

Board of Supervisors
Thursday, July 16th, 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 14 citizens.

Pledge of Allegiance: A moment of silence was held for the passing of township residents Paul Billig and John Hemerly. The Pledge of Allegiance was conducted.

Public Comment: (1) Kermit DeLong announced that there was an executive session held prior to tonight's meeting concerning personnel issues at the Transfer Station. (2) Resident, Robert Sadler commented on a previous comment pertaining to the 2008 deficit. Rob Sadler stated that whether you call it a "deficit spending" or a "deficit income" the BOS has watched over the township during what Mr. Sadler felt was the worst deficit in township history and also noted that to his knowledge, 90% of donations for the Tennis/Basketball courts has been withdrawn. (3) Blake Marles from Steven & Lee stated that the H2O money is available to assist in the sewer plant. Mr. Marles also added that the first round of funding reported 34% were granted and that the group he suggests has a 70% turn around rate. Dave Najarian stated that in order to apply for the H2O monies, a detailed design needs to be submitted and that the application needs to come from the operator of the plant. Sewer Authority Secretary, Marvin Charles stated that at the SA meeting on Tuesday, July 14, 2009 they passed a resolution authorizing their engineer to apply for the grant in August of 2009 and that the design will be far enough along and appropriate to apply for the grant. (4) Resident, Russell Wambold addressed concerns with the vehicle parking on Hoffadeckel Court and the accumulation of garbage on a certain property. Kevin Deppe noted that he spoke with the resident concerning the accumulation of garbage and another about parking on the street. Kevin Deppe will send out enforcement notices to those residents who are still parking illegally on Hoffadeckel Court.

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 06/04/09. 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. 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 Final: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant final approval on the Marian Follweiler subdivision #08-10. Motion carried unanimously. Omega Homes; Penn' View II extension request: A motion was made by David C. Najarian and seconded by Thomas C. Creighton to grant Omega Homes Penn's View II Subdivision an extension thru August 1, 2010. Motion carried unanimously. Marc Fisher brought up the issue that in October of 2009, it will be 3 years since the township has received the first 11K in REC fees, for Penn's View II, and would like to have confirmation as to whether or not the REC fees will remain in possession of the township. Blake Marles stated that he will contact Omega Homes to confirm the REC fees.

Park Report: Richard Matthias, Park Manager, reported for the month of June: (1) Mowed Grass. (2) Collected grass clippings. (3) Weed whacked. (4) Weeded all flower beds several times. (5) Installed hand washing sink purchased and donated by Richard Matthias. (6) Planted flowers around band shell purchased, donated and planted by Barbara Matthias. (7) Installed smoking ash trays at new pavilion. (8) Installed (2) new door locks. (9) Scrubbed kitchen & bathroom floors. (10) Had new UV light installed in water system. (11) Sprayed round up though out the park several times. (12) Kitchen was inspected by the food inspector and passed. (13) Maintenance was done on the hiking trail. (14) Filled pot holes in driveway twice. (15) Started to mulch flower beds and around trees. (16) Conducted regular maintenance on tractors. a) Dave Najarian stated that 4 water tests were taken in the park from well #2 in the park; two passed and 2 did not pass. The 2 tests that did not pass had coliform present. Dave Najarian would like to arrange for the test to be taken on the well using a 2nd opinion and to also have a 2nd opinion on the UV light and entire system. Later in the meeting Eric Andreus, from Nestle Waters, stated that the township may want to contact, Nestle Waters Spring Supervisor, John Leibold to re-evaluate the system, noting that he is knowledgeable in areas of this concern.

Road Report: Bruce Raber, Roadmaster, reported for the month of June: (1) Finished paving projects. (2) Finished oil & chip. (3) Finished shoulder mowing 1st time around. (4) Helped Weisenberg Twp. with shoulder paving. (5) Made minor truck repair. (6) Helped Weisenberg Twp. with oil & chip. (7) Helped Heidelberg Twp. with oil & chip. (8) Helped Lowhill Twp. with oil & chip. Anticipated work for July: (1) Start 2nd round of shoulder mowing. (2) Sweep intersections that where oiled & chipped. (3) Work on dirt roads (mountain roads). (4) Installed 2 to 3 new pipes. a) Kermit DeLong asked Bruce Raber if the township roads were going to be good going into winter. Bruce Raber stated that he would have liked to oil & chip 4 roads that have been previously paved but did not proceed to keep expenditures down. In addition, Bruce Raber would like to see Hoffadeckel Ct. and Stump Rd done. Tom Creighton informed Bruce Raber that there is a

storm grade that is damaged in Emerald Acres. Kevin Deppe also added that the drain pipe on Rabbit Run Rd. may need to be replaced as well as the bridge on Hummingbird. Dave Najarian stated he will look at each area of repair.

Resolution 2009-17: *A motion was made by David C. Najarian and seconded by Thomas C. Creighton to adopt Resolution 2009-17; A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA FOR THE TRANSFER OF UNENCUMBERED MONEYS FROM ONE TOWNSHIP ACCOUNT TO ANOTHER. Motion carried unanimously.*

Memorial Request: Tom Cochrane addressed the BOS for approval to establish a living memorial in memory of his nephew Ian Beecher. The living memorial would consist of planting a tree and erecting a bench around the tree with a 10" x 5" plaque commemorating Ian. Mr. Cochrane has forwarded quotes to the BOS prior to the meeting. *A motion was made by Thomas C. Creighton and seconded by Kermit E. DeLong approving the living memorial for Ian Beecher based on approval of the park manager, Richard Matthias, Kevin Deppe and the REC Commission and that all expenses are paid by the requester. Motion carried unanimously.*

Donations: *A motion was made by David C. Najarian and seconded by Kermit E. DeLong to table the donation for the NW REC Commission. Motion carried unanimously. A motion was made by Kermit E. DeLong and seconded by Thomas C. Creighton to donate 5K to the LPFC and NTFC with disbursement given with receipt of invoices & bills from each of the fire companies; 3K to the NW Rescue Squad; \$500.00 to Night in the Country. 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.* It was noted that both fire companies receive fuel usage from the township. The Ambulance Corp. receives 5K in fuel and is invoiced for anything over the 5K. The Christ's Church at Lowhill Food Pantry received a donation from Lynn Township in May 2009, 2K for their paving project plus 1K for food purchase.

Miscellaneous: Kevin Deppe reported: (1) Band shell railings: The handrails are too high; the guide rails are too low; the ramp has a gap because there is not a footer located under the ramp; there is no ventilation or light for back room. Permits were issued in 2004 but no designs submitted. Kevin Deppe noted that UCC codes were in effect at that time and that the band shell is located in a flood zone but no special exception was needed because it was not a dwelling. The BOS directed Kevin Deppe to figure out the cost to complete repairs to code and include it in the budget. The idea was added that the Rotary Club could be contacted to see if they would be willing to help defer the cost. (2) There are 4 to 5 people currently in the township that do not have the money to pave their driveways required by ordinance. The BOS agreed that notices should be sent to each individual stating that they need to comply with the driveway ordinance. Dave Najarian stated that no waivers will be granted. (3) Kermit DeLong and Tom Creighton agreed to have Keystone Engineers finish out the year with Lynn Township. Dave Najarian would be in favor of appointing a new firm at this point but stated he would be ok with the decision to re-evaluate for 2010. (4) Kermit DeLong announced that he may have someone to complete 1 basketball court, according to our specs, with no charges to the township. Dave Najarian stated that as long as adequate insurance and proper permitting is done there would be no problem. (5) Kevin Deppe as well as the BOS are in favor of seeding the site, that was originally for the basketball/tennis courts, and using it as a multi purpose field. Kevin Deppe stated that he spoke with Eric Andreus from Nestle Water and Nestle will be donating 15K to the park and would be willing to see the 15k used to prepare the multi purpose field. Kevin Deppe also spoke with Buddy Wessner and he would be willing to donate shale (fill) and level at no charge and will also look into prices for topsoil. At this time Eric Andreus from Nestle Water donate 15k for use in the park and to earmark funds for the multi purpose field. The BOS agreed that if someone does fund the basketball court, the court could be relocated else where in the park since the current designated area is going to be turned into a multi purpose field.

Public Comment: (1) Resident, Mel Charles asked if there were going to be "No Parking" signs erected on Hoffadeckel Ct. Dave Najarian stated that an ordinance would be needed and that a list should be compiled including other roads so that there will only need to be one ordinance drafted. (2) Resident, Rob Sadler stated that a regulation soccer field is 110 yards and that the area in question to seed into grass would not make the requirement for regulation size soccer field. (3) Resident, Rob Sadler also added that he feels the township has had a lack of planning and needs to look into a 5 year plan. Dave Najarian stated that a lot of things have been changed and that the township is hopefully getting to the point where a 5 year plan can be done. (4) Resident, Glen Smith stated that the PC has requested a meeting with the BOS to discuss the AQC-OD and felt that there should be an agenda which includes a traffic study plan and also a committee and to also include a prior request from Resident, Greg Snyder to change commercial area to mix use area. Kevin Deppe will organize the meeting. *A motion was made by David C. Najarian and seconded by Thomas C. Creighton to direct Roy Stewart, KCE and Kevin Deppe to provide zoning and engineering comments to Marc Fishers draft AQC-OD. Motion carried unanimously.*

Announcements: Resident, Rob Sadler announced that Richard Snyder will appear before the Zoning Hearing Board on Tuesday, July, 28, 2009.

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 7:53 pm.*

As of July 31, 2009

Account	Balance
General Fund	448,332.15
Capital Reserve	459,885.15
Zoning/Subdivision	10,764.59
HLLW COG	39,547.34
State Road	19,154.21
Street Light	5,869.34
Park	29,344.89
Recreation	25,298.86
Total	1,038,196.53

	<u>Jul 09</u>
Income-GENERAL FUND	
301 - Real Property Taxes	
301.10 - Real Estate Tax-Current	4,033.37
301.40 - Delinquent RE Tax-Tax Claim	265.10
301.60 - Real Estate Tax-Interim-Current	127.96
Total 301 - Real Property Taxes	4,426.43
310 - Local Tax Enabling Act	
310.10 - Real Estate Transfer Tax	6,211.19
310.20 - Earned Income Tax	
310.21 - Earned Income Tax-Current	77,305.36
Total 310.20 - Earned Income Tax	77,305.36
Total 310 - Local Tax Enabling Act	83,516.55
331 - Fines	
331.10 - Court - Magistrate	36.86
331.12 - Violation of Ordinances, Statue	66.60
Total 331 - Fines	103.46
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	
361.30 - Zoning-Subdiv-Land Dev Fees	
361.32 - Fees for Eng., Insp, & Reviews	5,394.03
Total 361.30 - Zoning-Subdiv-Land Dev Fees	5,394.03
361.87 - Sale of Maps & Publications	40.00
361.94 - Misc. Billing	102.00
361.97 - Zoning Board Appeal Fee	500.00
361.99 - Road Improvement Fees	3,467.86
Total 361 - General Government	9,503.89
362 - Public Safety	
362.40 - Protective Inspection Fees	
362.41 - Building Permit	
362.41B - BLDG/Alter/Repair Permit	759.00
362.41D - Driveway Permit	175.00
362.41F - Building Permit Filed	400.00
362.41K - Deck, Patios, Patio Roof, Porch	179.00
362.41P - Pool/Hot Tub/Spa Permit	304.00
362.41R - Renew BLDG, Zone, Plumb	250.00
362.41S - Accessory Struc < 1000 ft	150.00
Total 362.41 - Building Permit	2,217.00
362.42 - Electrical Permit	248.00
362.43 - Plumbing Permit	129.00

362.44 · Sewage Permits (SEO Fees)	1,035.00
Total 362.40 · Protective Inspection Fees	3,629.00
Total 362 · Public Safety	3,629.00
364 · Sanitation	
364.30 · Solid Waste Collection/Disposal	1,946.50
Total 364 · Sanitation	1,946.50
Total 360 · Gen. Govt. Charges for Services	15,079.39
389 · Unclassified Income	20.00
392 · Interfund Operating Transfer	
392.96 · Transfer from the REC	5,000.00
392.98 · Transfer from SubD/Zoning	440.00
Total 392 · Interfund Operating Transfer	5,440.00
395 · Refunds of Prior Yr Expenditure	
395.99 · Refunds of Prior Year Exp.	67.37
Total 395 · Refunds of Prior Yr Expenditure	67.37
Total Income	109,753.20

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	6,293.82
Total 403 · Tax Collection	6,293.82
404 · Solicitor/Legal Services	487.73
405 · Secretary/Clerk	
405.12 · Salary Township Secretary	3,087.64
Total 405 · Secretary/Clerk	3,087.64
406 · Other General Govt. Admin	
406.12 · Salary Full Time Staff	2,886.59
406.21 · Office Supplies	111.98
406.23 · Postage	200.00
406.32 · Communication - Phone/Wireless	421.29
406.34 · Advertising	16.04
406.38 · Rentals	251.70
406.46 · Mtg., Conf., Cont.Ed.	175.00
406.99 · Payroll	169.92
Total 406 · Other General Govt. Admin	4,232.52
408 · Engineering Services	
408.99 · Township engineer	319.75
Total 408 · Engineering Services	319.75
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	339.22
409.44 · Laundry/Other Sanitary Services	725.05
Total 409 · General Government Bldg&Plants	1,064.27
Total 400 · General Government	15,899.52
410 · Public Safety	
411 · Fire	
411.98 · New Tripoli FC Fuel	27.53
411.99 · Fire Company - Miscellaneous	55.34
Total 411 · Fire	82.87
412 · Ambulance/Rescue	
412.54 · Ambulance/Rescue Donations	3,000.00

412.98 · Fuel	440.71
Total 412 · Ambulance/Rescue	3,440.71
413 · Code Enforcement	
413.31 · Code enforcement pro. service	1,701.90
413.45 · Contracted Services	84.00
Total 413 · Code Enforcement	1,785.90
414 · Planning & Zoning	
414.15 · ZHB/PC Salaries	160.00
414.33 · Transportation Costs	312.40
414.34 · ZB Advertising, Print, & Bind	61.80
414.99 · Salary Zoning Officer	5,079.32
Total 414 · Planning & Zoning	5,613.52
419 · Other Public Safety	
419.99 · PA One Call	15.30
Total 419 · Other Public Safety	15.30
Total 410 · Public Safety	10,938.30
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	201.50
426.44 · Sanitation Services	799.82
Total 426 · Gen Gov Recycling Col & Dis	1,001.32
Total 420 · Health and Human Services	1,001.32
430 · Public Works Hwy,Rds,Streets	
437 · Repair of Tools & Machinery	
437.99 · Truck Repair	3,466.34
Total 437 · Repair of Tools & Machinery	3,466.34
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	12,569.87
438.25 · Repairs & Maint Supplies	144.96
438.99 · Truck Fuel	2,054.83
Total 438 · Road/Bridge Maint. and Repair	14,769.66
Total 430 · Public Works Hwy,Rds,Streets	18,236.00
450 · Culture-Recreation	
452 · Participant Recreation	
452.15 · Particioant Recreation - P/T	908.86
452.97 · Northwestern Rec Commission	500.00
Total 452 · Participant Recreation	1,408.86
454 · GF Parks	
454.12 · Parks full time staff (GF)	2,952.53
454.15 · Parks part time staff (GF)	2,604.76
454.33 · Travel Expense	125.46
Total 454 · GF Parks	5,682.75
Total 450 · Culture-Recreation	7,091.61
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	2,487.40
481.20 · Employer paid Medicare	581.73
481.30 · Employer paid Unemployment Comp	299.56
Total 481 · Employer paid Taxes	3,368.69
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	9,023.69
487.02 · Life Insurance	37.50
Total 487 · Other Group Insurance Benefits	9,061.19

489 · All other unclassified Expenses	
489.98 · Clothing Allowance	33.98
439.99 · EE withholding taxes	<u>8,668.95</u>
Total 489 · All other unclassified Expenses	<u>8,702.93</u>

Total 480 · Misc. Expense 21,132.81

490 · Other Financing Uses-exp	
491 · Refund of prior year revenues	<u>171.89</u>
Total 490 · Other Financing Uses-exp	<u>171.89</u>

Total Expense 74,471.45

Net Income 35,281.75

Jul 09

Income-LIGHT FUND

 303.11 · Street Lighting Tax 644.61

Total Income 644.61

Expense

 434 · Street Lighting

 434.36 · Street Lighting Electric 762.90

Total 434 · Street Lighting 762.90

Total Expense 762.90

Net Income -118.29

Jul 09

Income-LIQUID FUEL FUND

0.00

Expense

 430 · LFF Public Works

 438 · Maint./Repair Roads & Bridges 65,107.45

Total 430 · LFF Public Works 65,107.45

Total Expense 65,107.45

Net Income -65,107.45

Jul 09

Income-RECREATION FUND

 341.01 · Interest on Checking 5.33

 367.99 · Rec Fee from Subdivision 6,000.00

Total Income 6,005.33

Expense

 492.98 · Transfer to GFMM 5,000.00

Total Expense 5,000.00

Net Income 1,005.33

Jul 09

Income-ESCROW FUND

0.00

Expense

 414 · Planning and Zoning

 414.87 · Escrow Refunds 555.84

Total 414 · Planning and Zoning 555.84

 492 · Interfund Operating Transfers

 492.02 · Transfer to GFMM 440.00

Total 492 · Interfund Operating Transfers 440.00

Total Expense 995.84

Net Income -995.84

Jul 09

Income-PARK FUND

342.59 · Rental of Park Facilities	980.00
351 · Fed Capital & Operating Grants	
351.07 · Culture-Recreation	<u>12,620.00</u>
Total 351 · Fed Capital & Operating Grants	<u>12,620.00</u>
387 · Contributions and Donations	<u>15,329.98</u>
Total Income	<u>28,929.98</u>
Expense	
454 · Parks	
454.24 · General Supplies	156.05
454.25 · Repairs & Maintenance Supplies	797.81
454.36 · Public Utilities	68.98
454.37 · Equipment Repair	150.58
454.38 · Rental	<u>76.00</u>
Total 454 · Parks	<u>1,249.42</u>
Total Expense	<u>1,249.42</u>
Net Income	<u>27,680.56</u>
Total Income (all accounts)	<u>145,333.12</u>
Total Expense (all accounts)	<u>147,587.06</u>
Net Income(all accounts)	<u><u>-2,253.94</u></u>

Respectfully Submitted,

Tammy M. White
 Tammy M. White
 Secretary/Treasurer