

PINE CREEK TOWNSHIP
MEETING MINUTES OF JULY 12, 2023

The Pine Creek Township Board of Supervisors held their regular monthly meeting on July 12, 2023, at 7:00 p.m., with Supervisors John M. Reese, Dean L. Edwards, Jr., and Kenneth J. Packard present.

Also present: Pam Smith, Bonnie Nichols, Donna & Duane Batschelet, Kevin Ferrara, Joan and Ed Summerson, Jim Hess, Matt Stover, Kellen Krape, Rick Macklem, Deb Reese, and Thom Rosamilia, Esquire

Chairman Edwards requested that individuals video recording the meeting identify themselves, and Kevin Ferrara indicated he was video recording the meeting for himself.

Supervisor Packard questioned whether Secretary Macklem was recording the meeting and the Secretary responded she was audio recording the meeting for transcription purposes and the recordings are now being archived.

Meeting Minutes

Chairman Edwards asked if there were any changes or additions to the minutes from the June 7, 2023, monthly meeting, there being none, Supervisor Reese made a motion to approve the minutes as presented; seconded by Supervisor Packard, MCU.

Financial Report & Invoices

Supervisor Reese made a motion to approve the financial reports and invoices as presented' seconded by Supervisor Packard, MCU.

Public Participation

Donna Batschelet

Resident Donna Batschelet of 909 Third Street asked questions about Prospect Avenue adjacent to her property which goes to the wetlands and the alley behind Prospect Avenue is closed and the alley beside her property is closed. She questioned whether the alley would be opened just to her property which did not make sense to her and then she indicated that there are trees on the alley that need attention.

Chairman Edwards indicated the Supervisors would make contact with her to go over her questions in more detail to determine what action to take.

Kevin Ferrara

Resident Kevin Ferrara questioned why there is a hanging mail tray outside the township office door for Ken Packard only and asked whether Supervisor Packard has access to the office.

Supervisor Reese explained that there are two mail trays outside the office door, one for Supervisor Packard and one for Chairman Edwards and both trays have been there from the time it was installed and said the name tags may have fallen off the trays.

Mr. Ferrara then asked if Supervisor Packard has unrestricted access to the building and the office.

Chairman Edwards asked Supervisor Packard if he has access to the building and the office and Supervisor Packard indicated that his code for the office no longer works but he has used Chairman Edwards code to access the office.

Mr. Ferrara said Supervisor Packard should have unrestricted access to any township building, the office, park, and everything owned by the township. Solicitor Rosamilia indicated that this question had already been answered.

Mr. Ferrara argued that Supervisor Packard was banned from Woolrich Park and that since it is a public park you cannot trespass or ban anyone from a public park.

Kevin Ferrara then questioned why the Right To Know information is not posted on the township website stating it is required to be posted on the website under State law.

Joan Summerson

Resident Joan Summerson indicated she is a supporter of Horses of Hope and questioned what was causing the delay in constructing buildings for the horses on the property, asking what was holding up the township from issuing a building permit.

Supervisor Reese explained that Horses of Hope was having difficulty in obtaining the required bond for the project and that is required before construction can begin, adding that the matter is in the hands of the lawyer for Horses of Hope.

Kellen Krape

Kellen Krape of the Recreation Committee asked if Amy Friedman would receive an email for online pavilion rental requests.

Chairman Edwards explained that there was an issue with the online calendar and said he thought that the email address provided by Amy was incorrect and that issue is being corrected.

Kellen Krape also asked if funds from pavilion rentals are earmarked for the Committee to utilize if it wanted to sponsor a fundraising event or some sort of community outreach event. Chairman Edwards explained that there is a line item for pavilion rental receipts in the township's chart of accounts.

Kellen also asked if there will be an option to pay for pavilion rentals online and Chairman Edwards indicated that that Recreation Committee Member Amy Friedman has the contact information for the webmaster and there should be a coordination between the Supervisors, webmaster, and Amy to get the online payment option set up on the website.

Kellen said the Recreation Committee would like approval from the Supervisors to get an estimate to renovate one of the restrooms at the park just in case the township's grant application is unsuccessful. Chairman Edwards indicated the Board should be notified about the grant at the end of August and suggested the request by the Committee be put on hold for now.

Kellen requested that the township apply dust suppression materials on the road that goes back into the park.

Supervisor Reese agreed with the request and said that the Township has already begun taking steps to help with dust control as employees have put screenings down and rolled them which seems to have resolved the situation and the paths are much smoother now, adding that the 1B stones were an issue for handicapped individuals and made it difficult for wheelchairs and strollers to navigate through the park.

Kellen also requested more smoke-free signs for the park and asked if it would be possible to spray the park for sponge moths.

It was the consensus of the Board to obtain more signage for the park and to investigate spraying the park for sponge moths next year.

Old Business:

Recreation Committee By-Laws

Chairman Edwards made a motion to approve the revised Recreation Committee By-Laws as submitted; seconded by Supervisor Packard, MCU.

Personnel

Supervisor Packard requested the Board discuss the background check for Employee Gene Gallagher and Solicitor Rosamilia advised the Board that personnel matters may only be discussed during an Executive Session.

Chairman Edwards asked Solicitor what the liability to the township be should the Board discuss personnel matters in public.

Solicitor Rosamilia explained it is up to the Board but if the discussion pertains to whether or not to terminate someone and that is discussed in public there could create a lot of issues for the Board if that is discussed in public, such as any sort of confidential information about his employment can come up as well as other issues that aren't necessarily for public consumption.

Supervisor Packard said if he had the information from the background check about the employee, he would never have agreed to hire him and in addition, Packard considers having this employee work at the park to be a liability to the township.

Supervisor Packard made a motion to terminate Gene Gallagher but the motion died for lack of a second.

Supervisor Packard requested an Executive Session after the Roadmaster's Report to discuss this personnel matter further.

New Business:

Mini Excavator with Attachments

Chairman Edwards presented the following quotes for a mini-excavator and attachments, using the 2018 Caterpillar Roller as a trade.

1. Five Star Equipment – John Deere
\$107,000.00 less trade allowance of \$68,000.00 - \$39,555.00

2. Cleveland Brothers - Caterpillar
\$114,530.00 less trade allowance of \$62,000.00 - \$52,530.00

Supervisor Packard asked if there was money in the Budget for the purchase and Secretary Macklem indicated that there were funds available and general funds will be used to purchase the mini excavator and attachments.

Supervisor Reese explained that both pieces of equipment were high quality but under the circumstances of getting a higher trade-in allowance for the roller from Five Star on the John Deere, he recommended purchasing the John Deere due to the price difference.

According to Supervisor Reese, the mini excavator will give employees the capability to do more township work without having to pay rental fees of \$1,100.00 for a week or \$350.00 for one day.

Supervisor Reese made a motion to purchase the John Deere excavator and attachments from Five Star Equipment; seconded by Chairman Edwards, MCU.

Listing Equipment on Municibid

Supervisor/Roadmaster Reese requested approval from the Board to list the following equipment for sale on Municibid: 1989 Mack Tandem Truck; 2004 Chevy 1500 Pickup Truck; Steel Wheel Roller and the 2017 Police Vehicle.

Supervisor Packard made a motion to list the equipment for sale on Municibid; seconded by Supervisor Reese, MCU.

Schedule Special Grievance Hearing

Supervisor Packard asked if the Special Grievance Hearing was going to be open to the public and said he has not received copies of the complaints filed by Secretary Darlene Macklem and Employee Gene Gallagher against him.

Solicitor Rosamilia indicated that the hearing will be open to the public at the municipal building and he will provide copies of the complaints to Supervisor Packard this evening.

Supervisor Packard asked if the hearing would follow the Township's Policy Manual and who Solicitor Rosamilia would be representing at the hearing. Solicitor Rosamilia stated he would be representing the Board of Supervisors and the hearing is being held in accordance with the policy manual.

A discussion ensued regarding advertising the hearing and prior scheduling issues due to availability of all parties.

Joan Summerson asked if the contents of the complaints could be shared with the public and Solicitor Rosamilia explained that the complaints are confidential and will be presented at the public hearing.

Chairman Edwards made a motion to schedule the Special Grievance Hearing for July 19, 2023, at 7:00 pm; seconded by Supervisor Reese, MCU.

Authorization for Title Transfers

Chairman Edwards made a motion to authorize Supervisor John Reese to sign all documents required for the sale and title transfers for the equipment listed on Municibid; seconded by Supervisor Packard, MCU.

Roadmaster's Report

Roadmaster John Reese presented the Roadmaster's Report for June 2023, as follows:

Road Maintenance:

1. Glenn O. Hawbaker paved the roads in Briarwood Development
2. Mowed along the township roads
3. Checked drains and roads for storm damage
4. Placed cold patch on various township roads
5. Repaired picnic tables at the Woolrich Park
6. Placed stones on roads, paths and under pavilions at Woolrich Park
7. Setup signs for Harley Club's 4th of July Celebration
8. Hauled topsoil and DSA

Vehicle Maintenance:

1. Serviced the grader
2. PA Inspection – T-Tag
3. New front tires on #5 Truck

Building Maintenance:

1. Cleaned up around maintenance garage and lower shed

Intermunicipal Work:

1. Installed pipes and stocked stone for Dunnstable Township
2. Road sweeping for Jersey Shore Borough
3. Scratch paving at various roads for Dunnstable Township

Supervisor Packard requested keys to the township office and file storage room because of a glitch with his code not working and said he would rather have keys than use a code. He also requested a key to the building at the park.

Supervisor Reese agreed to provide Supervisor Packard with keys to the township office but not to the building at Woolrich Park used for storage of tools used at the park.

Supervisor Packard reported speaking to a construction worker about the bridge on Sulphur Run Road and was told the bridge repairs should be finished as early as tomorrow.

Pine Creek Township Email Addresses

A discussion was held regarding use of Township email addresses and Solicitor Rosamilia recommended that township officials use email addresses specific to the township because if there is a request for information the township would have access to them, adding it doesn't make sense to use personal email addresses.

Supervisor Packard suggested the Township use a .gov email address and Chairman Edward explained that it would take at least a year to get email addresses set up using that platform.

Supervisor Packard asked why the email was changed from .com to .org and Chairman Edwards explained that the .com email was administered by the prior webmaster and the township no longer has contact for him and the Square Cube email is now gmail.org was the only platforms available for Pine Creek Township.

A discussion was held regarding who has access to Pine Creek computers to access township emails and the Use Agreement required for Supervisor Packard to set up the .org address on his personal computer allowing the Township Organizational Administrator to access the email account and said he would not agree to the terms of the Use Agreement and would be using the Pine Creek Township .com email address rather than the .org email address.

Executive Session

Chairman Edwards called an Executive Session at 7:37 pm to discuss personnel matters and called the regular meeting back to order at 7:50 pm.

Supervisor Packard made a motion to terminate Township Employee Gene Gallagher but the motion died for lack of a second.

Municipal Office

Chairman Edwards noted that his paperwork laying on the laptop he uses in the township office was messed up and out of order, and asked Secretary Macklem if she went through the paperwork and she said she did not.

Chairman Edwards also asked Supervisor Reese, Supervisor Packard, and Solicitor Rosamilia if they had been in the office over the weekend and Supervisor Reese indicated he had not gone through the paperwork and noted his paperwork on his desk was out of order as well. Supervisor Packard said he had not been in the office and Solicitor Rosamilia stated he was not in the office, adding that he does not have a key for the office.

Adjournment

There being no further business, Chairman Edwards adjourned the meeting at 8:00 pm.

Respectfully submitted,

Darlene S. Macklem

Darlene S. Macklem, Secretary