

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
July 25, 2011**

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**PRESENT:** Chairman Robert Lightner, Vice-Chair Ron Evans, Supervisor Ken Quigley, Daisy Lightner, Secretary/ Treasurer, Ron Cree, Zoning Officer, Barbara and Pete Fitting, Sean Fedder, Elwood Brubeck, Linda Ekelman, Richard S. Albright, Jill M. Speck, Christopher E. Albright, Barbara and William Holley, Scott Weaver, Gary Roth, Jessica Sprajcar of the Patriot News and P. Richard Wagner, Esquire.

**FORMER SUPERVISOR PRESENT:** 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 notified the Board that they would be audio & video recording the meeting. Ekelman placed her recorder on the front table.

**CITIZEN PARTICIPATION:** Phyllis Page of Mountain Road expressed concern with a mattress left at a vacant property along SR 850 and with residents that place their trash out for collection too early. Supervisor Quigley offered that some residents place it out for collection early because they are leaving for vacation. The Board indicated they would check on the abandoned mattress. The Board suggested placing a small article in the newsletter reminding residents not to place their trash out too early for collection as regulated in the Refuse Ordinance.

**APPROVAL OF THE MINUTES:** Supervisor Evans made a motion and Supervisor Quigley seconded to approve the minutes of June 20, 2011 supervisors' meeting as submitted. Motion carried unanimously.

Supervisor Evans made a motion and Supervisor Quigley seconded to approve the minutes of the special meeting on July 8, 2011 as submitted. Motion carried unanimously.

**PERSONS TO BE HEARD:** Rick Albright of 67 Fleisher Road was present to seek direction on how to proceed to gain approval to subdivide his 11+- acre parcel into three (3) parcels: one containing his existing dwelling, one for his daughter and one for his son. Albright provided a brief history of his endeavors to date noting that he came before the Rye Township Planning Commission with a sketch plan of his proposed subdivision on April 5, 2011. Recently, during preparation of the formal submission of the plan, Burget Associates discovered that the Zoning Ordinance regulating minimum lot size changed and increased for areas of steep slopes on February 28, 2011; and the lots as proposed do not meet the current regulations. Albright was unsure the direction he should go to seek relief and to gain approvals.

Supervisor Quigley asked if his surveyor, Mr. Burget, mentioned that the land did not meet the slope criteria for the minimum lot size when he prepared the sketch plan. Albright offered that the main issue discussed was access and not the minimum lot size. Quigley asked the percentage of shortage the lots are to meeting the required lot size. Albright did not have the specific percentages. The Board of Supervisors offered that Albright return and talk with his surveyor and attend the August 2, 2011 Planning Commission meeting for their input to possibly seek relief through an alteration(s) of requirements and reconfiguration of the proposed lots. Albright thanked the Board and indicated he would attend the August 2, 2011 Planning Commission meeting.

**MONTHLY MUNICIPAL REPORTS:** The May/June Zoning Report was submitted by Zoning Officer, Ron Cree and available for review. Cree read the two month report as follows: twenty-five (25) calls and/or complaints, twelve (12) zoning permits, 0 certificates of use, mileage of 206 miles with a total of \$770.00 in fees collected. Cree noted the mileage is increased due to a survey he took of the community to evaluate the damage from the recent tornado.

The Sewage Enforcement Report was submitted by Mike Higgins, SEO. Chairman Lightner read the report as follows: 5 activities- design evaluations for Rinaldi and Burger, and final inspections for Rinaldi, Snaveley, and Burger for a total due in wages of \$585.00. The report was placed on the front table for review.

A July Road Report was submitted by Road Foreman, Brad Sloop. Supervisor Quigley read the report and noted that mowing along Township roads has continued. However, the mower is currently under repair. Quigley noted that the road crew is busy hauling 2A stone for the Pine Hill Road culvert replacement and anti-skid to the stock pile in preparation for the upcoming winter season.

Pete Fitting of the Recreation Board was present and reported a successful Pool Party at the Marysville Borough pool on July 15th. The attendance was down slightly because the Pool Party was rescheduled from its original date of July 8th due to rain. Pete Fitting reported the following upcoming events:

- ◆ Sundaes in the Park - August 7, 6:00 PM. Followed by a G-rated Movie in the Park at 7:00 PM. Rain date of August 14th.
- ◆ Halloween in the Park – October 29, 7:00 PM. Rain date of October 30 at 5:00 PM.

No Emergency Management Report was offered. Assistant EMC Scott Weaver expressed appreciation to the Secretary/Treasurer for providing him a copy of the updated EOP and expressed appreciation to all who helped with clean-up of debris with the tornado that hit on May 26, 2011. Weaver suggested a meeting with the current EMC, Jim Cassidy to discuss ways to better activate the different agencies in dealing with similar emergency situations.

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

**LEGAL BUSINESS:** Solicitor Wagner reviewed a proposed revision to the Zoning Ordinance 11-01, Article 2102.A. Pipeline Buffers, which proposes to increase the current 100' feet to 500' feet. Solicitor Wagner advised the Secretary/Treasurer to acquire copies of the studies reviewed by Planning Commission member, Tom Graupensperger that provide supporting documentation that the above change is reasonably related to the legitimate purpose for the change.

Chairman Lightner expressed concern with a lot proposed in the Ditmar/Corl Subdivision Residual plan currently going through the review process that proposes a house within 100 feet of the pipeline. Solicitor Wagner advised that the Board require the placement of a note in **bold** print on the plot plan for that specific lot so that it is disclosed that the proposed house is within 100 feet of the gas pipeline.

Solicitor Wagner discussed how to deal with a vendor who repeatedly is late with invoicing and then requests additional payment because weigh slips were not included with the initial invoice. Last year the invoice was not received in the budget year it was expended because of late billing. The Solicitor advised sending a certified letter outlining the concerns and stating if the concerns are not positively addressed the Township will consider it a basis for future denial of bids based upon the fact that they are considered not responsible.

Chairman Lightner asked the Solicitor his opinion of the best way to handle approximately 400 gallons of unleaded gasoline that is no longer utilized and is in the underground storage tank. Solicitor Wagner advised contacting the supplier to see if he would be interested in purchasing the gasoline.

**RESOLUTIONS:** Supervisor Quigley made a motion and Supervisor Evans seconded to adopt Resolution 11-15, which authorizes the Secretary/Treasurer of Rye Township, Perry County to transfer \$97,936.32 from the Highway Aid Money Market Account at the Bank of Landisburg, Shermans Dale to the First National Bank of Marysville to provide for payment to Handwerk Materials for the 2011 paving projects. Motion carried unanimously.

**OLD BUSINESS:** Chairman Lightner reported the receipt of two bids for recycling which were open and read at the July 8, 2011 special supervisors' meeting. Upon due discussion Chairman Lightner made a motion and Supervisor Quigley seconded to table any action on the award of the recycling contracts until next month. Motion carried unanimously.

Supervisor Quigley made a motion with a second from Supervisor Evans to table any action on the proposal received from General Code to codify the ordinances and prepare code books for the Township until the August 22, 2011 board meeting. Motion carried unanimously.

Supervisor Evans made a motion and Supervisor Quigley seconded to appoint Barbara Holley to the Zoning Hearing Board to fill the unexpired term of Peggy Fedder, who resigned. Motion carried unanimously.

**NEW BUSINESS:** The question relating to the issuance of a zoning permit for the Zoning Officer for an in-home occupation was resolved prior to the meeting.

Supervisor Quigley made a motion and Supervisor Evans seconded to authorize the Secretary/Treasurer to prepare Request for Proposals for the bulk fall clean up which will be held on Friday, September 30 and Saturday, October 1. Motion carried unanimously.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a June expense check register and submitted the following checks for approval and payment: General Fund Checks #s 13142-13158 in the amount of \$16,654.27 No checks void.

Payroll checks #s 6001-6011 in the amount of \$6,406.54. No payroll checks void.

Highway Aid Check # 720 in the amount of \$97,936.22. No Highway Aid checks void.

Supervisor Evans made a motion and Supervisor Quigley seconded to approve the accounts payable and payroll checks and pay the bills. Motion carried unanimously.

Chairman Lightner made a motion to pay Highway Aid Check 720 in the amount of \$97,936.22 to Handwerk Contractors for the 2011 paving projects conditional upon the receipt of the Form 4171 certifications and an executed completion report. Supervisor Quigley seconded. Motion carried unanimously.

**CITIZEN PARTICIPATION:** Scott Weaver discussed the recent storm and the points of contact for response during similar situations. The Solicitor suggested the Board meet with the various leaders and the current emergency management coordinator to discuss contacts and procedures to follow during emergency situations. The Chairman called for a public meeting on August 12, 2011 at 9:00 AM to meet for discussion and review of response procedures and contacts. The Secretary/Treasurer will invite Emergency Management Coordinator, (EMC) Jim Cassidy to attend.

Barbara Holley of Flowers Lane suggested placing a reminder in the next newsletter of the importance of keeping a land line phone for use in your home during power outages. Many residents only have cell phones which were not operational during the recent tornado and the three-four day power outage.

Jessica Sprajcar of the Patriot News asked a question about the pipeline.

Linda Ekelman of Weaver Drive asked for clarification on the recycling bids.

**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 8:26 pm. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner  
Secretary/Treasurer