

**RYE TOWNSHIP
SUPERVISORS' MEETING
March 27, 2016**

PAGE 1 OF 5

PRESENT: Chairman Ken Quigley, Vice-Chairman Jim Sabo; Supervisor John F. Stahl, Daisy Lightner, Secretary/ Treasurer, Robert Hart, Zoning Officer, Teena Curnow of SEK and Co., Sean Fedder, Brad Knauss, Elaine Doran, John Hoppenjans, Tammy Matter, Jean Snyder, John Schulze, John M. Fitzsimmons, P.E., Joe Burget, Jr. of Burget and Associates and Dan Altland, Solicitor.

FORMER SUPERVISOR PRESENT: Robert Lightner

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 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: Chairman Quigley made a motion and Supervisor Stahl seconded to approve the minutes of the February 27, 2017 supervisors' meeting as submitted. Motion carried.

Supervisor Sabo entered the meeting at approximately 7:04 PM following the approval of the February 27, 2017 supervisors' minutes.

LEGAL BUSINESS: Applications for driveway permits for 3640 and 3650 Dutch Cemetery Road were received and reviewed by John Schulze Driveway Permit Officer. Following review of the applications, a site visit, and sight distance calculations, it was found that the sight distance provided does not meet the minimum required distance in compliance with Township regulations when the sight distance is calculated at a speed limit of 35 MPH. As Dutch Cemetery Road does not have a posted speed limit, a 35 MPH speed limit was used based on the Ordinance in Chapter 345 (Vehicles and Traffic, Article II (Traffic Regulations), §345-7.A. It was noted that the driveways were proposed in locations that maximize the available sight distance but still do not meet the requirement. Driveway Officer Schulze recommended that the property owners execute Waiver, Release and Indemnification Agreements per the Code of Rye Township, Article I, Section 320-44D.(3). Solicitor Altland provided a Waiver Release and Indemnification Agreement Form to be utilized.

Discussion ensued regarding reduction of the speed limit with Joe Burget, Jr. who made application for driveway permits on behalf of the owners of 3640 and 3650 Dutch Cemetery Road. Burget offered that if the speed limit is lowered, then the driveways would meet the sight distance and the Waiver Agreements would not be necessary. Chairman Quigley offered that the Waiver Agreements could be a temporary condition for approval of the driveway permits until the road is repaired and posted with a lower speed limit tentatively planned for completion in 2018. Quigley said the Ordinance allows for a Board of Supervisor's waiver of the sight distance requirement with a condition that a Waiver, Release and Indemnifications Agreement is signed. This provides a way to keep approvals moving forward and avoids unnecessary delays for the owners of the parcel. Joe Burget agreed.

Upon due consideration, Chairman Quigley made a motion with a second from Supervisor Sabo to approve a Waiver of Design requirements to the Code of Rye Township, Subdivision Land Development, Chapter 320, Attachment 4, Sections B. & C. Driveway Sight Distance Measurements for 3640 Dutch Cemetery Road and 3650 Dutch Cemetery Road addresses to allow the approval and

issuance of driveway permits for the said lots. Motion carried unanimously. Joe Burget was provided Waiver Agreements for both addresses and indicated he would acquire signatures from the owners.

SUBDIVISION LAND DEVELOPMENT PLANS: Joe Burget, Jr. of Burget and Associates approached the Board for approval of the **Bradley and Elizabeth Knauss Final Land Development Plan**. The Knauss' purchased Lot 3, which is addressed as 501 Pine Hill Road, Marysville. The Lot was originally created by the Dittmar/Corl Subdivision, which Lot was reconfigured on a Final Minor Subdivision Plan for Heather M.C. and Joseph C. Hower in 2015. The purpose of the plan is to revise the prior proposed house location and relocate the driveway and stormwater facilities accordingly on this 10.06 acre lot. Perry County Planning comments were received and addressed. Rettew Associates, the Township engineer, reviewed the Stormwater Management Plan. Comments were received and addressed. The \$50 security deposit was received. Engineering and legal fees are outstanding. The Planning Commission conditionally recommended the approval of the Knauss plan at their March 7, 2017 meeting.

Upon due consideration, Supervisor Sabo made a motion with a second from Supervisor Stahl to approve the following alteration of requirements for the **Bradley and Elizabeth Knauss Final Land Development Plan**:

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 24 x 36 at 60 scale.

2. 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'.

Motion carried unanimously.

The Board reviewed the outstanding conditions listed by the Planning Commission for approval of Knauss plan. Upon due consideration and discussion, Chairman Quigley made a motion with a second from Supervisor Stahl to approve the **Bradley and Elizabeth Knauss Land Development Plan** contingent upon the following:

- Add the Driveway Permit number to the plan when it is received
- Acquire all signatures on the plan and the revised Stormwater Easement and Maintenance Declaration
- Pay in full all outstanding engineering and legal fees due for this Plan

Motion carried unanimously.

The record notes that Joe Burget, Jr. provided documents from his research relating to Swamp Road, which is located on the Knauss property at 501 Pine Hill Road. The Secretary indicated she would make copies of the original documents for the Township files and return the originals to Burget and Associates.

Joe Burget, Jr. of Burget and Associates approached the Board for approval of the **Kent W. and Melanie A. Smith Final Land Development Plan**. The purpose of the plan is to revise the location of the dwelling, driveway, and storm water facilities from a prior Dittmar/Corl Subdivision Land Development Plan. The Smith's purchased Lot 5, which is addressed as 401 Pine Hill Road, and totals 15.36 acres. An NPDES permit was acquired since the earth disturbance for lot is greater than 1 acre. The **Kent W. and Melanie A. Smith Preliminary Land Development** was conditionally approved by the Planning Commission at the October 4, 2016 Planning Commission meeting. Perry County Planning Commission comments were received and addressed. Rettew Associates, the Township Engineer reviewed the Preliminary and Final Stormwater Management Plan with comments reviewed and addressed. The \$50 security deposit was received. Engineering and legal fees are outstanding. The Planning Commission conditionally recommended the approval of the Kent Smith Final Land Development Plan at their March 7, 2017 meeting.

Upon due consideration, Supervisor Sabo made a motion with a second from Supervisor Stahl to approve the following Alteration of Requirements for the **Kent W. and Melanie A. Smith Final Land**

Development Plan:

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 24 x 36 at 60 scale.
2. 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'.
3. Section 320-44.G (14% Max. Drive Slope)
Due to existing topography of the tract and the fact that the driveway will service only a single residential dwelling.

Motion carried unanimously.

The Board reviewed the outstanding conditions listed by the Planning Commission for approval of Smith plan. Upon due consideration and discussion, Chairman Quigley made a motion with a second from Supervisor Sabo to approve the **Kent W. and Melanie A. Smith Final Land Development Plan** contingent upon the following:

- Add the Driveway Permit number to the plan when it is received
- Add a notation for "trench drains" to be added to the Stormwater Easement and Maintenance Declaration in item number 1 per the Solicitor.
- Acquire all signatures on the plan and the revised Stormwater Easement and Maintenance Declaration
- Pay in full all outstanding engineering and legal fees due for this Plan

Motion carried unanimously.

Joe Burget addressed the Board regarding land development submission procedures and the definition listed in the MPC and the Rye Township Subdivision Ordinance. Burget suggested the Board modify its ordinance to handle the building plan when the lot is sold. Discussion ensued. The Solicitor advised a note was placed on the plan requiring a land development plan only if the original proposed dwelling and driveway were revised and relocated. A new plan submission and review by the Planning Commission provides for review and recommendations for compliance with regulations relating to storm water run-off with parcels especially where steep slopes are involved. The Solicitor agreed that placing this note on plans is wise to assure enough room to construct stormwater facilities. Chairman Quigley offered that he understood both sides. Supervisor Sabo said he would bring this concern to the Planning Commission for their discussion and input.

PERSONS TO BE HEARD: Auditor, Teena Curnow of Smith, Elliott, and Kearns & Co. was present to provide a condensed version of the 2016 Financial Audit report for Rye Township. Teena presented a power point program to explain the 2016 audit report. SEK issued an unqualified, clean audit opinion, which is the best opinion that may be given indicating that SEK is confident that the financial statements are materially correct. There were no findings. The Management Discussion and Analysis was prepared by Township management. A surplus resulted in the General Fund with deficits in the Solid Waste, Highway Aid and Capital Reserve Funds. The surplus in the General Fund was due to sale of investments (CDs) to fund budgeted projects in the 2016 budget, which shows as a deficit in the Capital Reserve. Overall a deficit was realized for all the funds combined. She noted a significant increase in the Capital Assets with the completion of the Millers Gap Road culvert project. Curnow noted that the Solid Waste Fund increased its revenue by 2% with a recent rate increase. However, the increase did not offset the 4% increase in expenses for the year.

The presentation provided analysis of all the funds, notes to financial statements, the Management letter, a general communication letter, and graphical analysis of cash and investment trends, revenue

versus expenses; revenue trends; expense trends; revenue allocation and expense allocation. The 2016 audit report was placed on the front table and available for public review. The audit report is on file as a permanent record of the Township.

Chairman Quigley noted the concern with the deficit in Solid Waste Fund and offered that the Board would monitor the expenses throughout the year and discuss it at the 2017 Budget sessions.

Teena Curnow asked if there were any questions on the audit or presentation. No response received. She thanked the Board and departed the meeting at this time.

MONTHLY MUNICIPAL REPORTS: Zoning Officer Bob Hart was in attendance and read his Zoning Report as follows: Five (5) Permits Issued; one denial; site visits, and one extensive phone call; travelled 139.5 miles for a total due of \$319.28.

A Sewage Enforcement Report was submitted by SEO Lenny Sizer of Madden Engineering listing 5 activities from February 27 to March 17, 2017 including percs and probes, a cover inspection, site visit and an investigative meeting plus 24 miles travelled for a total due of \$765.34.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent Ken Quigley as follow: chipped brush, plow and cinder roads, service No. 7 backhoe and No. 10 Tractor/Mower; attended PA One Call Training; install new cutting edge on No. 2 plow; clean up junk and debris dumped along Lambs Gap Road and met with Supervisor Quigley regarding take down of trees on Mountain Dale Drive and Pine Hill Road.

Chairman Quigley discussed the repair and sale of the 1996 dump truck and removal of trees on Pine Hill Road and Mountain Dale Drive. The consensus of the Board at this time was to sell the truck, "As Is". The Board directed the secretary to acquire written quotes for the tree removals.

No Emergency Management report was presented.

Recreation Board member Tammy Matter reported that the Recreation Board set the following upcoming dates for events:

April 8	Easter Egg Hunt; 11 AM; Rain Date of April 9 at 1:00 PM
May 20	Annual Fishing Derby; 9 AM to 10:30 AM
June 18	Strawberry Festival; 6:00 PM
July 10	Sundaes in the Park; 6:30 PM

Tammy also mentioned that the Rec Board will be looking into costs of shredded rubber on the playground floor.

No Emergency Management report was presented.

The February Treasurer's Report was submitted for review by the Secretary/Treasurer & placed on the front table for anyone interested to review. The report is submitted and approved pending the 2017 Financial Audit.

RESOLUTIONS: Supervisor Stahl made a motion with a second from Chairman Quigley to adopt Resolution 17-10, which authorizes the Secretary/Treasurer of Rye Township to transfer a matured Capital Reserve Road Equipment Certificate of Deposit from the Bank of Landisburg, Shermans Dale to a easy access municipal CD at the First National Bank of Mifflintown, Shermans Dale in the amount of approximately \$55,355.00 plus interim interest until the 2018 dump truck is delivered and paid anticipated for later this summer. Motion carried unanimously.

NEW BUSINESS: Chairman Quigley announced the 2017 road projects as Cove Hill Road, a small portion of Sites Circle and a portion of Lambs Gap Road. Chairman Quigley made a motion with a second from Supervisor Stahl to authorize the Secretary/Treasurer to advertise the 2017 Road Project Bids for resurfacing in the Duncannon Record for opening and tentative award at the April 24, 2017 meeting. Motion carried unanimously.

Upon due consideration, Chairman Quigley made a motion with a second from Supervisor Sabo to approve the renewal of the health insurance on June 1, 2017 with Capital Blue Cross through Pennsylvania Chamber Insurance, PCI, which plan provides for Health Savings Accounts and authorizes those accounts to be established at the First National Bank of Mifflintown and further authorizes Chairman Quigley to sign all paperwork on behalf of the Board to accomplish the same. Motion carried unanimously.

Supervisor Stahl made a motion with a second from Chairman Quigley to participate in the County Bridge Inspection Program that will be conducted by HRG, Inc. Motion carried unanimously. Chairman Quigley signed the participation form on behalf of the Board.

Chairman Quigley announced the following events:

- ◆ The office will be closed for Good Friday on April 14, 2017 with no change in the trash collection schedule.
- ◆ April 8 – Easter Egg Hunt; 11 AM at the New Valley Road Park
- ◆ May 5 and May 6; Spring Bulk Clean Up
Rye will only hold one bulk clean up this year in order to save funds since the Solid Waste Fund had a deficit this year.
- ◆ May 20 – Fishing Derby; 9 AM to 10:30 AM; Rain Date of May 21 from 1-2:30 PM

APPROVAL AND PAYMENT OF THE BILLS: The Secretary/Treasurer provided a March expense check register and submitted the following checks for approval and payment: General Fund Check's #s 15513-15540 the amount of \$94,008.22.

Payroll checks #s 7178-7183 in the amount of \$4,185.71. No payroll checks void.

Payroll checks #s 7184-7192 in the amount of \$4,379.45. No payroll checks void.

Payroll checks #s 7193-7201 in the amount of \$5,255.86. No payroll checks void.

With no further discussion on the bills presented, Chairman Quigley made a motion with a second from Supervisor Stahl to approve all the expense and payroll checks submitted for payment and to pay the bills. Motion carried unanimously.

CITIZEN PARTICIPATION: Elaine Doran of Shermans Dale introduced herself as the chair of the Perry County Democratic Committee and appreciated that she could attend the Board meeting.

Former Supervisor Robert Lightner offered his comments in support of the Planning Commission and the time they take to review and place notes on plans.

Planning Commission member Sean Fedder offered that notes such as this were placed on plans for the very reason that brought the current owners into the Township for additional reviews and approvals.

John Hoppenjans of Mountain Dale Drive asked where the trees are located along Mountain Dale Drive that will be removed. Chairman Quigley explained the location. Supervisors Sabo and Stahl offered that the property owner should assist with payment for the one tree removal.

ADJOURNMENT OF THE MEETING: There being no further discussion or business before the Board, Chairman Quigley made a motion with a second from Supervisor Stahl to adjourn the meeting at 8:48 pm.

Respectfully submitted,

Daisy Lightner, Secretary/Treasurer