

Board of Supervisors Meeting
Thursday, December 7, 2006 – 7:30 PM
Lynnport, PA 18066

Call to Order

The meeting of the Lynn Township Board of Supervisors was called to order at 7:30 PM in the Municipal Building by Chairman Thomas C. Creighton III. Present were Chairman Thomas C. Creighton III, Vice Chairman Dave Najarian, Member Charles Lenhart, Zoning Officer Kevin Deppe, Interim Treasurer Rob Sadler, Township Solicitor Ed Healy, Secretary/Assistant Treasurer Tracy Miklus, and approximately 10 citizens.

Pledge of Allegiance

Public Comment

Marvin Charles said his wife has been ill and he wanted to publicly acknowledge and give a big thank you to the Lynnport Fire Company Emergency Team and Northwestern-Lehigh Ambulance Corps. for going to his home two times to care for his wife. He said they were fantastic and compassionate and did what needed to be done. He said it was marvelous to know that someone could be there for your loved ones when you cannot.

Approval of Minutes

Vice Chairman Najarian motioned, seconded by Member Lenhart, to approve the minutes from the 11/02/2006 Board of Supervisors meeting, but requested that the 12/04/2006 Workshop meeting minutes be tabled until they were corrected by Secretary Miklus to reflect the fact that Member Lenhart left the meeting early. Motion carried unanimously.

Treasurer

Budget - Interim Treasurer Sadler said he needed to add Park Budget numbers into the Township Budget and then it will be complete. Vice Chairman Najarian motioned, seconded by Member Lenhart, to accept the 2007 Budget subject to the amendments as reflected in the Ontelaunee Park Budget. Mr. Sadler said he would have it completed by Monday. Motion carried unanimously.

Escrow Accounts - Interim Treasurer Sadler said he was still working on the accounts, recently closed more, and he was still working on them.

Benecon - Lehigh Valley Insurance Cooperative - Interim Treasurer Sadler said a Benefit Ordinance is needed and a sample was provided by Benecon. Solicitor Healy said to complete the ordinance and that benefits need to be advertised at least one week before consideration. He also told Secretary Miklus that it has to go to the County Law Department and if she has any questions to call him or his secretary.

East Penn Excavating Payment - Mr. Sadler asked if the Township General Fund could reimburse the Park Fund for the demolition of the pool and pool house done by East Penn Excavating. Vice Chairman Najarian motioned, seconded by Member Lenhart, to transfer the appropriate funds from the General Fund to the Ontelaunee Park Fund to reimburse the cost of payment to East Penn Excavating. Motion carried unanimously.

Payment of Bills

Vice Chairman Najarian motioned, seconded by Member Lenhart, to direct the Treasurer to pay the bills. Motion carried unanimously.

Miscellaneous

Regarding an article in the Northwestern Press, Vice Chairman Najarian told Township Auditor Robert Hamm that he could announce the correction in the newspaper, but the newspaper was not present. He asked Mr. Hamm if he just wanted him to write them and maybe they would publish a correction. Mr. Hamm said he would appreciate it. Vice Chairman Najarian said in the article printed in the newspaper was not clear, it looked like we were hiring a CPA firm to audit both 2005 and 2006, when in reality, it is for the 2006 audit and to do a sampling of 2005.

Subdivisions

Dale & Patricia Layos - Minor-2 Lots-7999 Bausch Rd.-Prel. Plan

Ribello Bertoni, Surveyor present. Vice Chairman Najarian motioned, seconded by Member Lenhart, for preliminary approval subject to the applicant meeting the conditions as set forth in the engineer' comment letter dated 11/17/2006 and the Zoning Officer's comment letter dated 11/06/2006. Motion carried unanimously.

Dale & Patricia Layos – Sewage Planning Module Review

Zoning Officer Deppe gave out copies of the Sewer Module to the Board. He explained the sign-off procedure. Vice Chairman Najarian motioned, seconded by member Lenhart, to approve the Planning Module of Layos. Motion carried unanimously.

Mary Y. Knerr – Sewage Planning Module Review

Scot Dietrich of Beitler's Survey present. Vice Chairman Najarian, seconded by Member Lenhart. motioned to approve the Planning Module for Knerr. Motion carried unanimously.

Mountain Road

John McRoberts, Van Cleef Engineering Associates, present. Vice Chairman Najarian asked as to why the Mountain Road Planning Module had a Resolution, Mr. McRoberts said it was following DEP guidelines. Vice Chairman Najarian motioned, seconded by Member Lenhart, to adopt Resolution 2006-21, the resolution approving the Planning Module for the Mountain Road Subdivision. Motion carried unanimously.

Miscellaneous

Billig sign - Vice Chairman Najarian told Mr. Billig the reason he was invited to the meeting was to talk about his business sign located on the Township property. Chairman Creighton stated that there were pictures taken of the sign and its location after an accident. Mr. Billig stated that it (the accident) was not because of the sign, but because of the trees. Liability issues were discussed with Mr. Billig. Solicitor Healy suggested relocation; Mr. Billig does not see a problem with the sign. Chairman Creighton made a motion for Zoning Officer Deppe to work with the Roadmaster and Mr. Billig to move the sign out of sight distance and to an agreeable location. Vice Chairman Najarian does not want to waive any rights we have by moving it, he would like Solicitor Healy for first check at the Lehigh County Courthouse to see if there is an easement or agreement. Solicitor Healy said he would have the status at the close-out meeting on 12/27/2006 @ 7:45 a.m.

Ordinances

- Ordinance 2006-? - Mixed housing (Steckel & Stopp amendment). Will be discussed at the close-out meeting on 12/27/2006.

Resolutions

- Res. 2006-18 - To amend and add to the existing Agricultural Security Area (Pierre & Helga Le Fur); Vice Chairman Najarian made a motion, seconded by Member Lenhart, to adopt this resolution to amend and add to the existing Agricultural Security Area. Motion carried unanimously.

Resolutions (cont.)

- Res. 2006-19 - Mileage reimbursement; Member Lenhart made a motion, seconded by Vice Chairman Najarian, to adopt this resolution to follow the IRS guidelines for mileage reimbursement. Motioned carried unanimously.
- Res. 2006-20 - 2007 Tax Resolution; Vice Chairman Najarian made a motion, seconded by Member Lenhart, to adopt this resolution fixing the tax rate for year 2007. Motioned carried unanimously.
- Res. 2006-21 - Mountain Road subdivision plan revision (was adopted earlier above under subdivisions)
- Res. 2006-22 - Re-establish Zoning Hearing Board fees; Vice Chairman Najarian made a motion, seconded by Member Lenhart, to adopt this resolution re-establishing fees to appear before the Zoning Hearing Board. Motioned carried unanimously.

Ordinances

- Ordinance 2006-8 - Act 40 of 2005 and Enforcement of the Real Estate Transfer Tax; Vice Chairman Najarian made a motion, seconded by Member Lenhart, to adopt this ordinance pertaining to the local realty transfer tax. Motioned carried unanimously.

Announcements

None.

Miscellaneous

- Bassett Engineering Report - Chairman Creighton stated he was happy with the report; Vice Chairman Najarian stated it was well written and thinks the Township should consider retaining Bassett for the 537 Plan. He said we need to find out Bassett's rates. Chairman Creighton stated he will contact Mr. Bassett for his fee schedule by the close-out meeting on 12/27/2006.
- 2007 meeting schedule - there was a lengthy discussion, but specific times were not decided.
- Meeting times for 2007 (must publish after re-org meeting)
- Hearing with Judge Black regarding the Appeal of Ovations preliminary plan approval which was denied by the Board – Update with Solicitor Healy; Solicitor Healy said the status conference was originally scheduled with Judge Brenner, but is now being heard by Judge Black and that he had nothing else to report at this time.
- New copier for administrative office - Vice Chairman Najarian motioned, seconded by Member Lenhart, to proceed with the new copier. Motion carried unanimously.
- Vice Chairman Najarian stated to Member Lenhart that he received complaints, not specifically about Member Lenhart's property, but about nuisance properties in general. Vice Chairman Najarian said that Zoning Officer Deppe had a dilemma acting on complaints about properties that are a mess when one of the more prominent properties that are a mess was Member Lenhart's. Vice Chairman Najarian said he was hoping Member Lenhart could begin cleaning up his property or he needs to apply for a special exception. Member Lenhart said he was committed to cleaning up the property.

Public Comment

Mary Cole asked if the Township took action on hiring a CPA. David responded that it was advertised. Responding to questions from Township Auditor Robert Hamm, Solicitor Healy read and summarized sections from Pennsylvania's Second Class Township Code. Robert Hamm asked what the difference was between subsections A and B. Solicitor Healy said that section B did not have a fee limitation. Vice Chairman Najarian said he thought a CPA firm was worthwhile so they could advise us on money spent. Vice Chairman Najarian motioned, seconded by Chairman Creighton, to appoint Reinsel Kuntz Leshner as CPA firm to the Township. Member Lenhart voted no. Motion carried.

Member Lenhart asked about the Recreation Commission's decision regarding football on their fields. The Commission said they would not allow football to be played on their fields due to safety issues. Member Lenhart said he is in favor of football being played and said why not drop out of the Recreation Commission and put the Township's money into its own park.

Adjournment

Vice Chairman Najarian made a motion, seconded by Member Lenhart, to adjourn the meeting at 9:50 p.m. Motion carried unanimously.

Respectfully submitted,

Tracy Miklus
Secretary/Assistant Treasurer

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