

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
OCTOBER 10, 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
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 THE LIST OF BILLS PAYABLE

Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to approve the list of Bills Payable for the period of 9/21/2013-10/4/2013, broken down as follows:

\$242,767.56 = GENERAL
\$2,935.94 = FIRE
\$1.21 = LIBRARY
\$13,817.05 = WATER
\$14,111.75 = SEWER
\$128,091.96 = REFUSE & RECYCLING
\$157.38 = HIGHWAY AID
\$1,000.00 = SUBDIVISION ESCROW FUND
\$402,882.85 = 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

September 26, 2013

Commissioner Brown declared the September 26, 2013 Regular Meeting Minutes of the Board of Commissioners approved as presented.

NEW BUSINESS

Presentation – Envision Lehigh Valley on Sustainable Communities.

Mr. Soriano stated that Ms. Joyce Marin, the Executive Director of Envision Lehigh Valley, was not in attendance; therefore, the presentation will be deferred.

Presentation by Mr. Scott Daw on a fundraiser to stock the pond at Laubach Park.

Mr. Soriano noted that Mr. Daw was not attendance so this presentation will also be deferred, but he provided the Board with some background on fishing at Laubach Park.

ORDINANCES

Amendment to the Police Pension Ordinance.

Mr. Soriano stated that the amended Ordinance was advertised on October 2nd, 2013 in expectation that the Police Association would send its approval. He stated that because there have been no comments received by the Association, the Board could proceed with adopting the Ordinance because he believes that in all likelihood, the Board will get the approval since the Township is basically complying with Act 600. Alternatively, the Board could table the Ordinance for the October 24th, 2013 meeting.

Mr. Soriano provided some background on the amendment by explaining that during the last pension audit, the Auditor General's Office requested that the Township make some minor revisions to the Plan in order to comply with Act 600. In particular, it involves language regarding disability pension benefits. Mr. Soriano commented that the Auditor has approved the revision in order to comply with what will be his observation in the next Audit.

Commissioner Brown commented that he believes it would be better to wait to approve the Ordinance until the Board receives comments in writing from the Association.

Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to table Ordinance No. 10-2013-585 amending Chapter 1, Part 6A of the Code of Ordinances relating to the Police Pension Plan by amending Section 602 5B to comply with the minimum service related disability pension requirement under Act 600 of 1995.

Roll Call:

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

The Motion passed by 5-0.

RESOLUTIONS

Budget Transfer to reallocate expenditures across line items.

Mr. Soriano stated that due to some unanticipated expenses that was not budgeted for, and some savings in existing line items, it is necessary to transfer funds from those line items to cover the unanticipated costs.

Mr. Soriano reviewed the Resolution as follows:

**SALISBURY TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA**

**RESOLUTION 10-2013-1446
Duly Adopted October 10, 2013**

A RESOLUTION ADJUSTING THE 2013 BUDGET FOR UNANTICIPATED EXPENSES AND REALIZED SAVINGS IN OTHER EXPENSES LINE ITEMS IN ORDER TO COVER THESE COSTS.

WHEREAS, Salisbury Township anticipates certain savings in line items that were budgeted in 2013 for anticipated projects and likewise the Township anticipates additional work to be done which was not initial anticipated; and

WHEREAS, Salisbury Township wishes to revise the appropriate line items to reflect these anticipated savings and provide for unanticipated expenses; and

WHEREAS, the amounts to be transferred do not require additional revenue and are considered revenue neutral.

NOW THEREFORE, it is hereby RESOLVED by the Board of Commissioners of Salisbury Township that:

I. The Director of Finance is hereby authorized to increase and decrease line items as follows:

PROPOSED AMENDMENTS TO 2013 BUDGET AMOUNTS (10/10/13):

G/L Acct #	Acct Title	Original Budget	Revised Budget	Difference
GENERAL FUND				
Operating Expenditures:				
01-406.171	HRA & Retirement Incentive Payments Full 'liability' budgeted, but actual YE expense projected at only \$8,500	15,900	11,400	(4,500)
01-406.315	General Services Budget included cost of tentative police pay increase plus two new hires	22,000	4,500	(17,500)
01-409.373	Facilities Maintenance Actual YTD expense includes several unanticipated repair and/or maintenance items	24,800	34,800	10,000
01-451.312	Consulting Services Budget amount was 'place-holder' for actual URDC Lindberg Park Master Site Plan costs	1	32,000	31,999
Change in Operating Expenditures				19,999

Capital Expenditures:

01-409.600	Capital Construction - Building Security construction costs exceeded budget estimate, plus roof repair	30,000	70,000	40,000
01-446.605	Maumee Ave Stormwater Project Project will not be undertaken in 2013; budgeted again in year 2014	200,000	160,000	(40,000)
01-451.600	Capital Construction – Parks Camera and lighting at Laubach Park budgeted at \$17,000, plus came in under budget on Franko windows and doors	43,000	23,000	(20,000)
Change in Capital Expenditures				(20,000)
Grand Total Change to 2013 Budget				(1)

DULY ADOPTED this 10th day of October, 2013 by the Board of Commissioners of Salisbury Township, Lehigh County, Pennsylvania in lawful session duly assembled.

*SALISBURY TOWNSHIP
BOARD OF COMMISSIONERS*

Attest:

James A. Brown, President

Randy Soriano, Township Secretary

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to approve the Budget transfers 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

Well Isolation Distance Waiver – 460 Stoneridge Road – Webber

Mr. Soriano stated that the septic tank is failing at 460 Stoneridge Road and a Geologist is requesting a Waiver for a Well Isolation distance that requires it to be 100 feet from an existing

well. The proposed drain field is approximately 66 feet; therefore, the owner cannot comply and is requesting a 34 foot waiver. Mr. Soriano noted that Mr. Scott Bieber, the Township Sewerage Enforcement Officer, recommended that the Waiver be granted. Mr. Soriano commented that the Township will not be liable if the request is granted, according to the State Statute. The Township Solicitor has prepared the necessary agreements that the property owner must sign if the Waiver is granted.

Commissioner Martucci inquired about testing the well after a period of time to see if the situation is working because the drain field is close to the well. Ms. Sopka explained that if the Township would require testing, liability would fall back on the Township if it failed.

Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to grant the Waiver for the Well Isolation Distance at 460 Stoneridge Road, contingent on entering into the appropriate agreements and covenants as stipulated by the Township Sewerage Enforcement Officer and Township Solicitor.

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 Payment No. 1 to Paul Weiss Construction , Inc. - \$62,569.14 – for the security upgrades at the Municipal Building.

Mr. Soriano stated the work is very close to completion. He noted that the ADA front door entrance is complete, the new partition to close off access to the rear Administrative offices is in place and all door locks have been replaced. Mr. Soriano commented that a piece of bullet-proof glass for the door that will now be the main entrance to the Administrative offices is still needed. The work for the Finance front counter will start soon along with the installation of a drawer.

Mr. Soriano noted that he has communicated to the contractor that all work must be completed by the middle or end of October so that the area will be ready for the general municipal election.

Motion by Commissioner Ackerman, seconded by Commissioner Martucci, to authorize Payment No. 1 to Paul Weiss Construction, Inc. in the amount of \$62,569.14 for the security upgrades at the Municipal Building.

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 renew Mr. Charles Durner's Employment and Lease Agreements.

Mr. Soriano stated that as in previous years, the Board should commence discussions on setting the terms and conditions for Mr. Charles Durner's Employment and Lease Agreements. He noted that based on the Board discussion at the last Workshop, the only change will be to increase his hourly rate by \$1; therefore, the 2014 Budget will reflect a rate of \$12 per hour.

The Board commended Mr. Durner on his continuing efforts for the Township.

Motion by Commissioner Brinton, seconded by Commissioner Ackerman, to approve the Employment and Lease Agreements for Mr. Charles Durner.

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 a request from the Salisbury Township School District for the closure of South Dauphin Street to facilitate their annual scholastic bonfire.

Mr. Soriano stated that Ms. Monica Deeb, the Director of Student Activities, has requested the closure of South Dauphin Street from 6:30 p.m. to 9:00 p.m. on Thursday, October 31st, 2013 for the School District's annual bonfire.

Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to approve the request from the Salisbury Township School District to close South Dauphin Street to facilitate their annual scholastic bonfire on October 31st, 2013 from 6:30 p.m. to 9:00 p.m.

Roll Call:

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

The Motion passed by 5-0.

ANNOUNCEMENTS

Mr. Soriano announced that Bethlehem Water Authority is undertaking a much-needed project to improve the water pressure for the residents on Weil, Elinor and Ritter Streets.

Mr. Soriano stated that the Salisbury Township School District Board passed a Resolution on October 9th, 2013 supporting the Allentown Public Library. He commented that by passing the Resolution, the School District is basically on record opposing the Referendum.

PRIVILEGE OF THE FLOOR

Ms. Adele Clemmer of 3619 Sunset Avenue presented the Board with a letter she wrote with cooperation from Ms. Susan Hoffman, Vice President of the Lehigh Valley Health Network. She read the letter into the record (see enclosed) relating to concerns about what had transpired at a Planning Commission meeting held on Tuesday, October 8th, 2013. Ms. Clemmer presented the Board with a second letter, which she requested be read in an Executive Session.

Mr. Robert Agonis of 1189 Meadowbrook Circle West questioned whether Ms. Clemmer will be able to attend an Executive Session regarding the Planning Commission, if one should be called. Commissioner Brown replied that Executive Sessions are only for the Board members and the Township Solicitor. Mr. Agonis stated that he had attended the Planning Commission meeting and would be willing to bear witness to any comments.

Commissioner Brown excused the Board into Executive Session regarding a personnel matter. The time was 7:55 p.m.

Commissioner Brown reconvened the Regular Meeting. The time was 8:40 p.m.

Mr. Soriano made a brief statement to the Board and several Planning Commissioners present in the audience. He clarified that the statements he made at the Planning Commission meeting were not meant to be offensive or confrontational and he was just expressing his frustration at the process in the Zoning Ordinance and SALDO updates. A discussion ensued on the perception of frustration felt by members of the Planning Commission concerning the consultant and the consultant's lack of action in making requested changes to the documents.

Ms. Clemmer suggested finishing the Zoning Ordinance without the help of the consultant in order to relieve the tension between the consultant and Planning Commission.

Commissioner Brown believed the problem to be a lack of communication which came to a head at the last Planning Commission meeting and suggested better communication. Ms. Sopka stated that she will follow up with the consultant.

Commissioner Brinton spoke about Communities That Care and noted that on October 4th, 2013, there was a soft-launch of the program at the football game and passed out magnets for everyone's use.

Commissioner Ackerman inquired about obtaining building maintenance reports for the Municipal, Police Department, and Public Works buildings. Mr. Andreas responded that the cleaning has never been tracked because it is a one-person job that is constant, on-going maintenance. He noted that if the Board wants that particular report as well, he can look into developing it.

Chief Stiles stated that he will be attending the International Association of Chiefs of Police on October 19th, 2013 in Philadelphia, PA.

Mr. Andreas stated that the two new hires for the Public Works Department started on Monday, October 7th, 2013 and thanked the Board again for their support.

ADJOURNMENT

Commissioner Brinton made a Motion to adjourn the Meeting, seconded by Commissioner Martucci. The time was 9:20 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on October 10, 2013.

Approved and certified on this date:

Randy Soriano

Date

SEAL