

PINE CREEK TOWNSHIP  
MEETING MINUTES OF DECEMBER 7, 2022

The Pine Creek Township Board of Supervisors held their regular monthly meeting on December 7, 2022, at 7:00 p.m., with Supervisors John M. Reese, Dean L. Edwards, Jr., and Kenneth J. Packard present.

Also present: Brandon Coleman of the Woolrich Volunteer Fire Department, Greg Love, Michele Whitney, Clinton County Watchdog, Kevin Ferrara EMC, Diana Coleman, Kevin Johnson, Bryan Poorman, David Dewald, Rich Camerer, Rick Scheesley and Matt Stover of the Avis Fire Department, Police Chief David Winkleman, and Thom Rosamilia, Esquire

**Meeting Minutes**

Chairman Reese asked for questions or comments on the minutes from the November 2, 2022, monthly meeting.

Supervisor Packard had several questions on the minutes, the first being about an item under the Roadmaster's Report regarding intermunicipal work for the Pine Creek Valley Christian Church.

Chairman Reese explained that the Church requested and paid for the roadwork and is a non-profit and the township is permitted to do work for non-profits.

Supervisor Packard also said that the Executive Session called during the November meeting states the topic as being "public records" and claimed it was to reprimand him and restrict him from looking at public records in the office.

Solicitor Rosamilia said that the discussion during the Executive Session about the records policy was to restrict payroll records and documents that had people's personal information on them such as Social Security numbers, addresses, etc.

Supervisor Packard then went on to complain about Secretary Macklem's record keeping and unwillingness to assist him in finding answers to his questions. He also questioned the policy of the township paying employees a stipend in lieu of insurance when they receive healthcare through a spouse's employer, a brief discussion ensued.

Secretary Macklem then asked Solicitor Rosamilia what the appropriate language would be to make the changes requested by Supervisor Packard. Solicitor Rosamilia suggested that the November minutes state the Executive Session was held to discuss access to privileged documents by all the Supervisors.

Supervisor Packard then made a motion to approve the minutes as corrected; seconded by Supervisor Edwards, MCU.

**Financial Report & Invoices**

Supervisor Packard had questions on the list of bank accounts on the monthly financial reports and some accounts that were listed on prior reports not being on the December financial report.

Treasurer Macklem explained that the Jersey Shore State Bank CD was closed out as well as the Muncy Bank ARP account with the funds from both accounts being deposited into the Muncy Bank General Fund Account.

Supervisor Packard made a motion to approve the invoices and Treasurer's Report as submitted; seconded by Chairman Reese, MCU.

**Public Participation:**

Michele Whitney requested the 2023 Budget worksheets with detailed information as to the number of employees and wages.

A discussion was held discussing the budget worksheets and summary of the overall budget and Treasurer Macklem provided Ms. Whitney with a copy of the detailed budget worksheets.

Kevin Ferrara questioned the premium amount paid for Worker's Compensation Insurance for the fire company listed on the monthly disbursement report in the amount of \$4,498.00, asking how the premium is determined. He asked if the Fire Department provides the number of members for the policy and if the township knows how many fire company members are protected under the policy.

Treasurer Macklem said the insurance is through PA SWIF and they determine the premium for the coverage.

A discussion was held, and Resident Kevin Johnson explained how the premium for worker's compensation insurance coverage is determined and said he did not believe it is based on the number of employees.

Kevin Ferrara then claimed that the Fire Company is reporting 52 active members and three of those members are deceased and quite a few names listed that are not active per the fire company bylaws decreasing the number of members to six. He said the township should know how members there are for both insurance and response capabilities, stating the township must protect the community and that's quite concerning.

The Board agreed to follow up with the fire companies to discuss membership and coverage of the township.

Mr. Ferrara then suggested that the Township consider adopting an ordinance like the ordinance recently adopted by Mill Hall Borough for their fire companies which outlines the terms of management and training requirements for members of the fire companies. He said the township should hold the fire companies accountable because the township is liable for the delivery of fire and emergency services and questioned how they can be held accountable if the township does not have an ordinance. He said that is why Mill Hall Borough adopted the ordinances and other municipalities across the State are adopting similar ordinances.

Chairman Reese asked Mr. Ferrara to give him the name of another municipality that adopted such an ordinance.

Mr. Ferrara did not provide the name of another municipality who adopted the ordinance but cited provisions of the Second Class Code that state the township is responsible for the delivery of fire and emergency services and claimed the township cannot enforce that provision of the Second Class Code without an ordinance.

Solicitor Rosamilia said that the Supervisors do not have a copy of the ordinance adopted by Mill Hall Borough so it would be difficult for them to agree to a similar ordinance at this time.

A discussion was held, and Chairman Reese indicated the Board would consult with the Township Solicitor as to whether an ordinance is necessary.

### **Old Business:**

#### **Resolution 12-07-2022-1 – Implement Act 57 of 2022**

Solicitor Rosamilia explained that adoption of the resolution to implement Act 57 of 2022 is required by statute. He said that essentially if you transfer a property and the new owners do not receive their tax notices for the first year, they can avoid late fees or penalties on the late taxes by submitting a waiver.

Supervisor Packard made a motion to adopt Resolution 12-07-2022-1 as presented; seconded by Supervisor Edwards, MCU.

### **New Business:**

#### **2023 Budget**

Supervisor Packard asked if anyone had any questions about the proposed eight percent (8%) wage increase for all employees and he then recommended that the proposed increase be decreased from eight percent (8%) to zero.

A discussion was held about the wage increase and whether it should be lowered, and Supervisor Packard suggested wages be increased by three percent (3%) instead of eight percent (8%). Packard also suggested holding off on passing the budget until the wage increase was determined.

Solicitor Rosamilia explained the Budget is an estimate of what's going to be spent next year, it is not an approval of a wage increase. If a wage increase is approved at the January Reorganization for three percent instead of eight percent, then the township will just be under budget for next year.

Supervisor Edwards made a motion to approve the 2023 Budget as presented; seconded by Chairman Reese, MCU.

#### **2023 Insurance Proposal from Kilmer Insurance**

Supervisor Packard said he contacted Kilmer Insurance to find out what the \$1,000,000.00 Bond would cover and was told if someone steals \$1.5 the Bond would cover \$1,000,000.00 and the Township would be responsible for anything over \$1,000,000.00.

Supervisor Packard said that the township also has \$50,000.00 in cyber security coverage which means if the township records get stolen and they ransom them the insurance would pay \$50,000.00. He said the average ransom is now \$60,000.00 so the township could end up paying \$10,000.00.

Supervisor Packard explained that the reason he brought that up is because the Secretary has township financial records on her home computer and believes it presents more of a risk for a cyber-attack. Secretary Macklem explained that she has the same security on the home office computer as is used on the township office computer.

After further discussion, Supervisor Packard made a motion to accept the 2023 insurance proposal from Kilmer Insurance; seconded by Supervisor Reese, MCU.

### **Tax Levy Resolution**

Supervisor Packard made a motion to adopt Tax Levy Resolution 12-07-2022 setting the real estate tax rate for 2023 at the same rate as 2022 with no tax increase; seconded by Supervisor Edwards, MCU.

### **Schedule 2023 Reorganization Meeting**

Supervisor Packard made a motion to schedule the Reorganization Meeting for Tuesday, January 3, 2023 @ 7:00 pm with the regular Monthly Meeting to immediately follow the Reorganization Meeting; seconded by Chairman Reese, MCU.

### **Auditor Vacancies**

The Board noted that the township has two vacant auditor positions stating Ben Sweeney is the only elected auditor on the Board and the Supervisors need to fill the appointments prior to January 4, 2023, when the Auditors are required to meet.

Supervisor Packard said Susan Blesh may be interested in the position and agreed to follow up with her.

### **Planning Commission Vacancy**

Chairman Reese presented a letter of interest from Resident Ben Eck to be appointed to the Planning Commission to fill a vacancy on the Board.

Chairman Reese made a motion to appoint Ben Eck to the Planning Commission; seconded by Supervisor Edwards, MCU.

### **Donate 2017 Police Cruiser to Avis Fire Company**

Michele Whitney questioned why the police cruiser was being donated to the Avis Fire Company rather than listed for sale on Municibid as was decided at the July meeting.

Chairman Reese said the Fire Company expressed an interest in it and the Board is permitted to donate it the Fire Company.

Supervisor Packard suggested the vehicle should be donated to the Avis Fire Company in lieu of the annual \$10,000 donation from the township and Chairman Reese said that was not the Board's intention to donate it in lieu of the annual donation.

Supervisor Packard claimed the vehicle was worth between \$10,000 and \$15,000 and Chairman Reese disagreed with his estimate stating that similar vehicles were being sold for \$4,000 to \$6,000 on Municibid.

A discussion was held about the value of the police cruiser which has 164,000 miles on it.

Matt Stover of the Avis Fire Company explained that the cruiser could be used when the Fire Company receives its QRS license because some members do not like to drive the bigger fire trucks to the scene of an emergency. It would make it easier for some of the EMTs to be able to get a better response to the emergency scene rather than waiting for a driver.

Supervisor Packard asked members of the Avis Fire Company who were present to choose between the police vehicle or the \$10,000.00 donation. Members explained that the annual \$10,000.00 was used to help cover the cost of the annual insurance premium for the fire company.

A discussion ensued and fire company members declined the donation of the police vehicle in lieu of its annual donation but thanked Supervisors Reese and Edwards for their willingness to donate the vehicle to the Avis Fire Company.

### **Duties of the Emergency Management Coordinator**

Supervisor Packard went over each of the list of duties prepared on behalf of the Supervisors by Solicitor Rosamilia for the Emergency Management Coordinator position with EMC Kevin Ferrara who took issue with some of the requirements stating they would hamper his ability to perform his duties.

EMC Ferrara's involvement in local events at the Susquehanna Valley Big Twins Biker Club and the Seed Farm was also discussed.

A lengthy review of each of the listed duties was held and Mr. Ferrara's objections were noted, and in conclusion of the review of the duties Solicitor Rosamilia explained that the Board of Supervisors wanted to be more aware of the EMC's activities. He stated that Mr. Ferrara is subject to the direction and control of the Board of Supervisors, and they need to know what he is doing.

Chairman Reese made a motion to approve the list of duties of the Pine Creek Township Emergency Management Coordinator; seconded by Supervisor Edwards. The motion passed by a 2-1 vote with Supervisors Reese and Edwards voting in favor of the motion and Supervisor Packard voting against the motion.

### **Roadmaster's Report**

Roadmaster John Reese presented the November Roadmaster Report that included:

- Leaf pick-up
- Clean up storm damage (trees)
- Crack sealing on various routes
- Cold patch holes on Dutch Hollow Road and in South Avis
- Installed snow fence
- Snow removal
- Vehicle maintenance that includes preparing the trucks for snow removal; serviced the police vehicle and one of the trucks; cleaned up trucks after snowstorms; cleaned up paver from summer work; and finished up repairs on the spreader
- Building maintenance included cleaning the meeting room, restrooms and hallway and waxing all the floors

## **Adjournment**

There being no further business, Chairman Reese made a motion to adjourn the meeting; seconded by Supervisor Packard, MCU. The meeting was adjourned at 8:25 pm.

Respectfully submitted,

*Darlene S. Macklem*

Darlene S. Macklem, Secretary