

**RYE TOWNSHIP
SUPERVISORS' MEETING
March 26, 2018**

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PRESENT: Chairman Ken Quigley, Vice-Chairman Jim Sabo; Supervisor John F. Stahl, Daisy Lightner, Secretary/ Treasurer, Corinna Van Hine, Curt and Cindy Whitmer, Joel and Cathy Bacon, and daughter Jessica Bacon, residents and owners of Smile Spinners, Sean Fedder, and Dan Altland, Solicitor.

FORMER SUPERVISORS PRESENT: Robert Lightner and Charles Kunkle

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: Supervisor Stahl made a motion and Supervisor Sabo seconded to approve the minutes of the February 26, 2018 supervisors' meeting as submitted. Motion carried.

LEGAL BUSINESS: Curt and Cindy Whitmer were in attendance to seek approval from the Board of Supervisors for a Small Flow Treatment Facility Module, (SFTF). Curt Whitmer explained that the current septic system servicing the apartments at 3523 Valley Road failed. SEO Lenny Sizer conducted an on-site inspection and could not locate another suitable site on the parcel for a replacement system. The only option left to meet the sewage needs for this existing dwelling is to make application to the Department of Environmental Protection, (PA DEP) to install a Small Flow Treatment Facility. Engineer Grant Marshall prepared a module for submission to PA Department of Environmental Protection and submitted it to the Township for approval and signatures.

Discussion ensued on the required Installation and Maintenance Agreement component of the module. Solicitor Altland explained that a fifty, (50%) escrow of the total cost and installation of the system is required for the first two years following the PA DEP approves and a permit is issued. The escrow would be posted after approval from PA DEP and before construction commences. If the system works satisfactorily for two years, the owner can then come back to the Board and ask for a reduction of the escrow to ten, (10%), which amount must be kept in escrow to assure the system is maintained and functioning properly. Chairman Quigley offered that there is a lot of maintenance required with these systems including an annual Township inspection and testing by the SEO.

Upon due discussion and consideration, Chairman Quigley made a motion with a second from Supervisor Stahl to adopt **Resolution 18-15**, which approves a revision to the "Official Sewage Facilities Plan" of Rye Township for the C & C Whitmer Enterprises Sewage Facilities Planning Module for the installation of a small flow treatment facility at 3523 Valley Road and the submission of the same to the Department of Environmental Protection. Motion carried unanimously.

Curt Whitmer requested to be notified when the module is submitted to PA DEP. The Secretary indicated she would send a copy of the cover letter to the Whitmers as well as their engineer so they are aware of when the module is submitted to the State.

With the weather breaking, Solicitor Altland advised the Board to contact the Township engineer, provide him a copy of the recorded Albright Agreement, and direct him to conduct an inspection on the stormwater facilities for the private drive off Fleisher Road. The Secretary indicated she would contact Frank Chlebnikow of Rettew Associates regarding the inspection.

MONTHLY MUNICIPAL REPORTS: Zoning Officer Lenny Sizer submitted a Zoning Report as follows: One (1) Permit Issued for 105 Woods Drive; one denial for 2190 Valley Road because of septic issues and location within the Floodplain; enforcement letters for 2105 Sites Circle and 97 Pine Hill Road, and reviewed a letter for enforcement of a barking dog for a total due of \$292.50.

A Sewage Enforcement Report was submitted by SEO Lenny Sizer of Madden Engineering listing activities for March, including enforcement letter for 1321 Flowers Lane and repair for 1764 New Valley Road for a total due of \$190.00.

The Road Report was provided by Road Foreman Brad Sloop and read by Road Superintendent Ken Quigley as follow: chipped brush, plowed and cindered roads, cleaned drains on Dicken Drive, Cold Springs and in LeeWood Village, installed a hot water heater, repaired exhaust and fixed tail gate latch on the 1996 dump truck; serviced #16 backhoe, cleaned up junk and debris dumped on New Valley Road, and cleaned up downed trees and limbs throughout the Township from a high wind storm.

Recreation Board member Robert Lightner announced that the Recreation Board set the following upcoming dates for events:

May19 Annual Fishing Derby; 9 AM to 10:30 AM; rain date May 20; 1-2:30 PM
Ages 3-14 years old; hotdogs and snacks

June 3 Strawberries in the Park; 6:00 PM

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 2018 Financial Audit. The Secretary/Treasurer announced that the independent auditors will be at the April 23 meeting to provide a summary report of the 2017 financial audit.

NEW BUSINESS: Chairman Quigley announced the 2018 Road Resurfacing Projects as follows: a portion of Mountain Road and widening and paving of Dutch Cemetery Road. Supervisor Sabo made a motion with a second from Supervisor Stahl to authorize the Secretary/Treasurer to advertise the 2018 Road Project Bids for resurfacing in the Duncannon Record for opening and tentative award at the April 23, 2018 meeting. Motion carried unanimously.

Chairman Quigley made a motion with a second from Supervisor Stahl to accept the Request for Proposal, (RFP) from Wilson Consultants in the amount of \$4,500.00 plus mileage associated with the project billed separately at \$.545 per mile to conduct a field survey and prepare a DEP GP-7 permit and submit it on behalf of the Township for replacement of an existing culvert on Cove Hill Road. Motion carried unanimously.

Upon due consideration, Supervisor Sabo made a motion with a second from Supervisor Stahl to authorize Chairman Quigley to review and sign renewal paperwork for the health insurance renewing on June 1, 2018 through Pennsylvania Chamber Insurance, PCI on behalf of the Board. Motion carried unanimously.

Chairman Quigley announced the following events:

- ◆ The office will be closed for Good Friday on March 30, 2018 with no change in the trash collection schedule.
- ◆ May 4 and May 5; Spring Bulk Clean Up
Rye will again only hold one bulk clean up this year.
- ◆ May 19 – Fishing Derby; 9 AM to 10:30 AM; Rain Date of May 20 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 15894-15927 the amount of \$69,788.07. No expense checks voided during processing.

Payroll checks #s 7358-7363 in the amount of \$4,639.06. No payroll checks void.

Payroll checks #s 7364-7370 in the amount of \$4,509.35. No payroll checks void.
Payroll checks #s 7371-7377 in the amount of \$5,476.61. 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: Corinna Van Hine of New Valley Road discussed receipt of a second courtesy letter from the Township notifying her that she was in violation of Township regulations for parking her vehicle in the front yard of her property, and thereby creating a second driveway access to the property off New Valley Road. She explained her reasons for desiring to park in the front yard and situations when and why she parks there. Discussion ensued.

Solicitor Altland offered that the issue is not the parking or placement of stone, but that by parking in the front yard and pulling in and out, a secondary unauthorized access is created on to New Valley Road. Township regulations only permit one driveway access on residential parcels. If the property frontage exceeds 600 feet, the Township may authorize an additional driveway.

Corinna offered that her property frontage does not exceed 600 feet.

Chairman Quigley offered that if Ms. Van Hine desires to keep the second driveway access on to the public roadway, she must apply to the Zoning Hearing Board to request a variance to the Township Ordinance. The fee is \$750.00. He explained that several other residential properties have requested and gained variances for second driveways. Chairman Quigley said this is the only option to continue to park in the front yard and create a second access onto New Valley Road and be in compliance with the Township Ordinances.

Joel and Kathy Bacon, owners of Smile Spinners, were in attendance to complain about a property near Lambs Gap Road that is junky and unsightly with the yard full of debris. They offered that customers come to their business over Lambs Gap Road and the first thing they see is this junky property. There are numerous cars that often block the public roadway. Many customers have commented about it. The Bacon's felt this property reflects negatively on the Township and their business.

Discussion ensued with similar concerns expressed by several residents.

Chairman Quigley offered that the Board is aware of the property. Currently, a mortgage company owns the property. The occupants living there are renters. The Zoning Officer sent a certified Notice of Violation the end of last week giving the owner thirty (30) days to clean up the property and abate the violation.

The Bacon's said they understood due process and are willing to be patient to allow the Zoning Officer to handle the enforcement, but strongly encouraged the Board to follow through and see that this property is cleaned up. They said they may consider involving others, including the news media.

Former Supervisor Lightner discussed the road project proposed on Dutch Cemetery Road. He offered that Carroll Township shoulder some responsibility to assist with partial costs because there is a potential to develop five more lots in Carroll Township with access off Dutch Cemetery Road.

Chairman Quigley said he had previously discussed Dutch Cemetery Road with a Carroll Township Supervisor. He offered that what is proposed with the base and the surface paving will support construction equipment.

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 8:18 pm.

Respectfully submitted,

Daisy Lightner, Secretary/Treasurer