The duly advertised regular meeting of the Rice Township Board of Supervisors was held on Wednesday, October 4, 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

An Executive Session was held immediately before this meeting to discuss litigation.

Also present were: Please see attached sign in sheet.

Received the Treasurer's Report:

General Fund total income for September was $109,851.15. General Fund total expenses were $105,918.98. Liquid Fuels had expenses of $252.66. The Recreation account had expenses of $1,000.

Balances as of September 30, 2016, as presented on the paper report:

General Checking: $165,105.20 General Money Market: $35,406.95 First Keystone $50,027.00

Liquid Fuels Checking: $1,859.65 Liquid Fuels Money Market: $116,514.24

Recreation Checking: $2,277.75 Recreation Money Market: $10,015.82

Total Cash on Hand: $ $381,206.61. Total bills presented for payment: $110,437.31

Marcia Thomas noted that payments were being made for the Uniformed and Non-Uniformed Pension Plans that are substantially a pass through of State Pension Aid funds already deposited. Barbara Wasiakowski explained that the payment to the Fire Association was also a pass through of State funds already deposited.

**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.

PUBLIC COMMENT: Felicia Bierzynski, a member of the Blytheburn Lake Association, reported on the success of the Blytheburn Fish Derby with 23 children attending, and thanked the Supervisors and other organizations for their donations and support. She also thanked Joan Pipech for the cupcakes. Donald Herres, senior warden at St. Martin's reported that the Kite Festival was postponed from October 1st to October 8th due to bad weather.

REPORTS:

The RTPC did not meet on Wednesday, September 28, 2016, for lack of agenda items.

Wright Township Volunteer Fire Company Report is available to the public, and Fire Police Incident Recap is available to the public.

Richard Arnold reported that there were 26 fire incidents this month, mostly motor vehicle accidents. The annual letter fund drive has started and asks for everyone's participation. He noted that volunteer fire fighters will be out delivering glow bracelets to the children for Halloween. He reminded everyone to check their smoke detectors for fresh batteries and operation. Janeann Lokken asked if hardwired sensors needed to be checked. Arnold responded that they had backup batteries and needed to be checked. Arnold also noted that the alarms should be in every bedroom as well as on every floor.

**E**NGINEER'S REPORT: Andrew Pasonick reported that the Laurel Drive Culvert Project should be completed by October 18th. He and Pipech noted that water was being pumped around the project. Pasonick reported that the development of the materials for the application for the Letter of Amendment to the permit for the Ice Lakes Dam Repair Project was in progress. He explained option 1, which would utilized the existing 14" pipe and the indicated-but-yet-to-be-found sluice culvert to meet the DEP's water drawdown requirements, and that it would cost approximately $105,000. The real question is if the sluice culvert can be found and if it can be made operational. He explained option B, which would plug the 14" pipe and bore a 24" pipe opening at the base of the dam to meet Department of Environmental Protection requirements, and that it would cost about $120,000. He noted that option B likely had fewer unknowns associated with it. In answer to Marty Wentz' question, the costs stated would be offset by the $85,000 LSA grant. Jeffrey Beck explained that the Township would have to request a reallocation of the $85,000 since the scope of the project had changed. Pasonick also reported that the costs included the repair of seepage in the dam and other issues raised by DEP, so the project was not simply meeting the water drawdown requirements. Mr. Wentz questioned the timing of the development of the Letter of Amendment, and asked why the Township had not responded to the DEP dam inspection report which DEP gave to Wentz. The Township Secretary, Engineer and EMC collectively responded that DEP never delivered such a report to the Township for the 2015 inspection. Wentz also asked if DEP would have ever required us to meet Section 105.96 requirements if we had not pursued the pipe fix. Pasonick noted that the drawdown issue is reported, though not clearly, in their inspection report so they would have, at some point, required this fix anyway. Pipech responded that the beaver dam referred to in the inspection report had been addressed in the late spring of 2015. Pasonick asked the Supervisors for an authorization to proceed with the Letter of Amendment, noting that it would take about 2 1/2 months to complete. Pipech asked if option B was not the better choice given all the unknowns regarding the sluice culvert. Pasonick responded that he does not want to abandon option A until the lake is drawn down and we can see what we have. Dean suggested that a motion be made to authorize Pasonick to move ahead with the Letter of Amendment.

**MOTION** by, Pipech seconded by, Thomas to authorize PennEastern to prepare the Letter of Amendment for the Ice Lakes Dam Project. .

ROLL CALL: Arnold Yes Pipech - Yes Thomas - Yes

MOTION CARRIED.

Thomas said that the price differences are not as important as making sure that the final outcome is the best. Carl Smith responded that he was concerned about weakening the dam structure. Pasonick explained that if the 24" pipe is bored, a pipe sleeve would be installed and the integrity of the dam would be maintained. Lokken

asked about the permit fee, since Blytheburn would have to pay as much as $17,000 for their dam. Pasonick responded that municipalities are excluded from the permit fee.

**BUSINESS MATTERS:**

**MOTION** by Pipech , second by Thomas, to accept the Minutes of the Regular meeting held on September 14, 2016.  
ROLL CALL: Arnold - Yes Pipech - Yes Thomas - Yes  
MOTION CARRIED.

Received the Roadmaster's Report for September, 2016: : Pipech reported that he has been checking on the culvert every day. The old one was in terrible shape. The Road Crew completed patching and tarring. Pipech reported that the Township had received the millings from the Commonwealth's repaving project on Nuangola Road and that the millings were used to repave the tennis court parking lot, the lot adjacent to the Township Building, and the rear lot. Pipech thanked the road crew for their efforts on this. He is looking to borrow a roller to pack the millings down. The salt shed is full and the plows are ready for snow. Leaf pick up will continue until November 15.

Jacqueline Vital, on Pine Lanes, complained that the owners of 1021 Pine Lane had paved over and clogged the drainage pipe in their driveway, thereby forcing storm water runoff onto the Vital property. Bob Pipech responded that the he was working with Metrocast to mitigate the problem, and Pipech asked if Vital could create a curb with blacktop. The Road Crew could put up a curb using modified. Pipech noted that we cannot change other resident's private property to shift storm water runoff from one resident to another. Pipech did talk with Vital several times. Pipech concluded that the new owner, or the existing owner, will have to fix the problem. Ms. Vital appreciated everything that the Roadmaster was doing.

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

Received the Police Report for September, 2016: Chief Franks presented his report.  
**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 September, 2016: Jack Varaly presented his report. He noted that he had modified the application to note that fees are not refundable.

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

No SEO Report was presented for September, 2016

Notification was received from the PA Department of Transportation that Rice Township's Estimated Allocation of Municipal Liquid Fuels for 2017 will be $123,901.97.

The Commonwealth's 2015 State Fire Relief allocation in the amount of $22,833.10 was received September 20, 2016. Funds are to be distributed to Wright Township Volunteer Firefighters' Relief Association in October in accordance with Act 205. Form 706-B will be completed and returned to the Department of the Auditor General.

The Pension Plans' Minimum Municipal Obligation Reports were completed and filed by September 30, 2016. Consultant R.J. Hall Associates reported that the township police pension fund has recovered to a Category 0 Distressed Plan. Reporting is no longer required by the state.

Commonwealth Uniform and Non-Uniform retirement funds in the amount of $56,612.53 were received. As directed by the PA Auditor General, a check in the amount of $45,858.25 will be directed to Principal Financial Group for deposit into Rice Township Police Pension Fund #4-50708; and $15,525.74 will be distributed to PMRS for Rice Township Plan (40-168-5N). This satisfies the Minimum Municipal Obligation for 2016.

Preparation of the 2016 Budget will begin this month and the first reading of the proposed budget will be at the November meeting.

**MOTION** by Pipech , second by Arnold, to advertise for a Certified Public Accountant to conduct the 2016 Audit.  
ROLL CALL: Arnold- Yes Pipech - Yes Thomas - Yes  
MOTION CARRIED.

**MOTION** by, seconded by, to adopt Resolution 2016-11 to accept PennDOT's offer of $15,600 for the property owned by the Township what will be the corner of Henry Drive and Church Rd. to facilitate the removal of the Church Rd. bridge and the construction of the intersection of those two roads. ROLL CALL: Arnold Pipech Thomas

MOTION CARRIED.

**OR**

**MOTION** by, seconded by, to accept PennDOT's offer of $15,600 for the property owned by the Township what will be the corner of Henry Drive and Church Rd. to facilitate the removal of the Church Rd. bridge and the construction of the intersection of those two roads. ROLL CALL: Arnold Pipech Thomas

MOTION CARRIED.

After discussion, the following motion was presented:

**MOTION** by Pipech, seconded by Arnold, to table PennDOT's offer of $15,600 for the property owned by the Township what will be the corner of Henry Drive and Church Rd. to facilitate the removal of the Church Rd. bridge and the construction of the intersection of those two roads.

ROLL CALL: Arnold - Yes Pipech - Yes Thomas - Yes

MOTION CARRIED.

Due to inclement weather, the Mountain Top Kite Festival was postponed to October 8th from 10am to 4pm in the Rice Township Municipal Park.

The County is providing used tire drop-off at Hanover Area Junior Senior High on October 8th. Details can be found on the table in the lobby.

The Roadmaster announces that leaf pickup began on Monday, October 3rd and will conclude on Tuesday, November 15th. Leaves will only be picked up from COG members. Leaves must be in clear plastic bags. After November 15, all COG members may take their leaves to the COG collections site.

**SOLICITOR'S REPORT:** Jack Dean reported that an Executive Session was held regarding the Mazuka litigation. The insurance carrier has asked the Supervisors to consent to a settlement which would not require any Township funds.

The following motion was then presented:

**MOTION** by Thomas, seconded by Pipech, to consent to a settlement regarding the Mazuka litigation as proposed.

ROLL CALL: Arnold - Yes Pipech - Yes Thomas - Yes

MOTION CARRIED

Pipech asked that Arnold and Beck continue to work on the PennDot offer for the Henry Dr./Church Road right-of-way to bring it to a conclusion. Arnold was set as the liaison on this issue and Arnold agreed.

**PUBLIC COMMENT:** Robert Smith asked about the status of PP&L access behind the RTVFD property since PP&L appears to be doing construction. Dean noted that his colleague, Chad Sweigart, was working on these negotiations and it is moving forward. Dean stated that he will have the report next month..

After discussion concerning the leaf pickup and the low number of COG sticker purchases required for participation, the following motion was presented:

**MOTION** by Pipech, seconded by Thomas, to advertise in the Mountain Top Eagle regarding the parameters of the leaf pick-up program.

ROLL CALL: Arnold - Yes Pipech - Yes Thomas - Yes

MOTION CARRIED

Pat Rushton asked if the Ice House Pub had obtained insurance for the parking lot, and Dean's responded that they had.

**MOTION** by, Pipech , second by Arnold, to adjourn. Meeting adjourned at 7:48 p.m.

Respectfully submitted,

Jeffrey D. Beck  
Secretary