

Board of Supervisors
Thursday, November 4th, 2010 @ 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 David C. Najarian, at 6:30 pm in the Municipal Building. Present were Chairman David C. Najarian, Vice Chairman Brian C. Dietrich, Member Kermit E. DeLong Jr., Zoning Officer Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Solicitor Marc Fisher, and approximately 11 citizens.

Pledge of Allegiance: The Pledge of Allegiance was conducted.

Public Comment: (1) *Peter Everett from 8049 Wertman Rd. Fogelsville* addressed the BOS. Mr. Everett stated that the Scully Court Subdivision (now B & K Development) has an extension till 2013 under Act 46 and wanted to know if he would be able to obtain a Certificate of Occupancy for Lot #1 if he were to build a spec house on the lot without the road being improved. Mr. Everett added that the road is stone so there would not be a mud issue. Dave Najarian added that even though the extension is valid until 2013 the letter of credit will still be an issue. Dave Najarian stated that the BOS, along with Kevin Deppe and Solicitor Marc Fisher, will further review his request and advise him at a later date. (2) *Timothy Foster of 6958 Donats Peak Road and Rowland Wallitsch of 6934 Donats Peak Road* addressed the BOS with concerns of a neighbor running a carnival business from his house. Both Mr. Foster and Mr. Wallitsch stated that there are a number of people living on the property in trailer campers since this summer and there are electrical cords running to a building (previously the old Reitz Potato Chip Factory) and that the number of people living in the campers and factory is unknown. Kevin Deppe stated that he just received the complaint on Monday, November 1st and has been out to the property to check the situation out. Kevin Deppe stated that he will keep an eye on the property as well as check with the post office as to the number of occupants living on the property.

Accept the Minutes and Direct the Treasurer to pay the bills: A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to accept the minutes from 10/14/10. Motion carried unanimously. A motion was made by David C. Najarian and seconded by Brian C. Dietrich to direct the treasurer to pay the Divine Springs water bill. Kermit E. DeLong recused himself because of payment of the Divine Water bill. Motion carried. A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to direct the treasurer to pay the remaining bills. David C. Najarian abstained from the vote due to the payment of the Horwith Fuel Oil bill. 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.

Road Report: Bruce Raber, Roadmaster, reported for the month of October: (1) Filled pot holes on dirt roads. (2) Filled in deep gutters on Gun Club Rd. with broken concrete. (3) Cleaned up some intersections and cleaned pipes. (4) Trimmed tree branches in front of stop signs and road name signs for better visibility. (5) Made repairs to 91 Chevy snow plow hitch. (6) Filled pot holes on black top roads. (7) Helped Lowhill and Heidelberg Twp. with some small paving projects. (8) Did some tree trimming on Lincoln Ct., Jefferson Ct., and Adams Ct. (9) Took down two large trees on Eile Dahl Rd. (10) Hauled one load of scrap from recycling center \$130.00. Anticipated work for November: (1) Get trucks ready for winter use. (2) Do crack sealing on two roads. (3) Start tree trimming. (4) Maybe some shoulder cutting. (A) Bruce Raber addressed the issue of needing a part time employee that can be used to help plow snow and added that Rowland Wallitsch was interested in the position and was present at the meeting. Mr. Wallitsch would be able to start January 1st 2011. The BOS discussed a part time rate of \$12.50/hr. The 2011 budget includes up to \$14.00/hr @ 350 hours for the year. Dave Najarian stated that he was fine with the applicant but Brian Dietrich and Kermit DeLong stated they would like to review Mr. Wallitsch's application. The issue will be discussed at the December 9th BOS meeting. (B) Bruce Raber also brought to the BOS attention that the state is regulating CDL driving hours to 11 hours on the road, 3 hours in the shop with 10 hours off. Bruce Raber stated that sometimes his crew is out for long hours just to keep the roads opened. Bruce Raber stated that other local township's were looking into having a policy or resolution drafted that would state every snow be labeled as an emergency. The only way a driver would be able to exceed the driving hours would be for a declared emergency. Solicitor, Marc Fisher stated that he would have to review the regulations and would report back at the December 9th BOS meeting.

Tax Rate for Year 2011: A motion was made by David C. Najarian and seconded by Kermit E. DeLong to adopt resolution 2010-20; **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, LEHIGH COUNTY FIXING THE TAX RATE FOR THE YEAR 2011.** Motion carried unanimously.

Amendment to Historical Society Lease with Lynn Twp: Kermit DeLong stated that as of Tuesday, November 2, 2010 the Historical Society is insured with liability through Erie Insurance. The amendment will no longer be needed.

Budget: A motion was made by David C. Najarian and seconded by Brian C. Dietrich authorizing the advertisement of the 2011 Budget. Motion carried unanimously.

Managers Report: Kevin Deppe, Township Manager, reported **UPDATES:** (1) Kevin Deppe brought up the Nuisance and Junk Car Ordinances and stated that a letter was received by DEP concerning a property along Kings Hwy. Dave Najarian stated that the EAC has not yet reviewed the ordinances and would like to have their comments. Dave Najarian

also added that he would like the EAC to look at the dump situation located in the back of the park. Kevin Deppe added that he is going to have boulders positioned at this location to further hinder any types of motor vehicles from entering. Kevin Deppe also stated that removable posts will be erected at the back entrance of the park off of Allemaengel Rd. (2) The multi purpose field is ready for seed, but due to the weather may not get seeded until next year. (3) The new maintenance building as well as the picnic pavilion has been added to the insurance.

Miscellaneous: (1) Kermit DeLong stated that there have been a few incidents of erratic behavior from residents so video cameras have been installed in the office. (2) Kermit DeLong also stated that the BOS along with the township need to support the Township Manager and office staff with their decisions. (3) Resident, Richard Snyder questioned the motion made earlier concerning the fuel for the fire companies. Dave Najarian stated that he is the Treasurer of the LPFC and recuses himself from the motion to pay the bills because of the Horwith fuel invoice. The fire companies along with the ambulance corp. fuel up at the township fuel tanks. Because the ambulance corp. uses substantially more fuel than the fire companies, the ambulance corp. has a cap allocation of 5K and is invoiced when they go over.

Public Comment: None

Announcements: None

Adjournment: A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:15 pm.

As of November 30, 2010

Account	Balance
General Fund	541,462.79
Capital Reserve	468,183.75
Zoning/Subdivision	14,324.89
HLLW COG	45,969.14
State Road	15,747.45
Street Light	2,164.82
Park	10,906.27
Recreation	43,387.53
Total	1,142,146.64

Nov 10

Income-General Fund

301 · Real Property Taxes	
301.10 · Real Estate Tax-Current	3,683.37
301.40 · Delinquent RE Tax-Tax Claim	908.49
301.60 · Real Estate Tax-Interim-Current	28.95
Total 301 · Real Property Taxes	4,620.81
310 · Local Tax Enabling Act	
310.20 · Earned Income Tax	
310.21 · Earned Income Tax-Current	73,236.56
Total 310.20 · Earned Income Tax	73,236.56
Total 310 · Local Tax Enabling Act	73,236.56
321 · Business Licenses and Permits	
321.80 · Cable Television Franchise	11,864.15
Total 321 · Business Licenses and Permits	11,864.15
331 · Fines	
331.10 · Court - Magistrate	33.35
Total 331 · Fines	33.35
342 · Interest, Rents & Royalties	
342.53 · Royalties from Cell Tower Rent	1,000.00
Total 342 · Interest, Rents & Royalties	1,000.00
360 · Gen. Govt. Charges for Services	
361 · General Government	
361.87 · Sale of Maps & Publications	20.00
361.88 · Copy Fee	0.75
361.94 · Misc. Billing	10.00
361.99 · Road Improvement Fees	1,978.00
Total 361 · General Government	2,008.75

362 · Public Safety	
362.40 · Protective Inspection Fees	
362.41 · Building Permit	
362.41B · BLDG/Alter/Repair Permit	154.00
362.41F · Building Permit Filed	1,915.00
362.41N · Re-inspection	50.00
Total 362.41 · Building Permit	2,119.00
362.42 · Electrical Permit	228.00
Total 362.40 · Protective Inspection Fees	2,347.00
362.99 · Logging/Timber Harvest	100.00
Total 362 · Public Safety	2,447.00
364 · Sanitation	
364.30 · Solid Waste Collection/Disposal	1,516.00
Total 364 · Sanitation	1,516.00
Total 360 · Gen. Govt. Charges for Services	5,971.75
389 · Unclassified Income	
389.98 · WCcontribution	363.22
389 · Unclassified Income - Other	20.00
Total 389 · Unclassified Income	383.22
Total Income	97,109.84
Expense	
400 · General Government	
400.00 · Legislative (Governing) Body	
400.05 · Supervisor Salaries	413.66
Total 400.00 · Legislative (Governing) Body	413.66
403 · Tax Collection	
403.16 · Commission Paid as Compensation	2,267.87
403.23 · Postage for Tax Collector	52.80
Total 403 · Tax Collection	2,320.67
404 · Solicitor/Legal Services	758.24
405 · Secretary/Clerk	
405.12 · Salary Township Secretary	2,038.14
Total 405 · Secretary/Clerk	2,038.14
406 · Other General Govt. Admin	
406.12 · Salary Full Time Staff	1,927.52
406.21 · Office Supplies	201.90
406.23 · Postage	355.77
406.32 · Communication - Phone/Wireless	474.09
406.34 · Advertising	23.70
406.38 · Rentals	466.67
406.46 · Mtg., Conf., Cont.Ed.	200.00
406.99 · Payroll	109.45
Total 406 · Other General Govt. Admin	3,759.10
408 · Engineering Services	
408.99 · Township engineer	894.70
Total 408 · Engineering Services	894.70
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	330.53
409.37 · Repairs and Maint.	600.00
409.44 · Laundry/Other Sanitary Services	327.86
409.99 · Heating - Oil/Propane	1,330.95
Total 409 · General Government Bldg&Plants	2,589.34
Total 400 · General Government	12,773.85

410 · Public Safety	
412 · Ambulance/Rescue	
412.98 · Fuel	-322.94
Total 412 · Ambulance/Rescue	-322.94
413 · Code Enforcement	
413.31 · Code enforcement pro. service	1,420.00
413.45 · Contracted Services	116.00
Total 413 · Code Enforcement	1,536.00
414 · Planning & Zoning	
414.33 · Transportation Costs	403.00
414.99 · Salary Zoning Officer	3,333.55
Total 414 · Planning & Zoning	3,736.55
419 · Other Public Safety	
419.99 · PA One Call	5.40
Total 419 · Other Public Safety	5.40
Total 410 · Public Safety	4,955.01
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	172.64
426.44 · Sanitation Services	1,632.59
Total 426 · Gen Gov Recycling Col & Dis	1,805.23
Total 420 · Health and Human Services	1,805.23
430 · Public Works Hwy,Rds,Streets	
432 · Winter Maintenance	
432.14 · Salaries Winter Maintenance	4,086.43
Total 432 · Winter Maintenance	4,086.43
437 · Repair of Tools & Machinery	
437.99 · Truck Repair	148.75
Total 437 · Repair of Tools & Machinery	148.75
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	4,245.32
438.25 · Repairs & Maint Supplies	643.95
438.99 · Truck Fuel	2,409.43
Total 438 · Road/Bridge Maint. and Repair	7,298.70
Total 430 · Public Works Hwy,Rds,Streets	11,533.88
450 · Culture-Recreation	
452 · Participant Recreation	
452.15 · Participant Recreation - P/T	181.89
Total 452 · Participant Recreation	181.89
454 · GF Parks	
454.15 · Parks part time staff (GF)	164.92
Total 454 · GF Parks	164.92
Total 450 · Culture-Recreation	346.81
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,355.26
481.20 · Employer paid Medicare	316.95
481.30 · Employer paid Unemployment Comp	68.29
Total 481 · Employer paid Taxes	1,740.50
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	9,451.89
487.02 · Life Insurance	37.50
Total 487 · Other Group Insurance Benefits	9,489.39

489 · All other unclassified Expenses	
489.98 · Clothing Allowance	142.99
489.99 · EE withholding taxes	4,800.57
Total 489 · All other unclassified Expenses	4,943.56
Total 480 · Misc. Expense	16,173.45

Total Expense	47,588.23
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Net Income	49,521.61
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Nov 10

Income-Light Fund

383.11 · Street Lighting Tax	82.08
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Total Income	82.08
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Expense

434 · Street Lighting	
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434.36 · Street Lighting Electric	833.90
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Total 434 · Street Lighting	833.90
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Total Expense	833.90
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Net Income	-751.82
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Nov 10

Income-Liquid Fuel Fund

0.00

Expense

430 · LFF Public Works	
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438 · Maint./Repair Roads & Bridges	522.33
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Total 430 · LFF Public Works	522.33
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Total Expense	522.33
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Net Income	-522.33
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Nov 10

Income-Cog Fund

342.40 · Rent of Machinery and Equipment	874.85
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Total Income	874.85
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Expense

437 · Repairs of tools and machinery	54.82
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Total Expense	54.82
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Net Income	820.03
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Nov 10

Income-Rec Fund

341.01 · Interest on Checking	6.17
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367.99 · Rec Fee from Subdivision	12,000.00
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Total Income	12,006.17
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Expense	0.00
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Net Income	12,006.17
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Nov 10

Income-Park Fund

342.59 · Rental of Park Facilities	125.00
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Total Income	125.00
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Expense

454 · Parks	
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454.25 · Repairs & Maintenance Supplies	151.68
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454.36 · Public Utilities	106.17
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454.38 · Rental	95.00
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Total 454 - Parks	352.85
Total Expense	352.85
Net Income	-227.85
Total Income (all accounts)	110,197.94
Total Expense (all accounts)	49,352.13
Net Income(all accounts)	60,845.81

Respectfully Submitted,

Tammy M. White

Tammy M. White
Secretary/Treasurer