

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
January 25, 2010**

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**PRESENT:** Chairman Robert Lightner, Supervisor, Ken Quigley, Daisy Lightner, Secretary/Treasurer, Ron Cree, Zoning Officer, Joel Bacon, Cathy Queitzsch, Jake Auxt, Peggy Fedder, Sean Fedder, Scott Weaver, John Fitzsimmons, Jean Snyder, Brian Mader, Warren Mader, Tamara S. Matter, and P. Richard Wagner, Esquire.

**ABSENT:** Supervisor Ronald Evans was absent due to recent back surgery.

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

**CITIZEN PARTICIPATION:** Chairman Lightner welcomed everyone and anticipated that there were those in attendance who would like to bring their concerns before the Board relating to winter maintenance on Lambs Gap Road. Chairman Lightner opened the floor for citizen participation.

Resident and Marysville Fire Chief Scott Weaver of New Valley Road expressed concern with the signage notifying the traveling public of the lack of winter maintenance on the upper portion of Lambs Gap Road. He encouraged the Board to either close the road completely with a gate during the winter events or to maintain the road.

Cathy Queitzsch of Smiles Spinners, a local craft, and quilt shop located along SR 850 expressed concern with the lack of winter maintenance along Lambs Gap Road, which in turn hinders her business that is directed to travel over Lambs Gap Road by GPS and Google map. Queitzsch indicated she attempts to notify regular customers of the condition of the roadway and also notifies customers via her website so as not to place them in harm's way.

Warren Mader of Valley Road, SR 850 offered that residents who regularly travel Lambs Gap Road are forced to travel an additional twenty (20) miles when the road is not maintained.

Jean Snyder of New Valley Road offered that she was traveling Lambs Gap Road last week when the road was still somewhat icy & a woman passed her on the icy roadway.

Brian Mader of Tower Road said he was in attendance at the last meeting expressing similar concerns about winter maintenance on Lambs Gap Road. Mader offered that for three weeks the Lambs Gap Road remained icy until the recent warmer temperatures and thaw. Mader said he understands that Lambs Gap Road beyond the houses is not a priority, but encouraged the Board to maintain the entire roadway.

Road Superintendent Ken Quigley explained that the traveling public packed down the last snow. Temperatures were not above freezing for almost three weeks. The resulting snow pack became a sheet of ice.

Discussion ensued. Supervisor Quigley offered that the Board has been in contact with Hampden Township and is dialoguing with them to cooperate with Hampden Township to come up with a solution to maintain the entire length of Lambs Gap Road during the winter months. Part of the discussion is also focusing on finding an area for Rye Township's road crew to turn the plow truck around at the top.

Chairman Lightner assured those in attendance that the Board heard their concerns and is actively looking for ways to resolve the winter maintenance issues on Lambs Gap Road.

**APPROVAL OF THE MINUTES:** Supervisor Quigley made a motion and Chairman Lightner seconded to approve the minutes of the December 14, 2009 public hearing for the revised Subdivision Land Development Ordinance of Rye Township as submitted. Motion carried unanimously.

Supervisor Quigley made a motion and Chairman Lightner seconded to approve the minutes of the December 14, 2009 supervisors' meeting as submitted. Motion carried unanimously.

Supervisor Quigley made a motion and Chairman Lightner seconded to approve the minutes of the 2010 Organization meeting as submitted; motion carried unanimously.

**MONTHLY MUNICIPAL REPORTS:** Corporal Clint Shoop submitted copies to the Board and Chairman Lightner read the December Police Report as follows: 80.90 gallons of fuel used, drove 1,111 miles, worked a total of 138.00 hours, 6 incidents: 0 traffic warnings, 1 traffic citations & 1 animal complaint. Total fines collected from the District Justice were \$181.07. Total fines received from the Perry County Court were \$6.77.

The December & January Zoning Reports were submitted and read by the Zoning Officer, Ron Cree as follows: (3) three zoning permits, 11 certificates of use, 5 calls/complaints with \$250.00 in fees collected.

No Sewage Enforcement Report was submitted by Mike Higgins due to the lack of activity at this time of year.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent Ken Quigley. Most of the work was plowing and cindering and repair of equipment.

Tamara Matter of the Recreation Board was present to provide a report for January. The following events are tentatively scheduled for the year 2010:

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|-----------------------|------------------------|-----------------------|
| ◆ Easter Egg Hunt     | March 27 <sup>th</sup> | Rain date of March 28 |
| ◆ Gardening Day       | April                  |                       |
| ◆ Fishing Derby       | June                   |                       |
| ◆ Strawberry Festival | June                   |                       |
| ◆ Pool Party          | July                   |                       |
| ◆ Sundaes in the Park | August                 |                       |
| ◆ Potluck Dinner      | September              |                       |

The Recreation Board will be confirming dates to the Secretary/Treasurer so the events can be advertised in the Spring Newsletter and on the website.

No Emergency Management report was presented. Assistant Scott Weaver was present but had no recent incidents or issues to report. Chairman Lightner reported that Pine Hill Road was temporarily closed to traffic with flooding over the roadway due to the heavy rainfall. Two residents were temporarily unable to leave their homes. However, the waters are receding and there were no emergency incidents during the time of the flooding.

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 auditors' approval. The Secretary/Treasurer noted the independent auditors will be in the week of February 16, 2010 to conduct the financial audit for 2009.

**SUBDIVISION PLANS:** William Miller and Darin Foster of Lou Hartford Surveyors were present to discuss the access to a proposed three residential lot subdivision off of Mr. Miller's thirty (30) acre parcel located off of the cul-de-sac at the southern end of Stiles Drive.

**The William Miller Subdivision Plan** received a recommendation for preliminary plan approval at the February 2, 2010 Planning Commission meeting contingent upon the following revisions:

1. Provide access via two paved private drives with ingress and egress off of the cul-de-sac on Stile Drive, thereby not creating more than three dwellings off of a private drive with said plan.
2. Provide an Alteration of Requirements, (AOR), to allow the two paved private drives to occupy the same fifty (50') feet wide area
3. Present a revised preliminary plan and the AOR to the Board of Supervisors at their January 25, 2010 meeting for approval.

Darin Foster presented an enlarged drawing of the cul-de-sac and explained the history of the development of Grier Point Estates that created the pre-existing lots along Stiles Drive neighborhood and along the private drive extension at the end of the cul-de-sac. William Miller indicated he owns the private Right of Way.

Mr. Foster discussed the two separate paved drives and expressed concern with several larger pine trees that stand in the way of constructing the two drives according to Township regulations. Mr. Miller proposed the option of extending Stiles Drive an additional fifty (50') feet. The Board of Supervisors was not in favor of extending Stiles Drive.

Since a revised William Miller preliminary plan was not presented for approval, Chairman Lightner made a motion and Supervisor Quigley seconded to grant a ninety (90) day time extension for the Board to take action on the **William Miller Preliminary Subdivision Plan** to allow additional time to survey and design the two separate paved private drives, take the revised design back to the Planning Commission for their comments, and present the revised preliminary plan again to the next Supervisors' meeting for approval. Motion carried unanimously. The record notes the time period for action on the **Preliminary William Miller Subdivision Plan is April 25, 2010.**

Darin Foster and William Miller thanked the Board for their time and left the meeting at this time.

**LEGAL BUSINESS:** Solicitor Wagner said the Board authorized the filing of an action against the homeowners of **5 Dicken Drive** since no one can seem to find where they are located. In the meantime, Solicitor Wagner learned that the 5 Dicken Drive property was up for sheriff's sale on January 22, 2010. A phone call today to the Sheriff's Department did not reveal the status of the Sheriff's sale. However, Solicitor Wagner indicated he would contact the Sheriff's department tomorrow to learn of the status of the sheriff's sale for **5 Dicken Drive** and immediately relay the information to the Township office.

Solicitor Wagner reviewed for the second time the **Dittmar/Corl Agreement** prepared by Burget Associates relating to the responsibility of installation and maintenance of several on-lot improvements located on lots proposed by the Dittmar/Corl Subdivision Land Development plan along Pine Hill Road.

Solicitor Wagner advised the revisions requested at the November 23, 2009 supervisors' meeting were not completed. The Solicitor recommended the addition of the following provisions: 1). *The Agreement is binding upon the heirs, assignees, grantees and transferees of Mr. Corl and Mr. Dittmar.* 2). *The Agreement will be recorded in the Office of the Recorder of Deeds of Perry County, Miscellaneous Docket.* 3). *Page 1, Revise #2 to reflect "issuance of a certificate of use" instead of a "certificate of Occupancy permit.*

The Solicitor advised the Secretary to send a letter stating the Agreement is deficient, list the above revisions & indicate that the ninety,(90) day time period for recording of the approved Dittmar/Corl Subdivision Plan was exceeded since the plan was approved on October 26, 2009.

Therefore Burget Associates must be in attendance at the next Supervisors' meeting on February 22, 2010 with the revised agreement and plan. Assuming all conditions are met, the Board will reconsider the approval of the Dittmar/Corl Subdivision Land Development Plan.

**RESOLUTIONS:** Supervisor Quigley made a motion to adopt **Resolution 10-05**, which authorizes the Secretary/ Treasurer to transfer \$1,000 of monies in the General Checking account that were received in memory of Elaine Pierson to a short term CD at the First National Bank of Marysville. The intent is to keep the Pierson Memorial monies separate and gain a slightly higher interest at the same time. Chairman Lightner seconded. Motion carried unanimously.

Supervisor Quigley made a motion to adopt **Resolution 10-06**, which authorizes the Secretary/ Treasurer to transfer from Members First Credit Union of Enola a matured General CD in the amount of \$174,250.96 to a five (5) year CD at the Bank of Landisburg, Shermans Dale Branch for a better rate of interest investment of 3.05%. Supervisor Quigley seconded. Motion carried unanimously. The record notes this transfer nets the Township approximately an additional \$2,300 of revenue annually.

For clarification and so that no issues are created with only two Board members present, Solicitor Wagner advised that a Board member make a motion with a proper second and voted upon that all previous motions and seconds be adopted by the Board.

Chairman Lightner made a motion that all previous motions made tonight and all seconds made here tonight be adopted by the Board; Supervisor Quigley seconded with all members voting in favor.

**OLD BUSINESS:** The minutes of the Elected Auditors' Organization meeting were approved as submitted and placed on the front table for anyone interested to review. Chairman Lightner noted in compliance with the Second Class Township Code the Elected Auditors set the compensation for supervisors who may work as employees of the Township at the same rate as 2009 of \$11.65 for unskilled laborers and \$12.60 per hour for skilled laborers. Currently, no supervisor is working as an employee of the Township.

**NEW BUSINESS:** Supervisor Quigley made a motion with a second from Chairman Lightner to participate in the 2010-2011 Capital Region Council of Governments Bid. Motion carried unanimously. The bid saved the Township advertising costs and additional savings on the purchase of stone and antiskid in 2009.

Supervisor Quigley made a motion and Chairman Lightner seconded to approve and sign the 2010 contract for fire services with Shermans Dale Fire Company. Motion carried unanimously.

The Secretary/Treasurer completed the application for eligibility to receive a 50% reimbursement for the purchase of a new police vest from the Department of Justice. Supervisor Quigley made a motion to approve the purchase of a new police vest up to \$700.00. Chairman Lightner seconded. Motion carried unanimously.

Chairman Lightner announced that the office would be closed for Presidents' Day on February 15, 2010 and trash would be collected on Tuesday, February 16, 2010. Trash was delayed today due to the heavy rain and the refuse crew assisting with stormwater and drainage issues. Trash collection will resume tomorrow.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/treasurer provided a January 5 to January 25, 2010 expense check register and submitted the following checks for approval and payment: General Fund Check's #s 12377-12408 in the amount of \$15,181.49. No checks void.

Payroll checks #s 5638-5649 in the amount of \$5,501.63. No payroll checks void.

An electronic transfer, ELF was made from the General Checking account by PCI, Insurance on January 20, 2010 in the amount of \$5,074.73 for February's health insurance.

With no further discussion on the bills presented, Supervisor Quigley made a motion & Chairman Lightner seconded to approve the checks & pay the bills. Motion carried unanimously.

**CITIZEN PARTICIPATION:** Chairman Lightner reiterated that the Board of Supervisors heard the concerns of its residents and assured them that the Board would continue to deal with the winter maintenance issue on Lambs Gap Road.

Scott Weaver of New Valley Road said Officer Shoop stopped by his residence and had a lengthy conversation with him relating to the status of the purchase of a lap top for the police department. Chairman Lightner said Officer Shoop was told by him that the purchase of a lap top will be discussed at the February 12<sup>th</sup> personnel meeting. Chairman Lightner commented that Officer Shoop had also talked with others in the community and the Board did not appreciate the police officer taking time during his work schedule to politic for a lap top computer. The request was brought to the Board by the Officer and the Board will discuss it.

Scott Weaver of New Valley Road also would like to clear up any rumors floating about from an incident in December that he left the trash collection crew stuck one Monday morning. Weaver said there was a mix up in communication. Weaver was supposed to work one Monday. However he had notified the office that since he took the job as manager in Marysville, he was going to hunting camp and would not be able to assist with the trash collection. Chairman Lightner said he thought that issue was discussed and resolved several weeks ago.

Warren Mader of Valley Road asked the status of outsourcing the trash collection. Chairman Lightner said the Board anticipates going out for bids this year and if the bids are found to be cost effective, the Board would award a contract for an outside hauler to collect the trash beginning in 2011.

Mader asked if the current road work force would be reduced to part time if the trash is outsourced. Chairman Lightner said he was not going to entertain a discussion of this sort.

**ADJOURNMENT OF THE MEETING:** There being no further business before the Board, Supervisor Quigley made a motion and Chairman Lightner seconded to adjourn the meeting at 8:40 pm. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner  
Secretary/Treasurer