

Board of Supervisors  
Thursday, December 8th, 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 Jr., Member David C. Najarian, Zoning Officer absent, Secretary/Treasurer Tammy M. White, Solicitor Eric Strauss, Road master Bruce Raber, NW Press Reporter Elsa Kerschner, and approximately 25 citizens.

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

**Public Comment:** 1. Lieutenant Edgardo A. Colon, Station Commander from Troop M – Fogelsville Station 8320 Schantz Road Breinigsville, PA: Lt. Colon was to address the board and the township with a report for 2011. The report statistics are from 10/01/10 – 10/01/11 and included 564 total incidents handled. Sub-categories were Burglary=8; Thefts=21; Crashes=62; DUI arrests=11. Of the crashes, 1 was fatal, 6 were DUI related. There are no known patterns of criminal activity. There is a reduction in criminal offenses (4 less Burglary and 18 less Thefts). Lt. Colon recommended the following steps: Always lock your residential doors, day & night; close garage doors overnight; lock vehicles and remove keys; remove items of value (lap-tops, GPS, purses) from vehicles; remove the suction cup mounts from the window; remain vigilant and report all suspicious activity to the PSP. Kermit E. DeLong thanked Lt. Colon for taking care of the speeding issue in regards to Weiss Rd. 2. Willard Snyder, President of the Lynn-Heidelberg Historical Society: Mr. Snyder thanked Dave Najarian for representing the Historical Society in helping with the process to have the Bank Barn erected in Ontelaunee Park and to also thank Dave Najarian for his 6 years of service to Lynn Township. Mr. Snyder also thanked Roadmaster, Bruce Raber for his services that he provides to the Township.

**Accept the Minutes and Direct the Treasurer to pay the bills:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong to accept the minutes from 11/03/11 and direct the treasurer to pay the bills except for the Horwith fuel bill. Motion carried unanimously. A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich to pay the Horwith Fuel Bill. David C. Najarian abstained from the vote due to the payment of the Horwith Fuel Oil bill. 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.

**Subdivision:** Susan Schall sewage planning module: Tabled. Miller Rd. Farms #5 preliminary & sewage planning module: A motion was made by David C. Najarian and seconded by Kermit E. DeLong approving the Miller Rd. Farms #5 preliminary plan subject to comments as addressed by the planning commission letter dated 12/19/11 and comments from Kevin Deppe. Motion carried unanimously. A second motion was made by David C. Najarian and seconded by Kermit E. DeLong to approve the Miller Rd. #5 sewage planning module contingent upon the agreement being drafted by Solicitor Marc Fisher to be included in the planning module and for reimbursement of legal fees to the township. Motion carried unanimously. Ronald Utt sewage planning module: A motion was made by David C. Najarian and seconded by Kermit E. DeLong approving the sewage planning module for Ronald Utt. Motion carried unanimously. John Scully extension & letter of credit: Mr. Scully submitted a letter dated December 6, 2011 which included a continuous letter of credit which Mr. Scully will keep in force for the reduced amount of things not completed due to the weather and Med-ed until completed or June 30, 2012 and also requested was an extension until spring so trees can be planted and the grass will grow, along with accepting the completed work that been inspected and approved. Reducing the letter of credit and starting the 18 months period as planned on January 1, 2012 ending June 30, 2013. Engineer, Roy Stewart along with Kevin Deppe submitted that the reduction go from the initial amount of \$46,073.44 to \$11,608.14 which covers what is left to do, along with contingencies @ 10% and inspection @ 4%. A motion was made by David C. Najarian and seconded by Kermit E. DeLong to accept the extension through the end of July 2012 contingent on the extension of the letter of credit. Motion carried unanimously. The reduced amount of the letter of credit will be tabled until the close out meeting on Tuesday, December 27, 2011 @ 6:30, to make sure that the remaining money on the letter of credit secures that the amount is adequate.

**Lynn Twp. Vs. Tetz-signed stipulation:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong for the Board or its Chairman to sign the Lynn Twp. vs. Tetz stipulation. Motion carried unanimously.

**Road Report:** Bruce Raber, Roadmaster, reported for the month of November: (1) Trimmed trees in Pine Lakes of Lynn and trout Lake Rd. and Red Rd. (2) Hauled one load of scrap from recycling center \$149.60. (3) Put new snow blades on 97 Ford Plow and 03 Sterling Plow, also made some repairs to the other plows and trucks. Put snow chains on the grader. (4) Put up yard markers. (5) Lynn, Weisenberg, Lowhill, Heidelberg townships hauled 20 loads of shale to the park for the bank barn. Anticipated work for December: (1) Filled pot holes on dirt roads. (2) More tree trimming. In addition to the road report, A motion was made by Kermit E. DeLong and seconded by David C. Najarian for Roadmaster Bruce Raber to purchase a 2001 Sterling truck with all attachments; 20K miles, for 28K, subject to the solicitor approval. Motion carried unanimously.

**Budget:** A motion was made by David C. Najarian and seconded by Brian C. Dietrich to adopt draft #3 of the 2012 Budget which includes interest from the CD's; and \$1/hr. increase to PT park employees and 2 additional PT park employees at the rate of A\$8.50/hr.; a reduction in the millage from 1.0 mills to 0.8 mills. Motion carried unanimously.



**Tax Rate for Year 2012:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong adopting Resolution 2011-20; A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF LYNN, LEHIGH COUNTY FIXING THE TAX RATE FOR THE YEAR 2012. Motion carried unanimously. The millage has been set at 0.8 mills for the year 2012.

**2012 MMO:** A motion was made by Kermit E. DeLong and seconded by David C. Najarian approving the 2012 MMO. Motion carried unanimously.

**REC FEES:** A motion was made by David C. Najarian and second by Kermit E. DeLong to keep the REC fees @ the current rate of 3K. Motion carried unanimously.

**Appointment of a CPA firm:** The BOS directed Tammy M. White to call the firms that sent in a proposal to perform the 2011 audit, and acquire additional information from them in writing and the BOS will make a decision at the December 27<sup>th</sup>, 2011 close out meeting.

**Conveyance Agreement:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong approving the Conveyance Agreement and directing the Chairman of the BOS along with Secretary to sign the document. Motion carried unanimously.

**Re-Organizational Dinner:** A motion was made by Kermit E. DeLong and seconded by Brian Dietrich to hold the annual re-org dinner on Saturday, January 14, 2012 at the Lynnport Fire Co. and to keep all preparations the same. David C. Najarian abstained from the vote due to his involvement with the LPFC. 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.

**2012 Meeting Dates:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong approving and advertising the 2012 BOS meeting dates as follows: 01/12, 02/09, 03/08, 04/12, 05/10, 06/14, 07/12, 08/09, 09/13, 10/11, 11/08, 12/13, 12/27 Close out meeting; all meeting to begin at 6:30pm. Motion carried unanimously.

**Managers' Report:** None

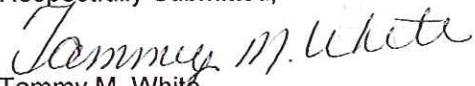
**Miscellaneous:** None

**Public Comment:** 1. Robert Hamm, Auditor for Lynn Township questioned the BOS as to why the Auditors were not notified of changes to the pension plan and that the Auditors are responsible for approving the pension. Dave Najarian stated to Mr. Hamm that he should read the 2<sup>nd</sup> class Township book in regards to his question. 2. Eric Shellhamer, Chairman of the SA asked the BOS if the SA could receive something in writing regarding the motion made on the Conveyance Agreement. A motion was made by David C. Najarian and seconded by Kermit E. DeLong authorizing Secretary, Tammy M. White to communicate the board's actions in writing to the SA. Motion carried unanimously. 3. Richard Snyder, President of the ZHB thanked Dave Najarian for his 6 years of service to Lynn Township. 4. Discussion was held on the bridge that is closed on Donats Peak and Allemaengel Rd. Resident, Russell Wambold stated that he didn't see the need for it to be done.

**Announcements:** Close out meeting is Tuesday, December 27, 2011 @ 6:30 pm.  
Re-org (BOS) meeting is Tuesday, January 3, 2012 @ 6:30 pm.  
Elected Auditors ReOrg meeting is Wednesday, January 4, 2012 @ 7:00 pm.

**Adjournment:** A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:55 pm.

Respectfully Submitted,

  
Tammy M. White  
Secretary/Treasurer