

GENERAL BUSINESS MEETING
APRIL 26, 2011

A general business meeting of the Palmer Township Board of Supervisors was held on Tuesday, April 26, 2011 at 7:00 p.m. in the Community Room of the Palmer Library with three Supervisors in attendance: Robert Lammi, Ann-Marie Panella, and Robert Smith. David Colver and Mike Mitchell were absent. Also in attendance were the Township Manager, Planning Director, Public Services Director, Police Chief and Township Solicitor. Takisha Thomas from Patch Internet News represented the news media. Vice-Chairman Lammi convened the meeting and led those present in the Pledge to the Flag. Lammi announced the Board held executive sessions to discuss a personnel matter on April 13, April 14, and April 21 with no action required tonight.

2. APPROVAL OF DISBURSEMENT OF FUNDS – APRIL 25, 2011

INFORMATION

The report will be provided at the meeting.

DISCUSSION

On motion by Panella, seconded by Smith, and agreed by three, the Board approved the disbursement of funds for April 25, 2011.

3. APPROVAL OF MINUTES – APRIL 11, 2011

DISCUSSION

On motion by Panella, seconded by Smith, and agreed by three, the Board approved the minutes of April 11, 2011.

4. NON-UNIFORM POLICE PENSION FUND ASSET ALLOCATION

INFORMATION

The non-uniform pension plan administrator is introducing a new platform of investments. The Board needs to approve/disapprove keeping the current asset allocation or changing asset allocations.

DISCUSSION

Anckaitis said we received a letter stating Nationwide is implementing a new investment platform. They have outlined funds with the new platform that are similar in investment strategies as our current investments. They are asking if they can substitute those designated funds or if we would like to choose other funds.

On motion by Panella, seconded by Smith, and agreed by three, the Board approved the recommended similar investment strategies, suggested by the Trust's investment advisor, maintaining the current investment philosophy and asset allocation of the non-uniform pension plan.

5. LIQUOR LICENSE INTER-MUNICIPAL TRANSFER REQUEST INFORMATION

This matter has been advertised for public hearing. The Board needs to approve/disapprove the inter-municipal transfer of a liquor license.

DISCUSSION

Bruno said whenever there is an inter-municipal liquor transfer a public hearing needs to be held. This is the preliminary part of the process and then it goes to the State Liquor Control Board for approval.

Attorney Stan Margle introduced Steve Selvaggio, who he is representing, Butch Johnsons, Project Manager and Jim Schantz from Lisa Boscola's office. Margle said the license was previously transferred in 2006 from the Shamrock Restaurant in Fountain Hill to 79 West Broad Street in Bethlehem, a property owned by Mr. Selvaggio. Margle said the restaurant never opened at 79 West Broad Street. Margle said we are currently holding the license in safe keeping. Margle said the 79 West Broad Street is no longer a suitable location because the building would require hundreds of thousands of dollars to renovate. Margle said Mr. Selvaggio owns and operates the Rosemont Shopping Center on William Penn Highway. When looking at the building from William Penn Highway, the second unit from the right of the building, which is presently a retail use, is where we are proposing a pizza shop. Margle said the current tenant is on a month-to-month lease and we have possible tenants that would be interested in operating a restaurant that would sell beer and possibly wine. Margle said the license we have is a full liquor license. We are asking you to approve the inter-municipal liquor license transfer so we can move forward to the State Liquor Control Board hearings. They will make the final decision. Margle said the township needs to consider if this transfer would offend the moral aspect of Palmer Township related to health, safety, and public welfare of the township.

Lammi asked if the alcohol would be consumed on-site or could they buy six packs and take it out. Schantz said the state designates that 192 ounces can be purchased and taken out in a closed container but no open containers would be allowed to leave the property.

Lammi asked if there were any questions from the Board or audience. There were no questions. Lammi asked Chief Fretz's opinion. Fretz said he didn't see a problem with the location.

On motion by Panella, seconded by Smith, and agreed by three, the Board approved the inter-municipal liquor license transfer from Restaurant Adventures LLC to T & S Development Company for the location at 3128 William Penn Highway.

6. PUGLIESE FENCE AGREEMENT
INFORMATION

This agreement is for Nicholas Jr. and Amanda Pugliese, 16 North Ridge Court. The Board needs to approve/disapprove the Pugliese Fence Agreement.

DISCUSSION

Adams said this is our standard shed agreement. Lammi asked if the fence will surround the whole property. Adams said it will border on the southerly side of the property, go along the back yard property line, the easterly side, and wrap around the garage and tie into the house.

On motion by Smith, seconded by Panella, and agreed by three, the Board approved the fence agreement for 16 North Ridge Court.

7. REQUEST TO ENTERTAIN ZONING ORDINANCE AMENDMENT
INFORMATION

Lisa Carl is requesting the Board entertain a request to allow pet grooming as a home occupation for a property on Northwood Avenue. The Board needs to approve/disapprove the request.

DISCUSSION

Lisa Carl said she is moving from Maine and would like to relocate in this area and fell in love with Palmer. Carl said she spoke with the zoning officer who said dog grooming is not allowed in this area. Carl said she is asking that this Board reconsider that. Carl said she is an AKC judge and travels a lot on the weekends, so she wouldn't be running a full time operation. Lammi asked if she would keep animals. Carl said they would be at the salon for two hours and they would not leave her building until the owner picks them up. Lammi said if we entertain this does it still need to go to the Zoning Hearing Board. Bruno said you are asking for something that would allow you to do something specific with your property. Because the ordinance prohibits it the Board would need to amend the ordinance and it would be permitted in any home occupation area in the township. Bruno said if the Board elects to entertain this request it would need to go through a zoning amendment process which includes going through the township Planning Commission, the Lehigh Valley Planning Commission, and then back to this Board for a public hearing. Bruno said the other alternative is to make a site specific request to the Zoning Hearing Board for a use variance at her location only. Bruno noted use variances are hard to obtain from a legal standpoint. This Board could send a letter of support to the Zoning Hearing Board in that process if they choose. Lammi said no one has ever requested this use before. Carl said there are only 13 of us on the east coast. Carl said she is only looking to do five or six animals a day. Smith said he is not in favor of this. If we open the door to this then any resident in the township would be allowed to do it. Smith said these are dogs coming and going and would the neighbors want this in their neighborhood. Smith said we also have businesses in the

township that already do this and they took the time to get their business up and running and now we are allowing it anywhere. Lammi said this is no different than a hairdresser. They can have a business at a public location or a home location. Lammi said you either go for a special exception at the Zoning Hearing Board or go through this process that could take months before it comes back to us for approval. Lammi suggested she also talk to her neighbors to gain support for her use. Panella said if we change the zoning ordinance it would be available for anyone to do as a home occupation in their home. Bruno said you have some good arguments as to why your site is a good location for this. If you go to the Zoning Hearing Board you would be requesting a use variance. Bruno said keep in mind in order to have your request approved tonight you will need all three board members to agree since two members are absent from tonight's meeting. Carl said when she previously talked to the zoning officer he indicated the Zoning Hearing Board would not approve it because the law specifically says it is not allowed.

Carl withdrew her request tonight.

8. PUBLIC COMMENT

Jim Chisesi, 1320 Wayne Street, said related to the Woodridge Falls project, when you come up Wayne Street to turn on Grandview Drive toward Greenwood Avenue, there is a blind area and it could use stop signs. Carmen said we talked about that with the developer and there is supposed to be a three way stop at that intersection prior to anyone moving in. Chisesi said there are people already living in the development. Carman said there should be no one living there. No certificate of occupancy permits have been issued to date. Carman said the stop signs are to be in before anyone is living in any of the properties. Carman said they want their first certificate of occupancy by the end of this week, so the signs should be up by then.

9. REPORTS

Solicitor

- Bruno had a proposed addendum to a right-of-way agreement between Palmer Township and the Palmer Township Municipal Sewer Authority. Bruno said it is a property the township is looking to transfer to the Borough of Wilson near the Children's home. Bruno said if the owner of the property disturbs the macadam they would have to refurbish the area instead of making the sewer authority do the repair work. It would run as a covenant with the land. Bruno said this will protect everyone involved. On motion by Panella, seconded by Smith, and agreed by three, the Board authorized the chairman to sign the agreement.
- Bruno had a request from Mr. Strausser, the developer of Northwood Center, CVS project. Mr. Strausser is requesting an extension of time until July 31, 2011. On motion by Panella, seconded by Smith, and agreed by three, the Board approved the extension.

Planning Director

- Carman reviewed the upcoming Zoning Hearing Board agenda. There were no comments.

Public Services Director

- Adams reported the pool grant was submitted to DCNR.

On motion by Panella, seconded by Smith, and agreed by all, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Robert G. Anckaitis
Township Manager