

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
MAY 9, 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
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 THE LIST OF BILLS PAYABLE

Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to approve the list of Bills Payable for the period 4/20/2013-5/3/2013, broken down as follows:

\$103,237.99 = GENERAL
\$8,200.99 = FIRE
\$0 = LIBRARY
\$3,977.74 = WATER
\$11,686.91 = SEWER
\$2,087.84 = REFUSE & RECYCLING
\$123.38 = HIGHWAY AID
\$129,314.85 = 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

April 25, 2013

Mr. Soriano noted that Ms. Bonaskiewich should have been excused from the meeting. Mr. Soriano also made a correction to the language of the Motion regarding the sidewalk issue with the School District. Commissioner Broad declared the Minutes of April 25, 2013 approved with corrections.

NEW BUSINESS

Chief Stiles introduced the Township's new Patrol Officer, Mr. Brian Zulic, and presented him with his badge.

RESOLUTIONS

None.

MOTIONS

Extension Letter for Rendering a Decision on the St. Luke's University Hospital Preliminary/Final Subdivision Plan – Riverside Drive Access Road.

Mr. Soriano stated that St. Luke's University Hospital is requesting an extension of another year for the Plan as it relates to the Riverside Drive Access Road. He noted that the hospital has not resolved the issue with Norfolk Southern Railroad. Mr. Soriano commented that the time extension will run through June 18, 2014.

Attorney Steve Boell was present to address the Board on behalf of the Hospital. He stated that the Hospital is hopeful the project will continue to move forward and the extension from the Board will allow them to keep working out the issues with Norfolk Southern.

Motion by Commissioner Martucci, seconded by Commissioner Brinton, to accept St. Luke's University Hospital's request to extend the time for the Board to act on their Plan as it relates to the Riverside Drive access road through June 18th, 2014.

Roll Call:

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

The Motion passed by 5-0.

PRESENTATION – by Communities That Care – New Initiative

Ms. Denise Continenza from the Penn State Extension in Lehigh County was present to address the Board. She explained that Communities That Care is a model for addressing the wellness of the youth within the community, everything from physical wellness to emotional well-being.

Ms. Continenza stated that the School District administered the Pennsylvania Youth Survey to kids in 6th, 8th, 10th, 12th grades where the students indicated how they feel about their community, school, peers, relationships and families. She noted that the report will explain how the Township looks in regards to risk and protective factors.

Ms. Continenza stated that the next meeting about the program is June 5, 2013 and invited a Board member be present as a representation from local government.

Commissioner Ackerman posed several questions in regards to the PAYS. Ms. Continenza explained that the 90-question survey was developed by researchers and has ranking responses that are restated later so it is designed to allow for validity and reliability. She noted that the questions are scattered and not open ended.

The Board expressed their support for the program.

Allentown Dog Training Club Request to conduct classes at Franko Park.

Mr. Soriano stated that the Allentown Dog Training Club has once again requested the use of Franko Park to conduct their obedience classes, beginning May 16th, 2013 from 6:30 p.m. to 8:30 p.m. He noted that as in previous years, if the Board approves the request, the Club will sign a waiver of liability and add the Township as an additional insured. Mr. Soriano commented that in lieu of the Township waiving the fee, the Club usually makes a donation to the Police K-9 program.

Motion by Commissioner Brinton, seconded by Commissioner Martucci, to approve the request from the Allentown Dog Training Club to hold their dog obedience classes starting May 16th, 2013 from 6:30 p.m. to 8:30 p.m., weather permitting, at Franko Farm Park contingent on the Club signing a waiver of liability.

Roll Call:

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

The Motion passed by 5-0.

ORDINANCES

First Reading – Amendment to the Township Dog Ordinance.

Mr. Soriano stated that additional definitions have been added that appear in the Pennsylvania Dog Law, as well as a new section about the appointment and duties of an Animal Control Officer. He noted that there are some revisions under the section about Animals Running at Large, including additional sections for dogs as private nuisances, a new section for dangerous dogs, and a new animal noise control section. He stated that the Parts are now renumbered, and Part 5 now becomes The Control of Animal Defecations amended with additional violations and penalties, which are taken verbatim from a letter from the Solicitor.

Mr. Soriano commented that he would like to have public input on the Ordinance at next meeting before adoption, so a Motion is needed for advertisement.

Mr. Bob Agonis, resident, was present to address the Board in regards to a newspaper article from Plainfield Township about the duties of their animal control officer.

Commissioner Brinton inquired if a civilian can make arrests. Chief Stiles stated that if a civilian is appointed do so by the Board of Commissioners, he or she can issue citations. He noted that the Township's current Animal Control Officer, Mr. Charles Durner, is able to do so.

A discussion ensued about the duties of the Animal Control Officer and re-appointing Mr. Durner each year.

After hearing several comments from the Board regarding past language, Mr. Soriano suggested adding the second reading of the Ordinance to the Agenda for the June 13, 2013 meeting to allow more time for review.

Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to hold the first reading and authorize the advertisement of the Ordinance amending the Township Dog Ordinance with revisions as noted and further review by staff on additional language on the existing Ordinance.

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

Mr. Soriano commented that as a result of the County's property reassessment, there were many appeals by Township residents. He stated that the Township's role has been to monitor the assessments since the School District and the County's lead attorneys do most of the work. Mr. Soriano noted that the Township Solicitor has been following the proceedings and there are many appeals that need to be settled. Attorney Ashley explained that the Township will usually go along with what the County has decided.

Motion by Commissioner Brinton, seconded by Commissioner Martucci, to authorize the Township Manager and Solicitor to sign and execute all stipulations as they relate to reassessment appeals filed by property owners of Salisbury Township of which the Salisbury Township School District and County of Lehigh have taken the lead in defending the interest of the taxing authorities.

Roll Call:

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

The Motion passed by 5-0.

Mr. Vendel Mukics, resident, expressed concerns about not seeing signs about leashed dogs at Franko Park. Mr. Soriano stated that an effort should be made to have more signs about dogs in the parks.

Mr. Mukics also expressed concerns about KidsPeace housing refugee children at their facility. Mr. Soriano stated that the Township's obligation is to look at whether the use, which was permitted by Special Exception, allows for the new program.

Commissioner Ackerman inquired if the refugees will be using the school system. Chief Stiles responded no that they have their own school on site with bilingual teachers. He commented that there will not be much traffic associated with the transportation of the refugees as most of the children are going to be there for a short amount of time. Chief Stiles noted that he does not foresee any major problems and he believes it to be a well-regulated program. He stated that KidsPeace has a liaison with the Township Police Department and they are also increasing staff and are hiring more bilingual security guards.

Ms. Sopka commented that the Federal Government has been involved with evaluating the site. She stated that she has reviewed the approvals and it is a culmination of treatment care facility, group home, outpatient, and inpatient facility so the program basically meets the criteria.

Commissioner Brinton stated that she has received phone calls from residents in regards to the Allentown Public Library. In an effort to explain the Township's role in the Library, Commissioner Brinton stated that residents are taxed .067 mil for the Library Fund, which works out to \$15 a year with a home assessed at \$225,000 (it increases or decreases by \$7 for every \$100,000 of assessed value). She noted that if the Township would not fund the library, it would cost a resident \$40 a year to belong. Commissioner Brinton commented that if the Township chooses to not be a part of the library, it will be the only Township that does not offer library services to their residents. She also noted that residents can go to any library that is closest to them: Emmaus, Bethlehem, Lower Macungie, Parkland or Allentown.

Commissioner Brinton brought forth a concern from a resident regarding residential land that the Lehigh County Hospital owns. She noted that she will invite the resident to come to a public meeting to voice his concern directly.

Commissioner Seagreaves brought forth a parking concern from a resident at the corner of Van Vetchen and Maryland Avenues. He passed the letter and pictures to Chief Stiles and Ms. Sopka for administrative follow-up.

Commissioner Brown inquired about replacing the windows at the house at Franko Farm. Mr. Soriano stated that the work was not included in the Budget; however, if a contractor could assess what needs to be replaced, the project might be able to be done in phases this year.

Ms. Sopka reminded the Board that the Environmental Advisory Council will hold an Earth Day Celebration on May 18, 2013 at Lindberg Park.

Chief Stiles stated that several members of the Police Department will be taking part of a mass-casualty drill at Dorney Park on Monday, May 13, 2013.

Commissioner Brown announced that the Board will convene into an Executive Session regarding a personnel matter and will reconvene for adjournment and a Motion, if necessary.

**The Board reconvened into the Regular Meeting and took the following action:*

Commissioner Martucci made a Motion to accept the recommendation from the Chief of Police to impose disciplinary actions on an Officer of the Department based on the Statement of Charges brought forth against the Officer for conduct unbecoming an Officer as well as violation of official duties and suspend the Officer without pay for a period of nine days beginning May 13, 2013 through May 28, 2013. Motion was seconded by Commissioner Seagreaves.

Roll Call:

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

The Motion passed by 5-0.

ADJOURNMENT

Commissioner made a Motion to adjourn the Meeting, seconded by Commissioner. The time was 9:25 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on May 9, 2013.

Approved and certified on this date:

Randy Soriano

Date

SEAL