

**Workshop Meeting**  
**Thursday, August 31, 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, Roy Stewart Engineer, Kevin N. Deppe Zoning Officer/Administrator/Office Manager, Tina Everett Assistant Secretary, Bruce Raber Road Master, Robert Sadler Treasurer, and approximately 20 citizens.

**Public Comment:**

None

**Road Report:**

Bruce Raber, Road Master went over his road report for the work completed for the month of August and his anticipated work for the month of September. It consisted of the following... two small blacktop jobs, first one on Zimmerman Rd. on both sides of trench drain, second one on Leh Court, which was to fill a large hole. He used about ten tons of blacktop; hauled in two small loads of recycled concrete, which were free, to be used around pipe inlet ends; filled in washouts with 4" stone on Trout Lake Road and in Pine Lakes of Lynn and on Gun Club Rd.; regraded most of Mountain Road and some of the other dirt roads; worked in Ontelaunee Park mowing and doing some backhoe work; cleaned out more gutters of dirt and debris that washed out from rains; fixed minor repairs on trucks and equipment; mowing all shoulders and banks of township roads; weed whacked and tree trimming at intersections and curves in roads (for example: Bausch Road at bridge by Sterling Ritter's house; black topped Lentz Road shoulders and over pipes (used 352 tons of blacktop); worked three days at recreation fields to prepare for Night In The Country; helped Heidelberg Township blacktop. The projects he is planning for the month of September are as follows: continue mowing shoulders and banks of township roads; continue working on dirt roads; work on cleaning out gutters and shoulders of roads; patch pot holes on Black top roads; paint bridge on Hoffman Court and paint curbs on both sides of fire hydrants and at stop signs in Madison Park Development.

Chairman Thomas Creighton thanked Road Master Bruce Raber and the rest of his work crew for a job well done with preparing for Night in the Country.

Vice Chairman David Najarian questioned if they had graded Blue Mountain House Rd. Road Master Raber answered yes.

Vice Chairman David Najarian then asked him if he had thought about which roads he'd like to blacktop next year and Mr. Raber, Road Master answered; Autumn Rd., Reeser Rd. and Gun Club Road.

Mr. Raber informed the Board that he lost a head/concrete wall on Dresher Rd., so he spoke to Joe @ Lowhill Township and he got a good deal on used guide rail, so Bruce would like to purchase 400 ft. of used guide rail from him instead of head wall to fix this problem. The cost would be approximately \$910. The Board authorized him to purchase the used guide rail.

Discussion was then held on the mowers that Lynn Township has. He feels we should sell the one mower, since it's not being used anymore. He informed them that they don't use the mower, due to some reasons such as the air conditioning doesn't work; and due to the fact that they only ever have one machine running at one time, so he feels it would be cost effective to get rid of/sell the mower. The Board will look into this matter.

**Public Comment:**

Richard Matthais, part-time employee questioned if the discussion for the need for another dumpster at the transfer station must be on the agenda. Thomas Creighton, Chairman informed him that it must due to the cost.

**Treasurers Report:**

Rob Sadler, Treasurer informed the Board that there were about 35-40 open escrow accounts dated from 1992 to 1996 which he inherited when he took the job that were outstanding, and he also inherited a checking account with \$100,000 in it, which is relative to escrow accounts for subdivision and zoning appeals. He's going back and working on straightening out the accounts. The first one he started on was Heintzelman Estates and now he's currently working on Madison Park North/Omega Homes. Peg Dissinger from Omega Homes has been nice enough to work on this matter with Rob Sadler. It seems that Omega Homes might not have been billed from 1995-2005. It will take some time due to the difficulty for Omega Homes to reconcile. Rob Sadler informed the Board that it seems as if in 1996 the escrow account money all got lumped into one checking account.

David Najarian, Vice Chairman reminded the Board that this was one of the reasons that they, in the past, had discussed the need for a CPA. (Certified Public Account). Since that time he had done some research in this matter and had gotten information from a small firm which doesn't charge \$300/hr. The firm, Behrens, Vondercron & Behrens, from Nazareth, PA will send a letter of interest. He feels we should look into this further. Rob Sadler, Treasurer had spoke to Donald Breininger from Weisenberg Township and they use a CPA firm to do their yearly audit. They are currently paying about \$4,200/yr for their audit. David Najarian asked that Rob Sadler get a letter of interest from that CPA firm that they are using. The Board will look into getting other letter of interests from local CPA firms.

Thomas Creighton, Chairman asked Rob Sadler if he needed more help? Rob just responded with "find my replacement"

**Pension/MMO (Minimum Municipal Obligation):**

Rob Sadler, Treasurer informed the Board that the Township is obligated to send in a MMO for approval, which is used for budgeting purposes. There was then discussion on appointing a chief administrator officer, since the last one had been terminated. Rob Sadler offered to take the position on a temporary basis. A motion was then made by David Najarian, seconded by Thomas Creighton, to appoint Rob Sadler as the Chief Pension Administrator Officer. Motion carried unanimously.

**Ontelaunee Park:**

Donald Christ, Park Manager read his park report, which consisted of the following: regular maintenance continues, such as mowing grass, maintaining gardens, etc.; 8/5 Justin Selig prepares and plants Butterfly Garden near Spring House for Eagle Project (plants donated from Eric Lundberg, Blue Mtn. Nursery; 8/6 Friends of Steph Misera help clean Fountain pools; Nestle Waters, Eric Andreus, P.G. discusses grounds around the Spring House walk-ways and flower boxes; 8/12, 6pm Catasauqua German Band performs in the Park; 8/19 wedding at Band Shell (Dona Eschbach); 8/20 Reitz Reunion at new pavilion; 8/27 Snyder Cousins Reunion; 8/30 meeting with Chris Brown to discuss low bid for cement work at flags and contact contractors for bids to demolish and or repair bath house and pool. A motion was then made by David Najarian, seconded by Thomas Creighton to accept concrete bids from Nimaris Construction L.P. and Collins & Maxwell Construction Company. Motion carried unanimously. The Board directed Tina Everett, Assistant Secretary to put the low bid on agenda for September 7th meeting to award it.

**Pool/Bath House:**

There was then an extended discussion on liability surrounding the swimming pool/bath house at Ontelaunee Park. Matt Nemeth, Emergency Coordinator, David Wright, Fire Chief for Lynnport Fire Company and Peter and Donald Christ, Asst. Fire Chiefs, New Tripoli Fire Company commented. The Board had concerns with the safety

for the public with the bath house, the way it was, and the pool. Matt Nemeth spoke on behalf of New Tripoli Fire Company. He would like to see the township look into fixing up the existing pool house for a training ground for the volunteer firefighters. He felt it could be done for a small amount of money. He also feels he could get the township some grant money to help with the costs. There is federal money available to put in training grounds. He feels that it is so important to have local training facilities to train the new firefighters. He also feels keeping the pool could be a great source of water. He feels the dollar amount isn't as much of an issue; it's about protecting the volunteer firefighters. The better training that is given to them the more volunteer firefighters they will get.

David Wright, Fire Chief, Lynnport Fire Company feels the pool house is salvageable since it's built out of block. The pool isn't as much a concern of his; he feels that could be taken away anytime. A training facility is needed, so he'd like to see it stay. There was then discussion on getting a grant from the State for a dry hydrant. David Najarian questioned Mr. Nemeth if he'd be willing to apply for the grant money. Matt Nemeth answered "yes". The best place for the training facility at Ontelaunee Park would be near the road, so that the fire trucks could access it easily. He feels

Peter Christ, Asst. Fire Chief, New Tripoli Fire Company feels that maybe they could just spend a small amount of money now to make it useable and keep it locked up when not being used, then get the fence later.

Thomas Creighton, Chairman would like to see a state of the art training facility in Ontelaunee Park. He feels with grant monies received and contributions from people such as Nestle Waters, Jaindl Farms and Air Products that it could be possible.

The Board will look into this matter further. Donald Christ was asked to look into the possibility / cost for a dry hydrant.

**Subdivisions:**

Douglas & Marilyn **Beckley**-Minor-3 Lots-Slateville & Utt Rds.-Final Plan – Represented by Douglas Beckley and Jay Musselman, Musselman Associates. This plan has been resubmitted as a "Revised" Final Plan for the Planning Commission to review at their Sept. 19<sup>th</sup> PC meeting. There was discussion on the waiver request received with a letter dated July 25<sup>th</sup>, 2006 per SALDO, Sec. 510, required improvements and also the Road Improvements Fee required under Res. No. 03-10. In view of the limited development on the subject property, Tom was inclined to favor of the waiver for Road Improvements Fee and David suggested a partial waiver. No official action was taken on the waiver request.

Roy Stewart, Engineer had a prior engagement and had to leave the meeting at this point, which was 7:00p.m.

**Northwestern Elementary School**-Land Dev.-1 Lot- 6493 Rte. 309-Prel. Plan- Represented by John Kennedy, Gregory Snyder, Robert Whartenby and John Blosinski of Cowan Assoc., Inc. They are looking for preliminary plan approval at the Sept. 7<sup>th</sup> regular meeting. As per Mr. Gregory Snyder, the projected cost of this project is based on \$165.00 a sq. ft. The applicant requested a waiver as per a letter dated Aug. 16<sup>th</sup>, 2006 from Section 310 of the SALDO- Section 310-Preliminary Plan, Subsection 312- Plan Sheet Size – The applicant requests a waiver and acceptance for a sheet size of thirty (30) inches by forty-two (42) inches. They also requested the following waivers from the Zoning Hearing Board with a letter dated Aug. 16<sup>th</sup>, 2006: from Section 344- Special Exception use, Subsection 344.13- Public or Private School- The applicant is requesting favorable review of this section to allow for the expansion of the existing elementary school within the Agriculture District. The expansion will consist of three (3) additional classrooms, multipurpose facility, and additional administrative offices. Section 345-Lot Area, Width, Lot Coverage, and Height Requirements-The applicant is

requesting relief to allow an increase in lot coverage. The intent of the project is to provide renovations and additions to this existing facility. In doing so, the maximum lot coverage will increase from 27.55% to 36.79%. Under Section 345, maximum lot coverage shall not exceed 20% within the Agriculture (A) District.

Gregory & Rene **Snyder**-Minor-2 Lots-7399 Autumn Rd.-Final Plan- Represented by Gregory Snyder. He is looking for final approval by the Board on Sept. 7<sup>th</sup> at the regular meeting. There will be \$1,000 recreation fee and a road improvements fee of \$2,762.50 required before the board can grant final approval. The DEP planning module has been received per a letter dated August 28<sup>th</sup>, 2006.

**Need for another dumpster at township transfer station:**

Extended discussion on the need and cost for another dumpster at the transfer station and the need to remove a decapitated dumpster. The dumpsters have been filling up and in an attempt to stuff more garbage into the containers, the transfer station employee is jumping on top of the container to compact trash down, so the residents can continue to bring their garbage. We are currently paying \$340/month for (2) units which doesn't include fuel charge. We are currently being billed for only (2) units and we have (3) units. To increase our capacity we would have to pay for a 4<sup>th</sup> 6-yard unit at an additional charge of \$125/month + the 3<sup>rd</sup> unit which we currently don't pay for. It is more economical to install (3) 8-yard units, at a cost of \$485.00/month + fuel charges and a one time fee for the delivery of the (3) 8-yard units @ \$100.00. A motion was then made by David Najarian, Vice Chairman, seconded by Thomas Creighton, Chairman to allow Kevin Deppe to proceed with replacing our current (4) 6-yard units with (3) 8-yard units and to have the recyclable dilapidated dumpster removed. Motion carried unanimously.

Stanley Billig also informed the Board that the roof on the transfer station building has a leak and will need some attention. Thomas Creighton, Chairman suggested having someone from the Road Crew look at it.

**Accept Employees Resignation:**

A motion was made by David Najarian, seconded by Thomas Creighton to accept Sherry Selig's resignation pursuant to her letter dated August 25, 2006. Motion carried unanimously.

**Possible Change of Status of Temp. Adm. Secy. To Perm. Full-time Adm. Secy.:**

A motion was made by David Najarian, seconded by Thomas Creighton to hire Janet Henritz as a full-time employee as Administrative Secretary subject to all the terms and conditions of the personnel manual and to start her insurance benefits effective at the next qualifying event. Motion carried unanimously.

There was further discussion on Janet Henritz's request for getting a pay raise at this time. This matter will be looked into at a later date. As per the employee personnel manual Kevin Deppe, Office Manager is to do an employee appraisal after her 90 day review period, which will be Sept. 5<sup>th</sup>, 2006 and report back to the Board on his findings. There was also discussion on when her first week of vacation would be given to her. Would it be June 5<sup>th</sup>, 2007 or Aug. 31<sup>st</sup>, 2007? This will also be decided upon at a later date after her review by the Office Manager. Her 5 personal days and 2 sick days for the year 2006 will go into effect as of Sept. 5 which is the end of her 90 day review period. The personal days will need to be used by December 31, 2006 or she will lose them. The 2 sick days may be used, if not they may be carried over into the following year.

**Repair of Tax Collector's Computer:**

There was discussion on whether the township was responsible to reimburse Linda Tyson for the repair cost of \$125.00 for her computer. The repair consisted of a diagnosis, replacement of modem and set-up. Mr. Tyson was present on Linda's behalf.

David informed Mr. Tyson, that Linda may not always expect the Township to reimburse her for all expenses, only expenses that are statutorily authorized, and that the School District might also share some responsibility. A motion was made by David Najarian, seconded by Thomas Creighton to reimburse Linda Tyson for the \$125.00 repair cost for her computer. Motion carried unanimously.

**Fire Departments/Insurance Issues:**

Discussion on whether the fire companies are paying for duplicative liability insurance or excess liability insurance for their fire trucks. This item was tabled until the regular meeting on Sept. 7<sup>th</sup>, 2006.

Harry Gruber questioned the Board on the status of the fuel tanks at the township building for the fire companies. He felt it would be a liability issue for having the tanks at the township building.

**Secy./Treasurer position:**

A motion was made by David Najarian, seconded by Thomas Creighton to authorize the advertisement of the Secretary/Treasurer position in the Morning Call for one Sunday (9/3) and two weeks in the Northwestern Press (week of Sept. 4<sup>th</sup> and again the week of Sept. 11<sup>th</sup>). Motion carried unanimously.

Township resident, Harry Gruber commented to the Board, that they should realize this person is the biggest key they have. Thomas Creighton had discussed the possibility of maybe hiring a professional agency to help in the hiring process.

**Review of Proposed Ordinance amending the RC Zoning Ordinance:**

There was an extended discussion of the proposed Ordinance amending the zoning ordinance to provide for a more balanced community having mixed housing types in the RC-Rural Center Zoning District. The Board has decided to make some changes to the ordinance and resubmit it to the Lehigh Valley Planning Commission and the Lynn Township Planning Commission for their recommendations. The changes involved a four acre affected lot size, and the allocation between single family versus multi-family homes. The changes were made, in part, to address comments made by the Lehigh County Planning Commission, and from Roy Stewart, the Township Engineer. Township resident, Harry Gruber, reminded the Board that the Planning Commission just makes recommendations; the board has the final say. A motion was then made by David Najarian, seconded by Thomas Creighton to send the amended ordinance to both planning commissions for their recommendations and to authorize Edmund Healy, Twp. Solicitor to advertise for the October Meeting. Motion carried unanimously.

**Resolution 2006-11:**

A motion was made by David Najarian, seconded by Thomas Creighton to adopt **RESOLUTION 2006-11, A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, LEHIGH COUNTY, PENNSYLVANIA TO AMEND AND ADD TO THE EXISTING AGRICULTURAL SECURITY AREA.** Motion carried unanimously.

**Resolution 2006-12:**

A motion was made by David Najarian, seconded by Thomas Creighton to adopt **RESOLUTION 2006-12, RESOLUTION OF THE BOARD SUPERVISORS AUTHORIZING THE JOINT PURCHASE AGREEMENT BETWEEN LYNN TOWNSHIP AND HEIDELBERG TOWNSHIP FOR EMERGENCY MANAGEMENT EQUIPMENT.** Motion carried unanimously.

**Ordinance 2006-4:**

Discussion on the Ordinance 2006-4, An Ordinance of the Township of Lynn, County of Lehigh, Commonwealth of Pennsylvania, Imposing Speed Limits on Portions of Slateville and Springhouse Roads. The Board will adopt this ordinance at their regular meeting September 7<sup>th</sup>.

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

A motion was made by David Najarian, seconded by Thomas Creighton to accept the resignation of John J. Leahy pursuant to a letter from him dated August 22, 2006 and to declare the position vacant. Motion carried unanimously. David suggested that the BOS advertise the vacancy for the ZHB in conjunction with a request for applicants to the other boards, given that a water/environmental advisory committee might soon be formed, and also given that various vacancies might arise in the annual reorganization meeting. David thought the advertisements could be done inexpensively in the NW Press or the Merchandiser. This will prepare us going forward. Kevin Deppe was asked to write a draft for approval.

**Met-Ed Street Light Options:**

Discussion on the Met-Ed Street Light options as per a letter received, dated August 8<sup>th</sup>, 2006. Met-Ed recommends option #4, which is that they install a standard style post-top streetlight and pole, with a \$1,200 up-front cash contribution for capital costs to install the unit. Met-Ed owns and maintains the system. A 100-watt, high-pressure sodium vapor, streetlight and pole costs approximately \$10.00 a month per light. Under this option, Met-Ed will provide lamp and photocell maintenance. Any other repair, replacement, or maintenance that is needed (pole, fixture, wire, etc.) will be invoiced at the time of completion. If the arrangement isn't acceptable at the time of invoicing, than we would be put on the full tariff rate. After discussing this matter, recommended that Kevin Deppe forward this matter to the Township Solicitor for his review of it.

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

Kevin Deppe, Zoning Officer discussed the need for another building/plumbing inspector due to the health of the current Building inspector of the township. There will also be the possibility of increasing the fee schedule for building permits if we hire a professional inspection agency. Kevin Deppe is looking into this along with Barry Mantz, Zoning Officer for Heidelberg Township, since they are in the same situation due to the fact that they have the same inspector that we do. A letter was received from Barry Isett & Assoc. Inc. dated Aug. 15<sup>th</sup> offering their services and how Lynn Township may benefit by utilizing Barry Isett and Associates. David reminded the BOS that Kevin had previously taken the certification classes. David suggested the BOS allow and reimburse Kevin to take the certification tests before the end of the year, after which the Code will change. David thought that naming Kevin as an alternate, could be helpful if the Township was ever left without an inspector. No action was taken.

**Observe Halloween/Date & Time:**

A motion was made by David Najarian, seconded by Thomas Creighton to set Halloween Trick or Treat Night to; Saturday, October 28<sup>th</sup> from 6-8pm. Motion carried unanimously.

Thomas Creighton directed Asst. Secy., Tina Everett to contact Debbie Palmieri of the Northwestern Press to inform her of this date.

**Great PA Cleanup:**

Thomas Creighton informed the public of the outstanding results of the Great PA Cleanup and thanked everyone for participating.

**Subdivisions:**

**Ovations @ Olde Homestead**-Major-361 Lots- Rtes. 143 & 309-Revised Prel. Plan-The BOS received comments from the Engineer Roy Stewart and the Zoning Enforcement Officer Kevin Deppe. The applicant was not present to address the board at the time allotted for them to do so.

The Board directed Tina Everett, Asst. Secretary to contact Gallagher Reporting for a stenographer to be present at the regular meeting on Sept. 7<sup>th</sup> for the Ovations matter only.

**Miscellaneous:**

Kevin Deppe questioned the Board when they would be doing an appraisal on him, since his 90 day probationary period has passed and the personnel manual reads that they are responsible to do this.

Thomas Creighton, Chairman stated that the BOS and township employees need to support the fire companies in anyway it can, because they are a huge asset to the township.

**Public Comment:**

None

**Adjournment:**

A motion was made by Dave Najarian, seconded by Thomas Creighton to adjourn meeting. Motion carried. Meeting adjourned at 8:45 p.m.

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