

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
JULY 26, 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  
David Tettermer, representative of Township Engineer, Keystone Consulting Engineers

**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 BILLS PAYABLES**

**Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to approve the unaudited Financial Reports for the period ending June 30, 2012 and the list of Bills Payables for the period 7/7/2012-7/20/2012, broken down as follows: General Fund - \$116,783.20; Fire Fund - \$1,785.41; Library Fund - \$0.20; Water Fund - \$25,069.90; Sewer Fund - \$28,263.14; Refuse & Recycling Fund - \$1,300.00; Highway Fund - \$11,671.06. Total of all Funds - \$184,872.91.**

**Roll Call:**

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

**The Motion passed by 5-0**

### **MINUTES**

#### **June 28, 2012**

Commissioner Brown declared the July 12, 2012 Regular Meeting Minutes of the Board of Commissioners approved as presented.

### **NEW BUSINESS**

### **ORDINANCES**

#### **Budget Amendment Ordinance – Additional Appropriation.**

Mr. Soriano stated that due to unforeseen events, the Board needs to appropriate additional funds to support unexpected purchasing, such as the three additional portable radios for the police in order to deal with encryption issues with the City of Allentown (\$8,700), and other over-expended accounts relating to Facilities and Maintenances (the Budget was cut to \$6,000; year-

to-date is \$12,275). He noted that a supplemental appropriation must be made from the fund balance reserves of \$14,000, and the Township Code requires that it be done by Ordinance.

The Ordinance is as follows:

**ORDINANCE NO. 07-2012-579**

**AN ORDINANCE OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, APPROPRIATING AND TRANSFERRING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT DURING THE 2012 FISCAL YEAR.**

*WHEREAS, the Salisbury Township Board of Commissioners enacted the 2012 Budget which did not include the necessary funds to undertake certain unforeseen repairs and purchases; and*

*WHEREAS, the need arose for certain unforeseen major facility repairs and the need to acquire encrypted radio equipment which were not shown in the adopted 2012 Budget.*

*NOW THEREFORE, BE IT ORDAINED that the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania does hereby make the following appropriations and transfers in order to accomplish the, as follows:*

<b>2012 BUDGET REVISIONS:</b>					
<b>G/L Acct #</b>	<b>Acct Title</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Difference</b>	<b>Notation</b>
<b>GENERAL FUND</b>					
01-409.373	Facilities Maintenance	6,000	20,000	14,000	Overbudget due primarily to 3 unexpected major repairs Jan-Mar 2012.
01-410.260	Minor Tools & Small Equipment	15,100	23,800	8,700	Unexpected encrypted radio purchase
<b>TOTAL CHANGE: Expenditures exceed Revenues</b>				<b>22,700</b>	<b>Fund Balance monies to be utilized</b>
<b>Change to Total Fund Budget amounts:</b>					
		<b>General Fund</b>			
Budget Amt (AS PREVIOUSLY REVISED) - Revenues		6,137,998			
Adjustments made above		-			
Revised Total Fund Budget - Revenues		6,137,998			
Budget Amt (AS PREVIOUSLY REVISED) - Expenses		6,155,398			
Adjustments made above		22,700			
Revised Total Fund Budget - Revenues		6,178,098			

*ENACTED into an Ordinance this 26th day of July, 2012.*

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

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

Attest:

\_\_\_\_\_  
Secretary

**Motion by Commissioner Seagreaves, seconded by Commissioner Ackerman, to approve Ordinance No. 07-2012-579 as read.**

**Roll Call:**

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

**The Motion passed by 5-0**

### **RESOLUTIONS**

None

### **MOTIONS**

**Motion to approve Change Order #2 (\$18,097.65) from RGC Development for additional work associated with the conflict of water main line for the Patricia Drive Pumping Station Elimination Project.**

Mr. Soriano stated that they have come to an agreement on what the Township will allocate for the additional work. He noted that earlier in the year, the Board approved an amount of \$9,080.

**Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to approve the Change Order #2 (\$18,097.65) from RGC Development for additional work associated with the conflict of the water main line for the Patricia Drive Pumping Station Elimination Project.**

**Roll Call:**

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

**The Motion passed by 5-0**

**It was the consensus of the Board to authorize the next payment of the contract with the Change Order.**

**Motion to approve Change Order #1 (\$10,440) from RGC Development for paving and restoration of Montgomery Street associated with the Montgomery Street Sanitary Sewer Replacement Project.**

Mr. Soriano commented that there was additional paving associated with the job that the Township agreed to pay, and it will increase the amount of the contract by \$10,440.

Mr. Tetteimer stated that it is a total re-pavement of the street with curb on one side. He noted that only the trench restoration was in the original contract.

**Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to approve Change Order #1 (\$10,440) from RGC Development for paving and restoration of Montgomery Street associated with the Montgomery Street Sanitary Sewer Replacement Project.**

**Roll Call:**

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

**The Motion passed by 5-0**

**Motion to approve the request of Mr. Wilbur Rodriguez to use the Devonshire Pavilion for a fundraising event.**

Mr. Soriano stated that the current rules and regulations only allow the requestor to rent the pavilion and all other subsidiary uses must be approved by the Board.

Mr. Rodriguez was present to address the Board. He stated that he would like to use Devonshire Park as the location for a fundraiser benefiting the Leukemia/Lymphoma Society. He stated that he would like permission for the use of grills, to have a live band, a Moon Bounce, and a tent in case of inclement weather.

Mr. Soriano reminded Mr. Rodriguez that he is not renting the entire park and must provide a layout of where the additional structures will be placed. He also stated that he would need to sign a waiver of liability and a hold harmless agreement as well as provide a certificate of insurance naming the Township as additional insured.

Commissioner Brown stated that he would not have a problem with the Moon Bounce or a tent, but in order to have live music or amplified music, the Ordinance would have to be amended.

It was the consensus of the Board to not amend the Ordinance to allow live or amplified music.

**Motion by Commissioner Brinton, seconded by Commissioner Ackerman, to approve the request of Mr. Wilbur Rodriguez to use the Devonshire Pavilion for a fundraising event with additional ancillary uses of a tent, not to exceed 20'x30', the use of grills, a Moon Bounce, and other games, provided that the applicant will provide the Township with a**

**certificate of insurance naming the Township as additional insured, a signed waiver of liability and hold harmless agreement.**

**Roll Call:**

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

**The Motion passed by 5-0**

**OLD BUSINESS**

**PRIVILEGE OF THE FLOOR**

The Board thanked Ms. Bonaskiewich for providing them with the mid-year financial report. Mr. Soriano commented that the Township has improved since last year in terms of net revenue over expense.

Commissioner Martucci brought forth a concern from a resident on Gottwald Drive about the exiting intersection of Gottwald Drive and Seidersville Road. He stated that the resident suggested installing a mirror to improve visibility. Chief Stiles stated that the Police Department does not install mirrors and he noted that there is not a history of accidents at that site.

Commissioner Seagreaves stated that he received a call from Chief Joshua Wells of Western Salisbury Fire Department inquiring about hydrant flow rates for the Township. Mr. Andreas stated that he is waiting on the results of the ISO flows.

**ADJOURNMENT**

Commissioner Ackerman made a Motion to adjourn the Meeting. Seconded by Commissioner Brinton. The time was 7:37 p.m.

Respectfully submitted,

Randy Soriano  
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on July 26, 2012.

Approved and certified on this date:

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Randy Soriano

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Date

SEAL

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
JULY 26, 2012  
PUBLIC HEARING – 7:45 PM  
PROPOSED COMPREHENSIVE PLAN**

Commissioner Brown handed over the Public Hearing to Mr. Charlie Schmehl from Urban Research and Development Corporation.

Mr. Schmehl presented an overview of the Comprehensive Plan. He explained that the Plan “is not a regulation by itself, but a set of policies that are intended to guide development and preservation related to the Township for the next 10 to 15 years.” Mr. Schmehl noted that it is not binding upon the Township, with the exception that the Zoning Ordinance is supposed to be consistent with the Plan. He stated that he is currently working with the Planning Commission on Zoning revisions and Subdivision and Land Development Ordinance revisions to carry out the Plan.

Mr. Schmehl explained that the Comprehensive Plan looks at transportation, community facilities and services, protecting of natural features, and ways to carry out the Plan. He noted that public interest has been land use and within that land use, the primary area of public interest has been the grounds of Lehigh Valley Health Network. He noted that the other area of public interest has been the proposal for Waldheim Park that would include the addition of manufactured homes to the approved housing.

Mr. Schmehl stated that the major change has been looking at the long-term growth of the Lehigh Valley Health Network property. He noted that they own land on the west side of Cedar Crest Boulevard, south of Fish Hatchery Road, and that is not proposed to be changed. However, if there is a need for development, and if the road system can handle it, the Plan recommends that the Township look at it as a future growth area. Mr. Schmehl stated that the land north of Fish Hatchery Road is in the R-3 Zoning District and currently, LVHN is limited to having health care uses in that area and they would need variance. He stated that with input from the Township and the Zoning Hearing Board, the process had become too cumbersome with too many hearings, and they requested a streamlined approval process. Therefore, the recommendation in the Plan is to use Overlay Districts.

Mr. Schmehl explained that Overlay Districts is a process of an optional set of development where the Township can do residential or the optional overlay. He stated that the areas where the main hospital buildings are currently located and the areas that are along Cedar Crest Boulevard that are not within 500 feet of the residential areas are proposed to be in the Healthcare Overlay. He noted that the idea is to allow eight-story buildings and try to push as much development as possible towards I-78 and Cedar Crest Boulevard, then allow up to three stories on the land that is east of the current homes within 500 feet of those homes, called a Transitional Area.



Mr. Schmehl reminded the Board that the Planning Commission holds monthly meetings about the Plan and noted that everyone is invited to attend. He stated that there is another set of Public Meetings when the Zoning details are done.

Commissioner Brown opened the floor for public comments.

Ms. Adele Clemmer of 3619 Sunset Avenue expressed concerns about the language in the Plan when referring to the Overlay Districts and the setbacks proposed from property lines. She suggested changing the 500 foot setback for buildings of more than three stories to a 500 foot setback for buildings of four stories and an additional 100 foot setback for each additional story so that the height is gradually increased.

Ms. Clemmer presented letters from the Lehigh Valley Planning Commission and the Lower Macungie Township Planning Commission. She stated that a letter from LVPC said “Given the proximity of residential neighborhoods to the hospital campus, the LVPC believes the Township should make the protection of those neighborhoods from the adverse impacts of future hospital expansion a priority.” She stated that Lower Macungie recommended “expanding the Transitional Zone Overlay to completely wrap around the Healthcare Overlay where residential parcels exist.” Ms. Clemmer also expressed concerns about the Overlay District encouraging other commercial entities onto the LVHN campus.

Mr. Glenn Miller of the Salisbury Township Planning Commission and Environmental Advisory Council pointed out that the language written by the Wildlands Conservancy has been changed or omitted from what was originally submitted, and he requested that it be reinstated within the Draft Plan. Mr. Schmehl questioned what was omitted and Mr. Miller stated that Ms. Sopka has a sheet with the changes.

Mr. Kent Baird from the Wildlands Conservancy stated that he is the creator of what is in the Natural Resource section of the Plan and welcomed any questions or comments. He also stated that the Conservancy continues to support the Township’s efforts in preserving the South Mountain and noted that they are the awardee of \$800,000 from the Federal Government under the Highlands Conservation Act to continue the protection of the South Mountain.

Mr. Stephen McKitish of the Salisbury Township Planning Commission suggested that the Comprehensive Plan should use more generic language and the specific language should be addressed in Zoning documents. He also expressed concerns about the use of the Overlay District and noted that he would provide the Board with his written comments.

Mr. James Rothdeutsch from the Pidcock Company, engineer for Lehigh Valley Health Network, stated that the Lehigh Valley Planning Commission “acknowledges the Overlay District and takes no issue with it whatsoever.” He noted that there was no comment from either the LVHN or Lower Macungie Township Planning Commission as to the 500 foot setback from tall buildings. He noted that the Township’s current Ordinance allows for taller buildings to be 500 feet from the property line.

Commissioner Ackerman questioned why the hospital builds towards the residents and not towards I-78. Mr. Schmehl stated that current Zoning does not allow the hospital to build anything close to the intersection of Fish Hatchery Road and Cedar Crest Boulevard, and anything in that area needs a variance. He noted that the goal was to be more flexible at the edge and more restrictive closer to the residential area.

Mr. Brian Harder, Vice President of Facilities and Construction with the LVHN, stated that the hospital has, to date, constructed the buildings closer to I-78 than to the residents. He stated that they will look to continue to put the buildings that have the higher stories closer to I-78; however, he noted that the more transition and setback requirements put to the higher story buildings, the less land that is able to be developed in a building that has a seven or eight footprint. Mr. Hardner also suggested putting in the Zoning Ordinance that no strip malls be permitted as LVHN is not looking to draw the public from a commercial standpoint.

Mr. Miller stated that the current language in the Zoning Ordinance is not restrictive enough when dealing with commercial uses on the hospital's property. Commissioner Brown stated that the Township is in the process of re-writing the Ordinance.

Mr. Schmehl stated that an example of a revision could be to limit the total amount of commercial uses to 2% of the floor area so it is intended to serve the employees of the hospital and the visitors, not the general public. He also commented that in looking at the map, it could be possible to limit the eight story buildings to 700 feet from property lines instead of 500 feet, pushing the buildings closer to Cedar Crest Boulevard.

Mr. Tettermer commented that while listening to some of the comments made, he thinks the Healthcare Overlay could be re-written more in a more generic way so that the Township is allowing for the creation of a new Zoning District, but not specifically detailing the requirements of that District in the Comprehensive plan. He stated by doing that, the Board can move the Comprehensive Plan forward without hindering the Planning Commission's ability to review the Zoning portion.

Commissioner Ackerman questioned if the hospital has a future plan for development. Mr. Hardner stated that the hospital does not have any future plans and they cannot start planning until they understand the Overlay District and the details of the Zoning Ordinance. He commented that a neighborhood committee was formed to address concerns of the hospital development with the neighbors adjacent to the property, and they will continue to meet twice a year.

Mr. Schmehl stated that based upon the comments, he will make the language more generic and he will provide wording that will remove some of the numbers and will defer decisions to the Zoning process. He noted that once the wording change is approved, the Board can vote on the Draft Plan at that time.

Mr. Soriano stated that once the Board is comfortable with the Draft, then it would be adopted by Resolution and it is possible for that to happen in September. Commissioner Brinton asked if

there was a deadline for the adoption of the Plan. Mr. Soriano replied there is not and noted that September will mark two years of working on the Comprehension Plan.

Commissioner Martucci made a Motion to adjourn the Public Hearing. Seconded by Commissioner Brinton. The time was 9:30 p.m.