

**RYE TOWNSHIP
SUPERVISORS' MEETING
November 27, 2007**

PAGE 1 OF 6

PRESENT: Chairman Ronald Evans, Vice-Chair, Charles Kunkle, Supervisor, Sharon Cole Engdahl, Daisy Lightner, Secretary/ Treasurer, Ron Cree, Zoning Officer, Pete & Barbara Fitting, Sean and Peggy Fedder, Willa Fry, Fred Roberts, Jean Snyder, Flo Pinci, Ryan and Pamela Michael, John W. Smith and P. Richard Wagner, Esquire.

Former Supervisors present: Robert Lightner and Phyllis Page.

The meeting was held at the municipal building and called to order at 7:30 PM. Chairman Ron Evans convened the meeting with the pledge of allegiance to the flag. The meeting was tape recorded to aid with the preparation of minutes. Supervisor Cole Engdahl notified the Board she was tape recording the meeting.

CITIZEN PARTICIPATION: Chairman Evans asked if there was any citizen participation at this time.

Robert Lightner, 1879 Valley Road, questioned the decision of the Board made at the October 22, 2007 meeting involving the approval of the Police Standard Operation Manual, or the SOP's. Lightner disagreed with how the Board accepted a revised SOP manual without the document in final form before the Board. Lightner offered that no board should approve a document or contract etc., without the final version of the document in front of them. Lightner offered that legal counsel should have also reviewed the manual before approval and asked if a final document is available for public review.

Chairman Evans said he opposed the adoption because he did not receive or review a copy of the final document.

Discussion ensued. Solicitor Wagner said that some provisions of the Police SOP's may be public and other internal portions are not public information. Wagner offered that in most Townships the District Attorney and labor counsel review the document and provide comments. Corporal Shoop said the manual is complete and he acquired the blessing of the District Attorney. However, no written comments were provided to the Board. Corporal Shoop said he patterned the revision of the SOP's with the assistance of Chief Spotts of Mechanicsburg Police Department. Since Mr. Lightner will be a supervisor next year, Shoop offered to sit down and review the SOP manual with Mr. Lightner, if he so desired.

Solicitor Wagner appreciated the honesty expressed in tonight's discussion. Solicitor Wagner advised it is a good idea to have the District attorney and the labor counsel involved when SOP's are revised to avoid an unfair labor charge.

Discussion ensued regarding the execution of the signature page of the Police SOP's by the Board. The signature page was not executed. Supervisor Cole Engdahl agreed to grant time for Chairman Evans to review a copy of the completed SOP's prior to signing the document.

Phyllis Page of 165 Mountain Road asked about the cost and use of stop sticks by a one man department.

Public Safety Superintendent Kunkle said the stop sticks came with a new light bar package. Kunkle said training was completed. If a high speed chase is coming through the Township, the officer can radio ahead and have our officer put out the stop sticks to assist in stopping the chase and catching the assailant.

LEGAL BUSINESS: Solicitor Wagner said he reviewed copies of the Refuse Ordinance with the Secretary/Treasurer prior to the start of the meeting. Capital Tax Collection Bureau's attorney believes there is an error or inconsistency in the amendment to the Refuse Ordinance penalty section. Solicitor Wagner said he will contact Attorney Glinn this week to straighten out the confusion and draft a new ordinance if necessary.

Solicitor Wagner notified the Board that an appeal has been filed to the decision made by the Board at the October 15, 2007 Special meeting to deny a 2007 junkyard license. Wagner said the Township has liability insurance that will provide a defense attorney. So the good news is that the legal expenses will be absorbed by the insurance company. Solicitor Wagner said a letter from the defense attorney was received today. However, this letter is not public information. Solicitor Wagner said the appeal and pending litigation must not be discussed at a public meeting, but in executive session.

Chairman Evans made a motion for a 4% wage increase for the non-union employees: Zoning Officer, Ronald Cree, Part-time Secretary/Clerk, Nancy Sunday and Secretary/Treasurer, Daisy Lightner. Kunkle seconded; motion carried. Supervisor Cole opposed stating the increase was too high.

Peggy Fedder of 2759 Valley Road asked what percentage the union employee received. Chairman Evans said 4%, referring to the police department union.

In regards to the Humane Society Agreement, Solicitor Wagner advised reviewing the past track record to see if the costs proposed by the society are feasible. Discussion ensued.

Upon due consideration, Cole Engdahl made a motion and Kunkle seconded to accept the 2008 contract from the Humane Society in the amount of \$613.72.; Motion carried unanimously.

The Board recommends that the police department check with Carl Bitting as a possible alternate to house stray dogs until the County Dog Enforcement Officer is available to pick up the dogs.

Solicitor Wagner left the meeting at this time for another commitment.

APPROVAL OF THE MINUTES: Kunkle made a motion and Cole Engdahl seconded to approve the minutes of the October 22, 2007 supervisors' meeting minutes as submitted. Motion carried unanimously.

Kunkle made a motion and Cole Engdahl seconded to approve the October 15, 2007 Special meeting minutes as submitted; Motion carried unanimously.

Kunkle made a motion and Cole Engdahl seconded to approve the October 18, 2007 Budget meeting minutes as submitted. Motion carried unanimously.

MONTHLY MUNICIPAL REPORTS: The November Zoning Report was submitted by Zoning Officer, Ron Cree. and available for review. Zoning Officer, Cree. read the report as follows: three complaints, seven (7) zoning permits, 0 demolition permits, 0 certificates of use, mileage reimbursement for 84.0 miles, fees collected totaled \$425.00.

The October 17 to November 20, 2007 Sewage Enforcement Report was submitted by Mike Higgins. Supervisor Kunkle read the report: six (6) activities including two percs for Mark Weber and Dan Ward, final processing for Barrett Hollister & final inspection for Opportunity Builders for a total due of \$ 975.00 in wages and \$29.83 in expenses for a combined total due of \$1,004.83.

The November Road Report was submitted by Road Foreman, Brad Sloop. Chairman Evans read the report and placed it on the table for review.

John Smith of 15 Cove Road said to wait until December 12, 2007 to mow Cove Road because of hunting season.

Jean Snyder of 880 New Valley Road requested the installation of "Deer Crossing" signs on New Valley Road. Upon due consideration, Cole Engdahl made a motion and Kunkle seconded to purchase two deer crossing signs for installation on New Valley Road. Motion carried unanimously.

Robert Lightner of 1879 Valley Road said he received several complaints regarding the slippery surface and the resulting numerous accidents occurring on the "S" curve on Lambs Gap Road. Discussion ensued.

Upon due consideration, Cole Engdahl made a motion and Kunkle seconded to approve the grooving of this section of the pavement on Lambs Gap Road. Motion carried unanimously. The Secretary/Treasurer was directed to contact Pennsy Supply, Stephenson's Equipment, and Groff's Tractor to inquire about rental of a machine to groove the pavement.

Supervisor Cole Engdahl said that New Bloomfield Borough recently purchased and installed Crime Stoppers signs listing the "800" number at the various entry points into the borough. Cole Engdahl suggested Rye Township follow suit.

After due discussion, Cole Engdahl made a motion and Kunkle seconded to purchase reflective Crime Stoppers signs listing the "800" number for installation at the various entry points of Rye Township. Motion carried unanimously.

The Recreation Board report was given by Pete Fitting, a member of the Rec Board, who said the Recreation Board's activities are completed for this year. There next meeting will be in January 2008.

The Emergency Management Coordinator did not offer a report.

Corporal Clint Shoop returned from a police call and submitted copies to the Board and read the October Police Report as follows: 53.6 gallons of fuel used, drove 770 miles, worked a total of 158.50 hours, 30 incidents: 1 lost person, 2 criminal mischief, 2 marijuana possession, 3 traffic warnings, 13 traffic citations and 1 non-traffic citation. Total fines collected from the District Justice for October were \$621.41.

The October Treasurer's Report & General & Solid Waste Fund Balance Reports were submitted for review by the Secretary/Treasurer & with no discussion were accepted as read.

RESOLUTION: Proof of publication is on file for Resolution 07-12, which amends the trash fee schedule. Cole Engdahl made a motion and Kunkle seconded to adopt **Resolution 07-12**, which established the quarterly rate of commercial and residential trash fees in the year beginning in January 2008 and thereafter until amended by; resolution as follows:

COMMERCIAL FEES:

Low Volume/weight.....	\$ 110.00
Moderate volume/weight	\$ 155.00
High volume/weight	\$ 205.00

RESIDENTIAL FEES:

Regular Residential rate	\$ 50.00
Senior residential rate	\$ 38.25

Motion carried unanimously.

Resolution 07-13, the 2008 Salary Schedule, which establishes the salary for all non-union employees, was previously approved at the beginning of the meeting. The Resolution was signed by the majority of the Board of Supervisors at the end of the meeting.

Upon review of the 2007 budget year to date figures & recommendation by the Secretary/Treasurer, Cole Engdahl made a motion and Kunkle seconded to approve **Resolution 07-14**, which directs the Secretary/Treasurer to make various budgetary revisions to the 2007 budget. Motion carried unanimously.

Discussion ensued when Supervisor Cole Engdahl asked if the Secretary/Treasurer consulted with Corporal Shoop before transferring monies out of the police department accounts. Supervisor Cole Engdahl said a professional would have talked to the Corporal to eliminate miscommunication. The Secretary/Treasurer said the transfers would have no effect on police operations for the remaining four weeks of the year. No other employees were consulted.

NEW BUSINESS: Ryan Michael of 160 Cove Hill Road applied for a 2008 Junkyard License. Upon an inspection of the property, Zoning Officer Ron Cree found a pile of tires accumulating on the premises. Cree advised the Board to issue the license conditional upon the removal of the tire pile. Ryan Michael was present and provided the Township with copies of three receipts from Mahantango Enterprises in Liverpool showing he disposed of 4.56 tons of tires that were accumulating.

With the concern abated, Kunkle made a motion to issue the 2008 Junkyard License for Ryan Michael, Cole Engdahl seconded. Motion carried unanimously.

Cole Engdahl made a motion and Kunkle seconded to renew the May 24, 1980 winter maintenance agreement between Rye and Carroll Townships for 2008, whereby Rye Township agrees to plow and cinder Carroll Township's portion of Pine Hill Road for the year beginning January 1, 2008 and ending December 31, 2008 for a fee of \$50 per round trip. The increase was deemed necessary due to the increase in the costs for diesel fuel, which in turn increases the costs for salt and cinders. Motion carried unanimously.

Upon due consideration, Cole Engdahl made a motion to tentatively approve the **2008 proposed budget** and authorize the advertisement of the proposed 2008 budget for public review for the next twenty (20) days with tentative adoption at the December 17, 2007 supervisors' meeting; Kunkle seconded; motion carried unanimously. The record notes the budget is balanced and proposes no tax increase for the year 2008.

The 2008 proposed budget was placed on the front table & made available for public review.

Evans made a motion and Cole Engdahl seconded to accept with regrets the resignation of Charley Kunkle from the Rye Township Planning Commission effective on December 31, 2007. Motion carried unanimously. Chairman Evans expressed appreciation to Charley for over 17 years of volunteer service on the Planning Commission.

Cole Engdahl made a motion and Kunkle seconded to accept with regrets the resignation of Mike Horvath from the Planning Commission as of December 31, 2007. Motion carried unanimously.

Cole Engdahl made a motion and Evans seconded to accept with regrets the resignation of Vickie Minnier as the Planning Commission Secretary as of February 1, 2008. Motion carried unanimously.

The Secretary/Treasurer was directed to place an ad on the cable channel for the Planning Commission vacancies.

Zoning Officer Ron Cree explained the need for a temporary certificate of occupancy for the residents at 80 Deer Path. The owners are temporarily living on the property in a

camper with approved sewage facilities while building a new home. Zoning and building permits are on file for the property.

Upon due consideration, Cole Engdahl made a motion to grant a temporary certificate of occupancy to Clarence and Linda Lombard of 80 Deer Path for the term of six months while they build their new home. Motion carried unanimously.

The Humane Society Agreement was approved earlier in the meeting under legal business.

Corporal Shoop noted that no applicants were received for the Part-time police officer position. Shoop said he would post the ad at HACC when he is down there in December for mandatory updates.

Discussion ensued regarding background checks. The consensus of the Board was to require a background check and to have the State Police handle it. Corporal Shoop will speak to Sergeant Ringer of the Newport State Police regarding the background checks.

OLD BUSINESS: Pumping of the holding tank at 109 Tower Road was discussed. No pumping receipts were received. The Board was unsure if Mr. Barrick was still using the extra holding tanks since he no longer operates a cabinet business there. The November 29, 2002 irrevocable letter of credit in the amount of \$300.00 to insure septic tank cleaning automatically renews in the same amount for one more calendar year. The Secretary/Treasurer will contact Mr. Barrick to inquire as to the status of the situation and add it to the next meeting's agenda.

Evans made the following announcement:

- ◆ December supervisors' meeting is changed to Monday, December 17th at 7:30 PM due to Christmas Holiday

Chairman Evans directed the Secretary/Treasurer to add this announcement to the cable channel.

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/treasurer provided an October expense check register and submitted the following checks for approval and payment: General Fund Checks #s 11127-11160 in the amount of \$32,712.66.

Payroll checks #s 4987-4999 in the amount of \$5,959.58. No payroll checks void.

Payroll checks #s 5000-5009 in the amount of \$4,856.72. No payroll checks void.

Payroll checks #s 5010-5018 in the amount of \$4,821.66. No payroll checks void.

Supervisor Cole Engdahl asked about check number 11154 issued to Alpha Space Control Company in the amount of \$1,447.44 and check number 11158 issued to Kitner Bros, Inc. in the amount of \$7,260.00. The Secretary/Treasurer said Alpha Space Control completed the line painting on various roads and Kitner Bros., Inc. completed the shaling project on Millers Gap Road per the FEMA project.

With no further discussion on the bills presented, Kunkle made a motion & Cole Engdahl seconded to approve the checks & pay the bills. Motion carried unanimously.

CITIZEN PARTICIPATION: John Smith of 15 Cove Road asked about the status of the FEMA reimbursement. The Secretary/Treasurer said the large project was mailed on October 31, 2007. State reviews are complete and the paperwork was sent to Philadelphia for federal approval. The reimbursement of approximately \$38,000 is anticipated to be received before December 31, 2007.

The Secretary/Treasurer said all small projects are now complete. Currently the closure paperwork for the 5-6 small projects is being completed. Both reimbursements are resulting expenses from damages in the June 2006 flooding, disaster number 1649.

Peggy Fedder of 2759 Valley Road asked the status of the updates for the Zoning and Subdivision Land Development Ordinances. The Planning Commission is awaiting updates to the County Plan for any impacts to the local ordinances. It is anticipated that the Township's updates to the two major ordinance will be adopted mid year 2008.

ADJOURNMENT OF THE MEETING: There being no further business before the Board, Cole made a motion and Kunkle seconded to adjourn the meeting at 9:02 pm. Motion carried.

Respectfully submitted,

Daisy Lightner
Secretary/Treasurer