

**Board of Supervisors**  
**Thursday, June 4th, 2009 @ 6:30 PM**  
**Lynn Twp.-7911 Kings Hgwy., New Tripoli**

**Call to Order:** The re-scheduled 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 31 citizens.

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

**Public Comment:** (1) - Marvin Gruber of 7351 Fort Everett Rd., New Tripoli was present to discuss the Recreation Fee for new development on 2 acres that were subdivided in 1986. Mr. Gruber is asking for an exemption from possibly having to pay REC fees. Marc Fisher will review and let Kevin Deppe know on Monday, June 15, 2009.

**Amusement Tax:** An invitation for public comment was offered in consideration of Ordinance 94-02. No public comment was received. *A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to adopted Ordinance No. 09-02; AN ORDINANCE OF LYNN TOWNSHP, PA REPEALING ORDINANCE NO. 94-1 KNOWN AS THE "ADMISSION TAX ORDINANCE".* David C. Najarian opposed. Motion carried.

**Accept the Minutes and Direct the Treasurer to pay the bills:** *A motion was made by David C. Najarian and seconded by Thomas C. Creighton to accept the minutes from 05/14/09. Motion carried unanimously. A motion was made by Thomas C. Creighton and seconded by David C. Najarian to direct the treasurer to pay the water bill. Kermit E. DeLong recused himself. Motion carried. A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong to direct the treasurer to pay the remaining bills. 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.*

**Subdivisions:** Marian E. Follweiler; waiver request: *A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant a waiver, requested for Lot 2 of the subdivision, from the Lynn Township Subdivision and Land Development Ordinance for Section 425.4 which requires lot length to width ratio @ no greater than 3 to 1. Motion carried unanimously.*

**Park Report:** Richard Matthias, Park Manager, reported for the month of April: (1) installed the rest of the railing at the band shell...but still needs to be painted. (2) Grass cutting & trimming. (3) Helped the road crew and took care of the transfer station due to Stanley Billig's absence. (4) Worked on new locks for the bathrooms at the pavilion because of vandalism. (5) Pulled weeds around the monument and tilled the flower beds between the brick walkway and the sidewalk around the monument. a) Tom Creighton brought up the issue of possible hiring Dennis Snyder part time to help out in Ontelaunee Park due to the absence of Stanley Billig and also possibly Richard Matthias who was hospitalized this week. Kevin Deppe stated that the part time summer help will be available on Friday, June 5, 2009. Dave Najarian stated that the issue of scheduling be left up to the Township Manager and Park Manager. Kevin Deppe will monitor the need for additional part time help for Ontelaunee Park. b) Kermit DeLong suggested that the area that was originally designated for the tennis & basketball courts, be seeded for more soccer fields which would benefit more people. Bruce Raber will look into the cost of topsoil. The BOS were in agreement to move ahead with the multi purpose field.

**Road Report:** Bruce Raber, Roadmaster, reported for the month of April: (1) Two road crew members helped cut grass in Ontelaunee Park. (2) Shoulder paving on eight township roads. (3) Made minor repairs on trucks. *Anticipated work for May:* (1) Finish shoulder paving. (2) Help Weisenberg & Heidelberg Townships with their paving projects. (3) Shoulder mowing. (4) Get roads ready for oil & chip.

**Budget:** Proposal for Lynn Township by Smith & Fager. Managing Partners, Dean Smith and Cheri Fager presented a proposal to identify and recommend opportunities for improvement to the township. Dave Najarian asked Smith & Fager to supply other planning references.

**Car Cruise:** Susan Giralico was present to discuss the plan for the car cruise which is scheduled for Saturday, July 11, 2009 from 5pm to 9pm in Ontelaunee Park. Susan Giralico noted that all proceeds will benefit Ontelaunee Park and that each vendor is required to submit 20% of their income. Dave Najarian suggested that it should be clarified whether or not the 20% requirement is on the gross or net sales of each vendor. Susan Giralico will confirm. Susan Giralico also added that the music will be provided by Jesse White at no cost. In addition to the cruise, Susan Giralico stated the need for a PA system in the future. A Parryville Band has graciously offered to perform for 1 hour on Tuesday, June 20, 2009 from 7pm to 8pm. Sue & Bob Bittenbender, from 7173 Borman Rd., New Tripoli, were present and asked the BOS if they would be able to be a vendor in the park. Kevin Deppe stated that he has not formulated an objective formal application or process. Dave Najarian added that any vendor will need to display their license and dispose of all their trash.

**Pioneer Days:** Richard Metzger confirmed that Crazy Elmer will be performing at Pioneer Days this year. Dave Najarian asked Richard Metzger if Crazy Elmer is in need of sponsors and if so they should contact him.



**Humane Society:** *A motion was made by David C. Najarian and seconded by Thomas C. Creighton to table the issue until we find an alternate no kill shelter. Motion carried unanimously.* Northwestern Press Reporter, Ken Petrini asked the BOS to let him know what we find out. Ken Petrini also added that other entities are also dealing with the issue entailed in the new 2009 agreement.

**Weed Ordinance:** Kevin Deppe stated that he was ok with the final draft of the weed ordinance. The weed ordinance will be sent back to the PC for their review.

**Miscellaneous:** Kevin Deppe reported: (1) Jason Rice from the NYAA is renting the park facilities on 06/11/09 and has requested to have the fees waived. Kevin Deppe stated that the Fire Companies are the only exempt entities and that all other organizations pay. A motion was made by Thomas C. Creighton and seconded by David C. Najarian to waive the fees for the NYAA this one time. Motion carried unanimously. (2) Lynn Township has been reimbursed from DEP \$82,310.57. The amount is less than the amount listed in the application due to cost incurred before planning state date of 03/21/01. However there are 3 billing inquiries that DEP stated did not have sufficient documentation. The Township can either accept the check for \$82,310.57 and close the door or resubmit the documentation for the 3 billing inquiries, which were included in the original application. The additional reimbursement would be \$3,112.00. The BOS agreed to hold the check for \$82,310.57 and resubmit the 3 billing inquiries for reimbursement. (3) Richard Matthias spoke with Kevin Deppe regarding a request for a recorded easement on his driveway waiver. Marc Fisher stated that there was no waiver needed. (4) The townships lawn tractor has been repaired at Kermit Kistler as well as the JD 740 tractor located at the park. Kermit Kistler stated that 50% of repairs on the JD 740 will be covered under warranty and the township will be responsible for 50%. (5) Kevin Deppe addressed concerns by some, that the Township and its BOS have in the past and are currently mismanaging the Townships funds. In 2008 the 116K deficit was not due to excessive spending. The audits show a \$139,992 decrease from 2007 to 2008. This can be attributed partially to a .3 mil tax decrease that was considered by many to be the right thing to do at the time. This was a \$33,377.71 decrease in revenues. The Per Capita tax was also repealed with a net loss of \$12,828.30. Combining these two revenues which total \$46,216.01 played a part in the \$116K deficit. Also looking at the audits of 2007 & 2008, the townships liquid fuels monies in 2007 (monies received from the state) equaled \$205,551.23. In 2008 these funds dropped by \$6,977.70 to total funds received for liquid fuels to \$198,573.53. The zoning office showed a substantial decrease in revenues from \$161,255 in 2007 to \$93,341.00 in 2008, again, a loss of \$67,914.00 on the revenue side of the General Fund and a combined loss in revenues of nearly \$134,000. Expenditures in 2007 totaled \$1,494,610.00 and expenditures in 2008 totaled \$1,550,121.00 and increase of \$55,511.00. Nearly all of this increase in expenditures can be attributed to an increase in costs not directly associated with unnecessary spending but the costs to run the township. From 2007 to 2008 there was increase of \$5.37 per ton in asphalt; \$15.87 per ton of Salt; \$.37 per gal of oil for the roads. (6) Tom Creighton brought up the possibility of hiring Dennis Snyder PT to help Richard Matthias at the Park. Dennis Snyder is an elected auditor of Lynn Township and Marc Fisher will look into the legality issue of Dennis Snyder holding both positions. Note: reference a under Park Report. (7) An email response was received from Joseph Buczynski, Environmental Engineer Manager of DEP in regards to the townships letter dated May 6, 2009. The email stated that confirmation will be needed as to the most cost effective process. Also issues concerning why the cost per user evaluation is only based upon \$2,600,000 and why haven't the best rates been considered. In addition there was concerns if the environmental clearances in the plan "PNDI, PA Fish Commission, PA Game Commission, US Fish and Wildlife and US DOI will cover any additional tankage that will be constructed beyond what was contemplated using the original 537 plan review and also if there is a site plan that shows the plant layout contemplated during the last 537 and how a best MLE process with additional tankage would compare and what are the limits of disturbance for this new process. David Najarian added that the townships support was with the proviso that DEP had no objection and that it is up to the SA to satisfy DEP. Roger Phillips with Gannett Flemming addressed Mr. Buczynski's concerns. Mr. Phillips stated that the costs provided in the study are preliminary estimates and once they are into preliminary design they will have a more accurate numbers to proceed with the selection of the vendor and specific package. Mr. Phillips also added in his response was that the best cost per user would be approximately 11% less, based on numbers in the study. In addition, Mr. Phillips stated that a topographic site survey and wetlands delineation was completed and is in the process of completion of a Phase II bog turtle study. This information is being compiled into a new site plan of the facility. Once the site plan is complete they will be performing the preliminary design to evaluate the size, location, configuration type of facility to be constructed taking into account all potential environmental impacts. The site plan and wetland delineation map will be forwarded when it is completed. (8) *A motion was made by David Najarian and seconded by Thomas C. Creighton to send a donation equal to the cost of the services we used or reflecting the 2008 donation, to the Rural Preservation Association for Cleansweep 2009. Motion carried unanimously.* (9) Dave Najarian announced that the Transfer Station will be closing at 1:00 pm on Saturday, June 6, 2009. (10) Kermit E. DeLong thanked Kevin Deppe for all of his help he does as Township Manager.

**Public Comment:** (1) Greg Snyder commented on the AARC/AQC concerning the overlay in a VC and RR district. Greg Snyder again review his points from a previous BOS meeting concerning the GCGI district and in regards to both the AQCOD and the proposed traffic study discussion ensued between supervisors and himself on this topic.

**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 7:50 pm.*

**As of June 30, 2009**



As of June 30, 2009

Account	Balance
General Fund	412,488.93
Capital Reserve	459,071.20
Zoning/Subdivision	11,751.31
HLLW COG	39,521.29
State Road	84,034.30
Street Light	5,987.63
Park	1,658.15
Recreation	24,293.53
<b>Total</b>	<b>1,038,806.34</b>

Jun 09

Income-~~General Fund~~

301 · Real Property Taxes	
301.10 · Real Estate Tax-Current	65,338.55
301.40 · Delinquent RE Tax-Tax Claim	408.37
301.60 · Real Estate Tax-Interim-Current	2.10
Total 301 · Real Property Taxes	65,749.02
310 · Local Tax Enabling Act	
310.10 · Real Estate Transfer Tax	3,434.30
310.20 · Earned Income Tax	
310.21 · Earned Income Tax-Current	8,300.64
Total 310.20 · Earned Income Tax	8,300.64
310.60 · Amusement /Admissions Tax	
310.62 · Amusement/Admis. - Prior Year	313.52
Total 310.60 · Amusement /Admissions Tax	313.52
Total 310 · Local Tax Enabling Act	12,048.46
331 · Fines	
331.10 · Court - Magistrate	25.85
331.13 · State Police	3,748.60
Total 331 · Fines	3,774.45
342 · Interest, Rents & Royalties	
342.53 · Royalties from Cell Tower Rent	1,100.00
Total 342 · Interest, Rents & Royalties	1,100.00
360 · Gen. Govt. Charges for Services	
361 · General Government	
361.87 · Sale of Maps & Publications	20.00
361.94 · Misc. Billing	24.25
361 · General Government - Other	10.00
Total 361 · General Government	54.25
362 · Public Safety	
362.40 · Protective Inspection Fees	
362.41 · Building Permit	
362.41A · Permit for Ag. Bldg.	85.00
362.41D · Driveway Permit	150.00
362.41K · Deck, Patios, Patio Roof, Porch	254.00
362.41N · Re-inspection	250.00
Total 362.41 · Building Permit	739.00
362.44 · Sewage Permits (SEO Fees)	1,485.00
362.48 · Demolition Permit	100.00
Total 362.40 · Protective Inspection Fees	2,324.00
Total 362 · Public Safety	2,324.00
364 · Sanitation	

364.30 · Solid Waste Collection/Disposal	2,535.50
Total 364 · Sanitation	2,535.50
Total 360 · Gen. Govt. Charges for Services	4,913.75
389 · Unclassified Income	40.00
395 · Refunds of Prior Yr Expenditure	
395.35 · Insurance & Bonding	327.00
395.99 · Refunds of Prior Year Exp.	91,737.57
Total 395 · Refunds of Prior Yr Expenditure	92,064.57
<b>Total Income</b>	<b>179,690.25</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	14,254.88
Total 403 · Tax Collection	14,254.88
404 · Solicitor/Legal Services	959.20
405 · Secretary/Clerk	
405.12 · Salary Township Secretary	2,026.68
Total 405 · Secretary/Clerk	2,026.68
406 · Other General Govt. Admin	
406.12 · Salary Full Time Staff	1,943.18
406.21 · Office Supplies	307.71
406.32 · Communication - Phone/Wireless	403.75
406.34 · Advertising	15.08
406.38 · Rentals	590.14
406.46 · Mtg., Conf., Cont.Ed.	35.00
406.99 · Payroll	212.91
Total 406 · Other General Govt. Admin	3,507.77
408 · Engineering Services	
408.99 · Township engineer	210.00
Total 408 · Engineering Services	210.00
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	317.36
409.44 · Laundry/Other Sanitary Services	303.91
Total 409 · General Government Bldg&Plants	621.27
Total 400 · General Government	21,993.59
410 · Public Safety	
411 · Fire	
411.97 · Lynnport FC Fuel	124.75
411.98 · New Tripoli FC Fuel	257.02
Total 411 · Fire	381.77
412 · Ambulance/Rescue	
412.98 · Fuel	633.97
412.99 · Ambulance/Rescue Expenses	55.34
Total 412 · Ambulance/Rescue	689.31
413 · Code Enforcement	
413.31 · Code enforcement pro. service	2,775.20
Total 413 · Code Enforcement	2,775.20
414 · Planning & Zoning	
414.33 · Transportation Costs	385.00
414.99 · Salary Zoning Officer	3,349.60

Total 414 · Planning & Zoning	3,734.60
419 · Other Public Safety	
419.99 · PA One Call	6.80
Total 419 · Other Public Safety	6.80
Total 410 · Public Safety	7,587.68
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	362.36
426.44 · Sanitation Services	704.64
426.54 · Donation for sanitation usage	250.00
Total 426 · Gen Gov Recycling Col & Dis	1,317.00
Total 420 · Health and Human Services	1,317.00
430 · Public Works Hwy,Rds,Streets	
437 · Repair of Tools & Machinery	
437.99 · Truck Repair	100.50
Total 437 · Repair of Tools & Machinery	100.50
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	8,480.34
438.25 · Repairs & Maint Supplies	1,334.45
438.98 · Twp. paid road maint mat.	393.00
438.99 · Truck Fuel	959.77
Total 438 · Road/Bridge Maint. and Repair	11,167.56
Total 430 · Public Works Hwy,Rds,Streets	11,268.06
450 · Culture-Recreation	
452 · Participant Recreation	
452.15 · Participant Recreation - P/T	708.84
Total 452 · Participant Recreation	708.84
454 · GF Parks	
454.12 · Parks full time staff (GF)	1,628.65
454.15 · Parks part time staff (GF)	838.72
454.33 · Travel Expense	72.33
454.37 · Repairs and Maint. serv (park)	2,231.25
Total 454 · GF Parks	4,770.95
Total 450 · Culture-Recreation	5,479.79
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,812.28
481.20 · Employer paid Medicare	423.84
481.30 · Employer paid Unemployment Comp	140.03
Total 481 · Employer paid Taxes	2,376.15
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	9,023.69
487.02 · Life Insurance	37.50
487.03 · Workmans Compensation	4,801.00
Total 487 · Other Group Insurance Benefits	13,862.19
489 · All other unclassified Expenses	
489.99 · EE withholding taxes	6,477.30
Total 489 · All other unclassified Expenses	6,477.30
Total 480 · Misc. Expense	22,715.64
490 · Other Financing Uses-exp	
491 · Refund of prior year revenues	
491.99 · Refund of Prior yrs Expenditure	26,231.74
Total 491 · Refund of prior year revenues	26,231.74

Total 490 · Other Financing Uses-exp	26,231.74
<b>Total Expense</b>	<b>96,593.50</b>
<b>Net Income</b>	<b>83,096.75</b>
	<u>Jun 09</u>
<b>Income-Light Fund</b>	
383.11 · Street Lighting Tax	5,729.39
<b>Total Income</b>	<b>5,729.39</b>
<b>Expense</b>	
434 · Street Lighting	
434.36 · Street Lighting Electric	752.76
<b>Total 434 · Street Lighting</b>	<b>752.76</b>
<b>Total Expense</b>	<b>752.76</b>
<b>Net Income</b>	<b>4,976.63</b>
	<u>Jun 09</u>
<b>Income-Liquid Fuel Fund</b>	0.00
<b>Expense</b>	
430 · LFF Public Works	
438 · Maint./Repair Roads & Bridges	110,018.00
<b>Total 430 · LFF Public Works</b>	<b>110,018.00</b>
<b>Total Expense</b>	<b>110,018.00</b>
<b>Net Income</b>	<b>-110,018.00</b>
	<u>Jun 09</u>
<b>Income-GOG Fund</b>	0.00
<b>Expense</b>	
437 · Repairs of tools and machinery	201.30
<b>Total Expense</b>	<b>201.30</b>
<b>Net Income</b>	<b>-201.30</b>
	<u>Jun 09</u>
<b>Income-Recreation Fund</b>	
341.01 · Interest on Checking	5.14
<b>Total Income</b>	<b>5.14</b>
<b>Expense</b>	0.00
<b>Net Income</b>	<b>5.14</b>
	<u>Jun 09</u>
<b>Income-Park Fund</b>	
342.59 · Rental of Park Facilities	350.00
387 · Contributions and Donations	150.00
<b>Total Income</b>	<b>500.00</b>
<b>Expense</b>	
454 · Parks	
454.24 · General Supplies	45.48
454.25 · Repairs & Maintenance Supplies	456.86
454.37 · Equipment Repair	420.87
454.98 · Fuel for equipment	46.17
<b>Total 454 · Parks</b>	<b>969.38</b>
<b>Total Expense</b>	<b>969.38</b>
<b>Net Income</b>	<b>-469.38</b>
<b>Total Income (all accounts)</b>	<b>185,924.78</b>
<b>Total Expense (all accounts)</b>	<b>208,534.94</b>

Net Income(all accounts)

-22,610.16

Respectfully Submitted,

*Tammy M. White*

Tammy M. White  
Secretary/Treasurer