

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
JANUARY 12, 2012
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.

Members attending:

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

Staff attending:

Randy Soriano, Township Manager
Cathy Bonaskiewich, Assistant Township Manager/Finance Director
John Andreas, Director of Public Works
Allen Stiles, Chief of Police
Cynthia Sopka, Director of Planning & Zoning
John Ashley, Esquire, Township Solicitor
David Tettermer, representative of Township Engineer, Keystone Consulting Engineers

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

NOTIFICATION

Mr. Soriano informed the attendees that all sessions of the Salisbury Township Board of Commissioners regular meetings are electronically recorded for the purpose of taking the Minutes. All public comments on agenda items would be taken prior to the vote. All public comments related to non-agenda items will be taken after the agenda has been satisfied.

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

Mr. Soriano reminded everyone of the three minute rule and asked that everyone who wishes to speak to come to the podium, sign up, announce themselves, and speak clearly in the

microphone. Mr. Soriano added that the speaker has a choice not to list his/her address; however, it is preferred that the speaker announce if he or she is a Township resident. He noted that if a resident does not divulge his or her address, it will impair the Township with administrative follow ups on a particular issue.

APPROVAL OF BILLS PAYABLES

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to approve the list of Bills Payables for the period 12/30/2011 through 1/6/2012, broken down as follows: General Fund - \$26,590.71; Fire Fund - \$8,913.98; Library Fund - \$9.05; Water Fund - \$5,436.13; Sewer Fund - \$480,695.98; Refuse & Recycling Fund; \$1,928.61; Total of all Funds - \$520,675.34.

Roll Call:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES
COMMISSIONER MARTUCCI-YES
COMMISSIONER BRINTON-YES
COMMISSIONER BROWN-YES

The Motion passed by 5-0

MINUTES

December 22, 2011 and January 3, 2012

Commissioner Brown declared the December 22, 2011 Regular Meeting Minutes and the Minutes of the January 3, 2012 Reorganization Meeting of the Board of Commissioners approved as presented.

NEW BUSINESS

ORDINANCES

None

RESOLUTIONS

Resolution to amend the Civil Service Commission Rules and Regulations.

Mr. Soriano stated that in 2011, the Civil Service Commission performed a comprehensive review of the Civil Service Rules and Regulations in order to bring them into compliance with past practices and Act 75 of 2010. He noted that the result is the new, revised rules that they approved on January 3, 2012. Mr. Soriano commented that the Civil Service Commission may

amend, revise, void or replace the Rules, but in order for those changes to become effective, the Board of Commissioners must approve them. Sections impacted as follows:

- Section 1.1-Definitions - Positions and Rank have been added.
- Section 2.2 Alternate Members has been renumbered from old Section 2.4. All other Sections have been renumbered accordingly
- Section 2.3-Offices Incompatible - Fourth line has been revised to delete “teaching profession” and add “Township Commissioners” in order to avoid conflict of interest.
- Section 2.7-Commission Meetings has been revised in its entirety.
- Section 2.9-Minutes and Records - First paragraph has been revised.
- Section 2.11-Subpoenas has been revised(last paragraph added)
- Section 3.1-Announcement of Application Period and Examination - Revised - Last paragraph added.
- Section 3.4-Availability - Section B has been added.
- Section 3.11-Rejection of Applicant - Revised in its entirety.
- Section 3.12-Additional Grounds for Rejection - New Section added.
- Section 3.13-Hearing for Rejection - Revised in its entirety.
- Section 4.3-Appointment of Examiners - Revised to conform with current order that examinations are administered(Physical, Written Oral, Background-Prior rules had Written exam first and Agility Last)
- Section 4.4-Physical Fitness/Agility Testing - Renumbered and moved from previous order.
- Section 4.5-Written - Renumbered
- Section 4.6 Oral Renumbered
- Section 4.7-Veteran’s Preference - Renumbered.
- Section 5.1-Creation of Eligibility List - Revised its entirety
- Section 5.5-Physical and Psychological Medical Examination - Revised in its entirety.
- Section 7.3-General Examination Requirements ... Revised to delete Criminal Investigator and in insert other designated Rank - NOTE - In the future the BOC must revise its Ordinance to designate what are the ranks in the Police Department (i.e. Sergeant, Detective, etc.)
- Section 11.1-Probationary Period - Revised in its entirety.
- Section 11.2-Residency Requirements - Revised to conform with Collective Bargaining Agreement - Old rules had 10 air miles - New rules revised to 15 air miles. PLEASE NOTE - This cannot be disputed since it was negotiated and cannot be unilaterally altered. Contractual.

RESOLUTION NO. 01-2012-1406

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA AMENDING THE RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION TO CONFORM WITH THE STATE STATUTE

WHEREAS, P.L. 521, No 75 amended the First Class Township Code civil service provisions; and

WHEREAS, amendments to the Rules and Regulations are required in order to conform with the changes under P.L. 521, No. 75; and

WHEREAS, the Salisbury Township Civil Service Commission on January 3, 2012 passed Resolution Number CSC-2012-01 amending the Rules and Regulations in order to comply with P.L. 521, No. 75; and

WHEREAS, the aforesaid Resolution of the Civil Service Commission and accompanied Rules and Regulations, in order to become effective, must be approved by the Salisbury Township Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania and it is hereby resolved by same as follows:

1. The Rules and Regulations of the Civil Service Commission as amended by Resolution Number CSC-2012-01 are hereby approved.

RESOLVED and adopted on this 12th day of January, 2012 by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania.

TOWNSHIP OF SALISBURY
(Lehigh County, Pennsylvania)

By: _____
JAMES A. BROWN
President, Board of Commissioners

ATTESTED:

RANDY SORIANO, Township Secretary

Motion by Commissioner Seagreaves, seconded by Commissioner Ackerman, to adopt Resolution No. 01-2012-1406 amending the Civil Service Rules and Regulations as proposed by the Civil Service Commission.

Roll Call:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES
COMMISSIONER MARTUCCI-YES
COMMISSIONER BRINTON-YES
COMMISSIONER BROWN-YES

The Motion passed by 5-0

MOTIONS

Motion to accept the Retirement of Detective Brian Klimowicz.

Mr. Soriano noted that Brian Klimowicz has tendered his resignation after 27 years of service with the Police Department. He stated that Detective Klimowicz started as an officer under Chief Durner and was promoted to Detective in 2003. Mr. Soriano asked the Board to officially accept Detective Klimowicz's retirement.

Motion by Commissioner Martucci, seconded by Commissioner Brinton, to accept with regret the retirement of Detective Brian Klimowicz and thanked him for his 27 years of faithful service.

Roll Call:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES
COMMISSIONER MARTUCCI-YES
COMMISSIONER BRINTON-YES
COMMISSIONER BROWN-YES

The Motion passed by 5-0

Commissioner Brown asked that the Board convene in Executive Session prior to the deliberation of the next Motion in order to discuss a personnel issue.

Commissioner Martucci moved to recess into Executive Session. Seconded by Commissioner Ackerman. The time was 7:20 p.m.

The Board reconvened from the Executive Session to deliberate on formal business. The time was 7:29 p.m.

Motion to appoint a new Detective from the Promotional List prepared and certified by the Civil Service Commission.

Mr. Soriano noted that on January 3, 2012, the Civil Service Commission certified the Promotional list of eligible candidates for the promotion to the rank of Detective. Mr. Soriano noted that under the rules, the Board may appoint anyone of the top three regardless of their ranking on the list. Mr. Soriano noted that only two candidates were certified by the Civil Service Commission:

- Mr. Kevin Kress
- Mr. Charles Whitehead

Motion by Commissioner Martucci, seconded by Commissioner Brinton, to appoint Officer Kevin Kress to the rank of Detective.

Roll call:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES
COMMISSIONER MARTUCCI-YES
COMMISSIONER BRINTON-YES
COMMISSIONER BROWN-YES

The Motion passed by 5-0

Consideration of Payment Application No. 1 to RGC Development in the amount of \$19,171.17 for Contract A - Patricia Drive Pump Station Elimination Project.

Mr. Soriano noted that RGC Development has commenced work on Patricia Drive in order to eliminate the Pumping Station and connect, by gravity, the Township sewer to the South Whitehall sewer system. He noted that this represents the first payment for the work completed to date.

Mr. Soriano provided a brief description of the project. He stated that the existing Patricia Drive Pump Station, located at 1136 Patricia Drive, will be eliminated from use in favor of gravity fed sewer lines connected to South Whitehall Township's sanitary sewer system. The existing flow of approximately 54,780 gpd currently travels via force main through Salisbury Township to a connection with the City of Allentown's sanitary sewers. Mr. Soriano stated that as a result of the pump station elimination, these flows are proposed to be re-directed via gravity sewer lines through South Whitehall Township Authority's (SWTA) sanitary sewer system, and ultimately to the City of Allentown.

Mr. Soriano noted that no new flows or service area boundaries will be created as a result of this pump station elimination. He stated that the design plans for the sanitary sewer gravity main will extend north on Patricia Drive from Lincoln Avenue and tie into the existing South Whitehall Township gravity sewer main on Edward Avenue. Mr. Soriano commented that it will replace approximately 1,180 lineal feet of the existing SWTA 8" clay sewer main with an 8" PVC main. In addition, the Township will need to reconnect approximately 20 of the existing laterals to the new main.

Mr. Soriano stated that on September 20, 2011, the Township received seven (7) bids for the Patricia Drive Pumping Station Elimination Project. He noted that the Board awarded the bid to RGC Development, 6866 Chrisphalt Drive, Bath, PA, in the amount of \$287,959, which was well below the budgeted amount for this project (\$350,000).

Motion by Commissioner Seagreaves, seconded by Commisisoner Ackerman, to approve Payment No. 1 to RGC Development in the amount of \$19,171.17 for Contract A - Patricia Drive Pump Station Elimination Project.

Roll Call:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES
COMMISSIONER MARTUCCI-YES
COMMISSIONER BRINTON-YES
COMMISSIONER BROWN-YES

The Motion passed by 5-0

OLD BUSINESS

Mr. Soriano noted that he will meet with Urban Research Development Company who was awarded the contract for \$8,000 to undertake the task of reapportionment mandated by the Municipal Reapportionment Act, P.L. 947 No. 312, 1974. He commented that URDC will look at shifts of population within the five wards to see whether realignment is required to achieve compact and contiguous territory as nearly equal in population. Mr. Soriano stated that we do know that the Township, based on the latest census, grew by only seven persons. He commented that what we do not know is the distribution of population in the five wards, which will be researched, and a revised map, if warranted, will be brought to the Commissioners for review.

Mr. Soriano noted that the Planning Commission is very close to completing the preparation of the Township Comprehensive Plan and had its first public meeting on the final draft. Mr. Soriano noted that the Board will ultimately receive the document and a formal approval will be required. Mr. Soriano noted that the draft will also be transmitted to the Lehigh Valley Planning Commission and adjacent municipalities for comments. Mr. Soriano noted that this project was made possible through a Grant from the County of Lehigh.

Mr. Soriano noted that the Township was awarded a Grant in the amount of \$22,400 from the Department of Conservation and Natural Resources to undertake the preparation of the Master Site Plan for Lindberg Park. He stated that he has spoken to the assigned project manager from DCNR on this matter, and shortly they will be sending out the Grant Agreement for execution. Mr. Soriano stated that he also discussed whether the Township could waive the requirements of the Grant Agreement for the Request for Proposals to retain a consultant and use URDC as a consultant given their familiarity with this project and the overall Township in order to fast track the preparation of the Master Site Plan. He commented that they have agreed to entertain such a Waiver and he will submit, in writing, such a request.

Mr. Soriano noted that Keystate Publishers has completed a revision and update to the Code of Ordinances and has made the Code available online. Mr. Soriano also distributed a copy of the electronic version to the Board for their use.

COURTESY OF THE FLOOR

Mr. Vendel Mukics of 706 Mortimer Street presented a \$500 check to the Police Department in support of their K-9 program.

Mr. Paul King and Mr. Robert Ciccone of RGC Development were present to address the Board on the various projects they are contracted by the Township to perform. Mr. King expressed concerns about projects that take place outside of the scope of work, and requested an opportunity to present outstanding issues to the Board.

Mr. Tettermer stated that the contract contains a process for the resolution of payment discrepancies. He noted that the process is to submit the request to Keystone Consulting Engineers and they have 30 days to review and respond in writing to RGC Development. He commented that if RGC disagrees with the response, they may appeal it in writing. Mr. Tettermer noted that part of the process is to discuss additional work with the Township Manager and Director of Public Works.

Attorney Ashley commented that if the contract provides a mechanism to address differences, that process should be followed.

Mr. Soriano stated that he has not had enough time to review the matter and needs to meet with the Engineer and Director of Public Works. He noted that the Township is well within the 30-day time limit and the process is still unfolding.

Commissioner Brinton asked about line painting on West Rock Road. Mr. Andreas noted that it is a seasonal event and will commence in the spring or summer.

Mr. Andreas provided an update on the progress of leaf collection. He stated that both crews are now on the east side of the Township and making a lot of progress.

Commissioner Seagreaves made a Motion to adjourn the Meeting. Seconded by Commissioner Martucci. The time was 8:10 p.m.

DRAFT