

PINE CREEK TOWNSHIP
MEETING MINUTES OF FEBRUARY 2, 2022

The Pine Creek Township Board of Supervisors held their regular monthly meeting on February 2, 2022, at 10:00 a.m., with Supervisors John M. Reese, Dean L. Edwards, Jr., and Kenneth J. Packard present.

Also present: Joy Packard, Edward and Joan Summerson, Kevin Johnson, Brandon Coleman Melissa Rockey and Jim Hess of the Woolrich Fire Company, Dot Ream, Terry Crawford, Matthew Stover of the Avis Fire Company, Gary Wasson, David Rockey, Greg Love, Police Chief Dave Winkleman and Thom Rosamilia, Esquire

Meeting Minutes

Chairman Reese asked for questions or comments on the minutes from January 3, 2022 Reorganization Meeting Minutes and the Monthly Meeting Minutes; there being none, Chairman Reese made a motion to approve the minutes as presented; seconded by Supervisor Packard, MCU.

Financial Report & Invoices

Chairman Reese asked for questions or comments on the invoices and financial report. There being none, Chairman Reese made a motion to approve the invoices and financial report as submitted; seconded by Supervisor Edwards, MCU.

Public Participation

Edward and Joan Summerson – Woolrich Cemetery

Edward and Joan Summerson asked questions about the requirements of proposed Ordinance 02-02-2022. Specifically, the requirement for Cemetery Associations to provide the amount of funds in its Perpetual Care Fund annually to the Township. They stated that the Woolrich Cemetery Association is regulated by the State, citing Title 9 regulations, and asked why the Township was proposing the ordinance.

Solicitor Rosamilia explained that the Supervisors are concerned that if a cemetery is abandoned and not maintained the maintenance would then fall on the Township. He said the proposed ordinance does not place additional requirements on Cemetery Associations. The purpose of the ordinance is to basically make sure the Associations are in compliance with Title 9 regulations and that they keep the required amount of money in the Perpetual Care Fund.

A discussion was held regarding Title 9 regulations and the provisions of the proposed ordinance.

Chairman Reese asked Solicitor Rosamilia if it would be sufficient for Cemetery Associations to submit an affidavit certifying that the balance in the Perpetual Care Fund meets Title 9 requirements rather than providing the amount in the Perpetual Care Fund. Solicitor Rosamilia indicated submission of such an affidavit would suffice.

Woolrich Fire Company

Brandon Coleman, Fire Chief, and Jim Hess, Assistant Fire Chief provided financial documentation for the Woolrich Fire Company pertaining to the annual \$10,000 donation from Pine Creek Township. He also provided a list of Fire Company Officials for 2022-2024 and a breakdown of the number of emergency calls for 2021.

He also reported that there are eight certified divers and other members are receiving training and when completed the Fire Company will have 12 certified divers. Fire Station 8 provides boat service for water rescues. The Fire Company also received grant money to purchase equipment.

Avis Fire Company

Matt Stover, Fire Chief of the Avis Fire Company provided financial documentation for the Fire Company pertaining to the annual \$10,000 donation from Pine Creek Township. A list of Fire Company Line Officers for 2022 was also provided to the Board.

Dot Ream

Dot Ream a resident of South Avis complained about the odor caused by Nicholas Meat Packing spreading animal waste bi-products on fields behind her home.

Chairman Reese explained that the process is permitted as an agricultural program and is regulated by DEP. He said it is an acceptable practice and, unfortunately, it is out of the Supervisors control.

A discussion was held and it was noted that Nicholas Meat is building a “digester” treatment plant at their facility in Loganton. Zoning Officer Winkleman indicated that the Township has looked into the situation and agreed with Supervisor Reese that it is out of the Township’s hands because it is an acceptable practice.

Old Business:

Emergency Operations Plan

The Emergency Operations Plan was tabled to the March meeting due to Kevin Ferrara not being present at the meeting due to illness.

New Business:

Wasson Subdivision

Gary Wasson presented a subdivision in the Residential (R1) Zoning District for property located at 10 Derr Hill Road. The subdivision creates a 0.4120 acre parcel with an existing garage. The residual parcel contains .7694 acres with existing sewer and water. He said both the County and Pine Creek Township Planning Commission reviewed and approved the subdivision.

Mr. Wasson provided a Water Service Verification Letter from Appalachian Utilities and Sewer Capacity Letter from the Pine Creek Municipal Authority for the 0.4120 acre parcel.

He also provided a notarized letter stating the proposed 0.4120 parcel with the existing garage does not meet current set-back requirements. He intends to meet the setbacks by either moving the current structure or demolishing it to build a new structure which will be used as a one family residence.

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

Zoning Hearing Board Vacancy

Chairman Reese explained that is a vacancy on the Zoning Hearing Board and the Supervisors received a letter of interest from Kevin Johnson for that position.

Supervisor Edwards made a motion to appoint Kevin Johnson to the Zoning Hearing Board; seconded by Chairman Reese, MCU.

Ordinance 02-02-2022 – Cemetery Maintenance & Perpetual Care Fund

Solicitor Rosamilia provided language to the Supervisors needed to amend the proposed Ordinance as discussed earlier in the meeting.

Chairman Reese made a motion to amend Ordinance 02-02-2022 to include language that an affidavit would be required and a written document identifying a qualified trustee, confirming a minimum balance in the perpetual care fund, and being in compliance of the balance requirements for approval of a new cemetery license under Title 9, Sections 3001 and 302. The motion was seconded by Supervisor Edwards and was unanimously approved.

Chairman Reese made a motion to adopt Ordinance 02-02-2022 for Cemetery Maintenance and Perpetual Care Fund as amended; seconded by Supervisor Edwards, MCU.

Request for Traffic Control – Great Island Race Series

Chairman Reese explained that the Township received a request for the Pine Creek Township Police Department to provide traffic control for the Great Island Race Series on June 24th and 25th. The event is sponsored by the Rotary Club in support of the YMCA, Clinton County Housing Coalition and the Annie Halenbake Ross Library.

Chairman Reese made a motion to approve the request; seconded by Supervisor Packard, MCU.

American Rescue Plan Act (ARPA) State Grant Funds

Chairman Reese explained that the U.S. Department of the Treasury released the final rule for spending American Rescue Plan Funds received by the Township. The allowable uses have changed and basically the Township will use the Lost Revenue category. The approved uses have become less restrictive and the money can be used for roads, bridges, and new vehicles. The prior rules were more restrictive as to how the money could be used.

Joy Packard asked how the lost revenue for the Township was calculated.

Secretary/Treasurer Darlene Macklem explained that she attended two webinars on the final rule for the ARPA Funds and the Township is not required to show a loss. It can take a onetime election for Lost Revenue for the entire amount of the ARPA grant and it is the most flexible category. ARPA funds would be transferred to the General Fund and may then be spent on any provision of government services including:

- (1) Infrastructure such as roads and bridges
- (2) Cyber security
- (3) Police, fire, EMS
- (4) General government administration, staff and administrative facilities

Annual Project and Expenditure Reports are required to be submitted by April 30th of each year.

Secretary Macklem explained that the Township, upon recommendation of PSATS, entered into an agreement with the accounting firm of Zelenkofske Axelrod who is providing advisory services to municipalities across the State.

Joy Packard asked what the contract amount was for Zelenkofske Axelrod to provide services to the Township. Secretary Macklem explained the fee was a sliding scale based on the amount of ARPA funds received, adding that the Township was billed \$5,500.00 for one-half of their fee this year and the fee was paid out of the ARPA account.

A discussion was held with regard to what the ARPA funds may and may not be spent on.

Mrs. Packard asked Chairman Reese how the Board anticipates spending the funds. Chairman Reese replied that it is anticipated that funds would be spent on vehicle upgrades, road maintenance, and new computers and to maintain buildings.

Supervisor Packard reiterated that the ARPA funds the Township will receive will total about \$337,000.00 less the fees paid to Zelenkofske Axelrod. He said that he was told during PSATS Training that Zelenkofske Axelrod was supposed to do the paperwork for the ARPA grant. Secretary Macklem said it was her understanding that they only providing assistance with interpreting the regulations and with filing the required reports.

Material Bids

Supervisor Edwards made a motion to advertise for bids for road materials and schedule the bid opening for March 2, 2022 @ 7:00 pm; seconded by Supervisor Packard, MCU.

Executive Session – Legal Issue Concerning Intermunicipal Work

Chairman Reese called an Executive Session at 7:40 pm to discuss a legal issue concerning intermunicipal work. The regular meeting was called back to order at 7:55 pm.

Law Enforcement

The Law Enforcement Report was reviewed by the Board of Supervisors.

Chairman Reese indicated that it may be necessary to increase the rates charged to Wayne Township, Dunnstable Township and Avis Borough. Due to Chief Winkleman being called out to service, further discussion was tabled.

Chairman Reese suggested that the Township start looking into replacing one of the Pine Creek Township Police Department's vehicles, noting that ARPA funds may be used to purchase a vehicle.

Adjournment

There being no further business, Chairman Reese made a motion to adjourn the meeting; seconded by Supervisor Edwards, MCU. The meeting was adjourned at 8:10 pm

Respectfully submitted,

Darlene S. Macklem

Darlene S. Macklem, Secretary