

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**MINUTES FROM THE BOARD OF COMMISSIONERS
REGULAR MEETING – 7:00 PM
September 9, 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
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

President Brown 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.

APPROVAL OF BILLS PAYABLE

Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to approve the list of Bills Payable for the period 8/21/2010 through 9/3/2010.

Roll Call vote:

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

The Motion passed by 5-0

MINUTES

August 26, 2010

Commissioner Brown declared the August 26, 2010 Board of Commissioners Regular Meeting Minutes approved as presented.

OLD BUSINESS

Commissioner Seagreaves announced that he had received a letter from Edward Hare, 1660 Bobalew Court (2nd ward), expressing an interest in being appointed to the Zoning Hearing Board.

Motion by Commissioner Seagreaves, seconded by Commissioner Cusick, to recommend Mr. Edward Hare for appointment to the Zoning Hearing Board.

Roll Call vote:

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

The Motion passed by 5-0

Mr. Edward Hare was unanimously appointed to the Zoning Hearing Board for the duration of the term that will expire 1/1/2012. A welcome letter will follow.

NEW BUSINESS

None

ORDINANCES

None

RESOLUTIONS

None

MOTIONS

Consideration of a Motion to ratify the updated Recreation Advisory Committee Bylaws.

Mr. Soriano stated that the Recreation Advisory Committee amended their Bylaws to guide them in their affairs. They have incorporated functions that were initially bestowed to the Committee when the Board, by Resolution, created the Committee. One of the clauses allowed the Recreation Advisory Committee to promulgate rules and regulations to govern their affairs. The revised Bylaws need to be ratified. Mr. Soriano briefly highlighted the sections of the Bylaws.

***SALISBURY TOWNSHIP
Lehigh County, Pennsylvania
RECREATION ADVISORY COMMITTEE
BY-LAWS***

NAME

The name of the Advisory Committee in accordance to its enactment by the Board of Commissioners, hereinafter "Board" is the Salisbury Township Recreation Advisory Committee, hereinafter "Committee".

MEMBERSHIP

The membership of the Committee shall consist of five (5) members appointed by the Board.

The term of members appointed to the Committee shall be for five (5) years, except the term of members first appointed shall be fixed so no more than two (2) members shall be reappointed or replaced during any future calendar year. All persons appointed to the Committee shall serve until the Board duly appoints their successors.

The Committee members will remain in good standing if they attend a simple majority of meetings and events each year. Members must notify the Chairperson in the event the individual is unable to attend a meeting prior to the start of the meeting. This will be deemed an excused absence and will not be considered as a missed attendance.

A member who misses more than 50% of the scheduled meetings shall be considered to be not in good standing. Failure to remain in good standing shall result in an advisory letter to the Board. The Board shall advise the Committee of its action,

DUTIES OF THE COMMITTEE

The Committee shall:

- *Recommend to the Board and the Township Manager recreational programs to embrace the interest of all age groups in the Township.*
- *Recommend to the Board and the Township Manager the number of personnel instructors and leaders necessary to carry out said program. (Note: The Board and Township Manager shall hire a Recreational Director who will be responsible for implementing the programs and selecting the appropriate staff to carry out the recreational programs.)*
- *Inspect all Township Parks and recreation facilities during the year and prepare an annual list of improvements.*

DUTIES OF THE CHAIRPERSON:

The Chairperson shall:

- *Preside over all meetings of the Committee and conduct the affairs of the Committee.*
- *Execute the policies of the Committee as established by the Board and/or the Committee.*
- *Be responsible to prepare the monthly agenda*
- *Call special meetings as may herein be provided.*
- *Appoint all special Committees unless otherwise ordered.*
- *Perform such other duties as may be prescribed by action of the Committee*

DUTIES OF THE VICE-CHAIRPERSON

The Vice-Chairperson shall:

- *In the absence of the Chairperson, perform the Chairperson's duties.*
- *The Vice Chairperson will have other such duties as from time to time may be assigned by the Committee/*

DUTIES OF THE SECRETARY

The Secretary shall:

- *Keep records of the proceedings of all regular and special meetings of the Committee.*
- *Record the activities of the Committee and maintain appropriate files.*
- *Transmit a copy of the meeting minutes to the Township Secretary for dissemination to appropriate Township personnel and Committee members.*
- *Conduct the official correspondence of the Committee unless otherwise ordered.*

MEETINGS

Commencing with the month of January, the Committee will meet bi-monthly on the third Monday of the month. Special meetings may be scheduled when deemed necessary.

MEETING NOTICES

Notices of the Committee meeting shall be prepared by the Township and at minimum shall be posted on the Township website and at the Township Municipal Building. Notices will be distributed to members via first class mail and/or email. The Committee may utilize other means to inform the public of its meetings.

RULES

Each meeting shall follow a predetermined agenda prepared by the Chairperson. Robert's Rules of Order/modified shall govern the proceedings.

QUORUM

A majority of Committee members (i.e. three or more) shall constitute a quorum for the transaction of business.

ORGANIZATION

The Committee shall reorganize at the January meeting of each year. The Committee members shall elect a chairperson, Vice Chairperson and a Secretary.

ORDER OF BUSINESS

The order of business/agenda for all regular meetings shall be as follows:

*Roll Call
Pledge of Allegiance
Introduction of Guests/Speakers
Changes to Agenda
Special Presentations
Approval of the Minutes
Old Business
New Business
Public Comments
Member reports
Agenda for Next Meeting
Adjournment*

AMENDMENT OF BYLAWS

The bylaws may be amended by the Committee by a super majority of the existing members at a regular meeting and upon ratification by the Board.

Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to ratify the Recreation Advisory Committee Bylaws.

Roll Call vote:

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

The Motion passed by 5-0

Motion to approve Final Payment of \$15,192.73 to Imperial Excavating & Paving, LLC for the Barnsdale Road Storm Sewer Replacement Project.

Mr. Soriano noted that with this payment the project will be closed out and the appropriate Maintenance Agreements will be requested.

Motion by Commissioner Cusick, seconded by Commissioner Martucci, to approve Final Payment of \$15,192.73 to Imperial Excavating & Paving LLC for the Barnsdale Road Storm Sewer Replacement Project.

Roll Call vote:

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

The Motion passed by 5-0

Motion to consider the Recreation Advisory Committee recommendations with regards to Green Acres Park.

Mr. Soriano noted that the Board should review the recommendations brought forth from the Recreation Committee and apply them in their decision concerning the request by several property owners to take down the rims of several basketball courts at Green Acres Park. Mr. Soriano noted that the Board should consider each recommendation and vote after receiving public input. Mr. Soriano noted that decisions to alter recreational facilities should be based on tangible recreational needs and not on user behavior.

Commissioner Brown thanked the Recreation Advisory Committee for their efforts in developing the recommendations.

*Recreation Advisory Committee
Subject: Green Acres Park Recommendations*

In response to the request made by the Commissioners during their July 8, 2010, regular meeting, the Recreation Advisory Committee has developed the following six recommendations for the Commissioners to consider:

Recommendation #1: *Consistent with the language found in Ordinance 08-2009-549, all Township parks should be described as public parks, as the entire township pays the taxes that are applied uniformly to all of the parks, and, as public parks, all are open for use by all Township residents and other visitors.*

Motion by Commissioner Cusick, seconded by Commissioner Seagreaves, to accept Recommendation #1.

Roll Call vote:

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

The Motion passed by 5-0

Recommendation #2: Signs with the below wording should be conspicuously posted at all entrances and other prominent areas within all Township public parks. The specific locations of placement will be determined during the committee's next park inspections, which are September 14th and September 16th. These signs should be worded as follows:

Welcome To Our Park

Park Hours: opens half-hour after sunrise and closes half-hour after sunset.

Prohibited in all Salisbury Township Parks:

1. *Disorderly Conduct*
2. *Alcoholic Beverages*
3. *Animals**
4. *Littering*
5. *Vandalism*
6. *Motorized Vehicles*
7. *Bicycles, Roller Blades, Skate Boards*
8. *Open Fires*
9. *Golfing*
10. *Amplification Devices*

Salisbury Township Ordinance 08-2009-549

**Note: For the signs that would be placed at Franko Farm Park, since leashed dogs are permitted there, item 3 would be changed to "Animals other than Properly Leashed Dogs."*

Motion by Commissioner Cusick, seconded by Commissioner Martucci, to accept Recommendation #2

Roll Call vote:

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

The Motion passed by 5-0

Recommendation #3: A sign with the below wording should be conspicuously posted at all entrances and other prominent areas within all Township public parks. The specific locations of placement will be determined during the committee's next park inspections, which are September 14th and 16th. The preliminary locations identified for Green Acres Park would be

behind each bench and back-to-back on the fence between the upper and lower courts. These signs should be worded as follows:

Basketball - Open Court Rules

1. *Play Is Limited to One Hour or One Game If Others Are Waiting to Play.*
2. *Courts Must Be Yielded to Groups with Permits.*
3. *No Foul Language.*
4. *No Littering.*
5. *No Hanging on the Basketball Rims, Nets or Backboards.*
6. *Strict adherence to all Park Regulations in accordance with Salisbury Township Ordinance 08-2009-549.*

Anne Vaughan of 2908 Greenbriar Lane stated that by passing this Motion, the Board would be “micromanaging a basketball game.” She stated that the players make their own rules while they are playing. Commissioner Brown responded that the one hour limit is so that one group would not dominate the courts.

Jerry Collins of 1040 Hawthorn Road questioned if permits can be issued for the basketball courts. Ms. Gennie Baillie, Recreation Director, stated that permitting is brand new and if Hamilton Park and/or Salisbury Youth Association would want to reserve a court, they can do so.

Commissioner Ackerman inquired as to how Recommendation #3 will be enforced. Commissioner Martucci commented that the players will do it themselves. Commissioner Brown stated that it is a “common sense” rule.

Motion by Commissioner Cusick, seconded by Commissioner Seagreaves, to accept Recommendation #3.

Roll Call vote:

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

The Motion passed by 5-0

Recommendation #4: *Establish a full-time police officer that would be seasonally dedicated to the patrol of all Township parks and adjacent areas to ensure consistent enforcement of all park rules as well as all traffic and parking regulations in areas surrounding the park.*

Commissioner Ackerman asked what the cost would be to have a full-time police officer dedicated to the parks. Commissioner Brown commented that he thought it would be costly because the Township would pay for an additional officer just to patrol the parks.

Commissioner Ackerman stated that the City of Allentown has a retired officer patrol the parks on a part-time basis, and she inquired if it would be possible for Salisbury Township to do the same. Mr. Soriano noted that the idea was to have a dedicated, full-time officer in addition to what the Township already has, so the Board would have to supplement the budget by the amount it would cost for an additional officer.

Commissioner Martucci questioned Chief Stiles if the police would still patrol the area without an additional officer. Chief Stiles responded that they would patrol the parks as much as possible. He also noted that the increase of police presence this summer only produced parking tickets.

Motion by Commissioner Cusick, seconded by Commissioner Martucci, to deny Recommendation #4.

Roll Call vote:

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

The Motion denied by 5-0

***Recommendation #5:** Perform a usage study of the courts between May and August 2011 to determine and re-evaluate the needs of the basketball facilities at the park.*

A resident in the audience inquired as to when and how the feasibility study would be done. Commissioner Brown stated that it should be done in May or June of next year because the season is now winding down. The resident stated that he does not think a study would accurately portray the traffic in the park, and suggested putting in a camera.

Commissioner Ackerman requested to start the study in April instead of May.

Mr. James Kernan of 2603 Green Acres Drive stated that the Township should have a person monitoring the park during the hours of operation.

Commissioner Brown stated that he would like an update each month from the Recreation Committee to evaluate the situation.

Motion by Commissioner Cusick, seconded by Commissioner Martucci, to perform a usage study of the basketball courts from April to August 2011.

Roll Call vote:

COMMISSIONER ACKERMAN -YES
COMMISSIONER SEAGREAVES-YES
COMMISSIONER MARTUCCI-YES

COMMISSIONER CUSICK-YES
COMMISSIONER BROWN-YES

The Motion passed by 5-0

Recommendation #6: Perform a feasibility study for the incorporation of a small off-street parking area to alleviate the present on-street parking situation.

Commissioner Ackerman inquired as to the cost and size of a possible parking lot. Mr. Andreas stated that it would be established after the study.

Several residents in the audience stated that they are opposed to a parking lot because they do not feel there is enough room.

A short discussion ensued on who would do the parking study.

Motion by Commissioner Cusick, seconded by Commissioner Martucci, to deny Recommendation #6.

Roll Call vote:

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

The Motion denied by 5-0

COURTESY OF THE FLOOR

Commissioner Ackerman stated that she would like to decide on a consequence for violating one of the rules on the sign. Chief Stiles stated that the penalties are already in the Ordinance and they could post the consequences on the signs. Chief also stated that the rules for the courts are unenforceable by law enforcement, but the rules on the other sign are per the Ordinance.

Betty Collins of 1040 Hawthorn Road stated that children in the Saddle Brook development use Green Acres Park and she requested that the courts not be taken away from the kids. She suggested repairing the courts at Lindberg Park to alleviate the traffic at Green Acres. Ms. Collins commended the police for their patrolling efforts.

Commissioner Cusick questioned if there was room for additional courts at Lindberg Park. Mr. Andreas stated that a new area would have to be identified.

Mr. Soriano suggested that the Recreation Committee use the Open Space Park Plan to develop a usage-need study.

Keith Bauer of 2749 Andrea Drive presented pictures of the garbage at Green Acres Park that he alleged was there before the opening of the park in April. He also presented the Board with a petition to remove four rims on a trial basis of one year.

A resident in the audience expressed concerns about taking away recreation from children. He stated that with the growth of the Township, there should be more recreation available, not less.

Bob Kulp of 928 Beverly Drive stated that taking away the courts would only punish the children and local residents. He suggested removing some of the trees in the park that make it easier for illegal activity to take place and obstruct the view of law enforcement.

James Stinner of 2510 Green Acres Drive requested that the Township fix the courts at Lindberg Park. He also thanked the Board for denying the parking lot study.

Brian Collins of 1040 Hawthorn Road stated that he has played basketball there his entire life and noted that there are problems at the courts, but taking away the rims will not fix them. Mr. Collins stated that cursing is a way that people express themselves now, which is a generational difference. He commented that people are not trying to offend others by using slag terms; they just do not know how to verbally communicate their feelings.

Jane Benning of 3111 Douglas Road questioned who would be paying for the feasibility studies. Commissioner Martucci stated that there should be no cost associated with the studies because the members of the Recreation Committee are volunteers.

Ms. Benning asked how many police officers are on duty at one time. Chief Stiles stated that on average, three officers are on at one time. Ms. Benning expressed concerns about the officers having to patrol the South Mall and Lehigh Valley Hospital since they have their own security staff. Chief responded that the security personnel are not able to make arrests.

Ms. Benning questioned if the names of complainants are given out to violators. Chief responded that it is their policy not to give out names, but pursuant to the Right-to-Know Law, there is a way for people to find out who complained.

Commissioner Seagreaves thanked both sides of the Green Acres issue for expressing their opinions. He stated that the Board is trying to come to come up with a resolution for the entire Township, not just one group of people.

Commissioner Ackerman asked if the Board will look into fixing the courts at Lindberg Park. Commissioner Brown stated that he would like to take a consensus of the Board and put the Lindberg Park issue on the workshop agenda. Mr. Soriano noted that there is room in next year's budget if the Board decides to fix the courts. He suggested doing a Master Site Plan of the parks to look at the long-term needs of the community.

Mr. David Tettermer, Township Engineer, stated that PennDot has revised some requirements they had for Liquid Fuels to be used for the Flexer Avenue Roadway Project. He noted that it is

just a clarification issue and some wording has to be changed. He stated that he has been in contact with the Township Solicitor, John Ashley, and Attorney Ashley is satisfied with it.

Chief Stiles stated that the Police Department has received two new vehicles and he will make them available for viewing if anyone is interested.

ADJOURNMENT

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