

## BARRETT TOWNSHIP SUPERVISORS



1200 ROUTE 390 • CRESCO, PA 18326  
570-595-2602 • www.BarrettTownship.com

### Right-To-Know Response

October 8, 2024

Joshua Macel, Appeals Officer  
Pennsylvania Office of Open Records  
333 Market St., 16<sup>th</sup> Fl.  
Harrisburg, PA 171010-2234

**Re: Delp v. Barrett Township  
OOR Dkt. AP 2024-2424**

Dear Mr. Macel:

Barrett Township is providing the following information for your consideration in the above referenced appeal.

Mr. Delp requested two “letters” in his September 13, 2024 request: one from Joseph Fitzsimmons and one from Karl Stearns. In our response dated September 17, 2024, we provided a copy of the Stearns letter, but denied the request for the Fitzsimmons letter. Our response stated that after a thorough examination, the requested record did not exist.

In fact, there is no “letter” from Mr. Fitzsimmons. However, the agenda for the September 11, 2024 meeting of the Board of Supervisors inadvertently refers to “Joseph Fitzsimmons letter – re: Cell tower, High Acres Park.” This reference to a letter was erroneous since no letter exists.

Mr. Fitzsimmons communicated with the Township by email to request to be added to the Board’s agenda. In case those emails are responsive to Mr. Delp’s request for a “letter,” copies of the emails are attached.

If you have additional questions, please contact the undersigned.

Respectfully,

A handwritten signature in blue ink that reads 'Pamela Gardsy'.

Pamela Gardsy, RTK Officer

EMAIL #1

**From:** Joseph Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)>  
**Sent:** Tuesday, August 20, 2024 10:41 AM  
**To:** Jeryl Rinehart <[jeryl@barretttnowship.com](mailto:jeryl@barretttnowship.com)>  
**Cc:** Pam Gardsy <[pam@barretttnowship.com](mailto:pam@barretttnowship.com)>  
**Subject:** Re: FCC, Inc. Property Lease

Pam and Jeryl,

Just following up to see if I can get on an Agenda to talk to the Supervisors about Leasing 50' x 50' of property at the High Acres Park area for a cell tower. Let me know if I can get on the Agenda or if there is another avenue to pursue for a Lease. Thank you in advance for your help.

Regards.

On Tue, Jul 16, 2024 at 3:53 PM Jody Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)> wrote:  
Jeryl,

Thanks...truly appreciate it.

Regards

Sent from my iPhone

On Jul 16, 2024, at 2:14 PM, Jeryl Rinehart <[jeryl@barretttnowship.com](mailto:jeryl@barretttnowship.com)> wrote:

Joe,  
Pam is on vacation, she will be back on Friday, I will follow up with her.  
Jeryl

**From:** Joseph Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)>  
**Sent:** Tuesday, July 16, 2024 11:35 AM  
**To:** Jeryl Rinehart <[jeryl@barretttnowship.com](mailto:jeryl@barretttnowship.com)>  
**Subject:** FCC, Inc. Property Lease

Jeryl,

I left a blank Lease Agreement with you when we last met so you could pass along to the Solicitor...just realized that he probably cannot work on reviewing a Lease without the approval of the Board of Supervisors.

Can you get me on an Agenda for either a work session or public hearing so I can ask the Board for their approval to start negotiations with my company, FCC, Inc. on leasing a piece of land (50' x 50") at the High Acres Park for a telecommunications tower. Or, if

EMAIL #1

there is an alternate way of getting their approval to start negotiations, please let me know.

Thank you in advance for your help.

Regards.

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Joseph F. Fitzsimmons  
570-881-4579 Mobile  
[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)

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Joseph F. Fitzsimmons  
570-881-4579 Mobile  
[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)

EMAIL #2

**From:** Joseph Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)>  
**Sent:** Thursday, August 29, 2024 8:49 AM  
**To:** Pam Gardsy <[pam@barrett township.com](mailto:pam@barrett township.com)>  
**Subject:** Re: FCC, Inc. Property Lease

Pam,

Thanks...I remembered the new address...looks like there is a religious group or something like that at the old address (New Life??). I will have a short presentation for the Board and hopefully I can answer all questions to their satisfaction. Thanks again and see you in 2 weeks.

Regards,

Joe

On Thu, Aug 29, 2024 at 8:43 AM Pam Gardsy <[pam@barrett township.com](mailto:pam@barrett township.com)> wrote:  
You know we've moved to 1200 Route 390 right? You would just come through the front doors and there's signs to the meeting room. The BOS isn't opposed to the tower, we just need more info, like where exactly it would go at High Acres.

Thanks, see you on Sept 11.

Pam

**From:** Joseph Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)>  
**Sent:** Thursday, August 29, 2024 8:41 AM  
**To:** Pam Gardsy <[pam@barrett township.com](mailto:pam@barrett township.com)>  
**Subject:** Re: FCC, Inc. Property Lease

Pam,

Thanks...I will be there at 5:30PM...I know I read the email and it clearly stated 8am but for some reason my mind went to "PM"...I am the Chairman of the Zoning Hearing Board in Waverly Twp and we always have our meetings after work so it just must have registered in my mind that it was in the evening. In any event, I will be there on 9/11/24 at 5:30pm...do I just come through the doors where I would normally enter? Please advise.

Just a curiosity and not sure if you can say but, I am wondering if the BOS would be interested in leasing 50' x 50' to my company for the cell tower? If you could let me know what the temperature of the room is for something like this, that would be great. I would rather have the Twp receive rent than not.

And, thanks for the understanding about my non-attendance last night.

Regards,

EMAIL #2

Joe

On Thu, Aug 29, 2024 at 7:18 AM Pam Gardsy <[pam@barretttownship.com](mailto:pam@barretttownship.com)> wrote:  
Hi Joe,  
No problem, we were wondering what happened. The 9/11 meeting is actually our evening meeting at 5:30pm. We'll add you to the agenda for that one.

Have a great weekend!

Pam

**From:** Jody Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)>  
**Sent:** Wednesday, August 28, 2024 7:50 PM  
**To:** Joseph Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)>  
**Cc:** Pam Gardsy <[pam@barretttownship.com](mailto:pam@barretttownship.com)>  
**Subject:** Re: FCC, Inc. Property Lease

Pam,

Just had an official Senior moment...I am here at the Twp Bldg at 7:44pm and no one is here so I checked the email and the meeting was this morning, 8am...NOT 8pm!!! Sorry for missing the meeting this morning. I will definitely be at the 9/11/24 at 8AM meeting!! Here I thought I was early but I am 12 hours late!! UGH!!! My mistake.

See you on 9/11/24. I just come through the front door correct? Please advise.

Regards,

Joe

Sent from my iPhone

On Aug 20, 2024, at 11:35 AM, Joseph Fitzsimmons <[jfitzfcc@gmail.com](mailto:jfitzfcc@gmail.com)> wrote:

Pam,

Thanks!!! Yes, I can make the meeting..it will just be an informal presentation to hopefully get the ball rolling.

Just let me know if I am confirmed. I will be there on Wednesday, 8/28/24 at 8pm...

As usual, thanks for your help!!!

EMAIL #2

Regards.

On Tue, Aug 20, 2024 at 10:53 AM Pam Gardsy <[pam@barretttownship.com](mailto:pam@barretttownship.com)> wrote:

Hi

I can add you to the agenda for the meeting on the 28<sup>th</sup> if that works for you. The meeting is at 8am. Just let me know if you can make that meeting. After that, the next meeting would be Sept 11.

Thanks!

Pam

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