

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
January 27, 2014**

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**PRESENT:** Chairman Ken Quigley, Vice-Chairman Ron Cree, Supervisor Jim Sabo, Daisy Lightner, Secretary/Treasurer, Rebecca Schulze, Tax Collector, Joe Burget of Burget Associates, Cathy Sabo, Linda Ekelman, Joe and Cindie Daubenspeck, John M. Fitzsimmons, P.E.; Alan Erdman, Robert and Debra Boyd, Elwood H. Brubeck, Jr., Gary Roth, Luke Roman of the Duncannon Record, and P. Richard Wagner, Esquire.

The meeting was held at the municipal building and called to order at 7:00 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. Linda Ekleman notified the Board that she would be audio recording the meeting.

**CITIZEN PARTICIPATION:** Chairman Quigley asked if there was any citizen participation at this time. Furloughed Zoning Officer, James Hawk of Bellview Road requested the Board amend the November 25, 2013 minutes regarding what he said about working after his furlough. Chairman Quigley offered to have the Secretary review the minutes and recommend any revisions deemed appropriate. Chairman Quigley further offered that the Board should not be cross examined regarding personnel issues at any public meetings. However, the Board would review and address this request at the next meeting.

**APPROVAL OF THE MINUTES:** Supervisor Cree made a motion and Supervisor Sabo seconded to approve the minutes of the December 17, 2013 supervisors' meeting as submitted. Motion carried unanimously.

Supervisor Cree made a motion and Supervisor Sabo seconded to approve the minutes of the January 6, 2014 Organization meeting as submitted; motion carried unanimously.

**AWARD OF BIDS:** Chairman Quigley made a motion with a second from Supervisor Cree to award the bid for appraisal services for the Pine Hill Road Bridge project to the lowest bidder, Jay D. Matthews at \$4,500.00. Motion carried unanimously.

Chairman Quigley made a motion with a second from Supervisor Sabo to award the bid for review of appraisals for the Pine Hill Road Bridge project to the lowest bidder, Philip J. Swartz for \$1,800.00. Motion carried unanimously.

**SUBDIVISION PLANS:** Joe Burget of Burget Associates was in attendance to seek final approval of the Robert and Debra Boyd Land Development Plan for 590 Pine Hill Road, Lot #1 of the 2009 Ditmar/Corl Final Minor Subdivision and Land Development Plan. A new land development plan was submitted since the location of the house was changed and the driveway access was lengthened and relocated from the previously approved 2009 plan. Perry County Planning Commission comments were received and addressed. The Plan received conditional approval at the November 6, 2014 Planning Commission meeting.

Upon due consideration, Chairman Quigley made a motion with a second from Supervisor Cree to approve the alteration of requirements from the Subdivision Land Development Ordinance 09-03 for the Robert and Debra Boyd Land Development Plan as follows:

1. Article 5, Section 501 Preliminary Plan requirement

2. Article 10, Section 1004. A.1 Monument requirement at the intersections of lots with street R-O-W lines.

Motion carried unanimously.

Upon due consideration and review Chairman Quigley made a motion with a second from Supervisor Sabo to approve the **Robert and Debra Boyd Land Development Plan.** Motion carried unanimously.

Joe Burget of Burget Associates was in attendance to also seek final approval of the **Kevin and Jill Luzier and Nicholas W. Knopick Final Minor Subdivision Plan** located along Idle Road. The purpose of this plan is to subdivide a .581 acre tract from the existing 13.554 acre tract to create a lot addition to adjoining lands since Mr. Knopick's pole barn encroached onto the Watts/Luzier property. Perry County Planning Commission comments were received and addressed. The Plan received conditional approval at the January 7, 2014 Rye Township Planning Commission. A \$50 security deposit was also received.

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 **Kevin and Jill Luzier and Nicholas W. Knopick Final Minor Subdivision Plan** as follows:

1. Article 5, Section 501 Preliminary Plan requirement.

Motion carried unanimously.

Upon due consideration and review, Chairman Quigley made a motion with a second from Supervisor Cree to approve the **Kevin and Jill Luzier and Nicholas W. Knopick Final Minor Subdivision Plan** Motion carried unanimously.

**MONTHLY MUNICIPAL REPORTS:** Chairman Quigley read the Sewage Enforcement Report submitted by Lenny Sizer of Madden Engineering listing one (1) activity: an on-site inspection relating to a tank replacement on Valley Road with a total due in fees of \$125.00.

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 chipping of brush.

Recreation Board member Jeffrey Simmons reported that the Recreation Board met to reorganize in January. Kassie Quigley remains the Chairperson and Glen Campbell is the Vice-Chairman with Darlene Campbell remaining as the Treasurer. The following events are tentatively being planned for the year 2014:

- ◆ Easter Egg Hunt April 12 @ 11:00 AM;
- ◆ Fishing Derby May 17, 9:00 AM at the Sportsmen's Association
- ◆ Strawberry Festival June 15
- ◆ Community Potluck Picnic July 19
- ◆ Sundaes in the Park August 17

No Emergency Management report was presented. Assistant EMC Pete Fitting reminded residents and citizens that Lambs Gap Road is a steep, mountainous road and it is best not to travel this roadway during the winter months, especially during and after a snow/ice event.

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 2013 Financial Audit.

**LEGAL BUSINESS:** Solicitor Wagner reviewed a January 9, 2014 letter from Adam Klein Esquire of Smigel, Anderson and Sacks, LLP disputing engineering invoice 52348 of November 26, 2013 for review of a proposed small flow treatment facility along Lambs Gap Road for Craig Raisner. Solicitor Wagner advised mailing a letter to Rettew Associates notifying them of the formal dispute of the fees charged. He advised the Township to follow the procedure for dispute resolution set forth in the MPC 53 Section 10510 that provides that the developer & professional consultant can attempt to come to agreement over the amount of review fees. If no agreement is reached the developer may request the appointment of an arbitrator to determine the amount that is reasonable and appropriate.

Solicitor Wagner will check on the procedure for an elected supervisor to waive all compensation.

Newly elected tax collector Rebecca Schulze of Lee Drive was in attendance to request the Board of Supervisors update the fee schedule for the amount charged for checks returned for insufficient funds. Currently the amount charged is \$5.00 plus the fee charged by the Marysville Bank. Schulze is attempting to work with Marysville Bank to waive the "insufficient check" fees for this governmental account. Chairman Quigley suggested she check with the County for a comparable amount charged for bounced checks. Solicitor Wagner advised the revised fee schedule must be advertised prior to adoption.

**OLD BUSINESS:** No old business was discussed.

**NEW BUSINESS:** Vice-Chairman Quigley made a motion and Supervisor Cree seconded to approve and sign the 2014 contract for fire protection services with Shermans Dale Fire Company. Motion carried unanimously. The agreement was signed by the Board.

Supervisor Cree 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 25 tons of salt. Motion carried unanimously.

Supervisor Cree made a motion with a second from Chairman Quigley to approve the 2013 Annual Planning Commission Report as submitted. Motion carried unanimously.

The Board discussed two cable franchise agreements. Solicitor Wagner advised keeping the term of the agreements to two, (2) years because of changing legislation for cable companies. Upon due consideration and discussion, Supervisor Cree made a motion with a second from Chairman Quigley to approve renewal of the Blue Ridge Cable Franchise Agreement and the newly proposed Comcast Cable Franchise Agreement each for a two year term. 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 2013 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 announced the following:

- ◆ The office will be closed for Presidents' Day on February 17, 2014 with no change in trash collection.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a January 7 to January 27, 2014 expense check register and submitted the following checks for approval and payment: General Fund Check's #s 14257-14273 in the amount of \$43,773.16. No checks void.

Payroll checks #s 6596-6606 in the amount of \$4,073.99. Void payroll check # 6600.  
Payroll checks #s 6589-6595 in the amount of \$3,936.14. No payroll checks void.

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

Supervisor Cree made a motion with a second from Supervisor Sabo to approve all payroll checks presented. Motion carried unanimously.

**CITIZEN PARTICIPATION:** Elwood Brubeck, Jr. of Valley Road suggested the Township purchase a type of software available that records and then dictates the minutes verbatim. Discussion ensued. Solicitor Wagner noted that this technology is unable to distinguish between multiple speakers during discussions.

**EXECUTIVE SESSION:** Chairman Quigley recessed the meeting to Executive Session to discuss personnel issues at 8:15 PM.

**RECONVENE THE MEETING:** Chairman Quigley reconvened the meeting at 8:40 PM. He offered that the Board discussed confidential personnel issues. No action was taken.

**ADJOURNMENT OF THE MEETING:** There being no further discussion or business before the Board, Supervisor Cree made a motion and Supervisor Sabo seconded to adjourn the meeting at 8:41 pm. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner, Secretary/Treasurer