

Gallagher Township
Supervisors Meeting Minutes
August 3, 2022 ~ 7:00PM

The August 2022 regularly scheduled public meeting of the Gallagher Township Supervisors was called to order by Chairman Bill McCoy at 7:06 PM, followed by a moment of silence and the Pledge of Allegiance.

In Attendance: Supervisors Bill McCoy, Brian Hoy, Ken Porter, as well as Township Residents; Jody Ritter, Timothy Lester, Brent Bowmaster, Kathy Harman, Peg Neff, Earl Straley Jr., Jacque Gottshall, Harvey Palmatary.

Chairman McCoy stated an Executive Session was held on July 27, 2022 at the Gallagher Township Building at 7:00 PM. In attendance were Chairman Bill McCoy, Supervisors Porter and Hoy, and Township Solicitor Justin Houser. The purpose of the meeting was to discuss personnel and legal matters.

The meeting minutes for the July 2022 Regular Scheduled Meeting minutes were submitted for review and approved as presented. Chairman McCoy made the motion to approve the minutes as presented. Supervisor Porter seconded the motion. The motion unanimously carried.

A treasurer report, including all monthly invoices, payroll, liabilities and deposits into all accounts was presented for review by all three supervisors. The total balance for all accounts as of July 31, 2022 was \$444,174.69. supervisor Porter questioned if the township received the ACT 13. Chairman McCoy stated the Act 13 Funds in the amount of \$77,449.45 were received on July 1, 2022, however, the township still hasn't received the second installment of ARPA. The date was pushed back until in August sometime with no specific date being provided. The township received a small deposit of redistributed funds on 07/01/2022 in the amount of \$63.04. Supervisor Hoy made a motion to approved the financials as presented. Chairman McCoy seconded the motion; the motion unanimously carried.

Correspondences were presented for review by the Supervisors. Supervisor Hoy stated there were a lot of Kellen Krape, SEO, emails. Chairman McCoy stated there was a lot of back and forth with Kellen because he was trying to find the original documents for the Turkey Trot subdivision, specifically lot 19 which was recently sold. Supervisor Hoy stated Schultz was the original owner of the property. Both Supervisor Hoy and Supervisor Porter stated they may have access to map showing the original perk and subdivision. Supervisor Porter stated the lot was recently subdivided and that is the reason it cannot be found.

Chairman McCoy stated he was going to add a monthly Road Master report to the agenda and Brent had started posting a monthly calendar with the scheduled work listed. He stated both he and Brent would be off August 14 through August 22, 2022. Chuck will be in to check the grass and mow if necessary. Concrete floor in the garage and seal the stones on the wall of the building to keep the concrete from busting. Supervisor Porter stated Centre Concrete would have the needed sealant. Supervisor Porter provided Chairman McCoy with the name and contact information of Amy, the sales representative from Centre Concrete, to contact regarding what product would work best as well as to get pricing.

A partial SEO Report was presented by Chairman McCoy earlier in the meeting. Chairman McCoy continued the report by stating the township received two final applications. He went on to say he had spoken to Kellen, who stated if there was a problem with the billing missing the township's 10% service fee, Gallagher Township was to deduct the fee from what we owe him. Supervisor Hoy questioned if we had cycled through all of the old permits prior to the new accounting system being adopted? Chairman McCoy stated, no not as of this meeting. There are still some outstanding applications that are two years old or more years old. There are several more to go before they will be completed and the new liability holding account in Quick Books will reflect the current sewage permits and testing in progress.

Public Comment

Timothy Lester stated there is an issue with harassment and the public has heard about it. The owner of Mountain Top is trying to bring economic growth to the township. He went on to say they have their building permit. Harvey Palmatary said he is doing the work at the Mountain Top and he also stated they have their building permit. It is posted on the service door. A discussion continued with the supervisors making a request for the township secretary to reach out to Clinton

County Planning and Zoning Department to ask that they start sending a monthly zoning and planning report to Gallagher Township so it can be added to the agenda, reviewed at the public meetings and everyone is on the same page.

Brent Bowmaster, Gallagher Township Foreman, submitted a formal written employee grievance directed toward Supervisor Hoy which was addressed to Chairman McCoy and Solicitor Houser. Brent requested that his grievance be addressed publicly. Chairman McCoy asked Brent if he wanted the letter read out loud for all of the supervisors and the public to hear, to which he responded, yes. Chairman McCoy read Brent's grievance out loud. Supervisor Hoy called for an executive session to discuss the matter. Chairman McCoy read Gallagher Township's Policy and Procedure Manual; which states the employee may request that their grievance be handled publicly. Chairman McCoy read the letter in its entirety. A brief discussion followed with the members of the Board of Supervisors requesting the township secretary to scan and email Brent's grievance to the township solicitor.

Timothy Lester questioned if the cameras were put in for security or surveillance? Chairman McCoy stated the cameras were put in for security. Supervisor Porter stated at his place of employment, cameras are used for both security and surveillance of employees. Peg asked how many cameras were installed at the township building? Chairman McCoy stated 7 cameras in total. Jody questioned if the township was required to advise the employees, they were being surveilled and if it was included in the Policy and Procedure Manual? With employees, there is a fine line that shouldn't be crossed. A discussion followed between members of the public and the supervisors. The Board of Supervisors asked that the township secretary forward a copy of the resolution drafted by the solicitor regarding employee surveillance to them via email. Additionally, it was requested that adding this to the policy and procedure manual as well as adopting the resolution be forwarded to the township solicitor for review and discussion at an upcoming executive session.

No additional public comment was made.

Old Business

Chairman McCoy stated he was working with Rachel Daley, from Dirt and Gravel in hopes of securing a grant for the pipe project on Queens Run Road. She is on vacation, but Chairman McCoy said she would be in touch regarding the project when she returned. He went on to say, regardless if the township received a grant for the project or not, he was advised a GP11 permit will be necessary. He is hoping to prevent the township from paying engineering costs by getting the grant as Dirt and Gravel works with Penn State Engineering and there would be no cost to the township for their services.

Chairman McCoy stated the township demoed a backhoe. Supervisor Hoy stated he had pricing, but didn't bring it along as he requested that they update the quote to include a swivel bucket and a 5-year maintenance agreement. The item was tabled for discussion at the September 2022 Regularly Scheduled Public Meeting.

Chairman McCoy stated the township still hasn't received the second installment of ARPA. As was previously discussed, no specific date was provided for disbursement by the State of Pennsylvania. It was only said only sometime in August of 2022.

Chairman McCoy advised the other supervisors the brake retarder sign located on the Shellenhamer property had been removed, but the township received a call from DCNR, who requested that the sign be put back up because people were complaining. After the township received the complaint from DCNR, the township employees put the sign back up on Carrier Road. This time they placed it on the bottom of an existing sign near the entrance of Carrier Road. Jody questioned if the township was able to enforce the use of brake retarders. Chairman McCoy stated, no a speed and grade study would need to be completed prior, but because of the grade of the road, the road would not qualify to prohibit brake retarder use.

New Business

Chairman McCoy stated for clarification, the agenda could be amended, but there are only certain reasons and parameters that allow for the agenda to be amended. If an item is added to the agenda, the reason for adding the item to the agenda must be clearly and publicly stated.

Chairman McCoy stated he added review and discussion of the approved 2022 meeting minutes with clarification from the Township Solicitor to the agenda because he was hoping the Township Solicitor would be in attendance. However, the solicitor was unable to attend the meeting. This agenda item was tabled until the September 2022 Regularly Scheduled Public Meeting. Supervisor Hoy questioned if it was possible to receive the meeting minutes earlier than the Friday prior to the Regular Scheduled Meeting? Township Secretary, Mary Myers, stated the recorder she currently uses does not have rewind or fast forward, and therefore it takes a great deal of time to put the meeting minutes together. She stated the beginning of the month she is busy, but would do her best to have a draft copy of the monthly meeting minutes typed up and sent out to the supervisors for review around the 20th of each month. Supervisor Porter made the motion for the township secretary to purchase a new recording device with fast forward and rewind on it. Chairman McCoy seconded the motion; the motion unanimously carried.

Chairman McCoy stated because the solicitor wasn't in attendance, agenda item Supervisor / Road Master Duties & Review of Township Approved Job Description for each will need to be tabled until next meeting as he would like legal input from the Township Solicitor.

Chairman McCoy stated there was an issue with checks being signed on Monday. He stated per Resolution 2022-05 – 3 Signatures are required on all township checks and the township secretary is to pay all normal monthly bills and payroll as received. Township Secretary, Mary Myers submitted a letter addressed to Chairman McCoy and Solicitor Houser. Chairman McCoy asked if he was to read the letter out-loud to which the township secretary responded yes. Chairman McCoy read the letter.

Chairman McCoy tabled agenda items Employee Reporting Chain of Command, Employee Job Description, and Policy & Procedure Manual until the next regular scheduled meeting because the Township Solicitor wasn't in attendance to offer his legal opinion, guidance or direction relating to the items presented.

Chairman McCoy stated the township secretary sends the timecards to Supervisors Porter and Hoy for review and approve his time card prior to payroll being completed. He stated he approves all of the employees' time cards, but cannot approve his own. It needs to be approved by one of the other two supervisors. He went on to say that neither Supervisor Porter or Hoy respond to the email approving his time card. Supervisor Porter stated, he is busy at work and if he doesn't respond immediately to the email, the time cards are approved- including Chairman McCoy's.

Chairman McCoy stated he had submitted a Right to Know Request to the township's Right to Know Officer for the phone records of Supervisors Porter and Hoy. For personal reasons, he chose to withhold his name and address and submit the request with this information redacted out. Chairman McCoy stated, he later withdrew his request.

Chairman McCoy stated in an effort to prevent right to know requests from being made for township official's personal phone records, the township was looking at adding three additional cell phones to the township's current plan. Township secretary stated she had contacted Verizon. If the township were to add three cell phone lines- one for Supervisor Porter, one for Supervisor Hoy and township foreman, Brent- the additional monthly cost would be around \$158.00 per month added to the current bill of \$118.63 per month. She went on to say, Verizon was currently offering a free Samsung Galaxy S20 FE with the activation of a new line. Additionally, there would be a onetime fee of \$134.63 to purchase three OtterBoxes- one for each phone- to protect it against damage. Chairman McCoy stated at this time, the township did not have a Cell Phone Policy, therefore one would need to be created, adopted and added to the township's policy and procedure manual. Chairman McCoy asked Supervisors Hoy and Porter if they had reviewed the sample policy- township devices- the solicitor had sent via email? Both responded, no. Secretary, Mary Myers passed out two- sample- draft- cell phone policies to each of the supervisors to review. She was directed to forward the two- sample- draft- phone policies presented to the township solicitor for legal review. Supervisor Porter made a motion to move ahead with purchasing three new phone lines at a cost of approximately \$158.00 additional per month along with three OtterBoxes. Supervisor Hoy seconded the motion; the motion unanimously carried.

Chairman McCoy stated the township adopted a resolution in regard to the recording of public meetings. Resolution 2021-02 was adopted at the March 3, 2021 Regular Scheduled Public Meeting. It states all meetings, in which township business is conducted, will be recorded. The meeting recordings will be kept no more than 30 days or until the next public meeting. This resolution follows the PA Sunshine Act recommendation and guidelines.

Chairman McCoy stated he would like to have the Township Solicitor to attend all future monthly public meetings. A brief discussion regarding the matter was held by all three supervisors. Chairman McCoy made the motion to have Township Solicitor, Justin Houser, present at all future regularly schedule monthly meetings. Supervisor Porter seconded the motion; the motion unanimously carried.

Chairman McCoy stated the Township Secretary had received a complaint about excessive loud noise from Jecca Jones. In the complaint, Jecca stated her neighbor was playing excessively loud music and she questioned if Gallagher Township had a noise or nuisance ordinance? The township secretary responded to her email providing the contact information for Clinton County. No additional information was provided in the email with regard to Jecca's address or property location for follow-up.

Complaint regarding Engine Brake Retarders was on big trucks using Carrier Road to service the gas well industry was previously discussed. No additional discussion was held at this time.

Building Permit for Mountain Top stage was previously discussed. No additional discussion was held at this time.

Chairman McCoy stated he would be unable to attend the September 2022 regular scheduled meeting on September 7, 2022 as he would be out of town and questioned Supervisors Porter and Hoy if it would be ok to change the date of the regularly scheduled meeting from September 7, 2022 to the following Wednesday, September 14 at 7:00 PM? Supervisor Hoy questioned if he was unable to attend a regularly scheduled meeting, if Chairman McCoy would change the date for him? Chairman McCoy responded, yes, he liked to have all three supervisors present at all regular public meetings if at all possible. Supervisor Porter then said, changing the date of the September meeting to the 14th worked for him as he too would be out of town and not able to attend the meeting if it was held on September 7, 2022. Chairman McCoy made a motion to change the September 2022 Regular Public Meeting from September 7, 2022 to September 14, 2022 at 7:00 PM. Supervisor Porter seconded the motion; the motion unanimously carried.

A brief executive session was called at 9:13 PM to discuss legal matters.

Meeting was called back to order at 9:18 PM. Supervisor Hoy made the motion for the township secretary to contact the township solicitor to schedule an executive session to discuss the items presented at the meeting; the packet of information the solicitor forwarded to each of the supervisors prior to the public meeting via email; the cell phone policies as well as and forward the copies of the employee grievances to the solicitor for legal review and guidance. The motion was seconded by Supervisor Porter; the motion was unanimously carried.

Chairman McCoy made the motion to adjourn the meeting at 9: 22. Supervisor Porter seconded the motion; the motion was unanimously carried.

Gallagher Township Supervisor Chairman
William McCoy

Gallagher Township
Secretary / Treasurer
Mary J. Myers
