

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
December 17, 2007**

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**PRESENT:** Chairman Ronald Evans, Vice-Chair, Charles Kunkle, Supervisor, Sharon Cole Engdahl, Daisy Lightner, Secretary/ Treasurer, Ron Cree, Zoning Officer, Jim Cassidy, Emergency Management Coordinator, Corporal Clint Shoop, Peggy Fedder, Sean Fedder, Jean Snyder, 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 that she would be tape recording the meeting also.

**CITIZEN PARTICIPATION:** Chairman Evans welcomed everyone and asked if there was any citizen participation. No citizen participation was offered.

**APPROVAL OF THE MINUTES:** Kunkle made a motion and Evans seconded to approve the minutes of the November 27, 2007 supervisors' meeting as submitted. Motion carried. Cole Engdahl opposed. Supervisor Kunkle asked Supervisor Cole Engdahl her concern. Cole Engdahl said the Secretary/Treasurer did not record all of the discussion on the Police SOP's. Kunkle agreed that there was discussion not included. However, Kunkle offered that the majority of the points of the discussion were recorded in the minutes presented for approval by the Secretary/Treasurer.

**LEGAL BUSINESS:** In regards to the amendment of the Refuse Ordinance, Solicitor Wagner sent correspondence to Capital Tax Collection Bureau and received a proposal from their attorney. From that response, the Solicitor provided the Secretary/Treasurer with a draft of the amendment to the penalty provisions of the Refuse Ordinance. The consensus of the Board was to address the approval of the advertisement of the Refuse Ordinance amendment the night of the January 7, 2008 Organization meeting.

Catherine Campbell requested a reduction in escrow held pursuant to a 2002 Campbell Small Flow Treatment System agreement. Upon due consideration and discussion, Cole Engdahl made a motion and Kunkle seconded to reduce the escrow by 10% or \$235.00. Motion carried unanimously.

**MONTHLY MUNICIPAL REPORTS:** Corporal Clint Shoop submitted copies to the Board and read the November Police Report as follows: 65.2 gallons of fuel used, drove 745 miles, worked a total of 104.25 hours, 13 incidents: 1 theft from building, 1 trespassing, 1 domestic, 2 barking dog complaints, 1 harassment, 1 traffic warning, 1 traffic citation and 1 non-traffic citation. Total fines collected from the District Justice were \$ 610.56.

The December Zoning Report was submitted by Zoning Officer, Ron Cree. and available for review. Zoning Officer, Cree read the report as follows: ten (10) complaints, zero (0) zoning permits, 0 certificates of use, mileage reimbursement for 12 miles, zero fees were collected.

No Sewage Report was offered.

The December Road Report was submitted by Brad Sloop, road foreman. Chairman Evans read a portion of the report and placed it on the table for review. The road crew has been busy with snow plowing, salting, cindering, & cutting up downed trees with the recent ice storms.

No Recreation Board report was offered because there is no meeting in December.

Jim Cassidy, Emergency Management Coordinator, was present and provided the Board and residents the status of power outages within the Township due to the recent ice storm and high winds. Cassidy said three areas are still without power: Fleisher Road, Cove Hill Road and Idle Road. Access to Cove Hill Road residents is blocked with a tree on a live wire and not passable. Cassidy said emergency personnel have been notified of the concern. Cassidy contacted Pastor Hale at Glenvale Church of God and the church is available if a disaster center is needed. Neighboring Penn Township has opened a disaster center at the Township building and invites anyone to come and find a warm place to stay for the night. Cassidy said most residents are with families or have an alternate heat source. Water and ice are also available free of charge at Giant and Weis stores. Restoration of power is anticipated within 24 hours.

Supervisor Cole Engdahl suggested the Township office supply the PP & L number on the Township's answering machine to assist residents. The 1-800 number is also found on the monthly invoice. EMC Cassidy offered it is best for residents to contact the County dispatch through their non-emergency number.

EMC Cassidy left the meeting at this time.

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

**RESOLUTIONS:** Proof of publication is on file for advertisement of the **2008 proposed budget**, which was available for public inspection for twenty (20) days. Chairman Evans noted that the 2008 proposed budget is balanced without a tax increase. Kunkle made a motion to adopt **Resolution 07-15**, adopting the **2008 Budget**, Cole Engdahl seconded; Motion carried with all members voting in favor.

Cole Engdahl made a motion to adopt **Resolution 07-16** which sets the tax levy for 2008 without an increase or change as follows:

General Township.....	.82 mills
Fire companies .....	.22 mills
Ambulance .....	.02 mills
Library .....	.01 mills
Road Equipment .....	<u>.17 mills</u>
TOTAL	1.24 mills

Kunkle seconded; motion carried. All members voting in favor.

Kunkle made a motion to adopt **Resolution 07-17**, which authorizes the Secretary/Treasurer to transfer \$585.26 the total amount of tax revenue levied for road equipment in the 4<sup>th</sup> quarter of 2007 from the General Checking account into the General Savings account. Cole Engdahl seconded. Motion carried unanimously.

The Secretary/Treasurer said she inadvertently missed adding the adoption of **Resolution 07-18** to tonight's agenda involving the transfer of funds from the General Fund to the Highway Aid Fund. Copies of a draft of the resolution were previously provided to all Board members.

Solicitor Wagner advised that since **Resolution 07-18** was not included on the printed agenda, and since the Board has to vote on the adoption of Resolution 07-18, this item must be reopened for discussion and comments.

Chairman Evans asked if there were any comments or questions on Resolution 07-18. No comments or discussion were received.

With no discussion on **Resolution 07-18**, Kunkle made a motion and Cole Engdahl seconded to authorize the Secretary/Treasurer of Rye Township, Perry County, Pennsylvania to transfer \$156.15 from the General Checking account into the Highway Aid Savings account to reimburse the Highway Aid Account, which paid for the paving at the Idle Road culvert and for which /Rye Township received FEMA flood monies that were initially received and deposited into the General Fund. Motion carried unanimously.

It was noted for the record that there were no changes to the current Fee Resolution Schedule.

**OLD BUSINESS:** The irrevocable letter of credit held in escrow at the FNBM for Neal Barrick per a holding tank agreement automatically renewed for another year or until November 29, 2008. No action was taken by the Board on this item.

**NEW BUSINESS:** Chairman Evans announced that the office would be closed for Christmas on Tuesday, December 25, 2007 and trash would be collected on Wednesday, December 26, 2007. The office will also be closed on New Year's Day on Tuesday, January 01, 2008 and trash would also be collected on Wednesday, January 2, 2008.

The Board of Supervisors Organization Meeting is scheduled for Monday, January 7, 2008 at 7:30 PM. The Planning Commission's organization and business meeting is rescheduled for Wednesday, January 3, 2008 at 7:30 PM.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/treasurer provided a December 1 to December 17, 2007 expense check register and submitted the following checks for approval and payment: General Fund Checks # 11173-11211 in the amount of \$39,628.70. Void check #s 10718, 11163, 11164.

Payroll checks #s 5018-5031 in the amount of \$5,663.59. No payroll checks void.

Payroll checks #s 5032-5042 in the amount of \$5,053.74. No payroll checks void.

An electronic transfer, ELF will be made from the General Checking account by PCI, Insurance on December 20, 2007 in the amount of \$6,344.16 for January's health insurance .

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

**CITIZEN PARTICIPATION:** Supervisor Cole Engdahl requested the minutes reflect that resident Kathleen Miller received the Governor's award for her participation in the Crime Watch program. Cole Engdahl thanked Corporal Shoop for submitting the application and Supervisor Kunkle for his involvement.

Peggy Fedder of 2759 Valley Road asked about the notice posted on the door of the Township building by Elliott Chotas, Jr. to fill the position of constable.

Chairman Evans said he was unaware of the details of the situation.

Corporal Shoop explained that Jacob Stoss resigned from his position as constable and Elliott Chotas, Jr. completed paperwork to fill the position.

Fedder questioned why the vacancy was not advertised for others to come forward to fill the position. Fedder said she has a serious problem with the character of this individual.

Phyllis Page of 165 Mountain Road agreed that the individual's character is questionable.

Zoning Officer, Ron Cree said he understands the constable position is a State position and is not under the authority of the Township Board. Voices agreed.

Discussion ensued.

Chairman Evans banged the gavel to bring order to the meeting.

Solicitor Wagner expressed appreciation to Zoning Officer Cree for the homemade scrapple and to Supervisor Kunkle for his service to the community.

An anonymous vendor of the Township asked that the amount of \$125.00 due to them for services rendered be given instead to a needy family for Christmas. Appreciation for this generous gift was expressed with a round of applause.

On behalf of the Board, Chairman Evans expressed appreciation to Supervisor Kunkle for his service to the community as a supervisor and as a planning commission member and called for a round of applause to express that appreciation.

Supervisor Kunkle thanked everyone for their patience with him as he served. Kunkle offered that the position is better served by someone who is at least semi-retired.

Supervisor Kunkle asked Solicitor Wagner at what juncture the signature page of the Police SOP manual should be signed.

Supervisor Elect, Robert Lightner of 1879 Valley Road asked to comment on the Police SOPs. Lightner wanted to counter false statements that he heard were made by an individual that the final draft of the Police SOP's was sent to labor attorney, Scott Blissman. Lightner expressed further dismay that this individual swore and called him and Supervisor Evans f----- liars.

Members of the Board said they were not responsible for the false statements.

Discussion ensued.

Supervisor Cole Engdahl asked if Lightner completed a form to see the Police SOP manual. Lightner said, "No." He did not see the manual. Lightner was in Corporal Shoop's office a few weeks ago when Corporal Shoop told him he was working on completing the Police SOP's.

Corporal Shoop said the draft SOP was not changed recently, except to add sections on the taser and stop sticks.

Discussion continued.

Lightner said he is tired of this individual who is supposed to be a man of integrity speaking in this manner.

Corporal Shoop denied swearing and making statements about him and Supervisor Evans and demanded Lightner reveal the identity of the individual who made these statements. Shoop demanded the person come forward and complete a written statement.

Chairman Evans asked if there was any further business to be brought before the Board.

Supervisor Kunkle said he thought the SOP's were sent to Attorney Blissman for review because of comments made to him by Supervisor Evans.

The Secretary/Treasurer said Supervisor Evans was given time to review the final draft of the SOP's at the November meeting. However, a copy was not received.

Supervisor Cole Engdahl said Chairman Evans does not have a memory.

Chairman Evans said what he saw previously was a contract. But Evans said he never saw a policy on the taser.

Kunkle and Cole Engdahl said Chairman Evans is misunderstanding.

Chairman Evans said he saw the initial draft; but he did not see all that is in the final version of the SOP's.

Supervisor Kunkle said in lieu of the discussion and the questions, he would allow the next supervisor to make the decision in regards to the Police SOP.

Supervisor Cole Engdahl encouraged Kunkle to sign the document saying, "You are giving them just what they want." She reiterated that this discussion is ridiculous and childish and pushed the document over to Chairman Evans.

Supervisor Cole Engdahl made a motion that Chairman Evans review the SOP tonight and the Board sign the document before they leave. The record notes this motion died for lack of a second.

Corporal Shoop said there is nothing in the manual except policies on how the department functions and offered that the Board could take as long as necessary to review the manual. Shoop offered for Supervisor Elect Lightner to also review the document.

Supervisor Elect Lightner declined until he is officially a member of the Supervisory Board.

Supervisor Cole Engdahl executed the signature page of the Police SOP manual.

Chairman Evans said he did not review the final document, and, therefore, would not approve or sign the document.

Peggy Fedder of 2759 Valley Road asked the consequences of waiting until all reviews are completed to approve the manual.

Corporal Shoop said he cannot use the taser or stop sticks until policies are in place.

Voices raised in anger and frustration.

Supervisor Kunkle apologized for his actions tonight. On his way out, Kunkle directed the payment for tonight's meeting be added to the anonymous gift listed above for a needy family or families for Christmas.

**ADJOURNMENT OF THE MEETING:** There being no further business before the Board, Cole Engdahl made a motion and Evans seconded to adjourn the meeting at 8:16 pm. Motion carried.

Respectfully submitted,

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Daisy Lightner  
Secretary/Treasurer