

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
March 9, 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 turned the proceedings over to Ms. Cathy Bonaskiewich, Township Manager.

ROLL CALL

Board Members Present:

Debra Brinton, President
Rodney Conn, Vice-President
Heather Lipkin, President Pro-Tempore – EXCUSED
Alok Patnaik – EXCUSED
Alex Karol

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
Jack Gross, Esquire, representative of Gross McGinley, LLP, Township Solicitor
Stan Wojciechowski, representative of Barry Isett & Associates, Township Engineer
Kerry Rabold, Planning & Zoning 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

Motion by Commissioner Conn, seconded by Commissioner Karol, to approve the unaudited Financial Report for the period ending January 31, 2023 and the list of Bills Payable for the period 2/18/23–3/3/23, broken down as follows:

\$65,770.95 = GENERAL
\$12,826.79 = FIRE
\$0 = LIBRARY
\$225,267.48 = WATER
\$19,614.35 = SEWER
\$148,702.31 = REFUSE & RECYCLING
\$113.26 = HIGHWAY AID
\$1,958.32 = CAPITAL GENERAL
\$484,253.46 = GRAND TOTAL ALL FUNDS

The Board voted: 3 Ayes; 0 Nays.

MINUTES

February 26, 2023

Commissioner Brinton declared the Minutes from February 26, 2023 accepted as presented.

NEW BUSINESS

Public Hearing and Vote Regarding the Vacation of Roosevelt Avenue, between Harrison Avenue and Logan Street.

Commissioner Brinton turned the proceedings over to Attorney Gross who noted that a court reporter was present and all interested parties must be sworn in.

Ms. Rabold testified that after receiving the street vacation application, she forwarded it for comment to the Township Solicitor, Engineer, Police Department, Public Works Department, Fire Inspectors, the local Fire Department and the Lehigh Valley Planning Commission. She noted that she received responses from the Engineer and the LVPC, and the Township Planning Commission voted to recommend vacation by a vote of 6-0 at their meeting on February 26, 2023.

Mr. Humberto Pinto, the applicant, and Mr. Michael Houston, the land surveyor working on the applicant's behalf, testified that they are requesting approximately 350 ft of Roosevelt Avenue, between Harrison Avenue and Logan Street, to be vacated. Mr. Houston stated that Mr. Pinto owns seven of the adjoining parcels to the north of the suggested vacated street and he is looking to consolidate the lots for protentional building. He requested Roosevelt be vacated to allow adequate access to Harrison Avenue for an entrance into the property.

Mr. Rich Zongora 1524 Jeter Avenue inquired as to what happens to the other properties in the future if the Board votes to vacate Roosevelt Avenue. He noted that he has properties on Roosevelt Avenue but in Fountain Hill Borough. Attorney Gross commented that this hearing is only related to any potential rights that Salisbury Township might have and does not address any private rights

as this street has never been opened. Ms. Rabold commented that the vacation stops at Logan Street and only the portion of Roosevelt between Harrison and Logan will be vacated, so Mr. Zongora's property on Roosevelt beyond Logan Street will remain the same.

Mr. James Severn of 4131 Lower Saucon Road stated that he owns lots on the other side of Roosevelt and inquired about emergency vehicle access to his property if he decides to build. Attorney Gross stated that since Mr. Severn does not have a land development plan pending, the Township cannot answer that question. He commented that the hearing is considering the elimination of rights the Township might have and it does not impact private rights Mr. Severn may have.

Commissioner Brinton inquired if the applicant is planning on closing off the alley. Mr. Pinto stated that his only intent is to use the road to build a driveway to access his property.

A discussion ensued regarding the civil process after the vacation.

Ms. Cindy Ballek of 1515 Cardinal Drive inquired about the drain that is in the area of the proposed street vacation. Attorney Gross stated that no land development is in front of the Board; only the request that the Township vacate the street.

Ms. Rabold stated that there is an application pending for a lot consolidation and as part of that, they will be looking at possibly moving the drain, but it will be reviewed by the Township Engineer as well as staff in-house to make sure there is no environmental damage. She noted that the lot consolidation will be discussed at the Planning Commission meeting on March 22, but there is no driveway proposed at this time.

Attorney Gross closed the hearing.

Motion by Commissioner Conn, seconded by Commissioner Karol, to move forward with the street vacation as presented by the application.

The Board voted: 3 Ayes; 0 Nays.

ORDINANCES

None.

RESOLUTIONS

Resolution Appointing Emergency Management Coordinator for Salisbury Township and Establishing Annual Stipend Amount.

Motion by Commissioner Karol, seconded by Commissioner Conn, to adopt Resolution No. 03-2023-1776, appointing Mr. James Wyatt Davis as the Emergency Management Coordinator for Salisbury Township and establishing an annual stipend amount of \$3,600 per year.

The Board voted: 3 Ayes; 0 Nays

Resolution Appointing Deputy Emergency Management Coordinator for Salisbury Township and Establishing Annual Stipend Amount.

Motion by Commissioner Conn, seconded by Commissioner Karol, to adopt Resolution No. 03-2023-1777, appointing Mr. Thomas Cunningham as the Deputy Emergency Management Coordinator for Salisbury Township and establishing an annual stipend amount of \$2,400 per year.

The Board voted: 3 Ayes; 0 Nays

Resolution Setting Bond Amount for Township Tax Collector for Years 2022 through 2025.

Motion by Commissioner Karol, seconded by Commissioner Conn, to adopt Resolution No. 03-2023-1778, setting the Bond Amount at \$16,380,000 for the Township Tax Collector for years 2022-2025.

The Board voted: 3 Ayes; 0 Nays

MOTIONS

Motion Approving Collective Bargaining Agreement with the Salisbury Township Public Works Employee Association for Years 2023 through 2026.

Ms. Bonaskiewich noted that the topic had been discussed during the Workshop at the previous meeting.

Motion by Commissioner Conn, seconded by Commissioner Karol, to approve the Collective Bargaining Agreement with the Salisbury Township Public Works Employee Association for Years 2023 through 2026.

The Board voted: 3 Ayes; 0 Nays

Motion Accepting Time Extension to March 31, 2024 for the Land Development at 2638 West Rock Road.

Commissioner Brinton stated that the Girl Scouts have submitted another time extension to request of their Land Development Plan for 2638 W Rock Road as they continue to work through matters.

Ms. Jackie Straley of 3110 Dogwood Lane expressed concerns about the Township setting a precedence for a year-long time extension and she believes it to be excessive. She requested the time extension to be granted for only six months as the other requests have been. Commissioner Karol noted that the Girl Scouts are trying to get the project done in a legal, proper manner and believes that the Township should allow them time to do so.

Attorney Gross stated that the Board's decision does not set precedence as each request for an extension like this is a separate one that is considered when it comes forward. He noted that the request is for a year, so the Board must consider the request it has and cannot modify it unless it is at the Girl Scouts' request.

Ms. Jane Benning of 3111 Douglas Road inquired as to how many extensions are allowed during a land development project. Commissioner Conn stated that there is no limit.

Ms. Benning inquired if any of the Board members have read the DEP reports and stated that there are seven pages of deficiencies. Commissioner Karol commented that the DEP report is not relevant in this case and noted it is another reason the Township should give the Girl Scouts more time to address concerns.

Motion by Commissioner Karol, seconded by Commissioner Conn, to accept the time extension to March 31, 2024 for the Land Development at 2638 West Rock Road.

The Board voted: 3 Ayes; 0 Nays

COURTESY OF THE FLOOR

Mr. Wojciechowski commented that he provided the Board with his engineering report which details current and upcoming projects.

Commissioner Karol thanked the Police Department for their quick response to a recent incident at the Arts Academy Charter School that possibly involved weapons.

Chief Sabo stated that oral interviews were recently conducted for new hires and they will move forward with the Civil Service Commission creating a list.

Chief Sabo thanked Mr. Dennis Takacs for stepping into the role of interim Emergency Management Coordinator as well as his years as the Deputy Emergency Management Coordinator.

Commissioner Brinton brought forth a question from a resident regarding when the Department of Public Works will begin patching pot holes. Mr. Levernier stated that they do patching work year-round and the residents should call and report the port holes.

Ms. Bonaskiewich noted that Western Salisbury Fire Department will be holding a TEFRA hearing at the Municipal Building on March 23, 2023 at 6:30 pm.

Ms. Bonaskiewich stated that she expects the settlement of the McAuliffe property to occur either the week of March 20th or April 3rd.

Fire Chief of Eastern Salisbury Fire Department, Ian Dodson, announced that they are starting a new program for residents where they can bring their old fire extinguishers to the fire station to be disposed of properly with a \$5 disposal/donation fee.

Chief Dodson announced that Eastern Salisbury Fire Department will be holding a fundraiser called Egg My Yard where members of the department will hide filled eggs in residents' yards on Saturday, April 8th.

ADJOURNMENT

Commissioner Conn made a motion to adjourn the meeting. Commissioner Karol seconded the motion. The time was 8:01 p.m.

Respectfully submitted,

Cathy Bonaskiewich
Township Secretary

These constitute the official Minutes of the Regular Meeting of the Board of Commissioners held on March 9, 2023.

Approved and certified on this date:

Cathy Bonaskiewich

Date: _____

SEAL