

PALMER TOWNSHIP BOARD OF SUPERVISORS  
GENERAL BUSINESS MEETING  
MARCH 29, 2011

A general business meeting of the Palmer Township Board of Supervisors was held on Tuesday, March 29, 2011 at 7:00 p.m. in the Community Room of the Palmer Library with all Supervisors in attendance: David Colver, Robert Lammi, Ann-Marie Panella, Robert Smith and Mike Mitchell. Also in attendance were the Township Manager, Public Services Director, Planning Director, Police Chief, Township Solicitor and Township Engineer. Takisha Thomas from Patch Internet News represented the news media. Chairman Colver convened the meeting and led those present in the Pledge to the Flag.

2. APPROVAL OF DISBURSEMENT OF FUNDS – MARCH 29, 2011

INFORMATION

The report will be provided at the meeting.

DISCUSSION

On motion by Panella, seconded by Smith, and agreed by all, the Board approved the disbursement of funds for March 29, 2011.

3. APPROVAL OF MINUTES – MARCH 14, 2011

DISCUSSION

On motion by Mitchell, seconded by Panella, and agreed by all, the Board approved the minutes of March 14, 2011.

4. LIQUOR LICENSE TRANSFER – REQUEST TO ADVERTISE

INFORMATION

The Board needs to approve/disapprove advertising the liquor license transfer for a future public hearing.

DISCUSSION

Colver said we received a request from Selvaggio Enterprises for an inter-municipal transfer of a liquor license for the Rosemont Shopping Center on William Penn Highway.

On motion by Mitchell, seconded by Lammi, and agreed by all, the Board authorized advertising the liquor license transfer for a future meeting.

5. DISCUSSION AND AUTHORITY FOR SOLICITOR TO DRAFT AGREEMENT BETWEEN PALMER TOWNSHIP AND THE MIRACLE LEAGUE OF NORTHAMPTON COUNTY FOR FIELD USAGE AT THE CHARLES CHRIN COMMUNITY CENTER SITE

INFORMATION

The Board needs to approve/disapprove the solicitor to draft agreement between Palmer Township and the Miracle League of Northampton County for field usage at the Charles Chrin Community Center.

DISCUSSION

Lammi said he gave a presentation to the Board in June 2010 about the Miracle League wanting to build a field for disabled children in Northampton County. The Board agreed to allow the field to be built at the Charles Chrin Community Center. Lammi said there is one field in Lehigh County now but it is out in a remote location. Lammi said we put together an organization to raise money for the new field and now we need a legal agreement drawn up between the township and the Miracle League of Northampton County.

Lammi made a motion to authorize the solicitor to draw up an agreement between Palmer Township and the Miracle League of Northampton County.

Colver asked if we should give the solicitor any direction related to utilities. Lammi said the bathrooms are on the current plan and will be used for the whole community center tract. Lammi said the Miracle League should pay for their share of that. Lammi said there are no lights planned on the field. Colver said maybe it's not even an issue. Colver said we already planned on a bathroom, concession stand and a small storage building in the area that will be used 99% for Palmer related events. Colver said if they ever put up lights that would be a different thing. Colver said the field is on about one acre of land on the northeast corner of the site. Lammi suggested a 25 year lease. Anckaitis said our current lease with the school district is for 30 years. Anckaitis said he has a copy of the Chrin agreement and a copy of the agreement we have with the school district which he can give to the solicitor. Bruno asked about the timeframe for the field. Lammi said they are projecting being able to use the field in May 2012. The motion was seconded by Mitchell, and agreed by all.

6. PUBLIC COMMENT

None

7. REPORTSSolicitor

- Bruno had an extension request for the maintenance agreement related to the Rizzolino Cheerleading School requesting an extension until August 31, 2011. On motion by Mitchell, seconded by Panella, and agreed by all, the Board authorized the chairman to sign the agreement.
- Bruno said the TPI project on 27<sup>th</sup> Street previously received land development approval and they are now ready to enter into their improvements agreement. Bruno said TPI has formed a new LLC company so the first agreement is an assignment and assumption agreement to transfer TPI to the new company, FMF Properties, LLC. On motion by Smith, seconded by Lammi, and agreed by all, the Board authorized the chairman to sign the assignment and assumption agreement. Bruno said the

second agreement is the land development improvements agreement. Bruno said we are still working out the security of \$36,239.50. On motion by Lammi, seconded by Mitchell, and agreed by all, the Board authorized the chairman to sign the land development improvements agreement, conditioned upon security being in a form acceptable to the township solicitor.

- Bruno said the Larry Rappa subdivision that received approval in June 2010 is requesting an extension of time until April 30, 2011. On motion by Mitchell, seconded by Panella, and agreed by all, the Board approved the extension request.
- Bruno said there was an appeal filed by First Baptist Church related to their storm water issues. Bruno said it appears after review of a letter dated March 24, 2011 from the township engineer's office that the township engineer is satisfied that the storm water issues have been resolved. Dillman said it is odd that a township engineer writes a letter like this, but it was appropriate to get the issue resolved. Bruno said he will contact the developer's attorney and indicate we don't believe we have an issue anymore.
- Bruno said he previously forwarded a tax assessment appeal to the Board related to case number C-48-CV2008-12561. Bruno said the school district and county have signed off. Anckaitis said we found out from the tax assessor's office in August 2010 what the cost associated with this appeal would be and we included the amount in this year's budget. Anckaitis reviewed the order with the solicitor and stated that he believes this was written thinking it would be resolved in 2010. Anckaitis said the 2011 tax bills were sent out and no-one addressed a 27% discount for 2011. Anckaitis said the way it is worded it doesn't include a refund for 2011. Bruno said the purpose of the document was to address 2009 and 2010, but I agree the 2011 issue doesn't seem to be addressed. Bruno said he believes the assessed value would remain the same going forward. Anckaitis recommended the 27% discount for 2011 be addressed. Colver recommended the item be tabled so the solicitor can look into the issue.

#### Township Manager

- Anckaitis had one personnel item for executive session.

#### Planning Director

- Carman said she distributed the zoning hearing board notice for April and noted the continuation for First Star Bank is on that agenda. Lammi asked if the First Star Bank item is the same request from back in January. Carman said yes.
- Carman distributed a report to the Board of activity from the planning, zoning and code departments for 2010.
- Carman said last year administration did a zoning amendment to accommodate a CVS at Northwood Center and a Sheetz was also proposed in that plan. Carman said originally the Sheetz was listed as a gas station and convenience store. Carman said they now consider themselves a convenience store with gas. Carman said a convenience store is not listed as an accepted use in a GC district. Carman said she believes that was overlooked last year and if the Board feels it should be added to the ordinance she can begin that process. Bruno asked to discuss the item further before a decision is made.

#### Public Services Director

- Adams had one real estate item for executive session.

Supervisors

- Colver said since there has been talk about our new public works facility a discussion came up about what we are going to do with the old building. Colver said he thought it would be a good idea to get appraisals on the building. Colver said he asked the public services director to get appraisals for the property. Colver said Adams contacted four companies for appraisals and two responded with quotes to do the appraisals. Laudone came back at \$1,100 and Imperial was at \$2,000. Colver said we've used Laudone before and they also came in at the lowest price and they estimate it will take two to four weeks to complete. Lammi made a motion to enter into a contract with Laudone & Associates, Inc. to perform an appraisal report on the Hartley Avenue parcel, subject to satisfactory review of the agreement by the township solicitor. The motion was seconded by Smith, and agreed by all.
- Colver said last night the Fire Department was presented a \$2,500 check from Monsanto Seed Company. Colver said Raub's Farm was the winner of the America's Farmers Grow Communities program and they chose the fire department as the charitable organization to receive the donation.
- Colver said also during last night's fire department meeting, the relief association approved a \$25,000 per year budget item to go toward the purchase of the next fire truck in 2017. Colver said they will be saving the same amount the township is budgeting per year until 2017.
- Colver said he received a letter from Dave Carr about a previous request he made to the township in December regarding volunteering to clean up the bike path along Fairview Park. Colver said Tom Adams and Jamie Collins from the Shade Tree Commission reviewed the request and Collins responded with a letter to Carr noting she didn't think butterfly bushes would be appropriate in that area because they are basically glorified weeds. Colver said the issue basically died after Collin's response until I received Carr's recent letter. Carr has changed his thoughts since Jamie's letter and he would like to meet with the township to discuss what he would like to do. The Board agreed to have Carr bring his proposal back to the township.

On motion by Mitchell, seconded by Panella, and agreed by all, the meeting was adjourned at 7:37 p.m. with one personnel and one real estate item for executive session.

Respectfully submitted,

Robert G. Anckaitis  
Township Manager