

PALMER TOWNSHIP BOARD OF SUPERVISORS
January 3, 2017
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held their Reorganization Meeting on Tuesday, January 03, 2017 at 7:00 p.m. with the following in attendance: Chairman David Colver, Vice-Chairman Kendall Mitchell and Supervisors Ann-Marie Panella, Robert Smith and Jeffrey Young. Also in attendance were the Township Manager, Police Lieutenant and Township Solicitor.

Colver announced that the Board held an Executive Session on December 21, 2016 in the Municipal Building regarding a potential legal matter. No action was taken.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Approval of Minutes - December 12, 2016

The Board needs to approve/disapprove the minutes of December 12, 2016.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

B. Disbursement of Funds - December 27, 2016

The Board needs to approve/disapprove the disbursement of funds for December 27, 2016.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

3. NEW BUSINESS

A. Meeting Turned Over to Temporary Chairman Who Will Call for Nominations for Chairman

The meeting was turned over to temporary Chairman Christopher Christman who called for nominations for Chairman. Supervisor Smith made a motion to appoint Dave Colver as Chairman.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

B. Newly Elected Chairman Will Call for Nominations for Vice-Chairman

The meeting was turned over to newly re-elected Chairman David Colver who thanked everyone and noted this puts him in his 20th year as a Board member. He then noted that there were a few high school students in attendance. Colver explained the reorganization meeting process to the students.

Colver called for nominations for Vice Chairman. Supervisor Panella nominated Kendall Mitchell for Vice President.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Jeffrey Young. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

C. Appoint Secretary and Treasurer

The Township Manager recommends he be appointed as secretary/treasurer.

The Board appointed Township Manager, Christopher Christman, as the Secretary/Treasurer.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

D. Establish Amount of the Treasurer's Bond

The Board needs to establish the amount of the treasurer's bond for 2017. The current amount is set at \$3 million. There has been no recommendation by the Township Auditor to change the amount of the bond.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

E. Appoint Public Records Officer for Township and Police Department

The Township Manager recommends he be appointed as the public records officer for the township and appoint Chief Larry Palmer as the public records officer for the Police Department.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

- F. Appointment of 2017 Northampton County Association of Township Officials Delegate
The Board needs to appoint a delegate and alternate to the Northampton County Association of Township Officials to attend bi-monthly meetings in 2017.

The Board appointed Christopher Christman as delegate.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

- G. Appointment of the 2017 Township Council of Government (COG) Delegate and Alternate

The Board needs to appoint members of the Board as the 2017 COG Delegate and Alternate.

The Administration is recommending the following:

Delegate - Christopher Christman

Alternate - David Colver

The Board appointed Christopher Christman as delegate and David Colver as alternate.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Jeffrey Young. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

- H. Discussion of Appointment of Voting Delegate at the 2017 State Association Annual Convention

The Board needs to appoint a voting delegate for the 2017 State Association Annual Convention.

The Board appointed Christopher Christman as delegate and Ann-Marie Panella as alternate.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Jeffrey Young. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

- I. Discussion of 2017 Assignments

The Board needs to approve/disapprove the following assignments:

Planning Liaison - Jeffrey Young
Recreation Board Liaison - Robert Smith
Suburban EMS Liaison - Mike Mitchell
Palmer Municipal Fire Department Liaison - David Colver
Shade Tree Commission Liaison - Ann-Marie Panella
Environmental Steering Committee - Ann-Marie Panella
Township Engineer - to appoint J. Scott Pidcock as Township Engineer
Sewage Enforcement Officer - to appoint Anthony Tallarida. Sewage Enforcement Alternates: Jeffrey Matyus and Ted Bigatel
Township Solicitor - to appoint Charles Bruno as Township Solicitor at a fee of \$155.00 per hour.
Zoning Hearing Board Solicitor - will be appointed by Zoning Hearing Board at a fee of \$145.00 per hour.
Earned Income Tax Collectors - to appoint Keystone Collections Group for the year 2017.
Vacancy Board - to appoint Robert Lammi to the Vacancy Board. Said Board exists and is used to break a tie if one exists due to a vacancy on the Board of Supervisors.
Township Physician - Coordinated Health Systems, 2300 Highland Avenue, Bethlehem, PA

Appointments were approved as noted above.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

J. Appoint Business Privilege Tax Collector for 2017

The Board needs to approve/disapprove the reappointment of Berkheimer Tax Administrators as the Palmer Township Business Privilege Tax Collector and appoint Sheri Young as alternate Business Privilege Tax Collector for 2017.

The Board appointed Berkheimer Tax Collectors as the township's Business Privilege Tax Collector and Sheri Young as alternate.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

K. Discussion of Reappointments to the Planning Commission

The Board needs to approve/disapprove the reappointment of Richard Wilkins and Jeff Kicska to four-year terms on the Planning Commission, terms to expire December 31, 2020.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

L. Discussion of Reappointment to the Zoning Hearing Board

The Board needs to approve/disapprove the reappointment of Kris Grube to a five-year term on the Zoning Hearing Board, term to expire December 31, 2021.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

M. Discussion of Reappointments to the Recreation Advisory Board

The Board needs to approve/disapprove the reappointments of Cheryl Nielson and Richard Bulette to five-year terms on the Recreation Advisory Board, terms to expire December 31, 2021.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Jeffrey Young. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

N. Discussion of Reappointment of the Emergency Management Director

The Board needs to approve/disapprove the reappointment of Stephen Gallagher as Emergency Management Director for 2017.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

O. Resolution Appointing Delegate and Alternate to the Tax Collection Committee

The Board needs to appoint a primary voting delegate and an alternate to the 2017 Tax Collection Committee (TCC).

The Township Manager is recommending he be appointed delegate and Sheri Young be appointed alternate.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Jeffrey Young. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

P. Discussion to Approve Lafayette Ambassador Bank to Handle All Township Funds

The Board needs to approve/disapprove Lafayette Ambassador Bank to handle all

township funds.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

Q. 2017 Holiday Schedule

The Board needs to approve/disapprove the 2017 township holiday schedule.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

4. PUBLIC COMMENT

Colver described, for the benefit of the high school students in the audience, the Board of Supervisors positions and how the township is run.

5. REPORTS

Township Solicitor

Solicitor Bruno reviewed the Zoning Hearing Board agenda and asked if the Board wanted to authorize him to attend the meeting for any of the issues on the agenda.

The Board didn't have any issues with Dickey's Barbecue at the 25th Street Shopping Center (formerly Muscle Makers Grill).

Aldi Food Market –Freemansburg Avenue, is requesting to add signage to the building. This is located in a GC district. They modified their original application, as well as, the sign itself. They are requesting that they be allowed to have their sign illuminated during working hours. The agreement that is proposed is between the Board of Supervisors and Aldi only, not the Zoning Hearing Board. Young asked if they wanted to return with something new, would they have to appear before the Zoning Hearing Board or would #4 of the agreement allow them to just make changes. Bruno interpreted this to allow them to have signage as requested, as well as, have their sign lit during open hours of the store, but feels changing of the sign is open ended and that any of these changes need to go to the Zoning Officer or before the Zoning Hearing Board. This would be a modification to the agreement. Smith asked, are there provisions if a company is sold and a sign is changing, do they still have to come in for approval? Bruno stated variances run with the land, so regardless of the owner, if there is a name change they must get approval. Any other changes need a variance. Colver called for a motion to authorize the Solicitor to appear before the Zoning Hearing Board with modifications.

Colver stated he usually does not ask for public comment at this time, but felt that Mr.

Diefenderfer wanted to comment on this as he has been through similar issues.

Charles Diefenderfer, 2918 Hay Terrace, asked if certain zoning districts have certain requirements that signs need to be turned off. Are there restrictions on the times in the GC district? Young stated, he felt business signs should be lit during operating hours. Bruno stated, he didn't think the GC district has limitations on hours. Vote was agreed by all.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

Bruno noted he contacted Mr. Selvaggio's Attorney in regards to their application and he was informed that they are seeking a continuation for their hearing. Supervisor Mitchell made a motion authorizing the Solicitor to appear before the Zoning Hearing Board for this application.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

Bruno distributed a letter from the Palmer Park Mall's Attorney with a supplemental statement to the Zoning Hearing Board noting what they are now requesting. There was lengthy discussion on the three signs they are requesting. They had submitted more specific illustrations to show what they are proposing. Two of the signs are smaller in size, but the one will be an electronic changing message sign proposed for Route 248 and they would like it illuminated from 7:00 a.m. to 11:00 p.m. This sign is an electronic message sign instead of a digital sign. The Board realizes that any decision is up to the Zoning Hearing Board to make and that they need to let them do their job with the information they are given. Young stated, he knows his feelings are totally different than others and he feels it needs to go to a vote. Board members did agree that the one sign is too high and the display is too much, but feels this Board needs to come up with ordinances and/or rules for this type of request. Colver stated this is a unique situation since it is for a mall that has 50 acres and also because of where they are requesting the placement of it. Young reviewed the ordinance.

Diefenderfer stated the courts ruled that part of the ordinance was overturned during his litigation session. Bruno stated, he wasn't sure if it was the full ordinance or just a section of it.

Panella stated she felt the older generation needs to take a back seat with this and let the younger generation take the lead. There are so many ways for electronics to be displayed. Colver noted, this is what Smith is eluding to; we don't have the legal ordinance in place to do this.

Bruno noted the issue before this Board tonight is not if we want to approve this, that is the Zoning Board's decision. The decision tonight by this Board is if the Board wants

to have the Solicitor attend the Zoning Hearing Board meeting opposing the request. Colver called for a motion to have the Solicitor appear before the Zoning Hearing Board to oppose the requested signs for the Palmer Park Mall. Supervisor Young made a motion authorizing the solicitor to attend and oppose the request. The motion died for lack of a second.

Township Manager

Christman said Diane Grube is present tonight in her last official act as filling in for Brenda for a Board of Supervisor's meeting. She will be retiring next week after 43 years of service to Palmer Township. Christman said he would like to officially thank Diane for everything she had done in all of her capacities in the township.

Supervisors

Supervisor Smith also thanked Diane for all her help during the years that they have worked together.

Supervisor Young asked the Solicitor if he felt the Board should take action on the letter that was distributed from the Palmer Park Mall Solicitor that had the revisions.

Bruno said he feels there will be a continuance; and he didn't think it would be withdrawn. He recommended we wait and see what the Zoning Hearing Board officially does.

Young asked the students in the audience if they were familiar with Palmer Weekend and noted that Diane's parents were the ones that started this event with another Palmer Official. Young said she helped out and then stepped in to the coordinator's position along with her niece. It is a wonderful event and we have her to thank since she does 90% of the work for that weekend. Young thanked Diane for all her years of service to Palmer Township.

Chairman Colver said at the December BIP meeting they had approved \$30,000 from their golf outing funds to build a pavilion at the pool; similar to the one at the Community Center. It will be in addition to the existing pavilion and will be completed by April.

Colver also thanked Diane for all her hard work during her many years at Palmer Township.

Supervisor Mitchell thanked Diane for her many years of service and noted they had been friends for many years and will continue to be.

Supervisor Panella said Diane always made me feel welcome to Palmer Township. She is a long-time friend and will continue to be. Thank you for your years of service.

6. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Motion: Adjourn, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Jeffrey Young. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

Respectfully submitted,

Christopher S. Christman
Township Manager