

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
August 24, 2023
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 following the Regular Meeting to discuss real estate 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 – EXCUSED
Heather Lipkin, President Pro-Tempore
Alok Patnaik
Alex Karol – EXCUSED

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
Donald Sabo, Chief of Police
Jason Ulrich, Esquire, representative of Gross McGinley, LLP, Township Solicitor
Stan Wojciechowski, representative of Barry Isett & Associates, Township Engineer
Mike Sinko, Animal Control Officer

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 comment 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 LIST OF BILLS PAYABLE

Mr. Ziegenfus noted that the Bills List for the period 8/5/23-8/18/23 included the \$860,000 payment for the non-uniformed pension fund, but the Township will receive about half of that back in September from State Aid.

Motion by Commissioner Patnaik, seconded by Commissioner Lipkin, to approve the unaudited Financial Report for the period ending July 31, 2023 and the List of Bills Payable for periods 7/22/23-8/4/23 and 8/5/23-8/18/23, broken down as follows:

7/22/23-8/4/23:

\$128,969.70 = GENERAL
\$2,775.21 = FIRE
\$0 = LIBRARY
\$5,067.61 = WATER
\$246,859.69 = SEWER
\$148,564.88 = REFUSE & RECYCLING
\$171.58 = HIGHWAY AID
\$45,443.00 = CAPITAL GENERAL
\$263.30 = CASH ALLOCATIONS
\$578,114.97 = GRAND TOTAL ALL FUNDS

8/5/23-8/18/23:

\$666,127.02 = GENERAL
\$15,046.59 = FIRE
\$0 = LIBRARY
\$171,630.10 = WATER
\$236,551.22 = SEWER
\$14,970.30 = REFUSE & RECYCLING
\$12,054.31 = HIGHWAY AID
\$15,308.24 = CAPITAL GENERAL
\$1,131,687.78 = GRAND TOTAL ALL FUNDS

The Board voted: 3 Ayes; 0 Nays.

MINUTES

July 27, 2023

Commissioner Brinton declared the Minutes from July 27, 2023 accepted as presented.

NEW BUSINESS

CONDITIONAL USE HEARING – 1249 S Cedar Crest Blvd., Suite 103.

Ms. Bonaskiewich turned the proceedings over to Attorney Ulrich who noted that a court reporter was present and all interested parties must sworn-in. Attorney Ulrich commented that the applicant is Holcomb Associates, Inc and Attorney Gene Orlando was present as their representative.

Attorney Ulrich submitted Exhibits 1-5 into the record.

Attorney Orlando stated that speaking on behalf of the applicant is Ms. Marissa Turner, Regional Director, and Mr. Bryan Ritter, Engineer. He provided the Board with their Exhibits.

Ms. Turner testified as to the services offered as well as the number of current staff. Ms. Turner stated that they are moving from 1245 S Cedar Crest Blvd Suite 303 to 1249 S Cedar Crest Blvd Suite 103 and would like to continue their existing use, with the addition of drug and alcohol outpatient services.

Mr. Ritter testified that the proposed application meets all zoning, planning and setback requirements. Attorney Ulrich inquired as to why Mr. Ritter was called to testify. Mr. Ritter stated that the Ordinance specifies a Conditional Use variance is required if a facility is performing drug rehabilitation.

Attorney Orlando noted that the Planning Commission recommended approval and entered Exhibits A1-A3 into the record.

Ms. Rabold stated that the application meets all requirements, except that the use requires a Conditional Approval because by adding substance abuse, the facility would be classified as an outpatient treatment center.

Chief Sabo testified that over the last eight years, there were only six calls at that facility and all of them were ambulance assist calls for behavioral emergencies, not active police calls.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to approve the Conditional Use request from Holcomb Associates to add outpatient drug and alcohol services to their list of services provided at their offices at 1249 S. Cedar Crest Blvd, Suite 103.

The Board voted: 3 Ayes; 0 Nays.

Attorney Ulrich noted that the decision rendered is not an actual decision. A written decision will be issued within 45 days upon which any objecting member or applicant could appeal to the Court of Common Pleas of Lehigh County.

ORDINANCES

None.

RESOLUTIONS

Resolution Approving Destruction of Township Records.

Commissioner Brinton commented that Representative Schweyer will be holding a shredding event at the South Mountain Middle School on Saturday, August 26, and the Township would like to dispose of older documentation.

Commissioner Brinton inquired if documents could be accessed electronically. Chief Sabo stated that some of the items are only copies but are older than three years, and some items are in an electronic data base.

Commissioner Patnaik inquired if these documents are in compliance with the Record Retention Act. Attorney Ulrich confirmed that they are in compliance.

Motion by Commissioner Patnaik, seconded by Commissioner Lipkin, to adopt Resolution No. 08-2023-1787, approving the destruction of Township Records.

The Board voted: 3 Ayes; 0 Nays

MOTIONS

Motion Approving Block Party Request for the 900 Block of Belford Road.

Commissioner Brinton noted that because the Board did not meet on August 10, Ms. Bonaskiewich had pre-emptively approved the request.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to approve the Block Party Request for the 900 block of Belford Road.

The Board voted: 3 Ayes; 0 Nays

Motion Approving Payment #1 to Billitier Electric, Inc. for Cardinal Drive Pump Station Generator Replacement Project in the amount of \$30,982.50.

Commissioner Brinton stated that the Board approved the project in 2022 for a total bid amount of \$62,839. This payment represents the majority of the cost, and the remainder will be paid at the conclusion of the project.

Motion by Commissioner Patnaik, seconded by Commissioner Lipkin, to approve Payment #1 to Billitier Electric, Inc. for Cardinal Drive Pump Station Generator Replacement Project in the amount of \$30,982.50.

The Board voted: 3 Ayes; 0 Nays

Motion Approving Payment #5 (Final) to CMR Construction for Laubach Park Stormwater Improvements Project in the amount of \$2,000.

Commissioner Brinton stated that most of this work was completed in the summer of 2022. This final payment represents the release of the retainage of \$2,000, which was being withheld until CMR addressed issues with acceptable grass and plant growth.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to approve Payment #5 (Final) to CMR Construction for Laubach Park Stormwater Improvements Project in the amount of \$2,000.

The Board voted: 3 Ayes; 0 Nays

Motion Accepting a Time Extension to November 28, 2023 for the Land Development Plan at 1525 E Susquehanna Street.

Commissioner Brinton explained that the project proposes to redo the parking lot on the site, precipitated by the change of use of the building. She noted that the proposed use is a first-floor hair salon with a second-floor apartment; previously it had been a mechanic's garage with an apartment.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to accept a time extension to November 28, 2023 for the Land Development Plan at 1525 E Susquehanna Street.

The Board voted: 3 Ayes; 0 Nays

Motion Accepting a Time Extension to November 30, 2023 for the Preliminary/Final Land Development Plan at 206 E Lynnwood Street.

Commissioner Brinton noted that this is a plan to construct 82 residential townhouses.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to accept a Time Extension to November 30, 2023 for the Preliminary/Final Land Development Plan at 206 E Lynnwood Street.

The Board voted: 3 Ayes; 0 Nays

Motion Accepting a Time Extension to December 8, 2023 for the Preliminary/Final Land Development Plan at 2844 S Pike Avenue.

Commissioner Brinton stated that the project proposes to maintain two building additions, an accessory apartment and all supporting site improvements.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to accept a Time Extension to December 8, 2023 for the Preliminary/Final Land Development Plan at 2844 S Pike Avenue.

The Board voted: 3 Ayes; 0 Nays

Motion Accepting a Time Extension to January 7, 2024 for the Land Development Plan at 1350 E Susquehanna Street.

Commissioner Brinton commented that the project proposes to construct a two-story apartment building with a total of eight units.

Ms. Rabold noted that they have submitted documents to be included on the September 27, 2023 Planning Commission agenda.

Motion by Commissioner Lipkin, seconded by Commissioner Patnaik, to accept a Time Extension to January 7, 2024 for the Land Development Plan at 1350 E Susquehanna Street.

The Board voted: 3 Ayes; 0 Nays

Motion Appointing 3rd Ward Representative to the Zoning Hearing Board (ZHB).

Commissioner Brinton stated that there is a Third Ward vacancy on the Zoning Hearing Board due to the resignation of Ms. Nicole Ortiz.

Commissioner Brinton nominated Mr. Nicholas Birosik as the Third Ward representative to the Zoning Hearing Board. Commissioner Patnaik seconded the nomination.

The Board voted: 3 Ayes; 0 Nays

COURTESY OF THE FLOOR

Chief Sabo stated that officers were recently able to arrest individuals dumping on Riverside Drive. Commissioner Patnaik inquired if the cameras are helping to deter dumping. Chief Sabo explained that the Township's cameras are helping, but they do not capture people entering or exiting on the Allentown end.

Chief Sabo stated the new officers will be changing shifts in the near future, which signifies that they are a third of the way through their initial field training. He commented that they should be on their own by the end of the year.

Mr. Levernier stated that electrical service has been installed at Franko for the upcoming concert as well as the Christmas tree lighting and use at the pavilions. He also noted their upcoming paving projects will start next week.

Commissioner Brinton thanked the Police Department, the Fire Department and other first responders for their assistance with a recent incident.

Commissioner Patnaik thanked the Police Department and volunteers for a successful National Night Out event.

Mr. Wojciechowski commented that his firm has been working on the renderings for a new salt shed to be placed on the recently acquired McAuliffe property. He noted that the Township can apply for a PA DCED LSA Lehigh/Northampton Grant to help cover the cost of the new salt shed.

Commissioner Lipkin inquired if the Department of Public Works plans to move to the McAuliffe property. Mr. Levernier stated that they plan to do some repairs on the building and then move the utility department (office furniture and equipment) to that location over the next couple of years. He noted that they are not looking to build anything new with the exception of the salt shed. Mr. Levernier commented that the future plans for the property will be up to the Township and Commissioners.

Mr. Wojciechowski stated that they are looking at possibly installing a rain garden on the McAuliffe property to control stormwater and to have MS4 credit.

Mr. Sinko introduced Mr. Hal Warner and Ms. Teisha Jones from the Lehigh Valley Humane Society who were present to address the Board. Mr. Sinko stated that the Township relies on the Lehigh Valley Humane Society to take its lost, stray, abandoned animals and they are updating their policy on stray (feral) cats.

Mr. Warner stated that the Humane Society used to take in all of the Township's feral cats, and unfortunately with feral cats, there is nowhere for them to go, so they end up being euthanized. He noted that other feral cats will then move into those vacated areas and repopulate. Mr. Warner commented that studies have shown over the years that trapping, neutering, vaccinating and releasing feral cats back to where they were originally trapped, stops the breeding and other unfixed cats do not move into that area. He stated that it solves the problem over time, and based on what he has seen in Allentown and other communities, there is a reduction in stray, unwanted, feral cats.

Ms. Bonaskiewich inquired if the Humane Society tags or marks the cats in any way. Mr. Warner stated that they ear-tip the cats in their community vet clinic.

Ms. Jones, Director of Operations, stated that the removal and elimination method for controlling community cats provides no improvement to the situation. She commented that it is important to educate the community and noted that she will provide updated Ordinance recommendations. Ms. Jones also commented that if kittens are young enough to be socialized and adopted, they will rescue them and find them homes.

ADJOURNMENT

Commissioner Lipkin made a motion to adjourn the meeting. Commissioner Patnaik seconded the motion. The time was 8:10 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 24, 2023.

Approved and certified on this date:

Cathy Bonaskiewich

Date: _____

SEAL