

**RYE TOWNSHIP
SUPERVISORS' SPECIAL MEETING
January 7, 2008**

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PRESENT: Chairman Ron Evans, Vice-Chairman Robert Lightner, Supervisor, Sharon Cole Engdahl, Daisy Lightner, Secretary/Treasurer, Ron Cree, Zoning Officer, Peggy and Sean Fedder, John Smith, Jim Sabo, Corporal Clint Shoop and P. Richard Wagner, Solicitor.
Former Supervisors present: Charley Kunkle, Phyllis Page and Dick Pierce

This meeting was advertised in the Duncannon Record and proof of publication is on file. The special meeting was held at the municipal building and called to order by Chairman Evans at 8:13 PM immediately following the 2008 Organization meeting.

CITIZEN PARTICIPATION: Chairman Evans asked if there was any citizen participation at this time. None was offered.

RESOLUTION: Lightner made a motion and Engdahl seconded to approve **Resolution 08-02**, which designates the First National Bank of Marysville as the depository for the Township and that all accounts be opened and maintained in the name of the Township, with the following names authorized, on behalf of the Township to sign checks, receipts, orders or withdrawals of funds: Ronald R. Chairman, Robert C. Lightner, Sharon Cole Engdahl, and Daisy E. Lightner. Motion carried unanimously.

NEW BUSINESS: Engdahl made a motion and Lightner seconded to authorize the advertisement of the Refuse Ordinance amendment for tentative adoption at the January 28, 2008 supervisors' meeting. Motion carried unanimously.

Lightner made a motion to go out for bids and advertise for a new three-sided structure to be built on the rear lot of the Township's property to house equipment; Cole Engdahl seconded; motion carried unanimously.

The Board received an application from Donald M. Wood for a license to operate a Junkyard/Repair Shop at 1790 New Valley Road property, formerly known as Jack Fry's Salvage yard. Donald Wood recently became the "new" owner of the property on December 27, 2007 per the real estate transfer report.

Solicitor Wagner advised the Board notify legal counsel of the transfer of property, since the previous owner, Willa Fry, has a suit against Rye Township. The Secretary/Treasurer will contact Attorney Cheryl Kovaly with this information.

Discussion ensued on the application from Donald Wood.

Lightner made a motion to deny the license for a junk yard permit, because of outstanding, unresolved violations. The record notes that this motion died for lack of a second per the advice of legal counsel.

Upon due consideration and with input from legal counsel, Lightner made a motion and Cole Engdahl seconded to direct Zoning Officer Ron Cree to conduct an on-site inspection of the 1790 New Valley Road property and to provide written comments to the Board before the next meeting, and to table any action on the Woods' application until the January 28, 2008 supervisors' meeting. Motion carried unanimously. The Secretary/Treasurer was directed to add this item to the January 28, 2008 supervisors' meeting agenda.

OLD BUSINESS: Vice-Chairman and Public Safety Superintendent Lightner discussed a concern with a motion made at an October 2007 Board meeting where the Board approved a revised Police Department Standard Operation Procedure, (SOP). Lightner said the item was not on the agenda and time for public comment was not provided prior to the vote being taken, which Lightner said he understands is illegal procedure.

Discussion ensued. Supervisor Cole said it was a public meeting so any one there could discuss the SOP's.

Lightner made a motion and Evans seconded to rescind the motion for approval of the revised Police Standard Operation Manual (SOP) made at the October 23, 2007 meeting; Motion carried. Supervisor Cole abstained stating she was not sure if the board did proper procedure or not.

Solicitor Wagner said if an item is not on the agenda, then the public must be provided time to discuss or comment on the item that is not on the agenda. Wagner said he is not sure if time was allotted or not. But a Board is able to rescind a previous motion at any time.

Supervisor Cole Engdahl changed her abstention to "opposed" on the above motion regarding rescinding the motion for approval of the Police SOP's . The minutes record the votes as: Lightner voted "aye". Evans voted "aye." Cole Engdahl strongly and loudly "opposed." Cole Engdahl requested the minutes reflect that this is gutter government and gutter politics that are operating in this local government.

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

Vice-Chairman Lightner asked the Chairman to keep order in the meeting or if not, to call the State Police to handle the situation.

Chairman Evans banged the gavel to restore order to the meeting and asked Cole Engdahl if she would be quiet.

Cole Engdahl agreed to quiet down if Chairman Evans would say. "Shhhh! Now you be quiet!"

Discussion ensued on who read and reviewed the SOP manual. Lightner said he did not review the manual yet. However, Chairman Evans, who recently reviewed the manual, said there are several places where the policy directs the officer(s) to go to Mechanicsburg Police Department. In light of all that is going on in Marysville Borough, Lightner said he wants time to read and review the manual so that it is done right and the Township does not find itself in litigation.

Former Supervisor Charles Kunkle asked Supervisor Lightner if he wanted to do things right, then why did he request Kunkle to not adopt the manual before he left office?

Supervisor Lightner said his intent was to be able to review the manual prior to adoption since he would be the one in office for the next six years and Supervisor Kunkle was leaving office the end of 2007. It is not his intent to interfere with the police officer doing his job and said a taser policy can be adopted since the officer received training. However, Lightner restated his concern with reviewing of the manual as the Public Safety Superintendent and the immediate supervisor over the Police Department is in order to provide the accountability necessary and to do his best to prevent litigation such as is currently in Marysville Borough.

Corporal Shoop asked how Chairman Evans found the errors when he previously said he did not see the SOP manual.

The record notes that Supervisor Cole Engdahl left the SOP manual on the Board table for Supervisor Evans to review at the December 17, 2007 board meeting. Chairman Evans took possession of the manual at that time.

Corporal Shoop said he would be contacting Attorney Busillo since Public Safety Superintendent Lightner committed a hostile work environment.

Public Safety Superintendent Lightner requested Corporal Shoop provide him a copy of the January police schedule at the end of this meeting.

Chairman Evans banged the gavel to regain order and to move the meeting along.

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/treasurer provided a December 28, 2007 expense check register and a January 7, 2008 expense check register listing the following checks for approval and payment:

1. 2007 General Fund Check #s 11213-11232 in the amount of \$14,421.36. No checks void.
2. 2008 General Fund Checks #s 11233-11243 in the amount of \$9,991.56. No checks void.
3. Payroll checks #s 5032-5042 in the amount of \$5,053.74. No checks void.
4. Payroll checks #s 5043-5054 in the amount of \$5,598.86. No checks void.

Supervisor Lightner asked about check number 11242 issued to Specks Service Center. Chairman Evans said he received a call from Corporal Shoop last Monday, December 31, 2007 stating that the officer was visiting at Dean Bressler's residence and the 2002 police car would not start. Evans said the expense is for a service call to go and start the police car at Bressler's and take the car back to Speck's shop for repair.

Vice-Chairman Lightner said he does not personally have a problem with this, stating Bill does good work, but asked Solicitor Wagner if there is a concern with Chairman Evans approving this transaction since Mr. Speck is a relative of Chairman Evans.

Supervisor Cole Engdahl said she has always had a problem. But previously checked into this and found it to be okay.

Solicitor Wagner said as long as it does not involve "immediate family", it is not a conflict and is okay.

Supervisor Cole Engdahl asked about check # 11217 issued to H J Towing & Recovery, Inc. Chairman Evans said that is for repair of the trash truck's brakes.

Cole Engdahl asked about check # 11230 issued to Sylvester's Services. The Secretary/Treasurer said this is for roll off and tipping expenses from Fall Clean up in October. For some unknown reason, the bill was just recently received for payment by the Township office.

Vice-Chairman Lightner said he would be abstaining on approval of the above checks, because he only officially became able to sign checks at tonight's meeting and the bank has not been notified of the change. Also, Lightner said he was not involved with the Township when the expenses were incurred for any of the above checks. For all of those reasons, Lightner abstained from voting for approval of all expense and payroll checks presented for payment.

With no further discussion on the bills presented, Evans made a motion and Cole Engdahl seconded to approve the 2007 and 2008 checks presented & pay the bills. Motion carried. Evans voted yes. Cole Engdahl yes. Lightner abstained. The reasons are listed in the paragraph above.

EXECUTIVE SESSION: The Board recessed to executive session to discuss personnel issues. The time was not noted.

Solicitor Wagner left the meeting after the executive session, but prior to the reconvening of the special meeting.

RECONVENE MEETING: Chairman Evans reconvened the meeting at 8:55 PM. Chairman Evans announced that the Board discussed a personnel issue in regards to a request from a full time employee, who is currently off on worker's compensation, to carry over forty (40) hours of vacation time and three (3) days of personal leave. With the consultation of the Solicitor, the Board agreed unanimously to permit the amount of carry over of annual leave per the current Teamster's contract. Personal days are lost per the current Teamster's contract. The employee policy prior to the current contract was the same - personal days were lost if not used within the year received.

CITIZEN PARTICIPATION: Peggy Fedder of 2985 Valley Road noted an observation. After the recent ice storm, Fedder said she was driving east on SR850 when she observed employee Sam Leonard, Sr. along SR 850 pulling up a tree that was downed from the storm and cleaning up the area around the tree. Fedder said she is a tax payer and questioned if Leonard is capable of doing this, then why is he not capable of working.

Chairman Evans said Leonard has a follow up appointment on January 16, 2008.

Ron Cree of 1865 Valley Road asked if Leonard is going to the Township's doctor or a Workers Comp doctor. Cole Engdahl said he is required to go to a Worker's Comp doctor.

Cree asked if Leonard is totally disabled permanently. No one on the Board was sure of the status.

Discussion ensued. The Board agreed they are awaiting the next doctor's consult report.

Phyllis Page of 165 Mountain Road said she looks forward to the upcoming year 2008 with a new board and anticipates/hopes for better conducted meetings.

ADJOURNMENT OF THE MEETING: With no further business before the Board, Cole Engdahl made a motion and Lightner seconded to adjourn the special meeting at 8:59 pm. Motion carried unanimously.

Respectfully submitted,

Daisy Lightner
Secretary/Treasurer