

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
December 20, 2010**

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**PRESENT:** Chairman Robert Lightner, Vice Chairman Ronald Evans, Supervisor Ken Quigley, Daisy Lightner, Secretary/ Treasurer, Ron Cree, Zoning Officer, Linda Ekelman, Howard Bouenival, Pat and Elwood Brubeck, Sean Fedder, John M. Fitzsimmons, PE, Jean Snyder, John Smith, Jessica Sprajcar of the Patriot News, and Edward Spreha, Esquire.

**FORMER SUPERVISORS PRESENT:** Charlie Kunkle and Phyllis Page

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. Linda Ekelman announced that she was video recording the meeting. Pat Brubeck announced she would be recording the meeting. The chairman instructed the residents where to place their recording devices in compliance with the Township's written policy.

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

**APPROVAL OF THE MINUTES:** Supervisor Evans made a motion and Supervisor Quigley seconded to approve the minutes of the November 16, 2010 supervisors' meeting as submitted. Motion carried unanimously.

**MONTHLY MUNICIPAL REPORTS:** The December Zoning Report was submitted by Zoning Officer, Ron Cree, and read as follows: one (1) zoning permit issued, (1) certificate of use; 17 calls and/or complaints logged; no mileage; collected \$30.00 in fees.

SEO Mike Higgins provided a final Sewage Enforcement Report for the year with seven (7) activities for 11 percs and 12 probes for William Dittmar and final inspections for Chris Bucher, M. Goeckel and Jim Sabo. Total due for wages is \$3,030.00.

Road Superintendent Ken Quigley read the entire November/December report provided by Brad Sloop, road foreman. The report was placed on the front table for review.

The Recreation Board provided no report because they do not meet in December.

No Emergency Management Report was offered.

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

**SUBDIVISION PLANS:** Adam of NavTech, Inc. approached the Board to gain final approval of the Donald and Sandra Beers Subdivision Plan, which subdivides existing Lot 1, (6.16 acres) into two (2) lots, (Residual Lot 1 and proposed Lot 2A) and adds the proposed Lot 2A to Existing Lot 2. The Planning Commission recommended the said plan for approval at their December 7, 2010 meeting contingent upon two conditions: 1) written recommendation and approval letter from Sewage Enforcement Officer, Mike Higgins 2) written recommendation and approval letter from Janice Vollero of the Department of Environmental Protection. Copies of the requested letters were submitted. A letter requesting a waiver of three sections of the Subdivision Land Development Ordinance was also recommended for approval by the Planning Commission. All Perry County review comments were addressed. A fifty (\$50) security deposit was received to assure receipt of a final recorded plan.

Upon due consideration, Supervisor Quigley made a motion and Supervisor Evans seconded to recommend approval of the three waivers to Rye Township's Subdivision Land Development Ordinance 09-03 as requested for the Donald and Saundra Beers Final Subdivision plan as follows:

1. Waiver of SALDO § 501, Preliminary Plan Submission Procedures
2. Waiver of SALDO §709, Storm Water Management Plan, Article 7, Section 709A
3. Waiver of SALDO §710, Erosion and Sedimentation Pollution Control Criteria, Article 7, Section 710

Motion carried unanimously.

With all comments addressed and conditions met, Supervisor Quigley made a motion and Supervisor Evans seconded to approve the **Donald and Saundra Beers Subdivision Plan**. Motion carried unanimously. Copies of the plan remain with the Township office to gain the proper signatures. Adam thanked the Board and left the meeting at this time.

**LEGAL BUSINESS:** Attorney Ed Spreha was present in Solicitor Wagner's absence due to prior commitments. Attorney Spreha indicated he would communicate the request to detail the proper procedures for the Township to follow for adoption of amendments to the Zoning Ordinance and official Zoning map by January 3, 2011.

**ORDINANCE:** Proof of publication is on file for Ordinance No. 10-03. Supervisor Quigley made a motion to adopt Ordinance No. 10-03, which, in compliance with Act 32, amends the Earned Income Tax Ordinance that levies a tax on earned income and net profits; requires tax returns; and requires employers to withhold and remit taxes; Supervisor Evans seconded. Motion carried unanimously. The Board signed the Ordinance.

**RESOLUTIONS:** In compliance with Refuse Ordinance 97-3, Supervisor Evans made a motion and Supervisor Quigley seconded to approve **Resolution 10-23**, which provides for the Township to contract for trash services by way of a written resolution of the Board. Motion carried unanimously. The record notes sealed bids were received and a contract previously awarded to Penn Waste, Inc., who will begin the trash collection on Tuesday, January 4, 2011.

**OLD BUSINESS:** On behalf of the Board Chairman Lightner expressed appreciation to Santa for volunteering to visit with the children on December 16, 2010. The children were a delight to watch. He directed the Secretary/ Treasurer to send a letter of appreciation to Mr. Askins (Santa) for his time and generosity in providing this experience without charge for the Township's children. The children were also photographed and fingerprinted by Robert Duboise of New York Life.

The Board expressed appreciation to the Secretary/Treasurer for her service to the Board this year, in particular handling the extra administrative work relating to the police department disbandment in July.

**NEW BUSINESS:** Chairman Lightner made a motion and Supervisor Quigley seconded to approve and sign the 2011 contract for fire services with Shermans Dale Fire Company. Motion carried unanimously.

Proof of publication is on file for the **2011 proposed budget**, which was available as required for public inspection for twenty-five (25) days. The Board noted that the 2011 proposed budget is balanced without a tax increase. Supervisor Evans made a motion to adopt **Resolution 10-24**, adopting the **2011 Budget**, Supervisor Quigley seconded; Motion carried with all members voting in favor.

Supervisor Quigley made a motion to adopt **Resolution 10-25** which because of reassessment reduces the levy from 1.24 mills and establishes the tax levy for 2011 without an increase as follows:

General Township.....	•59 mills
Fire companies .....	•16 mills
Ambulance .....	•01 mills
Library .....	•01 mills
Road Equipment .....	•13 mills
<b>TOTAL</b>	<b>•90 mills</b>

Supervisor Evans seconded; motion carried. All members voting in favor.

Supervisor Quigley made a motion to adopt **Resolution 10-26**, which pursuant to the grant of powers set forth in the Second Class Township Code, establishes a Schedule of Fees for Rye Township for the fiscal year beginning in 2011 and each calendar year thereafter until amended by resolution. Supervisor Evans seconded. Motion carried unanimously.

Supervisor Evans made a motion to adopt **Resolution 10-27**, which authorizes the Secretary/ Treasurer to transfer \$23,017.54 the total amount of tax revenue levied for road equipment in 2010 from the General Checking to the General Savings account. Supervisor Quigley seconded. Motion carried unanimously.

Chairman Lightner announced that the office would be closed for Christmas on Friday, December 24, 2010 and the New Year's holiday on Friday, December 31, 2010.

The Board of Supervisors Organization Meeting is scheduled for Monday, January 3, 2011 at 7:30 PM. The Planning Commission's organization and business meeting is scheduled for Tuesday, January 4, 2011 at 7:30 PM. The Elected Auditors will meet at 6:30 PM on Wednesday, January 5, 2011.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/treasurer provided a December expense check register and submitted the following checks for approval and payment: General Fund Check's #s 12821-12861 in the amount of \$38,760.52. No expense checks void.

Payroll checks #s 5870-5880 in the amount of \$5,647.58.

Payroll checks #s 5881-5891 in the amount of \$4,133.32.

Payroll checks #s 5892-5898 in the amount of \$3,916.62. No payroll checks were voided.

The Secretary/Treasurer noted the electronic transfer to Pennsylvania Chamber Insurance, (PCI) for monthly payment of health insurance in the amount of \$5,250.37.

Chairman Lightner made a motion and Supervisor Quigley seconded to approve the checks and pay the bills except for check #s 12825 and #12842, which were issued to Daisy Lightner for mileage and reimbursement of expenses for the Santa visitation and the purchase of paper supplies. Motion carried unanimously.

Supervisor Quigley made a motion and Supervisor Evans seconded to approve check # 12825 and check #12842. Motion carried. Chairman Lightner abstained from the vote because of a potential conflict of interest because Daisy is his spouse.

**EXECUTIVE SESSION:** The Chairman recessed the meeting to Executive Session to discuss personnel issues and labor negotiation strategies at 8:02 PM.

**RECONVENE THE MEETING:** Chairman Lightner reconvened the meeting at 8:15 PM stating the Board discussed personnel issues and labor negotiations.

**CITIZEN PARTICIPATION:** Linda Ekelman of Weaver Drive offered that a previous discussion and advice from Solicitor Wagner involving the accessibility of a record proved to be incorrect. The document was deemed by the Solicitor to be exempt from public information because of attorney/client privilege and work product. However, the Office of Open Records determined the record was public.

Jessica Sprajcar, a reporter from the Patriot News, asked about the 2011 Budget. The Secretary/Treasurer offered that the Budget was lower than last year's budget. However, the anticipated purchase of a new truck and plow inflated the budget by approximately \$70,000. The monies to purchase this truck are available from the Capital Reserve Fund designated for the purchase of Road Equipment, which monies are supplied from a portion of the real estate taxes levied for road equipment. Without this anticipated larger purchase, the 2011 Budget would be approximately 12% less than the 2010 budget.

Former Supervisor Charlie Kunkle of Valley Road asked for details on several line items in the 2011 Budget, which included the salary and benefit accounts.

Chairman Lightner clarified that a recent letter to the editor in the Duncannon Record claiming to "Set the Record Straight" was actually still incorrect. The road crew pays a 2% employee contribution for health insurance in compliance with a union contract. The Secretary/Treasurer does not pay the 2% contribution because the Board permitted her to waive her spouse's dental insurance, in lieu of the contribution. The Township actually saves \$345.00 more by the waiving of this benefit over the 2% contribution. Chairman Lightner receives his benefits as the spouse of a full time employee, not because he is a supervisor. The employee handbook and labor agreements are consistent and provide for health benefits for spouses and dependents of full time employees.

**ADJOURNMENT OF THE MEETING:** There being no further business before the Board, Supervisor Quigley made a motion and Supervisor Evans seconded to adjourn the meeting at 8:22 pm. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner, Secretary/Treasurer