

TO: Lynn Township Board of Supervisors
FROM: David C. Najarian, Acting Secretary, 2006 ReOrg Meeting (partial)
DATE: January 10, 2006
RE: Unofficial Minutes of the 2006 ReOrg. Mtg.

Thereafter Dawn left the Reorganization meeting.

A motion was made by Charlie to appoint Steckel & Stopp, Attorney Ed Healy as Township Solicitor, seconded by Tom. The motion passed by oral unanimous vote.

A motion was made by Charlie to appoint Keystone Consulting as Township Engineer seconded by David. The motion passed by oral unanimous vote.

Upon seeing that Dawn was leaving the meeting, David volunteered to be acting secretary for the remainder of the meeting. A motion was made by Tom Creighton to appoint David as acting secretary and take the minutes for the remainder of the meeting. David seconded the motion; the motion unanimously passed by oral vote.

Resolution 2006-1 was made by Charlie to open and maintain accounts at New Tripoli Bank. David seconded. The resolution was made by unanimous vote.

A discussion was then held on a motion to advertise intent to appoint a CPA or certified firm to replace the Township's elected auditors. Solicitor Healy said that an advertisement must be placed at least 30 days before the action is taken. Attorney Healy said that would leave little time for the appointed CPA to complete the required report by the March deadline. Solicitor Healy also said that after advertisement, in the event a CPA was not appointed, such would leave little time for the elected auditors to complete the required report by the March deadline. David asked if the elected auditors could perform the audit and report with later review by a CPA. Solicitor Healy answered no. Solicitor Healy added that the elected Auditors are required to scrutinize the books more heavily whenever there is a personnel change. Charlie said that he wanted the elected auditors to remain. Tom made the motion advertise intent to replace the Township's elected auditors. No second was made. The motion died.

A discussion was held on whether to hold the regular Board of Supervisor's Meeting on the first Thursday of each month and when to hold the workshop meetings. David suggested that the workshop meeting, which is normally held the Monday before the first Thursday, be held on the last Monday of the month. Charlie cited problems with David's suggestion based on the certain holidays that occur on the last Monday of the month. David then said to leave days the same, but hold the workshop meeting at 7:30pm instead of 4:00, i.e. the same time as the regular meetings are held. Charlie said that 7:30pm for the workshop meeting could be a problem for the Township Engineer. David said that the public would be more able to attend a 7:30 meeting. Using a calendar to determine the Monday before the first Thursday, Charlie suggested the following days for the workshop meeting. 1/31, 2/27, 4/3, 5/1, 5/25, 7/3, 7/31, 8/31, 10/2, 10/30, 12/4 with a closeout meeting on 12/27/2006. A motion was made by David to hold the regular meeting on the

first Thursday of each month, and the workshop meeting on the days listed, i.e. the Monday before the first Thursday, each beginning at 7:30pm. Charlie seconded. The motion passed by oral unanimous vote. Solicitor Healy said the Secretary could advertise the meetings.

Appointments to the Planning Commission were then considered. Two vacancies required appointment. Up for reappointment were Harold Handwerk and Brian Dietrich.

Harold Handwerk was present in the audience. David asked Harold Handwerk to introduce himself with a brief statement of his qualifications. Mr. Handwerk said that he served in the United States Army Corp of Engineers. Harold Handwerk also said that he had been a civil engineer in Allentown for 30 years and helped set up the Agriculture Security Service in Lynn Township. Brian Dietrich was not present.

David made a motion to appoint Harold Handwerk to the Planning Commission until 1/2010. Charlie seconded. The motion passed by oral unanimous vote.

Charlie made a motion to appoint Brian Dietrich to the Planning Commission until 1/2010. David seconded. The motion passed by oral unanimous vote.

An appointment to the Sewer Authority was then considered. One vacancy existed with two applicants: Willard Snyder and Marvin Charles. David asked Willard Snyder to introduce himself. Mr. Snyder said that he was an officer of the New Tripoli National Bank for 45 years and that he had served on the Sewer Authority from its start. Mr. Snyder also suggested that the Sewer Authority be comprised of persons who are serviced by the sewer. Thereafter David asked Marvin Charles to introduce himself. Marvin said that he had a PhD in chemical engineering and 35 years experience in building chemical and biochemical plants, as well as experience dealing with regulatory agencies.

David commended Mr. Snyder's service to Lynn Township. David felt that in light of the new construction planned at the sewer plant, Marvin Charles should be considered. Citing the potential for conflicting interests, Tom Creighton expressed displeasure that one member of the Sewer Authority was also an employee of the Authority. David nominated Mr. Charles and Tom seconded. An oral vote was held. Tom and Dave voted yes. Charlie was opposed.

Appointment to the vacancy board was then considered. Charlie said that Mr. Billig, the 2005 member, was disqualified because Mr. Billig moved from the Township. Tom Creighton said the Vacancy Board Member votes when there is a vacancy in the Board of Supervisors and the two remaining supervisors can not agree on who should be appointed. Solicitor Healy said the Vacancy Board appointment was an annual appointment. David nominated Steve Finour and Charlie seconded. The motion passed by oral unanimous vote.

The appointment of Sewage Enforcement Officer (SEO) was considered. Charlie said that he received an email from Ken Bleiler that said that Mr. Bleiler did not want to be an alternate SEO. After some discussion, the Board then assumed that Mr. Bleiler also did not want to be the primary SEO. David made a motion to appoint Carl Wolfe as SEO and Charlie seconded. The motion passed by oral unanimous vote.

The appointment of Alternate Sewage Enforcement Officer (ASEO) was considered. Charlie said that Ken Bleiler suggested Scott Bieber. Charlie made a motion to appoint Scott Bleiler and David seconded. The motion passed by oral unanimous vote.

The appointment of Zoning Enforcement Officer (ZEO)/Administrator was considered. It was noted that Ken Bleiler intended to resign effective May 31, 2006. David made a motion to appoint Ken Bleiler and Charlie seconded. The motion passed by oral unanimous vote.

A motion was made by David to accept Ken Bleiler's letter of intention to retire effective May 31, 2006. Charlie seconded the motion. The motion passed by oral unanimous vote.

The appointment of Alternate Zoning Enforcement Officer (AZEEO) was considered. David made a motion to appoint Keystone Engineers, aka KCE as AZEEO. Charlie seconded. The motion passed by oral unanimous vote.

A motion was made by Charlie to appoint Robert Eschbach as Building Inspector with a showing of certification or registration. David seconded. The motion passed by oral unanimous vote.

A motion was made by David to appoint Ken Bleiler, Richard Diehm and Michael Straughn as Alternate Building Inspectors with a showing of certification or registration. Charlie seconded. The motion passed by oral unanimous vote.

A motion was made by Charlie to appoint Ken Bleiler as Plumbing Inspector with a showing of certification or registration. David seconded. The motion passed by oral unanimous vote.

A motion was made by Charlie to appoint Robert Eschbach as Alternate Plumbing Inspector with a showing of certification or registration. David seconded. The motion passed by oral unanimous vote.

A motion was made by David to appoint Matt Nemeth as Emergency Management Coordinator. Charlie seconded. The motion passed by oral unanimous vote.

Resolution No. 2006-3 to establish a User Fee Schedule was made by David, seconded by Charlie. The resolution was passed by unanimous vote.

A motion to allow Township Supervisors to perform any type work allowable under the Second Class Township Code was considered. Solicitor Healy explained that this motion

would allow a Supervisor to be compensated for performing non-elected work. David rejected the motion as it pertained to himself by saying it presented a personal conflict of interest to be a co-boss of himself. David said that the motion was OK as to Charlie because Charlie was elected as a working supervisor. Tom said that he might perform up to 20 hours per month of non-elected work, computer work, work on special projects etc.

David made motion to allow Township Supervisor Charlie Lenhart to perform any type work allowable under the Second Class Township Code. Tom seconded. The motion passed by oral unanimous vote.

David made motion to allow Township Supervisor Tom Creighton to perform any type work allowable under the Second Class Township Code up to a maximum of 20 hours per month. Charlie seconded. The motion passed by oral unanimous vote.

David made a motion to appoint Bruce Raber as Roadmaster on a month to month basis with an obligation to report the on the activities of Road Maintenance Department to the BOS. Tom seconded. Tom and David voted in favor of the motion. Charlie remained silent in the vote. Motion carried.

Regarding an appointment for Director of Operations DOO, David asked why the Township's job description for DOO included licensed operation of the Township Sewer Authority Wastewater Treatment Plant. Charlie moved to abolish the position of DOO. David seconded. The motion passed by oral unanimous vote.

Charlie made a motion to appoint David as the voting delegate to the PSATS convention. Tom seconded. The motion passed by oral unanimous vote.

Charlie made a motion to appoint Tom as the representative to the Northwestern Recreation Commission. Dave seconded. The motion passed by oral unanimous vote.

After discussing a letter of intent dated December 29, 2005 received by the Board from Donald Christ, aka Chico, in which Chico requested consideration for appointment as Ontelaunee Park Manager, David made a motion to appoint Chico as the Ontelaunee Park Manager, thereby having an obligation to manage and report on the status and time for completion of projects in Ontelaunee Park, hours not to exceed 40 hours per month. Charlie seconded. The motion passed by oral unanimous vote.

After a discussion on how to simplify the wording of the motion and the suggestion by Charlie that employees receive a 50-cent cost of living raise, David made a motion to reappoint all re-existing Township employees with a 50-cent per hour cost of living raise. Charlie seconded. The motion passed by oral unanimous vote.

David made a motion to set the wages of Bruce Raber for the period Bruce Raber may serve as Roadmaster to \$16.75 per hour. Charlie seconded. The motion passed by oral unanimous vote.

In a discussion to set the wages for Tina Everett in light of her additional duty as Township Secretary, Tom suggested \$16.25 per hour. Charlie suggested \$14.75 per hour. David said that \$16.25 per hour would make Tina nearly the highest paid hourly employee. Tom proffered \$16.00 per hour and David agreed. Tom made a motion to set Tina's wage at \$16.00 per hour. David Seconded. Tom and Dave voted in favor while Charlie voted against. The motion carried.

Thereupon, Richard Snyder inquired from the public. Mr. Snyder asked who was to be the Administrative Secretary. David explained that all remaining existing employees were reappointed to their positions. The result is that Tina Everett was now the Administrative Secretary and Township Secretary. In light of the additional workload, Tina can make recommendations to the Board as she undertakes her responsibilities.

In the discussion to set the wage for Robert Sadler as Township Treasurer, minimum wage was discussed. No consensus was made as to the actual amount minimum wage was. David asked how much the auditors were paid and suggested \$7.00. To wit, Robert Hamm, an elected auditor in the audience said that the auditors receive \$10 per hour for their work as auditor. David made a motion to set Robert Sadler's wage to \$10 per hour. Charlie seconded. The motion passed by oral unanimous vote.

David started a discussion on whether vacation days should be treated as days worked for the purpose of calculating overtime. David gave a theoretic example of a Road Crew Worker taking 4 weeks vacation in January, then receiving overtime for plowing snow in the peak winter period. David said that treating vacation days as days worked could potentially blow the Township's winter maintenance budget. Some discussion was held between the Charlie and David on whether such a policy could be discriminatory. David and Charlie asked Solicitor Healy if an inconsistency between benefits for a Supervisor and Township employee might be discriminatory. David also asked Solicitor Healy if a policy could be implemented mid-year. Solicitor Healy explained how a mid-year change could be discriminatory where it results in unequal treatment. Thereafter, David made a motion to leave holidays, vacation time, sick and personal days unchanged from 2005. Charlie seconded. The motion passed by oral unanimous vote.

Next was a discussion on whether the Solicitor's two written legal opinions, which concern the Active Adult Retirement Community, should be made available to the public. Solicitor Healy said that a policy that generally waives the Board's attorney client privilege might not be in the best interest of the Board. Solicitor Healy said that the Board could use its own judgment in whether to make the two legal opinions available to the public. Ron Fillis from the audience said the opinions should be released to the public because the Board represents the public. Mel Charles said that the detail contained in the opinions might not be released. Ed Najarian said to get it all out. Put an end to closed-door back-room deals. Jason Bouchell said the Board should not pick and choose what should be released to the public, that, if so, then all such confidential opinions should be made available. Harold Handwerk said that the opinions should be released to end the rumors about a subject that is important to the community. David responded to Jayson and said that in deciding whether to waive a confidential privileged, the facts and

circumstances of each case should be considered. Charlie said the opinions should remain confidential and recalled an earlier vote on the Board to keep them confidential. David made a motion to make the two AARC opinions available to the public. Tom seconded. Tom and David then voted in favor of the motion and Charlie voted against. The motion carried.

Tom said that the Board received the comments back from the State Department of Environmental Protection but that he had seen them yet. David and Charlie also said that they did not see the comments. Further status of the 537 plan could not be determined.

In the period reserved for public comment and responding to the previous discussion about employee wages, Richard Snyder noted that a ZHB member receives only \$40 per meeting and that he worked 44 hours in preparation of the last ZHB meeting.

A special meeting was announced for January 11, 2006 at 7:00pm to discuss the transition of the Township Treasurer, possible action concerning the AARC, the 537 plan and any other business which comes before the board. Solicitor Healy will advertise the meeting.

David made motion to approve the minutes of the prior meeting. Charlie noted an error in the minutes; a reference to "Mr. Ford" should have been "Mr. Hood". Motion died.

David made motion to approve the minutes of the prior meeting with the proviso that the reference to "Mr. Ford" be changed to "Mr. Hood". Charlie seconded. The motion passed by oral unanimous vote.

Greg Snyder asked who was responsible for the bond covering the new treasurer. Solicitor Healy responded that the auditors are statutorily responsible to secure the bond for the new treasurer. Greg Snyder said the Board should contact the auditors about the bond for the new treasurer.

Harold Handwerk suggested that at least one supervisor attend the Planning Commission meetings where issues involve great community importance. He said this would improve continuity between the Planning Commission and the Board.

Tom suggested the Board write letters thanking the following individuals for their service to Lynn Township. Dawn Straughn, Earl Lieby, Willard Snyder and Donald Christ.

A motion to adjourn was made by Tom, seconded by Dave. The motion passed by oral unanimous vote.