

Board of Supervisors
Thursday, December 9th, 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, NW Press Reporter Ken Petrini, and approximately 11 citizens.

Pledge of Allegiance: The Pledge of Allegiance was conducted.

Public Comment: None.

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 11/4/10. Motion carried unanimously. A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to direct the treasurer to pay the 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.

Fogelsville State Police: Lieutenant Edgardo A. Colon, Station Commander of the PA State Police Troop M - Fogelsville Station gave a statistics report for January 1, 2010 till November 9, 2010. The report is as follows: Burglary 12; Thefts 39; Crashes 68; DUI Arrests 9. Lt. Colon recommended that the Township notify all local trail clubs about the potential for thefts in their parking lots. Dave Najarian asked if the Township Litter Ordinance can be enforced on an individual who has already been cited by the state police. Lt. Colon stated that the state statues focused on by the state police do not enforce local ordinances. Dave Najarian also inquired whether or not there have been traffic improvements on Kistler Valley Road since speed limit signs have been installed. Lt. Colon stated that he was not aware of any problems and he also added that if a road is not posted with a speed limit sign the speed limit is 55 MPH. Kermit DeLong stated that the speed limit on Weiss Road is 35 MPH and that many motorist are still driving in excess of the speed. Lt. Colon stated that he would look into it.

Road Report: Bruce Raber, Roadmaster, reported for the month of November: (1) Prepared trucks for winter use. (2) Cracked sealed Cardinal Rd. and part of Owl Valley Rd. (3) Helped Heidelberg Twp. with their crack sealing. (4) Loaded up scrap metal at Recycling Center. (5) Prepared boom mower for the season. (6) Made repairs to 97 Ford plow and 03 Sterling and painted them. (7) Opened pipes and cut up trees from high winds and heavy rains. (8) Tree trimmed on Dresher Rd. (9) Placed 4 large rocks at the back road on Gun Club Rd adjacent to the park. Anticipated work for December: (1) Tree trimming. (2) Boom mowing. (A) Marc Fisher reported on the CDL Driving Limits/Emergencies. The BOS agreed that a resolution be drafted by Kevin Deppe or Tammy White authorizing the Road Master to call a BOS member to declare an emergency which must be declared by a federal, state or local official having authority to declare an emergency, and the duration may not exceed the driver's direct assistance in providing emergency relief or extend more than five days from the date of the initial declaration of the emergency. A resolution will be drafted for the close out meeting on December 27th. (B) Bruce Raber asked the BOS if they made a decision on a part time worker to run the grader. Dave Najarian stated that the issue would be discussed in an executive session. The meeting was adjourned without the executive decision.

Ag Security: A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong adopting Resolution 2010-21; A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY PA CREATING AN AG SECURITY AREA WITH THE TOWNSHIP CONSISTING OF 7 TRACTS OF LAND OWNED BY HAROLD V. TYSON AND LINDA L. TYSON. Motion carried unanimously.

Billing Schedule: A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich adopting Resolution 2010-22; A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PA ESTABLISHING A FEE SCHEDULE PURSANT TO THE LYNN TOWNSHIP EMERGENCY RESPONSE AND REIMBURSEMENT ORDINANCE OF 2010. David C. 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 there is a bill or correspondence with the Lynnport Fire Company. Motion carried.

Transfer of Money: A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong adopting Resolution 2010-23; A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PA FOR THE TRANSFER OF UNEMCOMBERED MONEYS FROM ONE TOWNSHIP ACCOUNT TO ANOTHER. Motion carried unanimously.

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

REC FEES: The BOS unanimously agreed that the REC fees will remain the same for 2011.

Re-Organizational Dinner: A motion was made by Kermit E. DeLong and seconded by Brian Dietrich to hold the annual re-org dinner on Saturday, January 15, 2011 at the New Tripoli Fire Co. and to keep all preparations the same.

Motion carried. The date will need to be confirmed with the NTFC and if the 15th is not available the BOS agreed to have the dinner the Saturday prior.

2011 Meeting Dates: The 2010 BOS meeting dates will be set at the close out meeting on December 27, 2010 @ 6:30pm.

Managers Report: Kevin Deppe, Township Manager, reported **UPDATES:** (1) **Pension:** Kevin Deppe stated that the plan administrator for the pension has been changed from Chester Perfetto to Duane Peoples from Raymond James & Associates. The BOS agreed that funds needs to be allocated based on the current situation. Lynn Township is currently affiliated with The Standard for the billing of the townships pension. Kevin Deppe stated that Act 44 is a disclosure form that must be complete, authorizing The Standard to remain as our affiliate. The BOS authorized Kevin Deppe to move forward with floating an RFP for comparisons in Insurance Companies, but made the decision to stay with The Standard and submitting the Act 44 disclosure form because the form had to been turned in by December 17th which did not leave enough time to float a RFP for another firm. (2) **Met-Ed:** The rate caps will be lifting January 1, 2011. The township is currently paying 7.7 cents. The rate hike as announced will take it to 8.1 cents. There will be minimal savings if the township would change to another supplier. Kevin Deppe has not pursued the issue further. (3) **Bank Barn:** The Historical Society has procured insurance for the property at the park but in order to move forward on the bank barn in spring the BOS should declare the barn and property it is to rest on, as historical so that the Historical Society can meet the exclusions of the code for its construction. Discussion was held concerning whether or not a resolution be drafted or if a motion should be made. *A motion was made by David C. Najarian and seconded by Brian C. Dietrich declaring all structures; Ft. Everett, Zeisloff House, Bank Barn and the property on which the structures are located and also including the entire portion of property the Lynn Heidelberg Historical Society leases in Ontelaunee Park from Lynn Township be declared Historic. Motion carried unanimously.* Kevin Deppe stated in regards to the Bank Barn, it has been stated that it will used for storage only and that by declaring it historic the building cannot be entered by the public. Kevin Deppe added that the bank barn is the only structure being located in the park under his watch and that this was the only structure that he has been made aware of that will be used for storage only. Solicitor, Marc Fisher stated that the township needs to have something in writing from The Historical Society stating that the bank barn will be used for storage only. (4) **On Lot Sewage Systems:** DEP will be changing its policy on on-lot sewage systems. Densities of more than one EDU per acre will automatically be required to have an alternate site approved prior to building, which means our lot size of 30,000 square feet in the AP will not get approval without a second site and with lots of 30,000 square feet next to each other it is nearly impossible to attain this requirement. Dave Najarian stated that DEP has never given Lynn Township their comments on our SMP. Kevin Deppe added that Dave Walbert stated that our SMP was fine and that it was then forwarded to the PC for their review. Dave Najarian stated that DEP is asking the township to change their zoning with no formally, recorded, written comments on our SMP.

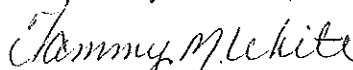
Miscellaneous: (1) Solicitor, Marc Fisher provided the BOS with the 1st draft of the GCGI Mixed Use Ordinance for their review. (2) Kermit DeLong inquired about wood that was cut down in the Park. Kevin Deppe stated that The Historical Society had dead trees removed by volunteers. (3) Kermit DeLong also stated that a Nestle water truck overturned entering onto Rte 100 going south from Rte 309 and that maybe someone could contact Eric Andreas concerning speed issues. (4) Brian Dietrich inquired if the multi purpose field was seeded; Kevin Deppe stated that due to weather conditions the field has not been seeded but the seed has been purchased and will be seeded in spring. (5) Dave Najarian suggested that each BOS member take turns and rotates the positions as Chairman and Vice Chairman. Kermit DeLong stated that PSATS recommends the rotation of positions.

Public Comment: Santa Clause will be at the New Tripoli Fire Company on Saturday, December 18, 2010.

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 7:30 pm.

Respectfully Submitted,


Tammy M. White
Secretary/Treasurer