

**RICE TOWNSHIP BOARD OF SUPERVISORS - MINUTES**

May 5, 2020

The duly advertised regular meeting of the Rice Township Board of Supervisors was held on Tuesday, May 5th, 2020, at the Rice Township Municipal Building, 3000 Church Road, Mountaintop. Copies of the Agenda, minutes for the previous meeting, and Treasurer's Reports were available to the public by email and when the building reopens to the public. Vice-Chair Richard Arnold called the meeting to order at 7:00 p.m.. It was announced that the meeting was being recorded for preparing the minutes. Interior cameras were also recording the video.

ROLL CALL: Arnold           here  
                  Pipech            here, via conference call  
                  Smith             here, via conference call

Also present were: Bruce Fine

Arnold asked Secretary Beck to poll attendees on the conference call. Along with Pipech and Smith, Andrew Pasonick, John G. Dean, Esq., Mark Manosky, Pat Rushton and Rebecca Sodergren attended by conference call.

**PUBLIC COMMENT:** Planning Commission member Mark Manosky asked if Atlantic Broadband was going to follow up with the pave and driveway cuts there. He also asked that they restore his front yard to the condition before their digging. Arnold asked Beck to follow up with Atlantic Broadband.

**ENGINEER'S REPORT:** Pasonick reported that Brdaric Excavating, Inc. was the low bidder for the demolition of the fire hall at \$28,600. He recommended awarding the bid to Brdaric. He also noted that the fence had been installed for the pickleball court.

**MOTION** by Arnold, second by Pipech to award the RTVFD demolition project to Brdaric Excavating, Inc. at a cost of \$28,600 as the low bidder out of 4 bids.

ROLL CALL: Arnold - yes                                       Pipech - yes                                       Smith - yes  
MOTION CARRIED.

**BUSINESS MATTERS:**

**MOTION** by Pipech, second by Smith, to accept the Minutes of the Regular meeting held on April 7, 2020.

ROLL CALL: Arnold - yes                                       Pipech - yes                                       Smith - yes  
MOTION CARRIED.

Received the Treasurer's Report for April, 2020, as presented by Treasurer Jeffrey Beck. Beck referenced the report of the Check Register and said that no expenses were notable. The small surplus through April remains a timing issue. Beck pointed out the almost \$2840 payment using the credit card for truck repair in Liquid Fuels and that additional funds would be expended over the next few months. The Recreation Fund shows the deposit of the unused \$1,500 of Easter Egg Hunt money. Beck reported that General Fund balances totaled

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**BUSINESS MATTERS Con't:**

\$388,652.84; Liquid Fuels totaled \$175,425.24 and Recreation Funds totaled \$5,496.46 for total cash on hand of \$569,574.54 as of April 30, 2020. The report was filed.

**MOTION** by Arnold, second by Pipech, to accept the Treasurer's Report as presented, and all bills to be paid.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED.

Received the Roadmaster's Report for April, 2020: Pipech reported that the Ice Lake was reopened for fishing and boating, but that the bathrooms will remain closed. The road crew has been patching potholes as weather permits and the diesel fuel tank was pumped out to ensure that no contaminated fuel was present. Pipech commented that the Jennifer's Way stop work order was in place until the Solicitor lifted it. Smith commented that a lot of work has been done.

**MOTION** by Arnold, second by Smith, to accept the Roadmaster's Report as presented.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED.

Received the Police Report for April, 2020 as presented by Beck and filed.:

**MOTION** by Smith, second by Pipech, to accept the Police Report as presented.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED

**MOTION** by Arnold, second by Pipech, to accept the Zoning Report for April, 2020, as presented by Beck and filed.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED

**MOTION** by Smith, second by Pipech, to adopt Resolution 2020-4 which authorizes the Secretary/Treasurer, in coordination with Barry Isett, to apply for a \$243,946 grant from Greenways and Trails for the Soccer field, and to commit \$43,049 from the General Fund and/or the Recreation Fund as the match towards the grant, as well as authorize the payment of the \$100 application fee, and authorizes Secretary/Treasurer Beck to sign the application.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED.

**MOTION** by Arnold, second by Pipech, to adopt Resolution 2020-5 for the Plan Revision for New Land Development for the Woodberry Manor PRD Sewage Facilities Planning Module and authorizes Secretary/Treasurer Beck to sign the application.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED.

**MOTION** by Pipech, second by Smith, to adopt Resolution 2020-6 which adopts the Act 537 Plan Revision.

ROLL CALL: Arnold - yes Pipech - yes Smith - yes

MOTION CARRIED.

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## BUSINESS MATTERS Con't:

**MOTION** by Arnold, second by Pipech, to approve the purchase of QuickBooks Pro 2020 for \$199.95 (a savings of \$100.00) to replace the 2017 version which will no longer have payroll support on June 1, 2020, and to purchase annual payroll processing through Diana Patton, a Certified QuickBooks Solution Provider, at an annualized savings of \$487.75 the first year and \$352.75 for subsequent years.

ROLL CALL: Arnold - yes

Pipech - yes

Smith - yes

MOTION CARRIED.

**MOTION** by Pipech, second by Smith, to ratify the decision by poll to purchase an outdoor Drop Box for \$229.00 plus shipping.

ROLL CALL: Arnold - yes

Pipech - yes

Smith - yes

MOTION CARRIED.

Discussion ensued regarding the Gallagher subdivision. Engineer Pasonick expressed concern that all his conditions had not been met. Solicitor Dean was concerned that an easement may or may not exist based on the Jennifer's Way plans and counseled tabling the issue until clarification was received. The stop work order on the Jennifer's Way project remains in force until sewer clarity is reached.

**MOTION** by Arnold, second by Pipech, to table the Gallagher subdivision decision.

ROLL CALL: Arnold - yes

Pipech - yes

Smith - yes

MOTION CARRIED.

Pasonick noted the plan now clearly shows the 50 foot public right of way to the State Game Lands.

**MOTION** by Pipech, second by Arnold, to approve the Karpinski subdivision as recommended by the Planning Commission with all conditions met.

ROLL CALL: Arnold - yes

Pipech - yes

Smith - yes

MOTION CARRIED.

Arnold noted that the Planning Commission met on April 24th at 7pm. and draft minutes are available to the public, and the Wright Township Volunteer Fire Company Report & Fire Police Incident Recap will be reviewed at the June meeting.

**SOLICITOR'S REPORT:** Dean noted that there was nothing to report beyond the Jennifer's Way issue.

**PUBLIC COMMENT:** Bruce Fine questioned the reasons to table the Gallagher subdivision since the buyer of that property would grant him the sewer easement. Pasonick expressed his concern that all of his comments on the Gallagher subdivision had not been met. Dean noted that a plan for sewer connection for Jennifer's Way did not exist. Fine replied that he had a plan, but the March Planning Commission meeting was canceled and he did not know that the April meeting was held. Dean and Arnold replied that no written plan has been presented to the Township and conversations outside of the Planning Commission meeting does not solve the problem. Fine thinks that he should be able to continue construction while he works this out. Dean noted that no fact

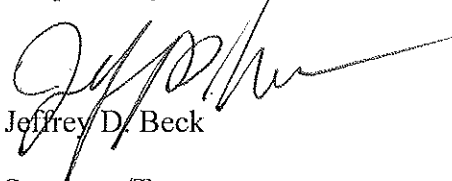
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exists to take sewage from the property and that the lack of a written plan is not immaterial. The stop work order must remain in place until a written plan exists. Fine threatened to sue the Township for attempting to take away the preliminary approval for Jennifer's Way. When Fine offered that he could off-load sewage through Mountaintop Village (Village), Arnold referenced the letter from the Mountaintop Village Homeowners Association (HOA) Board letter which states that they must approve any easement across Village property and the HOA will not grant such an easement for Jennifer's Way. While Fine said that was wrong, Arnold noted that would be a civil matter between Fine and the HOA and the Township would wait for the result of any such litigation. Arnold and Pipech concluded that there must be a written plan solution presented to the Township. Fine agreed that he will work to settle this issue.

**MOTION** by Pipech, second by Arnold, to adjourn. Meeting adjourned at 8:02 p.m..

Respectfully submitted:



Jeffrey D. Beck

Secretary/Treasurer