

**Gallagher Township Board of Supervisor's
Regularly Scheduled Meeting Minutes
April 5, 2023 ~ 7:00PM**

The April 2023 Regularly Scheduled Public Meeting of the Gallagher Township Board of Supervisors was called to order by Chairman Bill McCoy at 7:06 PM; followed by a moment of silence; and the Pledge of Allegiance.

Chairman McCoy announced to the public an Executive Session was held prior to the meeting with Township Solicitor, Justin Houser, to seek legal advice and address personnel matters. Chairman McCoy made the motion to have the Township Solicitor, Justin Houser, stay for the Regular April 2023 Public Meeting. Supervisor Mann seconded the motion; the motion unanimously carried.

In Attendance were Supervisors: Chairman Bill McCoy, Supervisor Brian Hoy and Supervisor Will Mann; Township Solicitor, Justin Houser; Township Secretary, Mary Myers; and Township Residents: Earl Straley, Jr., Timothy Lester, Michelle Merryman, Harvey Palmatary, Brent Bowmaster, Kenny Porter, Aleasha Bowmaster, Bobby Bowmaster, Jody Ritter, Jennifer Hoy, Lauren Hoy, Kevin Hoy, Tanner Hoy, Peg Neff, Kathy Harman, Loretta Coltrane, Warren and Jacque Gottshall, Michele Whitney, Steve Krouse, Hayley Bauer, Russell Weaver, John Bardo; and visitor Gary Myers.

A Consent Agenda was presented to the Board. It included the following regular monthly action items: **Meeting Minutes** for the March 1, 2023 Public Meeting; the **March 2023 Treasurer's Report** for township finances from March 1, 2023 up to and including March 31, 2023- this report included all Payroll, Liabilities, Invoices, and Deposits; and the **March 2023 Correspondences**. Supervisor Hoy made a motion to approve the Consent agenda as presented. Supervisor Mann seconded the motion; the motion unanimously carried.

Zoning and Land Use Permit Report

Nothing new to report from the Clinton County Planning Commission or Zoning Office.

Road Master Report

Roadmaster, Supervisor Hoy, provided the Roadmaster report. He advised there wasn't a lot going on as the Township had lost a couple of employees. He hoped the snow was finished for the season; which would allow the Township to clean-up the roads and remove the debris from the ditches along the Township Roads.

SEO Report

Chairman McCoy stated he had received a call from Kellen Krape pertaining to a piece of property located in the Dick Saylor development. He stated he wasn't able to locate the records for Kellen.

Public Comment

Warren Gottshall questioned why the Township was no longer plowing the church parking lots? Supervisor Mann explained it was due to the Constitution- separation of Church and State. He went on to say that the Township offered to host a fundraiser to help the churches raise funds to put toward plowing. The decision to discontinue plowing church parking lots was made by the Board of Supervisors in 2022. Per the motion made, seconded and carried, the Township will no longer provide the service of plowing church parking lots located in Gallagher Township. The effective date of this motion was April 2022.

Peg Neff stated that many people in the church community, including her, were upset with this decision and it had never been an issue in the past. She went on to say she would pay to have the parking lot at her church plowed.

Michelle Merryman questioned Supervisor Hoy if he had been told he wasn't aloud in the upstairs office? At which time Township Secretary Mary Myers asked if her husband, Gary Myers, could read a letter on her behalf? Township Solicitor, Justin Houser stated no, as he had just received a copy of the letter just prior to the meeting. It was an employee related matter and Gary Myers, wasn't a tax payer in the Township.

Brent Bowmaster submitted his letter of resignation for the position of EMC effective April 5, 2023. No action was taken at this time.

Old Business:

Correspondences Clarification – Supervisor Mann made the motion to amend the motion made at the March 1, 2023 Public Meeting to exclude items from the list below from being scanned or forwarded to the Board of Supervisors via email. All bills, banking

communications, governmental reports with account numbers, and personnel related items are to be excluded from forwarded correspondences. Chairman McCoy seconded the motion; the motion unanimously carried. Township Secretary, Mary Myers, is to contact Keith Kern to have secure email set-up through the Township's .GOV website.

Policy & Procedure Manual – Schedule Session w/ Township Solicitor – The Board agreed to hold a Work Session on Tuesday, April 25, 2023 at 6:00 PM to discuss and firm up the proposed Policy and Procedure Manual. The Board directed the Township Secretary to publicly advertise the meeting in the local paper of record.

Road Inspection Report – Supervisor Hoy and Supervisor Mann completed a road inspection of all Township Roads. Chairman McCoy was unable to attend the road inspection on the scheduled date. It was noted the following items need to be addressed: a few potholes to be filled, sweep/ vacuum road; Hollow Road: a few potholes to be filled, remove debris from ditch line, sweep/ vacuum road, clean ditches; Queens Run Road: remove debris from ditch line, sweep/ vacuum road, clean ditches, inquire about the scope of the maintenance agreement with Range Resources; Carrier Road: a few potholes at entrance to be filled, remove debris from ditch line, rake dirt section of road; maintenance agreement questions; Old Pike Road: remove debris from ditch line; rake dirt section of road; contact responsible party to remove pipe used in logging operation and to address any damage to the ditch caused by the logging contractor and check delineators on all roads. Chairman McCoy added the Township wasn't awarded the Multi-modal Grant to make upgrades to Hollow Road. He also stated the Board might want to look at having Hollow Road seal coated because of stress cracks and breaking up. Supervisor Mann stated Penn Line is trimming trees. The Township might consider daylighting Pike to Hollow Road; which would also help with winter maintenance. Another item the Township might consider is having the center line painted from Pike to Hollow Road.

Tire Collection – Employee Coverage and Advertise Event – The Board directed the Township Secretary to advertise the event in the Lock Haven Express, twice, and also to place it on the Township's website. The event will be held on Wednesday, May 10th from 4 to 7 PM and Friday, May 12th from 8 AM to 12 PM. In lite of the current employee situation, Supervisor Mann stated he could work both days. The Board decided they would work together to come up with a schedule to provide employee coverage for the event. Supervisor Hoy made a motion to advertise the Tire Collection Event with the Lock Haven Express twice. Supervisor Mann Seconded the motion; the motion unanimously carried.

Boom Mower Update – Supervisor Hoy stated he would contact Kyle with Woodward Township to set up a time to bring the boom mower they are selling out and put it on the Township's tractor to demo. Supervisor Mann stated he sees the Township needing to revisit daylighting and trimming trees along the township roads. Supervisor Hoy stated once Pennline finishes trimming the trees they have been contracted to trim, the Township should look at trimming the trees from Pike to Hollow Road.

Township Email / Email Passwords – Supervisor Hoy stated he had turned the password to the Township's Gmail address assigned to him over to the Township Solicitor. Supervisor Mann stated he would also provide the password to the Township's Gmail address assigned to him to the solicitor. Secretary Mary Myers, stated she had mailed the passwords to the Township Gmail accounts to the Solicitor. The Township Solicitor stated he had placed the passwords he had received in the safe at his office.

New Business:

Pine Creek Lumber Company Road Bond Release – Chairman McCoy stated he had received a phone call from Doug with Pine Creek Lumber Company. Doug had called to advise the township; they had finished logging and were no longer using Carrier Road to access DCNR Property. Because they were finished, they requested their cash bond be returned. Township Secretary, Mary Myers, presented a check to the Board in the amount of \$13,275.00, to be signed to release the cash bond. This check was to return funds received on 11/24/2021, check number 203030345, back to Pine Creek Lumber Company. Each member of the Board of Supervisors signed the check to release the cash road bond.

Deed to Township Property Shows Two Lots – Attorney to Investigate – Chairman McCoy presented a copy of the Township's deed as well as a print out of the Clinton County GIS Map showing the property where the Township Building and old schoolhouse are located to Township Solicitor, Justin Houser. He stated it had been brought to his attention the property was listed on the Clinton County GIS as two separate lots even though a lot consolidation deed had been filed with Clinton County. Supervisor Hoy stated he had noticed the issue when searching the County's GIS site. He went on to say, the address and contact name were incorrect and needed to be updated as well. After a brief review the Solicitor stated, the deed looked correct and the two deeds for the property had

been combined into one deed and recorded with the Register and Recorder's office at Clinton County. He advised the Board they should contact the assessment office to update the contact name to Gallagher Township Board of Supervisors, the mailing address on file as well as correct the lot listing so it showed the property as one lot instead of two. The Board directed Township Secretary, Mary Myers, to contact the Clinton County Assessment Office to have the necessary corrections made.

Agenda / Meeting Minutes for Supervisors – Supervisor Mann requested that a tentative agenda be emailed to the Board of Supervisors three days prior to the Regular Public Meeting. He also requested that the meeting minutes be sent out for review a week prior to the meeting so the Supervisors have time to review them prior to the meeting. Chairman McCoy stated a motion was made and seconded in August 2022, which stated a draft copy of the meeting minutes would be provided to the Members of the Board for review around the 20th of each month. Supervisor Mann made a motion to have the tentative agenda sent out to the Board of Supervisors eight days (Tuesday the week before) prior to the regular monthly meeting. Supervisor Hoy seconded the motion; the motion carried.

Consider Appointment of/and Retroactive Compensation of Certain Employees – Chairman McCoy read the January 2023 Organization meeting minutes pertaining to the Supervisor's wages and also the Auditor's meeting minutes from their January 2023 meeting; which set the working wages for all Working Supervisors. Solicitor Justin Houser, questioned who was the working supervisors? Chairman McCoy stated no one was specifically appointed. Solicitor Justin Houser went on to say, the Township has authorized payment for a Working Supervisor, but no one has been appointed until now. Supervisor Mann also stated in the Policy and Procedure Manual, the Township doesn't have a job description for a Working Supervisor and that is the conundrum the Township is currently in. Supervisor Mann stated he had spoken with Holly Fishel at PSATS. At this time, the Township currently doesn't have a job description for a Working Supervisor. He became a Supervisor after the Organization Meeting in January 2023. Both he and Chairman McCoy weren't appointed to fill any position except as a Supervisor. He was instructed to request the Board to hire him retroactively as a skilled laborer, back to the time he was appointed as a supervisor, February 7, 2023. As of this meeting, he stated he has been paid for 11.25 hours, plowing snow, which is not considered supervisor activities. He would like to re-work those hours and make restitution to the Township for all of those hours he worked without being appointed to a position. Solicitor Houser stated to Supervisor Mann, if you are retroactively hired, you must be paid for the work you did. If you are not retroactively hired, you don't have to be paid for the work that you did. He went on to say if any voting is going to be done on hiring anyone, the person being hired, should abstain from that vote. Chairman McCoy then asked the Solicitor if this is something that the auditors should look at because they are Supervisors and the Auditors will have the final say on what they are paid? Supervisor Hoy stated, yes, the auditors will need to convene and will need to set the wages because they are Supervisors. Auditor, Jody Ritter, questioned if the Board had any suggestions like they did in January 2023? Chairman McCoy stated the wages were set for the Skilled Laborer at \$12.75 per hour and the Foreman / Roadmaster was set at \$13.75 per hour. Supervisor Hoy made the motion to appoint Supervisor Mann as a part-time Skilled Laborer at \$12.75 per hour retroactive to February 1, 2023- the date Supervisor Mann was appointed and sworn in as a Gallagher Township Supervisor. Supervisor Mann seconded the motion; however, Solicitor Houser stated it would be best if Supervisor Mann abstained from voting. Chairman McCoy then seconded the motion; the motion carried; with Supervisor Mann abstaining.

Supervisor Mann stated Chairman McCoy should follow suit and choose a position. Chairman McCoy then questioned, so what you are saying is as a Supervisor, I cannot work? Supervisor Mann replied to Chairman McCoy, as an elected official, you can be here and do all of the things you do, but you can't collect pay for it. Per PSATS, as soon as you get into one of the township trucks, you are not covered under any of the Township's insurances because you are not an employee, except in an emergency situation. Solicitor Houser made the recommendation to Chairman McCoy to do the same thing that Supervisor Mann had done. He advised him to choose a position that he was interested in and it would be retroactive back to the January 2023 Organization Meeting. Chairman McCoy stated he would like to be Roadmaster, he did it before. Neither of the other two Board Members acted upon his request. Kenny Porter commented when he was a Township Supervisor, Chairman McCoy stated he had too much on his plate, which is why they separated the duties in January of 2023. If the Township were to go back to all of the Board Members being Supervisors and Roadmasters, all of the time spent on the Policy and Procedure Manual was wasted and it might as well be thrown out. Supervisor Mann stated, for the sake of having people in positions, just choose Foreman. It is the same wage as the Roadmaster. Supervisor Hoy made a motion to make Chairman McCoy a Foreman at \$13.75 per hour. Supervisor Mann seconded the motion; the motion carried with Chairman McCoy abstaining.

Gas Company Road Maintenance Agreements – Supervisor Hoy stated the Township needs to send a letter to STL to fill the potholes and grade the shoulders at the end of Carrier Road where it meets Route 44 and they aren't cinder the road per the Township's Road Maintenance Agreement. He went on to say he would like name of our contact with Range Resources. He would like to discuss the Road Maintenance Agreement for Queens Run with them. Chairman McCoy stated he didn't have the contact's name.

Kenny Porter stated he had the regional representative's name and number and would provide it to Supervisor Hoy. Per Kenny Porter, the regional representative for Range Resources is Irv Gleason.

Sweeping of Township Roads – Supervisor Hoy said he would like to have the Township Roads swept and vacuumed this year. He advised John Reese from Pine Creek Township had been out to drive the roads with him. Supervisor Hoy stated he had received a quote from Pine Creek Township to use their vacuum truck to sweep all of the stones off of the Township roads. Supervisor Hoy made the motion to pay Pine Creek Township \$144.00 per hour to sweep the Township roads, using their equipment and manpower, not to exceed \$1728.00. Supervisor Mann seconded the motion; the motion unanimously carried.

Advertise for CPA to complete Annual Audit – Three- or Five-Year Contract – Chairman McCoy advised the contract with the CPA auditing firm of Fiore Fedeli Snyder Carothers, LLP expired this year and asked the board if they wanted to advertise a three- or five-year contract. Supervisor Hoy made a motion for the Township to advertise for a three-year contract with a CPA firm to perform the annual audit starting with the 2023 fiscal year. Supervisor Mann seconded the motion; the motion unanimously carried. Township Secretary, Mary Myers, was directed to advertise the contract with action scheduled to be taken during the June 2023 Regular Public Meeting.

Accept Resignations – Chairman McCoy presented three letters of resignation to the Board of Supervisors. Two of the letters of resignation were from Brent Bowmaster, who resigned as Foreman on 03/17/2023 and EMC effective 04/05/2023. The third letter of resignation was from Charles Schwalm, who resigned from the position of Skilled Laborer effective 03/31/2023. Supervisor Hoy made the motion to accept the resignations as presented. Supervisor Mann seconded the motion; the motion unanimously carried.

Advertise Employee Vacancies – The Board stated they would like to hire four or five part-time employees and directed Township Secretary, Mary Myers, to advertise the vacant Skilled Laborer positions twice in the Lock Haven Express, with CareerLink, on Indeed, and on the Township's website. It was agreed applications for the Skilled Laborer position, with the Township, would be accepted until the next Public Meeting.

CATO Convention – The Board discussed and tabled the item until the May 2023 Regular Public Meeting.

Moshannon Valley Council Training Day – The Board discussed with no action taken at this time.

With no additional business to discuss, Supervisor Hoy made the motion to adjourn the meeting at 8:55 PM. Supervisor Mann seconded the motion; the motion was unanimously carried.

Gallagher Township Supervisor Chairman
William McCoy

Gallagher Township
Secretary / Treasurer
Mary J. Myers
