

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
AUGUST 22, 2013
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.

PLEDGE OF ALLEGIANCE

Commissioner Brown asked everyone to rise and recite the Pledge of Allegiance, followed by a short period of silence and reflection.

CALL TO ORDER

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

Commissioner Brown turned the proceedings over to Randy Soriano, Township Manager.

ROLL CALL

Board Members Present:

James Brown, President
Robert Martucci, Jr., Vice President
James Seagreaves, President Pro-Tempore
Joanne Ackerman
Debra Brinton

Staff Present:

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

NOTIFICATION

Mr. Soriano informed the attendees that all sessions of the Salisbury Township Board of Commissioners regular meetings are recorded electronically for the purpose of taking the Minutes. All public comments on agenda items will 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 records are available pursuant to the Right-to-Know Law, if requested.

Mr. Soriano reminded everyone of the three minute rule and asked that anyone who wishes to speak come to the podium, sign in, announce oneself, and speak clearly into the microphone. Mr. Soriano added that the speaker can choose 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 administrative follow-ups on a particular issue.

APPROVAL OF THE LIST OF BILLS PAYABLE AND FINANCIAL REPORT

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to approve the unaudited Financial Report for the period ending June 30 and July 31, 2013, and the list of Bills Payable for the period of 8/3/2013-8/16/2013, broken down as follows:

\$147,273.31= GENERAL
\$2,536.09 = FIRE
\$0 = LIBRARY
\$12,125.99 = WATER
\$45,174.53 = SEWER
\$1,898.60 = REFUSE & RECYCLING
\$12,200.07 = HIGHWAY AID
\$221,208.59 = GRAND TOTAL ALL FUNDS

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES - YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN - YES

The Motion passed by 5-0.

MINUTES

August 8, 2013

Commissioner Brown declared the August 8, 2013 Regular Meeting Minutes of the Board of Commissioners approved as presented.

NEW BUSINESS

PRESENTATION

Presentation by the Township Police Department of an award to the Hounds On Working Leashes (H.O.W.L.S.) organization for their service to the Department's K-9 Team.

Sergeant Sabo provided the Board with a brief background on the H.O.W.L.S. organization, explaining that they donate tactical ballistic vests for K-9 dogs. He commented that the Township was fortunate enough to receive a vest for Fonzie as his was outdated and overdue for replacement.

K-9 Officer Jason Laky displayed the new vest and explained that it is ballistic and stab-proof, providing the dog with more protection in a life-threatening situation. He noted that the vests cost approximately \$1,300. Officer Laky stated that Mr. and Mrs. Bill Rohrer of Whitehall and Mr. and Mrs. James Kutz of South Whitehall donated the money for the vest.

Sergeant Sabo and Officer Laky presented the H.O.W.L.S. organization and the donators a plaque for their generosity. The Board thanked everyone for their contribution.

ORDINANCES

None.

RESOLUTIONS

Library Referendum Question.

Mr. Soriano stated that the Board decided a few months back to have a question on the ballot in regards to the library tax, commenting that this would allow the voters to determine whether they would like to repeal or continue the tax which funds the library services through the Allentown Public Library. He noted that the research shows that the Library Code stipulates the governing body must notify the Election Board sixty days prior to a municipal election to request the placement of a referendum question on the ballot. Mr. Soriano explained that since the next election is November 5, 2013, the deadline for the Board to place such a question would be September 5, 2013. He commented that the Resolution is advisory in nature as it basically requests that the voters decide on the continuation of the tax or to repeal it.

Mr. Soriano stated that the initial referendum was adopted in 1993, and at that time, the voters voted in favor of a .18 levy dedicated for library services. He noted that because of the millage and the reassessment, the .18 is no longer applicable, so comparable to existing millage based on reassessment, it is now .6087 cents on every \$1,000 of assessed valuation. Mr. Soriano commented that on the average assessment of \$230,000, the levy will amount to approximately \$15 per year, per household. He noted that if the voters would decide not to levy the tax, the Board would then have to make a decision on whether or not they would want to continue to provide that service through other means.

Mr. Soriano invited Ms. Renee Haines, Allentown Public Library Director, to make a presentation.

Ms. Haines offered year-end statistics specific to the Township, showing the number of registrants and circulation. She noted that currently, one-third of the Township population is registered for a library card and about 44% of all households in the Township have a library card holder. Ms. Haines also distributed information about the Library's services and programs.

Commissioner Martucci asked if there is a record of how many residents actually use their library card. Ms. Haines replied that it is hard to extract that data from the system. Commissioner Martucci inquired that if the residents would vote not to continue the library service, could they still belong to the library. Ms. Haines replied that for \$40 a year, a nonresident family could belong to the library, which is more than twice as much as they are currently spending.

Commissioner Ackerman suggested educating the residents about all of the Library services.

Commissioner Brinton stated that she has received emails and phone calls from residents in support of the library tax. She suggested holding a Public Hearing on the matter to hear comments. Mr. Soriano noted that although the Board of Commissioners did not set aside a Public Hearing per se on this issue the Board did discuss the referendum ballot questions during public meetings.

Commissioner Martucci stated that in his opinion, tax increases are looming, and in order to soften the blow, the Township could get rid of the library tax. He also noted that the charts provided by Ms. Haines only show memberships, not usage.

Ms. Haines stated that the statistics provided are only referring to the Allentown Public Library, specifically, but there are cardholders who use other libraries. She commented that if people do not hold a card with the Allentown Public Library, they would lose access to the other libraries like Emmaus and Bethlehem.

Commissioner Martucci commented that by putting the question on the ballot does not mean the Board is taking the library services away.

A discussion ensued about how to word the question on the ballot. Mr. Soriano provided two options for the Board to consider. The first was phrasing the questions to repeal the Library Tax and the second was the question of continuing the library tax. The resolution wording the continuation of the Library Tax was read, as follows:

RESOLUTION NO. 08-2013-1445

BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING THE PLACEMENT OF A REFERENDUM ON THE NOVEMBER 5, 2013 ELECTION BALLOT, WITH THE PROPOSITION THAT A SPECIAL LEVY BE CONTINUED, SAID EXISTING LEVY FOR EXCLUSIVE USE FOR PROVIDING LIBRARY SERVICES FOR ALL SALISBURY RESIDENTS.

WHEREAS, the Salisbury Township Board of Commissioners, by resolution dated June 10, 1993, voted to establish a special levy for the exclusive use of providing library services for all Salisbury Township residents; and

WHEREAS, said referendum was placed on the ballot and passed by the voters of Salisbury Township; and

WHEREAS, the Salisbury Township Board of Commissioners has now determined it wishes to have voter input in determining whether or not the residents of the Township wish to still have access to the Allentown Library and to pay the special tax to allow all citizens of Salisbury Township said access; and

WHEREAS, the Salisbury Township Board of Commissioners has determined it would be appropriate to place said question on the ballot to have voter input with regard to the continuation of said tax.

NOW, THEREFORE, BE IT RESOLVED by the Salisbury Township Board of Commissioners, of the Township of Salisbury, Lehigh County, Pennsylvania, that the following advisory referendum be duly placed on the ballot for the municipal elections scheduled for November 5, 2013:

BALLOT QUESTION

“Do you favor the continuation of the library levy, which has been established for the funding of library services through the Allentown Public Library System, said levy of *.06087mills* on every \$1,000 of assessed valuation, on taxable real estate in Salisbury Township to ensure free library services for all Salisbury residents?”

EXPLANATION OF BALLOT QUESTION

This question, if approved by a majority of the voters at this election will result in the continuation of a .06087 mill tax on all taxable property in Salisbury Township. The impact of this tax would also be that *the revenue generated can only be used to provide library services for all residents in Salisbury Township and assure* Salisbury residents would continue to have access to a public library system free of charge.

ADOPTED, in lawful session duly assembled this 22nd day of August, 2013.

ATTESTED:

TOWNSHIP OF SALISBURY
(LEHIGH COUNTY, PENNSYLVANIA)

Randy Soriano, Township Manager

By: _____
James A. Brown, President
Board of Commissioners

Motion by Commissioner Martucci, seconded by Commissioner Seagreaves, to adopt Resolution No. 08-2013-1445, authorizing the placement of a referendum on the November 5, 2013 election ballot, with the proposition that a special levy be continued, said existing levy for exclusive use for proving library services for all Salisbury residents.

Roll Call:

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

The Motion passed by 3-2.

MOTIONS

Review of Proposals for Franko Farm House Repairs.

Mr. Soriano commented that three different proposals have been obtained for the repairs to the Franko Farm House from Jack B. Weiss Construction. Commissioner Martucci recommended accepting the proposal for the repair of the cracks in the stone because he believes that to be the

most serious problem. He also recommended delaying the other repairs by putting them in the 2014 Budget.

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to approve Item #1 of Proposal #3008 from Jack B. Weiss Construction to repair cracks in the stone exterior walls for \$425.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES - YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN - YES

The Motion passed by 5-0.

Payment #2 – Final for Lincoln/Flexer Avenue Roadway Improvement Project. Livengood Excavators, Inc. - \$14,398.29 (TENTATIVE).

Mr. Tettermer stated that the Application for Payment is not ready at this time. Mr. Soriano noted that the item will be placed on the next Agenda, if finalized.

Application Payment #4 - Sewer Specialty Services Company, Inc. - CCTV Testing and Grouting of Sanitary Sewer Pipe Joints Project - \$7,474.23.

Mr. Soriano provided a background on the project to the Board. Mr. Soriano noted that this work is associated with the enforcement of the US EPA Order issued in 2009 to Allentown and its signatories to mitigate and correct problem with inflow and infiltration evident in the system. Mr. Soriano noted that to date the Township, not including this project, has expended approximately \$818,000 to comply with the Order. Mr. Tettermer stated that the work is completed, but the Township is holding approximately \$1,900 for some work associated with the Change Order.

Motion by Commissioner Seagreaves, seconded by Commissioner Ackerman, to approve Payment Application #4 to Sewer Specialty Services Company, Inc. for CCTV Testing and Grouting of Sanitary Sewer Pipe Joints Project in the amount of \$7,474.23.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES - YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN - YES

The Motion passed by 5-0.

Application Payment #1 - A. Scott Enterprises, Inc - South Ellsworth Street Water Main Replacement Project - \$39,579.74.

Mr. Soriano reminded the Board that the original contract was for \$55,892.55. Mr. Tetterer stated that the work has been completed, and what is not included in this payment is the work that was done on Emmaus Avenue for approximately \$6,600 and the retainage of approximately \$4,400. Mr. Tetterer clarified that the project was not a water main replacement; it was actually a new water main that connects to the existing water main to provide another loop as a secondary flow pattern.

Motion by Commissioner Martucci, seconded by Commissioner Ackerman, to approve Payment Application #1 to A. Scott Enterprises, Inc. for the South Ellsworth Street Water Main Replacement Project in the amount of \$39,579.74.

Roll Call:

COMMISSIONER ACKERMAN - YES
COMMISSIONER SEAGREAVES - YES
COMMISSIONER MARTUCCI - YES
COMMISSIONER BRINTON - YES
COMMISSIONER BROWN - YES

The Motion passed by 5-0.

PRIVILEGE OF THE FLOOR

Mr. Soriano announced that Don Cunningham, President and CEO of Lehigh Valley Economic Development Corporation, has initiated a Lehigh Valley Local Government Council and the first meeting is September 12, 2013 at 7:00 p.m. Mr. Soriano commented that it will conflict with the Board meeting, so he informed the Council that Township could not be represented that night. Mr. Soriano added that the event will be available for viewing on their website starting September 16, 2013.

Mr. Soriano stated that he will place into the record the two emails sent to Commissioners in regards to the library. Mr. Joe McDermott, 1117 Webster Avenue, Allentown, PA 18103 encouraged the Commissioners to keep the library tax and not approve the ballot question. Mr. Alexis Bove, resident of the Township, also opposed the idea of putting the library tax up for a vote.

Commissioner Martucci expressed a concern from a resident on Acker Street about cars parking at the end of his driveway and making it difficult for him to access to his driveway. He stated that the resident questioned if permitted parking could be instituted. Sergeant Sabo replied that Acker Street is one of the streets that the Police Department is studying to make parking on one side of the street only. Mr. Soriano noted that the Township would have to create legislature to institute permit parking and commented that it is a cumbersome project. Commissioner Martucci

commented that he will recommend to the resident that he waits to see what the traffic study produces for the Parking Ordinance.

Commissioner Martucci stated that Mr. Glenn Eckhart would like to plant a memorial tree in Laubach Park in the memory of his father. Mr. Soriano stated that there is a program in place and he will forward the information to Commissioner Martucci.

Mr. James Kraftician of 1128 Tweed Avenue expressed concerns about several maintenance issues at a property on East Susquehanna Street. Mr. Nicolo stated that he will call the owner of the property and ask them to stay more on top of upkeep of the land.

Commissioner Brown announced that the Board will be conducting an Executive Session on personnel matters following the Workshop.

ADJOURNMENT

Commissioner Ackerman made a Motion to adjourn the Meeting, seconded by Commissioner Martucci. The time was 8:45 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on August 22, 2013.

Approved and certified on this date:

Randy Soriano

Date

SEAL