

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
JULY 11, 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 – EXCUSED
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
Cynthia Sopka, Director of Planning & Zoning – EXCUSED
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

Commissioner Brinton inquired about the contribution to the Lehigh Valley Coalition on Affordable Housing. Ms. Bonaskiewich stated that the Board sanctioned the contribution during the approval of the Budget. Mr. Soriano explained that each community in the suburbs of the City of Allentown donates towards the Coalition for homeless housing. He noted that by making the donation, the Board is contributing to affordable housing.

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to approve the list of Bills Payable for the periods of 6/22/2013-7/5/2013, broken down as follows:

\$114,409.47 = GENERAL
\$3,136.85 = FIRE
\$0 = LIBRARY
\$2,659.84 = WATER
\$9,822.03 = SEWER
\$128,046.67 = REFUSE & RECYCLING
\$156.90 = HIGHWAY AID
\$258,953.29 = GRAND TOTAL ALL FUNDS

Roll Call:

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

The Motion passed by 4-0.

MINUTES

June 27, 2013

Commissioner Brown declared the June 27, 2013 Regular Meeting Minutes of the Board of Commissioners approved as presented.

NEW BUSINESS

ORDINANCES

None.

RESOLUTIONS

None.

MOTIONS

Motion to award Double Bituminous Slurry Seal Bid Project.

Mr. Soriano stated that on July 1st, 2013, the Township opened sealed bids for the application of a double bituminous slurry seal coat on approximately 27,700 linear feet of Township Roads. He noted that in addition, the work will also include 220 tons of scratch/leveling and replacement of the existing pavement markings. The affected roads are as follows: Black River Road, Sour Apple Lane, East Rock Road, Mountain Top Lane, Werleys Lane, West Rock Road, Ironwood Lane, Douglas Road, Chestnut Hill Road, Stoneridge Road, and Gulley Road.

Mr. Soriano commented that the Township received the following three bids: Asphalt Paving Systems, Inc. in the amount of \$189,810; Asphalt Maintenance Solutions in the amount of \$197,235; and Dosch-King in the amount of \$144,720.

Mr. Soriano explained that the apparent low bidder at the time of the opening was Dosch-King; however, the bid was reviewed by the Township Solicitor, and he found that the company only bid on one line item (No. 4 – Double Bituminous Seal Coat); not on the other five requested. Therefore, the bid from Dosch-King was disqualified. Mr. Soriano stated that the second low bid came from Asphalt Paving Systems, Inc. and he noted that Mr. Tettermer provided the Board with a letter reviewing the company.

Commissioner Brinton inquired if the Township informs the bidders of why they were not awarded the job. Mr. Soriano stated that Attorney Ashley will send an explanation letter to the bidders with their bid bond.

Commissioner Brown inquired if Mr. Tettermer has worked with Asphalt Paving Systems, Inc. in the past. Mr. Tettermer replied that he had not, but he checked their references and there were no reasons not to award the bid.

Commissioner Brinton inquired if Mr. Tettermer has worked with any of the other higher bidders. Mr. Tettermer replied that they had, and their recommendations were much better. Mr. Soriano explained that the law requires the Township to take the lowest bidder, regardless of less-than-stellar references.

Commissioner Brinton went on record to say that she will not approve any extra money above and beyond what is awarded to the contractor in their bid.

Motion by Commissioner Seagreaves, seconded by Commissioner Ackerman, to award the bid for the Double Bituminous Slurry Seal Project to Asphalt Paving Systems, Inc., 500 N. Egg Harbor Road, Hammonton, NJ 08037, in the amount of \$189,810.

Roll Call:

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

The Motion passed by 4-0.

Motion to authorize the execution of the Lehigh County MERT Agreement.

Mr. Soriano reminded the Board that last year, he and Attorney Ashley engaged in several discussions with District Attorney Martin to revise the language in the MERT Agreement, specifically in Clause G, to better address the liability issues concerning the signatories of the Agreement. He stated that the County finally agreed to revise the language to place more liability on them while the assigned officer is under their control.

Chief Stiles stated that they have started the process of joining the MERT Team by assigning an officer on an as-needed basis. He noted that the officer has started his training and testing and will be available shortly to join the Team on call-outs. Chief Stiles commented that he has also appointed a second officer to take the place of the first officer in case he would ever decide to leave the Team.

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to authorize the execution of the Lehigh County MERT Agreement.

Roll Call:

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

The Motion passed by 4-0.

PRIVILEGE OF THE FLOOR

Mr. Soriano expressed his condolences to the family of Mr. Dean Drey, a retired Public Works Department employee who passed away recently. Mr. Soriano stated that the Recreation Committee is requesting to honor Mr. Drey by way of planting a memorial tree at Franko Farm Park.

Motion by Commissioner Brinton, seconded by Commissioner Ackerman, to authorize the purchase of an oak tree and plaque for approximately \$400 to be planted at Franko Farm Park in memory of Mr. Dean Drey.

Roll Call:

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

The Motion passed by 4-0.

Mr. Soriano stated that the Recreation Director has brought to his attention an activity called “slacklining” that is being practiced at Lindberg Park. He explained that it is like tightrope walking in that it is the practice of balancing oneself by using nylon and polyester tension between two anchor points. Mr. Soriano commented that Ms. Baillie is concerned because people are using the trees at the park as the anchors. Mr. Soriano suggested revising the current Ordinance to forbid this practice in the parks due to liability issues. A discussion ensued and it was the consensus of the Board not to regulate the behavior.

Mr. Soriano stated that Mrs. Pappas of Van Vetchen Avenue has again brought forth concerns about the “No Parking” signs on the west side of her street. He noted that she was denied a driveway permit because of where she proposed the driveway location. Mr. Soriano explained that if she would move the driveway a little further towards the other lot she owns, she would probably be able to meet the setbacks and therefore, be granted the permit. Mr. Soriano commented that Mrs. Pappas is unable to move forward with a driveway at this time due to financial reasons, but he questioned if the no parking area could be revised to make the area from Lehigh Avenue to Maryland Avenue instead. Chief Stiles requested to do a study in the area to find out what impact it would make if the rule is rescinded.

Mr. Colby Jackson and Ms. Rita Bittner, both of Lehigh Avenue, presented a petition with 45 signatures to the Board requesting to create speed humps on Lehigh Avenue. Mr. Jackson stated that the neighbors have witness people driving at excessive speeds and they are concerned for the safety of the people at Laubach Park. Mr. Soriano inquired if PennDOT regulates speed humps. Mr. Tetterer stated that since Lehigh Avenue is a Township road, it would be considered a Township issue. He commented that one of the best ways to calm traffic is have everyone sign a petition that instead says that they all agree to go the speed limit. Chief Stiles stated that the Police Department will do a speed and traffic survey on that street.

Commissioner Brinton inquired about a letter she received in regards to water testing. Mr. Andreas stated that the Township tests the water as required by DEP on a daily, monthly, quarterly, or annually basis. Commissioner Brinton inquired if the Township has ever tested the water at Franko Farm. Mr. Andreas stated that the water at Franko is provided by a well and filtered by an ultraviolet light system, so it is not relative to the Township's water system and thereby not regulated by DEP. Commissioner Brinton requested that the Township go ahead and test the water.

Commissioner Seagreaves brought forth a concern from a resident about the conditions of Laubach Park. He stated that the resident had rented the pavilion and reported that the park was littered with trash and the bathrooms were locked and remained locked even after her repeated phone calls to the non-emergency police number. Mr. Soriano stated that the Township has no way of knowing when the park was left in that condition because it is public. He noted that the only way to know for sure what happens is to have somebody to go out and look at the parks each night, and he commented that in doing so, it would require paying a Public Works employee overtime. Commissioner Brinton asked what the point is of having someone put down a security deposit for the use of a pavilion if no one checks the condition of the park. Mr. Soriano commented that he is unsure what happened in this instance, but the common practice is that a Police Officer opens the bathrooms in the morning and observes the condition of the parks. Chief Stiles stated that he has reiterated to the officers that they must open and close the bathrooms at the parks each day and make a report if something is wrong.

Commissioner Seagreaves inquired about the hiring process for the two vacancies in the Public Works Department. Mr. Andreas stated that they had conducted interviews and believes that they are prepared to make offers to two individuals.

Commissioner Ackerman expressed concerns about the process of finding the owners of lost pets. Chief Stiles stated that residents can call the Police Department to report their lost pet because the officers are in constant contact with the Township's Animal Control Officer.

Chief Stiles announced that the "No Dogs Allowed" signs are now posted in all of the parks

Chief Stiles commented that the Valley Mountain Bikers will be holding their bike race on July 13th and 14th in Walking Purchase Park.

Commissioner Brown announced that the Board will hold an Executive Session regarding personnel matters after the Workshop.

ADJOURNMENT

Commissioner Ackerman made a Motion to adjourn the Meeting, seconded by Commissioner Brinton. The time was 8:40 p.m.

Respectfully submitted,

Randy Soriano
Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on July 11, 2013.

Approved and certified on this date:

Randy Soriano

Date

SEAL