

Board of Supervisors
Thursday, August 11th, 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, NW Press Reporter Elsa Kerschner, and approximately 8 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 Kermit E. DeLong and seconded by David C. Najarian to accept the minutes from 07/14/11. Motion carried unanimously. A motion was made by David C. Najarian and seconded by Brian C. Dietrich to pay all the bills except the Horwith fuel bill. Kermit E. DeLong abstained from the motion. 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. Motion carried. 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.

Subdivisions: NW Self Storage extension request: A motion was made by David C. Najarian and seconded by Kermit E. DeLong granting an extension thru the October BOS meeting to confirm all requirements and conditions still outstanding in regards to this land development plan. Motion carried unanimously. **Penn's View II - Recreation Fees - Refund Request:** Confirmation was received that Penn's View II will not be withdrawing their plan. A motion was made by David C. Najarian and seconded by Brian C. Dietrich to release 24K in recreation fees back to Penn's View II subject to the townships original conditions of approval and without waiving the right to collect the appropriate amount of REC fees as per the conditional final approval. Motion carried unanimously.

Road Report: Road Master Bruce Raber reported for the month of July: (1) Loaded and hauled away 2 loads of scrap metal; 1st load \$304.80 - 2nd load \$333.60. (2) Cut grass and cleaned up around the recycling center. (3) Installed pipe. (4) Sanded, primed, and painted one salt spreader. (5) Swept some roads that were oiled and chipped. (6) Re-graded 2 dirt roads, Sweitz and Milo, and also worked on spots of Miller, Memory and Hummingbird. (7) Made some repairs in Ponderosa Ct. by mailboxes and the edges of the road. (8) Started 2nd round of should mowing. **Anticipated work for August:** (1) Continue shoulder mowing. (2) set up for night in the country. (3) Work on 1 or 2 more dirt roads.

Tax Collectors' Convention: A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich authorizing the attendance of Linda Tyson to the Tax Collectors' Convention on October 7-8, 2011 capping the cost of rooming to 2 nights. Motion carried unanimously.

Resolution 2011-18: A motion was made by Kermit E. DeLong and seconded by David C. Najarian approving Resolution 2011-18: **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. The motion was for Subdivision #11-03 Miller Road Farms #4.

Ordinance 2011-04: Lengthy discussion was held on Ordinance 2011-04. A motion was made by David C. Najarian and seconded by Kermit E. DeLong approving Ordinance 2011-04 with amendment to page two number 2; **AN ORDINANCE OF LYNN TOWNSHIP, PA AMENDING THE LYNN TOWNSHIP ZONING ORDINANCE TO PROVIDE FOR THE CREATION OF A MIXED USE RESIDENTIAL NEIGHBORHOOD OVERLAY ZONING DISTRICT ("MURN-OD") UPON THE GENERAL COMMERCIAL/GENERAL INDUSTRIAL ("GCGI") ZONING DISTRICT; ESTABLISHING A USE TO BE KNOWN AS A MIXED USE RESIDENTIAL NEIGHBORHOOD ("MURN"); PROVIDING CERTAIN DEFINITIONS; ESTABLISHING CERTAIN USES WITHIN A MURN; ESTABLISHING DWELLING TYPES, DIMENSIONAL REQUIREMENTS AND PERFORMANCE STANDARDS FOR IMPROVEMENTS AND FACILITIES SERVING A MURN; AND ESTABLISHING GUIDELINES FOR FUTURE AMENDMENTS TO THE LYNN TOWNSHIP ZONING MAP TO PERMIT THE DEVELOPMENT OF MIXED USE RESIDENTIAL NEIGHBORHOODS WITHIN THE MURN-OD.** Motion carried unanimously.

Ordinance 2011-05: A motion was made by Kermit E. DeLong and seconded by David C. Najarian approving Ordinance 2011-05; **AN ORDINANCE RE-ENACTING, RESTATING AND AMENDING ITS EARNED INCOME TAX ORDINANCE/RESOLUTION TO ESTABLISH CONFORMITY WITH THE LOCAL TAX ENABLING ACT AS AMENDED BY ACT 32 OF JULY 2, 2008.** Motion carried unanimously.

Conveyance Agreement (Lynn Township Sewer System): A motion was made by Kermit E. DeLong and seconded by David C. Najarian to extend the time for the execution of the agreement with LCA and Lynn Township thru October 30, 2011. Motion carried unanimously. Solicitor Marc Fisher noted that a final agreement will be ready for the October 13th BOS meeting.

Peaceable Kingdom: Peaceable Kingdom supplies each township with a breakdown of surgeries performed on cats that have been collected or brought in. Lynn Township had a total of 109 surgeries. Peaceable Kingdom had received a

grant in 2010 to help subsidize the spay/neuter activities, however the grant expired on June 30 and covered 1000 cats, so the grant did not cover all the costs. Peaceable Kingdom has ask Lynn Township to consider making a donation to help pay for a portion of the costs of the 109 cats from Lynn Township not covered by the grant. The BOS directed that Peaceable Kingdom be contacted for documentation of the 109 cats and upon receipt of the information the BOS will consider a donation.

Managers Report: *Kevin Deppe, Township Manager, reported: (1) Part time employee, Ryan King has returned to college and the Park is still in need of maintenance. The BOS directed that we advertise for part time help and to have a list of a couple part time employees to be used as back up. (2) Kevin Deppe has been looking at zero turn mowers and collecting prices. The BOS decided that we should wait till closer to the end of the year to see where we are financially and then possibly purchase a mower. Kermit DeLong stated that our current part time employee, Andrew Foulk would be willing to do the maintenance in the park @ \$15.00/hr., using his own equipment and gas.*

Miscellaneous: *(1) Brian Dietrich reported that Heidelberg Township will be taking over the hiring of the REC field maintenance employee. (2) Bank Barn: Marc Fisher noted that at this time there is no application and that the previous application was withdrawn in writing and that Kevin Deppe as BCO has the right to deny the application and that the BOS also has a right to intervene. A motion was made by David C. Najarian and seconded by Brian C. Dietrich, reflecting the solicitors comments, that an application needs to be provided which will indicate that the bank barn will not be used for public occupancy as stated in the December 9, 2010 BOS meeting and the that if the BCO denies the application, and if the Historical Society appeals it then the BOS will be authorized to appear before the Building Code of Appeal in support of the appeal. Motion carried unanimously. Also noted was that there are currently four members on the Building Code of Appeals Board with one vacancy remaining. The BOS also stated that if they were to use council, they would have to use the conflict council, John O. Stover Jr. and if the Historical Society would decide that they would want council, they would have to seek their own legal council as well as BCO, Kevin N. Deppe. (3) Bruce Raber stated that he will be cleaning out the Quonset hut to make room for the paver and that there are approximately 10 burning barrels. The BOS directed Bruce Raber to sell them at \$10 a piece. The roof to the Quonset hut also needs to be re-coated. The BOS directed Bruce to obtain the materials necessary to repair the roof.*

Public Comment: None

Announcements: Night in the Country is scheduled for Saturday, August 20, 2011 with a rain date of Sunday, August 21, 2011.

Adjournment: *A motion was made by David C. Najarian and seconded by Kermit E. DeLong to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:35 pm.*

As of August 31, 2011

| Account | Balance |
|--------------------|---------------------|
| General Fund | 557,060.78 |
| Capital Reserve | 5,277.93 |
| CD's | 470,000.00 |
| Zoning/Subdivision | 14,872.47 |
| HLLW COG | 49,725.99 |
| State Road | 63,743.59 |
| Street Light | 4,157.85 |
| Park | 26,947.45 |
| Recreation | 460.34 |
| Total | 1,192,246.40 |

Aug 11

Income-GENERAL FUND

| | |
|--|------------------|
| 301 • Real Property Taxes | |
| 301.10 • Real Estate Tax-Current | 3,185.90 |
| 301.40 • Delinquent RE Tax-Tax Claim | 212.75 |
| Total 301 • Real Property Taxes | 3,398.65 |
| 310 • Local Tax Enabling Act | |
| 310.10 • Real Estate Transfer Tax | 2,628.85 |
| 310.20 • Earned Income Tax | |
| 310.21 • Earned Income Tax-Current | 38,674.55 |
| Total 310.20 • Earned Income Tax | 38,674.55 |
| Total 310 • Local Tax Enabling Act | 41,303.40 |
| 321 • Business Licenses and Permits | |
| 321.80 • Cable Television Franchise | 11,682.00 |
| Total 321 • Business Licenses and Permits | 11,682.00 |

331 ·
Fines

331.10 · Court - Magistrate 393.95

Total 331 · Fines 393.95

342 · Interest, Rents & Royalties

342.53 · Royalties from Cell Tower Rent 1,100.00

Total 342 · Interest, Rents & Royalties 1,100.00

355 · Shared Revenue & Entitlements

355.04 · Alcoholic Beverage Licenses 600.00

Total 355 · Shared Revenue & Entitlements 600.00

356 · State Payments in Lieu of Taxes

356.02 · Game Commission 1,992.66

356.10 · Fish & Boat 2006 In-Lieu of Tax 222.00

Total 356 · State Payments in Lieu of Taxes 2,214.66

360 · Gen. Govt. Charges for Services

361 · General Government

361.87 · Sale of Maps & Publications 20.00

361.88 · Copy Fee 2.50

361.94 · Misc. Billing 296.50

361.97 · Zoning Board Appeal Fee 500.00

Total 361 · General Government 819.00

362 · Public Safety

362.40 · Protective Inspection Fees

362.41 · Building Permit

362.41B · BLDG/Alter/Repair Permit 408.00

362.41F · Building Permit Filed 300.00

362.41K · Deck, Patios, Patio Roof, Porch 154.00

362.41P · Pool/Hot Tub/Spa Permit 104.00

362.41S · Accessory Struc < 1000 ft 270.00

362.41 · Building Permit - Other 100.00

Total 362.41 · Building Permit 1,336.00

362.42 · Electrical Permit 124.00

362.44 · Sewage Permits (SEO Fees) 385.00

362.40 · Protective Inspection Fees - Other 2,590.00

Total 362.40 · Protective Inspection Fees 4,435.00

362.99 · Logging/Timber Harvest 100.00

Total 362 · Public Safety 4,535.00

364 · Sanitation

364.30 · Solid Waste Collection/Disposal 1,569.60

Total 364 · Sanitation 1,569.60

Total 360 · Gen. Govt. Charges for Services 6,923.60

392 · Interfund Operating Transfer

392.98 · Transfer from SubD/Zoning 418.75

Total 392 · Interfund Operating Transfer 418.75

Total Income 68,035.01

Expense

400 · General Government

400.00 · Legislative (Governing) Body

400.05 · Supervisor Salaries 423.05

Total 400.00 · Legislative (Governing) Body 423.05

403 · Tax Collection

403.16 · Commission Paid as Compensation 1,402.15

Total 403 · Tax Collection 1,402.15

404 · Solicitor/Legal Services 1,483.91

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| 405 · Secretary/Clerk | |
| 405.12 · Salary Township Secretary | 2,109.49 |
| Total 405 · Secretary/Clerk | 2,109.49 |
| 406 · Other General Govt. Admin | |
| 406.12 · Salary Full Time Staff | 1,986.51 |
| 406.21 · Office Supplies | 983.80 |
| 406.23 · Postage | 34.49 |
| 406.32 · Communication - Phone/Wireless | 526.30 |
| 406.34 · Advertising | 256.04 |
| 406.38 · Rentals | 717.11 |
| 406.99 · Payroll | 187.90 |
| Total 406 · Other General Govt. Admin | 4,692.15 |
| 408 · Engineering Services | |
| 408.99 · Township engineer | 1,199.39 |
| Total 408 · Engineering Services | 1,199.39 |
| 409 · General Government Bldg&Plants | |
| 409.36 · Public Utility Services (TWP) | 382.70 |
| 409.37 · Repairs and Maint. | 60.00 |
| 409.44 · Laundry/Other Sanitary Services | 404.93 |
| Total 409 · General Government Bldg&Plants | 847.63 |
| Total 400 · General Government | 12,157.77 |
| 410 · Public Safety | |
| 411 · Fire | |
| 411.97 · Lynnport FC Fuel | 86.08 |
| 411.98 · New Tripoli FC Fuel | 840.89 |
| Total 411 · Fire | 926.97 |
| 412 · Ambulance/Rescue | |
| 412.98 · Fuel | 846.31 |
| Total 412 · Ambulance/Rescue | 846.31 |
| 413 · Code Enforcement | |
| 413.31 · Code enforcement pro. service | 6,238.50 |
| Total 413 · Code Enforcement | 6,238.50 |
| 414 · Planning & Zoning | |
| 414.15 · ZHB/PC Salaries | 120.00 |
| 414.33 · Transportation Costs | 885.22 |
| 414.98 · Zoning Recording/Transcription | 315.00 |
| 414.99 · Salary Zoning Officer | 3,498.63 |
| Total 414 · Planning & Zoning | 4,818.85 |
| 419 · Other Public Safety | |
| 419.99 · PA One Call | 19.92 |
| Total 419 · Other Public Safety | 19.92 |
| Total 410 · Public Safety | 12,850.55 |
| 420 · Health and Human Services | |
| 426 · Gen Gov Recycling Col & Dis | |
| 426.15 · Transfer/Recycle Salaries | 516.20 |
| 426.44 · Sanitation Services | 892.00 |
| Total 426 · Gen Gov Recycling Col & Dis | 1,408.20 |
| Total 420 · Health and Human Services | 1,408.20 |
| 430 · Public Works Hwy,Rds,Streets | |
| 438 · Road/Bridge Maint. and Repair | |
| 438.14 · Salaries for Road Maint | 8,762.31 |
| 438.25 · Repairs & Maint Supplies | 769.32 |
| 438.98 · Twp. paid road maint mat. | 1,236.93 |

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| 438.99 · Truck Fuel | 1,290.34 |
| Total 438 · Road/Bridge Maint. and Repair | 12,058.90 |
| Total 430 · Public Works Hwy,Rds,Streets | 12,058.90 |

450 · Culture-Recreation

454 · GF Parks

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| 454.15 · Parks part time staff (GF) | 669.23 |
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| Total 454 · GF Parks | 669.23 |
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| Total 450 · Culture-Recreation | 669.23 |
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480 · Misc. Expense

481 · Employer paid Taxes

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| 481.10 · Employer paid FICA | 1,499.37 |
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| 481.20 · Employer paid Medicare | 350.66 |
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| 481.30 · Employer paid Unemployment Comp | 147.27 |
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| 483.30 · Non-Uniform Pension Contr. | 8,664.85 |
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| Total 481 · Employer paid Taxes | 10,662.15 |
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487 · Other Group Insurance Benefits

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| 487.01 · Health Insurance | 10,240.73 |
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| 487.02 · Life Insurance | 40.30 |
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| Total 487 · Other Group Insurance Benefits | 10,281.03 |
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489 · All other unclassified Expenses

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| 489.99 · EE withholding taxes | 5,110.40 |
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| Total 489 · All other unclassified Expenses | 5,110.40 |
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| Total 480 · Misc. Expense | 26,053.58 |
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| Total Expense | 65,198.23 |
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| Net Income | 2,836.78 |
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Aug 11

Income-LIGHT FUND

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| 383.11 · Street Lighting Tax | 343.17 |
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| Total Income | 343.17 |
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Expense

434 · Street Lighting

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| 434.36 · Street Lighting Electric | 906.08 |
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| Total 434 · Street Lighting | 906.08 |
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| Total Expense | 906.08 |
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| Net Income | -562.91 |
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Aug 11

Income-LIQUID FUEL FUND

0.00

Expense

430 · LFF Public Works

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| 438 · Maint./Repair Roads & Bridges | 6,531.14 |
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| 439 · HW Construction/Rebuilding Proj | 84.80 |
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| Total 430 · LFF Public Works | 6,615.94 |
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| Total Expense | 6,615.94 |
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| Net Income | -6,615.94 |
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Aug 11

Income-COG FUND

342.40 · Rent of Machinery and Equipment

2,566.40

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| Total Income | 2,566.40 |
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| Expense | 0.00 |
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| Net Income | 2,566.40 |
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| | <u>Aug 11</u> |
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| Income-REC FUND | |
| 367.99 · Rec Fee from Subdivision | 24,000.00 |
| Total Income | 24,000.00 |
| Expense | 0.00 |
| Net Income | 24,000.00 |
| | <u>Aug 11</u> |
| Income-SUBDIVISION ESCROW FUND | |
| 361 · General Government | |
| 361.96 · Subdivision Escrow Deposit | 700.00 |
| Total 361 · General Government | 700.00 |
| Total Income | 700.00 |
| Expense | |
| 492 · Interfund Operating Transfers | |
| 492.02 · Transfer to GFMM | 418.75 |
| Total 492 · Interfund Operating Transfers | 418.75 |
| Total Expense | 418.75 |
| Net Income | 281.25 |
| | <u>Aug 11</u> |
| Income-PARK FUND | |
| 342.59 · Rental of Park Facilities | 200.00 |
| 351 · Fed Capital & Operating Grants | |
| 351.07 · Culture-Recreation | -2,100.00 |
| Total 351 · Fed Capital & Operating Grants | -2,100.00 |
| 387 · Contributions and Donations | -3,282.18 |
| Total Income | -5,182.18 |
| Expense | |
| 454 · Parks | |
| 454.24 · General Supplies | 1,392.00 |
| 454.25 · Repairs & Maintenance Supplies | 507.95 |
| 454.36 · Public Utilities | 21.65 |
| 454.38 · Rental | 76.00 |
| Total 454 · Parks | 1,997.60 |
| Total Expense | 1,997.60 |
| Net Income | -7,179.78 |
| Total Income (all accounts) | 42,462.40 |
| Total Expense (all accounts) | 75,136.60 |
| Net Income(all accounts) | 32,674.20 |

Respectfully Submitted,

Tammy M. White
 Tammy M. White
 Secretary/Treasurer