

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA
MINUTES FROM THE BOARD OF COMMISSIONERS
July 22, 2021
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 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
Heather Lipkin
Alok Patnaik

Staff Present:

Cathy Bonaskiewich, Township Manager
Sandy Nicolo, Assistant Township Manager/Code Enforcement Director/MS4 Coordinator
Paul Ziegenfus, Finance Director
James Levernier, Director of Public Works
Kevin Soberick, Chief of Police
Kerry Rabold, Planning and Zoning Officer
Genny Baillie, Recreation Director
John Ashley, Esquire, representative of Davison & McCarthy, Township Solicitor
David Tetterer, 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 FINANCIAL REPORT AND LIST OF BILLS PAYABLE

Motion by Commissioner Seagreaves, seconded by Commissioner Patnaik, to approve the unaudited Financial Report for the period ending June 30, 2021 and the list of Bills Payable for the period 7/3/21-7/16/21, broken down as follows:

\$168,969.19 = GENERAL
\$909.20 = FIRE
\$0 = LIBRARY
\$46,509.76 = WATER
\$44,106.89 = SEWER
\$2,052.15 = REFUSE & RECYCLING
\$11,257.18 = HIGHWAY AID FUND
\$77,899.19 = CAPITAL GENERAL FUND
\$351,703.56 = GRAND TOTAL ALL FUNDS

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

MINUTES

July 8, 2021

Commissioner Brinton declared the Minutes from July 8, 2021 accepted as presented.

NEW BUSINESS

ORDINANCES

None.

RESOLUTIONS

None.

MOTIONS

Motion to award Bid received from Asphalt Maintenance Solutions, LLC (AMS) for 2021 FB Modified Pavement Overlay, Seal Coat and Fog Seal Project in the amount of \$380,688.42.

Mr. Levernier commented that the road work is for Lehigh Parkway North, Black River Road, Church Road and Sycamore Road and it will begin around mid-August.

Motion by Commissioner Patnaik, seconded by Commissioner Conn, to award the bid received from Asphalt Maintenance Solutions, LLC (AMS) for the 2021 FB Modified Pavement Overlay, Seal Coat and Fog Seal Project, in the amount of \$380,688.42.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Motion to award Bid received from Asphalt Maintenance Solutions, LLC (AMS) for the 2021 Roadway Crack Seal, Chip Seal, Mastic and Fog Seal Project in the amount of \$717,837.49.

Mr. Levernier stated this work pertains to High Ridge Road, Alder Lane, Bobalew Trail, Alex Court, Devonshire Road, Piccadilly Road, and Victoria Circle.

Motion by Commissioner Conn, seconded by Commissioner Lipkin, to award the bid received from Asphalt Maintenance Solutions, LLC (AMS) for the 2021 Roadway Crack Seal, Chip Seal, Mastic and Fog Seal Project in the amount of \$717,837.49.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Motion to Request the Civil Service Commission Create an Eligibility List for Entry-Level Police Officers.

Commissioner Brinton noted that these positions will replace openings from a resignation as well as Chief Soberick's promotion.

Motion by Commissioner Conn, seconded by Commissioner Patnaik, to request the Civil Service Commission Create an Eligibility List for Entry-Level Police Officers.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Motion to Request the Civil Service Commission Create a Promotion Eligibility List to the Rank of Sergeant.

Motion by Commissioner Conn, seconded by Commissioner Seagreaves, to request the Civil Service Commission Create a Promotion Eligibility List to the rank of Sergeant.

Roll Call:

COMMISSIONER PATNAIK – YES
COMMISSIONER LIPKIN – YES
COMMISSIONER SEAGREAVES – YES
COMMISSIONER CONN – YES
COMMISSIONER BRINTON – YES

The Motion passed by 5-0.

Motion to Authorize the Execution of a Lease Extension Agreement with Lehigh County for District Court #31-1-08 until March 1, 2022.

Commissioner Brinton announced that this Motion will be tabled for a future meeting.

PRIVILEGE OF THE FLOOR

Commissioner Patnaik thanked Mr. Levernier for scheduling paving work on Lehigh Parkway North as he has been getting a lot of feedback from residents about the condition of the road.

Commissioner Conn noted that UGI installed service in a house on Cherokee Street, but did a poor patch job in the road. Mr. Levernier replied that he has been working with Ms. Rabold and Mr. Nicolo on revising the Ordinances, but as of now, the Township takes responsibility for patches after they are done, so he will follow-up in the area.

Mr. Levernier commented that the refurbished bathrooms at Laubach Park are now open.

Chief Soberick announced that National Night Out will be held on Tuesday, August 3rd from 5:00 p.m. – 8:00 p.m. at the Salisbury Middle School.

Ms. Bonaskiewich announced that the City of Easton was chosen to be part of the 20th Anniversary commemorating the terrorist attacks of September 11, 2001 with an event called the Never Forget Walk. She stated the Board was invited to attend and there are several public events.

Mr. Charles Beck of 930 E Lexington Street expressed concerns about the snow plow ripping up the pavement and the curb in front of his home. Mr. Levernier stated that he will follow-up.

Mr. Beck also posed several questions regarding alleys. Ms. Rabold stated that in revising the Zoning Ordinance, clarifications were made to the definition of an alley. She commented that it is a misconception that an alley is a private access easement because it is actually open and it is public. Mr. Nicolo clarified that it is a public or private minor right-of-way providing secondary access to the side or rear of one or more abutting properties.

Ms. Rabold commented that the Township is not changing anything; just proving clarification because there was no definition.

Mr. Tettermer stated that a lot of subdivision plans were created in the 1920s-1950s and alleys were very common at that time. He noted that a lot of times they provided access, but they were never officially improved to Township road specifications. So, when the properties were sold, they were sold to the boundary of the alley, not to the center of the alley. Mr. Tettermer commented that after a certain amount of time, generally 21 years, if the Township has not improved the alley, the

Township could lose public rights. He stated that it does not answer who owns the property, but a neighbor to the alley would have assumed rights to half of it.

Attorney Ashley explained that when these roadways are shown on plans, it is an offer of dedication to the municipality. For it to become a public road, the Township would have to accept it, either by action or Ordinance. Attorney Ashley commented that if the Township does not accept it in the time period that the statute provides, then for the Township to open it as a public street, the neighbors would have to petition for it to become a public road. He further explained that if the alley was shown on those plans, it creates a right for everyone that buys in that subdivision to have private rights to use those areas as a drive-thru access easement, but it is a private right for the people in that development to use it.

Mr. Beck requested that alleys be removed from the Zoning Ordinance. Ms. Rabold commented that there is a definition of alley in both the Zoning Ordinance and the SALDO, and because alleys exist in our Township, we need a definition. She noted that an alley is basically a public right-of-way that is 20 feet wide or less.

Another discussion about the definition of alleys ensued. Ms. Rabold stated that she is going to research the topic further to try and find a solution.

ADJOURNMENT

Commissioner Conn made a motion to adjourn the meeting. Seconded by Commissioner Patnaik. The time was 7:46 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 22, 2021.

Approved and certified on this date:

Cathy Bonaskiewich

Date: _____
SEAL