

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
October 24, 2016**

**PAGE 1 OF 5**

**PRESENT:** Chairman Ken Quigley, Vice-Chairman Jim Sabo, Supervisor John Stahl, Daisy Lightner, Secretary/Treasurer, Sean Fedder, John Stahl, Richard Albright and Christopher Albright, John M. Fitzsimmons, Christopher Hinkle of Burget & Associates, Luke Roman of the Duncannon Record and Solicitor P. Daniel Altland.

**FORMER SUPERVISORS PRESENT:** Robert Lightner and Charlie Kunkle.

The meeting was held at the municipal building and called to order at 7:04 PM. Chairman Ken 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 welcomed everyone and asked if there was any citizen participation at this time. None was offered.

**APPROVAL OF THE MINUTES:** Supervisor Sabo made a motion to approve the minutes of the September 26, 2016 supervisors' meeting. Chairman Quigley seconded; Motion carried.

Supervisor Sabo made a motion to approve the minutes of the October 6, 2016 special meeting and budget workshop. Chairman Quigley noted the contracts for the Millers Gap culvert replacement were also awarded at this special meeting. Chairman Quigley seconded; Motion carried.

Supervisor Stahl made a motion to approve the minutes of the October 20, 2016 budget workshop. Supervisor Sabo seconded; Motion carried.

**SUBDIVISION LAND DEVELOPMENT PLANS:** Chris Hinkle of Burget and Associates approached the Board seeking approval for three separate plans. He began with the review of the **Final Minor Subdivision Plan for Albert L & Beatrice Evinger Trust** and explained that purpose of the plan is to reconfigure three adjoining residential lots from five proposed lot additions to clean up the lot lines resulting in the location of an existing septic site on the property of the residence that utilizes the system and increases the lot size to allow for the future construction of a pole building on Robert and Wendy Evinger's property, which is addressed as 1570 Valley Road. The Board noted a concern discussed at the Planning Commission meeting with the existing gravel driveway located at 1570 Valley Road. The Zoning Ordinance requires paving of all driveways in the Residential 1 Zoning District, (R-1). This concern will be addressed by the Zoning Officer when the pole building application is received. Perry County Planning comments were received and addressed. A \$50 security deposit was received. All fees are paid in full. The Board of Supervisors reviewed the outstanding conditions listed in the October 4, 2016 Planning Commission minutes with Chris Hinkle as follows:

- Certification of title by the applicants
- Certification by the engineer and surveyor
- Add steep slopes to the plan
- Remove waiver requests for sheet size and steep slopes
- Move the building setback lines to the 100 year floodplain line on the plan
- Add a note that the Township's sewage enforcement officer, Lenny Sizer, provided testing of the backup septic sites and provided a report dated August 25, 2015 (Note #15)

All comments were addressed.

Upon due consideration, Supervisor Sabo made a motion with a second from Chairman Quigley to approve the alteration of requirements from the Code of Rye Township, Article 5 for the **Final Minor Subdivision Plan for Albert L & Beatrice Evinger Trust** as follows:

1. Section 320-21, Preliminary Plan submission

Motion carried unanimously.

Upon due consideration and review Chairman Quigley made a motion with a second from Supervisor Stahl to approve the **Final Minor Subdivision Plan for Albert L & Beatrice Evinger Trust**. Motion carried unanimously. The plan was left with the secretary to acquire all signatures.

Chris Hinkle reviewed and discussed the **Preliminary Minor Subdivision Plan for Randy L. Barlup**. He provided a brief history of the plan and explained that the preliminary plan was approved by the Board of Supervisors with conditions on March 23, 2009. The purpose of the Barlup plan is to subdivide an existing 40.423 acre residual tract of land into three (3) lots, creating single- family residential lots in an area that was previously subdivided and known as Sherwood Acres. The existing tract is located in the 2700 block of SR 850, which is Valley Road. Chris Hinkle explained that the names on the plan changed due to the death of Donald Barlup and the divorce of Randy and Rita Barlup. Perry County Planning comments were received in 2009 and addressed. The Board of Supervisors reviewed the comments in the October 4, 2016 Planning Commission minutes. One comment was partially addressed:

- Note #6 was updated to state “private drive” and not “private street”. However the driveway permit was not secured and the number not noted on the plan.

Discussion ensued relating to the driveway permit number, which would be the State Highway Occupancy Permit, (HOP) for the private drive accessing off SR 850. Hinkle explained that the HOP # cannot be located. Chairman Quigley offered it may be best to acquire a new permit from the State since the use of the access is changing with three lots accessing off this proposed private drive.

Chairman Quigley made a motion with a second from Supervisor Sabo to not sign the **Preliminary Minor Subdivision Plan for Randy L. Barlup** until the HOP number is acquired and listed on the plan. Motion carried unanimously. Chris Hinkle will research and acquire the State HOP # and return the plan for signatures.

Lastly, Chris Hinkle reviewed and discussed the **Kent W. and Melanie A. Smith Preliminary Land Development Plan**. Hinkle explained this existing lot located off Pine Hill Road which was created through the prior recorded Ditmar/Corl Subdivision plan, contains approximately 15 acres. The Kents purchased the lot and desire to revise the location of the dwelling, driveway and storm water facilities. Perry County Planning Commission comments were received and addressed. A \$50 security deposit was received. All review fees are paid in full. The Smith Plan received conditional approved at the October 4, 2016 Planning Commission meeting.

Upon due consideration, Supervisor Stahl made a motion with a second from Supervisor Sabo to approve the alteration of requirements from the Code of Rye Township, Article 5 for the **Kent W. and Melanie A. Smith Preliminary Land Development Plan** as follows:

1. Section 320-22.A. (Sheet size/Map scale)  
To create a clear and legible plan, we ask for relief to create a plan on a sheet size of 24x36 at 60 scale.
2. Section 320-44.G (14% Max. Drive Slope)  
Due to existing topography of the tract we would have to disturb more earth and more wooded vegetation to achieve the required driveway slope. We ask for relief from the slope requirements of a maximum of 14%. This proposed driveway is placed at a

location to minimize the disturbance of the steep slope areas. This driveway also only serves one single family residence. This waiver would only apply to a very small portion of the driveway from Station 5+63 to Station 7+34 as shown on the driveway profile plan (sheet 3 of 5).

3. Section 320-22.H (Location Map Scale)

To create a clear and legible plan, we ask for relief from the required scale of 1"= 2,000'.

4. Section 320.M.6 (Wetlands Report)

Due to the lack of identified wetlands on the national Wetlands Inventory mapping and the lack of hydric soils, we ask for relief from conducting a wetlands report.

Motion carried unanimously.

Discussion ensued regarding the one contingency recommended by the Planning Commission for approval of the Kent and Melanie Smith Preliminary Land Development Plan:

- Remove the geotextile fabric from the bottom of the drainage ditch.

The Board recommended Burget take the Smith plan back to the Planning Commission for clarification on the details of the removal of the geotextile fabric before any other action is taken on the plan. Chairman Quigley announced that the November Planning Commission meeting is cancelled. The December Planning Commission meeting is December 6, 2016 at 7:30 PM. The December Board of Supervisors meeting is Monday, December 19, 2016 at 7:00 PM. Chris Hinkle of Burget and Associates thanked the Board and left the meeting at this time.

**LEGAL BUSINESS:** The irrevocable letter of credit posted as security for improvements to the private drive approved per the Richard and Marsha Albright Subdivision Land Development Plan was not received as discussed and agreed upon in July 2016. Rick and Christopher Albright were in attendance to discuss this concern. Rick Albright apologized for the delay. Additional applications and documentation had to be completed and he is busy with his job. He anticipates the approval of the letter of credit by Members First Credit Union within the next two weeks. Chairman Quigley noted that the concern is that the new home for Christopher and Julia Albright will be completed most likely by year end, which requires the construction of the private drive to provide access to the lot where this new home is located. Chairman Quigley also noted that the additional vacant lot could be sold to someone other than family. The driveway is no longer a private driveway, but a private drive for access for potentially three (3) residential dwellings. The Township wants to assure the common drive that allows for three homes on one access is constructed according to the approved final recorded plan. The Albrights assured the Board the irrevocable letter of credit is in process and would be provided to the Township in the near future.

Solicitor Altland advised that it is best to keep a flat fee for both commercial and residential rates for zoning hearings. This was only a question that surfaced during budget discussion and was not established. The current rate to request a hearing before the Zoning Hearing Board is \$500.00.

Solicitor Altland advised that no additional advertising is required to amend the Fee Schedule as each separate ordinance establishing the fee states that fees are amended by written resolution of the Board of Supervisors. Minimal increases are proposed to the permit fees to be adopted at the 2017 organization meeting.

Solicitor Altland departed the meeting at this time.

**RESOLUTIONS:** Supervisor Stahl made a motion and Supervisor Sabo seconded to approve and adopt Resolution 16-20, which authorizes and documents the deposit of \$80,000 in

insurance proceeds held in escrow to a separate certificate of deposit to be used solely as security per Ordinance 99-3 for 2108 Legacy Lane. Motion carried unanimously.

**NEW BUSINESS:** Proof of publication is on file for Ordinance 16-04. Chairman Quigley made a motion with a second from Supervisor Sabo to adopt **Ordinance 16-04** to temporarily close a section of Millers Gap Road to through traffic to replace a culvert and a cross pipe over Fishing Creek from 8:30 AM, Monday, October 31 to approximately 2:00 PM, Tuesday, November 22, 2016. Access to local residents will not be impeded. Motion carried unanimously.

The Board reviewed and discussed an estimate received from Keith Peck's Painting for painting of the exterior original section of the municipal building that was constructed in 1982-83. No action was taken. More information is requested. Supervisor Stahl offered to contact Mr. Peck for clarification.

Upon due consideration and discussion, Chairman Quigley made a motion with a second from Supervisor Sabo to tentatively approve the **2017 budget** and authorize the advertisement of the proposed 2017 budget for public review for the next twenty (20) days with tentative adoption at the November 21, 2016 supervisors' meeting; motion carried unanimously. The record notes the budget is once again balanced with the use of reserves designated for road equipment and computer/software upgrades. The Secretary/Treasurer offered that the 2017 General Fund Budget proposes 5.3% less in spending than the 2016 Budget. The Budget anticipates the purchase of a new 2017 dump truck at approximately \$125,000. The 2017 proposed budget was placed on the front table and made available for public review.

Chairman Quigley made a motion to approve **Resolution 16-21**, the 2017 Schedule of Wages, which establishes the salaries for all full, part time & part time temporary employees effective the first payroll in January 2017. Supervisor Stahl seconded; motion carried.

Upon due consideration, Supervisor Sabo made a motion with a second from Chairman Quigley to allocate the **2016 State Pension System Aid** in the amount of \$7,417.83 entirely to PMRS to be applied to the Non-Uniformed Pension Plan. The pension plan is fully funded. But the deposit will assure a larger reserve and hopefully a lower MMO will be realized in the future when additional actuarial reports are completed. Motion carried unanimously.

Chairman Quigley announced the following upcoming events:

- October 31- Trick or Treat Night; 6-8:00 PM
- October 22 – 8:30 AM - Closure of Millers Gap Road to install a new culvert bridge
- November Planning Commission meeting cancelled. The next meeting is December 6.
- November 11 – Veterans' Day; Township closed; no change in trash collection

**MONTHLY MUNICIPAL REPORTS:** Zoning Officer, **Janet Hardman** provided an October zoning report as follows:

Two (2) Zoning Permits  
One (1) Inspection  
Three (3) Letters/Reports  
Three (3) Phone calls/meetings  
Total due in wages of \$135.00

The **Sewage Enforcement Report** was submitted by SEO Lenny Sizer of Madden Engineering. Chairman Quigley read the report: Eight (8) activities: Testing for a lot on Pierce Road for Barrick Homes; chisel and pressure inspections for a new home at 211 Evergreen Drive; and additional testing for a lot subdivided at the former Sally Eichelberger farm, addressed as 2302 Valley Road for a total due in fees of \$1,110.00.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent Ken Quigley. Preparation for and work at Fall Bulk Clean-Up; chip brush and mow grass at Township building; remove downed trees on Pine Hill Road; clean drains in LeeWood Village and along Cold Springs Road; install road signs at Trout Lane and another sign at the intersection of SR 850 and New Valley Road; and haul tires to Mahantangos in Liverpool from the bulk clean-up.

Supervisor Stahl mentioned the replacement of the deer crossing sign that disappeared near his home on New Valley Road.

Robert Lightner of the Recreation Board reported a successful Halloween in the Park with nice weather and well over seventy (70) participants. He expressed appreciation to the local boy scouts, who once again did a great job with the haunted trail.

Lightner noted that two terms are expiring on the Recreation Board the end of this year. Volunteers are needed to fill the positions.

Even though the 250<sup>th</sup> Anniversary celebration is past, Lightner reminded the Board to continue to pursue the time capsule. The Board directed Lightner to discuss this item at the next Recreation Board meeting to gain their input. They also directed the Secretary to begin a list of items that would be included in the capsule.

No Emergency Management Report was offered.

The September Treasurer's Report and Fund Balance Report were submitted for public review and read by the Secretary/Treasurer and with no discussion were accepted as read pending the final approval of the independent auditors. The Chairman noted the distribution of the Fire Relief monies to the local fire companies.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided an October check register and submitted the following checks for approval, signature and payment: General Fund Check #s 15360-15390 in the amount of \$36,184.31. No checks void.

Payroll checks #s 7095-7098 in the amount of \$ 3,610.06. No payroll checks void.

Payroll checks #s 7099-7111 in the amount of \$ 4,946.54. No payroll checks void.

Payroll checks #s 7112-7118 in the amount of \$ 3,858.39. No payroll checks void.

With no further discussion on the bills presented, Chairman Quigley made a motion with a second from Supervisor Sabo to approve and sign all the checks presented and pay the bills. Motion carried unanimously.

**CITIZEN PARTICIPATION:** Supervisor Stahl asked about the ongoing pending items listed on the agenda. Discussion ensued. The Board discussed the irrevocable letter of credit held as security to insure a holding tank is cleaned at 109 Tower Road. They directed the Secretary to contact SEO Sizer to go on-site and check on the status of this system to determine if the agreement and letter of credit needs to be renewed.

**ADJOURNMENT:** With no further business before the Board, Chairman Quigley made a motion with a second from Supervisor Sabo to adjourn the meeting at 8:35 PM. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner, Secretary/Treasurer