

**PALMER TOWNSHIP BOARD OF SUPERVISORS**  
**September 11, 2017**  
**7:00 PM**  
**GENERAL BUSINESS MEETING**

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The Palmer Township Board of Supervisors held a general business meeting on Monday, September 11, 2017 at 7:18 p.m. with the following in attendance: Chairman David Colver, Vice-Chairman Kendall Mitchell, Supervisors Ann-Marie Panella, Robert Smith and Jeffrey Young. Also in attendance were the Township Manager, Public Services Director, Police Chief and the Township Solicitor.

**1. PLEDGE TO THE FLAG**

After the Pledge to the Flag, Chairman Colver asked for a moment of silence in remembrance of September 11, 2001.

**2. CONSENT CALENDAR**

A. Approval of Minutes - September 5, 2017

INFORMATION

The Board needs to approve/disapprove the minutes of September 5, 2017.

Bruno said the minutes are lengthy and he didn't have a chance to review them. He asked they be tabled until the next meeting.

Motion: Tabled, 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 - September 11, 2017

INFORMATION

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

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

**3. NEW BUSINESS**

A. Sheetz Liquor License Transfer Request

INFORMATION

Attorney Ellen Freeman, on behalf of Sheetz, will review the request to transfer Liquor License R-16360 from 19th Street Restaurant, LLC, 2955 Linden Street, Bethlehem to the Sheetz facility at 3501 Nazareth Road.

DISCUSSION

Bruno said, by law, in order to transfer a license from one municipality to another the municipality where the license is going to must hold a public hearing and the hearing is required to be advertised. Bruno said this matter was advertised for tonight. Bruno said we've had a few of these requests recently and this Board has a right to discuss public safety items or issues you feel are related to the request.

Ellen Freeman, Attorney with Flaherty & O'Hara, was representing Sheetz. Freeman said this license is coming from the City of Bethlehem and she stated the section of the Liquor Control Law related to the health and welfare of the community. Freeman said this is their first step in the process. If this Board approves, they need to go to the Pennsylvania Liquor Control Board with the request. Freeman read a section of Act 39 that restated the purpose of the liquor code. Sheetz is a perfect example of what the Legislature intended in their recent changes to the Act. Freeman distributed a floor plan of the Sheetz facility to the Board. They have one register that will allow the sale of liquor. Sheetz currently has over 500 stores in six states and most of them have allowed alcohol sales for a number of years. They understand the safe way. Freeman said they will continue to have a seating area and kitchen on-site. They are requesting to sell beer at the store and wine and beer to go. No one will be permitted to consume wine or spirits on the premises. Hours of operation will be Monday through Saturday, 7:00 a.m. to 1:45 a.m. and Sunday's 9:00 a.m. to 1:45 a.m. Wine sales will always end at 11:00 p.m. every day. The Sheetz cash registers are programmed for these time allotments. Sales can not be made after these hours. Freeman said Sheetz will be RAMP certified and there will be an on-site RAMP manager that is trained, and all associates receive training. In addition to that training, Sheetz makes their associates take TIPS training as well. They also have a 100% carding policy, no matter what your age is. That removes all the grey area. The on premises consumption isn't advertised, and there will be a two beer limit. In order to qualify as a restaurant, the Liquor Code makes sure they aren't just using the license for take out only. Sheetz keeps a log of all on premise consumption. It includes who bought it, the time of day and the amount purchased. This will be less than 4% of their sales. The restaurant will have security cameras and a camera inside the beer cooler. There will be no beer or wine in the actual store, it will all be back in the cooler. Cameras are also monitored to their main headquarters. All employees have a lanyard that has an instant help button. If they need assistance they can push this button and someone comes on the computer screen to talk them through a situation. They keep these video logs for up to seven years. Freeman ended stating Sheetz currently has 30 stores selling alcohol with only one citation back in 2008.

Mitchell asked if they will be able to drink at the outside tables. Freeman said no. It can only be consumed in the inside seating area. Colver said he has a dozen questions he'd like to ask, but with no one in attendance from our local store, you may not have the answers. Freeman said no one was available to attend tonight. Bruno asked if she would prefer to hear questions or defer until a local representative can attend. Colver said you know we are going to ask about signage outside, neon lighting or signs in the windows. We already have issues with outside loitering on these premises, so if we add alcohol, things may get worse. We are concerned about peace for their neighbors and for their safety.

Chief Palmer said local management has been good working with us but corporate management, not so much. Freeman said it would be a regional manager that would attend a future meeting, not a site specific manager. Colver said in my opinion this request is different than the grocery store request. I'm not saying I'm against it, but I have some issues that need to be addressed. Colver asked if some of the retail area is going away to make seating inside. Freeman said they may shift the retail around. Freeman said she failed to mention they are only able to sell 192 fluid ounces in one sale, which equates to two six packs, or 3,000 meters of wine, which equates to four standard bottles. Smith said we've had neighbors in here numerous times and if management can't control the activities going on there now, how will alcohol add to it. Young said there is a health and safety issue there right now. You stated their corporate office is the responsible operator, but our Police Chief doesn't agree. Someone should be here who knows what's been going on at the store.

Freeman said if they receive an on-site liquor license the employees will receive additional training which should make them feel more comfortable with any type of disruption.

Colver said we meet again on September 26th or October 2nd and 9th. Freeman said that would be fine. Bruno said we will table the matter to a future date and will re-advertise the public hearing.

Young asked if the outside tables will be marked no alcohol. Freeman said it will be posted on the doors that no alcohol is permitted past this point. Panella said the indoor seating area is literally right next to the exit doors and where the registers are, they will not be able to see if someone leaves the seating area with alcohol. Freeman said it will not just be the cash register attendant monitoring it.

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

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

B. Intergovernmental Agreement with Nazareth Borough Municipal Authority

INFORMATION

Before the Board of Supervisors this evening is an intergovernmental agreement between the Nazareth Borough Municipal Authority (NBMA) and Palmer Township formalizing mutual aid between the two entities. This agreement has been reviewed by the Sanitary Sewer Solicitor and he concurs that it is in a position to be approved by the Board of Supervisors.

Board action is requested.

DISCUSSION

Christman said we've seen this before when we had one of these agreements put together between us and Bethlehem Township for public works and sewer assistance. Nazareth Borough approached us regarding some assistance with sanitary sewer equipment. We then discovered we didn't have a Mutual Aid Agreement in place. We modified the agreement to pertain to the Nazareth Borough Municipal Authority.

Colver said this is something we should have in place to help protect both entities.

Ed Krusman, 20 Aberdeen Drive, asked what benefit do we receive from this agreement. Christman said we can share resources in the event we need assistance. Krusman asked if there were experiences in the past? Colver said they covered us when our truck went down. Christman said the agreement defines limits for liability as well.

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

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

#### **4. PUBLIC COMMENT**

Charles Diefenderfer, 2918 Hay Terrace, said previously when you talked about buying the fire trucks, one unit you were trying to sell through outside agencies. What is the status of that? Christman said we have no buyer to date. Colver said the two departments that were initially interested are no longer interested. It is now being marketed throughout the country. We are still using it and we now have a delay on delivery of the new vehicles.

Ed Krusman said he attended past Planning Board meetings and he said, if you can spend millions on fire trucks, why can't we spend a little money to have a sound system put in the meeting room, so people can hear. Young said Upper Mt. Bethel has a portable microphone that works well. Colver said this has been discussed multiple times over the years and our Zoning Attorney just recently sent us a letter as well. There are pros, like it will allow everyone to hear, but if we put a podium up, we know there are many individuals that aren't comfortable walking to a podium to speak. We try to keep these meetings comfortable for everyone. Colver said our big meetings tend to happen every couple of years. Colver said he isn't against it and asked that we look into budgeting it in the 2018 budget. Krusman said, as a taxpayer, we are interested in what goes on in our community and we want to hear what is going on.

#### **5. REPORTS**

##### Director of Public Services

Adams said the well drilling will take place on the community center site on Wednesday.

#### **6. ADJOURNMENT**

The meeting was adjourned at 7:58 p.m.

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

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

Respectfully submitted,

Christopher S. Christman  
Township Manager