

Board of Supervisors
Thursday, April 14th, 2011 @ 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 Brian C. Dietrich, at 6:30 pm in the Municipal Building. Present were Chairman Brian C. Dietrich, Vice Chairman Kermit E. DeLong, Member David C. Najarian, Zoning Officer Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Solicitor Marc Fisher, Engineer Roy Stewart, NW Press Reporter Elsa Kerschner, and approximately 21 citizens.

Pledge of Allegiance: The Pledge of Allegiance was conducted.

Executive Session: Chairman Brian Dietrich announced that the BOS held an executive session with Solicitor Marc Fisher and Kevin Deppe to discuss possible litigation and personnel issues against the Township.

Public Comment: None

Accept the Minutes and Direct the Treasurer to pay the bills: A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich to accept the minutes from 03/10/11. Motion carried unanimously. A motion was made by David C. Najarian and seconded by Brian C. Dietrich to direct the treasurer to pay all the bills except for the Horwith bill. Kermit E. DeLong recused himself because of payment of the Divine Water bill. Motion carried. A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich to direct the treasurer to pay the Horwith bill. 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 a bill would need to be paid to the Lynnport Fire Company. Motion carried.

Christ's Church at Lowhill Food Pantry- Joe Mitlyng and Ralph Zettlemoyer presented the BOS with an update on the Food Pantry along with the plans for an 80K addition for needed storage and work space. Joe Mitlyng stated that construction should be started by the end of July and also inquired if the BOS would like to contribute to the project. Kermit DeLong stated that he didn't feel that tax payer's money should be given for government issues, but would still be in favor of donating the annual 1K. Resident Richard Snyder suggested that the inquiry could be put out as a primary referendum to the township and put on the ballot. Dave Najarian stated that the EMS tax was put out and it wound up being too small of a referendum.

Subdivisions: Josh & Amanda Rex - Lot Line Change; Final: A motion was made by Kermit E. DeLong and seconded by David C. Najarian approving the lot line change; final with subject to any outstanding fees be paid. Motion carried unanimously. Greg Snyder driveway waiver: A motion was made by David C. Najarian and seconded by Kermit E. DeLong authorizing Kevin Deppe to undertake a speed study on Autumn Rd. Motion carried unanimously.

GCGI: A motion was made by David C. Najarian and seconded by Kermit E. DeLong directing Solicitor Marc Fisher to continue with the changes from the Lynn Township Planning Commission. Motion carried unanimously. The BOS agreed that the ordinance should then go back the PC for their review.

Road Report: Bruce Raber, Roadmaster, reported for the month of March: (1) Cleaned intersections. (2) Opened pipes for the melting of snow and heavy rains. (3) Repaired a major wash out on Blue Mt. House Rd. (4) Refaced and replaced all stop signs. (5) Started pot hole patching on black top roads. (6) Started cleaning gutters & cutting shoulders on dirt roads. (7) Put new battery in 350C Dozer and went over all the fluids and washed it to prepare it for sale. Anticipated work for April: (1) Patch holes on black top roads. (2) Fill holes on dirt roads and continue cleaning gutters on dirt roads and start filling in and regarding dirt roads.

Bid Awards: See 2011 bid results below.

		300 Ton #67	300 Ton #57	500 Ton	2500 Ton #8	600 Ton	500 Ton	2500 Ton
<u>COMPANY</u>		Stone 2.0%	Stone 2%	#2A Stone	Stone 1.0%	#1 Stone	#10 Stone	2 RC
		LBW	LBW		LBW			
Lehigh Asphalt	FOB	\$10.00	\$9.15	\$8.00	\$10.50	\$9.50	-	\$8.00
	Total	\$3,000.00	\$2,745.00	\$4,000.00	\$26,250.00	\$5,700.00	-	\$20,000.00
	Delivered	\$14.25	\$13.40	\$12.25	\$14.75	\$13.75	-	\$12.25
	Total	\$4,275.00	\$4,020.00	\$6,125.00	\$36,875.00	\$8,250.00	-	\$30,625.00
Eastern Industries	FOB	\$9.60	\$8.60	\$6.70	\$11.10	\$8.25	-	\$5.25
	Total	\$2,880.00	\$2,580.00	\$3,350.00	\$27,750.00	\$4,950.00	-	\$13,125.00
	Delivered	\$13.75	\$12.75	\$10.85	\$15.25	\$12.40	-	\$9.40
	Total	\$4,125.00	\$3,825.00	\$5,425.00	\$38,125.00	\$7,440.00	-	\$23,500.00
Slatedale Aggregate	FOB	-	-	-	-	-		\$5.00
	Total	-	-	-	-	-	-	\$12,500.00
	Delivered	-	-	-	-	-	-	\$8.90
	Total	-	-	-	-	-	-	\$22,250.00

		500 Ton	700 Ton	500 Ton	200 Ton	300 Ton	150 Ton	100 Ton
<u>COMPANY</u>		Type 2	9.5 mm	19.0 mm	25.0 mm	9.5 mm	Coldpatch	UPM
		Anti-Skid	Superpave	Superpave	Superpave	Superpave	484	Coldpatch
Lehigh Asphalt	FOB	\$9.00	\$52.85	\$49.50	\$44.50	\$51.25	-	-
	Total	\$4,500.00	\$36,995.00	\$24,750.00	\$8,900.00	\$15,375.00	-	-
	Delivered	\$13.25	-	-	-	-	-	-
	Total	\$6,625.00	-	-	-	-	-	-
Eastern Industries	FOB	\$8.25	\$54.50	\$50.50	\$44.50	\$53.50	-	\$100.00
	Total	\$4,125.00	\$38,150.00	\$25,250.00	\$8,900.00	\$16,050.00	-	\$10,000.00
	Delivered	\$12.40	-	-	-	-	-	-
	Total	\$6,200.00	-	-	-	-	-	-
Slatedale Aggregate	FOB	-	-	-	-	-	-	-
	Total	-	-	-	-	-	-	-
	Delivered	-	-	-	-	-	-	-
	Total	-	-	-	-	-	-	-
		200 Ton	14,000 Gals					
<u>COMPANY</u>		B-1	Diesel					
		Sand	Fuel					
Lehigh Asphalt	FOB	\$10.25	-					
	Total	\$2,050.00	-					
	Delivered	\$14.50	-					
	Total	\$2,900.00						
Horwith Fuel		-	.18 cents					
Maximum mark up over bidders cost at time of deliver								

A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to accept all the bids as presented in the chart listed above. 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 a bill would need to be paid to the Lynnport Fire Company. Motion carried. A second motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to accept the low bids highlighted on the chart listed above. 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 a bill would need to be paid to the Lynnport Fire Company. Motion carried.

LCA (Lehigh County Authority): Discussion was held regarding the previous S/A meeting which was held on April 12th. The S/A was a split vote, but are ready to proceed with phase 1 and 2. A motion was made by David C. Najarian and seconded by Kermit E. DeLong authorizing that the letter drafted by Dave Najarian, be sent requesting a meeting with DEP to discuss matters related to future public sewer service in Lynn Township. The letter requests meeting with them either prior or after the meeting DEP has with LCA on April 28, 2011. Motion carried unanimously.

Resolution: A motion was made by David C. Najarian and seconded by Brian C. Dietrich to accept Resolution 2011-11; **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.

Pension: Duane Peoples, from Raymond James, was present to discuss with the BOS the need to reallocate the funds to a different plan for a better return. A motion was made by Kermit E. DeLong and seconded by David C. Najarian authorizing Duane Peoples to study the evaluations. Motion carried unanimously. A second motion was made by David C. Najarian and seconded by Kermit E. DeLong authorizing Duane Peoples to recalculate rate of return and to recalculate based on this hypothetical proposal. Motion carried unanimously. Duane Peoples will proceed further for a Request for Proposal for a 3rd party administrator, which will save an additional 5K.

Ordinance: Maiden Creek Headwaters Act 167 Storm Water Management Ordinance: A motion was made by David C. Najarian and seconded by Kermit E. DeLong approving Ordinance 11-03; **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PA ADOPTING AND APPROVING THE MAIDEN CREEK HEADWATERS ACT 167 STORMWATER MANAGEMENT ORDINANCE.** Motion carried unanimously.

Managers Report: Kevin Deppe, Township Manager, reported: (1) Transfer Station fees: A motion was made by David C. Najarian and seconded by Brian C. Dietrich authorizing the execution of a contract with Berger Sanitation for 3 years @ \$728/month. Motion carried unanimously. (2) Act 32 EIT Draft Ordinance: All changes due to the LTCC by April

15th. The BOS had no comments. The Ordinance must be passed by January 1st 2010. (3) Support letter for South Whitehall DCNR: A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich authorizing a letter of support to South Whitehall for a DCNR grant application pertaining to the Jordan Creek Greenway project. Motion carried unanimously. (4) B&K letter of credit: A motion was made by David C. Najarian and seconded by Kermit E. DeLong authorizing a release letter for the letter of credit with the New Tripoli Bank, Clauseville branch. Motion carried unanimously. (5) RAC Park update: Sue Giralico, Secretary to the Lynn Township Recreation Advisory Committee presented the BOS with the 2011 summer concert schedule in Ontelaunee Park as well as the 3rd annual Car Cruise which will be held on Sunday, July 17th in Ontelaunee Park. The committee is looking for individuals or business to sponsor trophies. Those who sponsor a trophy will be selecting the recipient of the trophy. Sue also added that help is needed. (6) HB1228 revisited: This bill is introduced year after year to charge each municipal resident an increasing fee for State Police services if the township does not have shared or individual police. A motion was made by Brian C. Dietrich and seconded by David C. Najarian to draft a letter in opposition of HB1228. Motion carried unanimously. (7) Nestle donation: Eric Andreus from Nestle presented the Township with a donation check for 15k to further enhance Ontelaunee Park. The BOS thanked Mr. Andreus as well as Nestle Water. (8) Bank Funds: Discussion was held during the meeting between the BOS and bank President, David Hunsicker regarding a previous motion from the March 2011 BOS meeting where the BOS made a motion to move a 1/3 of the Townships money from New Tripoli Bank into outside Brokered CD's. After lengthy discussion, a motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to direct Kevin Deppe hold off and negotiate with the New Tripoli Bank to move monies into CD's. Motion carried unanimously. Resident, Justin Smith stated that he felt the return from the New Tripoli Bank is better and far exceeds any other return that we may gain elsewhere. Resident, Robert Hamm asked the BOS why the issue of moving money was brought up in the first place. Dave Najarian referred Mr. Hamm to a previous appointed CPA Audit, under a note of custodial risk. Dave Najarian added that the township is doing their job with the professional advice we have been given and are trying to strike an appropriate balance. In response to Dave Najarian, Kevin Deppe stated that he is anticipating anger from the general public for only doing his job and is only looking out for the best interest of the township. The BOS agreed.

Miscellaneous: (1) Kathy Lansinger leader of Girl Scout troop 215 informed the BOS that March 2012 will mark the 100th year of Girl Scouting and as part of the celebration they would like to form a Halloween Parade. The BOS informed her that it would require state permits and that she may want to check with the Lynn-Heidelberg Historical Society for more information. (2) Kevin Deppe stated that a steel storm grate was stolen from Ontelaunee Park along with a roll of fencing. Kevin Deppe will be contacting Penn Tela Data to have cable installed in order to view the park surveillance cameras at the township building.

Public Comment: None

Announcements: (1) 4th Annual Ontelaunee Park Powwow; May 13-14-15 Gates open @ 10am \$7.00 admission; \$5.00 seniors; children under 12 free.

Adjournment: A motion was made by Kermit E. DeLong and seconded by David C. Najarian to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:40 pm.

As of April 30, 2011

Account	Balance
General Fund	414,705.78
Capital Reserve	470,218.65
Zoning/Subdivision	15,155.95
HLLW COG	46,114.95
State Road	198,768.84
Street Light	244.77
Park	33,401.36
Recreation	43,439.68
Total	1,222,049.98

Apr 11

Income-GENERAL FUND

301 · Real Property Taxes

301.10 · Real Estate Tax-Current

41.90

Total 301 · Real Property Taxes

41.90

310 · Local Tax Enabling Act

310.10 · Real Estate Transfer Tax

7,374.17

310.20 · Earned Income Tax

310.21 · Earned Income Tax-Current

23,068.50

Total 310.20 · Earned Income Tax

23,068.50

Total 310 · Local Tax Enabling Act	30,442.67
331 · Fines	
331.10 · Court - Magistrate	<u>23.60</u>
Total 331 · Fines	23.60
341 · Interest	
341.01 · Interest on Checking	<u>276.43</u>
Total 341 · Interest	276.43
342 · Interest, Rents & Royalties	
342.53 · Royalties from Cell Tower Rent	<u>1,100.00</u>
Total 342 · Interest, Rents & Royalties	1,100.00
360 · Gen. Govt. Charges for Services	
361 · General Government	
361.88 · Copy Fee	15.00
361.94 · Misc. Billing	275.00
361.97 · Zoning Board Appeal Fee	<u>500.00</u>
Total 361 · General Government	790.00
362 · Public Safety	
362.40 · Protective Inspection Fees	
362.41 · Building Permit	
362.41B · BLDG/Alter/Repair Permit	824.00
362.41D · Driveway Permit	325.00
362.41F · Building Permit Filed	404.00
362.41P · Pool/Hot Tub/Spa Permit	54.00
362.41S · Accessory Struc < 1000 ft	<u>350.00</u>
Total 362.41 · Building Permit	1,957.00
362.42 · Electrical Permit	526.00
362.43 · Plumbing Permit	129.00
362.44 · Sewage Permits (SEO Fees)	<u>2,865.00</u>
Total 362.40 · Protective Inspection Fees	5,477.00
362.99 · Logging/Timber Harvest	<u>100.00</u>
Total 362 · Public Safety	5,577.00
364 · Sanitation	
364.30 · Solid Waste Collection/Disposal	<u>1,122.00</u>
Total 364 · Sanitation	1,122.00
Total 360 · Gen. Govt. Charges for Services	7,489.00
389 · Unclassified Income	20.00
392 · Interfund Operating Transfer	
392.98 · Transfer from SubD/Zoning	<u>256.40</u>
Total 392 · Interfund Operating Transfer	256.40
395 · Refunds of Prior Yr Expenditure	
395.99 · Refunds of Prior Year Exp.	<u>3,132.00</u>
Total 395 · Refunds of Prior Yr Expenditure	3,132.00
Total Income	42,782.00

Expense

400 · General Government	
400.00 · Legislative (Governing) Body	
400.05 · Supervisor Salaries	<u>423.05</u>
Total 400.00 · Legislative (Governing) Body	423.05
403 · Tax Collection	
403.16 · Commission Paid as Compensation	<u>5,582.30</u>
Total 403 · Tax Collection	5,582.30
404 · Solicitor/Legal Services	800.25
405 · Secretary/Clerk	

405.12 · Salary Township Secretary	2,150.97
Total 405 · Secretary/Clerk	2,150.97
406 · Other General Govt. Admin	
406.12 · Salary Full Time Staff	1,991.42
406.21 · Office Supplies	292.91
406.23 · Postage	162.90
406.32 · Communication - Phone/Wireless	694.48
406.42 · Membership/Dues	2,852.65
406.46 · Mtg., Conf.,Cont.Ed.	175.00
406.99 · Payroll	100.50
Total 406 · Other General Govt. Admin	6,269.86
408 · Engineering Services	
408.99 · Township engineer	218.75
Total 408 · Engineering Services	218.75
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	322.76
409.44 · Laundry/Other Sanitary Services	221.40
Total 409 · General Government Bldg&Plants	544.16
Total 400 · General Government	15,989.34
410 · Public Safety	
413 · Code Enforcement	
413.31 · Code enforcement pro. service	3,455.00
413.45 · Contracted Services	116.00
Total 413 · Code Enforcement	3,571.00
414 · Planning & Zoning	
414.33 · Transportation Costs	419.22
414.34 · ZB Advertising, Print, & Bind	85.12
414.42 · Dues, Subscriptions, and Mships	125.00
414.99 · Salary Zoning Officer	3,541.13
Total 414 · Planning & Zoning	4,170.47
419 · Other Public Safety	
419.99 · PA One Call	15.77
Total 419 · Other Public Safety	15.77
Total 410 · Public Safety	7,757.24
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	458.70
426.44 · Sanitation Services	318.00
426.54 · Donation for sanitation usage	250.00
Total 426 · Gen Gov Recycling Col & Dis	1,026.70
Total 420 · Health and Human Services	1,026.70
430 · Public Works Hwy,Rds,Streets	
437 · Repair of Tools & Machinery	
437.99 · Truck Repair	569.90
Total 437 · Repair of Tools & Machinery	569.90
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	9,205.01
438.25 · Repairs & Maint Supplies	2,492.79
438.50 · Reimbursement of purchase	69.45
438.99 · Truck Fuel	1,174.42
Total 438 · Road/Bridge Maint. and Repair	12,941.67
Total 430 · Public Works Hwy,Rds,Streets	13,511.57
450 · Cultlure-Recreation	

454 · GF Parks	
454.15 · Parks part time staff (GF)	70.26
Total 454 · GF Parks	70.26
Total 450 · Culture-Recreation	70.26
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,435.22
481.20 · Employer paid Medicare	335.66
481.30 · Employer paid Unemployment Comp	156.74
483.30 · Non-Uniform Pension Contr.	-3,131.00
Total 481 · Employer paid Taxes	-1,203.38
486 · Insurance	
486.10 · Insurance - Liability	-254.25
Total 486 · Insurance	-254.25
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	10,240.73
487.02 · Life Insurance	40.30
487.03 · Workmans Compensation	1,294.00
Total 487 · Other Group Insurance Benefits	11,575.03
489 · All other unclassified Expenses	
489.39 · Banking Service Charge Fees	40.00
489.98 · Clothing Allowance	44.87
489.99 · EE withholding taxes	5,044.08
Total 489 · All other unclassified Expenses	5,128.95
Total 480 · Misc. Expense	15,246.35

490 · Other Financing Uses-exp	
492 · Interfund Operating Transfer	
492.98 · Transfer to Electric Light Fund	900.00
Total 492 · Interfund Operating Transfer	900.00
Total 490 · Other Financing Uses-exp	900.00

Total Expense	54,501.46
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Net Income	-11,719.46
	Apr 11

Income-LIGHT FUND

392 · Interfund Operating Transfers	
392.01 · Transfer from General Fund	900.00
Total 392 · Interfund Operating Transfers	900.00

Total Income	900.00
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Expense

434 · Street Lighting	
434.36 · Street Lighting Electric	913.86
Total 434 · Street Lighting	913.86

Total Expense	913.86
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Net Income	-13.86
	Apr 11

Other Income/Expense-CAPITAL RESERVE

Other Income	
341.02 · Interest on Savings	317.45
Total Other Income	317.45

Net Other Income	317.45
Net Income	317.45

Apr 11

Income-**LIQUID FUEL FUND**

341.01 · Interest on Checking 111.03

355 · LFF State Shared Revenue

355.02 · Motor Vehicle Fuel Taxes 194,772.60

Total 355 · LFF State Shared Revenue 194,772.60

Total Income 194,883.63

Expense

430 · LFF Public Works

438 · Maint./Repair Roads & Bridges 6,004.17

Total 430 · LFF Public Works 6,004.17

Total Expense 6,004.17

Net Income 188,879.46

Apr 11

Income-**COG FUND**

341.02 · Interest on Savings 21.98

Total Income 21.98

Expense 0.00

Net Income 21.98

Apr 11

Income-**REC FUND**

341.01 · Interest on Checking 8.63

Total Income 8.63

Expense 0.00

Net Income 8.63

Apr 11

Income-**ESCROW FUND**

341.000 · Interest Earnings

341.001 · Interest Earnings/Heintzelman 3.95

Total 341.000 · Interest Earnings 3.95

Total Income 3.95

Expense

492 · Interfund Operating Transfers

492.02 · Transfer to GFMM 256.40

Total 492 · Interfund Operating Transfers 256.40

Total Expense 256.40

Net Income -252.45

Apr 11

Income-**PARK FUND**

342.59 · Rental of Park Facilities 1,760.00

387 · Contributions and Donations 15,000.00

Total Income 16,760.00

Expense

454 · Parks

454.36 · Public Utilities 89.09

454.38 · Rental 247.00

Total 454 · Parks 336.09

Total Expense 336.09

Net Income 16,423.91

Total Income (all accounts) 255,677.64

Total Expense (all accounts)

56,011.76

Net Income(all accounts)

199,665.88

Respectfully Submitted,

Tammy M. White

Tammy M. White
Secretary/Treasurer

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