

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
October 13, 2011  
REGULAR MEETING – 7:00 PM**

The Public Meeting of the Salisbury Township Board of Commissioners was held on the above date in the Township Municipal Building located at 2900 South Pike Avenue, Allentown, Lehigh County, Pennsylvania.

**Members attending:**

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

**Staff attending:**

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

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**NOTIFICATION**

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

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

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

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

### **APPROVAL OF BILLS PAYABLE**

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to accept the list of Bills Payables in the amount of \$593,962.69 for the period 9/17/2011 through 10/07/2011, broken down as follows: General Fund - \$473,285.16; Fire Fund - \$10,265.93; Library Fund - \$36.68; Water Fund - \$70,528.93; Sewer Fund - \$37,573.54; Highway Fund - \$2,272.45.**

**Roll Call:**

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

**The Motion passed by 5-0**

### **MINUTES**

#### **September 22, 2011**

Commissioner Brown declared the September 22, 2011 Board of Commissioners Regular Meeting Minutes approved as presented.

### **NEW BUSINESS**

### **ORDINANCES**

#### **Motion to adopt Ordinance 10-2011-569 to require the installation of grease traps for users connected to the Allentown sewer system.**

Mr. Soriano noted that Ordinance 10-2011-569 was duly advertised. He stated that the Commissioners have conducted a thorough review and comments have been solicited from the Township Engineer, Public Works Director, Code Enforcement Officer and Township Solicitor. Mr. Soriano indicated that the Final Draft incorporated some minor technical comments requested by the Township Engineer to Section II D & E, which addresses the sizes of the devices (grease Trap and/or oil/water separator) to be installed. The Township Solicitor also had some minor revisions as to the date that customers shall discharge into the System which is revised to on or after June 1, 2012, and revisions to add fines and penalties that would read: *Any owner or operator who shall violate any provision of this Ordinance shall, upon conviction thereof before a District Court Judge, be subject to a penalty or fine equal to \$100 per number of days such*

*violation occurred, plus costs of prosecution and Township's costs for legal and administrative services in enforcing this Ordinance, and, in default of payment of such fine and costs, to imprisonment in the county jail for a term not exceeding thirty (30) days, for each such violation. Township shall, by Resolution, amend the fees and costs of this Ordinance.*

Attorney Ashley noted that these changes are *de minimums* and not substantive and he opined that the Ordinance would not need to be re-advertised.

Mr. Soriano noted that the overall intent of the Ordinance requires that any food service facility and any other commercial establishment of the Township, except residential, which contributes, discharges or accumulates grease which enters the System, or which discharges waste into the System, install a device to divert grease and other oils from the System. The System is the City of Allentown Pre-Treatment Plant and only customers of that System will be impacted. He stated that the Township must isolate those customers in order to send Notices, and the property owners affected by this Ordinance will have until June 1, 2012 to install the trap. Mr. Soriano noted that the Public Works Department and Code Enforcement will work together to enforce this Ordinance. Mr. Soriano believes that the City of Bethlehem is also moving towards these regulations and a similar Ordinance will be enacted for those users.

Commissioner Cusick asked about how the Township intends to carry out enforcement activities and who will undertake this task. Mr. Soriano noted that he is not contemplating hiring additional staff to implement the Ordinance and it will likely be up to the Public Works Sewer Department and Code Enforcement Office to promulgate rules and regulations outlining the enforcement actions. Mr. Soriano envisioned that the customers will need to obtain a permit to install the traps and the Township Engineer will inspect the installation of the traps. He noted that the Township staff will be working on carrying out the legislative intent of this Ordinance.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to adopt Ordinance 10-2011-569 to require the installation of grease traps for users connected to the Allentown sewer system.**

**Roll Call:**

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

**The Motion passed by 5-0**

**Motion to adopt an Ordinance 10-2011-570 to promulgate rules governing solicitations and peddling in the Township.**

Mr. Soriano noted that the Final Draft incorporates the comments of Chief Stiles and a legal opinion by the District Attorney with regards on whether the Township may require criminal investigations for prospective licensees. Mr. Soriano noted that the Ordinance has been revised accordingly, and the Police Department will issue only a License to solicit that attests that the

holder has been granted permission to solicit. Mr. Soriano stated that an applicant will file the application and return it to the Police Department fifteen (15) business days before the start of any peddling or solicitation. He continued that all applicants shall provide two (2) forms of official photo identification (one of which shall be a valid photo vehicle operator's license or valid photo identification card issued by the applicant's state of residence) when presenting said soliciting application for review by the Police Department, and a \$50 application fee shall apply.

Mr. Soriano commented that the decision to not require background information was done because of concerns that the Township has very limited ability to access criminal records and could not use that information to withhold a license and could be subject to a challenge. The Township Solicitor recommends that the Ordinance require solicitors only to show photo ID, obtain some sort of identification or certification that they have been registered with the Township and let the registration process end at that point. Therefore, the Township will only issue a license instead of a photo card. Mr. Soriano noted that the Ordinance contain Rules of Conduct that solicitors must obey. They will be allowed to solicit Monday-Sunday between the hours of 9 a.m. and 5 p.m. Mr. Soriano noted that the best way for a property owner to discourage solicitations is to post "No Solicitations" signs on their property as a way for violators to be cited by the Police.

The Board unanimously commented that this Ordinance, although not far reaching as it was original proposed, would in fact provide some safeguards and controls for governing solicitations in the Township.

Mr. Soriano noted that Chief Stiles and himself have already met to discuss the new license forms and would be ready by the effective date of the Ordinance, which is 35 days from its enactment. Chief Stiles commented that he envisioned a form similar to the Park Reservations, triplicate in nature, so that it can be disseminated to the various department and officers.

**Motion by Commissioner Cusick, seconded by Commissioner Seagreaves, to adopt an Ordinance 10-2011-570 to promulgate rules governing solicitations and peddling in the Township.**

**Roll Call:**

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

**The Motion passed by 5-0**

## **RESOLUTIONS**

**Resolution to accept the Natural Resource Inventory prepared by the Lehigh County Conservation District and Salisbury Township Environmental Advisory Council.**

**RESOLUTION NO. 10-2011-1396**

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, TO ADOPT THE SALISBURY TOWNSHIP NATURAL RESOURCE INVENTORY**

*WHEREAS, Act 148, as amended, allows the Township, through its environmental advisory council, to prepare a Natural Resource Inventory report; and*

*WHEREAS, on or about January 1, 2010, the Township retained the services of the Lehigh County Conservation District to assist the Salisbury Township Environmental Advisory Council in preparing such a report; and*

*WHEREAS, on or about September 22, 2011 at a public meeting, the Environmental Advisory Council presented the final report to the Board of Commissioners.*

*NOW THEREFORE, BE IT RESOLVED and it is hereby resolved by same that the Salisbury Township Board of Commissioners hereby officially adopts the Salisbury Township Natural Resource Inventory Final Report dated June 2011, as presented.*

*APPROVED AND ADOPTED this 13<sup>th</sup> day of October, 2011 at a regular public meeting.*

*TOWNSHIP OF SALISBURY  
(Lehigh County, Pennsylvania)*

\_\_\_\_\_  
*James A. Brown  
President, Board of Commissioners*

*ATTESTED:*

\_\_\_\_\_  
*Randy Soriano, Secretary*

Mr. Soriano stated that the Township should officially accept the Natural Resource Inventory (NRI) report presented by the Environmental Advisory Committee (EAC) in order for the report to be used for land usage decisions in updating the Comprehensive Plan and SALDO/Zoning Ordinance. Mr. Soriano stated that the NRI, also commonly referred to as an Environmental Resource Inventory (ERI), ensures the protection and wise use of its natural resources including wetlands, streams, aquifers, floodplain, watershed and open space. Mr. Soriano added that the legal authority to develop an ERI comes from Act 148, which gives specific powers to the EAC to keep an index of all open areas and natural areas. The EAC is charged with advising the local governments on matters dealing with the protection, conservation, management, promotion and use of natural resources. Mr. Soriano stated that an ERI is the major tool for fulfilling this mandate.

Mr. Soriano summarized that ERI (NRI) provides a sound basis for municipal land use planning; a comprehensive guide in the site plan and subdivision and land development review process; a long-term planning tool to identify potential land use and natural resource conflicts; and an educational tool for municipal officials to increase understanding of natural systems, their relationship to each other and development and natural limitations for the use of those systems.

Mr. Soriano commented that the Board should have received a copy of the report that was presented at the last meeting, and the only added feature will be an Executive Summary.

Commissioner Brown thanked Cynthia Sopka for her guidance on this matter and the EAC for devoting the last year or so on this project.

Commissioner Ackerman echoes Mr. Brown's remarks and commended the EAC on its presentation to the Board, which basically took a very complicated issue and made very easy to understand.

The Board overall praised the EAC for their efforts.

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to pass Resolution 10-2011-1396 and accept the NRI as presented by the Salisbury Township Environmental Advisory Council.**

**Roll Call:**

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

**The Motion passed by 5-0**

**Resolution to designate the Township Manager as official Agent to submit the Public Disaster Assistance application to FEMA for Hurricane Irene and Tropical Storm Lee.**

Mr. Soriano stated that FEMA has approved reimbursement for eligible expenses incurred by municipalities in Lehigh County for Hurricane Irene and Tropical Storm Lee.

Commissioner Cusick inquired on the extent of the damage caused by both storm events. In particular, she asked about the closing of Fairview Road. Mr. John Andreas reviewed the type of damages sustained by the Township and noted that that particular closure was prompted by damages to a box culvert which is owned by PennDOT. Mr. Andreas stated that he does not know the timeframe as to when the box culvert will be repaired, but was assured by PennDOT that they do have plans to repair it. Commissioner Cusick asked Mr. Andreas to keep following up on this matter. Mr. Andreas stated that he would do his best to monitor the follow up.

Mr. Andreas stated that the costs of the damage from Hurricane Irene and Tropical Storm Lee are estimated to be approximately \$23,000.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to adopt a Designation of Agent Resolution authorizing the Township Manager to submit the Public Disaster Assistance application to FEMA for Hurricane Irene and Tropical Storm Lee.**

**Roll Call:**

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

**The Motion passed by 5-0**

### MOTIONS

#### **Consideration of a Motion to accept the Bid from RGC for the Patricia Drive Pump Station Elimination and Montgomery Avenue I & I Projects.**

Mr. Soriano noted that on September 20, 2011 the Township received seven (7) bids for the Patricia Drive Pumping Station Elimination Project and eight (8) bids for the Montgomery Street Sewer Pipe Replacement.

Mr. Soriano noted that the Board should consider the following awards:

- **Patricia Drive Elimination Project** - RGC Development, 6866 Chrisphalt Dr., Bath, PA - \$287,959. This is well below the Budget that was allocated for this project (\$350,000).
- **Montgomery Street Sewer Pipe Replacement Project** - RGC Development, 6866 Chrisphalt Dr., Bath, PA - \$47,481 - The Budget shows an unexpended \$60,000 for I & I work, which this will accomplish.

Mr. Soriano also noted that the \$60,000 to complete this project should be reallocated as follows:

Transfer \$60,000 from Line Item Sewer 08-429.372 - I&I Repairs & Maintenance - \$110,000 to Line Item Sewer 08-429.605 - Montgomery St. Sewer Main Replacement (under Capital).

Sewer Line Item 08-429.372 - \$110,000 reduced to \$50,000: Sewer Line Item 08-429.605 - Montgomery St. Sewer Main Replacement (under Capital) increased from \$0 to \$60,000.

**Motion by Commissioner Cusick, seconded by Commissioner Martucci to accept the bids as presented:**

**Patricia Drive Elimination Project** - RGC Development, 6866 Chrisphalt Dr., Bath, PA - \$287,959.

**Montgomery Street Sewer Pipe Replacement Project** - RGC Development, 6866 Chrisphalt Dr., Bath, PA - \$47,481

Accompanying the motion was the following transfer to reallocate funds in the Sewer Fund for the Montgomery Street I/I project:

Line item Sewer 08-429.372 - I&I Repairs & Maintenance -budget \$110,000 to Line Item Sewer 08-429.605 Montgomery St. Sewer Main Replacement (under Capital). \$60,000.

**Roll Call:**

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

**The Motion passed by 5-0**

**Motion to consider Charles Durner Employment Agreement-Lease**

Mr. Soriano stated that the Board will need to renew the Employment Agreement for Charles Durner. Mr. Soriano suggested that the Board increase the current hourly rate from \$11 to \$12, which will be proposed under the 2012 Budget. He noted that the option to live at Franko will mean that the compensation will be \$11 instead of the \$10 that he is now receiving. Mr. Soriano commented that the rate has not been changed for over 10 years, and he believes Mr. Durner does commendable service at the drop off centers.

Commissioner Martucci noted that this is a reasonable increase giving the amount of work he does and the fact that his salary has not been increased for over 8 years or so.

Commissioner Brown and Commissioner Ackerman both spoke about the great work everyone does at the drop off center.

The Board overall was pleased with this gesture to reward good work.

**Motion by Commissioner Cusick seconded by Commissioner Seagreaves to approve the Employment Agreement for Charles Durner and Lease Agreement and increase of pay as noted from \$10 hr to \$11 hr.**

**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 Payment No. 2 to Muschlitz Excavating Inc in the amount \$64,542.15 for the CDBG Storm Sewer Installation Project (Public Rd-Dodson St).**

Mr. Soriano noted that the work has resumed after a slow down due to weather events and utility conflicts. He stated that the County has reviewed the payrolls associated with this payment and has approved them, and now the Board may approve the payment. Mr. Soriano stated that the

total contract was estimated at \$261,000, of which \$199,000 will be reimbursed by the County under their CDBG Grant. The remaining costs will be equally shared by the Township and Fountain Hill. Mr. Soriano commented that the project is a key for complying with the Court Order awarded to the Gattas as a result of their lawsuit, and once this is complete, there should be less water discharged onto their property. He noted that it is anticipated that this project will be completed by the end of November.

**Motion by Commissioner Cusick, seconded by Commissioner Martucci to approve Payment No. 2 to Muschlitz Excavating Inc in the amount \$64,542.15 for the CDBG Storm Sewer Installation Project (Public Rd-Dodson St).**

**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 Payment No. 2 to Muschlitz Excavating Inc., in the amount of \$62,017.07 for the Flexer Avenue Water Main Replacement Project and Clearwood Water Main Project.**

Mr. Soriano stated that the Township Engineer has reviewed the Application and has recommended the approval of the work. He commented that the Contractor, according to the Application, has completed 93% of the work, and still outstanding or not billed is \$13,438.71. Mr. Soriano noted that for Flexer Avenue, approximately \$10,090 is still outstanding, which includes approximately \$4,271 in retainage. For Clearwood Drive, \$12,367 remains outstanding and \$4,747 is retained. He noted that combined, \$21,820 remains to be released.

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to approve Payment No. 2 to Muschlitz Excavating Inc., in the amount of \$62,017.07 for the Flexer Avenue Water Main Replacement Project and Clearwood Water Main Project.**

**Roll Call:**

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 initiation of an 18-month Maintenance Agreement for the Kidspace development project.**

Mr. Soriano noted that the developer has requested that the Township initiate the 18-month maintenance period for the development. Mr. Soriano noted that in his Memo he had shared the sequence of actions associated with this development provided by Ms. Sopka, as follows:

- *The BOC granted preliminary land development approval on January 31, 2008. On March 11, 2008 the PC voted to recommend conditional approval of Kids Peace Final Land Development;*
- *On March 27, 2008 the BOC made a motion to approve the Kids Peace Final Land Development Plan subject to the conditions:*
- *Developer complies with the comments and recommendations of Township engineer letter of March 5, 2008;*
- *Developer complies with the review comments of the Director of Planning and Zoning letter of March 6, 2008;*
- *Developer shall comply with all Federal, State, and Local permits or approvals;*
- *September 12, 2007 the ST BOC granted waivers and deferrals from SALDO:*
- *Waiver granted from SALDO 5.3.F.2. regarding contours within 500 feet of site*
- *Waiver to SALDO 10.4.D.1 regarding street widening to 48 feet;*
- *Waiver to SALDO 10.10.B.1.C requires the pipe diameter be 15 inches with 12 inch being provided and applicant will install one storm sewer pipe of a 12 inch diameter as proposed on lot #2;*
- *Deferral for lot #2 to SALDO 10.12 regarding the installation of sidewalks along Broadway on Lot #2 and Ash Street along the Lot #1 frontage;*
- *Waiver requested to SALDO 10.10.B.2.i regarding the requirement to provide an impervious basin liner for the proposed underground infiltration/detention basin, which was recommended by the PC at the January 8, 2008 meeting.*
- *The total amount of the Improvements cost estimate is \$1,052,427.20.*
- *Liberty Mutual Surety holds the BOND equal to the amount of the cost estimate with an inception date of 9/15/2008.*
- *July 10, 2010 the bond was reduced from \$1,052,427.20 to \$148,927.34 thereby indicating a large portion of the project as complete. The work completed to the date of 7/19/2010 was equal to \$1,046,653.54.*

**Motion by Commissioner Cusick, seconded by Commissioner Ackerman, to initiate the 18-month Maintenance Agreement for the Kidspace development project.**

**Roll Call:**

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 award of a Redistricting Proposal.**

Mr. Soriano noted that pursuant to a RFP, the Township received four (4) Proposals from Firms that would be willing to assist the Township in the decennial reapportionment. The following Firms submitted Proposals:

- Arc Bridge, Herndon VA.....\$23,100
- URDC, Bethlehem, PA.....\$8,950
- Main Street Communications, Washington, DC.....\$29,996
- Bon Data, Hummelstown, PA.....\$12,723

Commissioner Cusick stated that she favored an at-large system and noted that Wards should be contiguous and compact.

**Motion by Commissioner Cusick, seconded by Commissioner Martucci, to accept the Redistricting Proposal Consultant Services submitted by URDC - Bethlehem, PA in the amount of \$8,950.**

**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 Change Orders 6 & 7 and Final Payment No. 2 in the amount of \$ 349,047.67 to Recon Service for the Flexer Avenue Roadway Reclamation Project.**

Mr. Soriano noted briefly that Change Order No. 1 extends the completion date to 375 days and No. 2 adds two (2) crosswalks and storm sewer pipe.

**Motion by Commissioner Cusick, seconded by Commissioner Seagreaves to approve Change Orders 6 & 7 and Final Payment No. 2 in the amount of \$ 349,047.67 to Recon Service for the Flexer Avenue Roadway Reclamation Project.**

**Roll Call:**

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

### **OLD BUSINESS**

Mr. Soriano commented that the Lock Box Ordinance has been duly advertised by the Pennsylvania Department L & I and the Hearing is set for October 28, 2011 at 10 a.m. at the Municipal Building. He noted that he will meet with both Fire Chiefs to prepare them to testify. Mr. Soriano stated that the Challengers, the Pennsylvania Builders Association, have requested a continuance. Mr. Soriano noted that the Township will object to this request.

Commissioner Brown announced that the Board will convene along with the Solicitor in an Executive Session to discuss a personnel matter. No other staff will be part of this session. The time was 8:00 p.m.

Commissioner Brown and the Board reconvened from the Executive Session. The time was 8:25 p.m.

### **COURTESY OF THE FLOOR**

Commissioner Ackerman discussed performance evaluations for employees and the need to use them for addressing pay increases. Mr. Soriano explained the benchmarks that each employee must meet in order to get a raise. He noted that once all those benchmarks are met, the employee only receives the percentage the Board decides at the beginning of each year. Mr. Soriano noted that the difficulty arises as to what one does with the Performance Evaluation and for what purposes will they be used for. Mr. Soriano noted that often these are very subjective and do not work well if there are no clear benchmarks to pay increases.

Commissioner Cusick questioned if Department Heads complete performance-based evaluations for the employees in their department. Chief Stiles and Mr. Andreas both stated that they do not do performance-based evaluations. Mr. Soriano explained that those evaluations, if tied to merit increases, do not work in a union setting. Union contracts have fixed pay increases and cannot be altered by Performance Evaluations. He stated that the only employees who could be evaluated are the non-union employees. He cautioned that a morale issue may arise and fears the Board would push those employees to have representation. Mr. Soriano noted that historically, the non-union employees have received what the Public Works Department receives.

Commissioner Cusick expressed concerns about employees receiving raises even though they may not be performing. Mr. Soriano stated that if an employee was not performing, he/she would be addressed about the issue. Mr. Soriano noted that employee performance is not merely a yearly event, but they should be monitored frequently and reminded that they are hired to do a job, and if they are not performing, they should not be there to begin with. Mr. Soriano noted that a Supervisor does not wait a year to tell someone that he is not performing his duties. It is up to the Supervisors to monitor that and to make sure that the Township reaps the benefit from whatever pay they receive.

Mr. Soriano also reminded the Board, at this time, they cannot do anything about the wages for the Police and Public Works Departments, which are fixed by contract. The 3.5% raise that is proposed in the budget is equivalent to approximately \$38,000 and covers 17 non-union employees and Management. He explained that the gesture of freezing wages alone is not going to achieve the \$900,000 the Board wants or needs to cut from the 2012 Budget.

Commissioner Ackerman expressed concerns from residents about raising Township taxes. Mr. Soriano stated that if the Board were to freeze everyone's pay, they would still need to increase taxes. Mr. Soriano commented that the Board has not increased taxes in 17 years.

Mr. Soriano noted that the rate of inflation is 3.8% so the proposed 3.5% raise is nothing more than to keep up with the cost of inflation.

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