The duly advertised regular meeting of the Rice Township Board of Supervisors was held on Tuesday, June 7, 2016, at the Rice Township Municipal Building, 3000 Church Road, Mountaintop. Copies of the Agenda and Treasurer Reports were available to the public. Chair Marcia Thomas called the meeting to order at 7:00 p.m. It is announced that the meeting will be recorded for preparing the minutes. Interior cameras are also recording the video.

ROLL CALL: Arnold - Here
 Pipech - Here Thomas - Here

Also present were: Please see attached sign in sheet.

A Special Meeting of the Rice Township Board of Supervisors was held on Thursday, May 19, 2016 at which Jeffrey D. Beck was appointed Township Secretary and Secretary to the Rice Township Planning Commission.

Received the Treasurer's Report: General Fund total income for May was $138,514.99. General Fund total expenses were $60,166.03. Liquid Fuels had not activity, nor did the Recreation account.

Balances as of May 31, 2016:

General Checking: $173,443.56 General Money Market: $75,403.34 First Keystone $50,004.78

Liquid Fuels Checking: $581.66 Liquid Fuels Money Market: $121,506.40

Recreation Checking: $2,277.75 Recreation Money Market: $10,015.16

Total Cash on Hand: $383,277.87 $33,205.33 total bills

Thomas was asked if meeting was being recorded. She responded that both audio and video recording was on.

**MOTION** by Thomas, second by Pipech, to accept the Treasurer's Report as presented, and all bills to be paid.
ROLL CALL: Arnold - Yes Pipech - Yes Thomas - Yes
MOTION CARRIED.

**ENGINEER'S REPORT:** Andy Pasonick of PennEastern Engineering noted that the advertisement for the Lauel Run Culvert project was placed for Wednesday and next Monday. Bids are due and to be opened Tuesday, May 28th at 11:00 AM at the municipal building. PennEastern will review and present their recommendation to BOS on the July 5th meeting. Mr. Pasonick has set of drawings and can go over them with attendees. The bids are being sought for both a steel arch culvert and a box culvert. Upon a question from Robert Pipech, Mr. Andy confirmed the strategy to seek bids for both designs. Thomas confirmed that Board of Supervisors can make a choice between the alternatives based on the bids. Thomas stated that the advertisement was in accordance with law. Marcia asked if there were any questions on this report. Thomas said that we have copies of this if needed. Thomas then asked for public comment.

Pipech noted that he received a letter from his insurance company still carrying Rice Township Volunteer Fire Company as the primary fire company for his residence. The insurance company needs a letter from the Wright Township Volunteer Fire Company that they are taking over the primary coverage. The insurance company also needs the distance to the residence from the fire house. The letter will clarify the coverage for the insurance company in case of a fire. The Fire Company will take care of that.

Chris Rivera, resident of Laurel Lakes, asked how the supervisors feel about how that this project has progressed. Pipech responded that specifications had to be developed for PennDot and DEP, and that some bridge detours in the County may extend late into the fall with long detours. He noted that we have a 2.5 mile detour. [police measured this at 1.2 miles]. The contractor will be bonded. Pipech said that he felt that it was going as fast as it can. Thomas asked that Mr. Rivera make his comments about the project rather than debate with the supervisors. She reinforced that the project was being advertized for bids and moving forward. Rivera stated that he would report back that the Supervisors were choosing to refuse to answer the questions on how to things are going, that he would report that back...at which point Richard Arnold noted that this is a public meeting and every resident has the right to comment. Arnold noted that this was not an easy fix and that the Township would not do anything to compromise anyone's safety It is not as fast as we would all like, but it is out for bid and we will move as fast as we can. He noted that the Board of Supervisors is doing everything within their power to get this done. Arnold noted that he has experienced delays stretching years in his commercial construction business. But choosing speed over safety is not something that can be done. So, the answer is that we would like to go quicker but they are dealing with it. Thomas noted that there is no refusal to answer, but rather we are trying to move forward and the ad is in the paper. Pasonick noted the technical difficulties of the project. Rivera responded that it was important that the voters understand supervisors feelings about this project as a proxy for projects in the future. Pipech asked Rivera how fast it should have progressed?

Rivera noted that a resident had called the office on Friday and discovered that a vote was on today's agenda for placing the advertizing when that had already been approved. Thomas explained that the agenda was in the normal process of being reviewed and edited at that time and the item was researched and removed, as it would have been. Rivera said that at the April meeting the culvert issues was on the radar for over a year and that cold patching was done. Thomas asked Miller Stella, who was in attendance, how many times that culvert section was patched when he was Roadmaster. Stella responded that he patched it once during his third year as Roadmaster. It did not heave at that point. Rivera stated that Laurel Lakes residents feel that the project could have been brought to bid sooner. He referenced a Pipech report in August 2015 about the road. Pipech responded that the pipe ultimately had rotted out. Thomas noted that Rivera had had the floor for 20 minutes and that the meeting should move on. Thomas stated that the Board of Supervisors knows that people are dissatisfied and upset. Rivera asked if the Board of Supervisors was going to shut down his first amendment rights. Mr. Sweigart, attorney from the Solicitor's Office, noted that Chris should move forward if he had any other comments. Rivera replied that at the April meeting the Board of Supervisors stated that money would not slow down the project and they appreciate that. Rivera also stated that at the April meeting he had said that he would be happy to report back to the residents of Laurel Lakes. Thomas expressed her pleasure about that and asked that he report back that she was misrepresented about there not being any money, and asked that Rivera please correct that. Rivera said that at the March meeting Mr. Pipech stated that there we no emergency funds. Thomas said that we will find the funds to make these repairs. She stated that her concern was that words were being twisted and creating concern among residents unnecessarily. Rivera thanked Pipech for inspecting and walking the site with the residents. Rivera then announced that there might be legal issues when fire trucks were delayed because of the detour, that lawyers would have a field day with that. Thomas responded that we are doing everything that we can and as fast as we can.

Stella asked what the project might cost. Pasonick responded that, In 2009, a steel culvert project came in at around $ 90,000-$100,000. Box culverts usually require lead time and are more expensive. Pipech noted that box culverts are usually made over the winter, and there may not be any right now. A box culvert does not require a special permit. A box culvert is the best method, but steel pipe would be the quickest way to go. The reality is that we just won't know until the bids come in. Thomas noted that whatever the bids are, the project will get done. Pasonick noted that the project, once started , would take about 45 days.

 **PUBLIC COMMENT:

BUSINESS MATTERS:**

**MOTION** by Thomas, second by Pipech, to accept the Minutes of the Regular meeting held on May 3, and the Special meeting held on May 19, 2016.
ROLL CALL: Arnold - Yes Pipech - Yes Thomas - Yes
MOTION CARRIED.

Received the Roadmaster's Report for May 2016:

Pipech reported that road patching, drain cleaning, and grass cutting have been taking place. Sign painting has been on-going to save money. **MOTION** by Thomas, second by Arnold, to accept the Roadmaster's Report as presented.
ROLL CALL: Arnold - Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

The Verizon Representative has been notified that we will be discontinuing service to Roadmaster Pipech's Township cell phone, at his request. Thomas confirmed this with Pipech. Pipech was turning in the township cell phone because it had broken in February, so he just turned it in.

Received the Police Report for May 2016: Chief Franks explained that the Police Department participated in the Buckle Up Campaign and will received state reimbursement for 52 hours of time.

Thomas congratulated the Chief on that effort. Pipech noted the grass complaint on Lillian Drive. The Township secretary will research this with the Chief and send a letter about tall grass. A possible citation could result.

**MOTION** by Thomas , second by Pipech , to accept the Police Report as presented.
ROLL CALL: Arnold - Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

Received the Zoning Officer Report for May 2016: Jack Varaly said the transition is working well. Varaly is reviewing the Township's fee schedule zoning from building fees. Varaly added contact information for him as well as for the building inspector. He is working on changing the zoning permit application to make it easier and understandable. He may do more revisions to include building inspector and SEO contact information. Varaly noted that about 90% of zoning applications require a building permit. He also reported that the notice from UGI regarding a dangerous appliance situation was sent to Frank Tourscher.

Varaly also addressed complaints about blighted property. These do not fall under our Zoning code. Zoning only deals with use of the building, not its condition. Varaly then referenced the international property maintenance code. Such a code might help address issues concerning property condition. These issues are usually enforced by building inspectors because permits are usually needed for the repairs. Varaly noted that Rendezvous use may be a zoning issue, but the condition is not. Thomas asked him to research that. Varaly will start submitting a written report in July. Veraly commented that a pool hearing and advertizing requirements could not happen before the end of June end.

Jeff Beck noted that 4 other township submitted their fee schedule to use for comparison purposes. Varaly said that our fees are not out of line, but indicated that we might want to charge for the cost of legal advertizing. Thomas agreed where conditional use issues may come before the Board of Supervisors multiple time and the township is paying multiple times for extended hearings. Varaly noted that conditional applications have the potential for adverse consequences and costs. He suggested that there could be a different fee for condition vs optional use.

**MOTION** by Thomas , second by Arnold, to accept the Zoning Report as presented.
ROLL CALL: Arnold -Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

Received the SEO Report for May 2016: On Lot Sewage Disposal System Permit issued and Waste Water Complaint resolved. Fees for the month total: $1100.

The Planning Commission did not have a quorum for its regularly scheduled meeting on Wednesday, May 25, 2016. A Memo of Discussion is available to the public.

Wright Township Volunteer Fire Company Report & Fire Police Incident Recap are available to the public.

Wright Township Fire Co. report - Arnold reported 26 incidents. The WTVFD Provided emergency information to Luzerne County 911 which encompasses the Laurel Lakes detour issue. The detour has already been incorporated into the 911 call center directions and understanding of the area. Arnold also announced the fund raiser bazaar at St. Judes this weekend and asks that all attend and support the Fire Co. Arnold explained that the Township was turning a portion of old Rice FD garage in order to house a fire truck to help improve response if needed. Pipech asked for clarity regarding the alarm card as revised to deal with detours. Thomas asked if emergency management was involved, and would want such info in the building to cover such issues as well.

**MOTION** by Thomas, second by Pipech, to make a payment in the amount of $8,765.45 to the Wright Township Volunteer Fire Department for the second quarter payment of 2016 under the contract that was approved in 2013. Check will be issued June 30, 2016.
ROLL CALL: Arnold -Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

**MOTION** by Thomas second by Pipech, to approve Resolution #2016-6, amending the Rice Township Right-to-Know Policy.
ROLL CALL: Arnold -Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

**MOTION** by Thomas , second by Pipech , to exonerate tax claims for years 1996, 1997 and 1998 for parcels identified in Northeast Revenues Petition attached hereto.

ROLL CALL: Arnold -Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

**MOTION** by Thomas , second by Pipech , to make a donation to the Wright Township for the fireworks display on July 3 2016 at the same level as last year, $250.00.

ROLL CALL: Arnold - Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

**SOLICITOR'S REPORT: None**

**PUBLIC COMMENT:** Mark Manosky commented that the meeting was well done. Manosky asked about connecting Heslop Road to Woodbury and if anything had been presented to the Board of Supervisors. Thomas replied that the developer may still be in the sketch phase. Some discussion was held about a right of way would take it to Liberty street. Thomas noted that no repair has been made regarding the road.

Pipech expressed concern that dues for Mountain Top COG of around $5,000 could be due at the next COG meeting. He stated that we are a member and don't want to lose it, that we should be prepared to cut that check. Thomas reminded all in attendance that they must have a COG permit displayed on their vehicle, the cost of which is $10, in order to use COG for dumping. Thomas suggest that we could do a tentative vote now for conditional approval of the COG membership fee.

**MOTION** by Thomas , second by Pipech , to -approve the disbursement of funds to pay for the COG membership for the Township whenever the invoice is presented.

ROLL CALL: Arnold - Yes Pipech -Yes Thomas -Yes
MOTION CARRIED.

Varaly noted that the PCM made a recommendation for an amendment to the zoning ordinance regarding temporary signage. In order to move forward on this topic, a public hearing would need to be held for comment prior to the Board of Supervisors making such an amendment. The issue deals with that Supreme Court ruling that directs the change. Thomas responded that there was not enough time to get that done by the July 5th meeting. Pipech suggested that the topic be tabled in order that the Supervisors have time to discuss the issue.

Asked for any other business to come before the Board. There being none,

 **MOTION** by Thomas, second by Pipech, to adjourn. Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Jeffrey D. Beck
Secretary