

**Board of Supervisors**  
**Thursday, November 12th, 2009 @ 6:30 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 Kermit E. DeLong Jr., at 6:30 pm in the Municipal Building. Present were Chairman Kermit E. DeLong Jr., Vice Chairman David C. Najarian Member Thomas C. Creighton III, Zoning Officer/Township Manager Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Solicitor Marc Fisher, NW Press reporter Ken Petrini, and approximately 14 citizens.

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

**Public Comment:** (1) Kermit DeLong stated that he has received complaints concerning Kevin Deppe. Kermit DeLong stated firmly that these comments need to stop. Kermit DeLong added that Kevin Deppe is doing a tremendous job. (2) Kermit DeLong congratulated Brian Dietrich on his recent election to supervisor and Tom Creighton on his election as County Commissioner. (3) Dave Najarian stated that an executive session was held on Friday, November 6, 2009 at 4:30pm to discuss personnel issues. Present were Dave Najarian, Kermit DeLong and Kevin Deppe.

**Accept the Minutes and Direct the Treasurer to pay the bills:** A motion was made by Thomas C. Creighton and seconded by David C. Najarian to accept the minutes from 10/08/09 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 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. Motion carried.

**Subdivision:** Springfed Farm West (John Scully) Planning Sewer Module: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant approval of sewage planning module for on lot septic for Springfed Farm West. Motion carried unanimously. **Larry & Renee Bachman, Final:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant waiver of Saldo section 425.2 subject to receipt of a written request. Motion carried unanimously. A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant conditional final approval contingent upon; REC fee of 3K; Final approval of the sewage planning module is received from DEP; All outstanding invoices and escrow fees are paid. Motion carried unanimously.

**Transfer of Money:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt **Resolution 2009-20; A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PA FOR THE TRANSFER OF UNENCOMBERED MONEYS FROM ONE TOWNSHIP ACCOUNT TO ANOTHER.** Motion carried unanimously. A transfer in the amount of \$511.85 will be transferred from the Subdivision Escrow account to the General Fund MM for the withdrawal of Job 8 LLC Hoch Associates.

**Park Report:** Kevin Deppe stated that DEP received an anonymous call concerning coverage of wet lands in Ontelaunee Park. Nothing is to be further disturbed in Ontelaunee Park until further notice. Activities can still be held but no ground disturbance will be allowed. Dave Najarian commended Kevin Deppe for the action he had taken concerning the tennis courts which had been in the planning to locate over the old swimming pool area. Dave Najarian added that Kevin Deppe's actions reflect compliance on the townships part.

**Road Report:** Bruce Raber, Roadmaster, reported for the month of October: (1) Cut shoulders of roads. (2) Finished up all salt spreaders, sanding, priming, and painting them. (3) Filled pot holes on dirt roads. (4) Sanded, primed and painted two truck bodies. (5) Helped Weisenberg Twp. with some shoulder paving. (6) Installed four new road name signs. (7) Started boom mowing. (8) Lehigh County came and chipped branches at the Transfer Station. (9) Made a slab for the new shed at the Transfer Station. (10) Helped Heidelberg Twp. with crack sealing. (11) Heidelberg Twp. helped Lynn Twp. with crack sealing. Anticipated work for November: (1) Continue boom mowing. (2) Start tree trimming.

**Joint Salt Bid Award:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to award the joint salt bid to Oceanport LLC for 250 Ton of sodium chloride deicing rock salt @ \$62.15/ton Unit Price Delivered, for a total cost of \$15,537.50. Motion carried unanimously. Lower Macungie Township did the joint bidding. The results were

as follows:

**Joint Bids - Received for Salt, 4850 Tons -**  
**Sodium Chloride Deicing Rock Salt**

Salt Bids Received	Sodium Chloride Deicing Rock Salt - LYNN
Cargill Deicing Technology 24950 Country Club Blvd Suite 450 North Olmsted, OH 44070	Did not submit a bid but asked to retain their name for the future.
International Salt Co., LLC	250TON



655 Northern Blvd. Clarks Summit, PA 18411-8740	Unit Price FOB Plant \$70.00 Unit Price Del. @ job site \$70.89 Unit Price Del. As directed \$70.89 Total = \$17,722.50
Eastern Salt Co. 15 Tyngsboro Road North Chelmsford, MA 01863	250TON Unit Price FOB Plant \$74.00 Unit Price Del. @ job site \$74.00 Unit Price Del. As directed \$74.00 Total = \$18,500.00
Oceanport LLC P.O. Box608 Claymont, DE 19703	250TON Unit Price FOB Plant \$60.00 Unit Price Del. @ job site \$62.15 Total = \$15,537.50
Mid-Atlantic, LLC P.O. Box 353 Lyndora, PA 18045-0353	250TON Unit Price FOB Plant \$69.00 Unit Price Del. @ job site \$66.12 Total = \$16,530.00
Morton Salt 123 N. Wacker Drive Chicago, IL 60606	Did not submit a bid but asked to retain their name for the future.
American Rock Salt Company, LLC P.O. Box 190 Mt. Morris, NY 14510	Did not submit a bid but asked to retain their name for the future.

**Tax Rate for Year 2010:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt resolution 2009-21; **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, LEHIGH COUNTY FIXING THE TAX RATE FOR THE YEAR 2010.** Motion carried unanimously.

**Budget 2010:** A motion was made by David C. Najarian and seconded by Tom Creighton authorizing the advertisement of the 2010 Budget. Motion carried unanimously.

**Rescue Truck:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton authorizing the expenditure of 50K from the Lynn Township General Fund checking account for a donation towards the purchase of a new rescue truck, and to make the check payable to both the New Tripoli Fire Company and the Dealer (Glick or Pierce). Motion carried unanimously. Dennis Snyder will contact Tammy White to inform her of the dealer's name. Dennis Snyder also noted that the title and the loan will be in the name of the NTFC. Resident, Greg Snyder stated that it would be wise that the township make sure the transaction is solvent and make sure of the delivery of the product.

**Letters of Intent for PC & EAC:** The BOS received a letter of intent from Patricia L. Ferraro for the EAC. A motion was made by David C. Najarian and seconded by Thomas C. Creighton appointed Patricia L. Ferraro as a member of the EAC, filling a vacant position until the first Monday of 2012. Motion carried unanimously. The BOS received a letter of intent from Raymond T. Ferraro for the PC. The BOS will discuss his appointment at the re-org meeting on January 4, 2009 when an opened position will be available.

**Emergency Fire Protection Policy:** A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt and amend the personnel policy to include the emergency fire protection policy. Motion carried unanimously.

**Miscellaneous:** Kevin Deppe reported the following: (1) The BOS needs to look at the Jordan Creek Greenway resolution that was tabled from the last meeting. (2) There is a hearing for public comment regarding land coming out of the VC on Wednesday, November 18, 2009 @ 7:00 pm in regards to the Ruth Kuntz property that has been presented for preservation in the VC. There is nothing for the BOS to act on. (3) Solicitor Marc Fisher has reviewed the proposal from Unison for a cell tower agreement. Marc Fisher stated that the proposed agreement has expired on October 5, 2009 and that unison will make money off of the agreement and the township would lose the control and freedom of their rights with the agreement. The BOS were all in favor of the current agreement with AT&T. (4) A motion was made by David C.



Najarian and seconded by Thomas C. Creighton authorizing the sharing of information to Brian Dietrich to aid in his transition as a board member. Motion carried unanimously. Further discussion will be held at the re-org meeting. (5) The re-organizational dinner will be discussed at the December 10<sup>th</sup> meeting. (2) Resident, Richard Metzger stated that he spoke with Willard Snyder, president of the Historical Society, concerning an agreement between the Historical Society and Lynn Township. Willard Snyder stated he would speak with Kermit DeLong.

**Public Comment:** (1) Resident Greg Snyder, posed the question to the BOS as to whether or not the Sewage Management Plan was specific to a particular watershed or was it part of a plan for the entire township. Kevin Deppe stated the SMP currently is specific to the Jordan Creek Water Shed, however will soon encompass most of the township based on the upcoming maiden creek water shed, Act 167 plan. Greg also questioned whether or not a SMP would create a problem with our now approved 537 plan in light of the fact that the SMP would be changed. Kevin responded that he was unclear whether or not DEP would consider a substantial change, it was his understanding that our 537 plan had a SMP contained within it, however the plan wasn't approved because the township had no SMP ordinance in effect at the time the 537 was submitted. Greg Snyder also suggested that the township opt out of the UCC code. He felt the code was being too restrictive to developers. (2) Resident, Dennis Snyder stated that the BOS and Lynn Township should thank Richard Matthias for all the work he has done in the park. The BOS extended a thank you to Richard Matthias.

**Adjournment:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:52 pm.

**As of November 30, 2009**

Account	Balance
General Fund	511,673.68
Capital Reserve	462,263.22
Zoning/Subdivision	10,097.73
HLLW COG	44,675.59
State Road	11,582.14
Street Light	2,629.71
Park	27,091.01
Recreation	25,320.02
<b>Total</b>	<b>1,095,333.10</b>

	<u>Nov 09</u>
<b>Income-GENERAL FUND</b>	
301 · Real Property Taxes	
301.10 · Real Estate Tax-Current	218.58
301.60 · Real Estate Tax-Interim-Current	157.17
<b>Total 301 · Real Property Taxes</b>	<b>375.75</b>
310 · Local Tax Enabling Act	
310.03 · Per Capita - Delinquent	27.50
310.10 · Real Estate Transfer Tax	8,493.43
310.20 · Earned Income Tax	
310.21 · Earned Income Tax-Current	77,530.81
<b>Total 310.20 · Earned Income Tax</b>	<b>77,530.81</b>
<b>Total 310 · Local Tax Enabling Act</b>	<b>86,051.74</b>
321 · Business Licenses and Permits	
321.80 · Cable Television Franchise	11,406.22
<b>Total 321 · Business Licenses and Permits</b>	<b>11,406.22</b>
331 · Fines	
331.10 · Court - Magistrate	31.07
<b>Total 331 · Fines</b>	<b>31.07</b>
342 · Interest, Rents & Royalties	
342.53 · Royalties from Cell Tower Rent	1,100.00
<b>Total 342 · Interest, Rents &amp; Royalties</b>	<b>1,100.00</b>
360 · Gen. Govt. Charges for Services	
361 · General Government	
361.30 · Zoning-Subdiv-Land Dev Fees	511.50
361.94 · Misc. Billing	105.50

Total 361 · General Government	617.00
362 · Public Safety	
362.40 · Protective Inspection Fees	
362.41 · Building Permit	
362.41D · Driveway Permit	150.00
362.41R · Renew BLDG, Zone, Plumb	100.00
362.41S · Accessory Struc < 1000 ft	75.00
Total 362.41 · Building Permit	325.00
362.42 · Electrical Permit	104.00
Total 362.40 · Protective Inspection Fees	429.00
Total 362 · Public Safety	429.00
364 · Sanitation	
364.30 · Solid Waste Collection/Disposal	1,197.50
Total 364 · Sanitation	1,197.50
Total 360 · Gen. Govt. Charges for Services	2,243.50
389 · Unclassified Income	30.00
<b>Total Income</b>	<b>101,238.28</b>

Expense

400 · General Government	
400.00 · Legislative (Governing) Body	
400.05 · Supervisor Salaries	413.79
Total 400.00 · Legislative (Governing) Body	413.79
403 · Tax Collection	
403.16 · Commission Paid as Compensation	7,965.86
403.23 · Postage for Tax Collector	44.00
Total 403 · Tax Collection	8,009.86
404 · Solicitor/Legal Services	738.77
405 · Secretary/Clerk	
405.12 · Salary Township Secretary	2,047.28
Total 405 · Secretary/Clerk	2,047.28
406 · Other General Govt. Admin	
406.12 · Salary Full Time Staff	1,943.18
406.21 · Office Supplies	95.38
406.32 · Communication - Phone/Wireless	555.56
406.34 · Advertising	71.44
406.38 · Rentals	351.22
406.99 · Payroll	110.54
Total 406 · Other General Govt. Admin	3,127.32
408 · Engineering Services	
408.99 · Township engineer	1,719.06
Total 408 · Engineering Services	1,719.06
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	290.48
409.44 · Laundry/Other Sanitary Services	187.04
409.99 · Heating - Oil/Propane	39.13
Total 409 · General Government Bldg&Plants	516.65
Total 400 · General Government	16,572.73
410 · Public Safety	
411 · Fire	
411.98 · New Tripoli FC Fuel	246.64
Total 411 · Fire	246.64
412 · Ambulance/Rescue	
412.98 · Fuel	572.05

Total 412 · Ambulance/Rescue	572.05
413 · Code Enforcement	
413.31 · Code enforcement pro. service	<u>3,299.44</u>
Total 413 · Code Enforcement	3,299.44
414 · Planning & Zoning	
414.33 · Transportation Costs	331.65
414.99 · Salary Zoning Officer	<u>3,386.22</u>
Total 414 · Planning & Zoning	3,717.87
419 · Other Public Safety	
419.99 · PA One Call	<u>1.70</u>
Total 419 · Other Public Safety	1.70
Total 410 · Public Safety	7,837.70
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	419.90
426.44 · Sanitation Services	<u>836.63</u>
Total 426 · Gen Gov Recycling Col & Dis	<u>1,256.53</u>
Total 420 · Health and Human Services	1,256.53
430 · Public Works Hwy,Rds,Streets	
437 · Repair of Tools & Machinery	
437.74 · Equipment purchase	7,705.50
437.98 · Repair of Machinery	410.66
437.99 · Truck Repair	<u>689.95</u>
Total 437 · Repair of Tools & Machinery	8,806.11
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	8,206.38
438.15 · PT Salaries for Road Crew	33.74
438.25 · Repairs & Maint Supplies	111.64
438.99 · Truck Fuel	<u>788.36</u>
Total 438 · Road/Bridge Maint. and Repair	<u>9,140.12</u>
Total 430 · Public Works Hwy,Rds,Streets	17,946.23
450 · Culture-Recreation	
452 · Participant Recreation	
452.15 · Participant Recreation - P/T	<u>140.92</u>
Total 452 · Participant Recreation	140.92
454 · GF Parks	
454.12 · Parks full time staff (GF)	1,447.22
454.15 · Parks part time staff (GF)	275.59
454.33 · Travel Expense	<u>69.34</u>
Total 454 · GF Parks	<u>1,792.15</u>
Total 450 · Culture-Recreation	1,933.07
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,484.01
481.20 · Employer paid Medicare	347.07
481.30 · Employer paid Unemployment Comp	<u>73.95</u>
Total 481 · Employer paid Taxes	1,905.03
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	9,023.69
487.02 · Life Insurance	<u>37.50</u>
Total 487 · Other Group Insurance Benefits	9,061.19
489 · All other unclassified Expenses	
489.98 · Clothing Allowance	94.97



489.99 · EE withholding taxes	5,223.82
Total 489 · All other unclassified Expenses	5,318.79
Total 480 · Misc. Expense	16,285.01
<b>Total Expense</b>	<b>61,831.27</b>
<b>Net Income</b>	<b>39,407.01</b>
	<b>Nov 09</b>
<b>Income-LIGHT ACCOUNT</b>	
383.03 · Street Light Delinquent	189.66
383.11 · Street Lighting Tax	55.77
<b>Total Income</b>	<b>245.43</b>
<b>Expense</b>	
434 · Street Lighting	
434.36 · Street Lighting Electric	763.94
Total 434 · Street Lighting	763.94
<b>Total Expense</b>	<b>763.94</b>
<b>Net Income</b>	<b>-518.51</b>
	<b>Nov 09</b>
<b>Income-LFF ACCOUNT</b>	0.00
<b>Expense</b>	
430 · LFF Public Works	
438 · Maint./Repair Roads & Bridges	1,863.99
Total 430 · LFF Public Works	1,863.99
<b>Total Expense</b>	<b>1,863.99</b>
<b>Net Income</b>	<b>-1,863.99</b>
	<b>Nov 09</b>
<b>Income-COG ACCOUNT</b>	
342.40 · Rent of Machinery and Equipment	2,675.80
<b>Total Income</b>	<b>2,675.80</b>
<b>Expense</b>	0.00
<b>Net Income</b>	<b>2,675.80</b>
	<b>Nov 09</b>
<b>Income-REC ACCOUNT</b>	
341.01 · Interest on Checking	5.20
<b>Total Income</b>	<b>5.20</b>
<b>Expense</b>	0.00
<b>Net Income</b>	<b>5.20</b>
	<b>Nov 09</b>
<b>Income-ESCROW ACCOUNT</b>	0.00
<b>Expense</b>	
414 · Planning and Zoning	
414.97 · Escrow Refunds	1,988.50
Total 414 · Planning and Zoning	1,988.50
492 · Interfund Operating Transfers	
492.02 · Transfer to GFMM	511.50
Total 492 · Interfund Operating Transfers	511.50
<b>Total Expense</b>	<b>2,500.00</b>
<b>Net Income</b>	<b>-2,500.00</b>
	<b>Nov 09</b>
<b>Income-PARK ACCOUNT</b>	

387 · Contributions and Donations	500.00
<b>Total Income</b>	<b>500.00</b>
<b>Expense</b>	
454 · Parks	
454.25 · Repairs & Maintenance Supplies	352.40
454.36 · Public Utilities	84.24
454.37 · Equipment Repair	326.76
454.38 · Rental	76.00
454.42 · Dues/Subscriptions/Memberships	80.00
<b>Total 454 · Parks</b>	<b>919.40</b>
<b>Total Expense</b>	<b>919.40</b>
<b>Net Income</b>	<b>-419.40</b>
<b>Total Income (all accounts)</b>	<b>104,664.71</b>
<b>Total Expense (all accounts)</b>	<b>67,878.60</b>
<b>Net Income(all accounts)</b>	<b>36,786.11</b>

Respectfully Submitted,

*Tammy M. White*

Tammy M. White  
Secretary/Treasurer