

**RYE TOWNSHIP
SUPERVISORS' MEETING
February 28, 2011**

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MEMBERS PRESENT: Robert Lightner, Chairman, Vice-Chairman Ron Evans, Supervisor Ken Quigley, Daisy Lightner, Secretary/Treasurer, Ron Cree, Zoning Officer, Pete and Barb Fitting, Henry & Jeanine Holman, Jean Snyder, John Fitzsimmons, Jr., Brian Mader, John Smith; Planning Commission members: Sean Fedder, Ron Cree, Tom Graupensperger, and Jim Sabo; Cathy Sabo, Gary Roth, Scott Weaver, Brian Webster, Jessica Sprajcar, of the Patriot News and Solicitor P. Richard Wagner, Esquire.

FORMER SUPERVISORS PRESENT: Phyllis Page and Charlie Kunkle

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 notified the Board that she would be video and audio recording the meeting.

CITIZEN PARTICIPATION: Chairman Lightner asked if there was any citizen participation at this time. Phyllis Page of Mountain Road notified the Board that the US flag on the flagpole at the Township building was torn and appears to be in need of replacement. Chairman Lightner appreciated her concern and indicated he would replace the flag.

APPROVAL OF THE MINUTES: Supervisor Evans made a motion and Supervisor Quigley seconded to approve the minutes of the January 24, 2011 meeting as submitted. Motion carried unanimously.

SALE OF GUNS: The Secretary/Treasurer opened the envelopes and Chairman Lightner read the following sealed bids received for the sale of the former police department guns:

BIDDER	WINCHESTER	REMINGTON	GLOCK
George Cromleigh	\$ -0-	\$-0-	\$376.00
Michael Peck	\$ 76.00	\$176.00	\$376.00
Brian Webster	\$135.99	\$161.00	\$ -0-
Ron Cree	\$150.00	\$160.00	\$275.00
Jarrett Flickinger	\$ -0-	\$-0-	\$327.09
Michael Hartley	\$100.00	\$200.00	\$370.00
Gaudino Bros. LLC	\$ 62.00	\$ 62.00	\$263.00

Upon due consideration, Supervisor Quigley made a motion and Supervisor Evans seconded to accept the highest bid of \$150.00 and sell the Winchester Shotgun "As Is" to the highest bidder, Ronald Cree. Motion carried unanimously.

Upon due consideration, Supervisor Quigley made a motion and Supervisor Evans seconded to accept the highest bid of \$200.00 and sell the Remington Shotgun "As Is" to the highest bidder, Michael Hartley. Motion carried unanimously.

There were tie bids of \$376.00 each for the sale of the Glock pistol from Michael Peck and George Cromleigh. With neither bidder present, Solicitor Wagner advised the best route to take was to advertise and rebid the sale.

Upon the advice of the Solicitor, Supervisor Quigley made a motion and Supervisor Evans seconded to advertise and re-bid the sale of the Glock Model 23, 40 caliber pistol due to a tie bid. Motion carried unanimously.

MONTHLY MUNICIPAL REPORTS: Zoning Officer Ron Cree submitted his monthly Zoning Report and read it as follows: three (3) Zoning Permits issued, eleven (11) calls and complaints; mileage 87 miles; fees collected \$255.00.

Zoning Officer Cree also asked if the signs posted at the properties in compliance with procedures for adoption of the Zoning Ordinance amendment and map could be removed. The Board advised as long as the proposed Ordinance is adopted the signs posted could be removed tomorrow, if weather permits.

SEO Mike Higgins notified the office that no sewage report will be submitted for January/February because of little to no activities during the winter months. The SEO will provide a report for the March meeting.

Supervisor Quigley read the February Road Report: winter maintenance with snow plowing and salt and cindering as the main activities along with equipment repairs and maintenance. Replacement of all the stop signs and posts throughout the Township was also completed in compliance with new high reflectivity sign regulations. The entire report was placed on the front table for review.

Recreation Board member, Pete Fitting reported that the Board is establishing various committees and the dates for upcoming events. The record notes the first event will be as follows:

- April 9 Easter Egg Hunt; 11:AM
- April 9 Spring Fest-Gardening Day; 12 noon
- April 10 Rain date at 1:00 PM

No Emergency Management Report was presented.

The January Treasurer's Report was submitted for review and read by the Secretary/Treasurer. With no discussion, the report was accepted as read pending the independent auditor's approval. She reported that Smith, Elliott, and Kearns conducted the 2010 Financial Audit on February 14 and February 15th. The auditors are tentatively scheduled to give their report to the Board at the April 25, 2011 regular Board meeting.

LEGAL BUSINESS: Henry Holman, III, owner of property at Brubeck Circle, had some concerns and question as to the reasons for the requirement of a maintenance agreement when a property is developed on a private drive that services three (3) lots. Solicitor Wagner advised a maintenance agreement is required when a property owner decides to develop their parcel to relieve the Township of any responsibility and to place purchasers on notice that they are subject to the upkeep and maintenance of the private drive.

Holman asked the consequences if the three (3) property owners cannot agree to the terms of the maintenance agreement. Solicitor Wagner advised that if the property owners cannot agree the agreement is not accomplished. The property owner would need to seek relief from the Board.

Planning commission member Tom Graupensperger offered that the private drive maintenance agreement could stipulate that until improvements are made by a property owner on their vacant parcel of land, there is no involvement for maintenance to that specific owner.

ORDINANCES: Proof of publication is on file for **Ordinance 11-01**. A Public hearing was held prior to this meeting to receive comments and input for the proposed Zoning Ordinance amendment 11-01 and the official Zoning map. No comments were voiced for or against the zoning amendment proposals. Supervisor Evans made a motion and Supervisor Quigley seconded to adopt **Ordinance 11-01**. Motion carried unanimously.

Proof of publication is on file for Ordinance 11-02. Supervisor Quigley made a motion and Supervisor Evans seconded to adopt **Ordinance 11-02**, which establishes a program for the voluntary collection of recyclable materials and provides for regulations and fines and penalties for dumping and scavenging. Motion carried unanimously.

RESOLUTIONS: Supervisor Evans made a motion and Supervisor Quigley seconded to approve and adopt **Resolution 11-05**, which authorizes the Secretary/Treasurer of Rye Township to transfer the following General Savings account monies from the First National Bank of Marysville to a money market savings account at the Bank of Landisburg, Shermans Dale branch. Motion carried unanimously. The Secretary/Treasurer noted this transfer was proposed to return a better rate of interest on the Township's monies.

Supervisor Quigley made a motion and Supervisor Evans seconded to approve and adopt **Resolution 11-06**, which authorizes the Park and Recreation Board to open and maintain a checking account at the First national Bank of Marysville and to add Eve Brown, the newly appointed treasurer of the Board, as an authorized signer. Motion carried unanimously.

Supervisor Evans made a motion and Supervisor Quigley seconded to approve and adopt **Resolution 11-07**, which amends the Township's Open Record's Policy to clarify procedures for review and inspection of public records. As requested, Solicitor Wagner read the section added as follows: *Any person requesting information to inspect/review public records of the Township may do so only by appointment made by the Township Open Records Officer or his/her designee. All inspections shall be made under the direct supervision of the Open Records Officer or a current Supervisor or a current administrative employee, such as the clerk.* The Secretary/Treasurer noted that this former unwritten policy is now in writing per consultation with the PA Open Records Office. Motion carried unanimously.

Supervisor Evans made a motion and Supervisor Quigley seconded to approve and adopt **Resolution 11-08**, which authorizes the disposition of specific municipal records herein specified from the year 2003 and prior in accordance with the Municipal Records Manual. Motion carried unanimously.

OLD BUSINESS: No old business was conducted.

NEW BUSINESS: Supervisor Evans made a motion and Supervisor Quigley seconded to approve and sign mowing contracts with Kurt Matter to mow the New Valley Road Park and Ken Snyder to mow the Oak Grove Cemetery both at a cost of \$110.00 per mowing; motion carried unanimously.

Supervisor Quigley made a motion and Supervisor Evans seconded to approve the State Piggyback salt participation contract for 2011-2012 for 125 tons of bulk salt. Motion carried unanimously. The amount remains the same as the previous year.

Supervisor Quigley made a motion and Supervisor Evans seconded to approve and renew the Blue Ridge Cable franchise agreement for another year with no changes to the annual fee charged of \$1,500.00. Chairman Lightner offered that Blue Ridge Cable chooses to pass the fees charged back onto the consumer, even though BRC does not pay any tax or other fees to operate their cable/internet services throughout Rye Township. Solicitor Wagner explained that the Township is legally permitted to charge a franchise fee to the cable company to run their service to the residents. BRC chooses to pass that fee along to the residents so the Township keeps the franchise fee low. The option of the Dish Network was suggested. With no further discussion the motion to renew the franchise as stated above carried unanimously.

Chairman Lightner made a motion and Supervisor Quigley seconded to authorize the Secretary/Treasurer to send out Requests for Proposals for the Spring clean up to be held on May 6 and May 7. The proposals will be read and accepted at the March 28th Board meeting. Motion carried unanimously.

Chairman Lightner reported that tax collector Stanley Humbert provided a certification of Township taxes for the year 2011 as follows: \$166,993.02 for real estate taxes and \$9,025 for per capita taxes. The record notes the entire amount is never realized because of the 2% discount, exonerations, and delinquent accounts.

Chairman Lightner announced that the County would hold a free collection and safe disposal of unwanted medications, all forms at the parking lot at the Karn's in New Bloomfield on April 30, 2011, 10 am – 2 pm; 35 Centre Drive, New Bloomfield. All medication should be in original packaging with personal information crossed out. Do NOT bring sharps, syringes or needles! For more information contact Sally Tengeres at Perry County (717) 582-5139.

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/Treasurer provided a February 28, 2011 check register and submitted the following checks for approval and payment. General Fund checks #s 12905 -12957 in the amount of \$36,811.96. Void check 12882 in the amount of \$67.50 lost in the mail. The Secretary/Treasurer noted this is the third check lost in the mail since December 30, 2010.

Payroll checks #s 5929-5937 in the amount of \$4,453.42.

Payroll checks #s 5938-5943 in the amount of \$3,773.09. No payroll checks void.

An electronic transfer (ELF) by PCI Insurance for health insurance on 2/20/11 in the amount of \$3,633.10.

Chairman Lightner made a motion to pay the bills except for check numbers 12916 and 12937 issued to Daisy Lightner for mileage reimbursement and expenses incurred where she used her personal credit card over the telephone to purchase a router. Supervisor Evans seconded his motion to approve the checks and pay the bills. Motion carried unanimously.

Supervisor Quigley made a motion and Supervisor Evans seconded the motion to approve checks #12916 and 12937 issued to Daisy Lightner for mileage and expense reimbursements. Motion carried. Chairman Lightner abstained from the vote since Daisy is his spouse.

The Secretary/Treasurer explained that the monthly invoice for the February payment to Penn Waste, the Township's contracted trash hauler, was received today. She requested permission to cut an additional check for \$9,900.00 for this monthly invoice in accordance with the approved trash contract. Supervisor Quigley made a motion and Chairman Lightner seconded to authorize the Secretary/Treasurer to prepare a check for payment of the February trash collection services. Motion carried unanimously. The Board directed the Secretary contact Penn Waste to assure that requests for payment are timely received.

CITIZEN PARTICIPATION: Former Supervisor Charlie Kunkle asked if the road crew had attended snow plow training this season. Road Superintendent Quigley said they did not. However, they are registered for spring road maintenance in early March.

Kunkle requested that the western end plow operator not plow snow out onto SR850 at the intersection of Grier's Point Road. Kunkle expressed appreciation for the plowing completed on Mountain Road.

Brian Mader discussed his observance of a truck with its plow disengaged traveling on New Valley Road during the last snow storm. Upon further discussion it was determined that it was a red truck with a plow, but not the Township's equipment.

Jessica Sprajcar of the Patriot News asked for and received clarification on the names of the successful bidders of the two shotguns.

Former Supervisor Charlie Kunkle also asked the Board if a police report was available for the damage which occurred approximately two weeks ago to the stop sign at the intersection of Dutch Cemetery and Mountain Roads. Supervisor Quigley said no. However, in compliance with the new Federal sign regulations relating to high intensity reflectivity, the Township recently replaced all of the stop signs and many of the posts within the Township.

Discussion ensued on the sign shop which Hampden Township operates. Scott Weaver of New Valley Road mentioned that a sheet is available to place over the older signs, similar to contact paper, to achieve compliance with the regulations at a lower price than the replacement sign at a cost of \$40+. The Secretary/Treasurer noted that the Township paid slightly over \$27.00 a piece for the signs. A vendor at the Perry County Convention, which the Board attended on Saturday, February 26, 2011, also mentioned the use of the peel off sheet.

ADJOURNMENT: There being no further business before the Board, Supervisor Quigley made a motion and Supervisor Evans seconded to adjourn the meeting at approximately 8:24 PM. Motion carried unanimously.

Respectfully Submitted,

Daisy Lightner
Secretary Treasurer