

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
January 25, 2016**

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**PRESENT:** Chairman Ken Quigley, Vice-Chairman Jim Sabo, Supervisor John Stahl, Daisy Lightner, Secretary/Treasurer, Sean Fedder, John M. Fitzsimmons, John Smith, Luke Roman of the Duncannon Record, and Solicitor Dan Altland.

**FORMER SUPERVISOR PRESENT:** Robert Lightner

The meeting was held at the municipal building and called to order at 7:07 PM. Chairman Quigley convened the meeting with the pledge of allegiance to the flag. The meeting was 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:** Chairman Quigley made a motion and Supervisor Sabo seconded to approve the minutes of the December 15, 2015 supervisors' meeting as submitted. Motion carried. Supervisor Stahl abstained since he was not a supervisor in December.

Supervisor Sabo made a motion and Supervisor Stahl seconded to approve the minutes of the January 4, 2016 Organization meeting as submitted; motion carried unanimously.

**LEGAL BUSINESS:** The Board discussed the status of the appeal pending of the July 2013 decision relating to the setbacks of a garage addition constructed at 149 Fleisher Road, currently lying dormant in the court. Solicitor Altland said the proposed settlement agreement has not been signed by both land owners. He indicated he would contact the Zoning Hearing attorney and suggest to him to proceed to contact the court and set a briefing schedule and resolve the matter. Discussion ensued regarding the owner who continues to work at completing the structure in question with no permit and no inspections. The Solicitor advised if there is an alleged violation there, the Zoning Officer is required to inspect and enforce the Ordinances.

Discussion ensued regarding enforcement of individuals who build structures without a permit. The Solicitor advised there are provisions for fines when a structure is built without a permit. The violator can be cited by the Zoning Officer and taken before the District Magistrate and pay a fine for violation of the Ordinance. The Solicitor advised the Ordinances must be uniformly and strictly enforced. Fines should be issued when a violation is confirmed. Chairman Quigley directed the Solicitor to provide the process to be followed for enforcement.

During the discussion of the alleged violation at 149 Fleisher Road, the Board discussed items in the R-O-W and directed the Secretary/Treasurer to contact PA State Police regarding a truck that is partially parked in the R-O-W at the subject property.

The Board discussed a letter received from Capital Tax Collection Bureau whereby they wish to terminate their Agreement to provide trash billing services to the Township unless the Township agrees to administrative increases amounting to approximately a 42% increase in quarterly billing costs, plus a one time software upgrade fee of approximately \$4,500.00 to transfer Rye Township's trash billing list to their new software. Cap Tax said their old software could not accommodate entering a \$2.00 fee increase proposed by the Board of Supervisors. The Board discussed proposals received from the following:

- Penn Waste Billing Department
- Keystone Collection Agency
- J P Harris Associates

Upon due consideration and in consultation with the Solicitor, Chairman Quigley made a motion with a second from Vice-Chairman Sabo to accept the proposal submitted from Keystone Collection Agency to provide current and delinquent refuse fee collection contingent upon the following:

1. Add a section entitled: "Bond" to require evidence of a performance bond
2. Add a section entitled: "Liability Insurance" to require evidence of liability insurance coverage
3. Add language to require submission via email of a notice on company letterhead itemizing the monthly distribution
4. Add language to require written quarterly reports of all billing accounts
5. Revise Section VIII to add "in consultation with Rye Township."
6. Revise Section VIII to correct references to "taxes" due. This is not a tax, but a fee.
7. Revise Section IX to add language to require a hard and electronic copy of the master file account records at no cost upon expiration or termination of the Agreement.
8. Revise the effective date of the Agreement to April 1, 2016.

Motion carried unanimously.

The Board discussed a resolution to enact Act 20. The Solicitor reviewed the Resolution and advised that it does not need to be advertised. The Board directed the Secretary to add this to the February board meeting for consideration.

**MONTHLY MUNICIPAL REPORTS:** Chairman Quigley read the Zoning Report submitted by Janet Hardman as follows: 1) One (1) Demo Permit Issued

2) Four (4) Inspections

3) Three (3) Phone calls

4) One (1) Letter

Total due in wages \$135.00

Chairman Quigley read the Sewage Enforcement Report submitted by Lenny Sizer, SEO of Madden Engineering listing four (4) activities: tank replacement at 1430 Valley Road, site visit for a malfunction at 100 Rattling Rock Road; cover inspection for 717 Pine Hill Road and 10 Dicken Drive for a total due in fees of \$340.00.

Madden Engineering provided a Fee Resolution for 2016. There are no changes to any fees for services. The fees remain the same as the Sewage Fee Resolution adopted in 2015.

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 Robert Lightner reported that the Recreation Board met to reorganize in January and to begin to finalize plans for the Anniversary celebration events scheduled for Saturday August 13, 2016. The Board is looking for volunteers to help with the events. To date arrangements have been made with Hall's Ice Cream, Shermans Dale Cub Scouts to provide fresh cut fries; Marysville Fire Company to provide a chicken bar-b-que; a train ride for the children on the ball park field; and the Board of Supervisors to provide hamburgers and hot dogs for sale at a minimum cost. Lightner further explained that a fireworks presentation is anticipated. However, the details are not arranged at this time. A book of the history of Rye Township is also in process and will be sold during the event along with Anniversary crocks. He requested volunteers to help sell tickets; bus people from the Glenvale Church, assist with parking, and to man the stands, cook the burgers and serve the refreshments. Lightner announced the next Recreation Board meeting is February 8 and encouraged the Board and anyone interested to attend and get involved.

Supervisor Sabo requested the Recreation Board consider spraying for insects before the event.

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.

**RESOLUTION:** Chairman Quigley made a motion with a second from Supervisor Stahl to adopt Resolution 16-05, which authorized the Secretary/Treasurer to renew the Solid Waste Trash CD in a 35 month special at 1.51% interest at the Bank of Landisburg in Shermans Dale. Motion carried unanimously.

**NEW BUSINESS:** Chairman Quigley made a motion seconded by Supervisor Stahl to approve and sign the 2016 contract for fire protection services with Shermans Dale Fire Company. Motion carried unanimously. The agreement was signed by the Board.

Chairman Quigley recommended tabling any action on the State Piggyback Bulk Salt contract until the February board meeting in order to provide a better estimate for next year's season. Fellow board members agreed.

The consensus of the Board was unanimous to revise the pension contract to change from a defined benefit plan to a defined contribution plan or a cash balance plan as it is called by Pennsylvania Municipal Retirement System, (PMRS). Several decisions regarding funding the plan will need to be made before PMRS can draft a new contract agreement. It was the consensus of the Board to table any action on the pension plan revisions until the February meeting to allow for additional time to consider the various options posed.

Supervisor Sabo made a motion with a second from Supervisor Stahl to approve the 2015 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 compensation for 2016 for a supervisor who works as an employee of the Township at the rate of \$12.00 per hour for all positions. Currently, no supervisor is a regular employee of the Township.

Chairman Quigley announced the following:

- ◆ No trash collection this week in Rye Township due to the Blizzard on Saturday, Jan. 23 and Sunday, Jan. 24 that dumped approximately thirty (30) inches of snow in Rye Township and the resulting clean up. Regular trash collection will resume on Tuesday, February 2. Penn Waste will accept double the amount of trash.
- ◆ The office will be closed for Presidents' Day on February 15, 2016 with no change in trash collection.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided a January 4 to January 25, 2016 expense check register and submitted the following checks for approval and payment:

General Fund Check's #s 15075-15088 in the amount of \$9,613.38. No checks void.

Payroll checks #s 6966-6972 in the amount of \$4,112.50. No payroll checks void.

With no further discussion on the bills presented, Supervisor Stahl made a motion & Chairman Quigley seconded to approve and sign all checks presented for payment. Motion carried unanimously.

**CITIZEN PARTICIPATION:** John Fitzsimmons of Lambs Gap Road asked about the condition of Lambs Gap Road as it traverses the mountain into Hampden Township. Chairman Quigley offered that the road was plowed and the pavement surface treated with salt and cinders. He was unsure of the condition of the roadway in Hampden Township.

Vice Chairman Sabo asked if the State Police ever found out who hit and damaged the guide rail at the top of Lambs Gap Road. The Secretary offered that she contacted PSP in Newport who indicated they would investigate. However, no follow up response was received by the Township. The Board directed the Secretary to follow up with Lieutenant Stine.

**ADJOURNMENT OF THE MEETING:** There being no further discussion or business before the Board, Chairman Quigley made a motion and Supervisor Stahl seconded to adjourn the meeting at 8:32 pm. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner, Secretary/Treasurer