

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
REGULAR MEETING – 7:00 PM  
March 10, 2011**

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-EXCUSED  
Robert Martucci, Jr., Vice President  
Norma Cusick, President Pro-Tempore  
James Seagreaves  
Joanne Ackerman

**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**

Vice-President Martucci called the meeting to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE FOLLOWED.**

**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 3-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 PAYABLE**

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to approve the list of Bills Payable for the period 2/19/2011 through 3/4/2011.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-ABSENT

**The Motion passed by 4-0**

### **MINUTES**

**February 24, 2011**

Mr. Soriano stated that he was advised by Ms. Sopka of two corrections, as follows: Page 5, 4<sup>th</sup> paragraph: “correctional facility” should read “Detoxification Center”; page 5, 7<sup>th</sup> paragraph: “catch man” should read “catchment”.

Commissioner Martucci declared the February 24, 2011 Board of Commissioners Regular Meeting Minutes approved with corrections.

### **NEW BUSINESS**

### **ORDINANCES**

None

### **PUBLIC HEARING**

**Request for Conditional Use approval to operate a Temporary Flower Tent at the South Mall - 3300 Lehigh Street.**

Mr. Soriano stated that this Appeal was filed by James Pompa, Cornerstone Consultant Company, LLC, to erect a temporary Flower Tent. He noted that as in prior years, the Board will need to conduct a Public Hearing and act as the Zoning Hearing Board in order to decide whether to grant or deny the Conditional Use. Mr. Soriano added that all of the procedural provisions set forth in the Zoning Ordinance as to the Board’s role in these proceedings apply to this Hearing. He noted that a stenographer was present to record the meeting. Mr. Soriano turned over the meeting to Attorney Ashley, who acted as Hearing Officer.

Mr. Pompa stated that he got permission as well as a lease agreement from the owner of the South Mall to operate a seasonal flower tent.

Mr. Brandon Cummins, Cornerstone Consultant Company, LLC, spoke about the day to day operations of the tent. He stated that sales would start April 14<sup>th</sup> – 24<sup>th</sup> and April 29<sup>th</sup> – June 6<sup>th</sup>. The hours of operation would be daily from 9:00am – dusk, approximately 6:00pm.

Ms. Cynthia Sopka, Director of Planning and Zoning, noted that the Planning Commission recommended the approval of use.

Commissioner Cusick questioned how long the flower tent has been operating at the South Mall. Mr. Pompa replied that they have been operating as the flower tent for ten years. She then inquired as to the need for any police assistance. Mr. Cummins stated that they requested a police drive-by at the location last year because the operator thought something was missing. Chief Stiles stated that there have never been any problems with the flower tent location.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to grant the Conditional Use to James Pompa, Cornerstone Consultant Company, LLC, to operate a flower tent at the South Mall, 3300 Lehigh Street.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-ABSENT

**The Motion passed by 4-0**

## **RESOLUTIONS**

**Consideration of a Resolution for the retention of Urban Research Development Corporation for consultant work for preparation of SALDO Updates.**

Mr. Soriano summarized the proposed scope of work. He stated that the Township, along with Fountain Hill Borough, submitted a Grant Application through the County Regional Initiative Grant to update both of their SALDOs and both were funded for the project. Mr. Soriano noted that the Township received \$8,000 (\$16,000) and Fountain Hill received \$7,000 (\$14,000). Mr. Soriano commented that this is a matching Grant and both the Township and Fountain Hill will need to provide match funding for the Grant.

Mr. Soriano stated that the Grant Agreement also required that the consultant hired for this project would need to be done so collectively by both municipalities. Mr. Soriano noted that in January, the Township took the lead and prepared the RFP for retaining a consultant to perform the work scope. He stated that on February 22, 2011, the Township received five Proposals for the work. Mr. Soriano noted that Urban Research Development Corporation submitted the lowest

responsible proposal for a total cost of \$27,500. He stated that given their past experience with the Comprehensive Plan in Fountain Hill and their SALDO experience with the Township, he recommends awarding the contract to URDC. Mr. Soriano noted that the County has reviewed the proposals and agrees with the recommendations. He also commented that Fountain Hill Borough will equally recommend the retention of URDC.

**SALISBURY TOWNSHIP  
LEHIGH COUNTY, PENNSYLVANIA  
RESOLUTION 03-2011-1380**

**AWARDING A CONTRACT TO URBAN RESEARCH DEVELOPMENT CORPORATION (URDC) FOR THE UPDATING OF THE TOWNSHIP'S SUBDIVISION & LAND DEVELOPMENT ORDINANCE (SALDO)**

*WHEREAS, the Township of Salisbury and Borough of Fountain Hill submitted a joint grant application to the County of Lehigh through the Regional Initiative Grant Program in order to seek funds to update their respective Subdivision and Land Development Ordinances; and*

*WHEREAS, the County of Lehigh approved the initiative Grant and funded separately 50% of the total cost for the preparation of the SALDOs for each respective municipality; and*

*WHEREAS, the County Grant Agreement requires that competitive proposals be received in order to retain a professional consultant to perform the work for both municipalities; and*

*WHEREAS, a Request for Proposal was prepared and it was duly advertised as required by the Grant and Proposals received on February 23, 2011; and*

*WHEREAS, Five (5) firms submitted competitive Proposals as follows:*

<i>Urban Research Development Corp.</i>	<i>\$ 27,500</i>
<i>SSM Group, Inc.</i>	<i>\$ 28,000</i>
<i>Hanover Engineering Assoc.</i>	<i>\$ 30,638</i>
<i>Keystone Consulting Engineers</i>	<i>\$ 38,000</i>
<i>Borton-Lawson</i>	<i>\$119,660</i>

*WHEREAS, the County, Salisbury Township and the Borough of Fountain Hill have reviewed the Proposals and are recommending that the respective governing bodies accept the lowest responsible Proposal submitted by Urban Research Development Corporation.*

*NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Salisbury Township, Lehigh County, Pennsylvania, does hereby award a contract to Urban Research Development Corporation, 28 West Broad Street, Bethlehem, PA 18018 for the updating of the Township's SALDO at a cost of not to exceed \$14,250.*

**Motion by Commissioner Cusick and seconded by Commissioner Seagreaves to adopt the Resolution as read.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-ABSENT

**The Motion passed by 4-0**

**MOTIONS**

**Consideration of a Motion to notify our current hauler, Waste Management, on the intent of the Township to exercise the option to extend the Refuse and Recycling Contract for three (3) additional years at the bid prices submitted in the 2008 Bid Price Sheet.**

Mr. Soriano explained that the current contract with Waste Management is due to expire on June 30, 2011; however, there is a renewal option clause that the Township can invoke and renew the contract for an additional three years based on the bid prices sheet. He stated that the contract extension will not, at this point, require any additional increases in the garbage and recycling fee.

Commissioner Cusick proposed eliminating the grass collection from the contract in order to save the Township \$185,868 over three years. She noted that a survey on the previous utility bill showed that the residents, by a 2-1 majority, are in favor of doing away with the grass collection service.

Mr. Soriano clarified that there is a separate agreement in the contract where each year the Township, within 60 days of the ending of the contract, can request that the grass collection services be excluded.

Commissioners Seagreaves stated that in his opinion, it was a good idea to remove the collection.

Commissioner Ackerman noted that she has had many residents inquire about the survey because they did not feel there was a need for the service.

Commissioner Martucci stated that he is in agreement with eliminating the service.

Mr. Soriano noted that eliminating grass collection will not realize any cost savings to residents because the cost of \$55,356, or \$11, per unit is currently not passed on to the residents. He explained that this cost is absorbed or made up from revenue the Township receives from recycling proceeds and was never charged to the residents. Mr. Soriano stated that the Township will still retain recycling proceeds but not pay them to Waste Management for grass collection service. He noted that by cutting the service, the Board is essentially saying to the residents that they need to make their own arrangements to dispose of their grass.

Commissioner Martucci questioned how the recycling proceeds will now be used. Mr. Soriano stated that the money will not be in the General Fund because it is supposed to be used towards recycling ventures, such as purchase of recycling cans, education, and anything else associated with recycling. He explained that in essence, the Township will indirectly have a little less cost down the road associated with those things.

Commissioner Ackerman questioned if the residents can take the grass to the Township's Drop-off Centers. Mr. Soriano stated that if Franko Farm begins to take grass, the Township will still have a cost associated with disposing of it.

Commissioner Ackerman stated that if the Township takes away a service, it is her opinion that the Township should offer an alternative. Mr. Soriano stated that not only will there still be a cost to the Township, but there will also be environmental repercussions.

Commissioner Cusick stated that a cost of \$186,000 over three years does not justify the small amount of people using the service.

Mr. Soriano noted that it is a governmental decision to decide what services the Township offers and the Board can say that they do not offer grass services.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman to notify our current hauler Waste Management on the intent by the Township to exercise the 3 year Option renewal clause for the collection of Garbage and Recycling without the Grass Collection and authorize the Township Manager to effectuate the renewal thereof.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-ABSENT

**The Motion passed by 4-0**

### **OLD BUSINESS**

None

### **COURTESY OF THE FLOOR**

Mr. Steve Schneider, Chief of Western Salisbury Fire Department, inquired as to the progress of a state survey of the Township's fire services. Mr. Soriano stated that he has not received a formal motion from the Board to initiate the study; however, there is a seminar on March 31, 2011 discussing the issue of consolidating services and invited the Board and Fire Departments to attend. It was the consensus of the Board to put the topic on a future workshop agenda.

Commissioner Seagreaves expressed concerns about a sewer drainage problem at the property of Mr. Brian Klinger at 1022 E. Susquehanna Street. Mr. Andreas stated that he has been in contact with Mr. Klinger and the Public Works Department, as well as PennDOT, will be evaluating the situation in the Spring.

Commissioner Cusick stated that she received a call from a resident who is concerned about a ditch that has formed at the corner of West Rock Road and Douglas Road. Mr. Andreas stated that they begin to follow up on turf concerns in the Spring.

Commissioner Cusick expressed concerns about the traffic congestion generated by the new Bottom Dollar grocery store in Fountain Hill. Mr. Soriano stated that he can request a copy of the plan to review the traffic flow.

Commissioner Martucci inquired if there is going to be a public meeting held in regards to the proposed winter parking restrictions. Mr. Soriano stated that the residents affected by the restrictions will be receiving a formal letter and there will be a time for public comment about the issue during the regular meeting of the Board of Commissioners on March 24, 2011.

Chief Stiles commented that School Resource Officer, Richard Nothstein, Sergeant Donald Sabo and Sergeant Kevin Soberick attended the 2011 Rural School Safety and Technology Conference. He stated that the program consisted of cyber bullying, internet threats and responding to school threats of all different types. Chief noted that he is grateful for the opportunity to be able to receive this type of training in order to prevent any possible problems in the schools.

Commissioner Ackerman expressed concerns about the opening of the parks. Mr. Soriano stated that some clarification of the park rules is needed in order for the residents to know the intent of opening and closing hours.

#### **ADJOURNMENT/MEETING RECONVENED**

Commissioner Cusick made a Motion to adjourn the Meeting. Seconded by Commissioner Ackerman. The time was 8:45 p.m.

Motion by Commissioner Cusick and seconded by Commissioner Seagreaves to reconvene the Meeting to vote on the following matter:

#### **Consideration of a Motion to retain Wildlands Conservancy to prepare a Site Capacity Analysis of the School District property on Emmaus Avenue for a cost not to exceed \$4,750.**

Mr. Martucci brought forth a proposal from Wildlands Conservancy to perform a Site Capacity Analysis of the School District property on Emmaus Avenue.

**Motion by Commissioner Cusick and seconded by Commissioner Ackerman to retain the Wildlands Conservancy to prepare a Site Capacity Analysis of the School District property on Emmaus Avenue for a cost not to exceed \$4,750.**

#### **Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-YES  
COMMISSIONER BROWN-ABSENT

#### **The Motion passed by 4-0**

Commissioner Cusick made a Motion to adjourn the Meeting. Seconded by Commissioner Ackerman. The time was 8:50 p.m.