

**RYE TOWNSHIP
SUPERVISORS' MEETING
November 29, 2011**

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PRESENT: Chairman Robert Lightner, Vice Chairman Ron Evans, Supervisor Ken Quigley, Daisy Lightner, Secretary/ Treasurer, Ron Cree, Zoning Officer, Pete and Barbara Fitting, Linda Ekelman, Elwood Brubeck, Sean Fedder, Gary Dadamo, Esquire, Luke Roman of the Duncannon Record, and P. Richard Wagner, Esquire.

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 audio and video recording the meeting.

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

PERSON TO BE HEARD: Gary Dadamo, Esquire, of the law firm of Lavery, Faherty, & Patterson was in attendance representing PIRMA, the Township's liability insurance carrier, to discuss a proposed settlement agreement.

Chairman Lightner recessed the meeting at 7:31 PM to executive session to discuss the settlement of a personnel matter involving litigation.

Chairman Lightner reconvened the meeting at 7:39 PM. Supervisor Quigley made a motion and Supervisor Evans seconded to agree to the settlement proposed with the wording added per Solicitor Wagner. Motion carried unanimously.

Mr. Dadamo thanked the Board and left the meeting at this time.

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

MONTHLY MUNICIPAL REPORTS: The November Zoning Report was submitted by Zoning Officer, Ron Cree, and read as follows: four (4) zoning permits issued; 9 calls and/or complaints logged; mileage of 20 miles; collected \$295.00 in fees.

The Sewage Enforcement Report was submitted by Mike Higgins, SEO and read by Chairman Lightner as follows: one (1) final processing for Phillips, one (1) perc and one (1) probe for Ream for a total due in wages of \$425.00.

The October Road Report was submitted by Road Foreman, Brad Sloop. Supervisor Quigley read the report and placed the report on the front table for review. Supervisor Quigley noted that the road crew plowed snow on October 29th, installed a new sign on Tower Road, installed some R-4 rock on Trout Lane and general maintenance repairs on vehicles.

No Recreation Board report was offered. The Secretary/Treasurer noted that "Halloween in the Park" was cancelled due to the October 29th snow storm.

No Emergency Management report was offered. Chairman Lightner offered that the Board is still in the process of awaiting for one additional quote for the purchase of a generator.

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

The Secretary/Treasurer also noted that paperwork was completed for an approximate \$2,500.00 FEMA reimbursement from washouts/mudslides, etc. from Tropical Storm Lee.

LEGAL BUSINESS: The Solicitor noted that a hearing is scheduled at the District Justice on December 6, 2011 at 8:30 AM on behalf of the Township to recover expenses associated with repairs from heavy equipment damaging the roadway and shoulder of Lambs Gap Road.

Solicitor Wagner reviewed a copy of a lease with John Deere. The Township purchased and received a new backhoe through the State Costars program at the cost of \$89,542. The lease agreement allows payment by the Township for the equipment to occur in March of 2012. The Company signed a document that they will be responsible for the interest payment from now until March 2012. Solicitor Wagner signed a requested letter as part of the lease paperwork. Upon due consideration, Chairman Lightner made a motion and Supervisor Quigley to authorize the execution of the lease and all accompanying documents to effectuate the purchase of the new backhoe under the terms set forth under the agreement. Motion carried unanimously.

RESOLUTIONS: Proof of publication is on file for the **2012 proposed budget**, which was available for public inspection for over twenty (20) days. Supervisor Evans noted that the 2012 proposed budget is balanced without a tax increase. Supervisor Evans made a motion to adopt **Resolution 11-21**, adopting the **2012 Budget**, Supervisor Quigley seconded; Motion carried with all members voting in favor.

Supervisor Evans made a motion to adopt **Resolution 11-22**, which sets the tax levy for 2012 without an increase in millage as follows:

General Township.....	●59 mills
Fire companies	●16 mills
Ambulance	●01 mills
Library	●01 mills
Road Equipment	●13 mills

Supervisor Quigley seconded; motion carried unanimously.

Proof of publication is on file for **Resolution 11-23**. Chairman Lightner explained that the proposed quarterly rate increase is for *commercial* trash collection only. Residential rates will remain at \$50.00 per quarter. With no further discussion, Supervisor Quigley made a motion and Supervisor Evans seconded to adopt **Resolution 11-23**, which establishes the following quarterly rate schedule for all commercial trash fees in the year beginning in January 2012 and thereafter until amended by resolution:

<u>Commercial Trash Collection Fees</u>	
Low volume	\$115.00
Moderate volume.....	...\$165.00
High volume.....	\$220.00

Motion carried unanimously.

OLD BUSINESS: There was no old business on the agenda for discussion.

NEW BUSINESS: Supervisor Quigley made a motion with a second from Supervisor Evans with regrets to accept Ron Cree's resignation as Zoning/Code Enforcement Officer for Rye Township effective January 1, 2012. Motion carried unanimously. Cree was elected to serve as a Township supervisor and can no longer hold the position of Zoning Officer.

Supervisor Quigley made a motion with a second from Supervisor Evans to approve an additional time extension for the Board to take action on the Richard, III and Marsha A. Albright Final Minor Subdivision Land Development Plan to February 27, 2012 to allow additional time for receipt of an NPDES permit from DEP. Motion carried unanimously.

Supervisor Quigley made a motion and Supervisor Evans seconded to accept the November 3, 2011 withdraw request of the William Miller Final Subdivision Plan, which plan was before the Planning Commission for review. The Secretary will send written notification to Mr. Miller of the official acceptance. Motion carried unanimously.

Chairman Lightner announced the following upcoming events:

- Visit with Santa at the Township building; Tuesday, December 13th from 6:30 PM to 7:30 PM
- December supervisors' meeting change to: Monday, December 19, 2011 at 7:30 PM
- December 26 and January 2, 2012- Office Closed with no change in trash collection
- January 3, 2012, Organization Meeting, 7:30 PM

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/treasurer provided a November expense check register and submitted the following checks for approval and payment: General Fund Check's #s 13290-13326 in the amount of \$ 64,914.52. No expense checks void.

Payroll checks #s 6109-6117 in the amount of \$4,234.95. No payroll checks void.

Payroll checks #s 6118-6126 in the amount of \$4,025.34. No payroll checks void.

Supervisor Evans made a motion to approve the checks and pay the bills, except for check number 13300 issued to Daisy Lightner for mileage reimbursement. Supervisor Quigley seconded. Motion carried unanimously.

Supervisor Evans made a motion and Supervisor Quigley seconded to approve check number 13300 issued to Daisy Lightner for mileage. Motion carried. The record notes Chairman Lightner abstained from the vote because of a conflict of interest. Daisy Lightner is his spouse.

CITIZEN PARTICIPATION: Elwood Brubeck of Valley Road asked for clarification on the FEMA reimbursement.

Linda Ekelman of Weaver Drive asked about check number 13294 issued to Hoss' Steak and Seafood. Chairman Lightner offered that this is the annual expense for the Christmas appreciation/recognition dinner for the Planning Commission & all full and part time employees.

Linda Ekelman also asked for clarification of the motion relating to the personnel issue and settlement. Solicitor Wagner explained that there is no financial impact to the Township, because the Township wisely has liability insurance to cover the legal costs for this law suit.

Ron Cree expressed appreciation to the Board and employees for their assistance during the time he served as Rye Township's Zoning Officer. On behalf of the Board, Chairman Lightner thanked Ron for his service to the Board and the community.

Luke Roman, newspaper staff writer, asked a few questions to clarify information discussed previously.

ADJOURNMENT OF THE MEETING: There being no further business before the Board, Supervisor Quigley made a motion and Chairman Lightner seconded to adjourn the meeting at 8:06 pm. Motion carried unanimously.

Respectfully submitted,

Daisy Lightner, Secretary/Treasurer