the 2013 Police Employee Contributions to be 1.54% of compensation.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES - YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN - YES

The Motion passed by 5-0.

PRIVILEGE OF THE FLOOR

Commissioner Martucci thanked Mr. Andreas for picking up his leaves.

Chief Stiles briefly commented on an ongoing investigation about a body that was found near the Unami Gun Club.

Chief Stiles announced that the Police Department is continuing their training with exercises at Lehigh Valley Hospital concerning problems that can develop in hospital settings.

ADJOURNMENT

Commissioner Ackerman made a Motion to adjourn the Meeting, seconded by Commissioner Brinton. The time was 8:00 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on December 27, 2012.

Approved and certified on this date:

Randy Soriano

Date

SEAL