

**Board of Supervisors**  
**Thursday, August 14th, 2008 @ 6:30 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 Kermit E. DeLong Jr., at 6:30 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 18 citizens.

**Pledge of Allegiance:** The Pledge of Allegiance was conducted.

**Public Comment:** ***Tony Oswald:*** Tony Oswald, Chairman of the REC Advisory Committee stated concerns that the tennis and basketball courts are at a stand still and that he would like to see the projects move forward. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to direct the township engineer to create bid specs for two alternative bids; either 2 tennis and 1 basketball courts or 2 basketball and 1 tennis court and also authorizing the advertisement. Motion carried unanimously. Ed Healy noted that it will have to be advertised for 3 weeks and then after the bids are accepted the BOS will have 2 months to proceed. ***Kermit DeLong:*** Kermit DeLong noted that a new Heritage flag was donated to Ontelaunee Park. Kermit DeLong also noted that "Crazy Elmer" will be performing at Pioneer day on Oct. 4, 2008. Richard Metzger stated that the Bank is willing to donate half the cost for Crazy Elmer which is \$400.00. Richard Metzger noted that possibly Lynn Twp. as well as Heidelberg Twp. would be willing to make a donation. Dave Najarian suggested that private sponsor's and business would probably be willing to donate also. The BOS agreed that Lynn Twp. would be willing to donate but would like to wait and see what donations come in.

**Accept the Minutes and Direct the Treasurer to pay the bills:** A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to accept the minutes from the June 12, 2008 BOS meeting with the amendment made to the AARC section regarding Tom Creighton's comment on density. David C. Najarian objected. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to accept the minutes from the July 10, 2008 BOS meeting. Motion carried unanimously. A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to direct the treasurer to pay the bills. Dave Najarian abstained from the vote. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention in January 2008 because he recused himself in the event a bill would need to be paid to the Lynnport Fire Company.

**Historical Society:** Glenn Smith stated that the Historical Society will fund the restoration of the old train from Ontelaunee Park, but a building would be needed to house it when it is not in use and also for the winter months. The BOS is in favor of the idea but need to assess the building space needed along with a maintenance garage for the park.

**Subdivision:** ***Stanley J. German- Planning Module Review*** - A motion was made by David C. Najarian and seconded by Kermit E. DeLong to grant approval of sewage planning module for on lot septic for Stanley German and to submit it to DEP. Motion carried unanimously. ***Marion E. Fenstermaker #08-06; 2 lot Minor Subdivision-Final/2<sup>nd</sup> Review-9246 Eile Dahl Rd. Kempton*** - A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant final approval. Motion carried unanimously. ***Shirley Wisser Minor Subdivision Extension (HOP permit outstanding)*** - A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant Shirley Wisser an extension through November 15, 2008 as per the written letter dated July 18, 2008. The BOS meeting for the month of November is Thursday November 13, 2008.

**Ag Security:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt Resolution 2008-18; **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** of Andrew J. Watson Jr., 4966 Schochary Rd. New Tripoli, PA 18066; 2 parcels; 46.2179 and 9.6 total acreage=55.8178, into the Agricultural Security Area. Motion carried unanimously.

**Park Report:** ***Richard Matthias, Park Manager, reported for the month of July:*** **1** -Did some landscaping. **2** -Cut the grass and did the trimming with weed whacker and lawn mower. **3** - Installed Swing Set. **4** -Helped prepare for walk way, put in stone and helped put up forms. **5** -Weeded flower beds. Richard Matthias stated that he is still having difficulty entering the Madison Park Tot Lot with the lawn mower. Kevin Deppe stated he will check the plan. Kevin Deppe noted that he thinks Richard Matthias could enter at the "T" at the far end. Richard Matthias also reported that the stove inspection in the new pavilion requires a hood with sprinkler service and may cost around \$10,000.00. The possibility of a hood with a fire extinguisher was also discussed. Dave Najarian suggested that Richard Matthias get in contact with Leshar appliances to see if we can return the stove. **Old pavilion roof repairs:** A motion was made by Thomas C. Creighton and seconded by David C. Najarian to approve the bid submitted by Larry Heintzelman for the repairs to the old pavilion roof in the amount of \$5,560.00 including the pressure washing costing an extra \$100.00 for a total of \$5,660.00. Motion carried unanimously. The 2<sup>nd</sup> bid submitted was from Ken Horning. The bid included cleaning & pressure washing of the roof at the cost of \$1,075.00. The repairs of the roof were listed separately and figured at two different costs; \$5,530.00 which included a six year no rust warranty or \$4,020.00 for the 1 year Aluminum fibered coating. Currently the Township has 2 quotes for closing a portion of the old pavilion; one from Larry Heintzelman Contracting and one from Greg Snyder Contracting. Quotes for the erection of a **New Building** were received from Doubletree Structures

(Conestoga Buildings) and Pioneer Pole Buildings. Each entity submitted 3 separate quotes for 3 different size structures. Kermit DeLong will discuss the issue further with the REC and Historical Society because with the restoration of the train, a new building could possibly be utilized for the housing of the train. Relay for Life: A motion was made by David C. Najarian and seconded by Kermit E. DeLong to require the attendance of Valeria Borman to meet with the BOS to discuss issues related to the Relay for Life event to be held in Ontelaunee Park. Security System: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to accept the proposal from Dynamark Security Centers for the installation of a security system at the cost of \$3,600.00. Motion carried unanimously. The township will supply conduit under ground. Nextel Termination: Richard Matthias and Stanley Billig are both displeased with their new phones. Richard Matthias ported his # from Nextel over to AT&T; which created a \$200.00 early termination fee. Tammy White spoke with Nextel and they directed her to reactivate the ported line; give it a new number; and put the line on hold. There is a \$5.95 monthly charge to put a line on hold but by doing this, it waived the \$200.00 termination fee. The termination was done within a month of adding the line for Richard Matthias, but Nextel stated that they do not have a 30 day return policy or termination period. However, the \$200.00 termination fee will have to be paid at some point. Richard Matthias asked the BOS if they would be willing to pay the \$200.00 termination fee. David Najarian stated that he would write Nextel a letter on his stationary to see if something could be done. Tammy White will forward Dave Najarian all paperwork necessary for him to use as reference.

Road Report: Bruce Raber, Road master, reported for the month of July: 1 - Oiled & chipped approx. 12 miles of road. 2 - Broom roads before & after oiling & chipping. 3 - Fixed & replaced signs in the township. 4 - Back filled shoulders on Owl Valley Rd. where needed. 5 - Mowed shoulders for second time. 6 - Cut grass & weed whacked at recycle ctr. 7 - Double yellow line painting completed. Anticipated work for August: 1 - Worked on some dirt roads due to heavy rain, fill in & re-grade. 2 - Continue mowing shoulders of roads.

Ordinance: Vacating Hummingbird Lane, St. Peter & possibly Boyer Court - A motion was made by David C. Najarian and seconded by Thomas C. Creighton authorizing advertisement for a hearing on the possible vacation of Boyer Court and the portion of Hoffadeckel Court that extends from the cow crossing south. Motion carried unanimously. Ed Healy will prepare the advertisement and submit it. The hearing will be held at 6:00 pm on September 11, 2008 prior to the BOS meeting which will be held 6:30 pm. The BOS agreed that Bruce Raber could erect "NO WINTER MAINTENANCE" signs on Hummingbird & St. Peter.

Act 537: All issues have been resolved for the administrative review. The Fish & Boat Commission submitted a letter dated August 12, 2008 stating that they do not foresee the proposed project resulting in adverse impacts to the bog turtle or any other rare or protected species under PA Fish & Boat Commission jurisdiction. A letter, from the township, will be sent to Scott Novatnak from DEP confirming the receipt of the PA Fish & Boat Commission letter. Dave Najarian noted that the clock will then begin to run on the technical review. Discussion was held on the 537 in the beginning of the meeting under public comment

AARC: The PC will be reviewing at their August 19, 2008 meeting.

Linda Tyson: The BOS were not in favor of reimbursement to Linda Tyson for her purchase of a router and monthly sprint billing.

Cable Franchise: Ed Healy stated that he received a list of changes and he will review them and then speak with the gentleman and will address the BOS at the October meeting.

Donations: A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to donate \$5,000.00 to the LPFC and NTFC with disbursement given with receipt of invoices & bills from each of the fire companies. Dave Najarian abstained from the vote. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention in January 2008 because he recused himself in the event a bill would need to be paid to the Lynnport Fire Company. Upon receipt of invoices from each fire company, Tammy White will process the invoices for payment and keep a running total not to exceed \$5,000.00 for each fire company.

EAC: Glenn Ed Maurer, Chairman of the EAC was present to ask the BOS to reconsider looking at the draft outdoor furnace ordinance. Glenn Ed Maurer also noted that the EAC drafted a letter which detailed the EAC's concerns of the proposed power line that was possibly directed to run through the area. The PPL power line will not be affecting our area and Glenn Ed Maurer had stated that he hoped that their letter may have had an impact on their decision. Glenn Ed Maurer also noted that there was a house bill approved, passing law on Appalachian Trail requiring zoning municipalities to protect Appalachian Trail. Glenn Ed Maurer also added that the EAC adopted a highway for litter control. Dave Najarian added that the NW School District and the EAC are the only two organizations that have formally adopted a highway litter control. Glenn Ed Maurer added that Peter Crabb resigned from the EAC and that the EAC will be looking into filling the position. Lastly, Glenn Ed Maurer added that the EAC would like to report to the BOS on a quarterly basis.

Policy Handbook: Ed Healy noted that he has reviewed the policy handbook and has returned 90% of it back to Kevin Deppe. Kevin Deppe will have the revised book ready by the September 11, 2008 BOS meeting.

Record Disposal: The BOS were in agreement that all record disposals be done by resolution.

Miscellaneous: (1) Kevin Deppe stated that he is working on a grant for trees for Ontelaunee Park. DCNR quotes 15' to 18' trees; Lehigh County will match the grant. The township will make the initial payment and then be reimbursed after the grant comes through. The deadlines were August 1<sup>st</sup> for Lehigh County and August 13<sup>th</sup> for DCNR. (2) Kevin

Deppe will research the repairs or replacement of the furnace in the maintenance dept. The maintenance dept is oil heat; and everything else is heated by propane. Kevin Deppe will put together an executive summary and give his recommendation. (3) Kevin Deppe will review the codification of ordinances with Roy Stewart. (4) The BOS authorized Kevin Deppe to purchase a shop vac and cleaning supplies for the township building. (5) The BOS authorized Kevin Deppe to purchase a digital camera for use in Ontelaunee Park. Originally a Polaroid camera has been used, but the cost of film is very expensive and it is more feasible to purchase a digital camera. (6) Kevin Deppe noted that the AED grant money will be here soon and wanted to specify location for the AED's. One will need to be kept at the REC fields in the main building and one will need to be kept at Ontelaunee Park in the kitchen. (7) Kevin Deppe noted that the 3<sup>rd</sup> phase of the Tot-Lot grant is completed. The BOS stated that they will revisit next year. Tom Creighton also added that we set aside \$3,000.00 in a fund for the Tot-Lot during the July 08 BOS meeting. (8) The projection screen is up in the meeting room. The BOS suggested a demonstration be done at a BOS meeting. (9) A picnic table has been stolen from Ontelaunee Park. All the picnic tables have memorial or donation plaques bolted fast to each table. Richard Matthias suggested that a stencil be made stating "Property of Lynn Twp." and then spray paint the stencil on the bottom of each table. (10) A motion was made by Thomas C. Creighton and seconded by David C. Najarian setting Trick or Treat night for Saturday, October 25, 2008 from 6 pm till 8 pm. Motion carried unanimously.

**Public Comment:** (1) Frank & Mary Junger of 6480 Scholler Rd, New Tripoli were present to discuss a comment that was made at the July 2008 meeting. Mr. & Mrs. Junger took offense to the following comment: "New York and New Jersey people sticking their noses into township business. Mr. & Mrs. Junger were upset that the BOS did not recognize this comment and that it was not addressed when made. The BOS thanked Mr. & Mrs. Junger for their comment and apologized for the remark. (2) Kermit DeLong stated the Miller Keystone Blood donation may be visiting the park during the Farmers/Flea Market for blood donations.

**Announcements:** None

**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 9:00 pm.

As of August 31, 2008

Account	Balance
General Fund	384,563.29
Capital Reserve	449,940.34
Zoning/Subdivision	51,339.65
HLLW COG	35,698.98
State Road	82,112.45
Street Light	5,540.73
Park	11,183.87
Recreation	22,762.67
Shade Tree	
<b>Total</b>	<b>1,043,141.98</b>

	<u>Aug 08</u>
<b>Income-General Fund</b>	
301 - Real Property Taxes	
301.10 - Real Estate Tax-Current	3,098.57
301.40 - Delinquent RE Tax-Tax Claim	<u>76.76</u>
Total 301 - Real Property Taxes	3,175.33
310 - Local Tax Enabling Act	
310.03 - Per Capita - Delinquent	22.00
310.10 - Real Estate Transfer Tax	3,066.91
310.20 - Earned Income Tax	
310.21 - Earned Income Tax-Current	<u>74,434.40</u>
Total 310.20 - Earned Income Tax	<u>74,434.40</u>
Total 310 - Local Tax Enabling Act	77,523.31
331 - Fines	
331.10 - Court - Magistrate	<u>142.27</u>
Total 331 - Fines	142.27
342 - Interest, Rents & Royalties	
342.53 - Royalties from Cell Tower Rent	<u>1,000.00</u>
Total 342 - Interest, Rents & Royalties	1,000.00

<b>354 · Capital &amp; Operating Grants</b>	
354.060 · Human Services	13,170.00
<b>Total 354 · Capital &amp; Operating Grants</b>	13,170.00
<b>360 · Gen. Govt. Charges for Services</b>	
<b>361 · General Government</b>	
361.100 · General Contractor Registration	75.00
361.88 · Copy Fee	12.25
361.91 · Plumbing Registrations	25.00
361.94 · Misc. Billing	75.00
<b>Total 361 · General Government</b>	187.25
<b>362 · Public Safety</b>	
362.40 · Protective Inspection Fees	
<b>362.41 · Building Permit</b>	
362.41B · BLDG/Alter/Repair Permit	338.00
362.41D · Driveway Permit	75.00
362.41F · Building Permit Filed	475.00
362.41K · Deck, Patios, Patio Roof, Porch	308.00
362.41N · Re-inspection	150.00
362.41R · Renew BLDG, Zone, Plumb	100.00
362.41S · Accessory Struc < 1000 ft	220.00
<b>Total 362.41 · Building Permit</b>	1,666.00
362.42 · Electrical Permit	248.00
362.44 · Sewage Permits (SEO Fees)	585.00
<b>Total 362.40 · Protective Inspection Fees</b>	2,499.00
<b>Total 362 · Public Safety</b>	2,499.00
<b>364 · Sanitation</b>	
364.30 · Solid Waste Collection/Disposal	1,231.00
<b>Total 364 · Sanitation</b>	1,231.00
<b>Total 360 · Gen. Govt. Charges for Services</b>	3,917.25
<b>389 · Unclassified Income</b>	20.00
<b>395 · Refunds of Prior Yr Expenditure</b>	9,622.00
<b>Total Income</b>	108,570.16
<b>Expense</b>	
<b>400 · General Government</b>	
<b>400.00 · Legislative (Governing) Body</b>	
400.05 · Supervisor Salaries	408.36
<b>Total 400.00 · Legislative (Governing) Body</b>	408.36
<b>403 · Tax Collection</b>	
403.16 · Commission Paid as Compensation	2,393.14
403.33 · Transportation	17.55
403.46 · Meetings, Conferences, Cont. Ed	50.00
<b>Total 403 · Tax Collection</b>	2,460.69
<b>404 · Solicitor/Legal Services</b>	7,004.89
<b>405 · Secretary/Clerk</b>	
405.12 · Salary Township Secretary	1,972.98
<b>Total 405 · Secretary/Clerk</b>	1,972.98
<b>406 · Other General Govt. Admin</b>	
406.12 · Salary Full Time Staff	3,578.80
406.21 · Office Supplies	807.96
406.32 · Communication - Phone/Wireless	612.07
406.34 · Advertising	92.52
406.38 · Rentals	202.49
406.48 · Internet Fees/Web Design	11.95
406.99 · Payroll	162.00

<b>Total 406 · Other General Govt. Admin</b>	5,467.79
<b>408 · Engineering Services</b>	
408.31 · Engineering for 537	1,840.00
408.99 · Township engineer	891.75
<b>Total 408 · Engineering Services</b>	<u>2,731.75</u>
<b>409 · General Government Bldg&amp;Plants</b>	
409.36 · Public Utility Services (TWP)	269.28
409.37 · Repairs and Maint.	665.15
409.44 · Laundry/Other Sanitary Services	284.68
<b>Total 409 · General Government Bldg&amp;Plants</b>	<u>1,219.11</u>
<b>Total 400 · General Government</b>	21,265.57
<b>410 · Public Safety</b>	
<b>411 · Fire</b>	
411.97 · Lynnport FC Fuel	236.80
411.98 · New Tripoli FC Fuel	399.85
<b>Total 411 · Fire</b>	<u>636.65</u>
<b>412 · Ambulance/Rescue</b>	
412.54 · Ambulance/Rescue Donations	3,000.00
412.98 · Fuel	942.18
<b>Total 412 · Ambulance/Rescue</b>	<u>3,942.18</u>
<b>413 · Code Enforcement</b>	
413.31 · Code enforcement pro. service	2,690.01
<b>Total 413 · Code Enforcement</b>	<u>2,690.01</u>
<b>414 · Planning &amp; Zoning</b>	
414.15 · ZHB/PC Salaries	3.06
414.31 · Professional services	657.00
414.33 · Transportation Costs	416.58
414.46 · Meetings,Conf.Seminars	90.00
414.98 · Zoning Recording/Transcription	170.00
414.99 · Salary Zoning Officer	3,100.20
<b>Total 414 · Planning &amp; Zoning</b>	<u>4,436.84</u>
<b>419 · Other Public Safety</b>	
419.99 · PA One Call	6.80
<b>Total 419 · Other Public Safety</b>	<u>6.80</u>
<b>Total 410 · Public Safety</b>	11,712.48
<b>420 · Health and Human Services</b>	
<b>426 · Gen Gov Recycling Col &amp; Dis</b>	
426.15 · Transfer/Recycle Salaries	631.92
426.44 · Sanitation Services	829.49
<b>Total 426 · Gen Gov Recycling Col &amp; Dis</b>	<u>1,461.41</u>
<b>Total 420 · Health and Human Services</b>	1,461.41
<b>430 · Public Works Hwy,Rds,Streets</b>	
<b>437 · Repair of Tools &amp; Machinery</b>	
437.98 · Repair of Machinery	231.42
437.99 · Truck Repair	27.00
<b>Total 437 · Repair of Tools &amp; Machinery</b>	<u>258.42</u>
<b>438 · Road/Bridge Maint. and Repair</b>	
438.14 · Salaries for Road Maint	8,239.57
438.15 · PT Salaries for Road Crew	1,370.87
438.25 · Repairs & Maint Supplies	356.84
438.98 · Twp. paid road maint mat.	55.50
438.99 · Truck Fuel	684.67
<b>Total 438 · Road/Bridge Maint. and Repair</b>	<u>10,707.45</u>

Total 430 · Public Works Hwy,Rds,Streets	10,965.87
450 · Cultlure-Recreation	
452 · Participant Recreation	
452.15 · Participant Recreation - P/T	583.96
452.97 · Northwestern Rec Commission	<u>5,500.00</u>
Total 452 · Participant Recreation	6,083.96
454 · GF Parks	
454.12 · Parks full time staff (GF)	1,836.28
454.15 · Parks part time staff (GF)	2,450.81
454.33 · Travel Expense	<u>128.67</u>
Total 454 · GF Parks	<u>4,415.76</u>
Total 450 · Cultlure-Recreation	10,499.72
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,975.65
481.20 · Employer paid Medicare	462.63
481.30 · Employer paid Unemployment Comp	<u>146.67</u>
Total 481 · Employer paid Taxes	2,584.95
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	9,687.32
487.02 · Life Insurance	<u>42.50</u>
Total 487 · Other Group Insurance Benefits	9,729.82
489 · All other unclassified Expenses	
489.98 · Clothing Allowance	29.98
489.99 · EE withholding taxes	<u>7,271.55</u>
Total 489 · All other unclassified Expenses	<u>7,301.53</u>
Total 480 · Misc. Expense	<u>19,616.30</u>
Total Expense	<u>75,521.35</u>
Net Income	<u><u>33,048.81</u></u>

**Aug 08**

**Income-Electric Light Fund**

383.11 · Street Lighting Tax	<u>126.17</u>
Total Income	126.17

**Expense**

434 · Street Lighting	
434.36 · Street Lighting Electric	<u>754.68</u>
Total 434 · Street Lighting	<u>754.68</u>

Total Expense	<u>754.68</u>
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Net Income	<u><u>-628.51</u></u>
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**Aug 08**

**Income-Liquid Fuel Fund**

Income	0.00
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**Expense**

430 · LFF Public Works	
438 · Maint./Repair Roads & Bridges	<u>13,754.02</u>
Total 430 · LFF Public Works	<u>13,754.02</u>

Total Expense	<u>13,754.02</u>
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Net Income	<u><u>-13,754.02</u></u>
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**Aug 08**

**Income-COG Fund**

342.40 · Rent of Machinery and Equipment	<u>1,105.60</u>
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Total Income	1,105.60
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Expense	0.00
Net Income	<u>1,105.60</u>
	<u>Aug 08</u>
<b>Income-REC Fund</b>	
341.01 · Interest on Checking	9.66
Total Income	9.66
Expense	0.00
Net Income	<u>9.66</u>
	<u>Aug 08</u>
<b>Income-Park Fund</b>	
342.59 · Rental of Park Facilities	634.00
392 · Interfund Operating Transfer	
392.94 · Transfer from Shade Tree	775.90
Total 392 · Interfund Operating Transfer	775.90
Total Income	1,409.90
Expense	
454 · Parks	
454.24 · General Supplies	-105.00
454.25 · Repairs & Maintenance Supplies	1,623.16
454.34 · Advertising	120.37
454.37 · Equipment Repair	32.20
454.38 · Rental	95.00
454.46 · Meeting, Conferences, Cont. Ed.	30.00
Total 454 · Parks	1,795.73
Total Expense	1,795.73
Net Income	<u>-385.83</u>
Total Income (all accounts)	<u>111,221.49</u>
Total Expense (all accounts)	<u>91,825.78</u>
Net Income(all accounts)	<u>19,395.71</u>

Respectfully Submitted,

Tammy M. White  
Secretary/Treasurer