

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
March 26, 2012**

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**PRESENT:** Chairman Robert Lightner, Vice-Chairman, Ken Quigley, Supervisor Ron Cree, Daisy Lightner, Secretary/ Treasurer, James Hawk, Zoning Officer, Jean Snyder, Pete and Barbara Fitting, Nancy Sunday, Gary Roth, Luke Roman of the Duncannon Record and Jessica Spajcar 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 Robert Lightner convened the meeting with the pledge of allegiance to the flag. The meeting was tape recorded to aid with the preparation of minutes.

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

**APPROVAL OF THE MINUTES:** Supervisor Quigley made a motion to approve the minutes of the February 27, 2012 supervisors' meeting. Supervisor Cree seconded; Motion carried unanimously.

**MONTHLY MUNICIPAL REPORTS:** James Hawk, newly appointed Code Enforcement Officer, provided the Board with a verbal report indicating four (4) permits were issued in the month of March and he handled a couple of complaints, one involving chickens and guineas.

No Sewage Enforcement Report was submitted.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent Ken Quigley. With spring weather coming earlier than usual, the road crew removed plows from the trucks and began work on Phase III drainage of Trout Lane, repaired a ditch on Lone Oak Drive, and took #3 truck for clutch repair.

Nancy Sunday of the Recreation Board was present to provide a report for February. The following events are upcoming:

- ◆ Easter Egg Hunt                      March 31<sup>st</sup> at 11 AM - Rain date of April 1<sup>st</sup> at 1:00 PM
- ◆ Fishing Derby                              May 19<sup>th</sup>, 9:00 AM at the Marysville Sportsmen's Assoc.

Nancy also reported that wood carpeting was delivered to the Park and will be placed at the playground the beginning of May by the Department of Corrections, DOC, crew.

No Emergency Management report was provided.

The January Treasurer's Report was submitted for public review and read by the Secretary/Treasurer & with no discussion was accepted as read pending the final approval of the independent auditors. The Secretary/Treasurer noted that the 2012 Liquid Fuels allocation in the amount of \$ 88,857.31 is scheduled for electronic deposit on April 2, 2012. The allocation is slightly more than the previous year's allocation of \$86,587.83.

She also reported that the CPAs from SEK & Co will be here at the April public meeting to provide a summary of their 2011 financial audit report.

**LEGAL BUSINESS:** Solicitor Wagner discussed the history of the Smith civil case and the steps to proceed to collect the funds due for damages to the roadway. The Township was successful in gaining a judgment at the District Justice level and no appeal was taken.

Solicitor Wagner advised the judgment must be certified by the District Judge. The judgment must then be filed with the Perry County Prothonotary and simultaneously a Writ of Execution with the Sheriff's Office to levy against all personal property to recover the judgment and any costs and interest incurred.

Upon due consideration Supervisor Quigley made a motion and Supervisor Cree seconded to authorize the Secretary/Treasurer to act on behalf of the Board to prepare and paperwork and checks for the Prothonotary's Office and the Sheriff's Department to file a judgment to proceed to collect the damages and costs due to the Township from the Smith civil case. Motion carried unanimously.

Solicitor Wagner discussed the combination of two lots into one common deed. The Solicitor advised he would contact the parties involved to discuss the circumstances and gain additional information relating to this combination of two building lots. The Solicitor advised if in the interim an application for a zoning permit is received for a new home, the home must be located solely on one lot or else a land development plan is necessary.

**RESOLUTIONS:** Supervisor Quigley made a motion and Supervisor Cree seconded to approve **Resolution 12-06**, which authorizes the following two transfers at the Bank of Landisburg from the Capital Reserve Fund to the General Fund: (1) one matured Bridge CD in the amount of \$180,482.64 to the General Savings Money Market at the Bank of Landisburg in anticipation of expenses with the Pine Hill Road Bridge Replacement and (1) \$52,058.20 from the General Savings Money Market Account designated for Road Equipment to the General Checking at the Marysville Bank to assist with payment of the new backhoe. Motion carried unanimously.

Chairman Lightner made a motion with a second from Supervisor Quigley to approve **Resolution 12-07**, which supports meaningful and common sense reforms to the Prevailing Wage Act and urges the General Assembly to support and pass House Bills 1329 and HB 1685 to provide relief to local governments from the burden of the Prevailing Wage Act by increasing the threshold from \$25,000 to \$185,000. Prevailing wage rates set by the Secretary of Labor and Industry are generally 20% to 40% higher than local market labor rates. Motion carried unanimously. The Secretary/Treasurer indicated she would send a copy of the Resolution to PSATS and to Representative Mark Keller.

Supervisor Quigley made a motion with a second from Supervisor Cree to approve **Resolution 12-08**, which authorizes the Secretary/Treasurer to transfer the 2012 Liquid Fuels Tax Fund Payment at the Marysville Bank from the Highway Aid Savings account into the Highway Aid Checking account and approve a check in the same amount to transfer the money to the Bank of Landisburg, Highway Aid Money Market for a better rate of interest until the monies are needed for payment of road projects later this year. Motion carried unanimously.

**OLD BUSINESS:** Four requests for proposals were received for the Spring Clean-up scheduled for Friday, May 4, and Saturday, May 5, 2012 as follows:

	<u>Sylvester's Services</u>	<u>Deimler's</u>	<u>Waste Management</u>	<u>Tiger Trash</u>
Hauling fee	\$ 90.00	\$100.00	\$ 95.00	\$00.00
Haul fee w/waste	<u>\$ 85.00</u>	<u>\$000.00</u>	<u>\$185.00</u>	<u>\$190.00</u>
Total per pull	\$ 175.00	\$100.00	\$280.00	\$190.00
Tipping fees/Ton	\$ 63.50	\$100.00	\$ 62.00	\$ 68.00
Charge Scrap	-----	-----	Same Cost	-----
Metal Containers	\$Zero	Pay \$8.00	As Others	\$Zero
		Per Hundred Lbs.		

Upon due consideration, Supervisor Cree made a **motion to award the Spring Clean up contract to Sylvester's Services** the lowest bidder as noted above for the delivery of and hauling away of roll offs, tipping fees, and scrap metal disposal conditional upon the receipt of a certificate of Workers Compensation and Liability and a certificate of compliance with Federal CDL requirements for drug and alcohol testing for their drivers and the addition of the stipulation in the proposal that the roll off containers are removed seven (7) business days after Spring Clean up is held. Vice-Chairman Quigley seconded; motion carried unanimously.

The Board discussed Act 108, which requires the separation of all electronics from the bulk items collected at clean up. The County recommended JVS Environmental Services as a collector. Supervisor Cree noted that Deimler's will also take the electronics. Since Act 108 dictates that landfills cannot take electronics after January 1, 2013, Solicitor Wagner advised Sylvester's Services take care of disposal of all materials for the clean up or re-bid to include the separate electronic collection because vendors may consider the money they derive from these materials in their quote. It was the consensus of the Board to change the Request for Proposals for the Fall clean up and allow Sylvester's Services to collect all materials, including the electronics at the Clean up.

**NEW BUSINESS:** Upon due consideration, Supervisor Quigley made a motion with a second from Supervisor Cree to approve a simple contract for **mowing of New Valley Road Park with Kurt Matter** of Rye Township at the cost of \$120.00 per mowing with a maximum of 14 mowings. An increase was approved due to the higher costs of gasoline. Motion carried unanimously.

Supervisor Quigley made a motion to accept the **resignation of Dan Heacock** from the Recreation Board; Supervisor Cree seconded the motion. Motion carried unanimously.

Chairman Lightner made a motion and Supervisor Cree seconded **to appoint Kassie Quigley** on the Recreation Board to fill the vacancy left with the resignation of Dan Heacock. No vote was taken.

Former Supervisor Phyllis Page offered that the Recreation Board By-laws recommend at least two or three members of the Rye Township Community Association, RTCA serve on the Recreation Board. Page concluded that since Dan Heacock was a member of the RTCA a member of the RTCA should fill the unexpired vacant term. Page submitted RTCA member, Maggie Kocher for appointment to the Recreation Board.

Chairman Lightner made a motion to rescind the previous motion and table any appointment to fill the vacancy until the park and rec board membership issue is researched and resolved. Supervisor Quigley seconded. Motion carried unanimously.

Supervisor Cree made a motion with a second from Supervisor Quigley to approve the **2011 Planning Commission Annual Report** as submitted. Motion carried unanimously.

Supervisor Quigley, who serves as the Road Superintendent, noted that he is meeting with the PennDot District 8 Representative, Rick Levan, tomorrow morning to drive throughout the Township and discuss anticipated 2012 Road paving projects.

Chairman Lightner made a motion and Supervisor Cree seconded to authorize the Secretary/Treasurer to **advertise the 2012 Road bids** upon the direction of Road Superintendent/Supervisor Quigley. Motion carried unanimously.

Chairman Lightner announced that the Township office would be closed for Good Friday on April 6, 2012. There is no change in the weekly trash collection schedule.

Supervisor Cree noted a personal conflict with the regular July board meeting. In consideration of Supervisor Cree, Chairman Lightner made a motion with a second from Supervisor Quigley to change the date of the July monthly board meeting to Monday, July 30,

2012 and to authorize the Secretary/Treasurer to advertise the change in meeting schedule for the months of May, June and July. Motion carried unanimously.

The Secretary/Treasurer indicated she would combine for advertisement to include the change in all three monthly meetings for May, June and July for publication next month.

The record notes the schedule for 7:30 PM monthly board meetings from April to August is established as follows:

April 23, 2012  
May 21, 2012  
June 18, 2012  
July 30, 2012  
August 27, 2012

**CITIZEN PARTICIPATION:** Phyllis Page of Mountain Road asked the status of the arbitration for the former police officer. Chairman Lightner offered that labor counsel indicated the arbitrator is in the final review stage of the settlement agreement. The Board anticipates a decision in April.

She also expressed appreciation that the front flower/shrubbery beds at the municipal building were cleaned.

**EXECUTIVE SESSION:** Chairman Lightner recessed the meeting to Executive Session at 8:14 PM to discuss personnel issues.

Several in attendance left the meeting at this time.

**RECONVENE MEETING:** Chairman Lightner reconvened the meeting at 8:40 PM stating the Board discussed personnel issues. No decisions were made.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a March expense check register and submitted the following checks for approval, signature and payment: General Fund Check #s 13428-13460 in the amount of \$121,770.90. No checks void.

Payroll checks #s 6181-6189 in the amount of \$4,573.73. No payroll checks void.

Payroll checks #s 6190-6196 in the amount of \$4,036.79. No payroll checks void.

With no further discussion on the bills presented, Chairman Lightner made a motion & Supervisor Quigley seconded to approve and sign the checks & pay the bills except for check # 13431 issued to Daisy Lightner for mileage. Motion carried unanimously.

Supervisor Quigley made a motion with a second from Supervisor Cree to approve check# 13431 issued to Daisy Lightner for mileage. Motion carried. Chairman Lightner abstained because of a conflict of interest because Daisy is his spouse.

**ADJOURNMENT OF THE MEETING:** There being no further business before the Board, Chairman Lightner made a motion and Supervisor Quigley seconded to adjourn the meeting at 8:42 pm. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner  
Secretary/Treasurer