

PINE CREEK TOWNSHIP
MEETING MINUTES OF MARCH 1, 2023

The Pine Creek Township Board of Supervisors held their regular monthly meeting on March 1, 2023, at 7:00 p.m., with Supervisors John M. Reese, Dean L. Edwards, Jr., and Kenneth J. Packard present.

Also present: Kristin McKivison, Diana Coleman, Rhonda and Benjamin Sweeney, Bryan Poorman, Wilma Hackenberg, Ruth Lupold, Steve Shaw, P.E., Deb Reese, Ella Yothers, Laurie Flanagan, Vickie Hancock, Jennifer Hagaman, Kevin Johnson, Pam Smith, Dave Winkleman, Jr., Ken Leitch and Travis Overdorf of the Avis Fire Company, Brandon Coleman of the Woolrich Fire Company, Walter Bierly, Bonnie Nichols, Joanne Heimer, Kevin Ferrara, Mike Remick, Michele Whitney of the Clinton County Watchdog Group, Rick Macklem, Sergeant Dennis Gill and Thom Rosamilia, Esquire

Material Bid Opening

Aggregates

The Supervisors received one bid for aggregates from Heidelberg Materials.

Supervisor Reese made a motion to accept the bid from Heidelberg Materials; seconded by Supervisor Packard, MCU.

A copy of the bid results are attached hereto and incorporated herein as part of the official meeting minutes.

Bituminous Plant Mix

The Supervisors received one bid for bituminous materials from Charles Construction Co., Inc.

Supervisor Reese made a motion to accept the bid from Charles Construction Co., Inc.; seconded by Supervisor Packard, MCU.

A copy of the bid results are attached hereto and incorporated herein as part of the official meeting minutes.

Meeting Minutes

Chairman Edwards asked if there were any changes or additions to the minutes from the February 1, 2023, monthly meeting.

Michele Whitney questioned how the public is to participate in the approval of the minutes if they do not have a copy of the minutes. Chairman Edwards explained that after the minutes are approved they will be posted on the Township's website and they can be discussed at the next monthly meeting. Ms. Whitney said residents cannot participate successfully if they can't keep up with what is going on.

Solicitor Rosamilia explained that Public Participation will be held in a few moments for residents to participate during the meeting, adding that if there is to be a proposed amendment to the minutes it has to come from a member of the Board of Supervisors not from the public. Adding, it is up to the Supervisors to approve the minutes, it is not up to the public.

Supervisor Packard said the minutes state there was to be a work session scheduled for 6:00 pm on March 1st and it was not advertised in the newspaper.

A discussion was held as to why the work session was not scheduled and it was noted that Supervisor Packard was unable to be reached to determine the topic for the work session as that was not included when the motion was made at the February meeting. Supervisor Packard indicated the work session that was to be scheduled was about the police department.

Chairman Edwards asked if Supervisor Packard had reviewed the minutes that were provided to him on the Monday before the meeting. Supervisor Packard said he had reviewed the minutes, adding that he is not part of the general public and declined to make a motion for approval of the minutes.

Chairman Edwards then made a motion to approve the minutes as presented; seconded by Supervisor Reese, the motion passed 2-1 with Supervisors Edwards and Reese voting in favor of the motion and Supervisor Packard voting against the motion.

Financial Report & Invoices

Supervisor Reese made a motion to approve the invoices and financial report as submitted; seconded by Chairman Edwards, MCU.

Public Participation

Kevin Ferrara

Resident Kevin Ferrara referring to Item No. 4 under New Business on meeting agenda, 2023 *Fire Company Donations*, read a statement, a portion of which follows:

“Contributions of any kind should never be expected or guaranteed. Property owners in Pine Creek Township were forced to pay a fire tax. The Woolrich Volunteer Fire Company which serves my area of the township receives thousands of dollars in fire tax, yet I and others, have no idea why.

Taxpayers deserve to know why and where monies are being utilized. In addition, the fire company received funding from other sources, that according to a Right-To-Know request response, Pine Creek Township has no records of for example, the fire company just received a \$13,000 grant to replace a 30-year-old fire hose and rescue gear.....”

Mr. Ferrara went on to cite that fire hose manufactured prior to July of 1987 was to be removed from service and hose manufactured after that date be tested annually. He questioned why the 30 year old fire hose was still in use and whether it was being tested.

Mr. Ferrara also stated that per State fire grant guidance, fire departments are supposed to provide copies of any grant applications to the Township, adding it is not an option and is a requirement.

Mr. Ferrara went on to claim that over the past five years the Woolrich Fire Company received state grants totaling over \$65,000 and claimed that since the Fire Company also received \$46,000.00 over the past six years from the Foreign Fire Tax Insurance Fund and the Fire Company maintains an investment account that he estimates to be worth over \$1.2 million dollars today.

He also cited the actions that took place during a meeting between the Dunnstable Township Supervisors and the Woolrich Fire Company in August of 2022 wherein he claims Fire Company officials waived monies owed by Dunnstable Township for EMS services in exchange for a 10-year contract for EMS coverage.

Mr. Ferrara questioned why the taxpayers are supplementing the fire company via the fire tax and why the Township gives them an annual donation and asked the Board to reconsider giving any donation to the Woolrich Fire Company and to consider eliminating the fire tax.

Mr. Ferrara refused Chairman Edward's request to provide a copy of his statement to the Board of Supervisors.

Brandon Coleman, Chief of the Woolrich Fire Company

Woolrich Fire Chief Brandon Coleman said he would like to follow-up from last month's meeting on the questions from Supervisor Packard about the Fire Company's washer and dryer. He said Supervisor Packard was given the answers during the meeting and "miraculously" last week the Fire Company was reported to DEP claiming the fire company was draining wash water into storm drains.

According to Chief Coleman, Fire Company Officials immediately scheduled a meeting with DEP officials, requiring one fire company member to take time off from work to attend the meeting, that was held at the fire hall. DEP completely exonerated the fire company from all of the claims in the complaint and noting everything had been in place since October 2022. He said DEP sent him the report and the complaint with all the information, adding he wanted to let the Supervisors know in the event something would be sent to the township.

Supervisor Packard asked if the purpose of cleaning the turn-out gear is to remove carcinogens and, if so, asked what the fire company does with the wastewater from the washing equipment.

Chief Coleman responded that washing the turn-out gear is to remove carcinogens and that the wash water goes into a tank and then it goes into the sewer system and that process had been approved last October by DEP. He told Supervisor Packard that he could have come to him and asked him about the wastewater rather than making phone calls.

Michele Whitney, Clinton County Watchdog Group

Michele Whitney of the Clinton County Watchdog Group claimed the Township was not being transparent by not providing meeting minutes and claiming the meeting agenda was cryptic mentioned "secret meetings" and the purpose of the Sunshine Law.

Rhonda Sweeney

Resident Rhonda Sweeney said she would like to address the Right To Know Requests, stating that there should be protocol by the Supervisors for how those requests are made. She said that under the Office of Open Records that Right To Know Requests can come in a variety of forms, but there's nothing that prohibits the Board from making protocol requesting that anybody who submits a Right To Know Request should do so by using a standard Right To Know Request form, which is on the Office of Open Records website and said she also believes that every request should be in writing.

Mrs. Sweeney also pointed out that when submitting a right to know request, it should not include questions, and if anyone has questions, they should request to be placed on the meeting agenda under New Business rather than attacking the Supervisors when they are trying to conduct business during a meeting. She said this has all come about because of Supervisor Ken Packard and his subterfuge and Kevin Ferrara who is part of the Watchdog Group.

Michele Whitney responded that she addressed the transparency issue this evening because the new format of the meeting and she stands up for the people.

Deb Reese

Resident Deb Reese said she personally did a RTK request for a list of the people that have requested RTK information, and went back to November 2021, stating she intends to go further back, as this time frame would have been after Tom passed away. She noted there were common names for the RTK submissions such as Joy Packard, Kevin Ferrara, and Michelle Whitney. There seems to be a common theme and its apparent in these meetings, adding that she was addressing the Board as a concerned township resident.

Mrs. Reese further directed her comments to Supervisor Packard, stating that it is very apparent that he is a non-team player with the other two Supervisors who are trying to do a good job for this township. She said that Tom Wilt spent over 40 years building what we have in this township and all it takes is one person to ruin what has been created here.

In addition, she said that she believes Supervisor Packard was given a cell phone and she heard that numerous people try to get in touch with him and he does not answer his phone, adding it is her opinion, that is a problem.

Mike Remick

Resident Mike Remick suggested that in addition to public participation, a comment period after each agenda item to allow everyone to be involved in the decision-making process would be helpful.

Resident Rhonda Sweeney disagreed with Mr. Remick's suggestion as she believes that allowing comments on every agenda item would extend the length of the meetings extensively.

Old Business:

Recreation Committee

By motion of Chairman Edwards; seconded by Supervisor Reese, and unanimous approval; the Board of Supervisors appointed the following volunteers to the Recreation Committee, noting that volunteers previously held an informal meeting to discuss positions and term lengths for the Committee. The following were appointed to the Recreation Committee:

1. Erin Winslow – Chairman (4 years)
2. Kellen Krape – Vice Chairman (4 years)
3. Mike Saar (3 years)
4. Taryn Saar (3 years)
5. Becky Dunlap – Secretary/Treasurer (4 years)
6. Amy Friedman (2 years)

7. Ken Packard – (2 years)

Supervisor Packard said there are a few things at the park that need to be taken care of soon, including power washing the playground equipment and cutting down trees.

The Board discussed hiring Gene Gallagher, who was the previous caretaker of the Woolrich Park, to work part-time, approximately 30 hours per week from April through the first week of October, noting that Mr. Gallagher will also work weekends.

Supervisor Packard made a motion to hire Gene Gallagher as a part-time seasonal employee; seconded by Supervisor Reese, MCU.

Recreation Committee By-Laws

Chairman Edwards made a motion to approve the Recreation Committee By-Laws as presented and prepared by Solicitor Rosamilia; seconded by Supervisor Reese, MCU.

Green/Gordner Lot Add-on Subdivision

Supervisor Reese explained that the parcel being subdivided is in Pine Creek and Gallagher Townships and a portion of the Gordner property is being added on to the Green property. Approval needed from both Townships and all the paperwork has been completed by both municipalities.

Chairman Edwards made a motion to approve the subdivision as presented; seconded by Supervisor Packard, MCU.

Horses of Hope – DEP Sewage Planning Module/Resolution For Plan Revision for New Land Development

Steve Shaw, project manager with CDR, McGuire Engineering, formerly known as McTish Kunkle & Associates introduced himself and stated his purpose for attending the meeting was to move forward with the Land Development approval for the Horses of Hope project.

Mr. Shaw explained that conditional approval for the project was granted in October 2022, and it was conditioned on two things; providing DEP Sewage Planning Approval and providing a Bond for the project as required by the SALDO.

Mr. Shaw presented a standard DEP Resolution that is required by DEP for Sewage Planning Approval and Component 2 that needed completed and signed by Township officials which also must be submitted to DEP as well.

Supervisor Reese made a motion to approve the DEP Sewage Planning Module Resolution for Plan Revision for New Land Development; seconded by Chairman Edwards, MCU.

Laurie Flanagan spoke about proceeding with the Horses of Hope plan in phases and obtaining a bond for each phase. She indicated the Bond required for Phase I was for \$483,000.00. She met with Matt Crawford of Harger Utilities and requested he break down the project further for bonding purposes and provided the Supervisors with the breakdown prepared by Mr. Crawford.

A discussion was held with Solicitor Rosamilia regarding the bonding amounts and the length of time for the bond for each phase of the project. The Solicitor indicated that if he could confirm the length of time of the bond and that the coverage would be extended as it moves through each phase of the project and determines the bonds are for the appropriate amount of time, that would be fine. He indicated he would speak with Mr. Crawford to confirm the time estimated to complete the phases of the development.

New Business:

Jersey Shore Summer Recreation Program, Inc. – Donation Request

Supervisor Packard made a motion to donate \$500.00 to the Jersey Shore Summer Recreation Program, Inc.; seconded by Supervisor Reese, MCU.

Emergency Power for Municipal Buildings

Chairman Edwards explained that if electrical power goes out at the municipal building and police building for an extended period of time that it would be a good idea to have an alternate power source in place, such as a generator.

Chairman Edwards obtained quotes from Denny's Electric and Price Electrical Facilities to do the connection and for conduit pricing.

Edwards reported that the cost to install a 24K generator in the municipal building and a 14K generator at the police building with the township doing the trench and concrete work, and the cost of the generators, and to hang the switch would be \$19,877.58.

A discussion was held as to whether the project would have to be placed out for bid with Chairman Edwards breaking down the costs i.e. township purchasing the generators; the cost for the work to be contracted out is \$7,210.00; and township employees will do the remaining work estimated to cost \$11,603.00 which is under the bidding requirement of \$11,900.00.

The Board agreed to discuss the matter further at the April meeting.

PCPD (Pine Creek Township Police Department)

Sergeant Dennis Gill reported that there will be changes in the Department's reporting software system noting that currently the system being used is CODY and the server is housed by Clinton County for all police departments in the County. However, the County will no longer house or support the system for local police departments, so the PCPD has to go with a Cloud based service through CODY.

According to Sgt. Gill, the Township will now receive invoices from directly from CODY and everything will be housed in a Cloud system as it will no longer be covered by the County IT Department.

Supervisor Packard asked Sgt. Gill if he was familiar with the police service agreements, stating he found the service agreements with Dunnstable, Wayne and Avis that date back to 2006, 2007 and 2009.

Sgt. Gill indicated he was not familiar with the agreements and Supervisor Packard then asked Supervisors Reese and Edwards when the Board would be discussing increasing the hourly rates asking if the hourly rate was still at \$30.00 per the contracts. Supervisors Edwards and

Reese said the hourly rate for police service was increased from \$62.50 to \$65.00 per hour this year, adding that the police rate increase was discussed in November.

2023 Fire Company Donations – Avis Fire Company & Woolrich Fire Company

Supervisor Packard asked Chief Coleman about the status of the QRS for the Woolrich Fire Company. Chief Coleman indicated that Fire Company officials are waiting to have a meeting with State Officials. He said that currently EMS is still working under Lock Haven EMS and are actively responding when they are requested to be dispatched. He said Woolrich is not being called out on the initial dispatch, like the issue that was brought up previously. Brandon also noted that they have the paperwork back from the attorneys that was submitted and a meeting to evaluate some items is being set up with the State.

Supervisor Reese made a motion to approve the \$10,000.00 annual donation to the fire companies; seconded by Supervisor Edwards, MCU.

Recreation Grants

Chairman Edwards provided information on the grant application submission to the County Tourism/Recreation Grant.

The application requested funds for - waterless and powerless restrooms with a cleanout tank (two at Woolrich/one at South Avis); 10 park benches (two at South Avis/eight at Woolrich); rubber mulch which has to be five inches thick for a twelve foot fall.

According to Chairman Edwards, Sgt. Dennis Gill of the PCPD completed and submitted the application on February 28, 2023 and Chairman Edwards obtained the estimates needed for the grant application submission.

Chairman Edwards said the Board will continue to research and apply for grants for the parks.

Roadmaster's Report

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

1. Snow removal (five storms)
2. Cleaned up storm damage
3. Vehicle maintenance – cleaned up trucks and performed basic maintenance after the storms; serviced police car; took white truck to garage for repairs, unable to make all repairs due to issue getting needed parts; red truck – PA inspection; repaired spreader on truck
4. Road Maintenance – trimmed trees along Tiadaghton Avenue and Bonner Lane; cleaned up trees after storm damage; haul Rip Rap for upcoming roadwork; placed Rip Rap in ditches; cleaned out ditches with mini-excavator; repair pipe and catch basin on Riverview Road; filled in shoulders

2023 Road Projects

Roadmaster Reese reviewed various roads that need repaired with the Supervisors and indicated he would like to bid out the road projects in April and hold the bid opening in May.

Adjournment

There being no further business, Chairman Edwards adjourned the meeting at 8:15 pm.

Respectfully submitted,

Darlene S. Macklem

Darlene S. Macklem, Secretary