

PALMER TOWNSHIP BOARD OF SUPERVISORS
December 18, 2023
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held a general business meeting on Monday, December 18, 2023, at 7:00 p.m. in the Municipal Building meeting room. The following were in attendance: Chair Michael Brett, Vice Chair Joseph Armato, Supervisors K. Michael Mitchell, and Jeffrey Young. Supervisor Ann Marie Panella was absent. Also in attendance were the Township Manager, Planning Director, Assistant Planning Director, Finance Director, Public Services Director, Director of Public Works/Parks/Utilities, MS4/Environmental Administrator, Police Captain, and Assistant Township Manager.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Approval of Minutes - December 4, 2023

INFORMATION

The Board needs to approve/disapprove the minutes of December 4, 2023.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Jeffrey Young. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

B. Disbursement of Funds - December 18, 2023

INFORMATION

The Board needs to approve/disapprove the disbursement of funds for December 18, 2023.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

3. OLD BUSINESS

A. Staff Reports

INFORMATION

- Solicitor
- Township Manager
- Planning Director

- Township Engineer
- Public Services Director
- Public Works, Parks and Utilities Director
- Finance Director
- Police Chief
- Fire Commissioner

Planning Director, Kent Baird, wished everyone happy holidays and said we appreciate your support and you working together with us on projects. You will received a planning report of our activities for this year in early January.

Public Services Directors, Thomas Adams and Phil Godbout wished everyone happy holidays.

Director or Public Works/Parks/Utilities, Scott Kistler said, today was advertised as the last day for leaf collection. Obviously due to today's weather, tomorrow will be the beginning of the last round through the township. Happy holidays.

Finance Director, Jim Farley wished everyone happy holidays.

B. Tree City Resolution

INFORMATION

The township was named a Tree City for the year 2022. This resolution is a continuance of participation in the Tree City program for 2023.

Board action is requested.

DISCUSSION

Tree Coordinator, Paige Strasko said, she also had Shade Tree Committee members, Paul Strasko, Pat Romano and Shannon Wisniewski with her. Strasko said she submitted a report to the Board of Supervisors for review and consideration and she reviewed the report with the Board. We are asking for Board action to sign the resolution for us to continue in the Tree City Program in 2023.

Young asked about the trouble on Glen Avenue where sidewalks have picked up where the wrong kind of trees were planted. Strasko said, the Shade Tree Commission has made recommendations for six species of trees that would only have a height of 35 feet at maturity that are also chosen by the Arbor Day Foundation. Young asked if anyone is working on remediating the current problem. Williams said, the trees are the responsibility of the homeowners and we shared the information on how they can take care of it. Strasko said, we are here to assist. Williams said, this is a step in the right direction. We know it is a huge problem. The Shade Tree Commission and Paige are doing a great job. Together we are getting somewhere and we are addressing the issues. Strasko added, the township planted 53 trees in the township this year. Some were by a contractor and some by our Public Works Department. Strasko said, we also took down 131 trees. Williams said, they were all either dead or diseased.

Chuck Diefenderfer, 2918 Hay Terrace, said, in reference to the sidewalk issues, has the township thought of looking for bids from a general contractor for subsidized rates for sidewalk replacements that you could pass on to homeowners. Brett said, there are grants, but it is not uncommon for sidewalks to be replaced with streetscape improvements. Diefenderfer said, I don't think there is a single development in the township with no sidewalk problems.

Supervisor Young made a motion to approve the resolution continuing our participation in the Tree City Program for 2023.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Michael Brett. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

C. Stormwater Authority Budget Review and Approval

INFORMATION

The Township Stormwater Authority recently approved their five year budget at their November 15th meeting. The budget also needs Board of Supervisors approval.

Board action is requested.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

D. Trash Ordinance Amendment

INFORMATION

Attorney Robert Daday from Portnoff Law Associates, is recommending minor amendments to the township Waste Collection ordinance.

The Board reviewed the ordinance and approved it for advertising at the December 4, 2023 Board meeting.

Board action is requested.

DISCUSSION

Solicitor Will Oetinger said, this is a proposed amendment to Chapter 156, the Solid Waste Collection Ordinance. It was recommended by Portnoff Associates and the motivation is to better solidify the collection of fees for individuals they may need to take to court.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Jeffrey Young. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

E. Parkview Estates Phase 8 - Extension Agreement

INFORMATION

Kay Parkview, LLC requests an extension of time to complete the remaining items of the Parkview Phase 8 Land Development Improvements Agreement. The request consists of two milestones of improvement: December 31, 2023 to complete grading and mulching, and May 1, 2024 to complete final paving of Saddle Lane and remaining required improvements.

Board action is requested.

DISCUSSION

Baird said, as the Board recently heard, Parkview Estates, Phase 8, is behind with their improvements. We decided they should complete a number of things by year end and other items that are weather dependent should be done by May 2024. Our engineer, Justin Stotlar, is meeting regularly with Kay representatives. They are getting pricing for their street lights. This will be a two part extension. Oetinger said, at our last Board meeting the Board also wanted a 10% increase in security and that is also included in the extension agreement.

Young asked if Kay knows the May due date is it? Baird said, yes. Mitchell asked if they will get the work done by the end of December. Baird said that Justin Stotlar believes they will.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Michael Brett. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

F. MCS Industries - Extension Agreement

INFORMATION

MCS Industries, Inc. seeks an extension of time to complete the improvements associated with its project located at 2280 Newlins Mill Road. Remaining effort is mostly associated with the final conversion of the stormwater facilities. The requested extension is for six months with a deadline of June 1, 2024.

DISCUSSION

Baird said, this project is a couple of years old. It was approved in 2018, lived through

COVID and the only remaining items are the final steps to the basin and they are weather dependent. Township Engineer, Allen Mason, said the stormwater system is currently in winter mode and they can't run spray irrigation during the winter. The Geotechnical Engineer needs to sign off on the spray irrigation system.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Jeffrey Young. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

G. 2723 Guyton Street - Lot Line Adjustment

INFORMATION

Diane Cremer seeks Board approval of a lot line adjustment of two parcels of property. One with frontage on Guyton Street and the other with frontage on Leeman Street.

A decision by the Board was tabled at the December 4, 2023 meeting to allow the applicant time to answer questions of the Board, including the feasibility of the applicant filing a Quit Claim Deed for the existing shared paper street

The applicant withdrew previously requested waivers and will comply with those regulations.

Board action is requested.

DISCUSSION

The Applicant, Diane Cremer, and her Attorney Steve Goudsouzian were in attendance.

Goudsouzian said, their Engineer, Andy Boyle, had to attend another meeting this evening. Last we discussed one issue was the Quit Claim Deed related to the driveway. I sent a copy to your Solicitor and he approved it. Goudsouzian presented a photo to the Board of the driveway and explained the driveway area and size. Supervisor Young asked our Public Works Director if this is near the house on Leeman that had water issues and could this driveway add to that? Kistler said, this is further south and there is a lot in between. This would be downstream of that. Goudsouzian explained both ends of the driveway are blocked.

Oetinger asked if they agree to adhere to the Zoning Hearing Board decision regarding restrictions for commercial use on the property. Goudsouzian said, Diane Cremer agrees. Oetinger said, a condition was placed on the new Lot 2 that it not be used for any commercial use without approval by the township.

Baird questioned the waivers and deferrals that were discussed at the last meeting. Mr. Goudsouzian said they retract those. Goudsouzian added, I also took photos for

you to see that the sidewalk will lead to nothing and you are asking an individual homeowner to put in sidewalks and curbs when there is nothing on either side. We would ask for a deferral until the time when other sidewalks are put in.

Oetinger referenced waiver requests and Goudsouzian said both waivers are withdrawn.

Supervisor Armato made a motion to approve the Lot Line Adjustment, with the condition curbs and sidewalks are put in and they are subject to complying with all conditions outlined in the Township Engineer review letter and deferral requests are denied.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

4. NEW BUSINESS

A. Resolution Adopting the 2024 Palmer Township Budget

INFORMATION

The Board needs to approve/disapprove the resolution approving the 2024 Palmer Township budget.

DISCUSSION

Finance Director, Jim Farley, said all changes requested at our last review were made and included for the public display period. Brett asked if there was any public feedback. Farley said no, but several residents or entities are waiting for copies once the budget is approved.

Williams said, this is the umpteenth year there is no real estate tax increase. It does include a .25 tax for EMS services. We had two or three previous discussions regarding the need for an EMS tax. 100% of that will go to Emergency Management Services for the benefit of the Palmer Township community.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

B. Resolution Establishing a Tax Levy

INFORMATION

The Board needs to approve/disapprove the tax levy resolution.

DISCUSSION

Williams said, this is the annual breakdown by fund of the 8.25 real estate tax. Williams said, 2.77 is for general purposes, 2.22 for debt service, 2.36 for parks and recreation, .65 for fire fund, and .25 for road equipment.

Motion: Approve, Moved by Supervisor Michael Brett, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

C. Police Pension Contribution Resolution for 2024

INFORMATION

The Board needs to approve/disapprove the Police Pension Contribution Resolution for 2024.

DISCUSSION

Williams said, this will remain a 5% contribution for 2024.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

D. Resolution Establishing the 2024 Fee Schedule

INFORMATION

The Zoning and Codes Department is recommending a change to the 2024 Fee Schedule as noted on the bottom of Page 2, and reads as follows:

"Compliance Penalty Fee - In the event that a landowner or tenant begins construction activities without receiving the required permits, the permit fee shall be 200% of the applicable permit fee for the construction, use, or activity which commenced without permits."

The Zoning and Codes Department did research and found most municipalities charge a penalty fee and is recommending Palmer add it to our annual fee schedule.

The Zoning Administrator is also recommending the addition of an Enforcement Notice Appeal fee in the amount of \$1,000.

New Stormwater Management Fees have been added to Page 4.

Board approval is requested.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Jeffrey Young. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

**E. Announcement of Reorganization Meetings and Yearly Meeting Schedule for 2024
INFORMATION**

Below is the reorganization legal notice and meeting schedules for 2024 that will be advertised in the Express Times on Friday, December 22, 2023:

The Palmer Township Board of Supervisors annual organization meeting will be held on Tuesday, January 2, 2024, at 7:00 pm. Regular meetings of the Palmer Township Board of Supervisors will be held the first, third and fourth Mondays of each month at 7:00 pm during the year 2024. A special budget meeting will be held Wednesday, October 9, 2024, at Noon and a budget hearing will be held Wednesday, November 6, 2024, at 6:00 pm. All meetings will be held in the municipal building meeting room unless posted differently.

The Board of Auditors will meet on Wednesday, January 3, 2024, at 6:00 pm in the community room of the Palmer Library, 1 Weller Place, Palmer, PA.

The Planning Commission organization meeting will be held on Tuesday, January 9, 2024, at 7:00 pm and all regular meetings will be held the second Tuesday of each month in the municipal building meeting room at 7:00 pm.

The Parks and Recreation Advisory Board meetings will be held the third Tuesday of each month, at the Charles Chrin Community Center, 4100 Green Pond Road, Palmer, PA at 7:00 pm.

The Shade Tree Commission meetings will be held the first Thursday of each month in the municipal building meeting room at 6:30 pm.

The Environmental Steering Committee organization meeting will be held on Wednesday, January 24, 2024, at 6:30 pm and all meetings thereafter will be held on the fourth Wednesday of the month. There will be no meeting in November and December. All meetings will be held in the municipal building meeting room.

The Palmer Township Stormwater Authority meetings will be held the third Wednesday of the month in the municipal meeting room at 5:00 p.m.

Exceptions will be if a legal holiday observed by the township falls on the same date, the scheduled meeting will be held the next business day at the same time.

The Palmer Township Municipal Building meeting room is located in the lower level of the Municipal Building at 3 Weller Place, Palmer, PA.

DISCUSSION

Williams read the above information for the public.

F. Announcement of Christmas Tree Recycling Dates

INFORMATION

Christmas tree recycling will take place the first three full weeks of January; January 1st through January 19, 2024. Trees are to be placed curbside on your regular trash day and all decorations and tree bags must be removed from the tree.

DISCUSSION

Brett read the above information for the public.

G. 2024 Holiday Schedule

INFORMATION

Attached is the 2024 Township Holiday Schedule for Board's review and approval.

DISCUSSION

Williams said, the 2024 holiday schedule is in accordance with other Federal, State, and County schedules.

Motion: Approve, Moved by Supervisor Michael Brett, Seconded by Supervisor Jeffrey Young. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

H. 2024 No Nonsense Neutering Contract

INFORMATION

Attached is the 2024 No Nonsense Neutering Contract for the Boards consideration. The contract remains the same as the 2023 contract and provides neutering services for a maximum of 50 feral cats at the cost of \$40 per cat for a total of \$2,000. The amount is included in the 2024 township budget.

The staff is recommending approval and authorization for the Township Manager to execute the 2024 agreement.

DISCUSSION

Brett reviewed the above information for the public.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Jeffrey Young. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

I. Resolution Authorizing Township Staff to Pursue Deferred Public Improvements

INFORMATION

The Board seeks to realize active transportation and accessibility goals by calling due previously deferred public improvements, including but not limited to sidewalks, bike paths, curbing, street trees, roadway widening, and right-of-way dedications.

Board action is requested.

DISCUSSION

Baird thanked the Board for giving us a chance to research back through our files. There are many trails and sidewalks missing for walkability in our township. I give credit to Craig Beavers for his research on this. This will make us more connected and accessible and more grant worthy.

Assistant Planner, Craig Beavers said, we have 12 miles of deferred sidewalks and several million in improvements like street trees, lighting and others that are due to the township. This resolution gives us an opportunity to reach out to developers to call due their deferrals.

Charles Diefenderfer, 2918 Hay Terrace asked, is this going back to developers or individual property owners? Williams said, whoever owns it, the property owner is responsible. Diefenderfer asked how far back do these go because older people may not have the means to do it. Beavers said, in general deferrals are since the 80's to present. Brett suggested Beavers also present this information to the Planning Commission. Beavers said, the vast majority are developers and large corporations. Not many are individual land owners. We will talk with land owners and work through it with them. Diefenderfer said, it could be a good opportunity for grants for any residents in need.

5. PUBLIC COMMENT

Charles Bellis, Supervisor Elect, said he is here to report his activity since I last spoke with you. On December 9, 2023, I attended the Township Tree Lighting ceremony. Palmer Township can stand proud of what we have done over there. It was a great event and well attended. I was amazed at the amount of staff that attended on their own time.

On December 11, I attended the PSATS training for new supervisors. There were 40 supervisors in the room, with the majority new supervisors. There were some repeat attendees. I made a good contact with Bill Bartlett from Upper Nazareth. I'm pleased to report that during the 3-1/2 hour class, Palmer Township is compliant in everything I've learned. I'm still getting around meeting staff. Part of this journey has been down memory lane. I remember when the old Municipal Building was on Freemansburg Avenue and you could walk in there and talk to three people who ran the township. Now we are a big

organization. Hats off to Robert Williams, our Township Manager. He has taken me around to meet people. I have a small business and I know a lot of people. Bob is operating a big business but it is very family oriented and everyone has respect for him. Thank you for making this process easier for me. I look forward to January 2, 2024.

Brett said, we feel the same way about Bob and the staff and we look forward to having you up here with us on January 2, 2024.

Bellis said, I've had some fun on Facebook regarding my swearing-in ceremony. The buses and bobble heads are not true. Still working on a police escort. All kidding aside, we had some fun and it's been a good journey. Young said, we told Zeke, no police, no fire.

Harry Graack, 1380 Van Buren Road, said happy holidays and thank you for putting up with my comments during the year. Hopefully next year I won't have as many, but they may be more impactful. My comment on tonight's session, it went pretty swift. When developers present to you, you should be looking at ways to slim things down. On my property, I plant hundreds of trees every year and nature does the rest. I'm looking forward to what to do with my property. There is a nice thing on Route 512, the Graver Arboretum. Something like this has crossed my mind. I would also like to pursue with the Shade Tree Commission planting some trees on my farm of different varieties and long term to plant them in other areas of the township. It is a legacy I could leave. The EMS tax I thought was worthwhile and long overdue. It's an excellent idea. The Palmer Police seem to be budgeted ok. They do a really fine job. I have big issues with Van Buren Road and traffic. The sidewalk issue I won't talk to, but I will address in the future. I am impressed with most things the Board and staff does here in Palmer. It is very much an improvement from the last regime and I believe you are headed in a better direction. There isn't much land left, so I'm cautioning everybody on how we use the rest of the land.

6. REPORTS

Supervisors

Armato said, I've gotten to know Harry over the past years and you are a very knowledgeable gentleman. When I first met you, there were some that thought you were a disturbance. I think you are a tremendous asset to our community and I look forward to your legacy.

Armato said, the Tree Lighting was wonderful and I had an opportunity to speak. I received amazing feedback about how well it was done. I wish everyone a happy and healthy holiday season. I would like to remind everyone to keep Ann Marie Panella in your thoughts and prayers for a speedy recovery with her health.

Young said, same from me about the Tree Lighting. It wasn't too long ago when we had about an 8 foot Christmas tree. Scott and township staff did a great job. I'm sorry I couldn't make it, but I had a family event. They are always enjoyable to attend. Thank you and Merry Christmas to our staff and volunteers. We are so lucky.

Mitchell wished everyone a happy holiday and healthy new year.

Brett said, I will echo the comments of my fellow supervisors. I appreciate everything that gets done here. Happy holidays.

Brett announced the Board held an executive session prior to tonight's meeting for one legal matter with no action needed tonight.

7. ADJOURNMENT

The meeting was adjourned at 7:59 p.m.

Motion: Adjourn, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Young

Supervisors Absent: Panella

Respectfully submitted,

Brenda DeGerolamo
Assistant Township Manager