

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA**

**MINUTES FROM THE BOARD OF COMMISSIONERS  
REGULAR MEETING – 7:00 PM  
December 22, 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:**

James Brown, President  
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-Excused  
Sergeant Don Sabo  
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, which 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 FINANCIAL REPORT AND BILLS PAYABLES**

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to approve the unaudited Financial Report, for the period ending November 30, 2010 and the list of Bills Payable for the period 12/4/2010 through 12/17/2010.**

**Roll Call:**

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

**The Motion passed by 5-0**

### **MINUTES**

**December 9, 2010**

Commissioner Brown declared the December 9, 2010 Board of Commissioners Regular Meeting Minutes approved as presented.

### **NEW BUSINESS**

### **ORDINANCES**

**Consideration of an Ordinance setting and reaffirming the rates of taxation, fixing the tax rate for the year 2011 and appropriating specific sums estimated to be required for specific purposes of the Township government during the fiscal year.**

Mr. Soriano noted that in accordance with the Township Code, the Board needs to adopt an Ordinance each year setting the taxation levels for funding in the yearly budget. He stated that unless the Board decides to further increase General Fund taxes to cushion the anticipated 1.7 million dollar deficit that is likely to utilize reserves to balance the budget, the General Fund tax rate will remain at 2010 levels (3.09 mills). Mr. Soriano commented that the only change is the proposed .06 mills increase for the Fire Tax from .24 to .30 mills. The Library Tax remains at .018 mills, for a total millage of 3.57. He stated that the Ordinance, in summary, shows the respective Revenues and Expenses for all of the Township Funds.

Mr. Soriano noted that the Board has discussed whether to purchase a new Fire Truck or refurbish the existing one for the Eastern Salisbury Fire Department. Mr. Soriano stated that the

Board is heading in the right direction in getting more information on the costs, comparing a new one versus refurbishing the current truck. Mr. Soriano noted that the Board does not have to make a hurried decision simply because the budget will be voted on tonight. He noted that the Board can create a \$1 line item and can transfer the funds from the Capital Reserve at any time during the course of the year. He commented that this is a major expense and one that will impact the Township in a big way. Mr. Soriano noted that the Board may amend or revise the rest of the budget as it sees fit.

**ORDINANCE NO. 12-2010-565**

***AN ORDINANCE OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, SETTING AND REAFFIRMING THE RATES OF TAXATION, FIXING THE TAX RATE FOR THE YEAR 2011 AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE TOWNSHIP GOVERNMENT DURING THE CURRENT FISCAL YEAR.***

*WHEREAS, Article XVII, Section 1701 et seq. of the First Class Township Code, P.L. 1955, No. 569, as amended, requires that the Board of Commissioners shall, inter alia, prepare and adopt a budget which shall reflect, as nearly as possible, the estimated revenues and expenditures of the Township for the year for which the budget is prepared; and*

*WHEREAS, the tax levied by the Board of Commissioners shall be fixed at such figure within the limit allowed by law, as with all other sources of revenue that will meet and cover said appropriations; and*

*NOW, THEREFORE, BE IT ORDAINED and enacted, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania.*

*SECTION 1: That for the expenses of the Township for the fiscal year 2011 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form on file in the Township Secretary's Office.*

*2011 Adopted Budgets*

**GENERAL FUND**

Revenue .....	\$6,651,000
Expenditures:	
Operating Expenditures:	
General Government .....	\$ 922,500
Police .....	\$1,540,200
Fire .....	\$644,400
Protective Inspections .....	\$112,400

Planning & Zoning .....	\$170,000	
Solid Waste Collection .....	\$1,571,500	
Highways & Public Works .....	\$1,301,300	
Recreation .....	\$64,300	
Debt Service .....	\$394,800	
Benefits, Insurance, & Misc.....	\$1,680,300	
Total Operating Expenditures .....		\$8,401,700
Total Capital Expenditures.....		\$175,000

**FIRE PROTECTION FUND**

Revenue .....		\$ 820,300
Operating Expenditures .....		\$187,300
Capital Expenditures.....		\$640,000

**WATER FUND**

Revenue .....		\$1,400,900
Operating Expenditures.....		\$1,439,600
Capital Expenditures.....		\$330,000

**SEWER FUND**

Revenue .....		\$1,368,100
Operating Expenditures .....		\$1,630,700
Capital Expenditures.....		\$550,000

**HIGHWAY AID FUND**

Revenue .....		\$309,400
Operating Expenditures .....		\$229,000
Capital Expenditures.....		\$590,000

Further, in instances where expenditures exceed current year revenues, such expenditures shall be funded from the Fund Balance to cover such expenditures.

An estimate of the specific items making up the amount appropriated to the respective Departments shall be on file in the Office of the Township Manager, 2900 South Pike Avenue, Allentown, Pennsylvania.

SECTION 2: That a tax shall be and the same is hereby levied on all real property within the said Township subject to taxation for Township purposes for the fiscal year 2011, as follows:

The rate for general Township purposes, the sum of three and nine one hundredths (3.09) mills on each dollar of assessed valuation, or the sum of thirty point nine cents on each one hundred dollars of assessed valuation.

For fire protection purposes, the sum of thirty one hundredths (0.30) mills on each dollar of assessed valuation, or the sum of three cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form, as follows:

	<u>Mills on Each Dollar of Assessed Valuation</u>	<u>Cents on Each \$100 of Assessed Valuation</u>
Tax Rate for General Township Purposes	3.09 Mills	30.9 cents
Tax Rate for Fire Protection Purposes	<u>0.30 Mills</u>	<u>3.0 cents</u>
	3.39 Mills	33.9 cents

*A discount of two percent (2%) of the amount of any tax levied on real property under this Ordinance shall be allowed at the time of payment if said tax is paid in full on or before May 31, 2011 and a penalty equal to ten percent (10%) of the amount of any such tax levied on real property under this Ordinance shall be added to the amount of said tax and shall be payable if said tax is not paid in full on or before July 31, 2011.*

*SECTION 3: That the tax levy of one percent (1%) presently imposed upon salaries, wages, commissions and other compensation earned by residents of the Township of Salisbury and earned in the Township by non-residents thereof, and the one percent (1%) tax presently levied upon the privilege of transferring or conveying, by deed or other document, any interest in any lands, tenements, or hereditaments in or partly in the Township of Salisbury, be, and they are, hereby enacted and levied, without change, for the year 2011.*

*SECTION 4: Any Ordinance or part of an Ordinance inconsistent or conflicting with this Ordinance or any part thereof is hereby repealed to the extent of such inconsistency or conflict.*

Mr. Soriano reiterated that the Township needs to increase revenue instead of using the reserve fund to balance the budget. He stated that the Township can do this by either cutting services or raising taxes. A discussion ensued about raising the tax rate for 2011. Commissioner Seagreaves stated that he would like to raise the tax rate by .25 mills, which would generate approximately \$100,000 in revenue, and impact the average resident by approximately \$20 per year.

Attorney Ashley stated that it is too late to advertise a change in the tax rate before the end of the year.

Commissioner Brown inquired if it would be possible to pass the motion and then amend it in the New Year. Mr. Soriano stated that it is not possible to open the budget.

**Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to adopt an Ordinance setting and reaffirming the rates of taxation, fixing the tax rate for the year**

**2011 and appropriating specific sums estimated to be required for specific purposes of the Township government during the fiscal year.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-NO  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-NO  
COMMISSIONER BROWN-YES

**The Motion passed by 3-2**

**Consideration of an Ordinance amending Code of Ordinances Ch. 16, Part 1 – Changing the Parks Schedule and adding rules and regulations for trails at Walking Purchase Park.**

Mr. Soriano stated that at the last work session the Board engaged in a productive meeting with the many mountain bikers who were present to address the proposed rules for the Walking Purchase Park. Mr. Soriano noted that the process undertaken in order to compile and draft this Ordinance was an open process, involving many individuals, bikers, police and other safety personnel. He noted that it is safe to state that the adoption of this Ordinance will not cause any additional meetings that are so often the result of not including the constituents who will be impacted the most.

Mr. Soriano commented that bottom-down approach has worked well in this instance and he believes that the proposed rules strike a good balance for allowing or memorializing these types of activities that are currently going on at the park. Mr. Soriano stated that he fully supports these changes.

***ORDINANCE NO. 12-2010-564***

***AN ORDINANCE BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA AMENDING §104 and §112 OF CHAPTER 16 OF THE CODE OF ORDINANCES, PART 1, ENTITLED “USE OF PUBLIC PARKS AND PLAYGROUNDS” TO CHANGE THE PARKS SCHEDULE AND TO ADD RULES AND REGULATIONS GOVERNING THE MULTI-USE TRAILS AT WALKING PURCHASE PARK.***

*\*Deletions are Strikethrough*

*\*Additions-Bold-Underlined language*

*WHEREAS, an extensive Park and Recreational system exists within the Township of Salisbury, Lehigh County, Pennsylvania whereby rules and regulations are necessary to promote public safety and enjoyment of its public playgrounds and recreational areas.*

*NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, after review,*

investigation and study, that Sections 104 and 112 of Chapter 16, Part 1, of the Code of Ordinances, entitled "Parks and Recreation", shall be amended as follows:

**Section 104 shall be amended to read as follows:**

**"§104. Park and Playground Hours.**

*All public parks and playgrounds shall be open only during the period from 1/2 hour after sunrise to 1/2 hour after sunset, and no person shall go into or upon any public park or playground after 1/2 hour after sunset except for special occasions recognized and authorized by a duly authorized Township official or as noted in the additional park regulations in §112 below. The recreation places shall be open to the public from ~~May 1~~ April 1 through ~~October 31~~ November 30 of each year and from dawn till dusk each day. Pavilions shall not be available during the annual summer playground program. The recreation places shall be closed to the public from ~~November~~ December 1 through ~~April~~ March 30 of each year unless specifically stated otherwise in §112. Any person or persons found within said recreation places when same are closed as provided in this Part 1 shall be guilty of violating this Part 1."*

**and Section 112 shall be amended to read as follows:**

**"§112. Rules and Regulations Governing Township Parks and Recreation Areas.**

*The Salisbury Township recreation places are for the benefit and pleasure of the residents of the Township of Salisbury, Lehigh County, Pennsylvania, and all persons who use the said facilities shall be subject to the rules and regulations as set forth below:*

- A. *Any of the listed acts are prohibited within any Salisbury Township park or recreation place unless noted otherwise:*
  - (1) *Committing any disorderly act. A person is guilty of committing a disorderly act if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he/she engages in fighting or threatening, or in violent or tumultuous behavior, makes unreasonable noise, or uses obscene language or makes an obscene condition by any act which serves no legitimate purpose of the actor.*
  - (2) *Consuming any alcoholic beverages.*
  - (3) *Being visibly intoxicated.*
  - (4) *Carrying, setting off, or discharging any firearms, air rifles, air pistols, slingshots or fireworks, including sparklers.*
  - (5) *Throwing or propelling stones or missiles of any kind.*
  - (6) *Permitting animals of any kind to be within such recreation places, whether or not under control or leash, unless otherwise posted.*
  - (7) *Littering, throwing, depositing or draining any offensive or unwholesome substances or liquids of any kind.*
  - (8) *Writing, painting, carving, or otherwise defacing or disfiguring any tree, bench, structure or notice posted within the recreation places.*
  - (9) *Operating a licensed motorized vehicle on other than the paved roadways of parking areas of said recreation places. On-street parking prohibitions shall be strictly adhered to.*

- (10) *Operating a licensed motorized vehicle on the paved roadways or parking areas of said recreation places at a speed in excess of 10 miles per hour.*
- (11) *Operating a bicycle, skateboarding, or rollerblading in playground areas or operating an unlicensed motorized vehicle or remote-control planes and/or cars.*
- (12) *Obstructing, in any way, either totally or partially, any of the paths or roadways in said recreation places.*
- (13) *Picking or carrying any flowers, shrubs or trees that are growing or located in the recreation places.*
- (14) *Possessing any axe, saw, picks, shovels, hoes or spades.*
- (15) *Building, starting or lighting any fires, except within the grills provided.*
- (16) *Feeding of any geese or waterfowl or injuring or destroying any wildlife, where applicable.*
- (17) *Hitting or driving golf balls or playing baseball, tennis, football, or any other game or sport at a place not designated for that purpose.*
- (18) *Using any sound-amplification devices, **unless specifically authorized in the permit application for the use of fields.***
- (19) *Erecting any amusement structure, devices or rides.*
- (20) *Washing or repairing of motor vehicles.*
- (21) *Hunting, unless otherwise specified.*

*B. The following additional rules are applicable to the specific parks as noted below:*

- (1) *River Road Park.*
  - (a) *The pavilion shall be reserved to parties not to exceed 15 persons.*
- (2) *Laubach Park.*
  - (a) *The pavilion shall be reserved to parties not to exceed 60 persons.*
- (3) *Franko Farm Recreation Area.*
  - (a) *Pavilion No. 1 shall be reserved to parties not to exceed 40 persons.*
  - (b) *Pavilion No. 2 shall be reserved to parties not to exceed 64 persons.*
  - (c) *Dogs on a leash are permitted.*
  - (d) *Hunting is permitted by permit only during periods as approved by the Township.*

- (4) *Lindberg Park.*
- (a) *The pavilion shall be reserved to parties not to exceed 90 persons.*
- (5) *Devonshire Park.*
- (a) *The pavilion shall be reserved to parties not to exceed 50 persons.*
- (6) *Green Acres Park.*
- (a) *The pavilion shall be reserved to parties not to exceed 40 persons.*
- (b) *Grills shall not be allowed in the park unless approved by the Township.*
- (c) *All garbage shall be disposed of in accordance with §106.*
- (d) *Operating a licensed motorized vehicle on other than the paved roadways or parking areas of said recreation places shall be prohibited. On-street parking prohibitions shall be strictly adhered to.*
- (7) ***Walking Purchase Park***

**The following uses apply at Walking Purchase Park:**

**Allowed Uses/Activities:**

- **Hiking**
- **Bike Riding**
- **Leashed Dogs**
- **Canoeing (In accordance with State Regulations)**
- **Fishing (In accordance with State Regulations)**

**Prohibited Uses/Activities:**

- **Alcohol**
- **ATV'S**
- **Motorized Bikes**
- **Dumping and Littering**
- **Fires, unless camping**
- **Fire Alarms/Target Shooting**
- **Overnight, unless permitted**
- **Paint ball**
- **Removal of any artifacts**
- **Overnight Parking**
- **Soliciting**

**Permits and/or Official Approvals are required for the following activities and/or events:**

- **Camping**
- **Clean-ups**
- **Overnight Stays**
- **Bow Hunting (In accordance with State Regulations)**
- **Junior Hunting with shotgun(In accordance with State Regulations)**
- **Conservation Projects**

- Trail Maintenance
- Trail Construction Projects (in accordance with WPP Master Plan)

The following rules shall apply with respect to the use of the approved singletrack trail system currently at Walking Purchase Park, as shown in the attached Exhibit "A", hereinafter referred as the "Trail".

The approved singletrack trail system is available for allowed uses year round.

Bicycle (Including Mountain Bikes)

All bicycle riders shall obey traffic signs, laws, and control devices regulating the operation, stopping, or parking of vehicles. Bicycle riding will be governed further by safe riding practices and consideration for use of park areas by others. Where special parking provisions have been made for bicycles, parking will be limited to that area. Bicycle riding shall be prohibited: on playgrounds, on maintained park areas, including grass (except as authorized and permitted by the Township), in areas of environmental sensitivity, in special display areas, in pavilion or other monument type structures, in any area where other activities are in progress, or in any area where specifically restricted. Bicycle riding shall only be allowed on the Trail system.

Trail Use and Hours of Operations- The Walking Purchase Park Multi-Use Trail is designated for the enjoyment of all residents and will be open for appropriate use as posted by the Township. Bicycle use is exclusively limited to designated single track trails from dawn until Dusk(or 9/10 p.m. in the Fall and Winter months). Bicyclists are required to use an appropriate frontal light throughout their entire visit in the park after dusk.

Do not cut switchbacks or create new trails. Stunt building or any other trail manipulation is prohibited. Possession of handsaws, chainsaws, loppers, shovels, rakes, or any other trail clearing or building tool or material is prohibited, except for permitted/approved uses.

Visitors assume all risks and must be reasonably prepared and equipped, take reasonable precautions against endangering themselves or others, and must wear appropriate footwear and clothing.

No person may deface, paint, damage, mutilate, or vandalize any natural or cultural object, or any sign or structure within the Walking Purchase Park conservation area. Possession of paint or marking materials, or tampering with, altering, or removing any sign, marker, or structure, is prohibited. Driving nails or permanently installing any object is prohibited.

Visitors are responsible for carrying out all of their refuse (including all wrappers, packaging, bottles, cans, cigarette butts, pet waste, etc.) and are encouraged to reduce, reuse, and recycle these items when possible.

All wildlife, plant life, artifacts and any other natural or man-made features are protected and may not be disturbed or removed (unless regulated with permit). Harassment of wildlife is illegal in Pennsylvania; do not approach, follow or feed wildlife. Releasing or introducing any animal is prohibited. Please leave rocks, wildflowers, and other plants or natural objects as you find them. Do not disturb wetlands or vernal pools. Metal detectors are not allowed.

Registration of Bicycles- In order to compile a list of potential bicycle users of the multi-use trail, the Township shall institute a registration program that will allow Emergency personnel to assemble pertinent information on the users of the Trail. The Township shall not charge a fee for this registration. The Township shall work towards the implementation of an Emergency Evacuation Plan to aid emergency personnel in cases of emergency rescues. The owner(s) of the bicycle(s) shall also be required to sign a Waiver of Liability releasing the Township and other co-owners of the Park

from any liability associated with the use of its Trails at Walking Purchase Park for any personal injury, loss, death or property damage, including attorney's fee.

Rules of the Trail-The Township adopts the following rules of the trail, formulated by IMBA, the International Mountain Bicycling Association. These rules are recognized around the world as the standard code of conduct for mountain bikers. IBMA's mission is to promote mountain bicycling that is environmentally sound and socially responsible.

Ride On Open Trails Only. Respect trail and road closures - ask if uncertain; avoid trespassing on private land; obtain permits or other authorization as may be required. The way you ride will influence trail management decisions and policies.

Leave No Trace. Be sensitive to the dirt beneath you. Recognize different types of soils and trail construction; practice low-impact cycling. Wet and muddy trails are more vulnerable to damage. When the trailbed is soft, consider other riding options. This also means staying on existing trails and not creating new ones. Don't cut switchbacks. Be sure to pack out at least as much as you pack in.

Control Your Bicycle! Inattention for even a second can cause problems. Obey all bicycle speed regulations and recommendations.

Always Yield Trail. Let your fellow trail users know you're coming. A friendly greeting or bell is considerate and works well; don't startle others. Show your respect when passing by slowing to a walking pace or even stopping. Anticipate other trail users around corners or in blind spots. Yielding means slow down, establish communication, be prepared to stop if necessary and pass safely.

Never Scare Animals. All animals are startled by an unannounced approach, a sudden movement, or a loud noise. This can be dangerous for you, others, and the animals. Give animals extra room and time to adjust to you. When passing horses use special care and follow directions from the horseback riders - ask if uncertain. Running cattle and disturbing wildlife is a serious offense. Leave gates as you found them, or as marked.

Plan Ahead. Know your equipment, your ability, and the area in which you are riding -- and prepare accordingly. Be self-sufficient at all times, keep your equipment in good repair, and carry necessary supplies for changes in weather or other conditions. A well-executed trip is a satisfaction to you and not a burden to others.

Gear Up. Always wear a helmet and any other appropriate safety equipment for the riding conditions(cell phones, compass, etc...).

Never Ride Beyond Your Abilities. There is no shame in walking sections of the trail you don't feel confident enough to ride, and don't let anybody tell you otherwise.

Use Appropriate Equipment for the Terrain. Some bikes are better for different situations. Just because you can see tire tracks, doesn't mean you can ride it with your bike.

Keep Your Speed In Check. Always keep your speed at a level that will allow you to adjust to any unforeseen obstacles or changes in trail conditions.

Know The Trail. Never push the limits on a trail you are not familiar with. You need to get to know the trail you are riding at slower speeds before you can ride it like the trails you're used to.

Slow Down for Blind Corners. You never know what or who is around a corner when you can't see past it.

Stop and Look. Stop and look at sections of the trail that look like they may pose a challenge before you ride them.

Plan on the Crash. Always look at the consequences of crashing in a particular section or on a particular stunt before trying to ride through it. Sometimes a section can look easy to ride but can have deadly consequences to a crash.

Start Small, Go Big. Work your way up to obstacles and stunts. Find ways to practice moves in less difficult and dangerous situations or at lower speeds before committing yourself to something more dangerous.

Play It Smart. If you think what you are doing is not the smartest, you are probably right. Think about what you are doing and trust your instincts.”

Mr. Soriano stated that there is a registration form which needs to be filled out and signed by all users. He noted that the Township will work closely with the mountain bikers to achieve getting those forms.

Mr. John Eberhard of 1400 Constitution Drive inquired as to the penalty for a violation of the Ordinance. Mr. Soriano stated that if someone violates the rules, the police could, in their discretion, issue a citation. He explained that once the rules are put in an Ordinance, they are subject to enforcement and penalties of the Section. Mr. Soriano noted that the Township will post the rules at access points.

A discussion took place about an online registration system in order to help the permitting process for riders who are out-of-town.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to adopt an Ordinance amending Code of Ordinances Ch. 16, Part 1 – Changing the Parks Schedule and adding rules and regulations for trails at Walking Purchase Park.**

**Roll Call:**

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

**The Motion passed by 5-0**

## **RESOLUTIONS**

**Consideration of a Resolution to commit a portion of the Fund Balance pursuant to Governmental Accounting Standards Board Statement #54 requirements.**

Mr. Soriano stated that the Board discussed at the work session the impact GASB #54 will have on how the Township classifies Fund Balances. He noted that the current classification segregates the fund balance based on the availability of balances for appropriation or on other contractual legal bases. GASB #54 will instead classify the fund balance based on the level of constraints placed on the usage of fund resources.

Mr. Soriano provided an example: federal revenues received into a fund would generally be a restricted *revenue source*. GASB #54 focuses on the revenue source itself, rather than on its availability for expenditure. He also stated that GASB #54 defines specific criteria for the resources that can be reported in each possible fund balance classification, and it is not expected or required that all funds report all possible fund balance classifications.

Mr. Soriano stated that the Board will need to commit amounts (to be determined at a later period) constrained for a specific purpose (i.e. "Committed Fund Balance"). He noted that the Resolution, in spirit, achieves this mandate of GASB #54. The amount committed in this Fund will be for *capital equipment purchases, capital project expenditures, along with funds to be reserved annually for the future purchase of fire equipment.*

**RESOLUTION NO. 12-2010-1374**

**BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, TO COMMIT A PORTION OF THE FUND BALANCE PURSUANT TO GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54 REQUIREMENTS.**

*WHEREAS, the Governmental Accounting Standards Board (GASB) issued Statement No. 54 in February 2009, altering fund balance reporting requirements for municipalities; and*

*WHEREAS, the GASB Statement No. 54 is to be effective for periods beginning after June 15, 2010; and*

*WHEREAS, a requirement of GASB Statement No. 54 is for the Governing Board to take formal action to commit amounts constrained for a specific purpose (i.e. "Committed Fund Balance"); and*

*WHEREAS, the amount committed to such specific purpose can be determined in a subsequent period.*

*NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Salisbury and it is hereby resolved by same that amounts will be included in the Committed Fund Balance for capital equipment purchases, capital project expenditures, along with funds to be reserved annually for the future purchase of fire equipment.*

*APPROVED AND ADOPTED this 22<sup>nd</sup> day of December, 2010 at a regular public meeting.*

**Motion by Commissioner Cusick seconded by Commissioner Seagreaves, to adopt a Resolution to commit a portion of the Fund Balance pursuant to Governmental Accounting Standards Board Statement #54 requirements.**

**Roll Call:**

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

**The Resolution passed by 5-0**

**Consideration of a Resolution to delegate authority to certain individuals to assign Fund Balances as necessary in accordance with Governmental Accounting Standards Board Statement #54.**

Mr. Soriano stated that this sister Resolution authorizes the Township Manager and Assistant Township Manager/Finance Director to classify appropriate amounts under “Assigned Fund Balance”, as necessary. He noted that in due course, the Township will establish policies to govern this mandated assignment of Fund Balances.

*RESOLUTION NO. 12-2010-1375*

***BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, TO DELEGATE AUTHORITY TO CERTAIN INDIVIDUALS TO ASSIGN FUND BALANCES AS NECESSARY IN ACCORDANCE WITH THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54***

*WHEREAS, the Governmental Accounting Standards Board (GASB) issued Statement No. 54 in February 2009, altering fund balance reporting requirements for municipalities; and*

*WHEREAS, the GASB Statement No. 54 is to be effective for periods beginning after June 15, 2010; and*

*WHEREAS, a requirement of GASB Statement No. 54 is for the Governing Board to take formal action to delegate the authority to assign amounts for a specific purpose (i.e. “Assigned Fund Balance”).*

*NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Salisbury and it is hereby resolved by same that Mr. Randy Soriano, Township Manager, and Mrs. Cathy Bonaskiewich, Assistant Township Manager/Finance Director, are authorized to classify appropriate amounts under “Assigned Fund Balance”, as necessary.*

*APPROVED AND ADOPTED this 22<sup>nd</sup> day of December, 2010 at a regular public meeting.*

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to adopt a Resolution to delegate authority to certain individuals to assign Fund Balances as necessary in accordance with Governmental Accounting Standards Board Statement #54.**

**Roll Call:**

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

**The Resolution passed by 5-0**

**Consideration of a Resolution to reduce the police contribution to the pension fund to (1.54%) percent.**

Mr. Soriano stated that since the cost to fund the Police Pension has increased, the Board should establish the proper level of employee contributions that police officers will be required to contribute in order to fund the increases of the Police Pension MMO. He noted that the Director of Finance has calculated that in order to achieve that, the contribution rates for police officer should be set at 1.54%, which will offset the cost by approximately \$6,050 from the current 1% contribution rate.

**RESOLUTION NO. 12-2010-1376**

**BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, PROVIDING FOR A REDUCTION IN THE YEAR 2011 OF THE AMOUNT WHICH MEMBERS OF THE SALISBURY TOWNSHIP POLICE DEPARTMENT ARE REQUIRED TO CONTRIBUTE TO THE SALISBURY TOWNSHIP POLICE PENSION FUND**

*WHEREAS, the applicable law of the Commonwealth of Pennsylvania permits reductions in the amount which members of police departments in First Class Townships contribute to their police pension funds to amount to less than five percent (5%) of a member's compensation when such contributions are not needed to have the police pension fund remain actuarially sound; and*

*WHEREAS, the Police Pension Consultant employed by the Township of Salisbury prepared the January 1, 2009 Actuarial Report Valuation and the Township has certified its annual MMO for 2011, which includes a total financial requirement to the Police Pension Plan of \$239,553; and*

*WHEREAS, the Township has determined that the amount of State Aid will be insufficient to pay for the total financial requirement, therefore necessitating the Police to contribute to the Plan one and fifty-four one hundredths percent (1.54%) of their annual compensation during the year 2011*

*WHEREAS, the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania is desirous of setting the contribution rate for and during the year 2011 to one and fifty-four one hundredths percent (1.54%) of a member's compensation.*

**NOW, THEREFORE, BE IT RESOLVED** that contributions to the Salisbury Township Police Pension Fund by members of the Salisbury Township Police Department shall be at the rate of one and fifty-four one hundredths percent (1.54%) of compensation for and during the year 2011.

**APPROVED AND ADOPTED** this 22<sup>nd</sup> day of December, 2010 by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania at a regular public meeting.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to adopt a Resolution to reduce the police contribution to the pension fund to (1.54%) percent.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES

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

**The Resolution passed by 5-0**

**MOTIONS**

**Consideration of a Motion to set the Township Board of Commissioners meetings and workshops schedule for 2011 (second and fourth Thursdays of each month), Zoning Hearing Board (first Tuesday of each month) and Planning Commission (second Tuesday of each month).**

Mr. Soriano noted that this is an annual Motion in order to publish the Board of Commissioners, Planning Commission and Zoning Hearing Board meetings pursuant to the Sunshine Law.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to approve the meetings and workshops schedule for 2011 (second and fourth Thursdays of each month), Zoning Hearing Board (first Tuesday of each month) and Planning Commission (second Tuesday of each month).**

**Roll Call:**

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

**The Motion passed by 5-0**

**Consideration of a Motion to approve the revised Minimum Municipal Obligation (MMO) as presented by the Chief Administrative Officer for the Police Pension Plan.**

Mr. Soriano noted that with the passage of the Resolution setting the police contribution rates, the 2011 MMO will need to be amended to reflect this level, since the one presented in September reflected a 1% police employee contribution; therefore, the net effect is the police will pay for the increases rather than the Township. He noted that this is a prudent thing to do given these economic times, and the Board alone has the sole discretion without having to negotiate the change.

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to approve the revised Minimum Municipal Obligation (MMO) as presented by the Chief Administrative Officer for the Police Pension Plan.**

**Roll Call:**

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

**The Motion passed by 5-0**

**OLD BUSINESS**

**Discussion and public comments on the proposed 2011 Budget.**

Mr. Soriano stated that Ms. Bonaskiewich revised some of the line items in terms of the Capital Expense. He noted that some items have been changed to cushion the budget, for example, leasing vehicles versus outright purchase. He also commented that a piece of equipment for the Public Works Department has been deleted.

Mr. Soriano noted that the only outstanding issue in the budget was the purchase of a fire truck. He restated that if the Board feels there is not enough information now, the Board can create a \$1 line item and can transfer the funds from the Capital Reserve at any time during the course of the year.

Commissioner Ackerman questioned the need for a new QRS vehicle. Sergeant Sabo explained that the police are first to arrive on scene, usually within four minutes, and nine officers are certified by the State at the first responder level or higher. He noted that the QRS vehicle has additional equipment that the regular police vehicles do not in order to assist with medical emergencies. He also noted that monies for the new unit are coming from the Lehigh Valley Hospital as well as the St. Luke Ambulance drive.

Mr. Clint Ballek, Chief of Eastern Salisbury Fire Department, presented the Board with a 2% loan proposal for the financing of a new truck. He also provided some information on refurbishing the current truck. He noted that he could not get a solid cost estimate because the truck is currently being fixed and not in their possession.

Commissioner Martucci stated that he was in contact with the service tech from Penn Commercial Vehicle Solutions, the mechanics who are currently working on the truck, and he stated that the general condition of the drive train was good and the truck could easily make another 2-3 years.

Commissioner Brown expressed concern about the 25 year truck plan and having to purchase new trucks so close together.

Mr. Steven Schneider, Chief of Western Salisbury Fire Department, stated that the apparatus plan has been in effect since the mid 1980s and provides the Commissioners with a look at what each Fire Department needs for the next 20 years. He noted that the intent of the plan was to pay for major pieces of apparatus, which includes engines, tankers, rescue trucks, spill trucks,

and aerials. He also commented that some pieces of apparatus were purchased out of the plan for Eastern Salisbury Fire Department.

Mr. Schneider noted that when the plan was created, the Township put \$50,000 aside per year because at that time, engines cost around \$150,000. He stated that today they cost \$500,000, but the Township is still only putting aside \$50,000 per year. Mr. Schneider also commented that the plan is two years behind. He suggested that the Township bring in an outside consultant to do a review of the fire protection capabilities of the Township in order to see what an outside, unbiased opinion would find.

It was the consensus of the Board to pass the budget creating a \$1 line item in the General Fund for future use in determining the acquisition of a new fire apparatus. The Board also requested the Fire Department provide them with a report on refurbishing the truck as well as a spec on purchasing a new truck.

Commissioner Ackerman expressed concern about making the Municipal Building a secure facility. Mr. Soriano noted that a plan is in the works with Spillman Farmer Architects to not only add security measures, but to also fix the roof.

**Motion by Commissioner Martucci and seconded by Commissioner Ackerman to adopt the 2011 Proposed Budget and create a line item in the General Fund of \$1 for future use in determining the acquisition of a new fire apparatus for the Eastern Salisbury Fire Department.**

**Roll Call:**

COMMISSIONER ACKERMAN -YES  
COMMISSIONER SEAGREAVES-YES  
COMMISSIONER MARTUCCI-YES  
COMMISSIONER CUSICK-NO  
COMMISSIONER BROWN-YES

**The Motion passed by 4-1**

### **COURTESY OF THE FLOOR**

Mr. Steve Schneider, Chief of Western Salisbury Fire Department, reiterated that the Township should contact the State to bring in an outside consultant to review the fire protection services. He noted that the State is really advocating regionalization and there is State funding available to do that. Mr. Schneider commented that he is not sure it would work for the Township because of how it is split by Allentown.

Commissioner Seagreaves questioned the benefit of merging the two departments. Mr. Schneider stated that there are financial benefits. He noted that some things could be streamlined even though there would still be two stations due to the geographic location of the Township.

## **ADJOURNMENT**

Commissioner Cusick made a Motion to adjourn the Meeting. Seconded by Commissioner Martucci. The time was 9:05 p.m.