

Board of Supervisors
Thursday, January 17th, 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, David C. Najarian, Zoning Officer Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Engineer Roy Stewart, Solicitor Ed Healy, East Penn Press Reporter Ken Petrini, and approximately 18 citizens.

Pledge of Allegiance: The Pledge of Allegiance was conducted.

Public Comment: Kermit DeLong announced that Carl Mantz, elected State Representative District 187 PA will not be running for re-election this fall. Gary Day, a resident from Heidelberg Township will be running in the Republican Primary. Dave Najarian also noted that an executive session was held on Tuesday, January 15, 2008 from 4:10pm until 5:15pm in the Lynn Township Municipal Building with Dave Najarian and Kermit DeLong present. Vice Chairman Tom Creighton was notified of the executive session but was unable to attend. The executive session was held to discuss disputes among employees.

Accept the Minutes and Direct the Treasurer to pay the bills: As of January 2008 Dave Najarian noted that he is the new Treasurer of the Lynnport Fire Company. Dave Najarian recused himself from making a motion for the Treasurer to pay the bills in the event a bill would need to be paid to the Lynnport Fire Company. A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong Jr. to accept the minutes from December 27, 2007 (close-out meeting) and the minutes from January 7, 2008 (re-org meeting) and to direct the treasurer to pay the bills. David C. Najarian abstained from the vote. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention. Dave Najarian asked for clarification from Tom Creighton as to whether or not he voted for re-appointment of the zoning officer at the re-org meeting on January 7, 2008. Tom Creighton stated he did not vote. The minutes from January 7, 2008 stand approved.

Subdivision: Scott Dietrich from Beitler Land Surveying, and Robert Nester were present to discuss sewage planning module for Robert Nester. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to approve the sewage planning module for Robert Nester. Motion carried unanimously.

Penn's View II Subdivision: Peg Dissinger from Omega Homes was present to request a 6 month extension from February 8, 2008. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant an extension to July 10, 2008. Motion carried unanimously.

Madison Park Phase 3: Peg Dissinger from Omega Homes was present to review the final maintenance period re-inspection punchlist. The one item remaining on the punchlist is eroded areas that need to be corrected and stabilized for acceptance. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to authorize Solicitor Ed Healy to proceed with finalizing the paperwork which will enable Lynn Township to take over the phase 3 portion of Lincoln Street. Motion carried unanimously.

Park Report: Richard Matthias will report at the next meeting on February 14, 2008.

Road Report: *Bruce Raber, Road master, reported for the month of December:* 1. Plowed snow and ice and salted and cindered. 2. Cut up and removed trees that had fallen from the ice. 3. Continued boom mowing. 4. Started tree trimming. 5. Installed new stop signs and road name signs. 6. Made some small repairs on snow plows and equipment. 7. Hauled shale to our lot from school. *Anticipated work for January 2008:* 1. Continue boom mowing. 2. Continue tree trimming. 3. Patch pot holes on dirt roads.

Tennis Courts: The Lehigh County Conservation District reviewed The Erosion & Sediment Control (E&SC) Plan and it appears adequate to control accelerated erosion and sedimentation during construction if properly implemented. Richard Matthias measured for pipe along the catch basin of the old pavilion and estimates that 120 ft of 18" pipe along with 2 fitting and collars totaling approximately \$1,500.00 will be needed.

Establish new wages and holiday: This was tabled until the end of the meeting.

Resolution- A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt *Resolution 2008-09. A RESOLUTION WHEREAS, THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA (HEREINAFTER, THE Board) RECOGNIZES AND SEEKS TO ENCOURAGE THE EFFICIENT AND EFFECTIVE COMMUNICATION BETWEEN TOWNSHIP EMPLOYEES AND MEMBERS OF THE BOARD.* Motion carried unanimously. It was also discussed that each department head, being Kevin Deppe and Bruce Raber, are to make recommendation for team building and training programs at any time when they feel it's necessary for the employees to attend.

Highway Occupancy Permit Application/Ont. Park: A motion was made by Thomas C. Creighton and seconded by David C. Najarian to direct Engineer Roy Stewart to have Secretary/Treasurer Tammy M. White sign the Highway Occupancy Permit. Motion carried unanimously. There will be two entrances. One to the tennis courts and the other one will be the main entrance to the park. Roy Stewart stated that the rear entrance to the park will have to be closed. Richard Matthias, park manager and Tony Oswald, Recreation Advisory Committee Chairman, feel that the back entrance to the park is needed. Tony Oswald will discuss this further at the next Rec Advisory meeting for their input.

Ontelaunee Park Native American Powwow: Tony Oswald from the Lynn Township Recreation Advisory Committee along with Warren Bass, Secretary/Liaison to the Pow-wow committee was present to discuss their interest in holding a Pow-wow in Ontelaunee Park. The proposed dates are Friday, May 16, 2008, noon-4pm (educational presentations) Saturday, May 17 and Sunday May 18, 2008, 10:00 am - 6:00 pm both days. Warren Bass stated there would be a charge of \$3 to \$6 on Saturday & Sunday and Friday is free to the public. Warren stated that the Pow-wow does not make any money on the event. Monies taken in for admission are used to pay the vendors and any monies left over are donated to either a Native School or to Ontelaunee Park. Warren noted that they will need to rent the 2 pavilions as well as the band shell which will total \$900 for the 3 days. Tony Oswald stated that the entire area that the Pow-wow will be using needs to be gated off with the orange snow fence so that the park can remain open for any other activity that may take place. Richard Matthias stated that he has some orange fencing but not enough. Tony Oswald stated that the Rec Advisory Committee was in favor of having the Pow-wow. Warren Bass noted that there will be approximately 60 to 70 people camping in the park Friday and Saturday evening. Warren Bass also stated that the township does not need to clean up the area upon the closing of the Pow-wow. The BOS feel that this would be a great event but would like to know, 1. How much fence and manpower will be needed to erect the fence. 2. How much the Pow-wow is insured for. 3. Will additional security, such as fire police, be needed. Warren Bass will gather the above information and report back to Tony Oswald. The Rec Advisory Committee meets again on February 20, 2008. Warren Bass noted that he will need to know as soon as possible because he has vendors holding the dates open until they receive confirmation. Chairman, Kermit DeLong stated that he could call a special meeting with a 24 hour advance window if needed. Warren and Tony will try to get the information to the BOS so that a decision can be made by the next board meeting on February, 14, 2008.

Rec Advisory Committee: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to appoint the following people to the Lynn Township Recreation Advisory Committee for 2008. They are as follows: Tony Oswald, Ben Giralico, Rod and Mara Beck, Keith Nagle and Chris Brown from Brown Miller Design. Motion carried unanimously.

Alternate Sewage Enforcement Officer (SEO): A motion was made by David C. Najarian and seconded by Thomas C. Creighton to appoint as alternate SEO Chris Wolfe and Scott Bieber. Motion carried unanimously.

Assistant Emergency Management Coordinator: Tabled until someone volunteers for the position.

Vacancy Position to the Board: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to appoint Scott Feinour to the vacancy position to the Board. Motion carried unanimously.

Appoint Chairman and new member to the EAC: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to appoint Liz Brensinger as Chairman to the EAC and to accept Barb Blythe to the vacant position on the EAC. Motion carried unanimously.

Alternate Solicitor: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to appoint Marc Fisher as alternate Solicitor. Motion carried unanimously.

Ag Security: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to accept into the Ag Security Area 2 tracks of land one being 46.2179 and the other 9.6, both owned by Andrew J. Watson Jr. of 4966 Schochary Rd. New Tripoli, PA 18066. Motion carried unanimously. This will be passed by resolution 180 days from the time the motion to accept the parcel into the Ag Security.

Gun Club Road Ordinance: The Lynn Township Planning Commission gave favorable consideration for the proposed speed limit and no parking signs on Gun Club Road from Allemaengel Road to Route 143. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to direct the advertisement of this Ordinance. Motion carried unanimously. Tammy White will advertise. Action of this Ordinance will be taken at the February 14, 2008 BOS meeting.

Act 537: Bassett Engineering forwarded to the BOS, copies of the Cultural Resource Notice and the PNDI search form which Bassett sent out in the end of December. Mel Charles expressed concerns as to whether or not everything is still on schedule. Dave Najarian stated that he will touch base with Bassett Engineering.

Amusement Tax: Solicitor Ed Healy will review the Amusement Tax Ordinance #94-1 and Kevin Deppe will gather more information for Ed Healy concerning this Ordinance. Tom Creighton suggested to Kevin Deppe that he check with PSATS. This issue is tabled for further discussion.

Exoneration of Per Capita Tax: 2007 Exonerations with papers (42x\$5ea.)=\$210.00. 2007 Request for exonerations without papers (150x\$5ea.)=\$750. Totaling \$960.00. The following is a list of applicants who applied for exonerations of Per Capita payments with notarized papers: Kyrie Bannar, Timothy Bennicoff, Alyse Ferris, Christina Figueroa, Lillian Finsel, Slade Hermany, Allyssa Miller, Bethann Miller, Andrew Sigley. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to exonerate the tax collector from collecting these taxes. Motion carried unanimously.

Policy Handbook: Tom Creighton had an addition to add to the Policy Handbook and will forward it to Kevin Deppe. The Policy Handbook issue is tabled until next meeting for further discussion.

Miscellaneous: The Cable Franchise Contract will be discussed at the next meeting. Bob Hamm stated that originally the money received from the cable franchise was split between the 2 local fire companies. Appointment for COG member-A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong Jr., to appoint David C.

Najarian as primary member and Kevin N. Deppe as alternate. Motion carried unanimously. Lynn Township received a letter from The New Tripoli BookLenders stating that BookLenders Library will be closing its operation effective February 29, 2008. BookLenders Board made this decision due to a lack of predictable and sustainable funds to operate the library for the community. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to direct Tammy M. White to write a letter to BookLenders asking them what the Township can do to help them. Motion carried unanimously. Roy Stewart stated he will draft a letter stating the Keystone Engineering will donate in kind services for the erosion control plan for the skate park.

Public Comment: Richard Metzger suggested that a sign be erected in Ontelaunee Park asking all persons to please clean up after their animals. Richard Metzger also noted that he felt to be a member of the Sewer Authority you should be a resident hooked up to the Sewer.

Executive Session: The executive session took place from 8:00pm until 8:25 pm to discuss wages and holidays. The BOS meeting resumed at 8:25pm with the following results: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt the following wages and the addition of Veterans Day for a holiday:

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| Secretary/Treasurer | Tammy M. White | \$15.75/hr |
| Administrative Secretary/Asst. Secretary | Tina M. Everett | \$15.25/hr |
| Administrative Secretary/Asst. Treasurer | Janet L. Henritzky | \$13.75/hr |
| Roadmaster | Bruce Raber | \$19.50/hr |
| Road Crew | Joe Howard | \$15.75/hr |
| Road Crew | Joe Wisser | \$17.75/hr |
| Road Crew | Andrew Whaling | \$15.25/hr |
| Zoning Officer/Administrator | Kevin N. Deppe | \$49,742.50/salary with \$300/mnth mileage |
| Park Manager | Richard Matthias | \$15.50/hr |
| Transfer Station/PT Park | Stanley Billig | \$14.00/hr |

Motion carried unanimously. A motion was made by David C. Najarian and seconded by Thomas C. Creighton giving a .50 increase to all P/T workers. Motion carried unanimously. Dave Najarian noted that the .50 increase also pertained to the seasonal P/T summer employees. Tammy White was directed to run an ad for P/T employment for snowplowing in the event that a current employee (s) would not be available.

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 8:40 pm.

As of January 31, 2008

| Account | Balance |
|--------------------|-------------------|
| General Fund | 369,961.32 |
| Capital Reserve | 442,315.11 |
| Zoning/Subdivision | 41,061.12 |
| HLLW COG | 35,471.66 |
| State Road | 2,577.31 |
| Street Light | 1,217.72 |
| Park | 7,788.26 |
| Recreation | 18,695.24 |
| Shade Tree | 2,369.37 |
| Total | 921,457.11 |

| | <u>Jan 08</u> |
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| Income-General Fund Account | |
| 301 - Real Property Taxes | |
| 301.10 - Real Estate Tax-Current | <u>3,353.86</u> |
| Total 301 - Real Property Taxes | 3,353.86 |
| 310 - Local Tax Enabling Act | |
| 310.20 - Earned Income Tax | |
| 310.21 - Earned Income Tax-Current | <u>17,438.09</u> |
| Total 310.20 - Earned Income Tax | 17,438.09 |
| 310.60 - Amusement /Admissions Tax | |
| 310.62 - Amusement/Admis. - Prior Year | <u>23,972.83</u> |
| Total 310.60 - Amusement /Admissions Tax | 23,972.83 |
| Total 310 - Local Tax Enabling Act | 41,410.92 |

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| 331 - Fines | |
| 331.10 · Court - Magistrate | 723.39 |
| Total 331 · Fines | 723.39 |
| 341 · Interest | |
| 341.98 · Interest form EIT Office | 2,529.10 |
| 341.99 · Interest income from tax col. | 55.09 |
| Total 341 · Interest | 2,584.19 |
| 342 · Interest, Rents & Royalties | |
| 342.53 · Royalties from Cell Tower Rent | 1,000.00 |
| Total 342 · Interest, Rents & Royalties | 1,000.00 |
| 361 · General Government | |
| 361.81 · Business Permit | 250.00 |
| 361.87 · Sale of Maps & Publications | 6.00 |
| 361.88 · Copy Fee | 4.00 |
| 361.94 · Misc. Billing | 75.00 |
| Total 361 · General Government | 335.00 |
| 362 · Public Safety | |
| 362.40 · Protective Inspection Fees | |
| 362.41 · Building Permit | |
| 362.41B · BLDG/Alter/Repair Permit | 254.00 |
| 362.41D · Driveway Permit | 75.00 |
| 362.41F · Building Permit Filed | 750.00 |
| 362.41N · Re-inspection | 250.00 |
| 362.41R · Renew BLDG, Zone, Plumb | 50.00 |
| 362.41S · Accessory Struc < 1000 ft | 125.00 |
| Total 362.41 · Building Permit | 1,504.00 |
| 362.42 · Electrical Permit | 124.00 |
| 362.43 · Plumbing Permit | 129.00 |
| Total 362.40 · Protective Inspection Fees | 1,757.00 |
| Total 362 · Public Safety | 1,757.00 |
| 364 · Sanitation | |
| 364.30 · Solid Waste Collection/Disposal | 1,243.00 |
| Total 364 · Sanitation | 1,243.00 |
| 389 · Unclassified Income | |
| 389.98 · WCcontribution | 1,614.00 |
| 389.99 · Bounced check fee | 30.00 |
| Total 389 · Unclassified Income | 1,644.00 |
| 392 · Interfund Operating Transfer | |
| 392.97 · Transfer from Park | 6,411.65 |
| Total 392 · Interfund Operating Transfer | 6,411.65 |
| 394.000 · Short-Term Debt | |
| 394.200 · Reimbursement to Township | 25.00 |
| Total 394.000 · Short-Term Debt | 25.00 |
| Total Income | 60,488.01 |
| Expense | |
| 400 · Legislative (Governing) Body | |
| 400.05 · Supervisor Salaries | 378.36 |
| Total 400 · Legislative (Governing) Body | 378.36 |
| 402 · Auditing/Bookkeeping Services | |
| 402.05 · Auditor Salary | 70.00 |
| Total 402 · Auditing/Bookkeeping Services | 70.00 |
| 403 · Tax Collection | |
| 403.16 · Commission Paid as Compensation | 14,186.58 |

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| 403.21 · Office Supplies | 133.25 |
| 403.33 · Transportation | 10.10 |
| 403.46 · Meetings, Conferences, Cont. Ed | <u>50.00</u> |
| Total 403 · Tax Collection | 14,379.93 |
| 404 · Solicitor/Legal Services | 2,181.74 |
| 405 · Secretary/Clerk | |
| 405.12 · Salary Township Secretary | 2,562.24 |
| 405.35 · Insurance and Bonding | <u>13,312.00</u> |
| Total 405 · Secretary/Clerk | 15,874.24 |
| 406 · Other General Govt. Admin | |
| 406.12 · Salary Full Time Staff | 5,388.07 |
| 406.21 · Office Supplies | 524.27 |
| 406.23 · Postage | 200.00 |
| 406.32 · Communication - Phone/Wireless | 478.84 |
| 406.34 · Advertising | 141.06 |
| 406.38 · Rentals | 249.53 |
| 406.46 · Mtg., Conf., Cont. Ed. | 1,102.25 |
| 406.48 · Internet Fees/Web Design | 11.95 |
| 406.99 · Payroll | <u>325.70</u> |
| Total 406 · Other General Govt. Admin | 8,421.67 |
| 408 · Engineering Services | |
| 408.31 · Engineering for 537 | 1,076.00 |
| 408.99 · Township engineer | <u>1,221.76</u> |
| Total 408 · Engineering Services | 2,297.76 |
| 409 · General Government Bldg&Plants | |
| 409.36 · Public Utility Services (TWP) | 546.26 |
| 409.44 · Laundry/Other Sanitary Services | 263.07 |
| 409.99 · Heating - Oil/Propane | <u>3,199.79</u> |
| Total 409 · General Government Bldg&Plants | 4,009.12 |
| 413 · Code Enforcement | |
| 413.31 · Code enforcement pro. service | 3,026.74 |
| 413.45 · Contracted Services | <u>212.00</u> |
| Total 413 · Code Enforcement | 3,238.74 |
| 414 · Planning & Zoning | |
| 414.15 · ZHB/PC Salaries | 120.00 |
| 414.31 · Professional services | 387.00 |
| 414.33 · Transportation Costs | 300.00 |
| 414.34 · ZB Advertising, Print, & Bind | 60.22 |
| 414.42 · Dues, Subscriptions, and Mships | 89.00 |
| 414.99 · Salary Zoning Officer | <u>4,486.52</u> |
| Total 414 · Planning & Zoning | 5,442.74 |
| 419 · Other Public Safety | |
| 419.99 · PA One Call | <u>5.95</u> |
| Total 419 · Other Public Safety | 5.95 |
| 426 · Gen Gov Recycling Col & Dis | |
| 426.15 · Transfer/Recycle Salaries | 951.27 |
| 426.44 · Sanitation Services | <u>723.13</u> |
| Total 426 · Gen Gov Recycling Col & Dis | 1,674.40 |
| 432 · Winter Maintenance | |
| 432.14 · Salaries Winter Maintenance | 12,449.27 |
| 432.15 · P/T Winter Salary | 730.95 |
| 432.98 · Twp paid winter maint. mats. | <u>4,968.73</u> |
| Total 432 · Winter Maintenance | 18,148.95 |
| 437 · Repair of Tools & Machinery | |

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| 437.98 · Repair of Machinery | 814.48 |
| 437.99 · Truck Repair | <u>1,342.04</u> |
| Total 437 · Repair of Tools & Machinery | 2,156.52 |
| 438 · Road/Bridge Maint. and Repair | |
| 438.25 · Repairs & Maint Supplies | 423.04 |
| 438.98 · Twp. paid road maint mat. | 1,369.56 |
| 438.99 · Truck Fuel | <u>5,188.65</u> |
| Total 438 · Road/Bridge Maint. and Repair | 6,981.25 |
| 454 · GF Parks | |
| 454.12 · Parks full time staff (GF) | 1,615.74 |
| 454.33 · Travel Expense | 44.31 |
| 454.74 · Machinery & Equipment | <u>5,149.66</u> |
| Total 454 · GF Parks | 6,809.71 |
| 481 · Employer paid Taxes | |
| 481.10 · Employer paid FICA | 2,361.30 |
| 481.20 · Employer paid Medicare | 552.23 |
| 481.30 · Employer paid Unemployment Comp | <u>1,120.81</u> |
| Total 481 · Employer paid Taxes | 4,034.34 |
| 487 · Other Group Insurance Benefits | |
| 487.01 · Health Insurance | 9,729.82 |
| 487.03 · Workmans Compensation | <u>30.75</u> |
| Total 487 · Other Group Insurance Benefits | 9,760.57 |
| 489 · All other unclassified Expenses | |
| 489.98 · Clothing Allowance | 82.90 |
| 489.99 · EE withholding taxes | <u>8,954.35</u> |
| Total 489 · All other unclassified Expenses | <u>9,037.25</u> |
| Total Expense | <u>114,903.24</u> |
| Net Income | <u><u>-54,415.23</u></u> |

Jan 08

Income-Street Light Account

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|------------------------------------|-------------------------|
| 301 · Real Property Taxes | |
| 301.10 · Real Estate Taxes-Current | <u>217.55</u> |
| Total 301 · Real Property Taxes | <u>217.55</u> |
| Total Income | 217.55 |
| Expense | |
| 434 · Street Lighting | |
| 434.36 · Street Lighting Electric | <u>1,494.59</u> |
| Total 434 · Street Lighting | <u>1,494.59</u> |
| Total Expense | <u>1,494.59</u> |
| Net Income | <u><u>-1,277.04</u></u> |

Jan 08

Income-COG Account

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| Expense | 0.00 |
| 342.40 · Rent of Machinery and Equipment | <u>-557.10</u> |
| Total Expense | <u>-557.10</u> |
| Net Income | <u><u>557.10</u></u> |

Jan 08

Income-Park Account

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|------------------------------------|-----------------|
| 342.59 · Rental of Park Facilities | 300.00 |
| 387 · Contributions and Donations | <u>2,600.00</u> |
| Total Income | 2,900.00 |

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| Expense | |
| 454 · Parks | |
| 454.25 · Repairs & Maintenance Supplies | 8,860.57 |
| 454.36 · Public Utilities | 98.69 |
| 454.37 · Equipment Repair | <u>6,260.09</u> |
| Total 454 · Parks | 15,219.35 |
| 492 · Interfund Operating Transfers | |
| 492.01 · Transfer to General Fund | <u>6,411.64</u> |
| Total 492 · Interfund Operating Transfers | <u>6,411.64</u> |
| Total Expense | <u>21,630.99</u> |
| Net Income | <u>-18,730.99</u> |
| Total Income (all accounts) | <u>64,162.66</u> |
| Total Expense (all accounts) | <u>138,028.82</u> |
| Net Income(all accounts) | <u>-73,866.16</u> |

Respectfully Submitted,

Tammy M. White
Secretary/Treasurer