

**RYE TOWNSHIP
SUPERVISORS' MEETING
April 22, 2019**

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PRESENT: Chairman Jim Sabo, Vice-Chairman John F. Stahl; Supervisor John C. Schulze, Daisy Lightner, Secretary/Treasurer, Nancy Sunday, Jessica Bacon, Caleb Stausbaugh, Justin Hertzler, Cathy Queitzsch, Jean Snyder, Corinna Van Hine, Joe Burget, Jr., Michael Rugh, Dawn Thomas, Shawn and Michelle Evinger, Wendy Evinger, Brad Knauss, Roger Barrick, Jared Frey, Wayne Kunkle, Sean Fedder, Teena Curnow, auditor with Smith, Elliott, Kearns & Co., (SEK), and P. Daniel Altland, Solicitor.

FORMER SUPERVISORS PRESENT: Charlie Kunkle, Robert Lightner, and Ernie Pace

The meeting was held at the municipal building and called to order at 7:02 PM. Chairman Sabo convened the meeting with the pledge of allegiance to the flag. The meeting was recorded to aid with the preparation of the minutes.

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

REORGANIZATION OF THE BOARD: Chairman Sabo made a motion with a second from Supervisor Stahl to appoint John Schulze as Co-Road Superintendent. Motion carried unanimously.

OPEN AND AWARD ROAD BIDS: The bid request for road resurfacing was advertised in the Duncannon Record on April 4 and April 11 and proof of publication is on file for resurfacing of portions of Mountain Road, Pine Hill Road, Cove Hill Road and Lambs Gap Road. Four sealed bids were opened by the Secretary/Treasurer and read as follows:

Bidder	Bid Amount
Jay Fulkroad & Sons, Inc.	\$204,833.40*
Glen Hawbaker & Sons, Inc.	\$221,424.75
Wilson Paving, Inc.	\$239,090.00
McNaughton Services, Inc.	\$254,449.00

Upon due consideration and discussion and with all bid bonds in place, Chairman Sabo made a motion with a second from Supervisor Schulze to accept the lowest bid from Jay Fulkroad and Sons, Inc. in the amount of \$204,833.40* conditional upon receipt of CDL compliance, a 100% performance bond and any other additional contract documents requested, but not included with the initial bid submission; Motion carried unanimously. The Secretary/Treasurer will notify the bidders and acquire necessary contract paperwork from Jay Fulkroad and Sons, Inc. The Board signed the contract.

APPROVAL OF THE MINUTES: Supervisor Stahl made a motion and Supervisor Schulze seconded to approve the minutes of the March 25, 2019 supervisors' meeting as submitted. Motion carried unanimously.

PERSONS TO BE HEARD: Auditor, Teena Curnow of Smith, Elliott, and Kearns & Co., (SEK) was present to provide a condensed version of the 2018 Financial Audit report for Rye Township. Teena presented a power point program to explain the 2018 audit report. SEK issued an unqualified, clean audit opinion, which is the best opinion that may be given indicating that SEK is confident that the financial statements are materially correct. There were no findings. The Management Discussion and Analysis was

prepared by Township management. A surplus resulted in the General Fund, Solid Waste Fund, and Capital Reserve Fund with a deficit in the Highway Aid Fund. Overall the Township had a good year. Curnow noted that the Highway Aid Funds were used to pay for road resurfacing projects. The Solid Waste Fund had a small increase in 2018 in the fund balance, but pretty much broke even. Revenue received from refuse fees was expensed to pay to provide services to residents for trash collection and recycling, along with the annual bulk clean-up.

The presentation provided analysis of all the funds, notes to financial statements, the Management letter, a general communication letter, and five year graphical analysis of cash and investment trends, revenue versus expenses; revenue trends; expense trends; revenue allocation and expense allocation. Teena noted that the highest revenue for the Township at 57% is derived from taxes and the highest expense is Public Works or Highways, which is a typical allocation for a Township our size. The 2018 audit report was placed on the front table and available for public review. The record notes that the audit report is on file as a permanent public record in the Township office.

Teena Curnow asked if there were any questions on the audit or presentation. No response received. The Board thanked her and the Secretary/Treasurer for a job well done. Teena Curnow thanked the Board and departed the meeting at this time.

Joe Burget, Jr. of Burget Associates approached the Board to ask for clarification for requirements to assist with preparation of a zoning permit application submission for construction of a new home on a vacant lot located at 3410 Valley Road for Wayne and Julie Kunkle. Burget referred to sections of Rye Township's Zoning and Subdivision Land Development regulations relating to land development. Discussion ensued relating to what constitutes land development and when stormwater management plans and formal land development plans are required.

The Board and Solicitor clarified the procedures for submission of a new home permit application. The applicant completes the application, including a stormwater management plan, if not exempt, and submits it to the Township. The Township will forward the stormwater to the Township engineer for review. The application must also comply with any other requirements noted on a prior approved plan, if applicable, and comply with all design regulations included in the zoning ordinance relating to driveways, slope, septic etc. The final approval for the permit is contingent upon the review and approval by the Zoning Officer. In conclusion, the Board advised the Kunkle application at 3410 Valley Road does not require a formal land development plan submission, but does require stormwater management.

The Solicitor advised that the exemption referred to in the regulations is not an exemption from the design and standards, but rather an exemption from submission of the formal stormwater management plan. He advised it best to design them in the first place.

Joe Burget, Jr. asked the Board for clarification for the reason why the Township requires a local driveway permit for driveways located along a State route.

Supervisor Schulze offered that the reason the Township requires a local driveway permit is because the State Highway Occupancy Permit, (HOP), issued by PennDOT only regulates the access onto the State route to the right of way line. The Township's local driveway permit regulates the remainder of the driveway to ensure it is designed and constructed to meet Township ordinances which were made to assure emergency apparatus and equipment are able to access the driveway safely and to control the erosion and sedimentation and stormwater runoff.

Brad Knauss of Pine Hill Road asked the reason why new driveways have such a long time period before they are required to pave, if the concern of the Board is safety.

Supervisor Schulze explained that residents need a reasonable time period to complete the paving.

Joe Burget, Jr. challenged Supervisor Schulze regarding the amount of impervious coverage on his lot claiming it was over 5,000 square feet. Burget questioned compliance with stormwater regulations. Supervisor Schulze said he has not modified his driveway yet. If he decides to proceed, he will gladly acquire proper permits and comply with all stormwater regulations. The Zoning Officer and/or the Driveway Permit Officer will determine if a permit is necessary and the applicable design standards.

Burget thanked the Board and left the meeting at this time.

MONTHLY MUNICIPAL REPORTS: No zoning report was presented. No fees are due for April.

A Sewage Enforcement Report was submitted by SEO Lenny Sizer of FSA Engineering listing one (1) activity on April 08, 2019 for a tank replacement at 1065 Valley Road for John Walak for a total due in fees of \$125.00.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent John Stahl as follows: chipped brush, repair and patch pot holes on Lambs Gap and Mountain Road; install new block signs and street signs along SR 850; cut up trees and pick up limbs, rocks, debris from storms on Idle, New Valley and Fleisher Roads; clean drains throughout the Township; repair old backhoe bucket, sweep off bridges of debris and anti-skid, and take #3 truck to LB Smith for warranty work.

Jean Snyder of New Valley Road noted that the lines on the Township roadways are faded and in need of repainting. Supervisor John Schulze offered that line painting will be scheduled following completion of resurfacing projects. Resident Sean Fedder offered that due to regulations on chemicals in paint, the lines on everyone's roads do not last.

Nancy Sunday of the Recreation Board was present and announced the next upcoming event as follows:

May 18 Annual Fishing Derby; 9 AM to 10:30 AM; Rain date of May 19; 1:00-2:30 PM
 Held at the Sportsmen's Association on Kings Highway in Marysville Borough

No Emergency Management report was presented. Deputy EMC Michael Rugh was in attendance.

The March Treasurer's Report was submitted for review by the Secretary/Treasurer & placed on the front table for anyone interested to review. The report is submitted and approved pending the 2019 Financial Audit.

RESOLUTION: Vice-Chairman John Stahl made a motion with a second from Supervisor John Schulze to adopt **Resolution 19-13** to authorize the Secretary/Treasurer to take an early withdrawal of a General CD at Pennian Bank earning 1.41% and transfer to the Bank of Landisburg at 3.03% for a better rate of investment return. Motion carried unanimously.

NEW BUSINESS: Chairman Sabo made a motion with a second from Supervisor Schulze to authorize the advertisement of an Ordinance to temporarily close Grier Point Road for the Bethel United Methodist Church to hold its annual Strawberry Festival on Saturday, June 8, 2019 from approximately 9 AM to 8 PM. Motion carried unanimously.

Cindy Whitmer of Idle Road asked for specifics relating to bonding and the amount of escrow required for submission with the maintenance agreement to install a small flow treatment facility on a lot they own addressed as 3523 Valley Road. The Township is in receipt of two (2) different estimates for the project from the same vendor. The Solicitor advised the Whitmers to provide a copy of the executed contract to determine the bond amount. Cindy asked a few other questions regarding approval of the content and legal form of the bond. Solicitor Altland provided his business card to Cindy to have the insurance company contact him directly regarding the bond.

The Board asked the Solicitor how to proceed with several expired driveway permits when the driveways are not completed and inspected according to the approved and recorded plan. Applicants were notified in writing to complete their driveway installation, or contact the Township to request an extension of their permit. However, no response was received.

The Solicitor advised sending a final notice giving them a reasonable time to apply for an extension of their permit and a reasonable time to complete their driveway or enforcement action will be taken against them. With summer approaching, the Solicitor advised sixty (60) days as a reasonable time period for completion of the driveway.

Chairman Jim Sabo made a motion with a second from Vice-Chairman Stahl to appoint **Brian Gilbert of Wilson Consulting Group** as the **Zoning/Code Enforcement Officer** for Rye Township, contingent upon his taking an oath of office before assuming his duties. Motion carried unanimously.

Vice-Chairman John Stahl made a motion with a second from Supervisor John Schulze to appoint **Daisy Lightner** as the **Administrative Zoning Secretary** to authorize her to review zoning permit packet submissions for administrative completeness to ensure driveway and zoning permit application packets contain the minimum required documents prior to handing them over to the Zoning and Driveway Permit Officers for their review and determination. Motion carried unanimously.

Vice-Chairman Stahl made a motion with a second from Supervisor Schulze to approve a second time extension for approval of the **Revised Final Minor Subdivision Plan for Dr. Robert P. Matsko, Sr.** to **July 22, 2019** to allow for additional time to complete an hydraulic study to establish the 100 year flood elevation on the subject lot owned by Mr. Craig Raisner, and the time for the analysis and coordination involved with this project. Motion carried unanimously.

Chairman Sabo announced the following upcoming events:

- ◆ May 3 and May 4; Spring Bulk Clean-Up
Proof of residency is required. If the last refuse payment receipt is not available, a current PA driver's license will also be accepted.
- ◆ May 21 – Primary Election Day; 7 AM to 8 PM
- ◆ May 18 – Fishing Derby; 9 AM to 10:30 AM; Rain Date of May 19 from 1-2:30 PM
At the Sportsmen's Association in Marysville Borough
- ◆ May 27 – Memorial Day Holiday; the office is closed. Trash will collected Wednesday, May 29.
- ◆ June 16 - Strawberries in the Park; 6-7:00 PM; held rain or shine.

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/Treasurer provided an April expense check register and submitted the following checks for approval and payment: General Fund Check's #s 16267-16287 the amount of \$8,363.62.

Payroll checks #s 7547-7552 in the amount of \$4,066.48. No payroll checks void.

Payroll checks #s 7553-7557 in the amount of \$7,078.57. No payroll checks void.

With no further discussion on the bills presented, Vice-Chairman Stahl made a motion with a second from Supervisor Schulze to approve all the expense and payroll checks submitted for payment and to pay the bills. Motion carried unanimously.

CITIZEN PARTICIPATION: Former Supervisor Robert Lightner and residents Jessica Bacon and Cathy Queitzsch, owners of a local quilting shop known as Smile Spinners, expressed frustration and concern that nothing has been done with the ongoing violations at 2105 Sites Circle. They complained that the property is full of junk, debris, numerous vehicles that park in the middle of the public roadway, and vehicles towed to the property as the occupants' operate a towing business. Nearby residents complained of loud music and obnoxious language also coming from the property and disturbing the peace late at night.

Chairman Sabo offered that a Notice of Violation letter was sent to the owner of record of the property by the zoning officer giving them thirty (30) days to clean up the property and abate the violation. The thirty (30) day time period ends the first week of May. Chairman Sabo directed the Secretary to add this item to the May meeting agenda to assure follow-up.

ADJOURNMENT OF THE MEETING: There being no further discussion or business before the Board, Chairman Sabo adjourned the meeting at 8:38 pm.

Respectfully submitted,

Daisy Lightner, Secretary/Treasurer