

Board of Supervisors
Thursday, September 13th, 2012 @ 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 Kermit E. DeLong, at 6:30 pm in the Municipal Building. Present were Chairman Kermit E. DeLong, Vice Chairman Justin N. Smith, Member Brian C. Dietrich, Zoning Officer Kevin N. Deppe (absent), Secretary/Treasurer Tammy M. White, Road Master Bruce Raber, Solicitor Marc Fisher, NW Press Reporter Elsa Kerschner, and approximately 11 citizens.

Pledge of Allegiance: The Pledge of Allegiance was conducted.

Public Comment: (1) Resident David Najarian stated to the BOS that recently there was a record request for copies of Statement of Financial Interest forms for 2 individuals (names stated later in the meeting) one being Vice Chairman Justin Smith and the other being ZHB member Steve Feinour. The records request was given to requester Scott Feinour, but certain items of information were redacted. After lengthy discussion, Mr. Najarian asked the BOS, who instructed Open Records Officer Kevin Deppe to redact certain items on the statement of financial interest copies? Solicitor Marc Fisher stated that Kevin Deppe consulted with him regarding the records request and Marc Fisher stated that to his knowledge the information should be redacted so he directed Kevin Deppe to redact the information that was redacted. Marc Fisher added that the records request was appealed to the PA Office of Open Records by the requestor. The PA Office of Open Records responded with their final determination that the appeal must be granted and that Lynn Township is required to fill the records request without any redactions. Marc Fisher added that the information has been released to the requester. (2) Resident David Najarian also stated that he doesn't understand why the Township does not record their BOS meetings, and that he feels the meetings should be recorded. Justin Smith added that he doesn't care if anyone sees his Statement of Financial Interest form and that they will be discussing the recording of meetings later. (3) Resident David Najarian also suggested to the BOS that they may want to invite LCA to a BOS meeting to discuss with them what kind of savings there have been. Mr. Najarian stated that he has seen LCA around the township lifting manhole covers. (4) Resident David Najarian questioned if an audit has been performed on the SA for the last 6 months. Solicitor Marc Fisher stated that the SA is not completely dissolved at this point. (5) Resident Joe Tetz was present and asked the BOS to be patient regarding the removal of the trailers on his property. In March of 2011 Mr. Tetz was directed to remove all trucks/trailer bodies used for storage within 60 days. The issue was not complied with and in October 2011 Mr. Tetz was taken to the magistrate. In January of 2012 the BOS granted Mr. Tetz an extension of time to bring the property into compliance. The deadline for compliance was extended to August 1, 2012. The trailers have not been moved as of August 1, 2012. Mr. Tetz again stated during the meeting that he is in the process of removing them. The BOS along with Solicitor Marc Fisher called an executive session @ 6:39pm to discuss the litigation. The BOS & Solicitor returned from executive session at 6:49pm. Marc Fisher asked Mr. Tetz how many trailers remain on the property. Mr. Tetz stated that he had 5 trailers and that he will have them moved by the end of next week (9/22/12). Mr. Tetz stated that 4 of the trailers had straw/hay in them and the 5th trailer held funeral carriages. Mr. Tetz added that as soon as the trailers are gone he is bringing Zettlemoyer (auctioneer) in and he will be auctioning everything off and then he will be out of the townships hair. The BOS along with the Solicitor Marc Fisher returned to an executive session at 6:50pm. The BOS & Marc Fisher returned from the executive session at 6:53pm. The BOS told Mr. Tetz that they will consider the information but where not going to act on it at tonight's meeting.

Accept the Minutes and Direct the Treasurer to pay the bills: *A motion was made by Brian C. Dietrich and seconded by Justin N. Smith to accept the minutes from 08/09/12. Motion carried unanimously. A motion was made by Brian D. Dietrich and seconded by Justin N. Smith to direct the treasurer to pay the bills. Kermit E. DeLong abstained from the motion because there was a water bill. Motion carried.*

Fire Company reports: Fire Chief Peter Christ from NTFC reported that there have been 12 calls since the last BOS meeting; 108 Calls to date. Mr. Christ also stated that he would like if the township could check with the NW Medical Center regarding Hepatitis B shots. The Township assumes payment for the Fire Companies and Ambulance volunteers. Mr. Christ also asked the BOS for clarification on the Burn Ordinance and what is expected from the Fire Companies. The BOS informed Mr. Christ that they will check with Kevin Deppe regarding the ordinance and get back to him at the next BOS meeting on 10/11/12.

Subdivisions: Greg Snyder Preliminary: *A motion was made by Brian C. Dietrich and seconded by Justin N. Smith granting Preliminary approval. Motion carried unanimously. The planning modules are to be reviewed by the PC at their 9/18/12 meeting. The planning module will then come to the BOS for approval.*

Road Report: *Road Master Bruce Raber reported for the month of August:* (1) Finished 2nd round of should mowing. (2) Re-graded some of the dirt road due to heavy rains. (3) Filled pot holes on dirt roads and black top roads. (4) Worked at Rec Fields setting up for night in the country and then took everything down. (5) Cut and cleaned up trees that came down from wind and rain. (6) Cleaned out all storm boxes. (7) Cut and weed wacked the grass at recycling center. (8) Installed a new 36" x 40" plastic pipe on Springhouse Road. (9) Replaced and repaired some road name signs and stop signs. (10) Hauled a load of old metal pipes that were replaced with new plastic pipe to the scrap yard=\$135.00; load from recycling center=\$82.80; Aluminum cans=\$210.00. (11) Picked up a new air compressor 5hp @ \$849.00. (12) Installed

a new 18" x 40" Plastic pipe on Springhouse Rd. Anticipated work for September: (1) Fix 1 or 2 dirt roads. (2) Maybe recoat shop roof if BOS approved. The BOS directed Bruce Raber to move forward with recoating the shop roof. (3) Start Tree trimming.

Resolution 2012-16: A motion was made by Brian C. Dietrich and seconded by Justin N. Smith to adopt resolution 2012-16; A RESOLUTION TO 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. The resolution was for the Smith/Hartman Subdivision.

2013 MMO: A motion was made by Justin N. Smith and seconded by Brian C. Dietrich authorizing the 2013 MMO.

Trick or Treat Night: The board set Trick or Treat night for Saturday, October 27, 2012 from 6 pm to 8pm.

Managers' Report: Kevin Deppe, Township Manager, reported: (1) Picnic Pavilion: The installation of the new 14' x 20' picnic pavilion in the park has been completed and the tables have been installed. Recently purchased playground equipment has also been installed. (2) Budget: How much money does the BOS wish to budget for the park? The 2013 Budget has been started and there will be a meeting on Wednesday, September 26, 2012 at 6pm further discussion will be held regarding the budget for the park. (3) Security System: Repairs to the security system have been started. The installation site of the new camera has not been determined. It should be completed soon. (4) Codification Meeting Date: The BOS stated that Wednesday, October 3, 2012 at 6:30 is good for the next meeting. Tammy White will check with Roy Stewart to confirm the date and the advertisement will be sent to the Press. (5) Complaints: Justin Smith stated that he has been receiving complaints from residents regarding properties that are in need of clean up. The BOS stated that they are going to direct Kevin Deppe to start the process of sending letters to the properties in violation.

Miscellaneous: (1) Bruce Raber: Road Master Bruce Raber informed the BOS that he doesn't think the contractors from the Leaser Lake Dam project plan on returning to fix the roads that were damaged while the lake was under construction. The BOS stated they would check with Kevin Deppe regarding any ordinance or resolution that would require them to fix the roads. Bruce Raber also added that the same issue occurs on roads when contractors are logging. (2) Kermit DeLong: Kermit DeLong stated that there was vandalism at the Park to the see saw and teeter totter. Kermit DeLong also brought up the issue of possibly having electric at the Transfer Station. The BOS will have Kevin Deppe check into the cost of having electric run to the transfer station. (3) Brian Dietrich: Discussion was held regarding the speed study that was conducted on Autumn Road and if the township or the developer was responsible for costs incurred. Resident Greg Snyder stated he only requested a waiver for the driveway. Mr. Snyder also stated that he does not consider himself a developer even though there are people who would. Autumn Road currently is not marked with a speed limit which by state law makes the speed limit on the road 55mph. Solicitor Marc Fisher stated that it goes back to who requested the speed study. Kermit DeLong suggested that the BOS wait to make a decision until Kevin Deppe is present; Brian Dietrich stated he was ready to move ahead with the decision. Justin Smith stated that in this case he feels Greg Snyder's driveway is not the reason for the speed study. A motion was made by Brian C. Dietrich and seconded by Justin N. Smith to direct the Solicitor Marc Fisher to move ahead with the ordinance to change the speed limit and also for the Township to incur the costs involved. Motion carried unanimously. (4) Justin Smith: A motion was made by Justin N. Smith and seconded by Brian C. Dietrich that the township will begin to record the BOS meetings. Motion carried unanimously. The BOS added that the recording of the minutes will not take place immediately due to the fact that a compatible recorder needs to be purchased. Secretary/Treasurer Tammy White stated that she had concerns about residents comparing recorded minutes to the written minutes. Marc Fisher stated that the townships written minutes are the official minutes and that written minutes need only include decisions and motions on agenda items. The written minutes will not be reflective of the recorded minutes only for the decisions and motions. Another issue that the BOS needs to address is when the recorded minutes become available to the public. Marc Fisher stated he would look into the issues and report back to the BOS. The BOS will have further discussion regarding the recording of the minutes. Justin Smith also thanked the road crew for their work in helping with Night in the Country.

Public Comment: Resident Russell Wambold stated to the BOS that there is spot lights out in the park.

Announcements: Pioneer Days will be Saturday, October 6, 2012 in Ontelaunee Park.

Adjournment: A motion was made by Justin N. Smith and seconded by Brian C. Dietrich to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:32 pm.

As of September 30, 2012

Account	Balance
General Fund	691,699.23
Capital Reserve	5,303.31
CD's	470,754.04
Zoning/Subdivision	17,921.82
HLLW COG	50,648.80
State Road	80,681.60
Street Light	3,616.82
Park	9,713.61

Recreation	5,931.69
Total	1,336,270.92

	<u>TOTAL</u>
Income-GENERAL FUND	
301 · Real Property Taxes	
301.10 · Real Estate Tax-Current	1,219.09
301.40 · Delinquent RE Tax-Tax Claim	228.84
Total 301 · Real Property Taxes	1,447.93
310 · Local Tax Enabling Act	
310.10 · Real Estate Transfer Tax	7,499.45
310.20 · Earned Income Tax	
310.21 · Earned Income Tax-Current	30,348.78
310.20 · Earned Income Tax - Other	10,691.63
Total 310.20 · Earned Income Tax	41,040.41
Total 310 · Local Tax Enabling Act	48,539.86
331 · Fines	
331.12 · Violation of Ordinances, Statue	20.12
Total 331 · Fines	20.12
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	
355.06 · Suppl State Pension Assistance	25,032.76
355.99 · Fire Relief Account	28,475.66
Total 355 · Shared Revenue & Entitlements	53,508.42
356 · State Payments in Lieu of Taxes	
356.02 · Game Commission	1,992.66
Total 356 · State Payments in Lieu of Taxes	1,992.66
360 · Gen. Govt. Charges for Services	
361 · General Government	
361.30 · Zoning-Subdiv-Land Dev Fees	
361.32 · Fees for Eng., Insp, & Reviews	125.53
Total 361.30 · Zoning-Subdiv-Land Dev Fees	125.53
361.87 · Sale of Maps & Publications	40.00
361.94 · Misc. Billing	14.05
361.97 · Zoning Board Appeal Fee	1,000.00
Total 361 · General Government	1,179.58
362 · Public Safety	
362.40 · Protective Inspection Fees	
362.41 · Building Permit	
362.41A · Permit for Ag. Bldg.	150.00
362.41B · BLDG/Alter/Repair Permit	708.00
362.41F · Building Permit Filed	600.00
362.41N · Re-inspection	605.00
362.41S · Accessory Struc < 1000 ft	75.00
Total 362.41 · Building Permit	2,138.00
362.42 · Electrical Permit	302.00
362.44 · Sewage Permits (SEO Fees)	1,200.00
Total 362.40 · Protective Inspection Fees	3,640.00
Total 362 · Public Safety	3,640.00
364 · Sanitation	
364.30 · Solid Waste Collection/Disposal	1,304.20
Total 364 · Sanitation	1,304.20

Total 360 · Gen. Govt. Charges for Services	6,123.78
392 · Interfund Operating Transfer	
392.98 · Transfer from SubD/Zoning	<u>400.22</u>
Total 392 · Interfund Operating Transfer	400.22
Total Income	113,132.99

Expense

400 · General Government	
400.00 · Legislative (Governing) Body	
400.05 · Supervisor Salaries	<u>423.18</u>
Total 400.00 · Legislative (Governing) Body	423.18
403 · Tax Collection	
403.16 · Commission Paid as Compensation	<u>63.40</u>
Total 403 · Tax Collection	63.40
404 · Solicitor/Legal Services	1,624.65
405 · Secretary/Clerk	
405.12 · Salary Township Secretary	<u>2,140.97</u>
Total 405 · Secretary/Clerk	2,140.97
406 · Other General Govt. Admin	
406.12 · Salary Full Time Staff	1,985.44
406.21 · Office Supplies	-169.89
406.23 · Postage	287.49
406.32 · Communication - Phone/Wireless	743.78
406.34 · Advertising	54.20
406.38 · Rentals	263.50
406.99 · Payroll	<u>218.85</u>
Total 406 · Other General Govt. Admin	3,383.37
408 · Engineering Services	
408.99 · Township engineer	<u>691.00</u>
Total 408 · Engineering Services	691.00
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	554.82
409.44 · Laundry/Other Sanitary Services	<u>347.27</u>
Total 409 · General Government Bldg&Plants	902.09
Total 400 · General Government	9,228.66
410 · Public Safety	
413 · Code Enforcement	
413.31 · Code enforcement pro. service	<u>3,145.00</u>
Total 413 · Code Enforcement	3,145.00
414 · Planning & Zoning	
414.33 · Transportation Costs	327.45
414.34 · ZB Advertising, Print, & Bind	300.96
414.98 · Zoning Recording/Transcription	630.00
414.99 · Salary Zoning Officer	<u>3,459.97</u>
Total 414 · Planning & Zoning	4,718.38
Total 410 · Public Safety	7,863.38
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	447.57
426.44 · Sanitation Services	<u>848.00</u>
Total 426 · Gen Gov Recycling Col & Dis	1,295.57
Total 420 · Health and Human Services	1,295.57
430 · Public Works Hwy,Rds,Streets	
437 · Repair of Tools & Machinery	

437.99 · Truck Repair	3,182.58
Total 437 · Repair of Tools & Machinery	3,182.58
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	8,304.41
438.25 · Repairs & Maint Supplies	1,014.80
438.98 · Twp. paid road maint mat.	780.00
438.99 · Truck Fuel	3,484.47
Total 438 · Road/Bridge Maint. and Repair	13,583.68
Total 430 · Public Works Hwy,Rds,Streets	16,766.26
450 · Culture-Recreation	
454 · GF Parks	
454.15 · Parks part time staff (GF)	1,255.08
Total 454 · GF Parks	1,255.08
Total 450 · Culture-Recreation	1,255.08
480 · Misc. Expense	
481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,520.43
481.20 · Employer paid Medicare	355.59
481.30 · Employer paid Unemployment Comp	206.55
483.49 · 457 Pension contribution	870.00
Total 481 · Employer paid Taxes	2,952.57
486 · Insurance	
486.10 · Insurance - Liability	118.00
Total 486 · Insurance	118.00
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	10,574.54
487.02 · Life Insurance	40.30
Total 487 · Other Group Insurance Benefits	10,614.84
489 · All other unclassified Expenses	
489.98 · Clothing Allowance	149.84
489.99 · EE withholding taxes	5,018.68
Total 489 · All other unclassified Expenses	5,168.52
Total 480 · Misc. Expense	18,853.93
Total Expense	55,262.88
Net Income	57,870.11

Sep 12

Income-LIGHT FUND

383.11 · Street Lighting Tax	185.41
Total Income	185.41
Expense	
434 · Street Lighting	
434.36 · Street Lighting Electric	901.75
Total 434 · Street Lighting	901.75
Total Expense	901.75
Net Income	-716.34

Sep 12

Income-LFF FUND

Expense	
430 · LFF Public Works	
438 · Maint./Repair Roads & Bridges	221.10
Total 430 · LFF Public Works	221.10

Total Expense	221.10
Net Income	-221.10
	Sep 12
Income- COG FUND	
342.40 · Rent of Machinery and Equipment	879.24
Total Income	879.24
Expense	
437 · Repairs of tools and machinery	1,013.32
Total Expense	1,013.32
Net Income	-134.08
	Sep 12
Income- ESCROW FUND	
361 · General Government	
361.96 · Subdivision Escrow Deposit	1,100.00
Total 361 · General Government	1,100.00
Total Income	1,100.00
Expense	
492 · Interfund Operating Transfers	
492.02 · Transfer to GFMM	400.22
Total 492 · Interfund Operating Transfers	400.22
Total Expense	400.22
Net Income	699.78
	Sep 12
Income- PARK FUND	
342.59 · Rental of Park Facilities	525.00
387 · Contributions and Donations	131.01
Total Income	656.01
Expense	
454 · Parks	
454.24 · General Supplies	81.30
454.25 · Repairs & Maintenance Supplies	5,968.65
454.36 · Public Utilities	62.30
Total 454 · Parks	6,112.25
Total Expense	6,112.25
Net Income	-5,456.24
Total Income (all accounts)	115,953.65
Total Expense (all accounts)	63,911.52
Net Income(all accounts)	52,042.13

Respectfully Submitted,

Tammy M. White
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 Secretary/Treasurer