

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
July 26, 2021**

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**PRESENT:** Chairman Jim M. Sabo, Vice-Chairman John F. Stahl, Supervisor Brad L. Sloop, Daisy Lightner, Secretary/Treasurer, Eric Simmons, Driveway Permit Officer, Assistant Emergency Management Coordinator, Mike Rugh, Elected Auditor, Cathy Sabo, Don Machusak, Sean Fedder, Bill and Barb Holley, Jean Snyder, Corinna Van Hine, John Fitzsimmons, PE, Luke Roman of the Duncannon Record, and Solicitor Dan Altland.

**FORMER SUPERVISORS PRESENT:** Charles Kunkle, Robert Lightner, Ken Quigley, and John Schulze.

The meeting was held at the municipal building and called to order at 7:01 p.m. Chairman Sabo convened the meeting with the pledge of allegiance to the flag. The meeting was recorded to aid with the accurate preparation of minutes.

**MOMENT OF SILENCE:** A moment of silence was observed.

**CITIZEN PARTICIPATION:** Chairman Sabo opened the floor for any public comment. Former Supervisor Robert Lightner remarked about a comment at a previous meeting where former Supervisor Schulze noted his credentials as a professional engineer, PE. Former Supervisor Lightner asked Chairman Sabo and Vice-Chairman Stahl if they were also professional engineers, PE. Vice Chairman Stahl said, "Yes", he is. Chairman Sabo offered that he is a mechanical engineer. Former Supervisor Lightner commented that it is not just one member of the previous Board of Supervisors that has a degree in engineering.

**APPROVAL OF THE MINUTES:** Chairman Sabo made a motion and Supervisor Sloop seconded to approve the minutes of the June 28, 2021 supervisors' meeting as submitted. Motion carried unanimously.

**PERSONS TO BE HEARD:** Former Supervisor John Schulze of Lee Drive approached the Board for the second time to discuss his zoning related concern where the Zoning Officer required him to acquire and pay for a Certificate of Use, (COU), to replace an existing concrete patio with a failing foundation with a new concrete patio with a foundation constructed to code adequate to hold a future addition. A building permit was submitted and approved by Building Inspection Underwriters, (BIU), to assure the new foundation is in compliance structurally with the building codes. Schulze disagreed with the interpretation of the local regulations by the Zoning Officer, who determined that the COU was required. Schulze offered that he felt extorted because he was asked to either pay the fee for a COU, or for an on-site visit/consultation. He requested the status of the refund requested for the \$112.50 fee paid to the Township for the Certificate of Use, (COU).

Chairman Sabo offered that the Zoning Officer was present at the June meeting and explained his interpretation of the regulations and his reasons why he handled this situation as he did, and the determination he made. The Schulze's understood the options and were in agreement with the Zoning Officer when he explained his determination and paid the fee.

Therefore, Chairman Sabo made a motion for the Board to deny the request for refund of any fees based on the interpretation of the Zoning Officer and the Schulze's agreement to it at that time. Supervisor Brad Sloop seconded the motion. Motion carried unanimously. *The record notes that the Township paid more than the fee paid of \$112.50 to the Zoning Officer for his services involving the above-referenced zoning matter.*

**MONTHLY MUNICIPAL REPORTS:** A **Zoning Report** was presented by Zoning Officer Brian Gilbert of Wilson Consulting Group for the dates June 29 to July 20, 2021. Eight activities were reported: revise plot plan for Mountain Road culvert; review materials for Speck Plan; checked on a noise complaint; reviewed site to confirm permit conditions; issued new home permit for 110 Scenic Drive and prepared monthly report.

A **June Sewage Enforcement Report** was submitted by SEO Lenny Sizer of FSA Engineering and read by Chairman Sabo as follows: Two (2) activities: permit to replace a distribution box at 1921 Valley Road and a chisel inspection at 1310 New Valley Road for a total due in fees of \$200.00.

The **Road Report** for June was provided by Road Foreman Brad Sloop and read by Co-Road Superintendent John Stahl as follows: once again a busy month with 12 activities: with the recent storms cleaned up downed trees on New Valley and Idle Road; mowed grass at the building; clean pipes and ditches throughout the Township; repaired the top of Millers Gap Road with millings from 2021 Road resurfacing projects; continued mowing along various roads; due to recent torrential cloud burst emergency repairs were made to the Idle Road culvert pipe, headwall at Pine Hill Road culvert bridge; and temporary repair to Mountain and Deans Gap Road culverts; chipped brush, mowed in Marysville Borough as part of a mutual exchange of services; repaired rototiller for the Recreation Board; repaired hydraulic leak on Tractor/Mower; moved additional mulch at the Park with the backhoe to assist with spreading the wood carpet on the playground.

**Recreation Board** member Robert Lightner was present and reported a successful "Sundaes in the Park" event with 61 people in attendance, including two supervisors. He announced the next event is:

August 15 – Music in the Park, 6:00-8:00 PM; bring your lawn chairs.

Local vocal talent – Mike Foltz; snacks and beverages served.

Robert Lightner reported that the wood carpet is completely installed on the two playgrounds at the New Valley Road Park. Recreation Board members, Melissa Snyder and Dana Graupensperger along with their spouses organized a group of young people to spread the wood carpet on several occasions. The Glenvale Church of God Youth Group finished spreading the wood carpet on the larger playground this past weekend. He requested that the Board send a letter of appreciation to each group.

Chairman Sabo agreed and directed the Secretary to prepare appreciation letters. He thanked the Recreation Board for providing the events for the residents of the Township and encouraged everyone to attend the next event in the Park.

Assistant EMC Michael Rugh provided a brief **Emergency Management Report** on the road closure at the intersection of SR 850 and SR 34 for 42 days involving construction of the roundabout. Mike Rugh contacted Shermans Dale Fire Chief Mike Minich and was assured that fire trucks would have emergency access during the lengthy road closure.

The **June Treasurer's Report** was read by the Secretary/Treasurer. The report is on file in the Township office and approved pending the 2021 Financial Audit. In her report she noted that the first deposit of the American Rescue Fund monies was received by the Township on June 29, 2021 in the amount of \$124,608.70. The Township, along with all municipalities, is awaiting

final determinations from the Federal Government for all eligible and permitted uses of the monies.

**RESOLUTIONS:** Upon due discussion and consideration, Chairman Sabo made a motion with a second from Vice-Chairman Stahl to adopt the following resolutions:

**Resolution 21-18**, which authorizes a transfer of approximately \$61,515.00 from the Short term Checking Easy Access Municipal Cd at Pennian Bank to the General Checking at Pennian Bank, New Bloomfield branch for a slightly better rate of investment return.

**Resolution 21-19**, which authorizes the transfer in the Capital Reserve Fund of a matured Road Equipment CD to a short term four month CD designated for Road Equipment monies at the Bank of Landisburg to later combine at year end with another matured Road Equipment Cd.

Motion carried unanimously to approve the above-referenced Resolutions.

Upon due discussion and consideration, Supervisor Sloop made a motion with a second from Vice-Chairman Stahl to adopt the following resolution:

**Resolution 21-20**, which authorizes two separate transfers of two matured Cds at the Bank of Landisburg: a matured Stormwater/MS4 Cd for approximately \$32,412.63 and a matured Comp Plan Cd for approximately \$17,432.83. Both Cds will be transferred to 15 month Cds at .20% at the Bank of Landisburg.

Motion carried unanimously.

Upon due discussion and consideration, Vice-Chairman Stahl made a motion with a second from Supervisor Sloop to adopt the following resolution:

**Resolution 21-21**, which authorizes two separate transfers of two matured Cds at Pennian Bank in New Bloomfield as follows:

- a matured General Cd of approximately \$162,666.39 into the Pennian Checking Account at .50%
- a matured Solid Waste Cd of approximately \$66,441.24 into an easy access municipal Cd at .35%

Motion carried unanimously.

**NEW BUSINESS:** Notice was received that the Perry County Association of Township Officials, PCATO, have rescheduled their Annual Convention to Saturday, September 11, 2021 at the Newport Fairgrounds. Vice-Chairman John Stahl offered that he is available to attend. The Secretary indicated she would check with the tax collector to see if she is also interested in attending the Convention. After confirming the number of attendance at the Convention, a check for payment of registration will be processed.

The Elected Board of Auditors provided a copy of an approved Resolution clarifying the wages set for a supervisor working full and part time as an employee of the Township. Solicitor Dan Altland provided a brief summary of the Resolution. He explained that whenever a Township has a supervisor that works as an employee, the elected Board of Auditors sets the wages. In the past, the Township did not have anyone working full time and also holding the position of elected supervisor. The Board of Auditors addressed this new situation in the Resolution. The rate set in January 2021 at \$12.50 per hour was clarified. This wage was for a supervisor that works part time, or on an irregular or "as needed" basis for the Township. The full time employee's wage rate will be governed by the existing full time employee contract.

Chairman Sabo thanked the Auditors for the time and effort they spent to clarify the wages set for supervisors working full and part time for the Township.

Two applications were received to fill the position of Planning Commission, (PC) Secretary. It was the consensus of the Board to not make a decision at this Board meeting to allow for additional time to review the applications. The Chairman directed the Secretary to add this item to the August Board meeting agenda. In the meantime, the Township Secretary, who is currently appointed as the assistant PC Secretary, will continue to fill the position until a replacement is hired.

Chairman Sabo announced the following upcoming events:

- ◆ August 2 – SR 850 & SR 34 Road Closure to install roundabout for 42 days
- ◆ August 15 – Music in the Park, 6:00-8:00 PM, Local vocalist Mike Foltz
- ◆ September 12 – Bonfire/Hot dog Roast in the Park, 6:00-7:30 PM; special music by Martin Henry's bluegrass band, "Broken Silence".

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a July expense check register and submitted the following checks for approval and payment:

General Fund Check #s 17037-17061 in the amount of \$15,081.88. No checks void.

Payroll checks #s 7925-7931 in the amount of \$4,072.24. No payroll checks void.

Payroll checks #s 7932-7936 in the amount of \$4,248.02. No payroll checks void.

With no discussion on the bills presented, Chairman Sabo made a motion and Vice-Chairman Stahl seconded to approve all the expense and payroll checks submitted for payment. Motion carried unanimously.

**CITIZEN PARTICIPATION:** Chairman Sabo asked if there was any other citizen participation.

Former Supervisor Schulze discussed enforcement measures by the Township to assure zoning permits are acquired in light of a comment he read on a blog stating that it is easier to ask forgiveness than to apply for a permit. He offered that the Board should work with the Zoning Officer to assure permits are acquired.

Chairman Sabo offered that this was one person's comment on social media. The Zoning Officer does enforce the regulations when and where zoning permits are required.

Former Supervisor Lightner commented on the negative remarks he has heard from residents who dealt with John Schulze during his appointment as driveway enforcement officer.

Don Machusak of Woods Drive asked about the Lambs Gap Road closure scheduled for Wednesday, July 28, 2021. Supervisor Sloop will check with Hampden Township's road department for more details. The Secretary indicated she would send out an email notification to residents when more details are received.

**ADJOURNMENT:** With no further business before the Board, Chairman Sabo adjourned the meeting at approximately 7:40 PM.

Respectfully submitted,

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Daisy Lightner, Secretary/Treasurer