

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
September 25, 2014
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 Brinton asked everyone to rise and recite the Pledge of Allegiance, followed by a short period of silence and reflection.

CALL TO ORDER

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

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

ROLL CALL

Board Members Present:

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

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
Donald Sabo, Police Sergeant
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 oneself, 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 AND FINANCIAL REPORT

Mr. Soriano presented the list of Bills Payable and the unaudited Financial Report.

Commissioner Brinton inquired about the invoice for tree removal at Lindberg Park. Mr. Andreas replied that it is associated work for the trail installation.

Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to approve the unaudited Financial Report for the period ending August 31, 2014 and the list of Bills Payable for the period 9/6/2014-9/19/2014, broken down as follows:

\$140,537.42 = GENERAL
\$6,258.66 = FIRE
\$0 = LIBRARY
\$70,609.87 = WATER
\$24,976.19 = SEWER
\$2,212.80 = REFUSE & RECYCLING
\$18,586.84 = HIGHWAY AID
\$263,181.78 = GRAND TOTAL ALL FUNDS

Roll Call:

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

The Motion passed by 4-0.

MINUTES

September 11, 2014

Commissioner Brinton declared the September 11, 2014 Regular Meeting Minutes of the Board of Commissioners approved as presented.

NEW BUSINESS

None.

ORDINANCES

None.

RESOLUTIONS

None.

MOTIONS

Motion to approve the CBA with Public Works Department Employee Association for 2015-2018.

Mr. Soriano provided the Board with a short overview of the new contract, as follows:

- **Term**- Four (4) years covering period 2015-2018
- **Compensation**- 2015-**2.75%**; 2016-**2.75%**; 2017-**3.00%**; 2018-**3.25%**.
- **Elimination of Position Classification for Equipment Operator (A, B, C)**. Starting 2015, everyone will be classified as **Equipment Operator** and paid according to their steps achieved in this class. For the **Mechanic A** position, the hourly rate was increased by a one time increase of \$0.60 that was afforded to the Operators during the last contract (and not him) plus the the corresponding percentage rate increase for 2015. This is to bring this position in parity with previous increases allotted to the Equipment Operator A, B, C in the previous contract. This is a one time adjustment for the Mechanic A position. **Mechanic B** is afforded the same percentage increases per year. The Custodian/Laborer position was reclassified to be a stand alone **Laborer** position and is afforded the same percentage increases as other positions. Overall, this cleans up classifying people in positions A, B, or C for Equipment Operator and calls for any existing or new hire to be able to perform the duties of an Equipment Operator position, period.
- **Working Hours**-7:00 am to 3:00 pm with One-Half (1/2) hr. paid lunch break (General Rule-If emergencies arise or a job has to be complete (special operation), employee may work through the lunch hour, however, employee shall not receive any additional compensation. (Paid lunch breaks shall be treated as time actually worked).
- **Other Special Rates - Supervisors** - An Employee who, from time to time, shall be assigned to perform non-managerial duties shall be paid his hourly rate plus (Five) \$5.00 per hr. However, OT shall be calculated on the base hrly rate.
- **On Call Pay - Weekends and Holidays** - Employee shall be paid his hrly rate multiplied by 3. (increase by 1 hr. from existing contract).
- **Sick Leave** - Existing employees will start 2015 with 30 sick days, not 45 days. New employees shall start with zero. Increase in sick leave will be 1 day for each month. Reduction of sick days from 45 to 30 and further restriction on its use.

- **Funeral Leave** - Add grandparent and grandchild to the existing definition of Close Relatives (parent, parent-in-law, sister, brother).
- **Health Coverage** - Add provision to deal with the ACA with regards to Cadillac Plan in 2018. Twp has the option to change coverage and impose a deductible, which shall be paid by the participants until the Township would not be subject to the penalty tax. Township will pay the employee who does not waive coverage an amount equal to the individual (not family) premium in 2018. One-Half of payment to be paid with the first paycheck and the remaining one-half will be paid with the second paycheck of the month. CBA contains examples of 9 scenarios that could take place if two spouses are employed by the Township and have no dependents.
- **Payment of Premiums** - 2015 Single- **\$17.50** Family- **\$35**; 2016- Single **\$21**-Family **\$42**; 2017-Single-**\$25**- Family **\$50**- 2018-Single **\$30** Family **\$60**. Addition of Coverage for Spouse and/or dependents if Employee dies (pay same as Family \$ above). Addition of a Cafeteria Plan to make sure the employee is not subject to federal income tax for the employee election under Section 14 of the CBA.
- **Pension-PMRS** - Added language that PMRS has requested the Township to amend its current agreement with the Township in order to conform to federal retirement plan qualification requirements.
- **Retirement Incentive Program** - Language revised to state that the Township has no obligation to do so.
- **Clothing Reimbursement** - 2015-**\$200**; 2016-**\$225**; 2017-**\$250**; 2018 **\$250**.

Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to approve the Collective Bargaining Agreement for the Salisbury Township Public Works Employees from January 1, 2015 through December 31, 2018.

Roll Call:

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

The Motion passed by 4-0.

Motion to approve the request for a Septic Tank/Well Isolation Distance Exemption – 260 Mountain Park Road.

Mr. Soriano stated that the applicant, Mr. Gerald Kroboth, is requesting relief from the requirement that his well be located 100 feet from the new septic tank. He noted that the sketch Mr. Kroboth provided shows that the well will be placed 52 feet from the septic tank. Mr. Soriano commented that the Township's Sewage Enforcement Officer, Mr. Scott Bieber, recommends the request be granted by the Board.

Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to grant the request for a Septic Tank/Well Isolation distance exemption at 260 Mountain Park Road, subject to the signing of the agreement prepared by the Township Solicitor and reviewed by the Township's Sewage Enforcement Officer.

Roll Call:

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

The Motion passed by 4-0.

Motion to accept and certify the Minimum Municipal Obligation for Uniformed and Non Uniformed Pension Plans – 2015.

Mr. Soriano explained that the calculation of the 2015 plans cost, or MMO, requires several assumptions relating to projected payrolls, administrative expenses, amortization of unfunded liability/actuarial surplus, employee contributions and the allocation of state aid, when received. Data utilized to complete the MMO's is calculated from data derived from the 1/1/2011 PA Employment Retirement Commission report for PMRS Non-Uniformed Pension Plan and 1/1/2013 for the police Pension Plan. He noted that the Township's CAO, Ms. Cathy Bonaskiewich, has indicated her best estimate. Mr. Soriano commented that the Board can change these numbers at future budget meetings should circumstances warrant, but by Act 205, the MMO must be certified by September 30th, 2014.

Mr. Soriano stated that this year, for the Non-Uniformed MMO, the cost of the Plan is \$392,556, an increase of \$128,038, derived primarily from increases in the amortization contribution increase noted in the AVR of 1/1/2011. The Police Pension Plan shows a MMO of \$300,288, an increase of \$8,980.

Mr. Soriano explained that the Police Pension Plan experienced an actuarial loss as shown in the 1/1/2013 valuation, and the impact has been to the unfunded liability, which has increased the amount that the Township amortizes to make up that loss. The 2015 amortization requirement for the Police Pension Plan is \$96,158 (1/1/2013 AVR), compared to \$68,849 in the previous (1/1/2011 AVR) actuarial valuation report, and will still be reflected in the 2015 MMO. Mr. Soriano also noted that the financial requirements MMO for the Police have increased by approximately \$13,096, primarily impacted by the additional \$78,325 increase in projected payrolls.

Mr. Soriano commented that the overall cost is also affected by the members' contributions. The Board negotiated a 2.04% level, which added an additional \$8,327 for offsetting the cost on the MMO in 2014. The new proposed contribution rate is set at 2.54% for 2015, adding about \$8,680.

Mr. Soriano stated that total combined, the levy devoted towards Payment of pension costs for 2015 will be **\$693,158**, compared to **\$559,839**, an increase of \$133,328 from 2014 MMO.

Mr. Soriano added that in addition, the cost of the Township pension plans has steadily increased since the downturn of the economic market in 2008. He noted that this impacted the performance of the plan investments: as a comparison, in 2008 the total financial cost (MMO) of the combined plans was \$343,885. In 2014, the cost has risen to \$559,830, approximately \$215,946 more. Mr. Soriano commented that the Township is, however, bouncing back, having achieved seven percent in investment earnings in 2013, one percent shy of the assumed eight percent actuarial assumptions.

Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to accept the 2015 MMO for the Police and Non-Uniform Pension Plans.

Roll Call:

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

The Motion passed by 4-0.

Motion to set Trick-or-Treat Night (October 31st, 2014 from 6 pm – 8 pm).

Mr. Soriano stated that Friday, October 31st, 2014 from 6:00 p.m. – 8:00 p.m. is recommended as the official Trick-or-Treat Night in the Township.

Commissioner Brinton commented that valuable tips for trick-or-treaters and motorists will be included on the Township's website.

Chief Stiles stated that almost all of the surrounding municipalities will be holding Trick-or-Treat Night on October 31st as well.

Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to set the Halloween Trick-or-Treat Night for October 31, 2014 from 6:00 p.m. – 8:00 p.m.

Roll Call:

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

The Motion passed by 4-0.

ANNOUNCEMENTS

Mr. Soriano stated that he will file an extension for the Lindberg Park Phase I Perimeter Trail project because of the issue with obtaining the NPDS Permit. He is hopeful that the Township will get the permit by December so the work can go out to bid in January and then begin in March. Mr. Soriano noted that he would like the perimeter trail to be completed in time for the Playground Program to begin in June.

Mr. Soriano provided the Board with an update on Act 111 legislation in Harrisburg. He explained that Act 111 was enacted by the state in 1968 and grants Police their collective bargaining rights with employers. Mr. Soriano stated that there has been some interest in making certain amendments to the Act to bestow fairness in the negotiation process as it relates to arbitrators. Mr. Soriano went on to say that arbitrators are assigned to a municipality, unfamiliar with the area, and have awarded some benefits relating to post-retirement health benefits and pensions that are not required by state or federal law, but because it is binding, the municipalities have no recourse to appeal. As a result, some municipalities have become financially distressed because of the outrageous benefits that have been granted. He commented that the idea is to assign an arbitrator who is familiar with that community and can make fair determinations.

PRIVILEGE OF THE FLOOR

Chief Stiles announced that on September 27th, 2014, the Police Department will be holding its ninth annual **Drug Take-Back Day** for prescription drugs at the South Mall. He reminded the Board that the public can also drop off any unwanted prescription drugs to the Police Department at any time.

Chief Stiles commented that in two weeks, the Department will be opening a second location for drug take-backs at the Lehigh Valley Hospital.

Chief Stiles commented that on Sunday, September 28th from 9:00 a.m. – 4:00 p.m., the Police Department will be holding its fourth annual **K-9 Trials** at Salisbury Township High School. He noted that the event, which will feature demonstrations and competitions from area K-9 units, is open to the public and is a fundraiser benefiting families of officers who have been killed in the line of duty.

Commissioner Brinton inquired as to the progress of the **Zoning Ordinance**. Ms. Sopka replied that the Planning Commission has one more meeting in October and she believes at that point, they will make a recommendation to the Board to release the Ordinance for review to the Lehigh Valley Planning Commission. She also noted that the Planning Commission is required to hold one public meeting after the review of the Lehigh Valley Planning Commission before the Ordinance can be formally accepted.

ADJOURNMENT

Commissioner Martucci made a Motion to adjourn the Meeting, seconded by Commissioner Ackerman. The time was 8:10 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on September 25, 2014.

Approved and certified on this date:

Randy Soriano

Date

SEAL