

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
FEBRUARY 14, 2013
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 the proceedings over to Randy Soriano, Township Manager.

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 - EXCUSED
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 recorded electronically for the purpose of taking the Minutes. All public comments on agenda items will 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 in, announce themselves, and speak clearly into the microphone. Mr. Soriano added that the speaker can choose 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 administrative follow-ups on a particular issue.

APPROVAL OF BILLS PAYABLE

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to approve the list of Bills Payable for the period 1/19/2013-2/8/2013, broken down as follows:

\$71,423.68 = GENERAL
\$27,909.47 = FIRE
\$0 = LIBRARY
\$90,570.72 = WATER
\$42,730.05 = SEWER
\$125,868.85 = REFUSE & RECYLCING
\$12,981.18 = HIGHWAY AID
\$372,173.54 = GRAND TOTAL ALL FUNDS

Roll Call:

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

The Motion passed by 5-0.

MINUTES

January 24, 2013

Mr. Soriano noted one correction on page two. Commissioner Brown declared the January 24, 2013 Regular Meeting Minutes of the Board of Commissioners approved with the correction.

NEW BUSINESS

PRESENTATION

Presentation of the Lindberg Park Master Plan and Neighborhood Connections Study (URDC to present).

Mr. Soriano introduced Ms. Joanne Conley and Mr. Len Policelli from Urban Research and Development Corporation who provided the Board with a brief background on the project. Ms. Conley then outlined the proposed developments to the park, such as a perimeter walkway, a bicycle path and a tranquility garden, as well as improvements to the pavilion, bathroom, parking lot and playground.

Mr. Soriano explained that the development of the Plan will be phased out over 11 phases and will cost an estimated \$2.1 million to complete. He stated that Phase 1, the Lindberg Park perimeter connection trail (\$341,000), has been slated to be completed first. Mr. Soriano noted that the Township has applied and received approval of a Grant from the County of Lehigh under their Green Future Fund Grant program, and the total Grant award of \$161,000 will be leveraged with possibly State Grant funds under the DCNR Community Conservation Partnership Program.

Mr. Soriano further explained that the Recreation Advisory Committee is recommending that the current consultant proceed with the engineering and construction design and plans in order to strengthen the application to DCNR and be in a better position to receive the matching Grant by making the argument that the phase is “shovel ready”. He noted that it is a very competitive Grant and the Township will be evaluated on a point system.

Mr. Soriano and the Board thanked the Key Study Committee and URDC for their efforts in developing the Plan.

Commissioner Brown questioned the total amount of time spent on the project if it is able to move forward with all 11 phases. Mr. Policelli responded that if the Township takes each phase one at a time, without starting one phase before receiving funding for the previous phase, it will take close to 20 years to complete. He explained that it takes a year to get a Grant funded then a year for the phase to be constructed (so one phase every two years).

Mr. Frank Adamcik of the Recreation Advisory Committee thanked Mr. Soriano for taking the initiative to put the Plan together.

Commissioner Ackerman inquired if it was possible to get businesses to sponsor certain phases of the Plan and they could get proper acknowledgment for it. Mr. Soriano responded that the Township would welcome the idea of having business donors for certain phases with signs recognizing their contribution.

RESOLUTIONS

Resolution to close out the DCNR matching Grant (\$22,400) – Agreement for the preparation of a Master Site Plan for Lindberg Park.

Mr. Soriano stated that the Resolution attests to the fact that the project was completed in accordance with the Grant agreement that the Township has with the State.

Mr. Soriano read the Resolution into the record.

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to adopt Resolution No. 02-2013-1429, effectuating the close out of the DCNR matching Grant of \$22,400 – Agreement for the preparation of a Master Site Plan for Lindberg Park.

Roll Call:

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

The Motion passed by 5-0.

Resolution for the Act 537 Planning Module – Devonhouse Addition.

Mr. Soriano stated that the Resolution is a boiler plate Resolution that the Department of Environmental Protection will need in terms of reviewing the Act 537 module for the Devonhouse addition. Mr. Soriano reviewed some aspects of the Resolution, which, in essence, states that there is enough sewage for the development to occur. He noted that once the Resolution is approved, the paperwork will be submitted to DEP.

Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to adopt Resolution No. 02-2013-1430 for the submittal of the Devonhouse Sewage Plan Module to the Department of Environmental Protection.

Roll Call:

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

The Motion passed by 5-0.

ORDINANCES

Adoption of the new Tax Collector Ordinance.

Mr. Soriano stated that Act No. 2012-188, which amended the First Class Township Code in 2012, prompted some changes on how First Class Townships handle the position of Treasurer and Tax Collector. He noted that previously, the Township Code required that the Treasurer be an elected position, and the Township also appointed the elected Treasurer as Tax Collector. Mr. Soriano commented that Act 188 requires that the Township Tax Collector be an elected

position and the Treasurer be an appointed position; however, the elected Tax Collector may also serve as the appointed Treasurer, at the Board's discretion.

Mr. Soriano stated that another reason to pass this Ordinance is to establish the salary compensation for the elected Tax Collector. He noted that the Ordinance does not change the current salary that the Township provides to the Tax Collector, which is \$10,000 per year. Mr. Soriano stated that the Code requires this action by February 15, 2013 in order to place the matter on the ballot.

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to adopt Ordinance No. 02-2013-582 as stated.

Roll Call:

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

The Motion passed by 5-0.

MOTIONS

Motion to request the Civil Service Commission provide certification of the top three entry-level police officer candidates.

Mr. Soriano stated that in order to proceed with filling the entry-level police officer position approved in the 2013 Budget, the Board of Commissioners must start the process by requesting the Civil Service Commission certify the top three (3) candidates from the existing civil service eligibility list.

Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to authorize the President of the Board of Commissioners to request the Civil Service Commission provide certification of the top three entry-level police officer candidates.

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 authorize the submission of an application for Audubon, Pennsylvania Bird Town membership.

Mr. Soriano stated that the Environmental Advisory Council has been working for over a year to have Salisbury Township designated as a Bird Town USA Community. He explained that Bird Town is an initiative of Audubon, Pennsylvania, which advocates promoting bird habitats and education to ensure environmental safeguards. He noted that although there are approximately 15 Bird Town communities in Pennsylvania, Salisbury is only the third to apply in Lehigh County. The Township has opted for the \$850 yearly membership fee, which includes training programs, education materials and signs.

Ms. Sopka explained that whenever there is a healthy environment, there will be a diversity of birds, which are prolific in consuming insects. She noted that birds are good indicators for a good quality environment. Ms. Sopka thanked the Board for the opportunity to allow the EAC to move forward with the designation.

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to authorize the submission of an application for Audubon, Pennsylvania Bird Town Membership in the amount of \$850 per year.

Roll Call:

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

The Motion passed by 5-0.

Mr. John Eberhard of 1400 Constitution Drive expressed concerns about the number of crows around his property as well as the illegal hunting of those crows. Chief Stiles stated that the Police Department is investigating the matter and will continue to pursue the complaint.

Motion to authorize the release of the Lehigh Valley Health Network Family Lodging Center Maintenance Security.

Mr. Soriano stated that the Township has received a written letter from Lehigh Valley Health Network requesting the release of their line of credit in the amount of \$50,518.00.

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to authorize the release of the Lehigh Valley Health Network Family Lodging Center Maintenance Security in the amount of \$50,518.00.

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

Mr. Daniel Proesky of Allentown, PA was present to address the Board in regards to the privatization of Allentown's water and sewer system. Mr. Proesky asked the Commissioners to go on record as opposing the city's plan because he believes privatization will increase the water rates with no recourse.

Mr. Soriano stated that he believes the Board has no standing in determining what Allentown should or should not do with their private assets as the Township is not a taxpayer. Mr. Proesky responded that Allentown's decision will affect the Township because of higher rates. He requested that the Board pass a resolution stating that the Township does not want Allentown to privatize the water because it would add rate increases.

Commissioner Brown stated that he does not believe the Board has anything to do with what Allentown does with their water. Mr. Soriano explained that Allentown's obligation to the Township is to basically meet their contractual obligation with the signatory and if Allentown wants to privatize their water, they still have to comply with the municipal service agreement, and they cannot change any conditions of the agreement. He went out to say that the Township's only standing is the service agreement and as long as there is a preservation of those municipal service agreement in their RFP, then the Township has no legal standing with what Allentown does with their water.

Commissioner Martucci inquired about changing the Township's current dog Ordinance. Mr. Soriano stated that the Township's Ordinance is basically the same as the State law and the Township cannot increase them or supersede them or restrict them. He noted that it is a matter of enforcing what we already have.

Mr. Soriano commented that he reviewed the Township's Ordinance against the State law and noted that there is some section in the Ordinance that perhaps could be strengthened, but it does not prohibit the Township from enforcing what is State law. He suggested reviewing both sets of requirements closely to make sure there is the same level of enforcement.

Ms. Genny Baillie of the Recreation Advisory Committee stated that she would like to be part of reviewing the Township's Dog Ordinance and would like to come up with some guidelines on how the Park Program Counselors can handle dogs that they encounter in the parks. Mr. Soriano

stated that has to do more with dogs in a park, not the dog Ordinance. A discussion ensued about dogs in the park, and the issue will be on the next workshop agenda.

Commissioner Martucci stated that he received a complaint that the Valley Mountain Bikers are allegedly cutting in more trails and going above and beyond what the Township has agreed they can do. Mr. Soriano suggested putting the issue on the next workshop agenda and suggested the Valley Mountain Bikers be present to give the Board an update.

Commissioner Seagreaves asked that the Public Works Department plow and salt the parking lot and walkways of the Eastern Salisbury Fire Department as part of their lease agreement.

Ms. Sopka stated that the Environmental Advisory Council will be holding an Earth Day celebration on May 18th, 2013 at Lindberg Park.

Chief Stiles announced that on Saturday, April 27th from 10 a.m. to 2 p.m., the Police Department will be holding a drug take-back day.

ADJOURNMENT

Commissioner Martucci made a Motion to adjourn the Meeting, seconded by Commissioner Brinton. The time was 8:35 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on February 14, 2013.

Approved and certified on this date:

Randy Soriano

Date

SEAL