

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
June 18, 2013**

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**MEMBERS PRESENT:** Robert Lightner, Chairman, Vice-Chairman Ken Quigley, Supervisor Ron Cree, Daisy Lightner, Secretary/Treasurer, James Hawk, Zoning Officer, Pete Fitting, John Smith; Sean Fedder, Linda Ekelman, John Fitzsimmons, James and Cathy Sabo, Lt. Charles Ringer, William and Barbara Holley, Elwood Brubeck, Jr. and Gary Roth.

**FORMER SUPERVISOR PRESENT:** Phyllis Page

The meeting was held at the municipal building and called to order at 7:00 PM. Chairman Lightner convened the meeting with the pledge of allegiance to the flag. The meeting was audio recorded to aid with the preparation of minutes. Linda Ekelman notified the Board she would be recording the meeting.

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

**PERSON TO BE HEARD:** Lieutenant Charles Ringer, of the Newport State Police Barracks, was in attendance to provide a report to the Board and citizens of recent activities. In summary, Lieutenant Ringer reported 111 incidents in Rye Township from December 2012 to June of 2013. Out of the 111 incidents, there were 2 burglaries, 2 drug possessions and 1 run away child who was found. Other incidents may have involved dog barking complaints or property disputes etc. At the request of the Board in response to concerns with speeding on SR 850, Lt. Ringer set up a traffic survey in June on SR850 during the morning and evening rush hours located in the 1800 and 1900 blocks of SR 850. The average speed during the survey was found to be 46 mph. Lt Ringer noted that speed was not a factor in the most recent fatality on SR 850 near the Salem United Methodist Church.

Lt. Ringer explained that PSP is now our police department. He explained how a car with an officer is specifically assigned to Rye Township since the local department disbanded. Lt. Ringer encouraged residents to contact the barracks and ask for him personally should any concerns arise. He also encouraged residents to utilize Perry County Crime Stoppers and report tips anonymously to assist with solving outstanding crimes. Lt. Ringer recommended re-establishing the local Crime Watch. Additional eyes watching in their respective neighborhoods can prove to be very beneficial in providing details that assist the State Police with their investigations.

The Board expressed appreciation to Lt. Ringer for the great job he and his troopers are providing to the citizens and residents of Rye Township. Lt. Ringer left the meeting at this time.

**APPROVAL OF THE MINUTES:** Supervisor Quigley made a motion and Chairman Lightner seconded to approve the minutes of the May 10, 2013 special meeting as submitted. Motion carried. Supervisor Cree abstained since he was not in attendance at the meeting.

Supervisor Cree made a motion and Chairman Lightner seconded to approve the minutes of the May 14, 2013 meeting as submitted. Motion carried. Supervisor Quigley abstained since he was not in attendance at the meeting due to a family emergency.

**SUBDIVISION LAND DEVELOPMENT PLANS:** Darin Foster of Lou Harford Surveyors approached the Board for approval of the **Minor Final Subdivision Plan for Joseph W. and Shirley A. Yohe**. The parcel of Joseph and Shirley is located at 135 Mountain Road. They propose to subdivide .552 acres off their 6.55 acre tract. The Yohe Plan proposes Lot 2A as a lot addition to the adjoining lands of Joseph A. and Barbara L. Yohe to form a single lot consisting of 1.60 acres. Both existing lots contains dwellings. Lot#2A may not be sold or retained as a stand alone lot. Perry County comments were received and addressed. All fees are paid and a \$50 security deposit was received for the plan. The Yohe plan was conditionally approved at the June 4<sup>th</sup> 2013 Planning Commission meeting. The Board reviewed the outstanding conditions listed by the Rye Township Planning Commission at their June 4, 2013 meeting.

Upon due consideration, Supervisor Quigley made a motion with a second from Supervisor Cree to approve the June 5, 2013 **Alteration of requirements for the Joseph W. and Shirley A. Yohe Final Minor Subdivision Plan** as follows:

1. SALDO Ordinance 09-03, Article 5, Preliminary Plan Submission Section 501 to allow the plan to be submitted as a final plan
2. SALDO Ordinance 09-03, Article 5, Preliminary Plan Submission Section 502N.  
The plan is a lot addition only and no earth disturbance is proposed.

Motion carried unanimously.

Upon due consideration Supervisor Quigley made a motion with a second from Supervisor Cree to approve the **Joseph W. and Shirley A. Yohe Minor Final Subdivision Plan** contingent upon the following:

1. Acquire all signatures and notarize the plan
2. Test for and acquire an approved alternate septic site for the 1.6 acre lot. Add the location of the alternate septic site to the plan
3. Correct a typo in the word “zoning” in the first line of the Agricultural Nuisance Disclaimer.

Motion carried unanimously. Darin Foster acknowledged and accepted the conditions for approval on behalf of Joseph and Shirley Yohe.

Darin Foster approached the Board of Supervisors for approval of the **Final Minor Land Development Plan** for Edward E. Zampelli, Jr. The purpose of this plan is to establish existing Lot 8A as a building lot.

Upon due consideration, Supervisor Cree made a motion with a second from Supervisor Quigley to table any action on the **Final Minor Land Development Plan for Edward Zampelli, Jr.** to allow for the following:

1. Review and address Perry County Planning Commission comments by the Rye Township Planning Commission
2. Acquire and execute a maintenance agreement for Saw Mill Road
3. Acquire all signatures

Motion carried unanimously.

**MONTHLY MUNICIPAL REPORTS:** The May/June Zoning Report was submitted and read by Zoning Officer, James Hawk and available for review. Hawk read the report as follows:

◆ Issued (10) ten zoning permits:

- |    |         |      |                  |          |
|----|---------|------|------------------|----------|
| 1) | Z-13-15 | Shed | 1 Holly Road     | \$ 30.00 |
| 2) | Z-13-16 | Deck | 3350 Valley Road | \$ 45.00 |

3)	Z-13-17	Porch Roof	201 Evergreen Drive	\$ 30.00
4)	Z-13-18	Shed	111 Idle Road	\$ 70.00
5)	Z-13-19	Shed	101 Idle Road	\$ 45.00
6)	Z-13-20	Porch	94 Cherry Drive	\$ 65.00
7)	Z-13-21	Garage	Fleisher Road	\$ 70.00
8)	Z-13-22	Attach Garage	407 Mountain Road	\$130.00
9)	Z013-23	Shed	3210 Valley Road	\$ 30.00
10)	Z-13-24	Sm. Addition	1814 New Valley Road	<u>\$ 65.00</u>
			For a total due in fees of:	<b>\$580.00</b>

◆ Issued (2) two demo permits:

- 1) D-78-13 Shed 111 Idle Road
- 2) D-79-13 Ext.Addition 1814 New Valley Road

◆ Continued on-site inspection of 2001 Elm St. to investigate high grass and green pool water; apparently abandoned residence; current mailing address of owner cannot be located; complaint received by the Board and office.

◆ Calls were received for Sopensky Properties on Flowers Lane for a trash violation.

◆ A complaint was received about a sign installed by Sopensky Properties on Flowers Lane. There is no permit on file for the sign and the size is questionable.

◆ The Board reported a concern with the 960 Valley Road with cars parking in the front of the yard and the owner working on trucks in the driveway. The Zoning Officer will monitor this concern.

Chairman Lightner read the May Sewage Enforcement Report submitted by Lenny Sizer of Madden Engineering listing six (6) activities: residual probes for 2554 Valley Road; malfunction site visits for Kretchman and Boyer; percs and probes for 186 Lambs Gap Road for a total due in fees of \$985.00.

Supervisor Quigley read the June Road Report. Highlights from the report were: installed a hidden drive sign on Sites Circle; base repair on Dicken Drive in anticipation of paving, mowing along various Township roads, drainage/ditch repair on Idle Road, and trim along sign posts and guiderails. The report was placed on the front table for review.

Recreation Board member, Gene Rebert was in attendance and reported a successful “Strawberry Festival” on June 2<sup>nd</sup> with approximately 50 people in attendance. He announced the following upcoming events:

- July 19 Pot Luck Dinner in the Park; 6:30 PM at the Park; Rain date of Saturday, July 20<sup>th</sup> at 6:30 PM; Hamburgers and hotdogs will be provided; Bring along a covered dish or dessert to share.
- August 18 Sundaes in the Park, 6:00 PM; Raindate of August 19<sup>th</sup>

Mr. Rebert further noted that Glen Campbell, Jr. was hired to work part time for the summer at the Park to assist with maintenance and trash removal. Chairman Lightner noted that the refrigerator in the Community building is in need of a good cleaning. Gene acknowledged the request.

No Emergency Management Report was presented. Assistant EMC Pete Fitting reminded residents to use caution and safety when burning brush. He recommended burning on a rainy day and notifying Perry County Dispatch so they are aware that there is a controlled burn in the area and the local fire companies are not dispatched needlessly.

Supervisor Cree asked about the purchase of new radios for the new backhoe. The Board directed the Secretary/Treasurer check the budget to see if funds were budgeted.

The May 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 noted that expenses for the month were increased partially due to the distribution of the second quarter tax monies to the Fire Companies, Ambulance Associations and the Library.

**RESOLUTIONS:** Supervisor Quigley made a motion with a second from Supervisor Cree to adopt **Resolution 13-13**, which authorized the Secretary/Treasurer to transfer a matured Elaine Pierson CD in the amount of \$10,492.76 from the Marysville Bank to Enola, Members First Credit Union 15 month CD for a better rate of interest. Motion carried unanimously.

**ORDINANCE:** Ordinance 13-04 was advertised and proof of publication is on file. Supervisor Cree made a motion and Supervisor Quigley seconded to **adopt Ordinance 13-04**, which amends Ordinance 13-01, "The Junkyard Ordinance" by adding Section 1201: modification of requirements and clarifying Section 12: Regulations, Paragraph 1. by adding the word, "*junked*" in front of motor vehicle. Motion carried unanimously.

**OLD BUSINESS:** Discussion ensued on the resurfacing of Evergreen Drive in consideration of the utility agreements received in response to letters sent to PP & L and Centurylink, formerly United Telephone. Upon due consideration, Supervisor Cree made a motion with a second from Supervisor Quigley to authorize the Secretary/Treasurer to advertise for bids to be awarded at the July 22, 2013 board meeting for resurfacing of Evergreen Drive with some minor base repair near the entrance. Supervisor Quigley indicated he would provide the details by Friday for the amount of tonnage for the advertisement and bid packets. Motion carried unanimously.

Supervisor Quigley made a motion with a second from Supervisor Cree to authorize Max Schradely, PE of Rettew Associates to complete any engineering reviews necessary for the Donald and Bernice Barlup Plan, Motion carried unanimously.

**NEW BUSINESS:** No new business was discussed.

**ANNOUNCEMENTS:** Chairman Lightner announced the following upcoming events:

- July 4<sup>th</sup> Fourth of July Holiday. Office Closed. No change in the trash collection schedule
- July 19<sup>th</sup> Pot Luck Dinner; 6:30 PM at the Park; Rain date of Sunday, July 20<sup>th</sup> at 6:30 PM; Hamburgers and hotdogs will be provided; Bring along a covered dish or dessert to share.
- August 18<sup>th</sup> 6 PM Sundaes in the Park; Rain or Shine

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a May 15, 2012 to June 18, 2013 check register and submitted the following checks for approval and payment. General Fund checks #s 13952-14014 in the amount of \$70,671.73. No expense checks voided.

Payroll checks #s 6440-6450 in the amount of \$4,292.70.

Payroll checks #s 6451-6458 in the amount of \$3,848.93

Payroll checks #s 6459-6466 in the amount of \$4,327.49. No payroll checks void.

Supervisor Quigley made a motion to pay the bills; Supervisor Cree seconded his motion to approve the checks and pay the bills except for check #13959 and check # 13985. Motion carried unanimously.

Supervisor Quigley made a motion and Supervisor Cree seconded the motion to approve checks #13959 and check # 13985 issued to Daisy Lightner for reimbursement of mileage and expenses charged to her personal credit card for the Township's domain registration fees. Motion carried. Chairman Lightner abstained from the vote since Daisy is his spouse.

**LEGAL BUSINESS:** It appears that Solicitor Wagner was not able to attend due to another commitment. The Board discussed the following items: a structure constructed in the R-O-W; the VFW ballfield agreement, 2001 Elm Street concern; the utilities located within the drainage ditch on Evergreen Drive.

Supervisor Quigley made a motion that the Solicitor review the VFW ball team agreement, the Evergreen Drive utility agreements, and the concerns at 2001 Elm Street and get back to the Township office. In addition, the Solicitor is requested to review a new structure in the R-O-W on 149 Fleisher Road and provide guidance and direction to Zoning Officer Hawk; the motion was seconded by Chairman Lightner. Motion carried unanimously.

**CITIZEN PARTICIPATION:** Chairman Lightner asked if there was any citizen participation at this time. John Smith of Cove Road discussed tree trimming along SR 850. The Secretary/Treasurer provided Mr. Smith a contact number for New Bloomfield Penn Dot.

Supervisor Cree reported that he reviewed the March meeting minutes per a request received at the May meeting and found them satisfactory. He said he did not see anything incorrect. Supervisor Cree reported that a new digital recorder was purchased as suggested.

Linda Ekelman of Weaver Drive offered that she was previously incorrect and now understands that the residents at 201 Evergreen Drive did pay all of their permit fees. However, Ms. Ekelman offered that the residents did not have to go before the Planning Commission and paid no fees for the alteration of requirements granted to them. From this situation Ms. Ekelman concluded in her opinion that the Board treats people differently in determining hardships.

Discussion ensued. Chairman Lightner and Supervisor Quigley agreed a financial hardship was not the reason the Board handled this situation the way they did. Solicitor Wagner was contacted regarding this situation before a decision was made by the Board. He advised the Board could grant an alteration of requirements to address the concern with this substandard lot.

**ADJOURNMENT:** There being no further business before the Board, Supervisor Quigley made a motion and Supervisor Cree seconded to adjourn the meeting at approximately 8:45 PM. Motion carried unanimously.

Respectfully Submitted,

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Daisy Lightner  
Secretary/Treasurer