

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
January 26, 2009**

**PAGE 1 OF 5**

**PRESENT:** Chairman Robert Lightner, Vice-Chair, Ronald Evans, Supervisor, Sharon Cole Engdahl, Daisy Lightner, Secretary/ Treasurer, Ronald L. Cree, Zoning Officer, Scott Weaver, Assistant Emergency Management Coordinator, Pete and Barbara Fitting, Nancy Sunday, Peggy Fedder, Sean Fedder, Gary Roth, Joe Burget of Burget Associates, Randy Barlup and Don Barlup and P. Richard Wagner, Esquire.  
Former Supervisor present: Charlie Kunkle

The meeting was held at the municipal building and called to order at 7:30 PM. Chairman Robert Lightner convened the meeting with the pledge of allegiance to the flag. The meeting was tape recorded to aid with the preparation of minutes.

**CITIZEN PARTICIPATION:** Chairman Lightner welcomed everyone and asked if there was any citizen participation. None was offered at this time.

Chairman Lightner asked fellow Board members if it was permissible to alter the agenda and begin the meeting with Legal Business since Solicitor Wagner was feeling ill. Everyone was in agreement to permit the altering of the agenda.

**LEGAL BUSINESS:** Solicitor Wagner reviewed and discussed the draft Open Records Policy and found it consistent with the Open Records and the States new Right to Know Policy.

Property owner Roger Barrick is currently appealing a denial decision handed down by the Zoning Hearing Board in July in regards to the permitted use of the property located at 30 Brubeck Circle. Mr. Barrick appealed his assessment for the parcel to the County stating the Township would not permit him to use the property as a banquet facility requesting a reduction in the assessment. The assessment appeal was successful and the County tax assessment Board reduced the assessment of the parcel to the status of storage facility. A refund of the 2008 real estate tax was paid and the Board asked if the refund should be given at this time since the owner is appealing the decision of the ZHB. Solicitor Wagner said the refund may be paid. If the appeal of the Zoning decision is successful, the Board of Supervisors should then notify the County immediately.

Solicitor Wagner discussed the filing of a judgment against Mark Long of 3122 Valley Road for collection of delinquent trash bills. Solicitor Wagner indicated he would contact Luanne Miller of Capital Tax Collection Bureau to clarify the procedure for the judgment.

Solicitor Wagner advised that in regard to the Persons to Be Heard and their dispute of engineering fees, the Pennsylvania Municipal Planning Code sets forth the procedure to address the allegation that the fees charged for engineering reviews are excessive.

**APPROVAL OF THE MINUTES:** Evans made a motion to approve the minutes of the December 22, 2008 supervisors' meeting. Cole Engdahl seconded; Motion carried.

Evans made a motion to approve the January 5, 2009 Organization meeting minutes as submitted; Cole Engdahl seconded; motion carried unanimously.

**PERSONS TO BE HEARD:** Joe Burget of Burget Associates approached the Board representing the Barlup and Barlup Subdivision Land Development plan to explain to the Board why outstanding engineering invoices for his clients were not paid. Burget said the Barlups are not ignoring the invoices. They have not paid the invoices, because they felt the charges from Rettew Associates were excessive. Burget also felt that the plan for a three lot subdivision could have been reviewed as a preliminary final plan instead of a two step submission of first a preliminary plan submission and then a final submission with fees for each submission. Planning Commission member Sean Fedder said the main reason for the two step submission is the concerns with storm water management.

Discussion ensued which included the procedure on how to address and resolve this concern. Burget was provided a copy of the applicable section of the Municipal Planning Code, (MPC), which deals with disputes of engineering review fees. Burget indicated he would discuss this matter further with his clients and let the office know what course of action, if any, the Barlups intend to take. Joe Burget thanked the Board and left the meeting at this time along with Donald and Randy Barlup.

**MONTHLY MUNICIPAL REPORTS:** Corporal Clint Shoop submitted copies to the Board and Chairman Lightner read the December Police Report as follows: 0 gallons of fuel used for the Impala, 70.1 gallons used for the Crown Victoria, drove 989 miles, worked a total of 166.25 hours for full time, 15 incidents: including 2 traffic warnings, 8 traffic citations and 1 non-traffic citation. Total fines collected from the District Justice were \$559.19 and \$85.90 from Perry County Court fines.

The December Zoning Report was submitted by Zoning Officer, Ron Cree & made available for review. Zoning Officer, Cree read the report as follows: six (6) dog complaints, four (4) zoning permits, mileage reimbursement for 72 miles, \$160.00 in fees collected.

No January Sewage Enforcement Report was submitted by SEO, Mike Higgins.

The January Road Report was submitted by Brad Sloop, road foreman. Chairman Evans read the report and placed it on the table for public review noting that most of the work completed involved winter snow and ice removal. A new salt spreader was also purchased from IMS Supplies.

Nancy Sunday of the Recreation Board gave the monthly report. The Recreation Board met on January 12, 2009 and set the following dates for upcoming events:

- ◆ The February meeting is rescheduled for February 16, 2009 instead of February 9.
- ◆ The RTCA will be meeting with the Recreation Board at their March 9, 2009 meeting to discuss possible uses of the Elaine Pierson Memorial Fund.
- ◆ Easter Egg Hunt on April 4, 2009 at 11:00 AM
- ◆ Fishing Derby on May 9, 2009 at 9:00 AM
- ◆ Strawberry Festival on June 14, 2009 at 6:30 PM

All events are free to the community.

No Emergency Management report was provided. However, Assistant Coordinator Scott Weaver noted that the contact listing in the Emergency Management Manual is in need of updating. The Secretary/Treasurer indicated she would review the manual, make any revisions, and provide a copy to Scott for his review and to make any further updates.

The December 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 pending the final approval of the auditors.

The Secretary/Treasurer noted that the independent auditing firm of Smith, Elliott, and Kearns are scheduled to conduct the annual financial audit for the fiscal year 2008 in mid February.

**RESOLUTIONS:** Resolution 09-02 was properly advertised in the Duncannon Record and proof of publication is on file. Cole Engdahl made a motion and Evans seconded to approve **Resolution 09-02, the amended Sewage Enforcement Fee Schedule** replacing the Fee schedule adopted by Resolution 05-03. Motion carried unanimously.

Discussion ensued on the audio recordings of the Board meetings. Cole Engdahl asked if it is necessary to keep audio tapes of the meetings. The Solicitor was consulted and advised it is optional. He indicated it is best to use the tapes for the preparation of the minutes and then erase them. Evans made a motion and Cole Engdahl seconded to adopt **Resolution 09-03, the Right to Know Policy**. Motion carried unanimously. The Secretary/Treasurer will make a copy and post the policy in the office so it is visible to the public.

Evans made a motion and Cole Engdahl seconded to adopt **Resolution 09-04**, to authorize Daisy Lightner and Ronald R. Evans to sign forms relating to an intergovernmental agreement with PennDot to be permitted electronic access to their system for the purposes of entering information into and exchanging data for Liquid Fuels reports with the System. Motion carried unanimously.

Cole Engdahl made a motion and Evans seconded to adopt **Resolution 09-05**, which amends the Non-Union Employee Handbook, Section on Funeral Leave. Motion carried unanimously.

Chairman Lightner requested the Board recess to **Executive Session** at 7:59 PM to discuss personnel issues.

Chairman Lightner reconvened the meeting at 8:03 PM and said the Board discussed and clarified a personnel matter.

**OLD BUSINESS:** The Board of Supervisors received four executed copies of the four year **Collective Bargaining Agreement for the road crew** for the years January 1, 2009 through December 31, 2012 from Teamster representative Robert Snyder. The Board of Supervisors previously approved the contract at the December 22, 2008 meeting. The Board of Supervisors signed the contract agreement during the meeting. After the contract was signed, Chairman Lightner read the wage increases granted over four years as follows:

2009 -- 4.25% increase; 2010 -- 4%, 2011 -- 4% ; and 2012 -- 4.25%.

Chairman Lightner said that anyone interested may review the contract document now that it is approved and signed.

Marysville Fire Chief Scott Weaver discussed the October 24, 2008 letter received from Kirby Pack of **United Water Pennsylvania** responding to a concern expressed by the Board relating to reported lack of pressure and flow at the **fire hydrants** in Rye Township. Weaver felt there must be a way to increase pressure and flows without the one million dollar price tag suggested by Mr. Kirby in his letter. Chief Weaver said he was out tonight checking the pressures at the two hydrants located in Rye Township. The pressure at the hydrant located at Orchard Drive dropped down to 30 pounds on a three inch line. The pressure at the hydrant located at Flowers Lane dropped to zero and on top of zero pressures, the cap is leaking.

Discussion continued and concerns were expressed with the inadequate pressures and flows at the hydrants in Rye Township. Weaver said there is a dry hydrant at Heisley's pond with good flow and pressure, and Marysville Fire Department is aware of this. However, the concern is with other neighboring companies coming into Rye Township to assist with a major structure fire and not being aware of the inadequate pressures and the location of dry hydrants.

Resolutions to begin to address this concern were discussed. Weaver offered to contact United Water Pennsylvania to meet with them on site to measure the pressures. In addition, Weaver said as soon as the weather breaks, the permit is already acquired to install an additional dry hydrant at the creek bridge along SR 850 near Fleisher Lane.

The Board directed the Secretary/Treasurer to send a letter to Solicitor Wagner directing the Solicitor to send a letter to United Water Pennsylvania indicating the concerns with the low pressures of the hydrants located at Orchard Drive and Flowers Lane and requesting they contact the Township within thirty (30) days to coordinate an onsite meeting with Marysville Fire Chief Weaver to check out and discuss the concerns expressed. Marysville Fire Company is to be copied on all correspondence.

The Board further directed Chief Weaver to gather whatever is needed to also install a dry hydrant at Idle Road near the new bridge culvert. Chief Weaver indicated he would do so.

The Board further directed the Secretary/Treasurer to research the files to see if there is an agreement in place for the two fire hydrants located in Rye Township. Currently, the Township pays approximately \$140.00 a quarter for rental of the two hydrants.

**NEW BUSINESS:** Cole Engdahl made a motion and Lightner seconded to grant a ninety (90) day time extension request from Thomas H. Metz Engineering, Inc. on behalf of Donald Wood, the Woody's Auto Salvage Land Development plan to April 26, 2009 to allow for additional time to adequately address storm water management issues. Motion carried unanimously.

Evans made a motion to accept the withdrawal of the Dittmar and Corl Subdivision Plan dated, October 21, 2008 as stated in a memo faxed from Sally Burget of Burget Associates. Cole Engdahl seconded. The motion carried unanimously. The Secretary/Treasurer indicated she would notify Burget Associates in writing of the acceptance of the withdrawal. Burget indicated that Dittmar and Corl would be submitting a new plan some time in the future.

The Board acknowledged the receipt of the January 12, 2009 Elected Auditors' meeting minutes. Chairman Lightner noted the auditors voted to keep the wages for supervisors working for the Township at \$11.65 per hour for unskilled laborers and \$12.60 for skilled laborers. Currently, there are no supervisors working as employees of the Township.

Lightner made a motion and Cole Engdahl seconded to **participate in the 2009/10 joint participation bid** with the **Capital Region Council of Governments**. Motion carried unanimously. Bulk rock, cold patch, playground cover, and roadway line painting are some of the items that are included in the bid. Rye Township hopes to save some expense by participating with 35 other municipalities and boroughs that also belong to the Capital Region COG.

Chairman Lightner discussed a concern that was brought to his attention recently regarding a drainage concern along SR 850 near Mountain Dale Drive. Discussion ensued. Supervisor Evans said the pipe is along SR 850, but it is a Township pipe that crosses under SR850. This same concern arose before when the pipe became clogged.

Chairman Lightner said he would notify the road crew that the cleaning of the pipe is our responsibility and instruct them to do so as soon as the weather permits.

Chairman Lightner announced the following upcoming events:

- ◆ February 9, 2009 at 7:30 PM –Special meeting to meet with reps from GTS Technologies to review files and discuss a plan of action to address storm water and drainage issues on Trout Lane.
- ◆ February 16, 2009 – Presidents’ Day – Office Closed; No trash collection. Trash will be collected on Tuesday, February 17, 2009.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/treasurer provided a January expense check register and submitted the following checks for approval and payment: General Fund Checks #s 11823-11857 in the amount of \$21,155.46. Void check # 11851 issued inadvertently to the wrong vendor. Check number 11857 replaces the voided check.

Payroll checks #s 5339-5351 in the amount of \$6,211.83. No payroll checks void.

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

**CITIZEN PARTICIPATION:** Gary Roth of 3118 Valley Road suggested that the Township consider painting lines the entire length of Reed Drive in Lee Wood Village. Chairman Lightner said the Board would check into this suggestion in the spring.

**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 8:32 pm. Motion carried unanimously.

Respectfully submitted,

---

Daisy Lightner  
Secretary/Treasurer