

Monday, April 3, 2006, 5:30 p.m.
Lynnport PA 18066

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, Roy Stewart Engineer, Kenneth Bleiler Zoning Officer/Administrator, Tina Everett Secretary, Elsa Kerschner from the Northwestern Press and approximately 20 citizens.

Public Comment –Peter Crabb- Discussed his concerns with Feinour’s Gas Station closing. His concerns were due to the fact that Feinours Citgo is the only gas station in Lynn Township. He also had concerns with all the employees loosing their jobs. He felt we need more jobs in the Township, not fewer. He felt maybe there was something the Board could do to keep the gas station open by talking to the owner(s) of gas station. The Board of Supervisors will enquire.

Terri Harkins and Michael Berner from the Lehigh County Board of Elections were invited to this meeting to demonstrate the new electronic voting machines. These machines are to be used in the May 16th Primary. All voters will still be required to sign the poll book, and then they will use the new electronic voting machines, which are touch screen. Throughout the meeting Terri Harkins and Michael Berner had test ballots set-up for the citizens to try the new voting machines hands on.

Bruce Raber, Road Master discussed their progress in March. They did some repairs to the wood Chipper, such as installing a new clutch and pump belts, did a little salting and cindering of roads where needed. They did some extensive tree trimming and brush cutting. They installed about half of their new road signs. A few new speed limit and horse crossing signs were installed on Bausch Rd. Some chippings were hauled to the Recreation Fields for the playground/swing set area and along with some in-field mix (sand). A few miscellaneous jobs were done in the zoning office, such as moving filing cabinets and running wire for a new computer in backroom. Some of the projects planned for April are to strip all trucks of snow removal equipment, work on regrading dirt roads, cleanup intersections and hopefully start cutting shoulders on blacktop and dirt roads.

Bruce Raber wanted to recognize his co-workers, Joseph Wisser, Charles Lenhart and his part-timer, Richard Matthias because without them his job would be impossible.

Dave Najarian questioned Bruce that if there were chippings left over that maybe we could take them up to Ontelaunee Park.

Dave Najarian questioned what was being done with the old road signs. He felt maybe Lynn Township could salvage them, and sell the old signs for scrap. He also felt that Bruce should check what other nearby townships are doing with their signs.

Discussion on bids for Road Materials. The bids will be advertised in The Morning Call, and then to be opened at our May 1st, 2006 workshop meeting @ 5:30 p.m. and awarded at our regular meeting on Thurs., May 5th, 2006 @ 7:30 p.m. The Board will act on this Thursday night.

Discussion on hiring another full-time road crew employee to maintain the roads in Lynn Township. This position was never filled when a past employee was no longer with us. Bruce Raber, Road Master discussed the amount of roads in other nearby townships and how many employees they had. After Bruce researched this as he was asked by the Board, he came up with the following: Lowhill Township has 42 miles of roads with 4 full-time employees, Weisenberg Township has 80 miles of roads with 6 full-time employees, Heidelberg Township has 47 miles of roads with 5 full-time employees and Lynn Township currently has 70.1 miles of roads with 3 full-time employees currently. Bruce feels the 3 of them have got a lot done, but could be a lot further with another full-time employee.

A **motion** was made by Dave Najarian, seconded by Thomas Creighton to have the Secretary advertise the open position for a full-time Maintenance Operator for Lynn Township in the Northwestern Press. Motion carried.

Discussion on municipal insurance by Paul Pugielli from Brown and Brown Insurance. Mr. Pugielli brought in a proposal for the board to look over and decide if they want to accept it. Brown and Brown have been handling Lynn Township's municipal insurance since 1998.

Discussion on the newly updated Emergency Action Plan was discussed. The Board will pass/adopt the Resolution, so we could move forward with the newly updated plan at Thursday night's meeting.

Discussion was brought up by Matt Nemeth, Emerg. Coordinator for Lynn Township passing an ordinance requiring all residents to have their homes properly marked for emergency services. After discussing this, it was determined that Lynn Township already has an ordinance requiring this in Lynn Township. He felt we could require the residents to purchase the signs that our local fire companies are selling.

Subdivisions-

Ray B. Moyer-Minor/Lot Line Change – Final Plan- Hummingbird Rd.- Represented by Scot Dietrich from Beitler Land Surveying and Ray Moyer. All changes were made to plan and Mr. Moyer got zoning approval on the backyard setback as required by the Zoning Hearing Board. The board will grant final approval on this plan, Thursday night. There is no money owed for Recreation Fee or Road Improvements, since it's an existing lot.

Harold & Linda Tyson-Minor-Final Plan1 Lot + annexation-NS Red Rd.- Represented by Scot Dietrich from Beitler Land Surveying and Harold Tyson. There will be a \$1,000 recreation fee and a road improvement fee of \$1,870.40 required before the board can grant final approval. The board will grant final approval Thursday night.

William Rutherford-Minor-Final Plan-2 Lots-Rte 309-Represented by Scot Dietrich from Beitler Land Surveying. There is a \$1,000 recreation fee required before granting this approval. The planning module was sent into DEP, but approval has not been received back from DEP. The Board will not sign the plan until approval has been received from DEP.

Lucas Rex-Minor-Preliminary Plan-2 Lots-Behler Rd-Represented by Larry Turoscy from Lehigh Engineering and Lucas Rex. The board will grant preliminary approval at Thursday night's meeting, and then they can move onto final plan with the Planning Commission.

Dave Najarian had some concerns about the revocable trust. After discussion on this, it was discussed that this was not an issue for the Board to worry about; it was between Lucas Rex and the owners of property, who are his grandparents.

Roy Stewart wanted it noted that no land was available for further development. He felt this should be noted on the plan.

Ovations-Major-Preliminary Plan-481 Lots-Rte 309 & Rte 143/Log Cabin Rd.- Represented by Gregg Adelman and Gary Armstrong from Baker Residential. They addressed the Board that they addressed the Planning Commission and the Engineer's comments. They would like the Board to honor/grant the extension until July 6th, 2006 as asked; they will then withdraw their plan submitted March 2nd and resubmit a new revision for the planning commission by April 25th, which is 21 days prior to the Planning Commission meeting on May 16th, 2006. There was discussion on street parking between Dave Najarian and Thomas Creighton III, which ended in them agreeing that parking should be permitted on one side of the street. Dave Najarian questioned who would enforce the parking since these will be private roads in this development. Mr. Edelman informed him that the Association could handle these issues,

for example, they could tow away a car at the Homeowner's Association's expense that's parked illegally. The Board agreed that they will grant their extension request Thursday night.

Discussion on the Heintzelman Estate letter of credit received March 20th, 2006. Ken Bleiler informed the Board that the deadline for finishing the road improvements was past. Roy Stewart, Engineer felt this was a serious problem and the Board should start the process with the Solicitor with the required notifications, etc.. Roy Stewart felt maybe we would want to stop issuing the building permits for this subdivision. This would need to be handled by the Solicitor though. The Board directed Roy Stewart to contact Solicitor, Edmund Healy on this matter.

Discussion on the Comprehensive/Regional Plan as to what needed to be finished to implement the plan. Our saldo and zoning would need to be re-written as to some of the uses and districts. Our LDRR District is not part of the Comprehensive Plan, so that would need to be addressed. Ken Bleiler felt this was a joint venture or it was meaningless.

Discussion was also brought up on the zoning renumbering. Ken Bleiler did an index which maps old to new numbers, and a listing of sections which may have subtle changes for the Board to review. Engineer, Roy Stewart suggested that the renumbering would complicate the process making the changes needed to implement the regional plan. The Board will digest the changes, and then they will decide what to do. This will also need to go through the Lynn Township Planning Commission for their recommendations.

Public Comment-Marvin Charles-Felt the Board should get together with other townships, since it's an intergovernmental agreement.

Mel Charles felt it might require changes to the Comprehensive Plan, then the regional plan. She also pointed out that Ovarions falls under the regional plan. The Board needs to form a committee.

Harry Gruber- Commented about regional plan

Discussion on withdrawing the Act 537 Sewage Facilities Plan. The Board will officially withdraw the plan Thursday night by a resolution withdrawing the original resolution. The Sewer Authority requested that the Board hold a special joint meeting between the Lynn Twp. Sewer Authority and the Board of Supervisors to discuss the 537 Plan as to going forward with it. The following dates were discussed for holding the special meeting, April 11th @ 5:30 p.m., April 12th @ 6:30 p.m. or April 13th @ 5:30 p.m. The Board directed Tina Everett, Secretary to check with Donald Christ from the Sewer Authority on these dates. He could then check with the Engineer, Dave Schlott, Arro Engineering. Once a date is picked, then she is to advertise this once 24hrs. prior to the scheduled meeting in the Morning Call. Roy Stewart was directed to write-up a letter to DEP in regards to the Township's status with the 537 Plan.

Gregg Adelman questioned what was the purpose of the special meeting was for. The Board informed him that this was for them to figure out what to do next since the plan was rejected. The board wants to move forward with this plan, since the sewer authority is in need of an expansion.

Discussion on the Verizon easement, which was discussed at the Board's workshop meeting on February 27, 2006. The Board has decided not to act any further on this request for a 20'x20' easement for the placement of a utility cabinet @ the Lynn Township Building, which would be near the existing cell tower. The Board did not feel that a once and done fee of \$3,000 was worth looking into. The Board directed Tina Everett, Secretary to inform Verizon of their decision.

The Board discussed the application received from Kenneth & Anna Wiesner(7709 Brobst Hill Road, New Tripoli) to add their property to the agricultural

security area. The Board will accept this application at Thursday night's meeting. The Resolution will not be passed until 180 days, which would be the October meeting.

Discussion on holding a "Beautifying Lynn Day possibly May 6th, 7th or both. This would be a day we would ask Lynn Township residents to pickup trash along their homes, businesses and farms for the day and we would accept the trash free of charge. This could be a part of the "Great PA Cleanup", in which we would receive free bags, safety vests, etc. from PennDOT for participating in the. It was also discussed due to the fact that if we decide to do it, Tina Everett, Secretary would like to advertise it in our upcoming Spring/Summer newsletter she is currently working on. The Board discussed when and if they wanted our road crew employees to pickup the trash or if we should allow the residents that participates to drop off the trash as the township building. The Board will discuss this further at the regular meeting, Thursday night.

Public Comment-Peter Crabb-He felt that it might be too late to hold it this year because the weeds and ivy growth will impair cleanup. He felt the best time for cleanup is March and April.

The Board discussed the proposed stop sign ordinance. The Board will act upon this Thursday night.

Discussion on Ken's replacement and the options the Board has. Dave Najarian felt the Board needed to define the job description and salary requirement, so they could move forward with the hiring of Ken's replacement. He felt it's time they identify an applicant from all the resumes they received. There are many issues to discuss with the hiring of a new zoning officer/administrator/township manager. After discussion went on for awhile, Dave Najarian and Thomas Creighton agreed to go into executive session at the end of the meeting to discuss these personnel issues, specifically, narrowing/ranking the pool of applicants for Ken's replacement. Dave Najarian felt that maybe it would be more feasible to hire a zoning officer/administrator, since there is much more to think about with a Township Manager, such as passing an ordinance for this. The Board discussed the one applicant wanting \$80,000/yr. After discussing this they agreed this was too much and they could hire an engineering firm to do the job for less than that.

Another issue discussed was if an applicant wasn't planning to take the health benefits, would we offer to pay him more to make up the difference of this benefit not being taken.

Discussion on whether or not Ken's replacement was certified to do building or plumbing inspections would we paid he/she separately for the inspections or would this be a part of his/her salary.

Public Comment-Harry Gruber- He was a little confused with this being one or two jobs.

Peter Crabb-He suggested that the Board re-advertise the position. After discussion, the Board did not feel they wanted to do that, due to the timeframe of Ken Bleiler retiring.

Dave Najarian felt they should hire someone as Zoning Officer/Administrator and have he/she stay in line with what Ken's earning, which is in the range of \$45,000-\$50,000.

Thomas Creighton was asked to check with the applicant he recommended for Township Zoning Officer/Township Manager to accept a lower offer of \$68,000 not \$80,000/yr and report back to the Board on Thursday night.

The Board authorized Tina Everett, Secretary to advertise for a "Temporary" full-time assistant secretary with the possibility of becoming a "Permanent" full-time employee for the zoning office. This person is needed due to the increased workload in

the office, which is likely to increase more when an existing employee goes on maternity leave.

Discussion on extending meeting pay to all hourly employees who sometimes report to an advertised meeting, such as Rob Sadler, Treasurer, Donald Christ, Park Manager or Bruce Raber, Road Master for their various reports. After discussing this, Tom Creighton III felt they should be compensated hourly, while, David Najarian had no strong preference as to whether they should get the \$50 meeting pay or be paid hourly, but if paid hourly, their agenda item should be addressed at the top of the meeting.

Discussion was brought up on Book Lenders riding on the Townships EIN number for their employee(s). The Board feels they should acquire their own EIN number. The Board suggested that either Rob Sadler or Willard Snyder could help Book lenders apply for an EIN number. The Township doesn't want to be held responsible if something would happen.

The status and overview of the Rec. Plan review and possibly increasing the recreation fee was discussed. Ken Bleiler has an email into Ed Healy on this issue, in which he hasn't heard back from him yet. The Board would need to justify an increase by our current plan.

Discussion on an update on PennDOT's study for speed limits on Springhouse Road. This was discussed at the December 2005 meeting and Charles Lenhart was to look into this. Charles Lenhart was not available to discuss this. The Board will discuss this further on Thursday night.

Public Comment-Harry Gruber-Questioned who would enforce the 35MPH speed limit on Springhouse Rd? Dave Najarian felt that posting it was the least the Township could do, since the serious accident a few month ago with the Bennicoff family. If someone is speeding then hopefully the state police will catch them and fine them if posted.

Discussion on the township's workman's compensation insurance for our fire personnel, as to whether or not Weisenberg and Lowhill Township should help pay for the required insurance. After discussion the Board directed Tina Everett, Secretary to write a letter to the other townships that we serve on a first call basis for their share of the insurance cost.

Misc.-The Board discussed the recent request from a current employee for a 6 month maternity leave. After discussion the Board agreed to only allow her the three months (12weeks) family medical leave, due to the fact, that this is what they did for someone else. They felt by doing this it would only be fair.

David Najarian informed the public that the PA Supreme Court denied the White Deer Run's petition for allowance, which means the Court will not hear the appeal. This effectively ends White Deer Run's appeal process. Ken Bleiler was asked to take a road trip visiting White Deer Run to be sure they are in compliance with the Zoning Hearing Board's decision.

Public Comment-Mary Jane Cole-Felt that maybe all the meetings should be held at 7:30 p.m., since they are getting in the way of dinner. The Board will look into this matter. They discussed the possibility of having two regular meetings a month, instead of a workshop meeting and a regular meeting.

Harry Gruber-Commented that the voting machines worked nicely and they did a nice demonstration, but felt it would be more feasible to advertise and have the demonstration at a larger place with a larger crowd, such as the New Tripoli Fire Company.

A **motion** was made by Dave Najarian, seconded by Thomas Creighton to adjourn meeting. Motion carried. Meeting adjourned at 8:10 p.m.

An Executive Session was held at 8:10pm until 9:10 p.m. to discuss personnel issues, specifically, narrowing/ranking the pool of applicants for Ken's replacement.

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