

Board of Supervisors
Regular Meeting
Mon, January 29, 2007 @ 5:30 PM
Lynn Twp.- 7911 Kings Hgwy., New Tripoli

Call to Order:

The **regular meeting** of the Lynn Township Board of Supervisors was called to order 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, Twp. Engineer Roy Stewart, Secretary Tina Everett, Northwestern Press Reporter Elsa Kershner, Drew Showberger from Channel 13 and approximately 25 citizens.

Pledge of Allegiance:

The Pledge of Allegiance was conducted.

Public Comment:

Resident Earl Stoss introduced himself since he was one of the individuals whom was interested in being appointed to the Sewer Authority Board

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

Prior to accepting the minutes the Board discussed that the minutes were missing from the public hearing on 12/27/06 at 7:45 a.m. for the public comment on the proposed mixed housing ordinance.

A motion was made by David Najarian, seconded by Charles Lenhart to accept the minutes of the Close-out meeting, 12/27/06, Reorg. Meeting, 1/2/07 and the special meeting on 1/20/07 and to direct the Assistant Treasurer to pay the bills. Motion carried unanimously.

Road Report:

Bruce Raber went over his road report for work completed for December 2006 and January 2007 and the anticipated work for February 2007. The work completed consisted of cleaning out gutters on some dirt roads and regarded them were needed, hauled 5 loads of anti skid from Kutztown, hauled 5 loads of modified to Ontelaunee Park, helped zoning office on a few small jobs, started tree trimming and chipping on Lentz Rd, Sassafras Rd., Ohl Court & ½ of Reeser Road, boom mowed Bachman Road, cold patched over pipes on Owl Valley Rd, gave maintenance building bathroom a face lift and the road crew was out two times early to salt roads. The anticipated work for February consisted of cutting, trimming and chipping trees on several more roads and taking care of problems residents call about.

Road Master Raber discussed that he highly recommended that they start to do crack sealing prior to chipping roads in the township. Heidelberg Township has the hot seat to heat it up and put it down and Lowhill Township has the compressor to use to blow cracks out prior to sealing.

Chairman Creighton questioned Raber as to how much salt was used this year? Bruce started that they started this season with approximately 300 ton and only used 3 to 4 tons of salt so far.

Road Master Raber informed the Board that he attended a class on the Right To Know, which consisted of information on hazardous materials in the work place and they watched two films on drug and alcohol abuse in the workplace. He felt the class was very informative.

Road Master Raber questioned the Board as to when Andrew Whaling's benefits would start. After further discussion on this matter they felt that they should be consistent as to the way it was done for others such as Janet Henritzky. It was then decided to go back retroactively to when he started as a temporary full-time employee for the township. Mr. Najarian felt that this should be clarified in the personnel manual going forward.

Recreation Fund:

Park Manager, Donald Christ requested that the Board would transfer \$7,500 from the Recreation Fund to the Ontelaunee Park Fund since it was getting rather low until he received more grant money.

Vice Chairman Najarian questioned Mr. Christ if this fund was getting low due to paying the sewer authority employees to do the work at Ontelaunee Park. After further

discussion, the Board decided that Mr. Christ should contact Road Master Raber when he is in need of part-time help for the Ontelaunee Park since we now have a full road crew of 4 full-time employees. This may help keep the Ontelaunee Park Fund from decreasing so quickly. Mr. Christ will do this and if Road Master Raber doesn't have anyone available to help out then Mr. Christ will continue to use the sewer authority employees.

A motion was made by David Najarian, seconded by Charles Lenhart to transfer \$7,500 from the Recreation fund to the Ontelaunee Park fund. Motion carried unanimously.

Ontelaunee Park Report:

Park Manger Donald Christ reported on the following progress in the park:

- 12/6/06 Richard/Brad working on path at Kistler Bridge
- 12/6/06 Richard cementing foundation for Homer Snyder Plague
- 12/6/06 Schochary Ridge planting trees for Kistler
- 12/7/06 Richard removing excess dirt/flag pole area working with Utt
- 12/7/06 Richard/Brad measuring for steps at flag pole area
- 12/8/06 Work continuing at flag pole area
- 12/8/06 Swale at flag pole area
- 12/10/06 Fort Everett Christmas Party
- 12/12/07 Richard/Brad taking down fence at Rte 143
- 12/18/06 Richard unloading playground equipment
- 12/19/06 Burning brush at playground area
- 12/20/06 Richard/Brad putting benches together for park
- 1/2/07 Richard/Brad loading ground donated by Cemetery Assoc.
- 1/2/07 Donated ground hauled to playground area
- 1/11/07 Richard/Brad work on cutting brush at lake
- 1/11/07 Richard/Brad drilling hole for benches with donated hole digger
- 1/16 & 1/17/07 Brush cutting @ lake
- 1/23/07 Brad unloading park benches
- 1/24/07 Brush that needs to be cut at lake

Park Manager Donald Christ also reported on projects for Spring:

- 1/24/07 Applied for \$30,000 grant from Nestle Waters. \$20,000 for general park use/\$10,000 for spring house project
- 1/26/07 Applied to DCNR for partial payment request to continue work at the flag pole area
- Working on Century Fund Grant Proposal \$2500 for playground area
- Brush cutting around lake will continue
- Ed Snyder Excavating will donate time/equipment run piping for future restrooms
- Leveling of playground area will continue as fill is found/trucks available
- Playground equipment/benches will be install in spring
- Getting prices for large pavilion to remove present gable ends and put siding on the new ends
- Bank will finish new pavilion restrooms in spring
- 2A modified needs to be added to present roads in park
- Maintenance will continue on all purpose field/gardens

- Look at Dave's spring house to see how stones can be used in park
- Looking into creating a Disc Golf Course for the park (Frisbee)
- Advisory Committee will plan for 2007 Events in park

Park Manager Donald Christ then discussed things to consider, such as: new lawn mower/water tank and sprayer/storage area/Skate Board area/Basketball area/Tennis area & Township sponsored concert.

Vice Chairman Najarian felt that we should not just center our attention on Ontelaunee Park, but should also look at what we could do with Madison Park so the kids aren't playing in the streets. He felt that maybe we should get some residents on the Recreation Advisory Committee whom live in Madison Park development. He reminded Donald Christ that this was the Lynn Township Recreation Advisory Committee not just the Ontelaunee Recreation Advisory Committee.

Chairman Creighton questioned what we were going to do with the gas/water tank in the park. Bruce Raber informed the Board that he will be removing this tank this spring.

Member Lenhart questioned what type of lawn mower was he looking to purchase and Mr. Christ informed him that he was looking to purchase a large mower possibly with a grant. If he would get a larger mower it will cut the time in half for mowing the entire park. With the current mower he's using to mow the park it is taking two days to complete.

Subdivisions:

E. Dale & Patricia A Layos- Minor Subdivision-2 Lots-7999 Bausch Rd., N.T.-Final Plan-Represented by Richard Leiby from Ribello Bertoni's office. Approval was received from DEP, but a road improvement fee of \$2,065.50 is due along with a \$1,000 recreation fee. The applicant did not have the fees available at this time, so at that time the motion was made. A motion was made by David Najarian, seconded by Charles Lenhart to grant conditional final plan approval subject to payment of the required fees. Motion carried unanimously.

Barry Follweiler/Alta Dietrich-Minor Subdivision/Lot Line Adj.-NS Springhouse Rd.-Final Plan-Represented by Scot Dietrich of Beitler's Surveying. A motion was made by David Najarian, seconded by Charles Lenhart to grant final plan approval. Motion carried unanimously.

Mary Y. Knerr-Minor Subdivision-3 Lots-5795 Long Ct.-Final Plan-Represented by Scot Dietrich of Beitler's Surveying. All required fees have been paid. A motion was then made by Charles Lenhart, seconded by David Najarian to grant final plan approval. Motion carried unanimously.

Jacob's Church-Minor Subdivision-2 Lots-8379 Kings Hgwy.-Final Plan-Represented by Mike Madtes. There was discussion on the conclusion of the easement, which they will call it access. The Lehigh Valley Planning Commission approval letter had been received. They are requesting a waiver of the Lynn Township SALDO scale requirements. They wanted a 60 scale instead of a 50 scale. A motion was then made by David Najarian, seconded by Charles Lenhart to grant final plan approval and to grant a waiver of the Lynn Township SALDO scale requirements. Motion carried unanimously.

Mountain Road-Minor Subdivision-2 Lots-Hawk View & Fenstermacher Rds.(Mostly in Heidelberg Twp., but partly in Lynn Twp.)-Represented by John McRoberts of VanCleeve Engineering. There was discussion on granting an extension of time since they were still currently waiting on written approval on their sewage planning module from DEP. The hold up on this plan was partly due to bog turtle issues. Final Conditional approval was granted to them at the December 1st, 2005 meeting. They then received approval for an extension through February 1st of 2007 to

allow them time to comply with Lynn Township's SALDO requirements. A motion was made by David Najarian, seconded by Charles Lenhart to grant an extension of time through July 1st, 2007. Motion carried unanimously.

John J. Scully III-Major Subdivision-4 Lots-8061 Bausch Rd.-Represented by Jay Musselman of Musselman Associates. They are still in the process of obtaining an individual NPDES permit for discharge of storm water management from DEP. The application and plan have been reviewed by DEP and we received their letter on Nov. 30, 2006. They are requesting for an extension of time in order to complete the approval process and the recording of the plan. Roy Stewart, Engineer suggested that they look into the cost improvements again since this is a year old. The improvements agreement isn't done yet. A motion was then made by David Najarian, seconded by Charles Lenhart to grant an extension of time through July 1st, 2007. Motion carried unanimously.

Rob Sadler/Ken Bleiler Appointments:

Discussion on whether Kevin Deppe felt he still needed Ken Bleiler as a consultant if needed to help him with zoning issues. Kevin Deppe felt he still needed Ken's head with some of the older subdivision plans. A motion was made by David Najarian, seconded by Charles Lenhart to authorize Kevin Deppe to hire Ken Bleiler, as an hourly part-time employee, not to exceed 10 hours per month, to serve as a consultant, whose work shall be directed by Mr. Deppe; and whose rate should be consistent with Mr. Bleiler's prior salary as a full time employee but absent benefits. Motion carried unanimously.

Discussion was then held on hiring Rob Sadler as a part-time employee and taking him off the zoning hearing board so he can help the township out again with this transition until the Board hires a new Secy./Treasurer. He will need to resign from his alternate position on the Zoning Hearing Board.

A motion was made by David Najarian, seconded by Charles Lenhart to hire Rob Sadler as a part-time hourly employee @ \$10.00 per hour, to serve as a consultant helping Assistant Treasurer and/or future Treasurer, contingent on his written resignation from the Zoning Hearing Board. Motion carried unanimously.

A motion was then made by David Najarian, seconded by Charles Lenhart to accept Rob Sadler's resignation as alternate zoning hearing board member and to declare that position vacant. Motion carried unanimously.

Sewer Authority Appointment:

Discussion on all the people whom applied to be appointed to the Lynn Township Sewer Authority. The people were: Steve Feinour, Tom Ostroski, Glen Smith, Earl Stoss and Bryan Billig for reappointment. Member Lenhart would like to appoint Earl Stoss, but Chairman Creighton and Vice Chairman Najarian felt that they should appoint Steve Feinour. A motion was then made by David Najarian, seconded by Thomas Creighton to adopt **RESOLUTION 2007-8 -A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, LEHIGH COUNTY APPOINTING A LYNN TOWNSHIP SEWER AUTHORITY MEMBER, Steve Feinour to Serve until 1/1/2012.** Member Lenhart voted no. Motion carried.

Recreation Advisory Committee Appointment for 2007:

Vice Chair Najarian suggested that we advertise prior to the Reorganizational meeting in 2008 for other interested residents that want to join the Recreation Advisory Committee.

Vice Chair Najarian directed Assistant Secretary Tina Everett to write the members on the Recreation Advisory Committee asking them if they wish to continue. Najarian also asked Assistant Secretary to request a copy of the prior minutes from the Recreation Advisory Committee meetings from Donald Christ.

A motion was made by David Najarian, seconded by Charles Lenhart to appoint the following people to the Lynn Township Recreation Advisory Committee for 2007. They are as follows: Ron & Vicki Moyer, Rod & Mara Beck, Donald & Susan Christ, Tony Oswald, Greg Mikols, Keith Nagle, Scott & Amy Romig, Lenore Handwerk, Sally Christman & Chris Brown from Brown Miller Design. Motion carried unanimously.

Env. Advisory Committee Appointment of Chairperson/Budget min. \$500:

The Board asked Peter Crabb if he'd be interested in serving as a Chairperson for the EAC Committee. He would be happy to serve. At that time a motion was made by David Najarian, seconded by Charles Lenhart to declare Donald Christ's position vacant due to an error they made at the reorganizational meeting appointing him to the EAC when he wanted to be re-appointed to the Recreation Advisory Committee. Motion carried unanimously.

A motion was made by David Najarian, seconded by Charles Lenhart to designate Peter Crabb as Chairperson for 2007 and to setup a yearly budget at \$500.00 for the EAC. Motion carried unanimously.

Building Code Appeals Board Appointment:

A motion was made by David Najarian, seconded by Charles Lenhart to adopt **RESOLUTION 2007-9- A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, LEHIGH COUNTY APPOINTING A BUILDING CODE OF APPEALS BOARD MEMBER, Jay Poust to Serve until 1/1/2012.** Motion carried unanimously.

At this time there was discussion on changing the building code appeals board application fees to be the same as Heidelberg Township's fees, which are \$650 for residential and agricultural and \$900 for commercial and industrial. Our fees are currently \$500 for residential and agricultural and \$750 for commercial and industrial. Vice Chairman Najarian didn't feel we need to change our fees just because Heidelberg Township raised their fees. After further discussion the Board decided to leave this matter alone at this time.

A motion was made by David Najarian, seconded by Charles Lenhart to adopt **RESOLUTION 2007-10- A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA TO ESTABLISH A USER FEE SCHEDULE, LYNN TOWNSHIP BUILDING, ZONING AND SEWAGE.** Motion carried unanimously.

Appointment of BCO (Building Code Official):

Discussion on appointing a Building Code Official. Kevin Deppe had done the testing and had passed but was waiting on his official certification registration number so he could be the Building Code Official.

A motion was then made by David Najarian, seconded by Charles Lenhart to appoint CodeMaster Inspection Service, David Backenstoos as Building Code Official up until the time that Kevin Deppe receives his approval certification. Thereafter Kevin Deppe will be Building Code Official for the township. Motion carried unanimously.

COG (Congress of Governments):

On January 13th Rob Sadler was asked to attend a COG meeting to represent the Township, since Thomas Creighton wasn't able to attend.

A motion was made by David Najarian, seconded by Charles Lenhart to table this matter on COG (Congress of Governments) until their next meeting on 2/8/07. Motion carried unanimously.

LVIC Board of Directors-Appoint Member:

LVIC (Lehigh Valley Insurance Cooperative). The Board passed Ordinance #2006-9, which was the Lehigh Valley Cooperative Agreement at their closeout meeting on December 27, 2006.

A motion was made by David Najarian, seconded by Charles Lenhart to appoint Tina Everett as a member representing Lynn Township for the Lehigh Valley Insurance Cooperative Board of Directors. Motion carried unanimously.

Supervisor Rep. for Jordan Valley Water Shed Committee-Act 167 Appointment:

A motion was made by Thomas Creighton, seconded by Charles Lenhart to appoint David Najarian as the member representing Lynn Township for the Representative for the Jordan Valley Water Shed Committee, Act 167. Motion carried unanimously.

Proposed Health Insurance Policy Statement:

Discussion on the proposed health insurance policy statement for the employee policy handbook, in which, Kevin Deppe is currently working on. Tina Everett and Janet Henritzky felt that the last paragraph was wrong and needed to either be rewritten or deleted from the statement. After discussing it further, the Board decided to leave it the way it was minus the last paragraph which read: The Board of Supervisors reserves all rights and privileges to change and/or terminate all health insurance policies and/or carriers without notice to Township employees.”

A motion was then made by Charles Lenhart, seconded by Thomas Creighton to approve the new language, but to eliminate the last two lines of the policy statement. Vice Chair Najarian voted no. Motion carried.

PMHIC (PA Municipal Health Insurance Coverage):

This matter on the PMHIC (PA Municipal Health Insurance Coverage) was tabled until the next meeting on 2/8/07. An ordinance for this matter will need to be written up and advertised prior to the meeting.

A motion was then made by David Najarian, seconded by Charles Lenhart to direct Kevin Deppe to have the ordinance completed and advertised for next meeting. Motion carried unanimously.

Alternate Benefits Coordinator:

After discussing this briefly it was determined that Kevin Deppe was already appointed as the Alternate Benefits Coordinator.

Pension Contact:

A motion was made by David Najarian, seconded by Charles Lenhart to appoint Janet Henritzky as the Pension Contact temporarily until we find a secy./treas. replacement. Motion carried unanimously.

Appointment of Asst. Emerg. Mgmt. Coordinator:

Motion by David Najarian, seconded by Charles Lenhart to declare the Assistant Emergency Coordinator vacant per Donald Christ’s resignation letter that was received Jan. 9th, 2007. Motion carried unanimously.

Exonerate Linda Tyson, Tax Collector from collecting certain per capita taxes:

Tax Collector, Linda L. Tyson’s Per Capita Tax Exoneration Request Forms was reviewed. They are summarized as follows:

2006- Exonerations with papers (39x\$5ea.)	\$ 195.00
2006-Request for exonerations without papers (92x\$5ea.)	\$ <u>460.00</u>
TOTAL for 2006	\$ 655.00

The following is a list of applicants who applied for exonerations of Per Capita payments with notarized papers: Megan Bennicoff, Marissa L. Bond, Timothy Bond, Ross Christie, Andrew Diehl, Jeffrey Dolena, Briana Erney, Trisha Erney, Christina Figueroa, Chrissa Fenner, Joashua Ferris, Jeffrey Glodzik, Heather Hartman, Rebecca Havilan, Slade Hermany, Min Lin, Blaise Mannino, Justice Mannino, Kayla McAuliffe, Amanda Riepensell, Andrew Sigley, Amy Steiner, Mark Steiner, Patrick Sutton, Benjamin Vogels, Janelle Weiland, Jenna Wessner, Michael Wolfe, Kiona Zappe,

Bethann Miller, Allyssa Miller, Sarah Phillips, David Phillips, Brandon VanParys, Michael Vogels, Kevin McFadden, Katie Glodzik, Suzanne Harwick & Lia Snyder.

A motion was then made by David Najarian, seconded by Charles Lenhart to exonerate the tax collector from collecting these taxes. Motion carried unanimously.

Actual Use Report of State Funds (PENNDOT):

A motion by David Najarian, seconded by Charles Lenhart to approve the actual use report of state funds for the year ending December 31st, 2006. Motion carried unanimously.

Payroll Check Signer:

Discussion on paperwork that needed to be filled out and returned to AD Computer for the payroll check signer. After a short discussion on this, the Board agreed that Thomas Creighton and Janet Henritzky, Asst. Treasurer could be the payroll check signers.

Miscellaneous:

Rob Sadler felt that since there may be a problem with our new insurance being effective since we haven't passed the ordinance at this time for the PMHIC, that we should extend our former insurance coverage to all full-time employees if needed until this matter is resolved.

A motion was then made by David Najarian, seconded by Charles Lenhart to authorize Rob Sadler to extend our former coverage if needed until the PMHIC matter is resolved. Motion carried unanimously.

The status of the Secretary/Treasurer position was discussed briefly. Kevin stated that he hadn't had time to review them yet, but will do so in the next couple of days.

Tina Everett announced that she was hosting a Longaberger Basket Bingo fundraiser for a friend of hers whom has cancer. The benefit bingo will be occurring on Sun., March 18th, 2007 at the Schnecksville Fire Co. @ 1pm.

Public Comment:

Mr. Robert Hamm questioned what was happening with auditing the tax collector. Linda Tyson remains to be audited. The CPA firm that the township hired will need to do it. The elected auditors can not do it.

Resident questioned why the CPA firm was hired. What was wrong with the elected auditors. David Najarian felt this was something that had to be done and was anxious to see what procedural things they will see fit to change. The CPA firm will need to be reappointed each year.

Mr. Robert Hamm also questioned if the township was changing their pension plan. He reminded the Board that the elected auditors must give permission to any changes of the pension plan, as per the Second Class Township Code.

Resident Harry Gruber and another resident felt that the township should hire a local resident as the Township Secretary/Treasurer.

Discussion on Blaine Herb's request for copies of the e-mails in his subdivision file from Solicitor Healy. Kevin needs the Board's approval before he can release these to him. After discussing this further the Board didn't seem to see a problem releasing this information to him as he requested. Member Lenhart requested to see the e-mails prior to us releasing them to Mr. Herb.

Adjournment:

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

Respectfully Submitted,

Tina M. Everett
Assistant Secretary
Lynn Township Board of Supervisors

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