

RICE TOWNSHIP BOARD OF SUPERVISORS
MINUTES
October 13, 2020

The duly advertised meeting of the Rice Township Board of Supervisors was held on Tuesday, October 13th, 2020, with limited attendance capacity due to social distancing requirements. The meeting was also being conducted using ZOOM. Copies of the Agenda, Minutes of the September 1st, 2020 meeting, and Treasurer's Reports for September were available to the public at the meeting and electronically by request to the Secretary/Treasurer. Chairman Robert Pipech called the meeting to order at 7:00 p.m. and called for the Pledge of Allegiance. It was announced that the meeting was being recorded for preparing the minutes. Video cameras were also recording the meeting.

ROLL CALL: Arnold - here
Pipech - here
Smith - here

Also present were: See sign in sheet, and via ZOOM: John g. Dean, Esq., Andrew Pasonick, Nanci and Tom Romanyshyn, Hilda and Manus Mulherin, Joe Guydish, Ann Sommers, Brian Grabowski

PUBLIC COMMENT: . Resident Nanci Romanyshyn asked about the discussion at the last meeting regarding the dam project. Dean noted that a discussion was held with her husband Tom, no action was taken and that was not an official meeting. Any questions could be asked.

Ann Sommers of Laurel Lakes questioned the application of the Township Zoning Ordinance as it applies to group homes in Laurel Lakes. Solicitor Dean explained that the Ordinance's definition of a family covers the expected 3 men with disabilities to live at 442 Laurel Lakes Drive. Dean confirmed the definition with Jack Varaly, the author of the Ordinance and stated that the Township would get a letter confirming the use of the house. Hilda and Manus Mulherin from Laurel Lakes expressed their concern that the owner, PA Mentor Network, could switch out the men for potentially violent juveniles. Dean noted that might constitute a change of use. Dean also explained that, while the owner was a for-profit company, the residents themselves were not-for-profit. The same issue exists if an individual purchases a home to rent. The rental is for-profit but the residents are not operating a for-profit business. In conversation with resident Carl Knorach, Dean suggested that if deeds contained covenants then private cause of action to enforce those covenants could be useful, but the Township cannot enforce covenants. A buyer is subject to the covenants that exist within the deed. Sommers was concerned about the impact of group homes on market value since this is the second home like this in Laurel Lakes. Dean clarified that these homes are not group homes since they meet the definition of single family. Dean suggested that a reassessment process exists if property values decline. Dean also pointed out the federal fair housing laws prevent any discrimination for disabled persons and plays a part in this issue.

Resident Joseph Guydish expressed his frustration with the need for residents to keep an eye out for any change of use and that such residents do not have to register somehow. Mulherin also was concerned that "24-hour

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supervision” might mean another resident which would trigger a group home. Dean responded that even if a supervisor was a resident, they would still use the single-family definition. Dean also said that he would clarify if the supervision was 24 hour and residential. Dean suggested that residents contact him via email for any additional information

ENGINEER'S REPORT: In response to Nanci Romanyshyn's question on the topic, Dean suggested that Pasonick make his report and then take questions.

Pasonick reported that the pre-bid meeting was scheduled for October 15, with bid opening on October 29th for review by the Board of Supervisors on November 4th. Pasonick reported that 15 contractors had received bid packages.

Discussion ensued with resident and Planning Commission member Tom Romanyshyn concerning the creation of an Ice Lakes Advisory Committee. Dean suggested that Romanyshyn create and outline of Committee goals, objectives and responsibilities and present that to the Board of Supervisors at their November meeting. The Supervisors could seek letters of interest for those who would want to serve. The topics for the Committee might be the dam, the management of lily pads and removal of shoreline silt. Romanyshyn referred to a 2011 grant document created for the Pennsylvania Lake Management Society. Beck will research this application with PLMS. Pipech reiterated that the dam needed to be fixed first.

BUSINESS MATTERS:

At Solicitor Dean's suggestion for time management, Arnold moved, seconded by Smith to approve all business matters and motions on the Agenda be approved.

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

MOTION by _____, second by _____, to accept the Minutes of the Regular meeting held on September 1, 2020.

ROLL CALL: Arnold - Pipech - Smith -
MOTION CARRIED?

Received the Treasurer's Report for September, 2020:

MOTION by _____, second by _____, to accept the Treasurer's Report as presented, and all bills to be paid retroactive to October 6, 2020..

ROLL CALL: Arnold - Pipech - Smith -
MOTION CARRIED?

Received the Roadmaster's Report for September, 2020:

MOTION by _____, second by _____, to accept the Roadmaster's Report as presented.

ROLL CALL: Arnold - Pipech - Smith -
MOTION CARRIED?

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BUSINESS MATTERS (Cont):

Received the Police Report for September, 2020: Sargent Ehret presented the police report as called for by Pipech. Pipech noted and Ehret confirmed the delivery of the new police truck.

MOTION by _____, second by _____, to accept the Police Report as presented.

ROLL CALL: Arnold - _____ Pipech - _____ Smith - _____

MOTION CARRIED?

Received the Zoning Report for September, 2020: Beck presented the Zoning Report.

MOTION by _____, second by _____, to accept the Zoning Report as presented.

ROLL CALL: Arnold - _____ Pipech - _____ Smith - _____

MOTION CARRIED?

Received the SEO Report for September, 2020:

MOTION by _____, second by _____, to accept the SEO Report as presented.

ROLL CALL: Arnold - _____ Pipech - _____ Smith - _____

MOTION CARRIED?

MOTION by _____, second by _____, to ratify the decision by poll to authorize Jeffrey D. Beck, Secretary/Treasurer, to execute and deliver certification and request for payment required by Luzerne County regarding reimbursement for COVID-19 expenditures.

ROLL CALL: Arnold _____ Pipech _____ Smith _____

MOTION CARRIED?

MOTION by _____, second by _____, to ratify the decision by poll to close the Ice Lakes park on October 1 and to close the bathrooms immediately due to vandalism.

ROLL CALL: Arnold _____ Pipech _____ Smith _____

MOTION CARRIED?

MOTION by _____, second by _____, to move the November meeting from Tuesday, November 3 to Wednesday, November 4 due to election day.

ROLL CALL: Arnold _____ Pipech _____ Smith _____

MOTION CARRIED?

MOTION by _____, second by _____, to adopt Resolution 2020-11 to open the Rice Township General Fund Developer Escrow account at First Keystone Community Bank in accordance with the Township's Subdivision and Land Development Ordinance.

ROLL CALL: Arnold _____ Pipech _____ Smith _____

MOTION CARRIED?

MOTION by _____, second by _____, to adopt Resolution 2020-12 which adopts the Luzerne County 2020 Hazard Mitigation Plan.

ROLL CALL: Arnold _____ Pipech _____ Smith _____

MOTION CARRIED?

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Budget preparation begins in October. Departments were asked to submit their budgetary needs for 2021.

The Commonwealth's 2020 state aid allocation supporting the Volunteer Fire Relief Association of the Wright Township Fire Company in the amount of \$21,184.76 was received on September 22, 2020, essentially the same amount as last year. Funds will 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, distributed to the Supervisors and filed before September 30, 2020.

The 2020 Commonwealth allocation of GENERAL MUNICIPAL PENSION SYSTEM STATE AID funds in the amount of \$78,781.33 were received on September 29, 2020, an increase of \$8,086.50 over last year. As directed by the PA Auditor General, a check in the amount of \$64,474.96 will be directed to Principal Financial Group for deposit into Rice Township Police Pension Fund #4-50708; and \$16,500.00 will be distributed to

PMRS for Rice Township Plan (40-168-5N). This satisfies the Minimum Municipal Obligation payment for 2020.

We received our check from the Commonwealth in the amount of \$995.83 for our distribution of Public Utility Realty Taxes (PURTA) on October 5, 2020.

The Roadmaster announces that leaf drop off will begin on Wednesday, October 14th and conclude on Friday, November 20th. Leaves can be left by the dumpster in the recycle area during Saturday hours and on Wednesdays, October 14th, 21st, and 28th from 3 PM until 6 PM and must be in clear plastic bags. Branches cut to a length of 3 feet and no more than 1" in diameter may also be left. Holders of the Rice Township 2020 Recycle Permit only will be allowed to leave their leaves. Cameras record the area.

Luzerne County has announced that its 2020 Tire collection events have been postponed until 2021.

The Planning Commission did not meet on September 23rd^h due to lack of agenda items.

Wright Township Volunteer Fire Company Report & Fire Police Incident Recap was received.

Arnold reported that the Fire Company would be out on Halloween with safety patrols and handing out flow sticks. Due to COVID-19 the rental hall was closed.

SOLICITOR'S REPORT: Dean had no report beyond the previous discussions.

PUBLIC COMMENT: Wilderness Estates resident Charles Kirkutis requested that the 600 feed to stormwater swale be cleaned and was concerned about a constant flow of water across the road. Beck noted that the SEO was investigating the possibility of a septic leak. Pipech will go take a look at the road. Planning Commission member Mark Manosky questioned the polling locations as the same as last election – the Legion and the Church. Arnold suggested accessing the election bureau website just to be sure.

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MOTION by Pipech, second by Smith, to adjourn. Meeting adjourned at 8:14p.m...

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Jeffrey D. Beck', written over the printed name.

Jeffrey D. Beck
Secretary/Treasurer