

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
August 27, 2020
REGULAR MEETING – 7:00 PM**

**SPECIAL NOTIFICATION - This public meeting of the Salisbury Township Board of Commissioners was held online using the Zoom virtual meeting platform due to the COVID-19 pandemic and social distancing guidelines.*

CALL TO ORDER

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

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

ROLL CALL

Board Members Present:

Debra Brinton, President
Rodney Conn, Vice-President
James Seagreaves, President Pro-Tempore
Heather Lipkin
Alok Patnaik

Staff Present:

Cathy Bonaskiewich, Township Manager
Sandy Nicolo, Assistant Township Manager/Code Enforcement Director/MS4 Coordinator
Dustin Grow, Fire Services Director
Paul Ziegenfus, Finance Director
John Andreas, Director of Public Works
Kevin Soberick, Chief of Police
John Ashley, Esquire, representative of Davison & McCarthy, Township Solicitor
David Tettermer, representative of Keystone Consulting Engineers, Township Engineer
Genny Baillie, Recreation Director

NOTIFICATION

Ms. Bonaskiewich welcomed the attendees to the regular meeting of the Board of Commissioners for August 27, 2020. She noted that the meeting is being held online using the Zoom virtual meeting platform due to the current COVID-19 conditions and with respect to social distancing and public gathering guidelines. Ms. Bonaskiewich commented that the meeting is being recorded electronically for the purpose of taking the Minutes and asked that attendees keep themselves muted to keep background noise to a minimum. She stated that if anyone would like to comment on a particular agenda item or during courtesy of the floor, he/she should unmute his/herself and use the hand raise button. All public comments on agenda items will be taken prior to the vote

and all public comments related to non-agenda items will be taken after the agenda has been satisfied. Ms. Bonaskiewich requested speakers to please announce his/her name and address for the purpose of taking down the Minutes.

APPROVAL OF THE FINANCIAL REPORT AND LIST OF BILLS PAYABLE

Mr. Ziegenfus noted that almost \$700,000 of the total sum of the bills payable list represents payment to the Township's pension plan.

Motion by Commissioner Seagreaves, seconded by Commissioner Lipkin, to approve the unaudited Financial Report for the period ending July 31, 2020 and the list of Bills Payable for the period 8/8/2020-8/21/2020, broken down as follows:

\$769,623.68 = GENERAL
\$882.98 = FIRE
\$87.87 = LIBRARY
\$83,707.22 = WATER
\$125,702.04 = SEWER
\$19,200.49 = REFUSE & RECYCLING
\$10,565.43 = HIGHWAY AID
\$30,610.00 = CAPITAL GENERAL
\$1,040,379.71 = GRAND TOTAL ALL FUNDS

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

MINUTES

August 13, 2020

Ms. Bonaskiewich noted that the item will be tabled until the next meeting.

NEW BUSINESS

ORDINANCES

None.

RESOLUTIONS

Resolution in Recognition of Years of Service and to Accept he Retirement of Ms. Janet Freyling.

Ms. Bonaskiewich stated that Ms. Janet Freyling is retiring effective September 8, 2020, after 15 years of service to the Township.

Motion by Commissioner Seagreaves, seconded by Commissioner Lipkin, to adopt Resolution No. 08-2020-1686, accepting the retiring notice and expressing the appreciation of the members of the Board of Commissioners to Ms. Janet Freyling for her years of service to the Township and its citizens.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

MOTIONS

Motion to Approve Payment #3 (Final) to Insituform Technologies for 2019 Sanitary Sewer Rehab CIPPL Contract “B” in the amount of \$43,379.74.

Mr. Tettermer stated that the original contract was for \$221,179.25, but the Township added \$15,719 in work to the contract, so this payment represents that amount, plus about \$28,000 that was previously held for punch-list items.

Motion by Commissioner Conn, seconded by Commissioner Lipkin, to approve Payment #3 (Final) to Insituform Technologies for the 2019 Sanitary Sewer Rehab CIPPL Contract “B” in the amount of \$43,379.74

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Ms. Bonaskiewich stated that next three Motions have to do with the land of Samuel M. Gentile, Et Al Minor Subdivision, which has been a project over the last few years; however, they have withdrawn the project and decided to consolidate the land back into one lot, which was approved

at the August 11, 2020 Planning Commission meeting. Ms. Bonaskiewich commented that these documents will release some of the prior agreements that were put in place for the Minor Subdivision since it was withdrawn.

Motion to Authorize the Execution of the Release of the Improvements & Maintenance Agreement for the Lands of Samuel M. Gentile, Et Al, Minor Subdivision Plan.

Mr. Tetteimer noted that the approval should be contingent on the owner actually recording the lot consolidation plan.

Motion by Commissioner Lipkin, seconded by Commissioner Conn, to authorize the execution of the release of the Improvements and Maintenance Agreement for the lands of Samuel M. Gentile, Et Al, Minor Subdivision Plan, contingent on the recording of the plan for the lot consolidation.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Motion to Authorize the Execution of the Release of the Stormwater Best Management Practices (BMP) Agreement for the Lands of Samuel M. Gentile, Et Al, Minor Subdivision Plan.

Mr. Tetteimer noted once again that the approval should be contingent on them recording the lot consolidation plan.

Motion by Commissioner Lipkin, seconded by Commissioner Conn, to authorize the execution of the release of the Stormwater Best Management Practices (BMP) Agreement for the lands of Samuel M. Gentile, Et Al, Minor Subdivision Plan, contingent on the recording of the plan for the lot consolidation.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Motion to Authorize the Return of the Street Dedication for the Lands of Samuel M. Gentile, Et Al, Minor Subdivision Plan.

Attorney Ashley noted that per Mr. Tetteimer, the owners have not fully incorporated the language for the reverting of the street dedication into the plan. He stated that he believes they intend to change the plan, so the Board can authorize it to be executed.

Mr. Tetteimer noted that approval on this item as well should be contingent on the owner recording the lot consolidation plan.

Motion by Commissioner Lipkin, seconded by Commissioner Conn, to authorize the return of the Street Dedication for the lands of Samuel M. Gentile, Et Al, Minor Subdivision Plan, contingent on the stipulations noted by Attorney Ashley and the recording of the plan for the lot consolidation.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

PRIVILEGE OF THE FLOOR

Commissioner Lipkin thanked the Department of Public Works for repairing the streets in her area as well as for the paving work on Cardinal Drive. She also thanked DPW and the Police Department for the extra wording on the stop sign at the top of Weil Street.

Commissioner Patnaik noted that he spoke to the resident who complained about public urination at Green Acres Park and urged her to call the police if it happens again.

Commissioner Seagreaves brought forth a concern about a vehicle parked off of East Susquehanna Street for about a week. Chief Soberick noted that officers will follow-up on the concern.

Commissioner Brinton thanked the Department of Public Works for quickly responding to a sewage backup issue on Cypress Avenue.

Mr. Andreas thanked the Board for their continued support. He commented that DPW has wrapped up the paving project on Cardinal Drive, and he is hopeful that Public Road will be resurfaced next week.

Chief Soberick expressed his appreciation to Ms. Janet Freyling.

Chief Soberick announced that the Police Department obtained a grant from the Pennsylvania Liquid Control Board to combat underage drinking and dangerous drinking, in the amount of \$29,000, to be spent over the next two years for enforcement detail at various school events.

Chief Soberick stated that the Police Department has completed their summer aggressive driving grant (total of \$4,925) for enforcement activities. He noted that a total of 165 vehicles were stopped with 146 citations issued.

Mr. Dustin Grow provided updates regarding each of the Fire Departments and noted that he will be giving the Board an official written report.

Mr. Ross Futerfas of 2341 Lindberg Avenue expressed concerns regarding the amount of water his property incurred after Tropical Storm Isaias.

Ms. Greta Sacks of 1207 S. 24th Street also expressed concerns regarding water damage from the Tropical Storm, but noted that her driveway floods any time there is a large amount of rain in a short period of time. She stated that water comes down S. 24th Street, makes a 90 degree turn onto her neighbor's driveway and comes across to her driveway. Ms. Sacks commented that there are drain pipes under her driveway that are fused together, so instead of water running through the pipes, water is running under the driveway. She noted that she is unsure who installed the pipes under the driveway, but believes it to be an extension of whatever drainage system was put in place on S. 24th Street.

Mr. Tetteimer stated that the Township does not install driveway pipes. He explained that when someone applies for a building permit, he or she is required to submit a plan that shows the pipes that are proposed for the driveway, and it is the developer or the homeowner's responsibility to install the proper size pipes and maintain them. Mr. Tetteimer noted that the Township has no responsibility or authority over those pipes.

Mr. Futerfas commented that the water is going over the curb. Mr. Tetteimer stated that when there is a storm like Isaias, there are issues like that everywhere. He explained that when PennDOT designs a storm sewer system for their roads, it is designed for a 25-year storm, but the storms that were in the area on August 4, 2020 were anywhere from 100 to 200-year storm for four to six hours and completely inundated the system. Mr. Tetteimer commented that there are no PennDOT designs that would be able to handle a storm of that size and intensity.

Mr. Futerfas inquired if there are designs at a Municipal level to handle those types of storms. Tetteimer stated that unfortunately, Mr. Futerfas would have to deal with PennDOT as the Township has no authority within the PennDOT right-of-way.

Commissioner Lipkin suggested that residents who are concerned about the environment should join the Township's Environmental Advisory Council and offer any suggestions.

Mr. Futerfas inquired if the Clean Water Act applies or would help in this situation. Mr. Tetteimer noted that those issues are handled by the Conservation District and DEP, but the Clean Water Act has more to do with the quality of water, not the quantity.

Ms. Sacks inquired if a permit would be needed to resurface her driveway. Mr. Nicolo commented that the Ordinance allows for driveway resurfacing as long as the resident does not create a problem for someone else, and no permit is needed because there is no new impervious coverage or disruption of 5,000 square feet of earth. He noted that Ms. Sacks can do the repaving of the driveway, but she cannot just send all that water to another person and cause a problem for someone else. Mr. Nicolo suggested that Ms. Sacks speak with a contractor to see if there is anything they can do to help the problem but not impact the neighbor.

Mr. Andreas stated that he went to Ms. Sacks' property and offered multiple suggestions to improve the impact of stormwater in that area. He noted that the water is following its historical path to get to the Little Lehigh. Mr. Andreas commented that the facilities installed are private and every system is only designed to handle so much water, typically anywhere from a 10-25-year storm, and the outlet of the pipe is going to control how much water can flow through it. He explained that the issue is compounded by both driveways coming off of S. 24th Street at a negative slope and do not respect the sidewalk elevation, providing at least a six-inch gutter-line flow during any kind of storm event. Mr. Andreas suggested that Ms. Sacks consider constructing that, but she is impacted by her neighbor's driveway, and without having the same undertaking by her neighbor, she would still have an issue.

Mr. Andreas also suggested Ms. Sacks grade her driveway to create a ridge to keep water flowing away her garage and shed. He noted that residents having surface water issues should consider looking at how to handle the water through a series of Best Management Practices that include some type of swale or berm to carry the water past those areas so they do not experience erosion or disturbance. He noted that stormwater runoff is a challenge everywhere in the Township, and in this instance, it is a private issue and the water is coming off of a State highway.

Mr. Leon Zoller of 2707 Hampstead Road expressed concerns about the lack of social distancing on the basketball courts at Lindberg Park as well as players leaving trash behind. Commissioner Brinton stated that the Township realizes there are people from other areas who are using Township parks, but it is a public park and the Township cannot stop people from using a public park. She also noted that there are trashcans and signs posted, but the Township does not want to close the courts because there is so little for children and young adults to do.

Ms. Baillie commented that the Township cannot control human behavior. There are trash receptacles, signs were installed and that is about as much as the Township can do. She noted that the Township opened the courts and fields when the guidelines from Governor Wolf's office came through, and the Township has been following those procedures. Commission Lipkin also noted that the Department of Public Works cleans up the parks each day.

Mr. Zoller expressed concerns about the condition of the property at 1011 Buckingham Drive. Mr. Nicolo commented that the Township is definitely aware of the situation and is following the procedures to address it. He stated that the owners have appealed the enforcement, and there is a hearing scheduled at the next Zoning Hearing Board meeting.

ADJOURNMENT

Commissioner Lipkin made a motion to adjourn the meeting. Seconded by Commissioner Conn. The time was 7:58 p.m.

Respectfully submitted,

Cathy Bonaskiewich
Township Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on August 27, 2020.

Approved and certified on this date:

Cathy Bonaskiewich

Date: _____

SEAL