The duly advertised regular meeting of the Rice Township Board of Supervisors was held on Tuesday, May 5, 2015, at the Rice Township Municipal Building, 3000 Church Road, Mountaintop. Copies of the Agenda and Treasurer Reports were available to the public. The meeting was called to order by Chair Marcia Thomas 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: Stella -	Here
Taney -	Here
Thomas -	Here

Also present were: Please see attached sign in sheet.

A work session was held on May 5, 2015 at 6:30 p.m. at the Rice Township Municipal Building. A road study prepared by PennEastern Engineers was discussed.

Received Treasurer's Report: General fund total income for April was \$96,856.02, total expenses were \$119,308.23. There was no activity in the Recreation fund. In the Liquid Fuels account, expenses total \$3,305.88. Total bills presented for payment total \$21,492.35. Balances as of April 30, 2015:

General Checking: \$143,881.37 Liquid Fuels Checking: \$50,035.69 Recreation Checking: \$3,977.75 General Money Market: \$150,347.45 Liquid Fuels Money Market: \$50,054.86 Recreation Money Market: \$10,012.28

Total Cash on Hand: \$408,309.40

MOTION by Thomas, second by Taney, to accept the Treasurer's Report as presented, and all bills to be paid.ROLL CALL: Stella - YesTaney - YesMOTION CARRIED.Thomas - Yes

PUBLIC COMMENT:

Miller Stella stated that he had an Ordinance on the Agenda that prohibits firearms in the Municipal Building. He asked Solicitor Dean to clarify the situation. Solicitor Dean stated that the Secretary made him aware of the Agenda item. Miller Stella was informed Tuesday morning that statute 18 Pa.C.S. 6120 was adopted by our legislature and prohibits municipalities from regulating such items. Miller Stella asked if that meant anybody could walk into the building with a gun at any time. Solicitor Dean responded that the firearm would need to be legal; while there is a 2nd amendment right to possess firearms, that right is not unlimited. Dean said that in this day and age, common sense should prevail. He does not see a need to carry a firearm into a Municipal Building. Miller Stella stated that he has witnessed individuals carrying firearms in the building. He has heard from other people who have witnessed the same. Miller said that he does not want to see what happened in Ross Township happen in Rice Township. Solicitor Dean advised that the statute is in place and there is no way around it; he suggested that individuals who carry firearms use a little more discretion. Miller asked why civilians are not allowed to carry firearms into the courthouse, the White House, or the bank. Solicitor Dean

stated that the question should be directed to the legislature. Miller Stella clarified that the Board would need to contact State Representatives and ask that the statute be changed.

Miller Stella believes that the building is owned by the taxpayers in the Township and Supervisors should do what they can to protect the residents and viewing audience at all times. He stated that his concern should be everyone's concern; he only has a short time left on the Board and he wants to make sure that everybody is safe. Miller stated that he is concerned for the safety of the Township Secretary, as the Police aren't always at the Municipal building.

Joan Pipech stated that Venesky filed charges against the Auditors for being in the building with the doors locked after hours.

Miller Stella stated that the Supervisors took an oath to protect the residents at all times. Mark Taney stated that the Ross Township shooter was outside of the Ross Township Municipal Building. Miller Stella said that it could happen inside too.

MOTION by Stella, second by, to have the Township Secretary write a letter to the StateRepresentatives asking for the statute to be changed, giving municipalities an option to forbid firearms.*ROLL CALL: Stella -Taney -MOTION DIED FOR LACK OF SECOND.*provided Mr. Stella has full support from the Board

Marcia Thomas explained that she was not prepared for this Motion. She stated that she feels conflicted with the issue. Marcia mentioned a time in a previous administration when Venesky and Stella had people wanded when they walked in the door; she's not aware of anyone carrying a firearm into the building prior to the wanding. Marcia stated that she does not own a firearm, but she is not opposed to other people owning them. She stated that the Municipal Building is a peaceable place and armed Police Officers are present at every Township Meeting to protect those in attendance. Marcia Thomas stated that she does not know why anyone would feel the need to come into a setting like this armed.

Miller Stella explained that people were wanded in the past due to high levels of animosity and a situation involving threats made on Facebook. He would like to see this Motion move forward. Marcia stated that she would like to do some research into the issue and find out why certain place prohibit firearms while other places have no restrictions whatsoever. She stated that if Miller feels like there is a situation in this Township that is unsafe, he should take it to the Police department so that the issue can be looked into. Miller replied that he did talk to the Police about it, and he was advised that an Ordinance would be the best course of action.

Joelle Brozoski asked Miller Stella if Rice Township is recognized as a governmental body; he confirmed. She asked why firearms are being allowed in a government building.

Felicia Bierzynski asked if anyone present has been subject to any threats that would make this Ordinance necessary. Miller Stella said no. She stated that she has been attending meetings in this building since the 1970s and they've always been peaceful meetings. Mrs. Bierzynski stated that the problems have come from people being annoyed with each other but not to the point of bodily harm. Miller Stella stated that he believes a Supervisor's job is to be proactive. Mrs. Bierzynski suggested that if someone were to come into the building

with a firearm and intended to harm someone, a bystander legally carrying a gun would be able to disarm the attacker. Joanna Taney added that the best defense against a bad guy with a gun is a good guy with a gun. She also added that bad guys don't read signs before they go into banks and rob them.

Bryan Brown suggested installing lockers, similar to those at the courthouse, to allow residents to store their weapons while they are in the building. Karl Kaminski stated that Miller's request is not an unreasonable one. He stated that if people are treated fairly and equally, there will be very little to fear.

Tracy and Robyn Williams, residents from Polonia Estates, spoke to the Board regarding the Township's Burning Ordinance. They explained that their neighbor, who consistently burns every Saturday, was responsible for a fire in the woods behind their house this past weekend. Mr. Williams stated that his family cannot open their windows in the spring because of the smoke and soot. Marcia Thomas explained that the Township regulates burning; it is not banned. She stated that with the information given today, she does not believe the practices to be consistent with what is permitted in the Ordinance. Marcia asked for their contact information so that the issue may be researched further. Bob Pipech suggested placing a burn ban. Marcia Thomas discouraged people from burning under the circumstances.

BUSINESS MATTERS:

MOTION by Thomas , second by Taney, to accept the Minutes of the regular meeting on April 7, 2015.ROLL CALL: Stella - YesTaney - YesMOTION CARRIED.

Received the Roadmaster's Report for April 2015: Mark Taney stated that the list of roads handed to him by Marcia is something the Public Works department has been working on. He confirmed that most of those signs are in. Mark and Sergeant Ehret discussed the status of various signs in Polonia and Woodberry. The Public Works department has been cleaning drains and ditches, trying to get ahead of it. One thing that we're going to do this year is we're going to run along the sides of the roads with the backhoe. They have been busy cutting grass and patching potholes. Tracy Williams stated that there are a lot of children in Polonia Estates. He said that somebody is going to get killed if the traffic issue is not addressed. Sergeant Ehret confirmed that the speed limit signs are now in place. Marcia Thomas stated that she has received a number of complaints regarding littering.

MOTION by Thomas, second by Stella, to accept the Roadmaster's Report as presented.ROLL CALL: Stella - YesTaney - YesMOTION CARRIED.Thomas - Yes

Received the Police Report for April 2015: 278 Incidents, 112 Complaints, 2 Accidents, 31 Assist Calls, 11 Traffic Citations, 2 Criminal Arrests--Possession of a controlled substance and a DUI, 2 County Capeus Warrants Served, 835 hours worked and 325 gallons of gas used, total mileage 5,050. **MOTION** by Thomas, second by Taney, to accept the Police Report as presented. ROLL CALL: Stella - Yes Taney - Yes Thomas - Yes MOTION CARRIED.

Received the Zoning Officer Report: 1 in-ground pool, 1 timbering permit for 12.65 acres, 2 political signs, 1 shed: \$518. Bob Pipech discussed a road bonding issue relating to the timbering permit. Miller Stella asked Engineer Pasonick if a video of the road was taken. Pasonick replied that it couldn't hurt to take a video of the road in case something does happen and the Township needs to cash in on the bond. PennEastern will be submitting a video of the road to Rice Township.

MOTION by Thomas, second by Taney, to accept the Zoning Report as presented.ROLL CALL: Stella - YesTaney - YesThomas - YesMOTION CARRIED.

The Planning Commission Minutes from the April 22nd meeting are available to the public. The Minutes are from an informal discussion regarding plans submitted by Dave Coleman. No formal action was taken.

Mountain Top Area Joint Sanitary Authority Minutes from March 9th are available to the public.

Wright Township Volunteer Fire Company Report (read by Miller Stella): "The Wright Township Fire Department responded to 29 incidents in the month of April 2015 which included weather related incidents, motor vehicle accidents, and several structure fires. A fourth bazaar meeting was completed and most items have been finalized for the June event. Members have been assisting St. Jude's with grounds prep and a project to be completed before both organizations' events. A mailer will be sent about the bazaar in May. Maintenance was done on all apparatus and the building and grounds. Final preparations have been made to a brush apparatus to service the township, mutual aid and Forest District 11 Wild Land Crew which is run out of Station 189."

Wright Township Fire Police Incident Recap is available to the public.

MOTION by Thomas, second by Taney, to approve expenditures not to exceed \$1400.00 for Patrolman Stout's attendance at the NTOA Rifle Instructor Course. ROLL CALL: Stella - Yes Taney - Yes Thomas - Yes MOTION CARRIED.

The 2014 Concise Financial Statement from Matt Foster & Associates was received on April 7, 2015. Once the Pension Valuations for 2014 are released, the full Audit will be completed and made available to the public.

The Mountain Top Area Council of Governments approved our request to be considered for membership.

MOTION by Thomas, second by Taney, to pay \$1,500.00 to the Mountain Top Area Council of Governments.ROLL CALL: Stella - YesTaney - YesMOTION CARRIED.

MOTION by Thomas, second by Taney, to name Marcia Thomas and Mark Taney representatives for Rice Township in the Mountain Top Area Council of Governments. ROLL CALL: Stella - Yes Taney - Yes Thomas - Yes MOTION CARRIED.

Secretary Stier explained that a trunk card should be installed in her phone, giving her handset another line so that callers don't get busy signals, they will be directed to voicemail. Streamlining the land-line plan that we have now, the 7 cents per minute will go away and the Township will have unlimited everything. This is a potential average savings of \$200 per year at a one-time cost of \$24.95.

MOTION by Thomas, second by Taney, to pay \$24.95 to upgrade the Rice Township land-line system and to enter into a 3-year contract as presented.

ROLL CALL: Stella - YesTaney - YesThomas - YesMOTION CARRIED.Taney - YesThomas - Yes

MOTION by Taney, second by Stella, to allow Rice Elementary School to utilize the Municipal parking lot as
an overflow parking for field trip chaperones on 5/14, 5/18, 5/22, and 5/26.ROLL CALL: Stella - YesTaney - YesMOTION CARRIED.

Solicitor Dean advised that the Board donate to the 2015 Fireworks display, as it benefits all residents of Mountain Top.

MOTION by Thomas, second by Taney, to approve a donation from the Recreation fund in the amount of \$250 to Wright Recreational & Environmental Inc. for the 2015 Fireworks display, scheduled for Friday, July 3, 2015 (rain date Sunday, July 5, 2015) ROLL CALL: Stella - Yes Taney - Yes Thomas - Yes

MOTION CARRIED.

MOTION by Thomas, second by Taney, to approve a donation from the General fund in the amount of \$150 to the Crestwood High School PTSA for the 2015 Senior Lock-In. ROLL CALL: Stella - Yes Taney - Yes Thomas - Yes MOTION CARRIED.

The Luzerne County Solid Waste Management Department has announced Free Electronic Recycling Collection for the following dates and locations:

June 6, 2015 - Butler Township Fire Hall from 9 am to 3 pm June 13, 2015 - Hanover Area Junior Senior High School from 9 am to 3 pm

Flyers are available to the public and contain a list of acceptable items for collection.

SOLICITOR'S REPORT:

No report.

PUBLIC COMMENT:

Pat Rushton asked about the Mountain Top COG and whether residents are allowed to dump yard waste at that facility. Secretary Stier advised that nothing has been submitted to Rice Township from the COG in writing, but that their Solicitor is drafting up a contract which should be available for inspection shortly. She further stated that yard waste is accepted, according to Barb Wasiakowski. The fee will be \$10 per sticker and will be valid for 1 year. Marcia Thomas stated that residents will be given information as we receive it, either in person or via the Township Website.

Marcia Thomas invited everyone to send photos that can be posted on the Township website.

Karl Kaminski asked where the Township stood on road repair. Marcia Thomas asked the other Board members if anyone was ready to put a project out for bid. She stated that the Road Study should be narrowed down to a few projects. Mark Taney stated that as a Board, they must agree on a 5-year plan. That plan will be handed off to representatives who will hopefully help us secure funds for some of the repairs.

Marcia Thomas stated that the next Board meeting is June 2nd, and the Board should plan on putting a project out to bid at that time. Mark Taney stated that since there's a lot of state money out there, no one is going to get a good price on paving this year. The private contractors are already busy with other projects.

Bob Pipech added that the Township shouldn't wait until December to do their paving project this year.

Marcia Thomas requested an executive session with the other Supervisors before the next regularly scheduled Board of Supervisors meeting. This executive session will be for the purposes of discussing personnel.

Bob Pipech stated that he has received complaints that the tennis court lights aren't on. Joanna Taney verified that the lights have been on for weeks. Marcia Thomas announced that there will be new lights installed for the basketball court very soon.

MOTION by Thomas, second by Stella, to adjourn. Meeting adjourned at 7:36 p.m.

Respectfully submitted, Alicia E. Stier Secretary