

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
October 14, 2021
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.

CALL TO ORDER

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

Commissioner Brinton announced that an Executive Session will take place after the Workshop to discuss legal matters.

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
Paul Ziegenfus, Finance Director
James Levernier, Director of Public Works
Kevin Soberick, Chief of Police
John Ashley, Esquire, representative of Davison & McCarthy, Township Solicitor
David Tetterer, representative 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 commented related to non-agenda items will be taken after the agenda has been satisfied. Ms. Bonaskiewich reminded everyone of the three-minute rule and asked that anyone who wishes to speak, come to the podium, announce oneself, and sign-in with name and address so as to assist Township administration with follow-ups.

APPROVAL OF THE FINANCIAL REPORT AND BILLS PAYABLE

Commissioner Seagreaves inquired about an invoice for fence repair. Mr. Levernier stated that it was from storm damage at Lindberg Park.

Motion by Commissioner Seagreaves, seconded by Commissioner Lipkin, to approve the unaudited Financial Report for the period ending August 31, 2021 and the list of Bills Payable for the period 9/18/21 – 10/8/21, broken down as follows:

\$318,626.57 = GENERAL
\$25,675.82 = FIRE
\$0 = LIBRARY
\$119,484.09 = WATER
\$45,349.46 = SEWER
\$139,529.31 = REFUSE & RECYCLING
\$127,223.25 = HIGHWAY AID FUND
\$64,599.52 = CAPITAL GENERAL FUND
\$1,212.51 = CAPITAL SEWER FUND
\$544.50 = CASH ALLOCATIONS
\$842,245.03 = 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

September 23, 2021

Commissioner Brinton declared the Minutes from September 23, 2021 accepted as presented.

NEW BUSINESS

ORDINANCES

None.

RESOLUTIONS

Resolution to approve the Disposition of Public Works Equipment.

Ms. Bonaskiewich noted that a Resolution is required when the value of the equipment is over \$1,000. Commissioner Brinton commented that they are selling a leaf machine, a zero-turn lawn mower, a tractor, a leaf machine motor and a lawn mower.

Motion by Commissioner Conn, seconded by Commissioner Patnaik, to adopt Resolution No. 10-2021-1717, approving the disposition of Public Works equipment.

Roll Call:

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

The Motion passed by 5-0.

Resolution to Approve Plan Revision for New Land Development to Include On-Lot Septic System Planning Module at 2368 West Rock Road.

Mr. Tetterer stated that this is part of the application that the Girl Scouts have to make to DEP for review of the design of the system. He explained that the Resolution acknowledges that the Township will revise its Act 537 Plan, which delineates locations of on-lot septic systems. Mr. Tetterer commented that this does not approve the planning module or the land development plan.

Ms. Jackie Straley of 3110 Dogwood Lane inquired as to why it is called a plan revision. Mr. Tetterer stated that the revision is to the Township's Act 537 Plan and that has nothing to do with the approval for the land development plan. He noted that this is a standard form in every planning module that goes to all municipalities. Ms. Straley questioned what would happen if the Board denies the request. Mr. Tetterer stated that the Township would be sued.

Ms. Jane Benning of 3111 Douglas Road requested that they be notified if there will be any sort of construction in the area. Mr. Tetterer stated that the plans have not been approved by either the Township or the DEP and construction has nothing to do with this Resolution.

Motion by Commissioner Conn, seconded by Commissioner Seagreaves, to adopt Resolution No. 10-2021-1716, approving the plan revision for new land development to include on-lot septic system planning module at 2368 West Rock Road.

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 Authorize Settlement of Kevin Hosten Litigation.

Ms. Bonaskiewich noted that Mr. Hosten has brought litigation against the Township. She stated that a settlement has been reached where the Township is willing to agree to release a lien and instead, enter a judgement against the property. Ms. Bonaskiewich commented that in addition,

there will be a final inspection with a final checklist created of things the owner will still have to address at his cost.

Attorney Ashely commented that once his improvements are done, the Township will still hold a maintenance security for 18 months past the final inspection.

Ms. Bonaskiewich stated that the payment terms agreed upon will take five years to complete.

Ms. Jackie Straley inquired if the litigation has anything to do with the new Grading Ordinance. Ms. Bonaskiewich replied that it does not.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to authorize settlement of the Kevin Hosten litigation

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 hire Entry-Level Police Officer(s) from Eligibility List.

Commissioner Brinton noted that the Police Department has been short two officers and the Civil Service Commission has provided an eligibility list.

Motion by Commissioner Patnaik, seconded by Commissioner Conn, to send a conditional offer of employment to Mr. Kyle Sabulsky.

Roll Call:

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

The Motion passed by 5-0.

Motion by Commissioner Conn, seconded by Commissioner Lipkin, to send a conditional offer of employment to Mr. Kyle Watson.

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 Approve Payment #1 to Insituform Technologies for the 2021 Sanitary Sewer Rehab Cured-In-Place Pipe Lining (CIPPL) Contract in the amount of \$101,310.21.

Mr. Tettermer stated that the original contract was around \$90,000, but while the contractor was there, they noticed a couple of additional areas that needed attention, so it added about \$16,000 to the contract. He commented that 5% will be held in retainage.

Motion by Commissioner Patnaik, seconded by Commissioner Lipkin, to approve Payment #1 to Insituform Technologies for the 2021 Sanitary Sewer Rehab Cured-In-Place Pipe Lining (CIPPL) Contract in the amount of \$101,310.21

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

Chief Soberick stated that the Police Department has been dealing with loud music complaints along Constitution Avenue down by the river. He noted that it is a difficult area to patrol, but he will be meeting with all parties who own Walking Purchase Park to discuss enforcement ideas.

Chief Soberick announced that Trick-or-Treat Night will take place on Friday, October 29 from 6:00 pm – 8:00 pm.

Commissioner Conn thanked Mr. Levernier for facilitating the line painting throughout the Township.

Commissioner Brinton noted that she has received complaints in regards to trash and recycling and commented that the Township is trying its best to resolve the issues.

Commissioner Seagreaves commented on the amount of “excessive” and “vicious” emails that the Board and the Township has received from Mr. David Stallard regarding problems with the trash and recycling collection. He read a prepared written response into the record.

Ms. Straley commented that she has no problem with Republic Services and believes they are doing a good job in her area.

Mr. Nicolo stated that he was on vacation when residents brought forth concerns at the last meeting regarding the condition of 1325 Garden Avenue. He commented that has been aware of the problem and recently brought in a contractor to clean-up the property. Mr. Nicolo provided before and after photos of the property to the Board. He also explained that the owners are responsible for the charge associated with the cleanup, and if it is not paid, the Township will lien the property.

Mr. Nicolo stated that he has also had an on-going problem at 1913 Duffield Court and was able to obtain a search warrant to go inside the property after observing garbage piled inside the garage. He provided pictures to the Board and noted that a contractor was brought in for that clean-up as well.

Ms. Bonaskiewich thanked the Board for their support in regards to the garbage and recycling collection.

Ms. Bonaskiewich reminded the Board that the November meeting dates will be November 10 and November 23.

Ms. Straley expressed concerns about the Girl Scouts having a pop-up shop visit their property. She described the pop-up shop as a vehicle that goes to the camp and carries merchandise for purchase. Ms. Straley noted that the Girl Scouts property is in the CR Zoning District, which does not allow stores and shops. She read into the record the letter that she sent to Attorney Kent Herman, the Chair of the Zoning Hearing Board, as well as his response.

A discussion ensued regarding exceptions for Covid-related instances.

Attorney Ashley stated that if a resident believes there is something violative of the Zoning Ordinance, he or she has the right, as a citizen, to file a Zoning Appeal challenging that decision. He further explained that if a resident does not like the determination of the Zoning Officer, the resident can make an appeal to the Zoning Hearing Board and can bring whatever evidence or testimony he or she chooses. Attorney Ashley noted that this Board is not the correct audience for this discussion.

Commissioner Brinton announced that Representative McNeill is hosting a shredding and electronics recycling event on Saturday, October 16 at the Salisbury Elementary School from 9:00 am – 11:00 am.

ADJOURNMENT

Commissioner Patnaik made a motion to adjourn the meeting. Seconded by Commissioner Lipkin. The time was 8:02 pm.

Respectfully submitted,

Cathy Bonaskiewich
Township Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on October 14, 2021.

Approved and certified on this date:

Cathy Bonaskiewich

Date: _____

SEAL