

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**MINUTES FROM THE BOARD OF COMMISSIONERS
REGULAR MEETING – 7:00 PM
June 24, 2010**

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:

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

Staff attending:

Randy Soriano, Township Manager-EXCUSED
Cathy Bonaskiewich, Assistant Township Manager/Finance Director
John Andreas, Director of Public Works-EXCUSED
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

President Brown called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE FOLLOWED.

NOTIFICATION

Mrs. Bonaskiewich 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.

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

Mrs. Bonaskiewich 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.

APPROVAL OF FINANCIAL REPORT AND BILLS PAYABLE

On motion by Commissioner Cusick, seconded by Commissioner Ackerman, the Board of Commissioners voted unanimously to accept the Financial Report for the period ending May 31, 2010 and approve the list of Bills Payable for the period 6/5/2010 through 6/18/2010. Roll Call vote:

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

The Motion passed by unanimous vote

MINUTES

June 10, 2010

Commissioner Brown declared the June 10, 2010 Board of Commissioners Regular Meeting Minutes approved as presented.

OLD BUSINESS

None

NEW BUSINESS

ORDINANCES

Consideration of an Ordinance to adopt and promulgate Rules governing Shade Trees.

Mrs. Bonaskiewich read the proposed Ordinance that was advertised for consideration.

“ORDINANCE NO. 06-2010-560

AN ORDINANCE BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA TO ADOPT AND PROMULGATE RULES GOVERNING SHADE TREES

WHEREAS, the Salisbury Township Board of Commissioners believe that tree-lined streets and shade trees fronting properties add beauty to the Township's surroundings and stabilizes the ecosystem; and

WHEREAS, the Board of Commissioners desires to enact rules prohibiting the removal of shade trees without first obtaining an approved permit.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, that rules governing shade trees are hereby adopted and shall be promulgated as follows:

SECTION I. DEFINITIONS

As used in this Ordinance certain terms are defined as follows:

1. **Official** means the Shade Tree Official of the Township of Salisbury.
2. **Person** includes individuals, partnerships, associations and corporations.
3. **Shade tree**, unless otherwise specified, includes all trees, shrubs, and woody vegetation in the public right of way or that part of any shade tree shrub or other woody plant which extends over, upon or within the line of any public highway or street, including the sidewalk area, in the Township
4. **Public right-of-way** means the land between property lines set aside for public use or ownership as a street, alley, crosswalk, easement or otherwise.
5. **Maintenance or maintain** means clipping, trimming, fertilizing, spraying, treating for disease or injury and similar acts to promote health, growth or beauty to trees.
6. **Planting** means putting or setting into the ground.

SECTION II. SHADE TREE CODE OFFICIAL

A. Appointment - The Board of Commissioners shall, by resolution, appoint an individual to serve as the Shade Tree Code Official who is knowledgeable of shade trees and their maintenance to administer the rules and regulations of this Ordinance.

B. Functions

The Official shall act as an advisor to the Board of Commissioners on matters concerning shade trees within the public right-of-way. The Board of Commissioners shall consider the advice of the Official on matters concerning the application of this Ordinance. The Official shall carry out any duties and responsibilities conferred upon same by the Board of Commissioners including those herein conferred.

1. The Official shall keep full records of its business and shall submit a report of its activities to the Board of Commissioners at least once a year.
2. The Township, having exclusive custody and control of all shade trees in the public right of way, may plant, remove, maintain and protect such shade trees. The Official shall give recommendations and advice as to species selection, planting, maintenance or removal of trees on all public rights of way.
3. The Official shall also work with all other concerned agencies in the planning of trimming, planting, transplanting and removal of shade trees in public right of way.

SECTION III. PERMITS

A. **No person, without first obtaining a permit from the Township, shall:**

1. Prune, spray, plant, remove or cut any shade tree on the public right of way;
2. Cut, break bark or otherwise injure or disturb any shade tree, tree guard or support thereof;
3. Attach a guy rope, cable, electric wire or other fixture to any shade tree, tree guard or support thereof;
4. Fasten or maintain any sign on any shade tree or tree guard support thereof;
5. Lay any pavement within an area of twelve (12) square feet around the base of the trunk of any tree on public right of way or deposit any stone, gravel, cement,

lumber or other material in such a way as to obstruct the free access of air and water to the roots of any tree in such public right of way;

6. Allow a shade tree on the public right of way to be injured or removed during the erection, repair alteration or removal of any building or structure. No person in charge of such erection, repair, alteration or removal shall leave any tree on the public right of way in the vicinity of such building or structure without such good and sufficient guards or means of protection as shall prevent injury to the tree, arising out of or by reason of such erection, repair, alteration or removal;

7. Cause or allow any boiler, heater, machine or device generating fumes, fires, gas, smoke or vapor to remain under or adjacent to any tree in or on any public highway, street or avenue, or cause or allow it to be done.

B. All work required to be done under any permit issued hereunder shall be completed within the time period specified but not to exceed sixty (60) days from the date issued, unless the time period has been extended by the Official. A permit shall be secured not less than five (5) days in advance of the time the work is to be done. The Official shall also be notified within five (5) days of completion of the work to allow for inspection.

C. Every person desiring to plant, set out, trim or remove, any shade tree, on or from any public street or highway in the Township, shall make application in writing to the Township for permission to do so, which application shall state specifically the location and kind of tree proposed to be planted, set out, trimmed or removed, and the reason for the removal, including condition of tree.

D. A person who is denied a permit may file an Appeal with the Salisbury Township Board of Commissioners in writing within Thirty (30) days following the date the denial is issued.

SECTION IV. PROHIBITED ACTIVITIES

No person under any circumstances shall:

A. Fasten a bicycle, carriage, animal or motor vehicle of any kind to any shade tree, tree guard or support thereof;

B. Authorize or procure any gas, hot water, steam brine water, oil, dye or other substance deleterious to tree life to lie, pour, flow, leak or drip on or into the soil about the base of a tree in any public highway, street or avenue;

C. Build or kindle a fire near to any shade tree on any public right of way, as to endanger the trunk, limbs or foliage of such shade tree;

D. Interfere or cause or authorize or procure an interference with the agents or employees of the Township while they are engaged in or about the planting, cultivating, mulching, pruning, spraying or removing of trees, or removing stone or cement sidewalk or other material of substance as may be necessary for the protection and care of any tree in accordance with the requirements set forth in the section dealing with the area of open ground to be maintained about the base of the trunk of each shade tree in the public right of way; or

E. Attach any advertisements to any shade tree or shrub in any street, highway, avenue or any public right of way.

SECTION V. TREES IN PUBLIC RIGHT OF WAY

A. Notice to Remove Tree

The owner of a property abutting a public right of way and having a shade tree growing in such public right of way, which is deemed by the Township Official to be a danger to the life, health, safety or property of the public, or which is afflicted

with any contagious disease or insect infestation, will be requested by mail by the Township to remove such tree within a time period specified. If the property owner neglects or refuses to remove such tree as required by this Section within the time period specified in such notice, the Township may cause such removal to be done at the expense of the property owner; and the entire cost thereof shall be paid by the property owner within sixty (60) days. If not paid by the property owner within sixty (60) days, a lien upon such premises and a claim therefore shall be filed and collected by the Township Solicitor in the same manner as municipal claims are filed and collected.

B. Care Provisions

1. The owners of property abutting a public right of way and having shade trees growing in such public right of way shall trim or cause such trees to be trimmed of all branches interfering with free access on the public right of way to a minimum height of, at least, ten (10') feet above the sidewalk and fourteen (14') feet above the street, highway or avenue, or higher if deemed necessary for an unobstructed view of the public.

2. The land owner, tenant, or his agent, if any, shall be jointly and severally responsible for maintaining all shade trees in good condition, free from refuse, debris, weeds, and undergrowth; except as provided in the Salisbury Township Subdivision and Land Development Ordinance. Any shade tree must be replaced within one hundred twenty (120) days if such tree dies or becomes unhealthy because of accidents, drainage problems, disease, or other causes.

3. If any property owner neglects or refuses to trim any shade tree as required by this Ordinance upon notice by mail from the Township within the time limit specified on the notice, the Township may cause such trimming to be done at the expense of the owner and the entire cost thereof shall be paid by the property owner within sixty (60) days. If not paid by the property owner within sixty (60) days, a lien upon such premises and a claim therefore shall be filed and collected by the Township Solicitor in the same manner as municipal claims are filed and collected.

C. Liability for Damage

Any person who inflicts damage to a shade tree in a public right of way, either willfully or negligently, shall be liable to the Township for costs of professional care in the treatment of the tree wounds. If the tree dies within one (1) growing season as a direct result of such damage, or if the damaged tree shall be rendered unsuitable and condemned by the Township, then the person responsible shall pay all costs of removal of such tree and its stump and costs of replacing it with a young tree of approved specifications. Such work shall be performed by the Township or contracted by the Township, and the costs assessed to the responsible person. If the damage described above shall be willful, then the responsible person shall also be subject to the penalties hereinafter provided for violations of this Ordinance.

D. Property Owner's Privilege

Minor tree work may be done by an individual property owner to trees or shrubs planted in the public right of way adjacent to his property, provided he has obtained prior written approval from the Official. The Official shall advise the property owner whether or not the proposed work is minor.

E. Kind and Location of Trees to be Planted Along Streets

In order to secure uniformity and the best results, the species and location of shade trees to be planted in and upon the public streets and highways in the Township shall be subject to the approval of the Township.

Street trees of approved deciduous hardwood varieties shall be planted within the street right-of-way by the property owner. Tree species and spacing for planting shall follow the guidelines of this Section.

1. The shade and street trees shall be planted at minimum intervals of between 30 and 40 feet, depending upon the type of tree.
2. Trees shall be of a nursery stock quality, grown under the same climatic conditions as at the location of the development.
3. All planting shall be performed in conformance with good and accepted nursery and landscape practices.
4. All trees shall be balled and burlapped unless this requirement is waived by the Official, as the case may be, for any specified variety.
5. Trees permitted shall be of symmetrical growth, free of insect, pests and disease.
6. The size of the shade and street trees shall be three to 3 1/2 inches (caliper) measured six inches above the ground level. Trees shall have a minimum of a seven foot single straight stem to the first lateral branches above ground level.
7. In all subdivisions and land developments street trees shall be planted midway between the curb and sidewalk, with a width in accordance with the following standards:

(1) In a 50 foot street right-of-way, with a 10 foot sidewalk area, the planting area is 3 1/2 feet.

(2) In a 60 foot street right-of-way, with a 12 foot sidewalk area, the planting area is 5 1/2 feet.

(3) In a situation where curbing and/or sidewalks are deferred or waived, the street trees shall still be planted in the same intervals as subsections (1) and (2) above, providing for the future installation of curb or sidewalk.

8. The following is a list of trees recommended for planting as shade or street trees between the curb and sidewalk.

(a) Trees recommended for planting strips at minimum spacing of 30 feet between trees. All trees should be of single-stemmed treeform:

Hedge maple – *Acer campestre*.

Kwanzan cherry – *Prunus serrulata* Kwanzan.

Pyramidal singleseed hawthorn – *Crataegus monogyna stricta*.

Rancho Columnar Sargent Cherry – *Prunus sargentii* Rancho.

Tschonoskii crabapple – *Malus tschonoskii*.

Upright European hornbeam – *Carpinus betulus fastigiata*.

Washington hawthorn – *Crataegus phaenopyrum*.

(b) Trees recommended for planting strips at a minimum spacing of 40 feet between trees:

American Sycamore – *Platanus Occidentalis*.

European Hornbeam – *Carpinus Betulus*.

Fraxinus Pennsylvania lanceolata.

Ginkgo – *Ginkgo biloba fastigiata*.

Green Ash (Marshall's seedless type).

Green Mt. Sugar Maple – *Acer Saccharum* Green Mt.

Greenspire Linden – *Tilia cordata* Greenspire.

Hop Hornbeam – *Ostrya Virginiana*.

Katsura Tree – *Cercidiphyllum Japonicum*.

Korean Mountain-Ash – *Sorbus Alnifolia*.

Littleleaf Linden – *Tilia Cordata*.

Pin Oak – *Quercus palustris*.

Red Maple – *Acer Rubrum*.

Red Oak – *Quercus Rubra*.

Scarlet Oak – *Quercus Coccinea*.

Shademaster Thornless Honeylocust – *Gleditsia Triacanthos Inermis*

Shademaster.
Shingle Oak – Quercus Imbricaria.
Skyline Locust – Gleditsia Triacanthos Inermus Skyline.
Sour Gum (Black Tupelo, Black Gum) – Nussa Sylvatica.
Sugar Maple – Acer Saccharum.
White Ash – Fraxinus Americana.
Zelkova – Zelkova Serrata.

(c) *Additional varieties not listed above may be utilized as street trees if the applicant provides adequate reference material or a letter from a registered landscape architect to prove to the satisfaction of the Shade Tree Official, as the case may be, that a substitute would be appropriate, but in no case shall the following species be utilized as street trees:*

Common Name Botanic Name

Boxelder Acer Negundo
Norway Maple Acer Platanoides
Silver Maple Acer Saccharinum
Horsechestnut Aesculus species
Tree of Heaven Tilanthus
Silk Tree or Mimosa Albizia Julibrissin
Catalpa speciosa
Ginko (female) Ginko Biloba
Ihorned Honeylocust Gleditsia triacanthos
Black Walnut Juglans Nigra
Hopa, Eley and Almey and Crabapple
Malus Hopa, Eley, Almey
Mulberry Morus species
Plane Tree or Sycamore Plantanus species
Black Locust Robinia Pseudoacaia
Willows Salix species
Regent Scholartree Sophora Japonica
European Mountain Ask Sorbus Aucuparia
American Elm Ulmus Americana
Birch Betula species
Lussian Olive Elaeagnus species
Osage Orange Macluna Pomifera
Apple Malus Pumila
Poplar, Aspen Poplus species
Coniferous Order Coniferates ord.
Fruit Trees
Dogwood
Thorned Trees
Crimson Cloud hawthorn – Crataegus osyacantha Crimson Cloud.
Bradford Callery Pear – Pyrus Calleryana Bradford.
Chinese Elm.
Sawtooth Oak – Quercus Acutissima.

SECTION VI. TREES ON PRIVATE PROPERTY

Any tree or parts thereof growing upon private property, but overhanging or interfering with the use of any street, highway, avenue or any public right of way in the Township, and which, in the opinion of the Township, endangers the life, health, safety or property of the public, is hereby declared a public nuisance.

If the owner of any shade tree declared to be a public nuisance neglects or refuses to correct or remove the shade tree upon notice by mail from the Township within the time limit specified on the notice, the Township may cause such correction or removal to be done at the expense of the owner, and the entire cost thereof shall be

paid by the property owner within sixty (60) days. If not paid by the property owner within sixty (60) days, a lien upon such premises and a claim therefore shall be filed and collected by the Township Solicitor in the same manner as municipal claims are filed and collected.

**SECTION VII. COMPLIANCE WITH ZONING ORDINANCE AND
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

All planting of shade trees in the public right of way shall be in compliance with the Salisbury Township Zoning Ordinance and the Salisbury Township Subdivision and Land Development Ordinance or any amendments thereto.

SECTION VIII. PENALTY

Any person violating any provisions of this Ordinance shall be fined not more than Five Hundred (\$500.00) Dollars or imprisoned not more than ninety (90) days, or both.

SECTION IX. RIGHT TO APPEAL

Any person aggrieved by a notice, determination, refusal, act or failure to act issued, taken or omitted under this Ordinance shall have the right to a hearing at a regular meeting to be held by the Board of Commissioners, which hearing shall be held pursuant to the First Class Township Code. In the event of a notification for the proposed planting, replanting or removal, in whole or in part, of any shade tree, notice shall be provided as required by the First Class Township Code. In all other cases, notice of the time and place of the meeting at which said hearing shall occur shall be given according to law. In all cases, the aggrieved party shall be given personal notice by regular mail of the date, time and place of the meeting, which notice shall generally specify the rights granted to the party under law. Any person aggrieved by a decision of the Board of Commissioners shall have the right to further appeal said decision to the Court of Common Pleas of Lehigh County within thirty (30) days of the date of said decision. Should no appeal be filed, the cost of the work and any penalty imposed by the Official shall be certified by the Official and to the Board of Commissioners to be thereafter filed as a municipal lien as set forth in this Ordinance and as provided by law.

SECTION X. MISCELLANEOUS PROVISIONS.

A. Rules of Interpretation. *The use of the singular shall include the plural. The use of headings is for convenience only.*

B. Severability. *The Sections of this Ordinance are severable, and if any section or part thereof is found to be unconstitutional or unenforceable, then such finding shall not affect the validity of the remaining sections or parts.*

C. Repeal of Conflicting Ordinances. *The within Ordinance supersedes and repeals all former and/or prior Ordinances or parts thereof which conflict, or are in any way inconsistent, with the provisions of this Ordinance and, to the extent that any prior or existing Ordinances of Salisbury Township are inconsistent with the terms of the within Ordinance, said inconsistent Ordinances, or portions thereof, are hereby expressly repealed.*

E. Effective Date. *This Ordinance shall be immediately upon adoption. ORDAINED AND ENACTED into an Ordinance this 24th day of June, 2010 at a duly advertised, noticed, published and lawfully assembled regular public meeting and hearing.*

Ms. Sopka noted that she deleted some of the recommended shade trees from the original list because after further review, they were considered invasive.

Commissioner Brown stated that part of the Motion would be to approve the ordinance with the deletion of the five shade trees.

Motion by Commissioner Cusick and seconded by Commissioner Martucci to adopt Ordinance 06-2010-559 with the final revisions to the recommended shade tree list.

Roll Call:

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

The Ordinance passed by unanimous vote

RESOLUTIONS

Consideration of a Resolution to appoint Shade Tree Officials

Mrs. Bonaskiewich introduced the Resolution to appoint a Shade Tree Official as required by the Shade Tree Ordinance adopted earlier. Mrs. Bonaskiewich read the Resolution as follows:

“RESOLUTION NO. 06-2010-1359

BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, APPOINTING MR. ALESSANDRO NICOLO AND MS. CYNTHIA SOPKA AS THE TOWNSHIP SHADE TREE OFFICIALS

WHEREAS, the Board of Commissioners desires to appoint both Mr. Alessandro Nicolo and Ms. Cynthia Sopka as the Township Shade Tree Officials for the Township of Salisbury; and

BE IT RESOLVED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, and it is hereby resolved by the same that Mr. Alessandro Nicolo and Ms. Cynthia Sopka as the Township Shade Tree Officials for the Township of Salisbury to enforce and administer the Salisbury Township Shade Tree Ordinance and any shade tree provisions within the Zoning Ordinance and Subdivision and Land Development Ordinance.

APPROVED AND ADOPTED this 24th day of June, 2010 at a regular public meeting.”

Motion by Commissioner Cusick and seconded by Commissioner Ackerman to adopt Resolution No. 06-2010-1359 as read. Roll Call:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES

COMMISSIONER MARTUCCI-YES
COMMISSIONER CUSICK-YES
COMMISSIONER BROWN-YES

The Resolution passed by unanimous vote

Consideration of a Resolution to Dispose of Township-Owned Real Estate property at Wayne Avenue

Mrs. Bonaskiewich introduced the Resolution that would authorize the Township Manager to dispose of a Township-owned tract on Wayne Avenue.

RESOLUTION NO. 06-2010-1362

BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING THE DISPOSITION OF TOWNSHIP-OWNED REAL ESTATE PROPERTY LOCATED ON EAST WAYNE AVENUE.

WHEREAS, Salisbury Township (hereinafter "Township") presently owns a 20' X 120' feet vacant parcel located on East Wayne Avenue, Salisbury Township, Lehigh County, Pennsylvania and referenced by Tax Parcel Identification Number 641614534308-1 (hereinafter "Parcel"); and

WHEREAS, the Township acquired said Parcel in 1969 for the sum of \$160.00 from the Lehigh County Tax Claim Bureau; and

WHEREAS, the Township has no purpose for or intention or desire to use or build upon said Parcel.

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 to authorize the Township Manager to dispose of the aforementioned Parcel in accordance with the First Class Township Code of the Commonwealth of Pennsylvania.

BE IT FURTHER RESOLVED, that, as a courtesy, the Notice to Bid or Notice of Sale shall be provided to all abutting property owners on record at the time such Notice is issued.

DULY ENACTED this 24th day of June, 2010 at a public meeting in the Township of Salisbury.

A discussion ensued about establishing a reserve on the property. Mrs. Bonaskiewich stated that she would have the Township Manager, Randy Soriano, look into putting a reserve on the property before offering it for sale. Attorney Ashley stated that it does not need to be part of the Resolution, but would be one of the terms of the sale agreement.

Motion by Commissioner Cusick and seconded by Commissioner Seagreaves to adopt Resolution No. 07-2010-1359 as read. Roll Call:

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

The Motion passed by unanimous vote

Consideration of a Resolution to request an H2O PA Grant from the Commonwealth Financing Authority, authorizing the Township Manager to execute all documents and agreements, and to provide for a 50% match commitment for the Flexer Avenue Water Line and Road Reconstruction Project

Mrs. Bonaskiewich stated that this Resolution would authorize the Township to submit a Grant under the H2O PA Grant program.

“SALISBURY TOWNSHIP
Lehigh County, Pennsylvania

RESOLUTION 06-2010-1360

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA REQUESTING AN H2O PA GRANT, AUTHORIZING THE TOWNSHIP MANAGER TO EXECUTE ALL DOCUMENTS AND AGREEMENTS FOR THE GRANT, AND TO PROVIDE FOR A FIFTY PERCENT (50%) MATCH COMMITMENT TO UNDERTAKE THE PROJECT KNOWN AS THE FLEXER AVENUE WATER LINE AND ROAD RECONSTRUCTION PROJECT

WHEREAS, the Township of Salisbury, Lehigh County, Pennsylvania, desires to undertake the project known as the Flexer Avenue Water Line and Road Reconstruction Project.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania that the Township of Salisbury hereby requests an H2O PA Grant of \$1,000,000 from the Commonwealth Financing Authority to be used for the Flexer Avenue Water Line and Road Reconstruction Project over a period of three (3) years.

BE IT FURTHER RESOLVED, that should the Township of Salisbury be awarded said Grant, it hereby agrees to a fifty (50%) percent match commitment in the amount of Five Hundred Thousand Dollars (\$500,000) over a period of three (3) years toward the total project cost of the Grant Program.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Salisbury Township hereby designates Randy Soriano, Township Manager, as the official to execute all documents and agreements between the Township of Salisbury and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

DULY ADOPTED this 24th day of June, 2010, by the Board of Commissioners of Salisbury Township, Lehigh County, Pennsylvania in a lawful session duly assembled.”

Mr. Tetterer explained that the H2O PA Grant program covers upgrades on storm sewer and water lines, as well as sanitary facilities. He noted that the program has \$180,000,000.00 leftover from last year, and it covers any project that began after January 1, 2009. He stated that it is a matching grant, which means the Commissioners would have to agree that over the next three years, the Township would match the amount of the grant.

Commissioner Cusick inquired if the grant will retroactively pay for the waterline on Filbert Street. Mr. Tetterer replied that it would not because those funds were part of the stimulus program that was going on at that time.

Mr. Tetterer stated that while he does not know the full cost of the Flexer Ave improvements, he believes it will be at least \$1,000,000.00 in road and waterline construction.

Commissioner Martucci inquired as to who writes the grant and who applies for it. Mr. Tetterer stated that Keystone Consulting Engineers is writing the grant, but the Township applies for it.

Commissioner Ackerman asked if the \$500,000.00 was already accounted for in the Township's budget. Mr. Tetterer and Mrs. Bonaskiewich both replied that there are funds budgeted for the Flexer Avenue waterline project in 2010.

Motion by Commissioner Cusick and seconded by Commissioner Martucci to adopt Resolution No. 06-2010-1360 as read. Roll Call:

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

The Resolution passed by unanimous vote

Consideration of a Resolution to request an H2O PA Grant from the Commonwealth Financing Authority, authorizing the Township Manager to execute all documents and agreements, and to provide for a 50% match commitment for the Salisbury Township H2O Sanitary Sewer Rehabilitation Project

Mrs. Bonaskiewich introduced the Resolution to submit a Grant under the H2O PA grant Program for Sanitary Sewer Rehabilitation Program:

*“ SALISBURY TOWNSHIP
Lehigh County, Pennsylvania*

RESOLUTION 06-2010-1361

*A RESOLUTION BY THE BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY,
PENNSYLVANIA REQUESTING AN H2O PA GRANT,
AUTHORIZING THE TOWNSHIP MANAGER TO EXECUTE
ALL DOCUMENTS AND AGREEMENTS FOR THE GRANT,
AND TO PROVIDE FOR A FIFTY PERCENT (50%) MATCH
COMMITMENT TO UNDERTAKE THE PROJECT KNOWN AS
THE SALISBURY TOWNSHIP H2O PA SANITARY SEWER
REHABILITATION*

WHEREAS, the Township of Salisbury, Lehigh County, Pennsylvania, desires to undertake the project known as the Salisbury Township H2O PA Sanitary Sewer Rehabilitation.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania that the Township of Salisbury hereby requests an H2O PA Grant of \$500,000 from the Commonwealth Financing Authority to be used for the Sanitary Sewer Rehabilitation Project over a period of three (3) years.

BE IT FURTHER RESOLVED, that should the Township of Salisbury be awarded said Grant, it hereby agrees to a fifty (50%) percent match commitment in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) over a period of three (3) years toward the total project cost of the Grant Program.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Salisbury Township hereby designates Randy Soriano, Township Manager, as the official to execute all documents and agreements between the Township of Salisbury and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

DULY ADOPTED this 24th day of June, 2010, by the Board of Commissioners of Salisbury Township, in a lawful session duly assembled."

Mr. Tetterer stated that it is the same grant proposal as the previous one, but the difference is that this one has to do with the inspection and infiltration upgrades for the sanitary sewer lines. He noted that it has a very good chance of being approved because the Township is under an order from the Environmental Protection Agency to do the work, and these grants are specifically written to say that those types of orders (court orders, EPA orders, etc.) get priority.

The Board agreed that it was a great opportunity for the Township.

Motion by Commissioner Cusick and seconded by Commissioner Ackerman to adopt Resolution No. 06-2010-1361 as read. Roll Call:

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

The Resolution passed by unanimous vote

MOTIONS

None

COURTESY OF THE FLOOR

Commissioner Cusick asked for an update on the Police Department renovations. Chief Stiles stated that the elevator is installed and will be operational once the generator is functional. He also stated that they are putting in new ramps and steps, and have started work on the parking lot for the District Justice's office.

Commissioner Seagreaves commended the Police Department's handling of the situation on East Tioga Street on Saturday, June 19th.

Commissioner Brown noted that the Walking Purchase Park clean up event is scheduled for June 26th. He also commented that the Environmental Advisory Council is coming along very well and they are getting a lot of participation and interest from the residents.

ADJOURNMENT

Commissioner Brown adjourned the Meeting. The time was 7:55 p.m.