

Board of Supervisors
Mon. April 2nd, 2007 @ 5:30 P M
Lynn Twp.- 7911 Kings Hgwy., New Tripoli

Call to Order:

The regular meeting of the Lynn Township Board of Supervisors was called to order by Chairman Thomas Creighton III, at 5:30 p.m. in the Municipal Building. Present were Chairman Thomas C. Creighton III, Vice Chairman Dave Najarian, Charles E. Lenhart III, Zoning Officer Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Assistant Secretary Tina Everett, Accounts Clerk Rob Sadler, Engineer Roy Stewart, Northwestern Press Reporter Elsa Kerschner and approximately 23 citizens.

Pledge of Allegiance:

The Pledge of Allegiance was conducted.

Public Comment:

Resident Harry Gruber discussed the issue of water running down a black top gutter located at Allemengal Road, outside Heintzelman Estates, just below Leh Court. Vice Chairman of the Sewer Authority, Donald Christ added that the reason for this is that there are two creeks running into Heintzelman Estates drainage pipe and the pipe is too small to handle the flow of water from the two creeks. Zoning Officer, Kevin Deppe does have pictures of the on going problem. Kevin Deppe will contact Fred Smith, of PennDot concerning this issue.

Resident Steve Sanko from 6809 Leh Court, New Tripoli discussed the sludge dumping near his property on the Mangold farm which started in December and ultimately contaminated his well. Mr. Sanko stated that he paid \$5,000.00 to correct the problem with his well. He contacted DEP, informing them of the cost he incurred due to the result of the sludge dumping. Mr. Sanko stated that DEP stated to him that they felt that it was not their problem and they feel all the proper steps were taken in the process. Mr. Sanko still feels that the bio-solids were not turned under within the 48 hours because of the ground being frozen. Zoning Officer, Kevin Deppe stated that he spoke with Tim Craven at DEP and he also said that they met all class A & B regulations and that all proper channels were taken. Mr. Sanko also added that class A & B solvents are being mixed. Jim Steber of 6812 Leh Court, who is a neighbor to Mr. Sanko, added that Class B solvents contain harmful airborne contaminants. Mr. Stuber, who in agreement with Mr. Sanko, concluded by adding that the odor is very strong. The question arose as to whether or not the odor could be a nuisance. Vice Chairman, Dave Najarian stated that he will draft a letter to our State Representative, Carl Mantz & Rhoades with questions on how this issue should be handled. Sanko & Steber will also be copied on the letter.

Resident Larry Wedge from 6522 Germans Corners Rd., Germansville discussed his frustrations with his many complaints to the township regarding his neighbor's outdoor woodstove furnace and the smoke. He stated that he does not have a problem with the woodstove furnace as long as they burn appropriately. Mr. Wedge was informed that our EAC Committee has been directed to look into the ongoing problem.

Accept the Minutes and Direct the Assistant Treasurer to pay the bills:

A motion was made by Vice, Chairman, David Najarian and seconded by Member, Charles Lenhart to accept the minutes from March 8, 2007 with the change being made to correct the name from Glenn Schaffer to Mike Schaffer and direct the Treasurer to pay the bills. Motion carried unanimously.

Road Report:

Bruce Raber went over his road report for work completed for March 2007 and anticipated work for April 2007. The work completed consisted of: repairing dirt roads that washed out due to heavy rain and flooding. Some minor repairs were done on the trucks and equipment. The road crew was out plowing, salting and cindering the roads. 200 tons of anti skid were hauled in as well as 140 tons of salt. The approximate total of salt for this past winter was 240 tons and 300 tons of anti skid. There was clean up of grass sod at intersections and also at residents of those who called. The clean up from winter has been started by sweeping anti skid in the developments and the patching of pot holes on the black top roads.

The anticipated work for April will be to continue patching pot holes on the black top roads and fill in and re-grade the dirt roads. Shoulders will start to be cut on black top roads that are to be oiled and chipped this year.

The oldest rotary boom mower we own is in desperate need of repair, so Bruce Raber suggested getting rid of the mower and look into purchasing a good sweeper. The approximate cost for a good used sweeper would be around \$3,000.00 to \$4,000.00. The Board of Supervisors was in agreement and suggested that when Bruce attends the convention in Hershey he could look into prices of new and used sweepers. The sale of the lawn mower could be possibly advertised for closed bids.

Park Report:

Donald Christ report that regular maintenance for the park continues. Brush continues to be cleared from the old swimming pool area as well as dead trees. Ed Snyder ran sewer and water lines for future hook ups.

Projects to be completed are the Band Shell - cement pavers, put up railing, finish storage room. New Pavilion - bathroom, kitchen, water, electric. Flag Pole area - finish cement work, steps, wall around flagpole area, planting of grass. Fountain - put plastic liner in pools, pipe water supply. Old Pavilion - get prices to fix gable ends. The Play Ground equipment needs to be installed.

Items needed for 2007 are: Forks for the John Deere for lifting and moving picnic tables, cost - \$900.00. Pole hole digger for the John Deere. Portable water tank and sprayer, cost - \$3,000.00. The purchase of lawn mowers are needed. It was suggested to get a proposal from Ron Kistler for equipment needed.

Tom Creighton asked Chico to put together and estimate of hours and cost for each of the projects and items listed.

David Najarian suggested possibly advertising for summer help, knowing what upcoming projects need completion. If we would advertise for part time help that would require having a CDL license, the hourly rate would be compensated accordingly to the job.

Donald Christ stated that the 2007 PA Recreation & Park Society membership dues are currently due. Donald suggested that it would be a good idea if we continue our membership. Donald also stated we should let the PA Recreation & Park Society aware that any future invoices should be sent to the township building. Dave Najarian made a motion to purchase the membership to the 2007 PA Recreation & Park Society and Charles Lenhart seconded the motion. Motion carried unanimously.

The issue of wages for part time employees was addressed and Donald Christ stated that he followed the rules and that there was no overtime. He stated that the hours turned in for Brad Christ were all regular hours that were accumulated.

Donald Christ relayed the message during the meeting that Brad Christ will no longer participate in the park activities. Dave Najarian stated that it was unethical for Donald Christ to hire his son as a Sewer Authority worker in the park; rather his son could apply competitively for a township job like other applicants. Donald Christ also made the statement that he and his wife will be resigning from the Recreation Committee along with Donald's resignation from the Park.

Donald expressed that he will remain on the flag pole issue until it is completed if it is in agreement with the Board of Supervisors.

Bruce Raber added that Richard Mathias is fully aware of all the Park activities and what needs to be done.

Dave Najarian made a motion to pay the January & February, part time park invoice and Charles Lenhart seconded it. Motion carried unanimously.

Subdivisions:

Mattos Springs-Land Development-1 Lot-WS Rte 309, N of Mosserville Rd.-Preliminary Plan.

A motion was made by David Najarian to grant preliminary approval of the Preliminary Plan for Mattos Springs-Land Dev.-1 Lot-WS Rte. 309, N of Mosserville Rd., including a pump station, and Charles Lenhart seconded it. Motion carried unanimously.

Present for discussion on this issue were: Edward E. Davis, Sr., P.E. from Forino, Eric Andreus, P.G. from Nestle Waters and Timothy R. Weston from Kirkpatrick & Lockhard Preston Gates Ellis LLP.

Edward Davis said that all the proper permits have been acquired, but are in the process of applying for one with PennDot. Edward Davis has attended a Planning Commission meeting and presented the Preliminary Plans.

Timothy Weston stated that the Mattos Springs property has been checked for bog turtle habitat and added that the property is not affected.

Eric Andreus, from Nestle Waters added that the pump station would be built with block and stone. A permit will be required for this building.

Roy Stewart, Keystone Consulting Engineer requested copies of all the permits and easements. Timothy Weston stated that Johnson will deliver easements after the closing of the final plans. Roy Stewart asked for a letter to be put together for this. Timothy Weston stated that a letter has already been executed, notarized, signed and is waiting for final plans.

Kermit DeLong, a resident of Lynn Township, asked if there were future plans for another spring withdrawal from this property. Eric Andreus stated that they are not seeking any additional withdrawal from this property at this time but could not comment about the future. Eric Andreus did state that the property would never be developed because it is under the act security conservation act.

Northwestern Elementary School - Extension of Time Request.

David Najarian made a motion to grant an extension for the Northwestern Lehigh Elementary School through September 1, 2007 and Charles Lenhart seconded it. Motion carried unanimously.

The Northwestern Lehigh School District is awaiting approvals from the Department of Environmental Protection as it relates to the NPDES permit, and from Pennsylvania Department of Transportation for a highway Occupancy Permit. The applicants request was for and additional extension of said time constraint to one hundred eighty (180) days to meet these conditions.

Resolution 2007-13:

RESOLUTION 2007-13. A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN ESTABLISHING A FEE SCHEDULE FOR ENGINEERING OR MUNICIPAL CONSULTANT FEES FOR SUBDIVISION AND LAND DEVELOPMENT REVIEW.

This is a Resolution of the Board of Supervisors of the Township of Lynn Establishing a Fee Schedule for Engineering or Municipal Consultant fees for subdivision and land development review.

Dave Najarian made a motion to accept Resolution 2007-13 with the correction made to change fee schedules to lower case and Charles Lenhart seconded it. Motion carried unanimously.

Planning Commission Member:

A letter of resignation has been received from Don Billig giving his official notice of resignation, effective Monday, March 26, 2007, from the Lynn Township Planning Commission. David Najarian made a motion to accept Don Billig's letter of resignation and declare the vacancy open and Charles Lenhart seconded it. Kevin Deppe will send a letter thanking Don Billig for his years of service.

HIPAA Compliance:

Lynn Township needs to appoint a primary person and a secondary person to be in charge of handling all confidential information pertaining to employees. This would consist of, Benefits, Pension, Payroll, Insurance, etc.... The Board of Supervisors suggested that this issue be tabled till the next meeting on Thursday, April 12, 2007 at 5:30. Tina Everett added that a decision must be made at the next meeting to comply with the deadline.

Act 537 Plan & Corrective Action Plan:

A time line was reviewed at the March 20th meeting of the Board of Supervisors and the Sewer Authority. The deadline for receiving draft 537 from Britt Bassett was March 31, 2007. A Corrective Action Plan was received on Monday, April 2, 2007 which did not include the complete plan. Roy Stewart our engineer from Keystone Consulting stated that he was under the impression that the feasibility part of the plan needed to be reviewed before the final plans and that the Corrective Action Plan was to be incorporated as part of the 537 plan. Marvin Charles, Secretary to the Lynn Township Sewer Authority stated that the two do not overlap and that Britt Bassett was to have the full draft completed by March 21, 2007. David Najarian requested a copy of the minutes, taken at the March 20th meeting, from Roy Stewart.

Dave Najarian will get in contact with Britt Bassett and ask them when the second part of the 537 plan will be done and he will also ask them to be present at the Board of Supervisors and the Sewer Authority meeting which is scheduled for Tuesday, April 10, 2007 at 6:00 pm.

David Najarian made a motion to advertise, in the Morning Call, the Corrective Action Plan for the 537 plan to declare the 30 day advertisement period and Charles Lenhart seconded it. Motion carried unanimously.

A public comment period at the end of the 30 day's does not need to be done.

A motion was made by David Najarian to put the cap plan on the Lynn Township website and Charles Lenhart seconded it. Motion carried unanimously.

The secretary was directed to submit a copy of the Corrective Action Plan to both the Lynn Township Planning Commission and the Lehigh Valley Planning Commission.

The Northwestern Lehigh School District was contacted in regards to participating in an exercise which would help the township establish whether or not the sewage plant is getting drainage water from the school. The school was asked if they would allow the local Fire Departments to come in and saturate the roof of the school and then a tracer die would be added to the gutters in an attempt to analyze if in fact the drainage from the roof is somehow finding its way into the township sewage system. The dates in question for this procedure are Friday, April 6, 2007 and Monday, April 9, 2007.

Donald Christ said that spraying roof would not be a good idea and suggested that the parking lot could be saturated and water directly shot into the liter with the die added.

Snow Day:

The Board of Supervisors suggested that if a snow day occurs, and the issue arises as to whether or not to dismiss the Township employee's early due to road conditions, it would be left up to the discretion of the Office Manager, Kevin Deppe.

A draft policy should be drawn up for the next meeting on Thursday, April 12, 2007 stating guidelines.

Computer request by the Tax collector:

The Northwestern School District is sending Linda Tyson a computer to use.

Memorial Plaque:

Lynn Township is not allowed to create a new memorial but is allowed to maintain one.

Donald Christ suggested turning the issue over to the REC Advisory Committee and possibly erect something around the existing flag pole using pavers.

The issue of erecting a memorial has been turned over to the REC Advisory Committee.

Lynn Township is not allowed to create a new memorial but is allowed to maintain one.

Record Retention Policy:

The issue was tabled by the Board of Supervisors.

Miscellaneous:

Charles Lenhart stated that he may be late for the next meeting on Thurs, April 12, 2007 at 5:30 pm.

Public Comment:

Rebecca Snyder Phillips, a resident of Philadelphia and property owner in Lynn Township, addressed the issue about Blog's. Her issue on the subject was that a blog should not be done by a public official and that any information included in a blog should be factual and done tactfully. Ms. Phillips stated that she spoke with IT @ the University of Penn to see if the blog in question is politically correct. She maintains that public speech is ok only when done appropriately. She also said that the blog in question has a section for comments. According to Ms. Phillips, comments cannot be added if the person writing the comment does not name themselves.

Announcements:

Spring Clean up/Beautify Lynn Day 2007, Saturday, April 7, 2007, 8:00am - 12:00 noon at the Lowhill Township Building located on Rte. 309 with a drop off at Lynn Township Municipal Building from 8:00am - 11:00am

Adjournment:

A motion was made by David Najarian, seconded by Charles Lenhart to adjourn meeting. Motion carried unanimously. Meeting adjourned at 8:00pm.

Balance Sheet as of 3/31/2007

Account	Balance
General Fund	350,690.82
Capital Reserve	428,690.93
Zoning/Subdivision	100,481.69
HLLW COG	30,965.07
State Road	37,111.18
Street Light	1,350.17
Park	41,593.29
Recreation	2,658.25
Shade Tree	2,157.37
Total	995,698.77

Profit and Loss Report as for March 2007

	<u>Mar 07</u>
Income	
301 · Real Property Taxes	
301.10 · Real Estate Tax-Current	30.20
301.40 · Delinquent RE Tax-Tax Claim	76.33
Total 301 · Real Property Taxes	106.53
310 · Local Tax Enabling Act	
310.10 · Real Estate Transfer Tax	10,120.95
310.20 · Earned Income Tax	
310.21 · Earned Income Tax-Current	42,264.49
Total 310.20 · Earned Income Tax	42,264.49
Total 310 · Local Tax Enabling Act	52,385.44
321 · Business Licenses and Permits	
321.80 · Cable Television Francise	36,852.75
Total 321 · Business Licenses and Permits	36,852.75
331 · Fines	
331.10 · Court - Magistrate	24.04
Total 331 · Fines	24.04
342 · Interest, Rents & Royalties	
342.53 · Royalties from Cell Tower Rent	2,000.00
Total 342 · Interest, Rents & Royalties	2,000.00
354.07 · Culture-Recreation	7,880.00
361 · General Government	
361.100 · General Contractor Registration	50.00
361.30 · Zoning-Subdiv-Land Dev Fees	

361.31 · Prelim/Final Subdiv-Land Dev	200.24
361.32 · Fees for Eng., Insp, & Reviews	<u>3,489.70</u>
Total 361.30 · Zoning-Subdiv-Land Dev Fees	3,689.94
361.87 · Sale of Maps & Publications	103.00
361.88 · Copy Fee	16.50
361.91 · Plumbing Registrations	50.00
361.92 · Electrical Registrations	50.00
361.94 · Misc. Billing	100.00
361.96 · Subdivision Escrow Deposit	<u>3,200.00</u>
361.97 · Zoning Board Appeal Fee	<u>1,000.00</u>
Total 361 · General Government	8,259.44
362 · Public Safety	
362.40 · Protective Inspection Fees	
362.41 · Building Permit	
362.41B · BLDG/Alter/Repair Permit	656.00
362.41F · Building Permit Filed	6,880.00
362.41K · Deck, Patios, Patio Roof, Porch	102.00
362.41N · Re-inspection	50.00
362.41R · Renew BLDG, Zone, Plumb	<u>375.00</u>
Total 362.41 · Building Permit	8,063.00
362.42 · Electrical Permit	120.00
362.43 · Plumbing Permit	125.00
362.44 · Sewage Permits (SEO Fees)	<u>915.00</u>
Total 362.40 · Protective Inspection Fees	9,223.00
362.99 · Logging/Timber Harvest	<u>10.00</u>
Total 362 · Public Safety	9,233.00
387 · Contributions and Donations	30.00
01.389 · Unclassified Income	25.00
356 · State Payments in Lieu of Taxes	
356.10 · Fish & Boat 2006 In-Lieu of Tax	148.00
356.11 · PA Gaming Board	<u>1,328.44</u>
Total 356 · State Payments in Lieu of Taxes	1,476.44
364 · Sanitation	
364.30 · Solid Waste Collection/Disposal	<u>1,259.30</u>
Total 364 · Sanitation	1,259.30
392.98 · Transfer from SubD/Zoning	<u>24,612.54</u>
Total Income	144,144.48
Expense	
400 · Legislative (Governing) Body	
400.05 · Supervisor Salaries	<u>1,026.09</u>
Total 400 · Legislative (Governing) Body	1,026.09
403 · Tax Collection	
403.16 · Commission Paid as Compensation	1,309.62
403.23 · Postage for Tax Collector	<u>156.00</u>
Total 403 · Tax Collection	1,465.62
404 · Solicitor/Legal Services	1,950.16
405 · Secretary/Clerk	
405.12 · Salary Township Secretary	<u>2,578.56</u>
Total 405 · Secretary/Clerk	2,578.56
406 · Other General Govt. Admin	

406.12 · Salary Full Time Staff	3,832.72
406.15 · Salaries Part Time Staff	936.33
406.21 · Office Supplies	253.10
406.23 · Postage	200.00
406.32 · Communication - Phone/Wireless	326.59
406.33 · Travel Expense	99.32
406.34 · Advertising	617.58
406.38 · Rentals	448.97
406.46 · Mtg., Conf., Cont.Ed.	255.00
406.48 · Internet Fees/Web Design	11.95
406.99 · Payroll	<u>173.86</u>
Total 406 · Other General Govt. Admin	7,155.42
407 · IT-Networking Services-DP	
407.75 · IT Equipment	<u>958.92</u>
Total 407 · IT-Networking Services-DP	958.92
408 · Engineering Services	
408.99 · Township engineer	<u>1,208.50</u>
Total 408 · Engineering Services	1,208.50
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	347.16
409.44 · Laundry/Other Sanitary Services	269.85
409.99 · Heating - Oil/Propane	<u>1,607.41</u>
Total 409 · General Government Bldg&Plants	2,224.42
413 · Code Enforcement	
413.31 · Code enforcement pro. service	450.00
413.45 · Contracted Services	<u>1,065.00</u>
Total 413 · Code Enforcement	1,515.00
414 · Planning & Zoning	
414.15 · ZHB/PC Salaries	240.00
414.31 · Professional services	2,134.75
414.33 · Transportation Costs	300.00
414.42 · Dues, Subscriptions, and Mships	175.24
414.99 · Escrow Refunds	<u>446.07</u>
414.98 · Zoning Recording/Transcription	365.00
414.99 · Salary Zoning Officer	<u>4,435.10</u>
Total 414 · Planning & Zoning	8,096.16
419 · Other Public Safety	
419.99 · PA One Call	<u>9.35</u>
Total 419 · Other Public Safety	9.35
422 · Vector (Animal) Control	
422.99 · Stray Animals	<u>385.00</u>
Total 422 · Vector (Animal) Control	385.00
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	892.89
426.44 · Sanitation Services	<u>582.80</u>
Total 426 · Gen Gov Recycling Col & Dis	1,475.69
429 · Wastewater Collection & Treat	
429.99 · Sewer Piping	<u>257.12</u>
Total 429 · Wastewater Collection & Treat	257.12
432 · Winter Maintenance	

432.14 · Salaries Winter Maintenance	16,011.90
Total 432 · Winter Maintenance	<u>16,011.90</u>
434 · Street Lighting	
434.36 · Street Lighting Electric	710.58
Total 434 · Street Lighting	<u>710.58</u>
437 · Repair of Tools & Machinery	
437.99 · Truck Repair	1,659.42
Total 437 · Repair of Tools & Machinery	<u>1,659.42</u>
438 · Road/Bridge Maint. and Repair	
438.99 · Truck Fuel	5,256.87
Total 438 · Road/Bridge Maint. and Repair	<u>5,256.87</u>
454 · GF Parks	
454.15 · Parks part time staff (GF)	112.12
454.36 · Public Utilities	74.03
454.38 · Rental	220.00
Total 454 · GF Parks	<u>406.15</u>
481 · Employer paid Taxes	
481.10 · Employer paid FICA	2,478.68
481.20 · Employer paid Medicare	579.59
481.30 · Employer paid Unemployment Comp	581.12
Total 481 · Employer paid Taxes	<u>3,639.39</u>
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	6,239.50
487.02 · Life Insurance	1,219.18
487.03 · Workmans Compensation	879.00
487.98 · Employer Paid Disability	1,227.80
Total 487 · Other Group Insurance Benefits	<u>9,565.48</u>
489 · All other unclassified Expenses	
489.39 · Banking Service Charge Fees	10.00
489.98 · Clothing Allowance	185.92
489.99 · EE withholding taxes	9,508.29
Total 489 · All other unclassified Expenses	<u>9,704.21</u>
Total Expense	<u>76,549.43</u>
Net Income	<u>67,595.05</u>

Respectfully Submitted,
Tammy M. White
 Tammy M. White
 Secretary/Treasurer

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