

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
August 28, 2017**

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**PRESENT:** Chairman Ken Quigley, Vice-Chairman Jim Sabo, Supervisor John Stahl, Daisy Lightner, Secretary/Treasurer, Robert Hart, Zoning Officer, John Schulze, Driveway Permit Officer, Corinna Van Hine, Alan Erdman, Jeremy Hilliker, John Smith, Brandon Fritz, Sean Fedder, Richard and Christopher Albright, Cindy Whitmer, Joel and Gabrielle Denofrio, Doug Bloom, Robert and Kimberly Campbell, Philip, Gary and Gay Shenk, John M. Fitzsimmons, and Solicitor Dan Altland.

**FORMER SUPERVISOR PRESENT:** Robert Lightner

The meeting was held at the municipal building and called to order at 7:00 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 July 24, 2017 supervisors' meeting. Supervisor Stahl seconded; Motion carried unanimously.

**PERSONS TO BE HEARD:** Corinna Van Hine of New Valley Road approached the Board to discuss the current regulations for backyard chickens in residentially zoned areas in the Township that have less than the required minimum ten (10) acre lot size. She provided a notebook of information to the Board, including samples of regulations from municipalities around the State.

Chairman Quigley understood that her concern to keep her small brood of chickens has been resolved since Joel Heisley, the adjacent property owner, graciously offered to lease her enough land to permit her to keep the chickens since current zoning only permits animals such as dogs and cats on residential parcels less than ten (10) acres in size.

Corinna offered that she would like to see the regulations changed and the ten (10) acre minimum lot size to keep chickens in the Residential 1 area decreased. Chairman Quigley recommended the Planning Commission review the information she has compiled for consideration at the next update to the zoning ordinance along with other proposed revisions currently in process. Since there are several plans on the Commission's agenda for the September meeting, the very earliest this material would be presented for consideration and discussion would be at the October meeting. Quigley stressed that this is not something that will happen overnight and will be addressed as time allows and when all proposed revisions to the Zoning Ordinance are ready for tentative adoption. Corinna thanked the Board for their consideration.

**NEW BUSINESS:** Chairman Quigley acknowledged receipt of the final inspection report from Rettew Associates for the completion of the private drive for 67 and 73 Fleisher Road and a letter from Richard Albright notifying the Township that the project was completed. Mr. Albright is requesting release of his irrevocable letter of credit.

The August 15, 2017 inspection report noted the following discrepancies to the Final recorded Richard and Marsha Albright Final Subdivision Plan that need to be addressed:

1. No erosion control is in place at the discharge of the 12" CPP pipe.
2. The approved driveway width varies from the plan and is only 12 to 14' in width.

3. The northern rip-rap channel has not been installed to Station 1+75.
4. The paved private drive terminates at Station 4+47+/- . The approved plan specifies that the pavement should extend to Station 4+82.
5. Prepare “as built” plans for the Township records.

Chris Albright of 73 Fleisher Road noted that Driveway Officer, John Schulze conducted the final inspection of the driveway to his home and found it does not meet the slope in compliance with the permit application submitted and the driveway regulations.

Chairman Quigley recommended the Planning Commission review the comments from Rettew and gain their insight regarding the issues needing addressed in the engineer’s report. The Driveway Officer will continue to work with Christ Albright relating to the concerns noted with the final inspection of the paved driveway for access to 73 Fleisher Road.

Chairman Quigley made a motion with a second from Supervisor Sabo to approve a request for a time extension of the 90 day time period for action and approval for the **Edward M. Thomas Final Land Development Plan to October 23, 2017** to allow time for additional review due to revisions made to the plan. Motion carried unanimously.

In compliance with Act 205 of 1984, Daisy Lightner, Chief Administrator of the Pension Plans, presented the Board with the 2018 Minimum Municipal Obligation, MMO, for the Pension plans. The MMO is the annual bill for the pension plans. The 2018 MMO for the non-uniform pension plan is \$6,870.00. The 2018 uniform (police) pension plan Minimum Municipal Obligation, (MMO) is zero \$0.00. The Township receives State Aid to cover the expense for the pension.

Chairman Quigley made a motion and Supervisor Stahl seconded to accept the **2018 Non-Uniform Pension Minimum Municipal Obligation, (MMO) at \$6,870.00** and the **2018 Uniform, (Police) Pension Minimum Municipal Obligation, (MMO) at zero \$0.00**. Motion carried unanimously.

Chairman Quigley made a motion with a second from Supervisor Stahl to designate Tuesday, October 31, 2017 from 6-8:00 PM as **Trick or Treat Night** in Rye Township. Motion carried unanimously.

Chairman Quigley announced the following upcoming events:

- September 4 - Labor Day Holiday; Office Closed; Trash will be collected Wednesday, September 6.
- September 23 – Denby Quigley Memorial Walk for the Marysville/Rye Library at the Marysville Lions Club. Registration is \$20 per person and forms are available at the Township and the Library. All proceeds benefit the library. Denby was a very active member of the library Board.
- The 2018 International Dump Truck was delivered today.

**MONTHLY MUNICIPAL REPORTS:** The Zoning Report was submitted by Zoning Officer, Bob Hart. He reported numerous activities and noted a citation was sent to the District Magistrate for violations at the 83 Lambs Gap Road property. Total hours worked were 17.80 hrs. with 243 miles traveled for a total due in fees of \$503.81.

A Sewage Enforcement Report was submitted by SEO Lenny Sizer of Frederick, Seibert & Associates listing 8 activities from July 25 to August 17, 2017 including percs and probes, a cover inspection, a pressure inspection and a chisel inspection, for a total due of \$820.00.

The August Road Report was presented by Road Forman Brad Sloop and read by Chairman Quigley. He noted that residents brought more than the usual amount of limbs for chipping due to the recent micro burst storm in Lee Wood Village. They assisted McNaughton Paving with the road resurfacing on Lambs Gap Road and Sites Circle, installed a new stop sign at Oak Grove Road, prepared shoulders and drainage on Cove Hill Road for resurfacing, hauled and spread 20 loads of millings on Millers Gap Road, and continued with mowing along various roadways.

Recreation Board member, Robert Lightner presented the Recreation Board report. He reported a successful Sundaes in the Park with approximately 75-80 people in attendance. Lightner announced the following upcoming event: October 21, 6:00 pm, Halloween in the Park with a haunted trail, free hot dogs, costume judging, and hayrides.

No Emergency Management Report was presented. Chairman Quigley noted that the Township is looking for an assistant Emergency Management Coordinator to work with EMC Jim Cassidy if anyone present knew of anyone that might be interested.

The July Treasurer's Report was submitted for public review and read by the Secretary/Treasurer. With no further discussion, the reports were accepted as read pending the final approval of the independent auditors.

**RESOLUTIONS:** Chairman Quigley made a motion with a second from Supervisor Stahl to adopt Resolution 17-13, which amends Fee Schedule Resolution 2016-26 for Rye Township. Motion carried unanimously.

Chairman Quigley made a motion with a second from Supervisor Sabo to adopt Resolution 17-14, which authorizes the Secretary/Treasurer to transfer Highway Aid monies in the amount of \$35,305 from a CD at Pennian Bank (formerly the First National Bank of Mifflintown) to the Marysville Bank, Highway Aid Checking to pay for the 2017 paving project for partial paving of Sites Circle and Lambs Gap Road. The amount remaining in the CD will stay in the easy access municipal Certificate until the Cove Hill Road project is finished in September. Motion carried unanimously.

Supervisor Stahl made a motion with a second from Supervisor Sabo to adopt Resolution 17-15, which authorizes the closing of a Parks and Recreation checking account # 20524 at the Marysville Bank, a Division of Riverview Bank. Motion carried unanimously. The closing of this account was also recommended by the Park and Recreation Board.

Chairman Quigley made a motion with a second from Supervisor Sabo to adopt Resolution 17-16, which amends the handbook for non-uniform employees Employee Benefits, Section D.2. Statutory Benefits, (c). Workers Compensation and (d). Disability compensation. Motion carried unanimously.

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided an August 2017 expense check register and submitted the following checks for approval, signature and payment:

General Fund Check #s 15677-15704 in the amount of \$30,095.71. No checks void.  
Payroll checks #s 7259-7264 in the amount of \$ 3,924.43 No payroll checks void.  
Payroll checks #s 7265-7270 in the amount of \$ 3,805.53. No payroll checks void.  
Payroll checks #s 7271-7274 in the amount of \$ 3,640.04. No payroll checks void.  
Highway Aid Check #734 in the amount of \$35,305.00 issued to McNaughton Paving. No checks void.

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

**CITIZEN PARTICIPATION:** Chairman Quigley asked if there was any citizen participation at this time.

John Smith of Cove Road approached the Board to discuss concerns with drainage near the norther end of Cove Road especially with the recent storms. Discussion ensued relating to the vacating of the northern portion of this road many years ago to the Game Commission. Chairman Quigley will check with the Road Foreman and have him clean the pipes and look for any drainage issues. Chairman Quigley offered that Cove Road is the best dirt road within Rye Township. He directed the Secretary to check the records on file to determine where the Township's responsibility ends and the Game Commission's responsibility begins.

Corinna Van Hine asked about the date of the Planning Commission meetings. She was advised to check the Township's website for upcoming dates, which are generally the first Tuesday of each month at 7:30 PM.

Alan Erdman of C & C Construction approached the Board on behalf of Philip and Gay Shenk, who are working through the permitting process to acquire permits to build a home for their brother on a vacant lot addressed as 3217 Valley Road. He complained that requirements are too stringent in Rye Township to gain approval in comparison to other municipalities. He discussed access through an existing right of way off SR850 and asked why the driveway officer is requiring additional information.

Driveway Permit Officer John Schulze approached the Board and discussion ensued. The private driveway use is now changing and becoming a shared driveway and not a single driveway.

The Solicitor advised this is not the time or the forum to discuss these issues. The Board should not be involved because if a dispute arises they are the ones that would hear the issue.

Discussion ensued with Phillip and Gary Shenk approaching the Board expressing frustration with the requirements to gain approval for permits.

Vice-Chairman Sabo offered that their Solicitor advised the Board not to discuss this issue, but to address these issues with the Driveway Permit Officer outside of this meeting.

**ADJOURNMENT OF THE MEETING:** There being no further business before the Board, Chairman Quigley made a motion to adjourn the meeting at 8:17 pm. Supervisor Stahl seconded the motion. Motion carried unanimously.

Respectfully submitted,

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Daisy Lightner, Secretary/Treasurer