

**Workshop Meeting**  
**Monday, October 2<sup>nd</sup>, 2006, 5:30 p.m.**  
**Lynnport PA 18066**

**Call to Order:**

The **workshop meeting** of the Lynn Township Board of Supervisors was called to order at **5:30 p.m.** in the Municipal Building by Chairman Thomas C. Creighton III.

Present were Chairman Thomas C. Creighton III, Vice Chairman Dave Najarian, Zoning Officer Kevin N. Deppe, Assistant Secretary Tina Everett, Treasurer Robert Sadler, Road Master Bruce Raber, Park Manager Donald Christ, Northwestern Press Reporter Elsa Kerschner, and approximately 15 citizens.

**Public Comment:**

Peter Crabb- Discussed his concerns with the “Rap of the Gavel” that is listed in the Northwestern Press seems to be incorrect when advertising for township meetings. Tonight’s meeting was advertised as Tues., Oct. 2<sup>nd</sup>, instead of Monday Oct. 2<sup>nd</sup>. He feels this is not a mistake on the township, but on the Northwestern Press. He felt maybe the board should ask the person whom is advertising for the “Rap of the Gavel” to be more careful when advertising our meetings, since a lot of people are using this as a guide for when the meetings are held.

**Road Report:**

Bruce Raber went over his road report for work completed for the month of September and his anticipated work for the month of October. It consisted of the following: patched pot holes on all blacktop roads, regraded and built up some of the dirt roads, maintenance on trucks and equipment, painted bridge on Hoffman Ct., painted curbs in Madison Park Development by fire hydrants and stop signs; repaired seven storm drains, with one being on Sweitz Rd. and 6 being on Laurel Ct., Whitetail Ct. and Mattos Ct., helped Heidelberg Township blacktop, installed 14 new speed limit signs; 8 being on Springhouse Rd. and 6 being on Slateville Rd., A-1 Traffic Control painted 103,822 LF of double yellow traffic lines, mowing of shoulders and banks of some main roads, only road remaining is Mountain Rd. The projects he is anticipating for the month of October are as follows: install guide rail on Dresher Rd., cut shoulders of some roads, 2 or 3 small blacktop jobs and to start boom mower and brush cutting.

Chairman Creighton felt Road Master Bruce Raber and someone else should attend a seminar on “Manage Winter Roads and Street Operations” He gave the brochure to Bruce Raber to look into. The course is being offered in November.

Road Master Bruce Raber felt that we should remind Lynn Township residents about trimming their trees from the township’s right-of-way. He felt this could be done by writing a short article for our next township newsletter.

There was then discussion about the last six township meeting, which was held September 18<sup>th</sup>, 2006 at Lowhill Township. There was discussion about putting our wheel roller in the 4 township co-op program. The wheel roller is used for oil and chipping roads and is worth about \$30,000. There was also discussion on the paver that Lowhill and Weisenberg own about putting that into the co-op program with us. The purchase price of this was \$2,000, then we would have to pay \$500.00. Bruce felt we share labor so we should share more equipment. Vice Chairman Najarian had no problem with these suggestions and Chairman Creighton felt it should be Bruce’s decision since he’s the representative for the road equipment.

Treasurer Rob Sadler discussed that when any equipment is purchased and shared within a township through a co-op program that liquid fuels money can be used.

Vice Chairman Najarian questioned Bruce about the trucks owned by citizens of the community being parked next to the maintenance building if it has become a problem. Road Master did not feel it was a problem at this time.

There was then discussion on the pull type grader which is located along side of the maintenance garage. Vice Chairman Najarian felt we should pull it away from the creek. Park Manager Donald Christ suggested putting it in Ontelaunee Park.

**Accept Joint Salt Bid: (American Rock Salt Co., LLC)**

A motion was made by Vice Chairman David Najarian, seconded by Chairman Thomas Creighton to accept the salt bids as set forth in the addendum to the road report (excerpted below). Motion carried unanimously.

| <b>Accept Bids</b>                |  | <b>2006 Sodium Chloride Deicing Rock Salt Bids Received</b> |             |
|-----------------------------------|--|---|-------------|
| <b>Company</b>                    |  | <b>Rock Salt 350 Ton</b>                                    |             |
| <b>American Rock Salt Company</b> |  | <b>Unit-FOB</b>   | \$48.00/Ton |
|                                   |  | <b>Total</b>  | \$16,800.00 |
|                                   |  | <b>Unit-Del.</b>  | \$48.48/Ton |
|                                   |  | <b>Total</b>  | \$16,968.00 |
| <b>Cargill Incorporated</b>       |  | <b>Unit-FOB</b>   | \$50.00/Ton |
|                                   |  | <b>Total</b>  | \$17,500.00 |
|                                   |  | <b>Unit-Del.</b>  | \$51.73/Ton |
|                                   |  | <b>Total</b>  | \$18,105.50 |
| <b>International Salt Company</b> |  | <b>Unit-FOB</b>   | \$50.00/Ton |
|                                   |  | <b>Total</b>  | \$17,500.00 |
|                                   |  | <b>Delivered</b>  | \$50.76/Ton |
|                                   |  | <b>Total</b>  | \$17,766.00 |
| <b>Oceanport Industries</b>       |  | <b>Unit-FOB</b>   | \$48.00/Ton |
|                                   |  | <b>Total</b>  | \$16,800.00 |
|                                   |  | <b>Unit-Del.</b>  | \$55.75/Ton |
|                                   |  | <b>Total</b>  | \$19,512.50 |

**Treasurer's Report:**

Discussion on the many old open escrow accounts some being zoning appeals and the others being subdivision accounts. The zoning fees for a zoning appeal are either \$500 for residential or \$750.00 for commercial. These "fees" are assessed when an appeal is placed before the Zoning Hearing Board. The fee is the sole cost to the person placing the appeal regardless of the expenses. No refund is given if the cost is less nor are extra charges made in the case of an overrun. Subdivision fees are different because you sign an escrow agreement. This is due to many subdivision accounts running over the initial fee, so the applicant is then responsible to pay the overage from the incurred expenses.

A motion was made by Vice Chairman David Najarian, seconded by Chairman Thomas Creighton to authorize Robert Sadler to close out the open escrow accounts as set forth in the addendum with his treasurer's report (excerpted below). Motion carried unanimously.

**Zoning Accounts:**

| <b>Name</b>       | <b>Date Opened</b> | <b>Balance</b>     | <b>Appeal</b> |
|-------------------|--------------------|--------------------|---------------|
| Greff, Joseph     | 10/5/1994          | \$1,380.87         | 338           |
| Haas, Eugene      | 4/2/1996           | \$940.16           | 352           |
| Nielsen, Glenn    | 11/30/1994         | \$659.09           | 340           |
| Pergosky, Mildred | 5/3/1993           | \$ 922.60          | 337           |
| Pergosky, Mildred | 10/30/1995         | \$ 954.02          | 350           |
| <b>Subtotal:</b>  |                    | <b>\$ 4,856.74</b> |               |

**Exhausted Subdivision Accounts:**

| <b><u>Name</u></b>       | <b><u>Date Opened</u></b> | <b><u>Balance</u></b> |
|--------------------------|---------------------------|-----------------------|
| Davis, Charles H.        | 4/6/1994                  | \$ 401.47             |
| Francis, John L.         | 6/30/1995                 | \$ 386.03             |
| Feinour, Ira E.          | 5/31/1995                 | \$ 387.12             |
| Hamm, Ralph F.           | 1/30/1994                 | \$ 393.67             |
| Laundenslager, Edwood F. | 8/1/1994                  | \$ 397.60             |
| Milder, Cathy A.         | 12/27/1994                | \$ 392.80             |
| Peter, Elaine J.         | 12/4/1995                 | \$ 380.35             |
| Rudolph Jr., William L.  | 2/26/1993                 | \$ 416.30             |
| Snyder, Marvin C.        | 6/25/1993                 | \$ 411.50             |
| Tetz, Joseph             | 7/11/1996                 | \$ 371.92             |
| <b>Subtotal:</b>         | <b>\$ 3,938.76</b>        |                       |

**Total: \$8,795.50**

**Pension Issues:**

Robert Sadler discussed the current pension plan that Lynn Township has. All township employees that work 1000 hrs. in one year may be eligible for the current pension plan. This is being checked. The cost to the township for each eligible employee is \$1,000 per year. The state currently will reimburse the township approximately \$3,000 per year for each eligible employee. Because of the extra payments to cover the surprise retirees, Lynn is receiving the full amount and still having to pay some of the pension costs. Approximately 2/3 of our pension plan cost is for surprise retirees. As of now the pension plan pays each eligible employee \$35.00 per month of pension for every year of service. Thus, after 30 years of service, an employee at age 65 gets \$1050 per month. Unlike many government pensions, there is no inflation adjustment. Thus, regardless of how long the employee lives or how bad inflation is, the sample employee will continue to get \$1050 a month. Rob Sadler recommends that the Board look into improving the pensions in the next year. He and Kevin Deppe met with Chester Perfetto who is the township's local contact for the pension plan. Rob Sadler also talked to Don Breiningner from Weisenberg Township about their current pension plan. They have what is called a defined contribution plan. What that means is that there are accounts set up for each employee and the township currently contributes 12% of salary into that account. When the employee retires, they can use that money in any number of ways to pay for retirement. After discussing this in even more detail, Vice Chairman David Najarian made a motion, seconded by Chairman Thomas Creighton to authorize Robert Sadler to explore alternatives with the pension plan. Motion carried unanimously.

**Capital Reserve Fund:**

Robert Sadler discussed the issue of the township's capital reserve fund. Currently the township has about \$420,000 in the capital reserve fund. It's in a savings account that's paying 3.68%, which we can get some or all the money at any time. There was discussion about putting this money possibly into CD, which would pay a better percentage rate, but wouldn't want to put the whole thing in one CD in case an emergency arises because banks hit hard on penalties for early withdrawals. Another option would be Federal T-bills. The rates are currently even better than a CD. After further discussing this, the board agreed to have Rob Sadler look into this matter further with a plan for them to review. He will try to have this information to them by the November meeting.

**Ontelaunee Park Report:**

Park Manager Donald Christ went over his park report for the month of September. The items included the following: regular maintenance continues (mowing grass, maintaining gardens, etc.); 9/4 Brad and Richard weeding near soccer field; 9/5 mulching after weeding; 9/5 Richard removing dirt pile; 9/6 Richard repairing sewer area; 9/7 Richard and Brad removing excess rocks from spring house; 9/9 first boys soccer game on field; 9/9 Dr. Dan Crane and Rotary member doing clean-up; 9/16 first yard sale in park; 9/17 Justin Selig and boy Scouts planting grass in butterfly garden; 9/17 first girls soccer game in park; 9/18 Girl Scouts weeding in park; 9/20 clean-up at bath house; 9/21 Richard and Brad clean-up along Allemaengel Road; 9/25 Nestle hired East Penn Excavating to grade and plant grass at Spring House; 9/25 New Tripoli Fire Company had training at bath house.

**Park Equipment:**

Donald Christ gave the board a sales flyer he got on some park equipment prior to the meeting. There was discussion on the need for some park recreation equipment. Park equipment is on sale at this time of the year.

Vice Chairman David Najarian questioned Donald Christ if the park was in need of some money for salary of the park employees who are on load from the Sewer Authority. Mr. Christ did not feel so at this time.

**Bath House & Pool @ Ontelaunee Park:**

Chairman Thomas Creighton discussed the issues again on the bath house and pool. The Board asked Kevin Deppe to give them the cost estimates again on the demolition of the bath house and pool. Tom and Dave both are still very concerned with these items due to liability reasons. Tom and Dave both were in favor of removing the bath house and pool. Thomas Creighton asked Donald Christ to come up with a spreadsheet/plan for the demolition of these items. Road Master Bruce Raber was asked to look into the demolition of these items as to what he felt the road crew employees might be able to do, based on time available.

**Subdivisions:**

**Beckley, Douglas & Marilyn**-Minor Subdivision-3 Lots-Slateville and Utt Rds., - Rev. Final Plan- Represented by Jay Musselman of Musselman Assoc. and Douglas Beckley. Letters were received from the Lehigh Valley Planning Commission and DEP. The board discussed the waiver request from the Lynn Township Subdiviion and Land Development, Sec. 510, required improvements and also the road improvement fee, as per a letter dated July 25<sup>th</sup>, 2006. After further discussion on this matter the Tom and Dave agreed that they would be in favor of decreasing the road improvement fee to approximately 1/3 of the fee which was calculated. This would be approximately \$3,800. The applicant Mr. Beckley agreed to pay \$4,000 for the road improvement fee for this subdivision. The board will grant final approval on Thursday night. A recreation fee of \$3,000 will be needed along with the \$4,000 road improvement fee. They will need to submit a revised plan prior to the meeting on Thurs., Oct. 5<sup>th</sup> or receive conditional approval.

**Northwestern Elem. School- Existing and Proposed Sewage Capacity Flow:**

Represented by Robert Whartenby of Cowan Associates Inc. and Kevin Buxton of HP Engineers. Discussion on the existing and proposed sanitary capacity and flow from the Northwestern Elementary School. In accordance with the Lynn Township Sewer Authority and the Northwestern Lehigh School District Agreement to Serve, there is sufficient reserve hydraulic and organic capacity at the wastewater treatment plant to handle the proposed flow of 48 students or 2.83 EDU's for this project, as stated in a letter to Cowan Associates dated August 18<sup>th</sup>, 2006 from Donald Christ. Kevin Buxton of HP Engineers went over the following figures. Currently with all the old fixtures in the elementary school, for example a water closet currently uses 3.5 gallons of water

per flush, as to where a new water closet would only use 1.6 gallons per flush. With the addition along with changing out all the existing fixtures in the elementary school, this would be a 14% decrease of all low flow fixtures.

There was then an extended discussion on a fax received from David Schlott from Arro to Donald Christ which was dated 10-2-06. A planning module exemption application was already submitted to DEP for review and approval for the additional 960 GPD or 2.83 EDU's. Due to the fact that the Chapter 94 Annual Report for 2005 indicates that the facilities are in a hydraulic and organic overload, DEP will most likely reject the exemption application. Arro Consulting recommends that the District's design consultant contact DEP about these issues and proceed with a formal planning module process.

Mr. Whartenby was asked by Donald Christ to video the existing sanitary system and they have lined up to do this as requested.

**Madison Park North- Phases 2 & 3 – End of Maint. Period Inspection:**

There was discussion of the maintenance periods for phases 2 and 3 of Madison Park since it was rapidly approaching. Keystone Consulting Engineer Firm did an inspection on Thurs., Sept. 28<sup>th</sup>. As per Engineer Roy Stewart there are a number of outstanding items to be addressed so the maintenance period cannot start.

**Penn's View II- Recreation Fees:**

Represented by Blake Marles of Stevens & Lee there was discussion on the recreation fees for phase 1 of the Penns View II development. The discussion concerned as to when these recreation fees to be paid. Mr. Marles was under the understanding that the fees would be paid as the sewer connection fees became available. There have been 11 EDU's issued. He had received a letter from Kevin Deppe dated Sept. 19<sup>th</sup> in which this wasn't noted. Also, Mr. Blake Marles agreed to request an extension of 90 days while the maintenance and improvements agreements and other conditions were still pending. Engineer Roy Stewart recommended that the Board grant a waiver on Saldo Section 262.2 which is the 90 day review period, but when issuing them their requested extension be sure to give an end date through December 7<sup>th</sup>.

**Heintzelman – Start Taking Over the Road (Broadtail Ct.):**

Discussion on a letter dated Sept. 22<sup>nd</sup> received from Roy Stewart. The letter discusses the start of Heintzelman's 18-month maintenance period, which will end March 13, 2008. There was also a final punch list attached to this letter, which is a list of items that can be completed during the maintenance period. As per the Township's dedication process, the developer is responsible for all maintenance until the end of the maintenance period pending completion of the punch list items.

Kevin Deppe was directed to send a letter to Larry Heintzelman letting him know his responsibilities such as snow plowing of this road, since the Township will not take it over until after the maintenance period is completed.

**Discussion of CPA Firm for Township:**

The board asked 3 CPA firm representatives to attend tonight's meeting. They decided to discuss the township's situation along with what they could offer the township on an individual basis.

Reinsel Kuntz Leshner- Represented by Rebecca Clouser, CPA. The Board first discussed with her the situation the township was in and the need for a CPA firm to do a review of the 2005 books and to quote a price to do the 2006 Audit for the Township. They are a leading accounting firm to local governments in the PA. They currently are doing about 30-40 municipalities. They employ over 100 people, with approximately 60 of them being CPA's. They currently do audits for the City of Allentown, Lehigh County Water Authority and a majority of Berks County. As per a letter received Dec. 30<sup>th</sup>, 2005 the audit for our township for the year ending

December 31<sup>st</sup>, 2005 will not exceed \$5,500. Thomas Creighton requested that she submit a letter back to them with a fixed price to do the audit by Thurs., Oct. 5<sup>th</sup>.

Vondercrone and Behrens- Represented by Edward B. Behrens, CPA. The Board first discussed with him the situation the township was in and the need for a CPA firm to do a review of the 2005 books and to quote a price to do the 2006 Audit for the Township. They are an accounting firm out of Nazareth, PA. He is very much interested in being our auditor since it'll represent a challenge to him. He has been auditing approximately 25 PA townships and boroughs for 38 years. One of his clients is Bangor Area School District. Their rate is \$60-\$75/hr. He offered to do the initial work at a discount charging \$65./hr. Mr. Behrens is willing to work with us. The board requested that he submit a letter to us in regards to what he could do for us and costs by Thursday's meeting on Oct. 5<sup>th</sup>.

France, Anderson, Basile and Co., P.C.-Represented by Alan France, CPA. The Board first discussed with him the situation the township was in and the need for a CPA firm to do a review of the 2005 books and to quote a price to do the 2006 Audit for the Township. They are an accounting firm out of Emmaus, PA. He handed out a proposal dated Oct. 2<sup>nd</sup>, 2006 for auditing services for Lynn Township for the year ending December 31, 2006. Their firm audits numerous Townships through-out Eastern Pennsylvania. Their firm has never been subject to any disciplinary action from any federal, state or professional organization or otherwise. He also wanted to point out that he is a certified fraud examiner.

The board will look into this matter further and possibly make a decision at Thursday night's meeting.

**90 Day Performance Evaluation:**

Discussion on Janet Henritzky's 90 day employee performance evaluation report. After further discussing the request for a raise, the Board decided that all raises would still be issued at the reorg. meetings in January as it has always been done. The board asked Officer Manager Kevin Deppe to continue to do performance employee evaluations at the following times: after 90 days of employment, anniversary date from which a person is hired and again prior to the reorg. meeting in January of each year. This will be used in January in determining an employee's raise. Kevin Deppe then discussed changing the existing evaluation reports to a point system, which in turn, could be used in determining the amount of an employee's raise.

There was then discussion on the the progress of the employee manual. Kevin Deppe feels he's about 99% complete. He only has to add in the job descriptions for the various positions.

At this time in the meeting we lost power. (8:00p)

**Vacancy on Zoning Hearing Board/ Appointments – Status:**

The board discussed the proposed advertisement for the need of members for the various boards. After further discussing this, they agreed the advertisement was fine and that it should be advertised in the Northwestern Press and East Penn Merchandiser for two weeks.

**Exonerate Linda Tyson, Tax Collector from collecting per capita taxes from Michael Wolfe for the year 2006:**

A motion was made by Vice Chairman David Najarian, seconded by Chairman Thomas Creighton exonerate Tax Collector Linda Tyson from collecting per capita taxes from Michael Wolfe for the tax year 2006. Motion carried unanimously.

**Special Exception Review Policy for Lynn Township:**

The Board decided to hold off on this matter at this time.

**Secy./Treas. Position Status:/Consider Job Description and Organization of Secy./Treas. Position:**

The Board approved the job description that Rob and Kevin worked on together. Discussion on the status of the interviewing of the top 5 candidates. Dave has interviewed a few of the people and Tom will talk to the top 3 people. They will try to do this before Thursday night's meeting. They hope to make a decision at this meeting.

**Status for Need for Code Inspector (Bldg. & Plumbing Inspector):**

There was discussing again on the possible need for a plumbing / building inspector in the near future. Kevin informed the Board that he was waiting to see whom Heidelberg Township decided to go with. There was discussion on the need to update our fee schedule to accommodate a new building inspector firm due to the increased costs. Thomas Creighton asked Asst. Secretary Tina Everett to get a copy of Heidelberg Township's fee schedule.

**Needed Cabinet for Zoning Officer (4 drawer Horz. Filing Cabinet):**

A discussion on the need for a 4-drawer horizontal filing cabinet for the zoning office. The zoning office is currently running out of room for all the subdivision files, etc.

A motion was made by Vice Chairman David Najarian, seconded by Chairman Thomas Creighton to authorize Kevin Deppe to purchase (1) 4-drawer horizontal filing cabinet for the zoning office. Motion carried unanimously.

**Miscellaneous:**

Discussion on the Governor Rendall visit to Leaser Lake. A motion was made by Chairman Thomas Creighton seconded by Vice Chairman David Najarian to write a letter to Donald Cunningham and Gov. Ed. Rendell to thank them for his leadership in regards to the funding for the repair of Leaser Lake. Motion carried unanimously.

Discussion on the need for a white board, to be placed somewhere that everyone can view as to the status of any pending subdivision plan. Kevin Deppe will take care of this matter.

Chairman Creighton directed Tina Everett or Kevin to get a copy of the Chapter 94 Sewage Report From Donald Christ.

Chairman Creighton felt that Kevin Deppe should attend an upcoming workshop on the "Fundamentals of Workers' Compensation" which is being held in November and December. This workshop is co-sponsored by the PA Chapter of the Public Risk Management Association.

Discussion was brought up on the one word classification change to the minutes that were approved for the July 6<sup>th</sup>, 2006 meeting. This was in regards to an extension request for Ovations.

A motion was then made by Vice Chairman David Najarian, seconded by Chairman Thomas Creighton to amend the minutes of July 6<sup>th</sup>, 2006 to read "through" not "to" September 7<sup>th</sup>, 2006 for outlining the deficiencies of the Ovations plan. Motion carried unanimously.

**Public Comment:**

None

**Adjournment:**

A motion was made by Thomas Creighton, seconded by David Najarian to adjourn meeting. Motion carried unanimously. Meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Tina M. Everett  
Assistant Secretary  
Lynn Township Board of Supervisors

Seal

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