

**RYE TOWNSHIP
SUPERVISORS' MEETING
January 26, 2015**

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PRESENT: Chairman Ken Quigley, Vice-Chairman Jim Sabo, Supervisor Tom Speck, Daisy Lightner, Secretary/Treasurer, Sean Fedder, Joe Burget of Burget Associates, John M. Fitzsimmons, P.E.; Luke Roman of the Duncannon Record.

FORMER SUPERVISOR: Robert Lightner

The meeting was held at the municipal building and called to order at 7:03 PM. Chairman Quigley 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 Quigley asked if there was any citizen participation at this time. None was offered.

APPROVAL OF THE MINUTES: Supervisor Sabo made a motion and Supervisor Speck seconded to approve the minutes of the December 16, 2014 supervisors' meeting as submitted. Motion carried unanimously.

Supervisor Speck made a motion and Chairman Quigley seconded to approve the minutes of the January 5, 2015 Organization meeting as submitted; motion carried unanimously.

MONTHLY MUNICIPAL REPORTS: Zoning Officer, **Janet Hardman** was in attendance and gave the following verbal and written report for December's activities which included:

- 2) Phone calls – 3523 Valley Road regarding non-conforming certificate application
1201 Linda Lane; inspection of pole building
 - 1) Reviews/reports- 3523 Valley Road information submitted
 - 1) Meeting attendance
- Total due in wages of \$120.00

The report was placed on the front table for anyone to review.

Chairman Quigley noted that a Sewage Enforcement Report was submitted by Lenny Sizer of Madden Engineering listing no activities for January.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent Ken Quigley. Most of the work completed involved either winter maintenance with snow plowing or repair of equipment and repair of a block sign at the intersection of Fleisher and SR 850.

Recreation Board member Robert Lightner reported that there was not a quorum of the Board at the January meeting so the Recreation Board was unable to reorganize for the year. They briefly discussed tentative dates for upcoming events and hope to officially reorganize at the February meeting.

Chairman Quigley offered that he spoke with Mike Miller of the Road Department regarding the request to construct a board walk from the recycling parking area to the picnic pavilion.

No Emergency Management report was presented.

The December Treasurer's Report & General & Solid Waste Fund Balance Reports were submitted for review by the Secretary/Treasurer & placed on the front table for anyone to review. The reports are submitted and approved pending the 2014 Financial Audit, which is scheduled with Smith, Elliot, Kearns and Company for February 5 and 6, 2015.

RESOLUTIONS: Chairman Quigley made a motion with a second from Supervisor Sabo to adopt **Resolution 15-07**, which authorizes the Secretary/Treasurer to transfer a matured General Certificate of Deposit in the amount of \$202,410.79 plus interim interest from the Bank of Landisburg to First National Bank of Mifflintown, Shermans Dale 66 month special CD at 1.41% interest. Motion carried unanimously.

Chairman Quigley made a motion with a second from Supervisor Speck to adopt **Resolution 15-08**, which transfer \$50,000 of general monies from the General Fund Checking Account at Marysville Bank at .10% to a short term investment easy access municipal CD at the First National Bank of Mifflintown at .65%. Motion carried unanimously.

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

NEW BUSINESS: Vice-Chairman Sabo made a motion and Chairman Quigley seconded to approve and sign the 2015 contract for fire protection services with Shermans Dale Fire Company. Motion carried unanimously. The agreement was signed by the Board.

Chairman Quigley made a motion with a second from Supervisor Sabo to participate in the State Piggyback Bulk Salt contract and authorizing the Secretary/Treasurer to complete the application online obligating the Township for 75 tons of salt. Motion carried unanimously.

Supervisor Sabo made a motion with a second from Supervisor Speck to approve the 2014 Annual Planning Commission Report as submitted. Motion carried unanimously.

Chairman Quigley noted that in compliance with the Second Class Township Code, the Elected Auditors voted to establish and retain the same compensation as 2014 for a supervisor who may work as an employee of the Township at the rate of \$11.85 for unskilled laborers and \$12.60 per hour for skilled,(CDL) laborers. Currently, no supervisor is a regular employee of the Township.

Chairman Quigley made a motion with a second from Supervisor Sabo to remove Planning Commission member Robert Williams from his position on the Rye Township Planning Commission for nonfeasance. Mr. Williams has been contacted numerous times by phone and in writing and no response has been received. He did not fulfill his obligation as a Commission member and only attended one meeting following his initial appointment. Motion carried with all members voting in favor. The Secretary will notify Mr. Williams in writing via certified mail of the Board's decision.

Chairman Quigley made a motion with a second from Supervisor Sabo to accept the resignation of Recreation Board member Jeffrey Simmons. Motion carried unanimously.

Supervisor Sabo made a motion with a second from Chairman Quigley to appoint Ruthann Kemper to the Recreation Board to fill the position left vacant with the resignation of Jeffrey Simmons with her partial term expiring on 12/31/17. Motion carried unanimously.

Chairman Quigley announced the following:

- ◆ The office will be closed for Presidents' Day on February 16, 2015 with no change in trash collection.
- ◆ The February Planning Commission meeting for February 3, 2015 is cancelled.

SUBDIVISION PLANS: Joe Burget of Burget Associates entered the meeting to seek final approval of the **Joel and Timmy Heisley Final Subdivision Land Development Plan**. The purpose of this plan is to subdivide Lot 1, which contains the original farm house on approximately 161 acres, to create a two (2) acre building lot designated as Lot 3, to construct a

single-family dwelling with the new lot located along New Valley Road. Existing Lot 2 addressed as 1310 New Valley Road contains a single family dwelling on the plan and is owned by Timmy B. Heisley. Perry County Planning Commission comments were received and addressed. The Plan received conditional approval at the January 6, 2015 Rye Township Planning Commission. A \$50 security deposit was also received. The Board reviewed and discussed the following outstanding conditions:

- The owners need to sign the plan
- Surveyor needs to sign the plan
- Show floodplain on the plan
- Request waiver of 12' cart-way width
- Complete separate maintenance agreements to be filed with the deeds
- Add note stating that a common driveway may only serve two units
- Request waiver on the definition of a common driveway since it is owned by lot #2 only
- Add note and show on plan that all storm water must be diverted to the infiltration berm

Burget provided the Board with a copy of a separate driveway maintenance agreement. The Board advised a separate document for recording is great. However, the Solicitor must review and approve of the proposed agreement.

Upon due consideration, Chairman Quigley made a motion with a second from Supervisor Sabo to approve the alteration of requirements from the Subdivision Land Development Ordinance 09-03 for **Joel and Timmy Heisley Final Subdivision Land Development Plan** as follows:

1. Section 501 (Preliminary Plan Submission)
Due to the fact that this plan proposes only two lot additions to it.
2. Section 602.A (Sheet size/Map scale)
To create a clear and legible plan, the sheet size of 24 X 36 at 80 scale is requested.
3. Section 713 (Steep Slopes)
Due to the fact that only a single lot with minimal earth disturbance is proposed, relief from showing steep slopes on the residual lands is requested. Steep slopes have been shown on the proposed Lot 3.
4. Section 716.G.10 (12 foot cart way)
Alteration requested due to the fact that the existing driveway is currently paved with a width of 10 feet.
5. Section 202.A (Driveway-Common)
Due to the fact that the driveway is owned by Lot 2 only and Lot 3 will have a right-of-way to utilize and access the lot. The driveway was already paved by the owner of Lot 2.

Motion carried unanimously.

The Board advised Joe Burget that any further subdivision of the residual Heisley land will require the completion of a Master Plan per the Rye Township Subdivision Land Development Ordinance 09-03, Section 306-Overall Master Plan Requirement A. *If the total of all lots subdivided or space occupied from a parcel or tract of land exceed five (5) lots or occupants within the last five (5) years, it shall be incumbent upon the applicant to submit to the Township an Overall Master Plan.*

Upon due consideration and review, Supervisor Speck made a motion with a second from Chairman Quigley to approve the **Joel and Timmy Heisley Final Subdivision Land Development Plan** conditional upon the following:

1. The owners need to sign the plan

2. The Surveyor needs to sign the plan
3. Signature of the Sewage Module by SEO Sizer
4. Submission and Approval by DEP of the sewage module
5. Approval of the Easement and Road Maintenance Declaration Agreement by the Township Solicitor

Motion carried unanimously.

Joe Burget acknowledged and accepted the conditions, thanked the Board and departed the meeting at this time.

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/Treasurer provided a January 6 to January 26, 2015 expense check register and submitted the following checks for approval and payment: General Fund Check's #s 14692-14709 in the amount of \$18,364.43. No checks void. Payroll checks #s 6793-6800 in the amount of \$4,360.56. No payroll checks void.

Chairman Quigley asked about check 14707 in the amount of \$1,200 issued to Mark Weber Excavating. The Secretary/Treasurer offered that this was to pay for the delivery of six (6) loads of millings to the Township stock pile intended for use to stabilize the dirt roads in the spring.

With no further discussion on the bills presented, Supervisor Sabo made a motion & Supervisor Speck seconded to approve all the expense checks and payroll checks for payment. Motion carried unanimously.

CITIZEN PARTICIPATION: John Fitzsimmons of Lambs Gap Road and chairman of the Zoning Hearing Board, (ZHB), noted that the ZHB recently met to reorganize and the members were asking about the status of the 149 Fleisher Road, Robert Sultzaberger's appeal to the ZHB's facts and findings. The Board of Supervisors was unsure of the current status, but Supervisor Sabo offered to check with the Township solicitor for an update prior to the next Board meeting.

John Fitzsimmons also noted that according to ECMS the contractor for the Pine Hill Road Bridge replacement project will be selected on January 29, 2015.

The Board discussed the concern with the closure of Millers Gap Road recently due to unsafe conditions. This steep mountain road was a sheet of ice and several cars are currently stranded there. A tow truck could not reach them. The issue of Millers Gap Road would be discussed with the Solicitor at the next board meeting.

The Board requested that Zoning Officer Hardman keep February 23 open in case her attendance at the board meeting is requested. The Secretary/Treasurer indicated she would notify her in mid-February if the Board requests her attendance.

EXECUTIVE SESSION: Chairman Quigley noted that no Executive Session was needed since the Solicitor was not in attendance.

ADJOURNMENT OF THE MEETING: There being no further discussion or business before the Board, Chairman Quigley made a motion and Supervisor Speck seconded to adjourn the meeting at 8:10 pm. Motion carried unanimously.

Respectfully submitted,

Daisy Lightner, Secretary/Treasurer