

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
September 23, 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, Glen and Darlene Campbell, Ryan Michael, Linda Ekelman, John M. Fitzsimmons PE, James Sabo, Jean Snyder, Luke Roman of the Duncannon Record, Elwood Brubeck, Jr., Darrin Foster of Lou Harford Surveyors, Alan Erdman of C & C Construction, and P. Richard Wagner, Esq.

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 that she would be recording the meeting.

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

**APPROVAL OF THE MINUTES:** Supervisor Quigley made a motion and Supervisor Cree seconded to approve the minutes of the August 26, 2013 meeting as submitted. Motion carried unanimously.

Supervisor Cree made a motion and Supervisor Quigley seconded to approve the minutes of the special meeting on September 13, 2013 as submitted. Motion carried unanimously.

**PERSONS TO BE HEARD:** Ryan Michael of Michael's Salvage Yard provided a written request for modification to the Junkyard Ordinance as part of the renewal process for his annual Junkyard License. The Board reviewed each waiver requested in light of Junkyard Ordinance 13-01, Section 12 as follows:

1. Parcel is located in Agricultural Zone and not Industrial Manufacturing Limited District.  
*The Salvage Yard was in existence and operational for many years at this location and is grandfathered.*
2. Parcel is smaller than five (5) acres  
*The size of the parcel is non-conforming and grandfathered.*
3. All incoming junked vehicles are required to have liquids removed.  
*The Board denied this waiver because of liability issues with ground water and fire hazards. State requirements for liquid removal will be researched. Fluids will need to be removed from all junked vehicles.*
4. Occasionally someone drops off old appliances at the junkyard entrance. Will the Township pick them up?  
*No. The Board agreed that they could not pick up appliances whenever they are dropped off. They suggested the purchase of a sign to deter dumping.*
5. Does the Ordinance allow burning of brush and household paper products?  
*Yes. The term "Waste" does not include brush and household paper products.*
6. Hours of Salvage Yard are by appointment only and 5 AM to 9 PM due to hauling and loading of scrap or vehicles and owner's work schedule.  
*The Board waived the hours of operation as set forth in Ordinance 13-01.*
7. Existing fencing around Salvage Yard is permissible.  
*The existing fencing is approved and waiver granted.*

8. Waive the 100 foot setback due to size of parcel  
*This lot is non-conforming and therefore grandfathered.*
9. Existing trees and vegetation. Waiver requested for evergreen screen.  
*The lot is non-conforming and existing vegetation is grandfathered.*
10. Existing driveway entrance.

*The driveway does not provide a problem and is pre-existing and grandfathered.*

The Board advised Ryan Michael to provide a waiver list and submit it along with his annual application by October 1st. Ryan Michael thanked the Board for their input.

Donald Wood of Woody's Salvage Yard on New Valley Road was not present. The Board directed the Secretary to contact Mr. Woods regarding the status of his license renewal.

Alan Erdman of C & C Construction of Shermans Dale was in attendance on behalf of the owners of 590 Pine Hill Road, which is Lot #1 of the Dittmar/Corl 2009 Final Subdivision Land Development Plan. Mr. Erdman explained that the owners of Lot #1 desire to build a new home on this vacant lot. However, they desire to change the location of the home from the approved Dittmar/Corl Site Improvement Plan. Erdman provided a sketch plan showing the desired location for the new home. A longer driveway is desired to access the new home location because it is further away from the roadway and closer to the septic testing sites.

Chairman Lightner understood the request to change the location of the new home. However, he read the final recorded Dittmar/Corl plan note #16 that states: *"If the owner of lots 1, 2, or 3 decides not to follow the approved Site Improvement Plan, a new land development plan shall be submitted to Rye Township and the Perry County Conservation District for final approval."*

Supervisor Cree, who also is a member of the Planning Commission, explained the main concern of the Planning Commission at the time of the request for this note on the plan was the amount of earth disturbance and the steep slopes on the wooded lots.

Supervisor Quigley recommended that Mr. Erdman attend the next Planning Commission on October 1, 2013 at 7:30 PM to discuss the matter and gain their recommendation.

Mr. Erdman acknowledged, thanked the Board and left the meeting at this time.

**SUBDIVISION LAND DEVELOPMENT PLAN:** Darin Foster of Lou Harford Surveyors approached the Board for final review of the **Minor Final Subdivision Plan for Joseph W. and Shirley A. Yohe** revised according to the outstanding conditions imposed for approval at the June 18, 2013 Supervisors' meeting. The parcel of Joseph and Shirley is located at 135 Mountain Road. They proposed 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 contain dwellings. Lot#2A may not be sold or retained as a stand-alone lot.

The Board reviewed the revised Yohe plan. Testing for the alternate septic site was completed for the 1.6 acre lot, passed, and the testing location added to the plan. With the Yohe Plan previously approved and all outstanding comments met except for signatures of the owners and notarization of their signatures, Mr. Foster left the plans with the Township to gain the remaining signatures from the Planning Commission, Board of Supervisors, and owners.

Darrin Foster thanked the Board and left the meeting at this time.

**MONTHLY MUNICIPAL REPORTS:** The September Zoning Report was submitted and read by Zoning Officer, James Hawk and available for review. Hawk read the report as follows:  
Issued (6) six zoning permits, (Some are issued conditional upon approval from BIU)

1)	Z-13-32	Shed	8/18	2375 Valley Road	\$ 70.00
2)	Z-13-33	Shed	8/19	105 Woods Drive	\$ 70.00
3)	Z-13-34	Deck	8/23	1414 Valley Road	\$ 30.00
4)	Z-13-35	Shed	9/03	3564 Valley Road	\$ 45.00
5)	Z-13-36	Pavilion	9/12	2375 Valley Road	<u>\$ 70.00</u>
					\$285.00

The Board noted that a dumpster is on site at the 2001 Elm Street location. It appears that the owner is responding since the citation and fine was paid at the District Justice level. The Zoning Officer will continue to monitor.

Chairman Lightner read the September Sewage Enforcement Report submitted by Lenny Sizer of Madden Engineering listing two (2) activities: application and permit fees for 590 Pine Hill Road; module review for Craig Raisner, Small Flow Treatment System for a total due in fees of \$195.00.

Supervisor Quigley read the September Road Report. Highlights from the report were: mowing various roads; order parts for repair of the tractor/mower; assisted with Evergreen Drive paving project; hauling antiskid to stockpile; and met with the Game Commission to discuss the culvert on Millers Gap Road. The report was placed on the front table for review. Proposals are being prepared to acquire a cost estimate for design of a pre-cast box culvert.

Recreation Board member, Darlene Campbell reported twenty- seven, (27) people were in attendance at the "Pot Luck" Picnic. She noted that several activities were held on the same date which might have hindered attendance. She announced the following upcoming event:

- October 26- Halloween in the Park. 6:00 PM at the Park; hayride, costume judging, and haunted trail; Rain date: Sunday, October 27<sup>th</sup>.

Darlene noted that a vacancy currently exists on the Recreation Board.

Supervisor Cree offered that Nancy Sunday is willing to serve a term on the Recreation Board but not until after the New Year.

Pete Fitting, Assistant Emergency Management Coordinator reported that Perry County began working with engineers to upgrade the tower system for the "911" radios. A new tower on the north mountain is proposed for better reception. Fitting noted that the towers have been inadequate for thirty years.

As previously discussed, Supervisor Cree noted that two new truck radios were purchased and installed by Mannion Enterprises. This improves communication for snow plowing personnel and other emergency situations that may arise within the Township.

The August Treasurer's Report and Fund Balance Reports were submitted for review and read by the Secretary/ Treasurer. With no discussion, the reports were accepted as read pending the independent auditor's approval.

**RESOLUTIONS:** Supervisor Cree made a motion and Supervisor Quigley seconded to approve and adopt **Resolution 13-18**, which approves a General expense check in the amount of \$2,500.00 and authorizes the Secretary/Treasurer of Rye Township to transfer said funds to a Capital Reserve Fund certificate of deposit at the Members First Credit Union, Enola, designated for the 250<sup>th</sup> Anniversary celebration in 2016 per the adopted 2013 General Fund Budget. Motion carried unanimously.

Supervisor Quigley made a motion with a second from Supervisor Cree to adopt **Resolution 13-19**, which authorizes the Secretary/Treasurer to transfer \$21,800 from the Highway Aid Fund MMA (.20%) at the Bank of Landisburg into a short term 11 month investment CD (.55%) at Members First Credit Union in Enola for a better rate of investment return. Motion carried unanimously.

**LEGAL BUSINESS:** Solicitor Wagner advised that the 2001 Elm Street concern was discussed above and the owner appears to be making an effort to clean up the property.

Solicitor Wagner explained that fees are determined for the services of the Zoning Hearing Board based upon what is reasonably related to the administration of and the application of the zoning ordinance.

The Board asked about differentiating between residential requests and non-residential or commercial requests. Solicitor Wagner offered to check with Zoning Hearing Board attorney Barbara Wevadou for her input.

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

**NEW BUSINESS:** It was the consensus of the Board to authorize Supervisor Cree to acquire quotes to replace the garage door in the first bay this fall 2013. The existing door is the original and the bottom is rusted leaving a large gap for heat to escape and cold air to enter. The roller bearings are out of the track and the chain mechanism does not work properly. The Secretary will provide a file of previous garage door quotes for assisting with vendors and specifications.

Chairman Lightner asked Supervisor Cree the status of acquiring quotes for the purchase of a new truck in 2014. Supervisor Cree said he was still in the process of putting together the specifications. A final quote will be forthcoming. The truck would be ordered this year and purchased through the Costars contract with delivery and payment in 2014.

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

- October 4 and October 5<sup>th</sup>; Fall Bulk Clean Up
- October 14- Columbus Day Holiday; Office Closed; No change in trash collection schedule
- October 31- Trick or Treat Night; 6-8:00 PM

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a September check register and submitted the following checks for approval and payment. General Fund checks #s 14111-14130 in the amount of \$95,596.06. No expense checks voided.

Payroll checks #s 6509-6516 in the amount of \$4,084.96.

Payroll checks #s 6517-6525 in the amount of \$3,968.02. No payroll checks voided.

Supervisor Quigley made a motion with a second from Supervisor Cree to approve the General Expense check #s 14111 to 14130 and payroll check #s 6509 through check # 6525. Motion carried unanimously.

**CITIZEN PARTICIPATION:** The Board of Supervisors discussed the upcoming 250<sup>th</sup> Anniversary of the Township in 2016 and the formation of a committee in early 2014 to spearhead this celebration. Solicitor Wagner advised the formation of a steering committee. This item will be placed on the Recreation Board agenda for discussion at their next meeting.

Darlene Campbell asked if a permit is required for the placement of a Community Aid clothing box at the Salem United Methodist Church. Supervisor Cree said no permit is required locally from the Township.

**ADJOURNMENT:** There being no further business before the Board, Supervisor Quigley made a motion and Supervisor Cree seconded to adjourn the meeting at approximately 8:03 PM. Motion carried unanimously.

Respectfully Submitted,

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Daisy Lightner  
Secretary/Treasurer