

**RICE TOWNSHIP BOARD OF SUPERVISORS**

**MAY 3, 2016**

The duly advertised regular meeting of the Rice Township Board of Supervisors was held on Tuesday, May 3, 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.

An executive session was held on May 3, 2016 at 6:45 pm to discuss personnel.

Received the Treasurer's Report: General fund income for April was \$77,090.89, expenses totaled \$101,165.28; Liquid Fuels had expenses of \$441.35; Recreation had expenses of \$200.00. Balances as of March 31, 2016:

General Checking: \$64,194.39    General Money Market: \$75,402.06    First Keystone Account: \$50,004.11  
Liquid Fuels Checking: \$581.66    Liquid Fuels Money Market: \$121,504.34  
Recreation Checking: \$2,277.75    Recreation Money Market: \$10,014.99

Total Cash on Hand: \$323,979.30

Bills to be paid total: \$14,861.86

**MOTION** by Thomas, second by Arnold, 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:**

Engineer Pasonick reported that the GP-11 applications will be submitted to DEP Wednesday or Thursday of this week. He stated that it typically takes 4 months to get a response, but his office is hoping to receive a response a lot sooner. There is no fee for the application. PennEastern is working on composing the bid specifications. His office must also apply for an E&S Permit and hydraulic calculations. Preliminary survey work has been completed. Engineer Pasonick expects to have 95% of the bid documents ready for the next Board meeting; at that point the project will be ready to go out to bid. He would like to get feedback from DEP prior to finalizing the bid packet.

Resident Matt Petlock asked about the status of the bid packet, which Engineer Pasonick stated in April would be ready for the May meeting. Pasonick stated that the DEP application needed to be completed first.

PennEastern considers this project high priority; there are several steps that must be taken prior to compiling a bid packet. Mr. Petlock and other Laurel Lakes residents discussed an EMS incident that occurred on the evening of May 2nd.



**RICE TOWNSHIP BOARD OF SUPERVISORS**

**MAY 3, 2016**

**MOTION** by Thomas, second by Pipech, to move forward with the newly revised Sign Ordinance (to reclassify Event Signs as Temporary Signs) including seeking Luzerne County Planning Commission approval and advertising, as recommended by the Planning Commission.

ROLL CALL: Arnold - Yes

Pipech - Yes

Thomas - Yes

**MOTION CARRIED.**

Wright Township Volunteer Fire Company Report: Supervisor Arnold stated that no news is good news. He recognized the Wright Township Firefighters for playing a very important role for the residents of Rice Township. He stated that the department is aware of the road closure in Laurel Lakes as well as the upcoming road construction project on Church Road at Henry Drive. They are very carefully monitoring the situation and are available to anyone who has questions.

Fire Police Incident Recap is available to the public.

**MOTION** by Thomas, second by Pipech, to approve Ordinance #2016-2, renewing the Cable Franchise Agreement between Rice Township and Service Electric Cable TV, Inc.

ROLL CALL: Arnold - Yes

Pipech - Yes

Thomas - Yes

**MOTION CARRIED.**

Resident Avi Sikenpore asked why other providers are not allowed in the Township. Marcia Thomas stated that residents may call any provider and ask for service in their area. She explained how municipalities were carved up by the State for the purpose of franchising. Solicitor Dean pointed out that the contract is non-exclusive. Marcia Thomas explained that many people utilize satellite due to the fact that cable companies cannot provide service for one reason or another.

**MOTION** by Thomas, second by Pipech, to allow Rice Elementary School to utilize the Municipal parking lot as an overflow parking for field trip chaperones on 5/4, 5/16, 5/23, 5/24, 5/31, 6/1, and 6/6.

ROLL CALL: Arnold - Yes

Pipech - Yes

Thomas - Yes

**MOTION CARRIED.**

Rice Township was notified by the Luzerne County Solid Waste Management Department that there will not be Free Electronic Recycling in 2016. A list of alternatives has been added to the Township website and is available in paper form for the public.

Luzerne County has announced dates for the 2016 Free Used Tire Recycling Events. Information is available to the public.

Marcia Thomas thanked Secretary Stier for her contribution to the Township. Rick Arnold stated that she will be missed and was an asset to the Township.

**MOTION** by Thomas, second by Arnold, to accept the resignation of Alicia Stier from all Rice Township offices, effective May 20th, and to ratify the decision to advertise for her positions.

ROLL CALL: Arnold - Yes

Pipech - Yes

Thomas - Yes

**MOTION CARRIED.**

## **RICE TOWNSHIP BOARD OF SUPERVISORS**

**MAY 3, 2016**

On the recommendation of the Solicitor:

**MOTION** by Thomas, second by Pipech, to name Jack Varaly interim Zoning Officer, salary to be negotiated.

ROLL CALL: Arnold - Yes

Pipech - Yes

Thomas - Yes

**MOTION CARRIED.**

Marcia Thomas stated that the Board is soliciting applications for the open positions until May 13th.

### **SOLICITOR'S REPORT:**

PPL is upgrading their power lines across the mountain, which will intersect some areas of Rice Township. The Township is requiring PPL to comply with the Stormwater Management Ordinance, although they are trying to negotiate around it. Solicitor Dean stated that he needs to speak with the Engineer regarding the issue.

Solicitor Dean announced that Marcia Thomas threw out the first pitch on Opening Day of Little League.

Marcia Thomas stated that she has heard PPL is trying to negotiate an easement from a Township road up through private property. Solicitor Dean stated that a permit would be needed if they were doing work on one of our roads, be it a driveway or limited access permit. If they acknowledge that they will comply with our Stormwater Management Ordinance, that may have some impact. He stated that he has not seen anything like this yet. Marcia Thomas asked if there will need to be bonds in place in regards to the roads. Solicitor Dean stated that bonds may come into play down the road.

### **PUBLIC COMMENT:**

Attorney Bob Marsh spoke regarding Dave Coleman's proposed sewage module. Don Totino was in attendance from the Engineering firm of Reilly Associates. Attorney Marsh stated that the Planning Commission approved recommending a letter be written from the Board of Supervisors to Aqua PA in favor of the sewage module.

Solicitor Dean stated that Van Avenue, where the service will be extended over, is either entirely within the Borough of Nuangola or partially within the Borough of Nuangola. Borough President, Joe Tucker, was in attendance. Without a survey, the Township cannot know for sure. Nuangola receives Liquid Fuels for portions of Van Avenue, so they must be involved in the discussion.

Aqua PA must not seek to mandate connection from abutting properties.

This project must also not force Rice Township to revise its 537 Plan.

Attorney Marsh explained that the letter would give consent to extend the service, if the request is even granted. If the request is granted, Mr. Coleman and his representatives would come back to the Board with Land Development plans.

Marcia Thomas presented PennDOT Liquid Fuels maps, showing that the Right of Way in question is located in Nuangola Borough, not Rice Township. Attorney Marsh stated that they will be going to Nuangola Borough for the permitting process. He asked if the 537 Plan is available online; Secretary Stier stated that she would make it available.

Engineer Pasonick stated that getting anything in writing from DEP is difficult.

## **RICE TOWNSHIP BOARD OF SUPERVISORS**

**MAY 3, 2016**

Roadmaster Pipech addressed reporters from the Times Leader regarding an anonymous call regarding his alleged resignation. He stated that if and when he resigns, she'll be the first to know. He explained that rumors run rampant in Rice Township.

Pipech spoke with Supervisor Arnold about providing a bay to the Wright Township Volunteer Fire Department, which is a contractual obligation. Rick Arnold stated that having a substation will improve response times for the residents of Rice Township. Resident Jim Kelly asked if the department will rent it or if this will be provided to the department for free. Marcia Thomas explained that it must be provided to the department for free, according to the contract signed in 2013. Mr. Kelly asked about the assumption of liability should a member of the department get hurt in that building. Solicitor Dean stated that the member would be covered under Workers Compensation. Rick Arnold stated that it makes perfect sense to utilize that building, so as to not incur extra cost on the taxpayers.

Carl Smith asked about the piece of apparatus being housed in the Public Works building. The Board stated that the truck originally housed in that building was sold. Rick Arnold explained that our employees are in and out of the building constantly, and the department needs a building that is more secure.

A resident asked if the bay will be utilized for the fire department equipment or for an ALS ambulance. The Board agreed that it would be for fire department equipment. Marcia Thomas explained that the building on the other side of the parking lot is leased to the Mountain Top Area Ambulance. The resident stated that it took 25 minutes for an ambulance to arrive on scene, referring to the EMS call in Laurel Lakes on May 2nd. Sergeant Ehret explained that the Police Department was on scene in 3 minutes. Medic 37 out of Mountain Top was on scene in 16 minutes. Marcia Thomas added that the Mutual Aid would kick in if a unit was not available. Sergeant Ehret referred to the call logs from Luzerne County 911 and discussed dispatch and on scene times.

Carl Smith asked if there was a back-up ambulance from Hanover Township. Sergeant Ehret stated that the ambulance was en route within 2 seconds, so a back-up ambulance will not be dispatched if one is on the way. He stated that response times seem longer when you're on scene. Officer Hashagen added that it only took 3 minutes from a traffic stop at the Nuangola Grove Theater.

Sergeant Ehret explained that the Police Department carries AEDs, bag valves and Narcan in the police cars because of their quick response times; they do what they can until the ambulance arrives.

Jim Kelly asked about the previously discussed possibility of using steel plating to open the road in Laurel Lakes. Engineer Pasonick does not recommend going that route due to possible erosion during inclement weather. Mr. Kelly expressed concern for emergency services personnel, stating that a 3 minute delay could be dangerous. Roadmaster Pipech explained that he originally wanted to do the repairs in-house and lower the weight limit of the road; the PennDOT municipal representative did not recommend taking on that level of liability, as the weight limit could not be properly monitored. Solicitor Dean reiterated that our PennDOT representative, Engineer, and Roadmaster do not recommend utilizing steel plates as a temporary fix.

A resident asked if there are any long-term plans for the Fire Department. Rick Arnold stated that it would be very costly to start up a new fire company; Marcia Thomas added that this is just Rick's opinion.

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**MAY 3, 2016**

Marcia explained that the structures must be evaluated before moving forward, once more important matters are addressed. Rice Township will continue utilizing the newer building furthest from the road, and the Board will look into the options for the older building in front, which is of historical significance. Rick Arnold stated that saving the land was paramount; now it's a matter of assessing what we have there and moving forward slowly, putting the interests of the community first. Bob Pipech stated that anyone on the property will be cited; a no trespassing warning has been posted.

**MOTION** by Thomas, second by Pipech, to adjourn. Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Alicia E. Stier  
Secretary

DRAFT