

Board of Supervisors
Tuesday, May 20th, 2008 @ 5:00 P M
Lynn Twp.- 7911 Kings Hgwy., New Tripoli

Call to Order: The special meeting of the Lynn Township Board of Supervisors was called to order by Chairman Kermit E. DeLong Jr., at 5:05 pm in the Municipal Building. Present were Chairman Kermit E. DeLong Jr., Vice Chairman Thomas C. Creighton III, member David C. Najarian, Zoning Officer Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Solicitor Ed Healy, NW Press reporter Ken Petrini, and approximately 10 citizens.

Nestle: Mattos Springs Dev. Project #07-01 Land Dev. Plan-Final/2nd Review-WS of Rte 309, N of Mosserville Rd. - A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant final approval for the Mattos Springs Dev. Project. Motion carried unanimously.

Resolution for stamp signature: The BOS were not in favor of passing the Resolution for the New Tripoli Bank authorizing the stamp signature for Thomas C. Creighton, III. Tammy M. White will notify the bank.

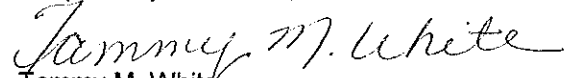
Madison Park North Property: The BOS discussed the property located at 6686 Jefferson Court, New Tripoli. The occupant of the residence, Damon Ray, has not been living at this location for quite some time and has recently been incarcerated. According to the neighbors, the residence is supposedly owed by Damon Ray's brother, Gary Ray. Gary Ray has not responded to a letter that was sent to him. A second letter will be mailed certified. The Humane Society has removed 2 dogs from the location. The Humane Society furnished the township with disturbing pictures of the inside and outside of the residence. Neighbors of 6686 Jefferson Court were present at the meeting to state their concerns that the residence in question may be an indoor and outdoor hazard and could pose health and safety issues. The neighbors in attendance were Alan Laxson of 6705 Jefferson Ct., Geraldine Grabias of 6711 Jefferson Ct., and Brenda McNevin of 6690 Jefferson Ct. The neighbors stated that the owner of 6686 Jefferson Ct, Gary Ray, lives in the Manor in Schnecksville and that Damon Ray was incarcerated for breaking into his brother, Gary Ray's, home. The township does not have an address for Gary Ray for the residence in Schnecksville. Solicitor Ed Healy stated that the township can do 1 of 3 things: 1) Do nothing 2) Board up the property 3) Wait to see if the township receives a response to the certified letter within 7 to 10 days, and if not then allow for an administrative search warrant to be obtained. Ed Healy stated that the township has no responsibility to board up the residence. Dave Najarian felt that the township should assess the situation and get permission to enter the property to see how much of a health and safety risk it proposes and then proceed. Dave Najarian also noted that we could find out who the lender of the mortgage record is and they might want to take care of it themselves. A motion was made by Kermit E. DeLong and seconded by David C. Najarian authorizing Ed Healy, in the event the township does not receive a response from the certified letter, to proceed with the administrative warrant. Motion carried unanimously. Ed Healy noted that the cost for the administrative warrant would cost approximately \$750. David C. Najarian made a motion to post signs in the front and back of the 6686 Jefferson Ct. residence stating do not enter. Motion died for a lack of a second. A motion was then made by Kermit E. DeLong and seconded by David C. Najarian to have the road crew post a warning sign in the township's right away located in the front of 6686 Jefferson Ct. Motion carried unanimously. Ed Healy will prepare the wording of the sign. A motion was made by David C. Najarian and seconded by Kermit E. DeLong to board up the 6686 residence. Thomas C. Creighton voted no. A motion was made by David C. Najarian and seconded by Kermit E. DeLong to authorize and direct Bruce Raber or a member of the road crew to board up the broken sliding door and post the warning sign in the townships right away at 6686 Jefferson Ct. Thomas C. Creighton voted no. Tom Creighton was only in agreement to post the warning sign in the townships right away. Tammy M. White was directed to call the Fogelsville State Police to confirm the townships involvement. Geraldine Grabias asked if they as neighbors should call the Humane Society to confirm whether or not there has been an order filed against Mr. Ray. Dave Najarian has called the Humane Society and has not received a return call. It was noted that there is no home ownership association established in Madison Park North. Dave Najarian stated in the beginning the association was to be part of the subdivision plan. Ed Healy stated that he recalls Peg Dissinger requesting that the open spaces and retention basin be turned over to the township. Kevin Deppe noted that he has received phone calls concerning the grass condition of the Tot-Lot. Geraldine Grabias also noted that the drainage ditch needs to be cleaned out. Ed Healy suggested she draft a letter and have Kevin Deppe review it and put it on letter head when he returns from his vacation.

Public Comment: 1. **RESPONSE TO PUBLIC REQUEST LETTER:** Marvin Charles of 8041 Springhouse Rd., New Tripoli hereby requested copies of the following which are related to the Township's engagement of an attorney other than our township solicitor to prepare a new AARC zoning ordinance: 1. *Attorney Blake Marles' letter of engagement.* 2. *Attorney Maxwell Davison's letter of engagement.* 3. *All AARC draft zoning ordinances delivered to the Township and/or to any township official by Attorney Marles and/or Attorney Davison, as of the record request date of May 14, 2008.* Marvin Charles also requested, on May 14, 2008, copies of 1. *Lynn Townships draft burning ordinance.* 2. *Lynn Townships draft littering ordinance.* A response letter was issued to Marvin Charles on May 15, 2008 stating that his request required review by our Solicitor. A recess was called at 6:00 pm for the purpose of Ed Healy to meet with Tom Creighton privately to fill Tom Creighton in on issues concerning the record requests. The regular meeting was called

back to order at 6:10 pm. The BOS were in agreement to furnish the following to Marvin Charles: 1. *Attorney Blake Marles' letter of engagement.* 2. *Attorney Maxwell Davison's letter of engagement.* The draft AARC ordinance will not be made available to Mr. Charles. A response letter will be drafted to Marvin Charles which will include an explanation as to why the AARC draft ordinance will not be made available. The BOS were in agreement that the Burn Ordinance will be made available on Thursday, May 22, 2008. The draft litter ordinance will not be made available to Mr. Charles. A response letter will be drafted to Marvin Charles which will include an explanation as to the board's decision for the two ordinances. Dave Najarian stated that he felt that the BOS should furnish Mr. Charles with his entire record request. Kevin Deppe asked the BOS for clarification on the release of draft ordinances. Ed Healy stated that according to the Right to Know Act, the township does not have to release a copy of any draft ordinance until it has been advertised or enacted. However Ed Healy did state that the release of any draft ordinance is an action of the BOS and can be decided on a case by case basis. David Najarian vigorously noted his decent on the issue. **SHADE TREE ACCOUNT-** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to execute a release and reimburse back the principal amount owed to each of the three individuals and to transfer the remaining residual interest to the park fund. Motion carried unanimously. **PARK LAWMOWER-**A motion was made by David C. Najarian and seconded by Kermit E. DeLong to authorize the purchase a new JD LA 115 42" Hydrostatic mower 19.5 horsepower at the cost of \$1,649.00 with a 2 year warranty. Motion carried unanimously. Richard Matthias was budgeted \$2,500.00 for a sprayer. The cost of the sprayer was \$1,127.00 leaving \$1,373.00. The cost of the new mower went over the remaining \$1,373.00 by \$276.00. **NESTLE-**Representatives from Nestle thanked the BOS for calling a special meeting and also noted that the monitoring data for 2007 has been given to Tom Creighton.

Adjournment: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:45 pm.

Respectfully Submitted,


Tammy M. White
Secretary/Treasurer