

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA  
MINUTES FROM THE BOARD OF COMMISSIONERS  
February 27, 2020  
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 Brinton asked everyone to rise and recite the Pledge of Allegiance.

**CALL TO ORDER**

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

Commissioner Brinton announced that an Executive Session will take place after the regular meeting to discuss personnel and legal matters.

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

**ROLL CALL**

**Board Members Present:**

Debra Brinton, President  
Rodney Conn, Vice-President  
James Seagreaves, President Pro-Tempore  
Joanne Ackerman  
Heather Lipkin

**Staff Present:**

Cathy Bonaskiewich, Township Manager  
Sandy Nicolo, Assistant Township Manager/Code Enforcement Director/MS4 Coordinator  
Paul Ziegenfus, Finance Director  
John Andreas, Director of Public Works  
Kevin Soberick, Chief of Police  
John Ashley, Esquire, representative of Davison & McCarthy, Township Solicitor  
David Tettermer, representative 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-minute 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 LIST OF BILLS PAYABLE**

**Motion by Commissioner Ackerman, seconded by Commissioner Seagreaves, to approve the list of Bills Payable for the period 2/8/2020-2/21/2020, broken down as follows:**

\$67,552.27 = GENERAL  
\$186.37 = FIRE  
\$3.51 = LIBRARY  
\$188,787.97 = WATER  
\$273,036.71 = SEWER  
\$0 = REFUSE & RECYCLING  
\$5,412.57 = HIGHWAY AID  
\$0 \_\_\_\_\_ = CAPITAL GENERAL  
**\$534,979.40 = GRAND TOTAL ALL FUNDS**

**Roll Call:**

COMMISSIONER LIPKIN – YES  
COMMISSIONER ACKERMAN – YES  
COMMISSIONER SEAGREAVES – YES  
COMMISSIONER CONN – YES  
COMMISSIONER BRINTON – YES

**The Motion passed by 5-0.**

**MINUTES**

**February 13, 2020**

Commissioner Brinton declared the Minutes of February 13, 2020 accepted as presented.

**NEW BUSINESS**

**ORDINANCES**

**None.**

**RESOLUTIONS**

**Resolution to Appoint Barry Isett & Associates as the Township’s Building Code Official, effective 4/1/2020.**

Ms. Bonaskiewich stated that Barry Isett & Associates has bought-out CodeMaster, the Township’s current Building Code Official. Ms. Bonaskiewich noted that her intention is to issue

an RFP (Request for Proposal) for code inspection services later this year so the appointment will only be until the end of 2020.

**Motion by Commissioner Conn, seconded by Commissioner Lipkin, to adopt Resolution No. 02-2020-1673, appointing Barry Isett & Associates as the Township's Building Code Official, effective 4/1/2020.**

**Roll Call:**

COMMISSIONER LIPKIN – YES  
COMMISSIONER ACKERMAN – YES  
COMMISSIONER SEAGREAVES – YES  
COMMISSIONER CONN – YES  
COMMISSIONER BRINTON – YES

**The Motion passed by 5-0.**

**MOTIONS**

**Conditional Use Hearing – 3300 Lehigh Street (Flower Tent).**

Ms. Bonaskiewich turned the proceedings over to Attorney Ashley. Attorney Ashley stated that the hearing is the appeal of Cornerstone Consulting Co., LLC for Conditional Use approval to place a temporary tent at 3300 Lehigh Street for the sale of flowers and other garden items. The property is located within the C-3 Zoning District, and according to Section 27-807.2 of the Zoning Ordinance, the proposed use requires Conditional Use approval from the Board of Commissioners.

Mr. James Pompa of Cornerstone Consulting Co., LLC was present to testify. Mr. Pompa stated that he would like to operate a temporary, seasonal tent in the parking lot of the South Mall selling flowers.

Attorney Ashley introduced Exhibit A as a diagram of the South Mall parking lot, in the area of where the tent is intended to stand. Mr. Pompa noted that it will stand in the same location as it has been for the last twenty years. Attorney Ashley showed Exhibit B as a certificate of liability insurance, Exhibit C as a certificate of flame resistance for the tent itself to meet the industry's standard for being flame resistant, Exhibit D as the layout of the tent, and Exhibit E as the representation of various kinds of signs that will be hanging on the outside of the tent.

Mr. Pompa stated that the size of the tent is 30' W x 50' L. He commented that the tent is manned by an operator during the day and the mall will provide security in the evening. Mr. Pompa stated that restroom facilities are available at Starbucks.

Mr. Pompa noted that the hours of operation will be approximately 9:00 am – 7:00 pm from around April 1 – April 12 and April 23 – June 23 for the year 2020. He stated that he is requesting a five-year approval, and the tent typically operates for 10-12 days around Easter and 10-12 prior to Mother's Day through the spring season (until the first part of June).

Commissioner Brinton inquired if there have ever been any incidents involving the police at that location. Chief Soberick replied that there has never been a problem at the tent.

Attorney Ashley noted that the Planning Commission has recommended approval for five years.

**Motion by Commissioner Conn, seconded by Commissioner Seagreaves, to grant approval to Cornerstone Consulting Co., LLC to erect a temporary Flower Tent at 3300 Lehigh Street for a five-year period with the use and operation specified.**

**Roll Call:**

COMMISSIONER LIPKIN – YES  
COMMISSIONER ACKERMAN – YES  
COMMISSIONER SEAGREAVES – YES  
COMMISSIONER CONN – YES  
COMMISSIONER BRINTON – YES

**The Motion passed by 5-0.**

**Motion to Authorize the Engagement of Kirk Summa LLC to conduct Fire Department audits.**

Ms. Bonaskiewich stated that the audits will cost between \$5,000 and \$6,000 per department. Mr. Ziegenfus noted that the firm does have experience with performing audits for volunteer fire departments. Ms. Bonaskiewich stated that going forward, she would like to see an audit conducted on both departments every three to five years.

**Motion by Commissioner Ackerman, seconded by Commissioner Conn, to authorize the engagement of Kirk Summa LLC to conduct Fire Department audits.**

**Roll Call:**

COMMISSIONER LIPKIN – YES  
COMMISSIONER ACKERMAN – YES  
COMMISSIONER SEAGREAVES – YES  
COMMISSIONER CONN – YES  
COMMISSIONER BRINTON – YES

**The Motion passed by 5-0.**

**PRIVILEGE OF THE FLOOR**

Commissioner Brinton congratulated Mr. Nicolo on being a certified Citizen Planner.

Ms. Bonaskiewich announced that Lehigh County will be holding a Household Hazardous Waste Collection Event on Saturday, March 28<sup>th</sup>. She noted that while the notice is posted on the Township's website, it is handled through the County.

Mr. Dan Aungst of 2206 33<sup>rd</sup> Street SW expressed concerns regarding a garage owned by Scott Cars in close proximity to his property. He alleged that a body shop is operating in the garage on the weekends with spray painting, sanding, and detailing, and believes that the over-spray from the painting is a nuisance, along with the volume of noise from a gas-powered pressure washer.

Mr. Aungst noted that he has been in contact with code enforcement, but no action has been taken. Mr. Nicolo commented that commercial detailing and auto-reconditioning is permitted in the ordinance. He noted that it is a general provision; it does not define the terms. Mr. Nicolo stated that he did approach the garage about contaminated water running into the street last summer.

Commissioner Brinton inquired if the ordinance should be revised. Mr. Nicolo stated that revising an ordinance forcing their whole operation to change might not be in the best interest of the Township as he would expect to face a lengthy appeals process. He noted that he will once again address the water issue with the garage.

Mr. Aungst also expressed concerns regarding the parking lot lighting at the nearby Scott lot. Mr. Nicolo stated that they should be in compliance with the ordinance regarding parking lot lighting, but he will follow-up with them.

Mr. Jacob Aungst of 2206 33<sup>rd</sup> St SW noted that he witnessed the garage repainting an entire car. Commissioner Seagreaves commented that the language in the ordinance leaves the allowable use open to interpretation.

### **ADJOURNMENT**

Commissioner Ackerman made a motion to adjourn the meeting. Seconded by Commissioner Conn. The time was 7:37 pm.

Respectfully submitted,

Cathy Bonaskiewich  
Township Secretary

These constitute the official minutes of the Regular Meeting of the Board of Commissioners held on February 27, 2020.

Approved and certified on this date:

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Cathy Bonaskiewich

Date: \_\_\_\_\_

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