

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
July 26, 2018
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 Martucci asked everyone to rise and recite the Pledge of Allegiance, followed by a short period of silence and reflection.

CALL TO ORDER

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

Commissioner Martucci turned the proceedings over to Ms. Cathy Bonaskiewich, Township Manager.

ROLL CALL

Board Members Present:

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

Staff Present:

Cathy Bonaskiewich, Township Manager
Paul Ziegenfus, Finance Director
John Andreas, Director of Public Works
Allen Stiles, Chief of Police
Don Sabo, Police Sergeant
Cynthia Sopka, Director of Planning & Zoning
Sandy Nicolo, Code Enforcement Officer, MS4 Coordinator
John Ashley, Esquire, rep of Davison & McCarthy, Township Solicitor
David Tettermer, rep of Keystone Consulting Engineers, Township Engineer

NOTIFICATION

Ms. Bonaskiewich 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 commented related to non-agenda items will be taken after the agenda has been satisfied.

Ms. Bonaskiewich reminded everyone of the three-minutes rule and asked that anyone who wishes to speak, come to the podium, announce oneself, and sign-in with name and address so as to assist Township administration with follow-ups.

APPROVAL OF THE FINANCIAL REPORT AND LIST OF BILLS PAYABLE

Motion by Commissioner Brinton, seconded by Commissioner Conn, to approve the unaudited Financial Report for the period ending June 30, 2018, and the list of Bills Payable for the periods 6/23/2018-7/6/2018 and 7/7/2018-7/20/2018, broken down as follows:

6/23/2018-7/6/2018

\$104,554.05 = GENERAL
\$697.70 = FIRE
\$0 = LIBRARY
\$9,344.43 = WATER
\$8,220.27 = SEWER
\$93,598.58 = REFUSE & RECYCLING
\$12,025.16 = HIGHWAY AID
\$2,880.00 = SUBDIVISION & ESCROW
\$231,320.19 = GRAND TOTAL ALL FUNDS

7/7/2018-7/20/2018

\$107,526.02 = GENERAL
\$5,039.10 = FIRE
\$40,779.50 = LIBRARY
\$9,874.52 = WATER
\$8,908.41 = SEWER
\$873.00 = REFUSE & RECYCLING
\$2,766.67 = HIGHWAY AID
\$0 = SUBDIVISION & ESCROW
\$175,767.22 = GRAND TOTAL ALL FUNDS

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

MINUTES

June 28, 2018

Commissioner Martucci declared the Minutes of June 28, 2018 accepted as presented.

NEW BUSINESS

ORDINANCES

Ordinance Amending Open Records Policy to Designate Alternate Open Records Officer.

Ms. Bonaskiewich reminded the Board that the topic was discussed at the Workshop meeting on June 28, 2018 and explained the Alternate Open Records Office would be authorized to officially respond to Right-to-Know Requests in the event that the Open Records Officer (Township Manager) is unable to do so. The Ordinance amendment includes the appointment of the Administrative Assistant to the Township Manager.

Motion by Commissioner Conn, seconded by Commissioner Ackerman, to adopt Ordinance No. 07-2018-618, amending the Open Records Policy to designate an Alternate Open Records Officer.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

RESOLUTIONS

Resolution to Adopt Township's Pollutant Reduction Plan.

Ms. Bonaskiewich stated that she received an email from Mr. John Zovko of 1531 Spiegel Street regarding erosion on his property, which he alleges occurred when “the Township installed catches and storm pipes from Public Road and directed the water into the stream on his property.”

Commissioner Martucci read the email into the record. Mr. Nicolo stated that he met with Mr. Zovko and while there is some erosion, he believes there are many streams in worse condition. Commissioner Martucci commented his opinion is that the erosion is going to take out the bridge connecting his driveway and he would like something to be done in the area. Mr. Andreas stated

that he also met with Mr. Zovko and has committed to assisting with the stabilization in the area of the driveway crossing.

Mr. Tettermer noted that the Township will not receive credit in the Pollutant Reduction Plan for anything done on the property prior to 2019. A discussion ensued as to the timetable of the work, and it was determined that the work on the driveway crossing would begin shortly. If the Township considers more stabilization along the length of the property, it would be done in 2019 so as to receive credit as part of the PRP. Attorney Ashley commented that if the Township works through the swale area, an easement would need to be obtained.

Motion by Commissioner Ackerman, seconded by Commissioner Conn, to adopt Resolution No. 07-2018-1613, adopting the Township's Pollutant Reduction Plan.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

Resolution to Approve Disposition of Vehicles.

Ms. Bonaskiewich stated that there are two additional vehicles to be included on Municibid (online auction sale): 2009 Dodge Charger used by Code Enforcement and the Public Works' Ford F550 dump truck. Ms. Bonaskiewich explained that a Resolution is needed in order to sell or dispose of any personal property owned by the Township that is valued at \$1,000 or more.

Motion by Commissioner Brinton, seconded by Commissioner Seagreaves, to adopt Resolution No. 07-2018-1612, approving the disposition of vehicles.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

MOTIONS

Motion to Approve the Release of Restrictive Covenant on 886 Flexer Avenue.

Ms. Bonaskiewich stated that this request comes from the Zoning Hearing Board as the matter was heard and approved by the Board at their March 6, 2018 meeting. She introduced Attorney William Fries who is representing Dr. and Mrs. John Altobelli, owners of 886 Flexer Avenue.

Attorney Fries stated that the Altobelli's own approximately 11 acres in Salisbury and South Whitehall Townships. He explained that in 2001, the Altobelli's were granted a Restrictive Covenant on the Salisbury Township portion of their property, which prevented Lot 2 from being subdivided into more than three lots. Attorney Fries commented that while releasing the Restrictive Covenant eliminates the restriction of the building of more houses, it does not automatically authorize development as they would still be subject to all the Township zoning rules and regulations.

Commissioner Ackerman inquired about the number of houses they are looking to build on the lot. Attorney Fries stated that the owners are still undecided. He noted that the land is still in the process of being surveyed and there is still a long way to go into development.

Motion by Commissioner Brinton, seconded by Commissioner Ackerman, to approve the release of Restrictive Covenant on 886 Flexer Avenue.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

Motion to Approve Request for Well Isolation Distance Waiver.

Ms. Bonaskiewich explained that the property located at 311 East Rock Road is served by an on-lot sewage system that has malfunctioned. She stated that soil and percolation tests have been performed and a new sand mound system is being recommended, but due to the size of this property and others in the area, the required 100-foot well isolation distance from this new system cannot be met. As allowed per state sewage regulations, the property owner is now seeking a waiver from the Township for relief from 100-foot well isolation distance requirement. Ms. Bonaskiewich commented that the Township's Sewage Enforcement Officer, Mr. Scott Bieber, recommends approval of the request for this waiver.

Mr. Jeffery Kuhns, owner of 311 East Rock Road, inquired about the paperwork he is required to execute. Ms. Bonaskiewich stated that the approval of the waiver is contingent upon the owner signing a restrictive covenant and indemnity agreement. Attorney Ashley clarified that if there would be an issue with adjoining properties, it would be between the neighbors, not the Township.

Motion by Commissioner Ackerman, seconded by Commissioner Brinton, to approve the request for the Well Isolation Distance Waiver for the property at 311 East Rock Road, conditional on the property owner executing a hold-harmless agreement.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

Motion to Approve Deed Executions related to the Preliminary/Final Minor Subdivision and Lot Consolidation Plan for 2860 Lindberg Avenue.

Ms. Bonaskiewich stated that the years-long process of rectifying property encroachment/ownership issues between the Didra property (located 2860 Lindberg Avenue) and the Township's Lindberg Park property (located at 2800 Lindberg Avenue) is coming to end. She explained that there is a need for two new Deeds: one for conveying a small portion of Lindberg Park land to the Didras, and the second one for redefining the Lindberg Park boundaries, less the parcel of land that the Township is conveying to the Didras.

Motion by Commissioner Brinton, seconded by Commissioner Ackerman, to approve Deed Executions related to the Preliminary/Final Minor Subdivision and Lot Consolidation Plan for 2860 Lindberg Avenue.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

Motion to Approve Payment #1 to Barrasso Construction for the Water Main Replacement Project.

Mr. Tetteimer stated that he has reviewed the documents and construction is moving along well.

Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to approve Payment #1 to Barrasso Construction for the Water Main Replacement Project in the amount of \$105,036.30.

Roll Call:

COMMISSIONER ACKERMAN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER BRINTON – YES
COMMISSIONER CONN – YES
COMMISSIONER MARTUCCI – YES

The Motion passed by 5-0.

PRIVILEGE OF THE FLOOR

Mr. Valer Skvasik of 1011 Public Road expressed concerns about neighbors setting off fireworks and the resulting debris on his property. Chief Stiles stated that the Township is looking at possible ways to help control the situation by developing an Ordinance that is enforceable. He commented that he is currently working with the Fire Inspectors and the Fire Marshal and the Ordinance will be reviewed by the Township Solicitor.

Mr. Robert Agonis of 1189 Meadowbrook Circle W requested an update regarding the construction at Lindberg Park. Mr. Andreas stated that there should be construction activity mid-week, mostly centered around the pickle ball court area. Ms. Bonaskiewich further explained that because the Township did not initially receive electrical bids for project, the construction was delayed and the order of the work was modified.

Commissioner Brinton brought forth a parking complaint from a resident on Capital Street. Chief Stiles stated that parking is permitted in the area the resident was referencing.

Commissioner Ackerman inquired about the paving of South Ott Street and repairing the playground in front of Western Salisbury Fire Department. Mr. Andreas stated that it will be milled and patched and the Department of Public Works will be working on paving in the summer and early fall.

ADJOURNMENT

Commissioner Brinton made a motion to adjourn the meeting. Seconded by Commissioner Conn. The time was 8:03 p.m.

Respectfully submitted,

Cathy Bonaskiewich
Township Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on July 26, 2018.

Approved and certified on this date:

Cathy Bonaskiewich

Date: _____

SEAL