

**Board of Supervisors**  
**Mon., February 26, 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 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, Assistant Secretary Tina Everett, Northwestern Press Reporter Elsa Kerschner and approximately 30 citizens.

**Pledge of Allegiance:**

The Pledge of Allegiance was conducted.

**Public Comment:**

None

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

A motion was made by David Najarian, seconded by Charles Lenhart to accept the minutes of the public meeting on 2/8/06 and to direct the Assistant Treasurer to pay the bills. Motion carried unanimously.

Vice Chairman reminded the Asst. Secretary to post the unofficial minutes on bulletin board as we did in the past. Chairman Creighton reminded everyone that minutes are posted on the Lynn Township website after approved.

**Road Report:**

Bruce Raber went over his road report for work completed for February 2007 and anticipated work for March 2007. The work completed consisted of: boom mowing, salting, cindering and plowing of roads with snow storm, which in turn had to service the following equipment: 544J Loader, 544C Loader, Backhoe, 1988 Mack Truck, 2003 Sterling Truck which was due to snow storm and in turn had to do a lot of repairs from ice and snow storm. The anticipated work for March will depend on the weather. He would like to start tree trimming if the weather cooperates with them.

**Public Comment:**

Resident Kermit Delong questioned Mr. Raber who plowed Weiss Road during this last snow storm. The reason he asked was due to the fact that many mailboxes were hit/damaged by the plow. Mr. Delong informed Mr. Raber that he's been plowing this entire section of road for many years due to his business. Road Master Raber informed Mr. Delong that this road is shared between Heidelberg and Lynn Township. They share the responsibility of plowing it. Mr. Raber felt his guys are good men and are new and it's a learning process, but in due time, they will do fine. He's hoping the public will understand.

Member Lenhart questioned Raber who plowed Emerald Acres? Raber answered that it was Joe Howard. Lenhart then asked why all the mailboxes in Emerald Acres were plowed out by the township. Member Lenhart was concerned since we don't do this and should not start to do this. He felt we should be more concerned about intersections and just concentrating on plowing the township roads. Road Master Raber was well aware that they are not required and should not plow out mailboxes for residents. Bruce Raber will look into this matter.

Vice Chairman Najarian & Chairman Creighton felt that the road crew did a great job, especially with the nature of this particular storm bringing so much ice, rain and very heavy snow. Najarian commented that our crew had our roads plowed even before the State had cleared its major roads. The State truck was broken down at 143 near the border with Albany Township. Najarian also observed citizens driving standard two-wheel drive vehicles during the storm. They got stuck, which made clearing the roads more difficult.

**Subdivisions:**

None

**Act 537 Plan & Corrective Action Plan:**

An extended discussion was held on the Act 537 & Corrective Action Plan. The Township became notified by a letter from DEP dated Feb. 5<sup>th</sup>, 2007 concerning the hydraulic overload condition of the Lynn Township Waste Water Treatment Plan which occurred in 2005 and was not reflected in the 537 plan that was submitted. DEP requires that (1) no new connections to the plant be permitted, (2) planning and construction for additional capacity be immediately undertaken and (3) a Corrective

Action Plan be submitted to DEP within 90 days from the receipt of this letter. After receiving this letter, Vice Chairman Najarian wrote a letter to our engineer, Bassett Engineering, wherein Najarian requested that Bassett Engineering provide the Township with a firm time line as to the steps to and including the completion of our Act 537 Plan Amendment. Najarian also directed Bassett to cooperate with ARRO in forming the Corrective Action Plan as requested by DEP.

There is a special / public meeting scheduled for Thurs, March 1<sup>st</sup> to discuss a Corrective Action Plan for the Wastewater Treatment Plants' hydraulic overload as set forth by DEP. The discussion shall not be limited to the Corrective Action Plan. Our Engineer, Britt Bassett will be meeting with the Sewer Authority's Engineer, Arrow to tour the sewer plant. They will setup a meeting to do this. They will meet without the Sewer Authority or Board of Supervisors present.

Peg Dissenger questioned when the special meeting was being held. The date and time of that meeting is Thurs, March 1<sup>st</sup> @ 4:30 p.m. She also asked if they had a meeting scheduled with DEP and the answer was no, not at this time.

Resident Marvin Charles explained that the objective of the meeting was for the Sewer Authority to formalize the corrective action plan. They will then setup a meeting with DEP. The Sewer Authority wants to convince DEP that they are addressing the problem and that the plant continues to meet permit requirements. He felt it was important that people knew that it took DEP over one year for the Chapter 94 report. The organic overload is too much stuff coming into plant, but the plant meets permit requirements. He felt that if they could demonstrate to DEP on their Corrective Action Plan that maybe they'll allow the 2 of the 24 additional EDU's that were paid. He stated that if anyone is truly interested in this situation that they should show up on Thurs, March 1<sup>st</sup> to ask questions.

Michael Schaeffer, who purchased a lot on Broadtail Court (Heintzelman Estates) as to why the original 537 plan wasn't used. Chairman Creighton informed him that there were 21 reasons why due to deficiencies in plan. The Township tried to ask DEP for another extension, but denied the request. Vice Chairman Najarian felt the Board wasn't here to point fingers but to move forward with the problem. They wanted to meet DEP's deadline and were not able to do so, due to the engineers not submitting their revisions to plan on time. In view of the deficiencies and rejection, the Board, with agreement from the Sewer Authority, decided to have the proposed plan reviewed by a Township engineer certified in the area of wastewater treatment. The review was to occur prior to the plan's next submission. Engineer Bassett will use the original 537 plan, to be amended by ARRO, as a base, but Bassett will make corrections to the plan as may be necessary. Basset is not to start from scratch.

Michael Schaeffer questioned why no one who had purchased EDU's were notified that DEP precluded additional building permits. The Board felt the Sewer Authority was responsible to notify their customers because the Sewer Authority ultimately sold the EDU's. The Board of Supervisors does not have a role in the daily operation of the plant, including the selling nor allocating EDUs.

Resident Marvin Charles discussed that with the basis of the plan it would only provide so many hookups per year and somewhere along the line additional EDU's got sold. He also felt the answer to Mr. Schaeffer's question of being notified was a yes, they should have been notified via letter. The Board has no control over that. The Board just appoints members to the Sewer Authority when terms are up. Unless the Township takes over the Sewer Authority, the Township has little control.

Michael Schaeffer felt that if the 537 Plan was submitted on time that DEP would not of shut down hookups.

Resident Charles speaking on behalf of himself not the Sewer Authority stated that the Corrective Action Plan is the responsibility of the Sewer Authority and the Act 537

Plan was the Board's responsibility. The preparation of the 537 is a joint matter between the Board and the Sewer Authority.

Michael Schaeffer felt that Board should look at all the possibilities to do what they should to make this happen ASAP.

Resident Charles again speaking for himself felt these EDU's should not of been sold.

Resident Carson Baer questioned the Board as to how long they had been working on the Act 537 Plan? Then he questioned whether this was another professional mistake.

Resident Larry Heintzelman questioned as to how long Keystone had worked on the complete project? Then he questioned how much the township paid him so far on the Act 537 plan. Mr. Heintzelman felt he did the right thing by purchasing the EDU's for his lots in Heintzelman Estates, but now everybody is going to loose on this matter even after he felt he did what was best.

At this time the Board continued to discuss this matter. They felt they couldn't re-vent as to what happened with 537, but to move forward and get this problem resolved. They felt that a second opinion on the 537 might reveal an alternative upgrade procedure having a cost less than the proposed 3 million dollars. They must look at whether less expensive upgrade alternatives exist. Separately, the Corrective Action Plan must be received by DEP before May 5<sup>th</sup>, 2007.

**CPA Tax Collector's Accountss & Township Audit:**

A representative from the Township's CPA firm will attend the Township meeting on Thurs., March 8<sup>th</sup>, 2007. Vice Chairman Najarian did not yet speak to the NW School District in regards to a joint audit of the Lynn Township tax collector because a joint audit would further include Lowhill, Weisenberg and Heidelberg Townships, thus making our audit more complicated. After further discussing this, the Board decided to table this matter any further until March 8<sup>th</sup>.

**Secy./Treasurer Position:**

Chairman Creighton thanked the candidates that came out tonight. The Board decided to handle the appointment and speak with the candidates in an executive session at the end of the regular meeting. Creighton also thanked Rob Sadler, Kevin Deppe and Asst. Secy. Everett for a job well done finding qualified candidates for the position.

**Insurance-Fire Companies:**

Vice Chairman Najarian explained that both New Tripoli and Lynnport Fire Companies are carrying double liability insurance on their emergency equipment. The Township currently is paying the cost of liability insurance for both fire companies and they are carrying their own coverage. After further discussing this matter that needs to be addressed, the Board agreed to table this matter until a later date.

**Agreement/Invoice for Animal Control Services-Human Society:**

A motion was made by David Najarian, seconded by Charles Lenhart to pay the invoice of \$385.00 for animal control services rendered, but to table the agreement for animal control services until Tina receives the slips as to how many animals were picked up in Lynn Township. Motion carried unanimously.

**Policy on Tape Recording meetings:**

At this time the Board discussed the tape recordings made by the Secretary of our Township meetings. After discussion, the Board said that the recording is not an official Township document, merely an aid used by the Secretary during her taking of the minutes. The Secretary should delete the recordings after the minutes are approved. There was also discussion on requests from residents for copies of tape recorded minutes. The Board decided that if a written request for a copy of a taped meeting is

received before the tape is actually erased, they would consider each request individually.

A motion was made by David Najarian, seconded by Charles Lenhart to release a copy of the cd of the tape recorded meeting on January 2<sup>nd</sup>, 2007 to Jay Poust as he requested, but at a cost of \$5.00 for the recordable CD. Motion carried unanimously. recorded meeting that they would discuss each request individually.

A motion was made by David Najarian, seconded by Charles Lenhart to release a copy of the cd of the tape recorded meeting on January 2<sup>nd</sup>, 2007 to Jay Poust as he requested at a cost of \$5.00. Motion carried unanimously.

**Memory Plaque:**

At this time the Board had a short discussion again on purchasing a memory plaque to be placed in Ontelaunee Park in honor of all the township residents killed in Iraq. This discussion came up with the recent loss of Lance Corporal Brandon Van Parys. Chairman Creighton felt they definitely needed to do something.

At this time the Board decided to table this matter until the next meeting and requested that Zoning Officer Deppe look into this further.

**Miscellaneous:**

Adm. Secy. Everett reminded the Board that it's time to start putting together articles for the next Spring/Summer newsletter.

There will be a CleanSweep being held on Saturday, April 7<sup>th</sup> from 8 am until 12 noon at the Lowhill Township Building, Rte. 100. At this same time the Environmental Advisory Committee will also be hosting the Great Pennsylvania Cleanup Day for Lynn Twp. This is where township residents whom participate in the Great PA Cleanup Day to bring their garbage picked up on the roads that day and take them to the township building. The township will then be responsible to take this garbage to the Clean Sweep at no charge. Najarian wanted to speak with the Roadmaster and was also concerned about having the garbage sorted at the Township building. There will be more information regarding this event in the near future. Chair Peter Crabb of the EAC will be taking charge of this event.

Kevin Deppe discussed the status of codification of the zoning and saldo. He's been working with Barry Mantz from Heidelberg Township and Ron Heckman from Lehigh County in regards to getting a grant for the codification. He would like the Board's approval to move forward with this grant. Lehigh County would match the fund, which would be up to \$8,000. Each Township would be given \$4,000 each. After further discussing this matter, a motion was made by David Najarian, seconded by Charles Lenhart to give permission to Kevin Deppe to move forward and apply for a grant for the codification of our Zoning and SALDO. Motion carried unanimously.

Accounts Clerk Rob Sadler reminded the Board that the renewal for the liability insurance is up. He had discussed that there was a few items that needed to be looked at, prior to renewing. The single issue turned out to be increasing the liability/umbrella policy from \$1,000,000 to \$2,000,000. Mr. Sadler is to find the increase/cost and report back to the Board at the March 8<sup>th</sup> meeting.

**Public Comment:**

Resident Kermit Delong was concerned since the Board hadn't addressed one of the candidates for the Secy./Treasurer position that was present at tonight's meeting. At this time the board decided to go into an executive session pertaining to the hiring of a new secretary/treasurer.

**Executive Session:**

An executive session convened at 7:05 p.m. with Chairman Creighton, Vice Chairman Najarian and Member Lenhart present. The executive session reconvened at 7:13 p.m.

The executive session was a brief session with both well qualified candidates for the position of Secretary/Treasurer.

At this time the Board offered the position to Tammy White and she had accepted the offer.

A motion was made by Chairman Thomas Creighton, seconded by Charles Lenhart to hire and appoint Tammy White as Township Secretary/Treasurer, at \$15 per hour, subject to the terms and conditions of the Lynn Township personnel manual, with a start date to be determined. Motion carried unanimously.

**Adjournment:**

A motion was made by Charles Lenhart, seconded by David Najarian to adjourn meeting. Motion carried unanimously. Meeting adjourned at 7:15 p.m.

***Accounts Payable as of Feb. 26, 2007***

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL L
TOTAL	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

***Balance Sheet as of Feb. 26, 2007***

	<u>Feb 26, 07</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
01.100 · General Fund	301,918.49
02.100 · Electric Light Fund	2,060.75
30.106 · Capital Reserve	427,449.71
35.100 · State Highway Fund	44,369.96
94.100 · Shadetree Escrow	2,156.19
96.106 · HLLW Co-op	30,924.66
97.100 · Recreation Fund	2,656.92
98.100 · Subdivision/Zoning Fund	123,174.37
99.100 · Park Fund	<u>33,973.55</u>
<b>Total Checking/Savings</b>	<u>968,684.60</u>
<b>Total Current Assets</b>	<u>968,684.60</u>
<b>TOTAL ASSETS</b>	<u><u>968,684.60</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Equity</b>	
30000 · Opening Bal Equity	947,150.18
32000 · Retained Earnings	-33,314.79
<b>Net Income</b>	<u>54,849.21</u>
<b>Total Equity</b>	<u>968,684.60</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>968,684.60</u></u>

Respectfully Submitted,



Tina M. Everett  
Assistant Secretary