

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
May 25, 2017  
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 announced that an Executive Session will take place after the Workshop to discuss legal matters and personnel issues.

Commissioner Brown turned the proceedings over to Ms. Cathy Bonaskiewich, Township Manager.

**ROLL CALL**

**Board Members Present:**

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

**Staff Present:**

Cathy Bonaskiewich, Township Manager/Finance Director  
John Andreas, Director of Public Works  
Allen Stiles, Chief of Police  
Cynthia Sopka, Director of Planning & Zoning  
Sandy Nicolo, Code Enforcement Officer  
Genny Baillie, Recreation Director  
John Ashley, Esquire, rep of Davison & McCarthy, Township Solicitor  
David Tettermer, rep of Keystone Consulting Engineers, Township Engineer

**NOTIFICATION**

Ms. Bonaskiewich 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. Ms. Bonaskiewich announced that the Township records the meetings and archives its tapes and records are available pursuant to the Right-to-Know Law, if requested.

Ms. Bonaskiewich 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. She added that the speaker can choose not to list his/her address; however, it is preferred that the speaker announces if he or she is a Township resident. Ms. Bonaskiewich noted that if a resident does not divulge his or her address, it may impair the Township in administrative follow-ups on a particular issue.

**APPROVAL OF THE FINANCIAL REPORT AND LIST OF BILLS PAYABLE**

**Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to approve the unaudited Financial Report for the period ending April 30, 2017 and the list of Bills Payable for the period 5/6/2017-5/19/2017, broken down as follows:**

\$134,140.84 = GENERAL  
\$6,555.23 = FIRE  
\$23.54 = LIBRARY  
\$18,270.11 = WATER  
\$60,420.51 = SEWER  
\$8.84 = REFUSE & RECYCLING  
\$13,944.70 = HIGHWAY AID  
\$11,100.00 = SUBDIVISION & ESCROW  
**\$244,463.77** = 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**

**May 11, 2017**

Commissioner Brown declared the Minutes of May 11, 2017 accepted as presented.

**NEW BUSINESS**

**ORDINANCES**

None.

**RESOLUTIONS**

**Resolution to conditionally approve the Knopf Automotive Preliminary/Final Land Development Plan.**

Mr. Dave Tetterer read the two waivers and one deferral that were requested by the developer and are listed in the Resolution.

Attorney Richard Somac, on behalf of the developer, noted that his client is in agreement with the terms outlined in the Resolution.

**Motion by Commissioner Martucci, seconded by Commissioner Brinton, to accept Resolution 05-2017-1576, conditionally approving the Knopf Automotive/Preliminary/Final Land Development Plan with the waivers and deferral 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.**

**MOTIONS**

**SYA Request for a Temporary Batting Cage at Franko Park.**

Ms. Bonaskiewich noted that the SYA and the Recreation Advisory Committee met on site at Franko Park prior to the RAC's meeting on May 15, 2017 and developed an optimal location to place the batting cage, which will be along the third base line. She noted that they met with Mr. Andreas at the site earlier in the week to see if the Township could help with any necessary grading.

**Motion by Commissioner Brinton, seconded by Commissioner Seagreaves, to approve the request from SYA to install a temporary batting cage at Franko Park along the third base line, including any necessary help from DPW.**

**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. Robert Agonis of 1189 Meadowbrook Circle West expressed concerns about the opioid epidemic. He explained that heroin is laced with fentanyl and/or carfentanil, causing deadly overdoses. Mr. Agonis stated that fentanyl can be absorbed into the body through the skin or by inhalation. The Board thanked Mr. Agonis for the information.

Ms. Janet Keim of 11 E. Pine Street thanked the Public Works Department for their efforts with the detention pond along Cedar Crest Boulevard. She noted that it was fixed in order to alleviate flooding in the area, specifically on Fox Run Drive. Ms. Keim inquired if the Township has taken action against Lehigh Valley Health Network for the cost of the repairs because, she alleged, the detention pond they installed due to a parking lot expansion did not function properly and caused flooding and erosion. Ms. Keim stated her opinion is that taxpayers should not absorb the cost.

Commissioner Ackerman asked if anyone checked to see if the detention pond was constructed according to the approved plan.

Mr. Tetterer explained that the flooding incident Ms. Keim is referring to on Fox Run Drive happened during construction of the detention pond, and during construction, the Lehigh County Conservation District is responsible for the project. He noted that the approved plans were in compliance with the Conservation District and everything is stabilized and operational at this point.

Mr. Michael Siegal, a retired environmentalist, stated that he reviewed the situation and alleged that during construction, the pump house did not have power and was not constructed properly, so the devices used to filter out the water were not working. Mr. Siegal stated that a storm occurred which deposited two to four inches of rain causing the storm water to flow into the residents' properties. He opined that the construction needs to be watched more closely.

Commissioner Ackerman stated that she believes the contractor is to blame. Mr. Siegal agreed and noted that the contractor received a violation notice from LCCD. He commented that there should be escrow monies available with the land development.

Mr. Nicolo questioned the subject of the violation notice – the pump house failure or the BMP failure during the storm. Mr. Siegal believed it to be a combination of the items.

Mr. Tetterer stated the Board should be aware that the Township has a Memorandum of Understanding with LCCD, and associated with DEP, that during construction, LCCD and DEP are in charge of the erosion control and all of the associated actions with the NPDES permit until the construction is complete and signed off by LCCD. It then becomes the Township's responsibility to sustain MS4 requirements. He stated that the Township will review the plans for compliance with its Zoning and SALDO Ordinances and part of that review will require approval from LCCD and DEP for all necessary permits.

Mr. Nicolo commented that DEP surveyed the site and did not take a stand that anything was done improperly with the hospital.

Ms. Bonaskiewich explained that there is a drainage easement on the plans for the development in the area of Fox Run Drive. She noted that historically, there have been different affects that have caused the erosion. Ms. Bonaskiewich commented that the storm event was extraordinary, and the extent of the erosion in the area was not solely due to the hospital; it was an accumulation of wear over the years.

Mr. Siegal alleged that the float in the basin was not working properly and it caused the overflow.

Mr. Tetterer reiterated that the rain and flooding event occurred while the detention pond was still a sedimentation basin; therefore, there was no float required. He also stated that when the storm occurred, the project was not far enough along that one would expect the pump house to be functional. Mr. Tetterer explained that LCCD has certain rules as to how much water a sedimentation basin is designed to handle, but more water came in during the storm event and flowed onto the property of Mrs. Musselman on Fox Run Drive, which was the first one downstream. He noted that everything was discharged to a valid drainage easement so the hospital was well within its rights to discharge the water.

Mr. Tetterer stated that his understanding was the property on Fox Run Drive had problems prior to this rain event; however, the Township looked at the situation at the time and the Board made the decision to have the Public Works Department repair the basin. He commented that on a yearly basis, the hospital must provide a certification to the Township that the pump system and the spray heads are working properly.

Commissioner Seagreaves suggested that Ms. Bonaskiewich internally review the matter and report back to the Board.

Commissioner Brinton stated that she received a phone call from the resident at 2939 Acorn Avenue regarding pot holes on East Rock Road. Mr. Andreas commented that there is UGI work in the area, but he will follow up on the matter.

Commissioner Ackerman expressed concerns about a fight that occurred at Green Acres Park. Chief Stiles commented that the Police Department does regular patrols in the area and will respond to any calls they receive. Commissioner Ackerman suggested removing the basketball courts as she believes them to be the attraction for most people.

**ADJOURNMENT**

Commissioner Martucci made a Motion to adjourn the Meeting. Seconded by Commissioner Brinton. The time was 7:52 p.m.

Respectfully submitted,

Cathy Bonaskiewich  
Township Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on May 25, 2017.

Approved and certified on this date:

\_\_\_\_\_  
Cathy Bonaskiewich

Date: \_\_\_\_\_